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**The Overview of Sharia Principles on BSI
Mobile Banking.pdf**

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WORD COUNT

7615 Words

CHARACTER COUNT

42384 Characters

PAGE COUNT

20 Pages

FILE SIZE

666.0KB

SUBMISSION DATE

Aug 8, 2023 10:09 AM GMT+7

REPORT DATE

Aug 8, 2023 10:10 AM GMT+7

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The Overview of Sharia Principles on BSI Mobile Banking

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Abstract

Information technology that has developed so rapidly in recent years has directed the focus of large banks to digital services, including mobile banking. The internet's rapid growth is changing how companies connect with their customers, and the banking business is no exception. Of course, the concept of blessing must be prioritized by every Muslim, especially in banking institutions. This research aims to analyse the BSI Mobile application's existing mobile banking service system. In 2021, Bank Syariah Indonesia (BSI) started to merge 3 (three) Islamic commercial banks in Indonesia, at the same time, to support the development of information technology (especially in banking), BSI has also created a BSI Mobile application to facilitate transactions. This research is qualitative research with a grounded research approach and uses a qualitative descriptive analysis method. However, even though the service system in the BSI Mobile application has met customer needs and is under the basic principles of sharia, many customers or the Muslim community who have not used it do not even know the system and application. Ultimately, it will impact applications that cannot be utilized optimally. Based on the results of research that the researcher have done, the BSI mobile banking service system should emphasize the publication and socialization of BSI Mobile products with various methods, including approaches that use sharia principles because legal regulations will be applied due to threats and legal causes that occur.

Keywords: Sharia Principles; Bank Syariah Indonesia (BSI); Mobile Banking

Abstrak

Teknologi informasi yang berkembang begitu pesat dalam beberapa tahun terakhir telah mengarahkan fokus bank-bank besar ke layanan digital, termasuk mobile banking. Pesatnya pertumbuhan internet mengubah cara perusahaan terhubung dengan pelanggan mereka, dan bisnis perbankan tidak terkecuali. Tentunya konsep berkah harus diprioritaskan oleh setiap Muslim khususnya di lembaga perbankan. Penelitian ini bertujuan untuk menganalisis sistem layanan mobile banking yang ada pada aplikasi BSI Mobile. Pada tahun 2021, Bank Syariah Indonesia (BSI) sudah mulai menggabungkan 3 (tiga) bank umum syariah di Indonesia, sekaligus untuk mendukung perkembangan teknologi informasi khususnya di bidang perbankan, BSI juga telah membuat aplikasi BSI Mobile untuk mempermudah transaksi. Penelitian ini merupakan penelitian kualitatif dengan pendekatan grounded research, dan juga menggunakan metode analisis deskriptif kualitatif. Namun, meskipun sistem layanan pada aplikasi BSI Mobile telah memenuhi kebutuhan nasabah dan sesuai dengan prinsip dasar syariah, namun banyak dari nasabah atau masyarakat Muslim yang belum menggunakannya bahkan belum mengetahui sistem dan aplikasi tersebut. Pada akhirnya akan berdampak pada penggunaan aplikasi yang tidak dapat dimanfaatkan secara maksimal. Berdasarkan hasil penelitian yang telah peneliti lakukan, sistem layanan BSI mobile banking dapat meningkatkan publikasi dan sosialisasi produk BSI Mobile dengan berbagai metode termasuk pendekatan yang menggunakan dalil prinsip syariah, karena secara hukum peraturan akan diterapkan karena adanya ancaman dan sebab hukum yang terjadi.

Kata Kunci: Prinsip Syariah; Bank Syariah Indonesia (BSI); Mobile Banking

Introduction

Information technology that has developed so rapidly in recent years has directed the focus of large banks to digital services, including mobile banking. The rapid growth of information technology in this era of globalization requires banking services to be faster, easier, and more flexible. The faster development the internet is changing the way companies connect with their customers, and the banking business is no exception.¹ Of course, the concept of blessing must be prioritized by every Muslim, especially in banking institutions. Blessing means increasing goodness. Blessing is a gift from Allah Swt. that is given to the lives of individuals, communities,

¹Hafid Nur Yudha and Jaka Isgiyarta, "Analisis Pengaruh Persepsi Nasabah Bank Terhadap Internet Banking Adoption Studi Pada Nasabah Perbankan Yang Menggunakan Internet Banking Di Kota Surakarta," *Jiponegoro Journal of Accounting* 4, no. 4 (2015): 148, <https://ejournal3.undip.ac.id/index.php/accounting/article/view/9568>.

and nations. In the form of goodness that continues to grow, is stable, and provides progress on a broad scale. The conditions of Allah Swt. giving the blessings are clear in the words of Allah Swt., namely faith and *taqwa*. As it is written in the Qur'an surah Al-A'raf verse 96:

وَلَوْ أَنَّ أَهْلَ الْقُرَىٰ آمَنُوا وَاتَّقَوْا لَفَتَحْنَا عَلَيْهِم بَرَكَاتٍ مِّنَ السَّمَاءِ وَالْأَرْضِ وَلَٰكِن كَذَّبُوا فَأَخَذْنَاهُم بِمَا كَانُوا يَكْسِبُونَ

“And if only the people of the cities had believed and feared Allah Swt. We would have opened (i.e bestowed) upon them blessings from the heaven and the earth, but they denied (the Messengers), so we seized them for what they were earning”.

From this verse, it can be concluded that Allah Swt. commands all his people to believe and fear so that Allah Swt. always opens the door of blessing. Conversely, those who ignore this order will be punished for their actions.

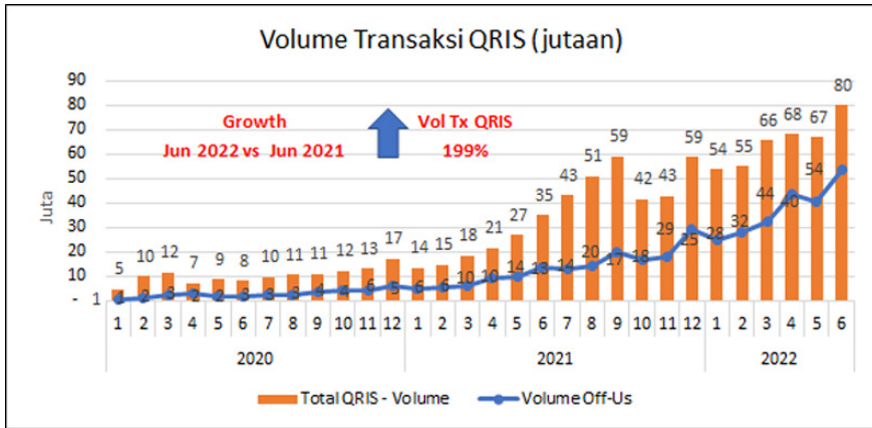
With the growth of information technology, the bank provides services that make it easier for customers to process transactions by launching electronic banking services, better known as e-Banking or electronic banking. As one of the modern information technology media, the internet is currently experiencing very rapid development.² Especially in the economic field, the internet can facilitate information delivery quickly, widely, and accurately.

The development of internet technology is now providing many opportunities to create internet-based business applications. One industrial sector that takes advantage of these opportunities is the banking sector. This opportunity is used in the banking sector to develop service facilities, one of which is mobile banking. Mobile banking service facilities have become a concern for the competition between banks to seize market share. Mobile banking is a banking service provided by banks for their customers to be able to use banking services without space and time limits and also based on

²Muhammad Irkham Firdaus et al., “Investment Cooperation Agreement on Equity Crowdfunding Platform from the Perspective of Sharia Economic Law, Al-Iktisab: Journal of Islamic Economic Law 5, no. 1 (2021): 66, <https://doi.org/10.21111/al-iktisab.v5i1.5626>.

cellular and internet technology which makes it easy to carry out various banking transactions without having to come directly to the bank because it can be accessed at any time.

Figure 1. QRIS Transaction Volume Statistics in Indonesia 2020-2022



Source: Indonesian Payment System Association (ASPI)³

As the Figure.1 explains, QRIS transaction volume in 2020-2022 periodically increases. However, it started to decrease in October 2021, but on November 2021 increased more and more till June 2022, the highest record 80 million transaction volume since QRIS was launched, which was 5 million transactions in January 2020. This increase shows Indonesia’s public interest in using internet-based payment products.

In the development of internet-based products, it is not only conventional banking that takes advantage of this opportunity, but Islamic banking also takes advantage of it. Several Islamic banks that have participated in developing mobile banking as an internet-based product include *Bank Muamalat, Bank Syariah Mandiri (BSM), BNI Syariah, BRI Syariah, Bank Bukopin Syariah, Bank Mega Syariah, BCA Syariah, and others.* With the existence of product innovations through internet technology services carried out by Islamic banking,

³ASPI, “Statistik,” Indonesian Payment System Association (ASPI), 2021, <https://www.aspi-indonesia.or.id/berita-info/statistik/>.

it is hoped that Islamic bank customers can use and make good use of the facilities available.⁴

Several Islamic banks above merged into one unit to become *Bank Syariah Indonesia (BSI)* starting on February 21, 2021. Banks merged in the BSI set included *BRI Syariah*, *BNI Syariah*, and *Bank Syariah Mandiri*. The mobile banking feature at BSI is then given the name BSI Mobile which can be downloaded on the Playstore and Appstore. Based on the data obtained, as many as 395.000 customers migrated on July 21, 2020.

The features available in the mobile banking application are very diverse, ranging from checking account info, opening an account online without having to go to the bank, and transferring services between BSI or other banks. There is also a paid feature that allows customers to pay certain types of bill payments, Islamic services provide *Juz Amma*, *Asmaul Husna*, *Hikmah*, and *Qurban* calculator to make it easier for customers when they want to make sacrifices. In addition, the *Ziswaf* sharing and e-Mas features are also available for customers who wish to pay *zakat*, *fidyah*, endowments, and participate in the poor wallet. e-Mas is a service that allows customers to purchase, sell, transfer, and withdraw gold.

Judging from the existing developments, BSI acted quickly to lead customers who still use *BRI Syariah*, *BNI Syariah*, and *Bank Syariah Mandiri* banks to be immediately converted into BSI. Likewise, with the socialization of BSI Mobile in which, the bank strongly recommends that every existing customer activate the feature.

In applying Islamic mobile banking, many have questioned whether mobile banking activities at Islamic banks have been based on laws governing the legitimacy of mobile banking activities given sharia principles. One of the factors that become a problem is the extent to which sharia rules and principles are applied in the BSI Mobile application after changing from *BRI Syariah*, *BNI Syariah*, and *Bank Syariah Mandiri*, as well as the extent to which the bank's own ability to identify and eliminate elements of *gharar* in the BSI

⁴Mahmudatus Sa'diyah and Nur Aziroh, "Analisis Faktor-Faktor Yang Mempengaruhi Tingkat Kepercayaan Nasabah Muslim Pengguna Mobile Banking Di Bank Muamalat Indonesia 118 Kantor Cabang Pembantu Kudus," *Equilibrium: Jurnal Ekonomi Syariah* 1, no. 1 (2014): 128. <https://doi.org/10.21043/equilibrium.v1i1.202>.

application mobile. Because of the increasing number of customers and users of BSI Mobile in developing their business and social missions, their operations must be in line with sharia principles and ethical values.

However, still using a system that has been implemented in such a way in Islamic banks, there is still a lack of interest in Muslim citizens to become bank customers in sharia, and using the sharia mobile banking application sees a lack and failure that occurs. The primary risk of Islamic banks is the lack of clarity in their sharia presentation, which risk arises due to violations of the provisions of sharia principles attached to all Islamic banking transactions and related to the supervision carried out by Islamic banking supervisors.⁵ Therefore, the fulfilment of sharia principles in Islamic banks is essential, where supervision aims to determine and assess the actual phenomenon of applying tasks and activities, whether it is appropriate (which is applied) or not.⁶ As in the Qur'an surah An-Nisa' verse 29:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

"You who have believed, do not consume one another's wealth unjustly but only (in lawful) business by mutual constant. And do not kill yourselves (or one another). Indeed, Allah is to you ever merciful".

This verse is a strict prohibition on consuming other people's wealth or their wealth in a wrong way. To eat one's wealth with vanity is to spend one's wealth sinfully. Protecting Islamic banking products from all prohibitions requires strengthening sharia principles taken from sources of Islamic laws, namely the *Qur'an*, *Sunnah*, *ijma*, and *ijtihad ulama*, codified in various pieces of literature reviewed

⁵Muhammad Abdul Aziz and Lutfia Nuril Arafah, "Preferensi Dan Perilaku Masyarakat Pedesaan Terhadap Perbankan Syariah (Studi Kasus Di Desa Luwunggede, Mundu, Dan Karangreja)," *Journal of Islamic Economics and Philanthropy (JIEP)* 4, no. 1 (2021): 1010, <https://doi.org/10.21111/jiep.v4i01.5668>.

⁶Mohammad Anun Najib, "Penguatan Prinsip Syariah Pada Produk Bank Syariah," *Jurisprudence*, no. 1 (2017): 16, <https://doi.org/10.23917/jurisprudence.v7i1.4351>.

by scholars or association of scholars in the sharia council both on an international and national scale.⁷ Therefore, Islamic financial institutions development and growth align with sharia principles because sharia principles are one of the characteristics and differentiators of Islamic banks from other banks.

There has never been a legal problem regarding mobile banking, but in the future, there will be a legal problem in the implementation of mobile banking because it will all need the law. On the other side, people who do not understand sharia always ask what and how mobile banking is and how does it operate? Nevertheless, they also have doubts about the implementation of mobile banking. For example, they questioned the difference between mobile banking in conventional and Islamic banks. In the application of Islamic mobile banking, many have questioned whether the mobile banking activities at this Islamic bank have been based on the laws governing the legitimacy of mobile banking activities given sharia principles.

The researchers in an attempt to review further the sharia principles felt by BSI mobile banking users in order to evaluate and make reference to legal guidelines that are felt by BSI Mobile users and to examine the mechanism used to facilitate BSI transaction activities so that will find out the benefits obtained under the guidance of sharia principles on the use of the application. Based on the explanation above, the researcher wants to know how the sharia principles are applied in the BSI Mobile application.

Methodology

The approach used in this research is grounded research, a general methodology for developing a theory. Grounded research is one of the scopes of qualitative research, namely research conducted with in-depth interviews and the research subject's experience. Grounded research can also be called a reflexive and open approach, where data collection, theoretical concept development, and

⁷Novan Fatchu Alafianta, Muhammad Abdul Aziz, and Jaya Sahputra, "A Historical Review of the Development of the Islamic Banking System (An Analytical Study)," *Al-Iktisab: Journal of Islamic Economic Law* 5, no. 2 (2021): 135, <https://doi.org/10.21111/al-iktisab.v5i2.6799>.

literature review occur in a continuous cycle.⁸ Because to answer the formulation of this research is deemed appropriate, namely how the analysis of sharia principles on the use of the BSI mobile banking service system.

Descriptive qualitative techniques were divided into two kinds of data sources to collect primary data in this research. The primary source is data collection by collecting qualitative information through questionnaires and documentation. Data analysis carried out with descriptive qualitative methods has the aim of making a description of the object under research in a systematic, factual, accurate manner with the facts and characteristics between the events or phenomena being investigated.⁹ The analysis process is carried out continuously from start to finish.^{10 11} The analysis process in question includes data interpretation, language translation, word editing, and compiling them in a logical systematic way, so that the resulting description can become a complete concept building that is easy to understand.^{12 13}

The techniques used by researchers in this research are, collecting the results of interviews with related parties and also several documents adapted to the research problem, selecting, sorting, classifying, directing, and discarding data that is not necessary and not under the direction of the research, and organizes the data in a certain way so that it is easy to conclude,¹⁴ drawing conclusions,

⁸Norman K. Denzin and Yvonna S. Lincoln, *Handbook of Qualitative Research* (London: Sage Publications, 2011), 96.

⁹Moh. Nazir, *Metode Penelitian* (Bogor: Ghalia Indonesia, 2005), 63.

¹⁰Muhammad Irkham Firdaus et al., "Implementation of the Qardh Agreement on the Financial Technology Lending Platform in the Development of Small and Medium Enterprises (SME) in Indonesia," *Al-Iktisab: Journal of Islamic Economic Law* 6, no. 1 (2022): 70, <https://doi.org/10.21111/al-iktisab.v6i1.7774>.

¹¹Teguh Eka Prasetya et al., "The Concept of Minimum Wage for Workers in Law No. 11/2020 in the Perspective of Fiqh Muamalah," *Al-Iktisab: Journal of Islamic Economic Law* 6, no. 1 (2022): 83, <https://doi.org/10.21111/al-iktisab.v6i1.7554>.

¹²Abdul Latif Rizqon et al., "Al-Maqrizi's Inflation Concepts and Proof for the East Java Inflation Case 2015-2020," *Al-Iktisab: Journal of Islamic Economic Law* 6, no. 1 (2022): 103-4, <https://doi.org/10.21111/al-iktisab.v6i1.7608>.

¹³Devid Frastiawan Amir Sup, "Metode Penyelesaian Sengketa Dalam Produk Keuangan Syariah," *Palangka Law Review* 2, no. 2 (2022): 30, <https://doi.org/10.52850/palarev.v2i2.4652>.

¹⁴Matthew B. Miles and A. Michael Huberman, *Analisis Data Kualitatif: Buku Sumber Tentang Metode-Metode Baru* (Jakarta: UI Press, 2014), 16.

which is the last part of the research stage where researchers can conclude from the results obtained.¹⁵ So that it can answer the formulation of the problem in this research.

Results and Discussion

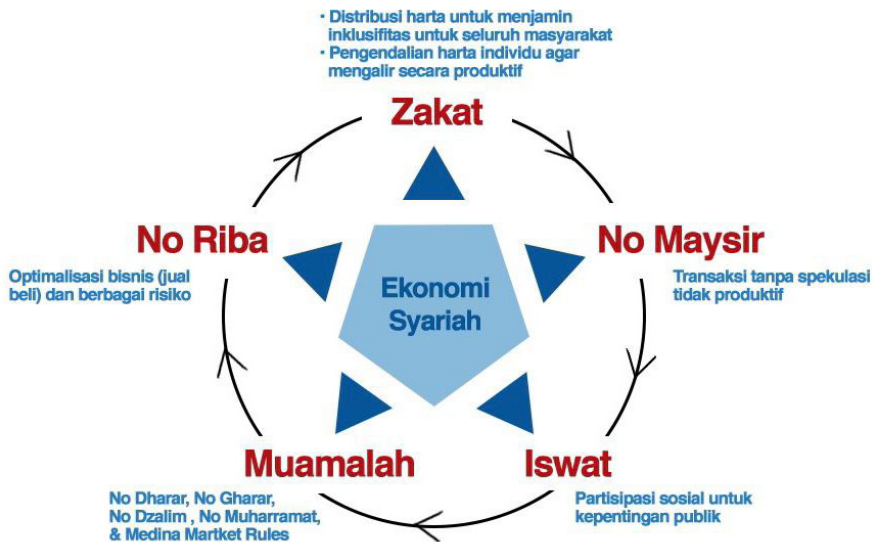
The basic understanding of sharia principles is an agreement based on Islamic law between a bank and another party for depositing funds and or financing business activities or other activities determined under sharia, including financing based on the principle of profit sharing (*mudharabah*), financing based on the principle of equity participation (*musyarakah*), the principle of buying and selling goods with a profit (*murabahah*), or financing of capital goods based on the principle of pure lease without choice (*ijarah*), or with the option of transferring ownership of the goods leased from the bank by another party (*ijarah wa iqtina*).¹² Sharia principles are principles of Islamic law in banking activities based on *fatwa* issued by institutions that have the authority to determine *fatwa* in the field of sharia.²¹ In the development of the Islamic economic and financial system, Islam lays down the basic principles in which these principles are implemented in the *zakat* instrument, the prohibition of *riba* and *maysir*, the development of ZISWAF and *muamalah*.^{16 17}

¹⁵Ibid., 18.

¹⁶Muhammad Abdul Aziz et al., "Efektivitas Penerapan Strategi Penghimpunan Dana Zakat Dan Wakaf," *Musyarakah: Journal of Sharia Economics (MJSE)* 1, no. 2 (2021): 159, <https://doi.org/10.2426/10.24269>.

¹⁷Bank Indonesia, "Cetak Biru Pengembangan EKSyar," Bank Indonesia, 2020, <https://www.bi.go.id/id/fungsi-utama/moneter/pengembangan-ekonomi/cetak-biru/Default.aspx>.

Figure 2. Islamic Economic Empowerment



Source: MUI and BI Discussion on 2017¹⁸

In general, several laws and regulations are related to implementing the mobile banking system, among them are UU No. 08/1997,¹⁹ UU No. 36/1999,²⁰ and UU No. 11/2008.²¹ Regulations regarding the mobile banking system are not at all contained in the Civil Code and Commercial Code, but in their application, the use of mobile banking is included in the *wakalah* concept, where transactions that should be carried out face to face are replaced by the system

¹⁸*Ibid.*

¹⁹Indonesia, "Undang-Undang Republik Indonesia Nomor 08 Tahun 1997 Tentang Dokumen Perusahaan," JDih-BUMN, 1997, [https://jdih.bumn.go.id/baca/UU Nomor 8 Tahun 1997.pdf](https://jdih.bumn.go.id/baca/UU%20Nomor%208%20Tahun%201997.pdf).

²⁰Indonesia, "Undang-Undang Republik Indonesia Nomor 36 Tahun 1999 Tentang Telekomunikasi," DPR-RI, 1999, https://www.dpr.go.id/dokjdih/document/uu/UU_1999_36.pdf.

²¹Indonesia, "Undang-Undang Republik Indonesia Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik," DPR-RI, 2008, <https://www.dpr.go.id/doksetjen/dokumen/-Regulasi-UU.-No.-11-Tahun-2008-Tentang-Informasi-dan-Transaksi-Elektronik-1552380483.pdf>.

contained in the mobile banking application.

Wakalah is a delegation of authority to take actions to other people in accordance with sharia and has been determined by both parties to carry out a particular action, where the delegation of authority will apply as long as the representative is still alive. Based on the conclusions above, the definition of *wakalah* in this research is a representative contract between the bank and the customer in which the customer authorizes the bank as the service provider to represent himself/herself to conduct transactions by utilizing the distribution channel of the BSI Mobile application.

Based on the interviews data, it is known that BSI has mobile banking services that make it easier for customers to make transactions. Customer knowledge in mobile banking can make it easier for customers to use mobile banking, which has several attractive features and appearances that can provide convenience for users of mobile banking transaction services such as purchasing pulses, data packages, electricity payments, insurance payments, and others. Therefore, user customers do not disturb in transacting. The ease of transactions, transfer fees, free administration, and others can cover some obstacles customers encounter. The network of mobile banking users is very influential on transactions. If the customer network of mobile banking users is stable, the customer can make transactions under any conditions and circumstances. The following results from customer interviews can be seen below.

First, the effect of BSI mobile banking on the ease of transactions. The results of several interviews with BSI mobile banking customers said that BSI mobile banking is straight forward because nowadays, almost all situations use mobile internet banking. For example, when a customer wants to pay for e-commerce, there is no need to go to the payment place directly, no need to leave the house, with uncertain weather conditions, so mobile banking is beneficial and accelerates customer mobilization at work. In another interview, it was also stated that customers were interested because the features and appearance of the BSI mobile banking application were better than before the migration of BSI.

Second, the benefits from using BSI Mobile. BSI Mobile users

say that there are no material benefits yet, but they get the advantage of time efficiency to facilitate work mobilization. Meanwhile, other customers and users of BSI mobile banking also mentioned that there are advantages in time efficiency. Based on the results of interviews with BSI managers, it was informed that other advantages over BSI Mobile are prayer schedules, *qibla* direction, *infaq* donations, and the search feature for the nearest BSI-ATM in various areas, which greatly facilitates BSI Mobile users.

Third, data protection and privacy of BSI mobile banking customers. So far, customers are very confident because there have been no cases related to data leakage and others, so customers leave it entirely to the bank, plus, the terms and conditions that existed when first registering in the BSI Mobile application made customers feel safe. Coupled with a PIN code that must be entered to secure. Based on the results of interviews with the manager of BSI explained that BSI Mobile applies two security, namely the password when entering and also the PIN code before confirming the transaction to guarantee.

Fourth, the application of *riba* or multi contract (*multi akad*) in the use of the BSI Mobile application. So far, customers have not found it because the initial purpose of downloading this application is to facilitate inter-bank transfers, even if there are administrative costs, it is not included in the *riba* or multi contract scheme. The results of interviews with customers said they did not pay much attention because they only used it for essential purposes such as account transfers and *wadi'ah* savings. The BSI Mobile application only explains the clarity of the contract scheme and transactions, the rest of the information can be found on the website.

Fifth, offering new products and features over time. Many new features such as *haji* savings, e-Mas, BSI *hasanah* card, are desirable to customers and the bank itself as BSI Mobile activists. The socialization and marketing have been outstanding so that many customers are interested.

Sixth, ease, fast, and real time. In general, all customers and the bank itself stated that using the BSI Mobile application was very easy. This is reinforced because the language used in the application is Indonesian, which is easy to understand. As for real-time problems or not, it is determined by a good internet network. According to

one customer's opinion, still felt confused the first time, but as time passed, it got easier.

Seventh, the reasons that make customers interested in using BSI Mobile. One of the customer stated, "The main reason is that we are Muslims who want to apply all muamalah based on sharia principles and to be even better in transactions so that we can apply maqashid sharia in all of its products and features". One of the students using BSI mobile stated, "What intrigued me is that after every transaction, we are offered and reminded to donate and set aside our wealth, which is the value of worship". According to other customers' opinions, it is because of the sharia label on BSI, and they want to know how far BSI Mobile itself has applied the sharia principles.

Based on the research results, it is known that the transaction service for customers using BSI mobile banking states that with this application, customers can make transactions anywhere and anytime and assist them in meeting their needs without having to come to BSI. The BSI mobile banking services are an attractive one for customers because they have lovely features and appearance which have Islamic features and have advantages such as prayer schedules, *juz amma*, *asmaul husna*, *hikmah* which contains words that contain *hikmah*, along with transactions related to ZISWAF such as *qurban* and *zakat* calculators, *dhuafa* wallets, *zakat* houses, and *fidyah*.

Another factor that affects the attractiveness of using BSI mobile banking is that because customers want to apply the principles and foundations of sharia in their lives, including in terms of transactions, customers decide to use the BSI mobile banking application because of the trust that is built after seeing the sharia label on BSI mobile banking. The features mentioned above make sense of satisfaction in the customer quite large, where the good BSI mobile banking services provide confidence to customers due to reliable and quality BSI mobile banking services. This is evidenced by customer recognition of the speed, accuracy and real-time that is felt while using BSI mobile banking.

The BSI mobile banking service also continues to progress and improve in optimizing the system for mobile banking services by adding more features that make it easier for its customers. This is reinforced by statements from BSI mobile banking customers that

the appearance of the BSI mobile banking application is attractive and sound compared to the sharia mobile banking application before the migration, as well as how it operates on the cellphone excellent and easy to understand. Banks that provide access to mobile banking make it very easy for customers to get financial information because the application can answer services quickly, safely, in real-time, and can be accessed from anywhere and anytime. In delivering the *wakalah* contract, the contract must be conveyed regardless of the customer's condition because the contract is the most crucial part of *muamalah*. As contained in the Qur'an surah Al-Maidah verse 1:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ أُحِلَّتْ لَكُمْ بَهِيمَةُ الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ
غَيْرَ مُحِلِّي الصَّيْدِ وَأَنْتُمْ حُرْمٌ إِنَّ اللَّهَ يَحْكُمُ مَا يُرِيدُ

"O you who have believed, fulfill these contracts, and livestock are lawful for you, except for those that will be read to you (that is) by not hunting while you are doing hajj. Verily, Allah sets the laws according to Allah will".

The verse above explains how sharia emphasizes the need to fulfil the contract in all its forms and meanings perfectly. The Qur'an is so firm in fulfilling the contract that every Muslim is obliged to fulfil it and condemns those who waste it.²² This is in accordance with the rules *الأصل في الأمر الوجود* that the origin in the command indicates mandatory. This rule shows that every argument from the Qur'an and Sunnah, which means an order must be carried out.

In a contract, it is inseparable from the terms and pillars that must be met so that the contract is valid under the provisions of Islamic law, likewise, with the BSI Mobile service system at BSI. The following are the pillars of the *wakalah* contract according to sharia principles based on the Fatwa DSN-MUI No. 10/DSN-MUI/VI/2000:²³ (1) *Ijab qabul* (contract) between representative (the bank as

²²M. Quraish Shihab, *Tafsir Al-Mishbah: Pesan, Kesan, Dan Keserasian Al-Qur'an* (Jakarta: Lentera Hati, 2002), 3.

²³DSN-MUI, "Fatwa DSN-MUI No: 10/DSN-MUI/IV/2000 Tentang Wakalah," Dewan Syariah Nasional - Majelis Ulama Indonesia, 2000, <https://drive.google.com/file/d/0BxTl-INihFyzdWhkNkpRLWd4Qms/view?resourcekey=0-h2oKAFkz4IEhfSjz6l28pg>.

the institution providing BSI mobile banking services) and *muwakkil* (customers/users of BSI mobile banking services); (2) Authorizers (*muwakkil*), in this case, are customers who represent their affairs to the bank for work; (3) In this case, the proxies (*wakil*) are mobile banking service providers with national coverage and have been operating in all regions of Indonesia; (4) The object of the contract (*taukil*), in this case is the balance in the bank account where the balance can be used to make transactions in accordance with BSI mobile banking service features such as online interbank transfers, paying electricity bills, buying credit, and still much more.

The requirements for *wakalah* according to the *fatwa* DSN-MUI No. 10/DSN-MUI/VI/2000:^{24 25 26} (1) The terms of *shigah* (*ijab qabul*) must be stated by the parties to show their will to enter into a contract (*akad*). *Ulama* agreed to set three conditions in the *ijab qabul*, namely: (a) *Ijab* and *qabul* must be clear in their meaning so that they can be understood by the party holding the contract; (b) *Ijab* and *qabul* must be appropriate and not interrupted by other activities between *ijab* and *qabul*; (2) *Ijab* and *qabul* must continue and be in a place that if both parties are present, or in a place known to both of them: (a) The endorser (*muwakkil*) among the conditions for *muwakkil* contained in the *fatwa* of DSN-MUI; (b) The legal owner who can act on something that is represented. If the person represented is not the owner or supervisor, the *wakalah* is void. The practice is in BSI mobile banking where only the account holder can register for BSI Mobile, this is related to the signature affixed to the form when registering as a medium for the implementation of the *ijab qabul*. So it can be said that these conditions are met; (3) *Mumayyiz* people or children within certain limits. In practice, the bank will only offer products or services according to age and needs. Based on these needs and age, the bank will choose to offer mobile banking services or not; (4) Recipient (representative). Among the requirements for representatives contained in the *fatwa* of DSN-MUI are as follows: (a)

²⁴*Ibid.*

²⁵Muhammad Irkham Firdaus et al., "Implementasi Akad Murabahah Terhadap Platform Peer to Peer Lending," *Muamalatuna* 13, no. 1 (2021): 8, <https://doi.org/10.37035/mua.v13i1.4582>.

²⁶Rachmad Syafe'i, *Fiqh Muamalah* (Bandung: CV Pustaka Setia, 2001), 51–52.

Legal competence, in this research, the legal recipient (representative) is a party to the BSI mobile banking service system; (b) Can carry out the tasks assigned to him. In practice, BSI mobile banking is one of the main services owned by BSI, and has even undergone an upgrade in terms of the features provided. This indicates that the system organized by the bank can properly represent all the tasks assigned to it; (5) The object of the contract or the things that are represented among, among the requirements for the object of the contract contained in the *fatwa* of DSN-MUI are as follows: (a) Clearly known by the person representing. In practice, the object of the contract is in the form of a balance in the customer's account, where the balance can be used to make transactions using BSI mobile banking as needed. In the BSI Mobile application, all forms of features are symbolized by images and descriptions when pressing the image. With this information, it is hoped that the transaction process can be carried out according to customer needs; (b) Does not conflict with Islamic law and can be represented according to sharia principles.

Furthermore, transparency in the additional fees charged to customers, based on sharia principles, rewards or fees in the *wakalah* contract process, is determined by both parties so that the consensual process as the basis for *muamalah* can be carried out correctly. However, in the BSI mobile banking application service, the bank determines all forms of pure rewards. Initially, before a transaction with BSI Mobile is processed, the total cost to be paid by the customer will appear as well as the nominal additional fee. In this case, the customer can choose between continuing the transaction process or not.

Accordingly, the applicable provisions' explanation is openly related to human resources. In practice, the applicable provisions in the BSI mobile banking service are only written in the registration form without any direct explanation from the customer service. This makes some customers not read carefully and not even know that there are written provisions, the bank should reinforce explaining the written provisions.

From the explanation above, it can be concluded that the law of *wakalah* contract on BSI mobile banking services is permissible because the conditions and pillars contained in the Fatwa DSN-MUI

No. 10/DSN-MUI/VI/2000 are fulfilled. However, regarding the implementation of the implementation operational standards, the bank must carry out an upgrade so that the contract can be conveyed clearly and all the provisions contained in the service can be conveyed to the customer in accordance with the written standard operational implementation.

Conclusion

This research reveals that the mechanism for using BSI mobile banking has met the principle of policy in Islamic banking, where mobile banking is very influential in facilitating customer productivity and mobility because it can be used anytime and anywhere. The application of a service system that is included in the *wakalah* contract category where the BSI mobile banking also provides objects that can be represented, namely Islamic services ranging from *zakat*, *infaq*, *shadaqah*, *hikmah* to reminders and prayer schedules that attract the attention of *Muslim* customers to participate in carrying out Allah Swt. commands besides busy transacting. BSI mobile banking meets financial needs in its duties as banking support and fulfils social and spiritual needs to achieve the objectives set out in sharia principles. The BSI mobile banking application has implemented a mobile banking service system based on sharia principles. This is indicated by the existence of indicators of Islamic banking principles free from elements of *gharar*, *riba*, and *maysir*. Supporting factors also reinforce this in terms of justice, where customers feel safe from crimes and irregularities in the application that can cause losses. It can be concluded that the law of the *wakalah* contract on BSI mobile banking services is permissible because the conditions and pillars contained in the Fatwa DSN-MUI No. 10/DSN-MUI/VI/2000 are fulfilled.

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