

**THE APPLICATION OF TA'WIDH IN ISLAMIC BANKING
AS AN INSTRUMENT FOR CONTROLLING CUSTOMER
MORAL HAZARD**

THESIS

Submitted to Department of Islamic Economics Law

For the Master Degree



By Researcher:

Lu'luatul Jadidah

Reg. Number: 44.2023.837.009

**DEPARTEMENT OF ISLAMIC ECONOMICS LAW
POSTGRADUATE PROGRAM**

**UNIVERSITY OF DARUSSALAM GONTOR
PONOROGO INDONESIA**

1446 H/ 2025

THE APPLICATION OF TA'WIDH IN ISLAMIC BANKING AS AN INSTRUMENT FOR CONTROLLING CUSTOMER MORAL HAZARD

THESIS

Submitted to Postgraduate Program University of Darussalam Gontor
in Partial Fulfillment of the Requirements for a Masters Degree
in Law of Islamic Economics Department

Written By:

Lu'luatul Jadidah

Reg. Number: 442023837009

Supervisor:

Assoc. Prof. Dr. Syamsuri, M. Sh.

POSTGRADUATE PROGRAM

UNIVERSITY OF DARUSSALAM GONTOR

PONOROGO INDONESIA

1446/2025



UNIDA
GONTOR

UNIVERSITAS DARUSSALAM GONTOR

OFFICE NOTE

To Honorable:
Director of Postgraduate Program
University of Darussalam Gontor

Assalamualaikum Warahmatullahi wabarakatuh

It is my honor to present this thesis written by:

Name	: Lu'luatul Jadidah
Reg. Number	: 442023837009
Department	: Master of Islamic Economics Law
The Tittle	: The Application of Ta'widh and Ta'zir in Islamic Banking as Instruments for Controlling Customer Moral Hazard: A Fiqh Mu'amalah Perspective

I declare that this thesis has been processed and corrected to fulfil the requirement for completing the Postgraduate Degree in the Department of Islamic Economic Law. Therefore, I request that the thesis could be examined soon.

Wassalamualaikum Warahmatullahi wabarakatuh

Ponorogo, 16 April 2025
17 Syawwal 1446

The Supervisor,



Assoc. Prof. Dr. Syamsuri, M. Sh.

NIDN: 2106018103

LETTER OF LEGITIMATION

The Committee of thesis examination impartial fulfillment of the requirement of the degree of Magister in Islamic Economics Law, having held the thesis examination on:

Day and Date : Tuesday, 22nd of April 2025

Venue : Postgraduate Building 105

State the student below:

Name : Lu'luatul Jadidah

Reg. Number : 442023837009

Program of Study : Master of Islamic Economics Law

The Title : The Application of Ta'widh in Islamic Banking as an Instrument for Controlling Customer Moral Hazard

Has been successfully defended in front of the Board of Examiners and accepted apart of the requirements for a degree of Magister in Islamic Economics Law.

1. Assoc. Prof. Dr. Syamsuri, M.Sh. (Chairman)

(.....)

2. Assoc Prof. Dr. Y. Suyoto Arief, M.S.I.

(Examiner I)

(.....)

3. Assoc. Prof. Dr. Imam Kamaluddin, M.Hum.

(Examiner II)

(.....)

4. Ahmad Muqorrobin, S.H.I., M.A., Ph.D.

(Examiner III)

(.....)

CERTIFICATION

*Bismillahirrahmanirrahim,
Assalamu 'alaikum Warahmatullah Wabarakatuh.*

Hereby, the Postgraduate Program of University of Darussalam Gontor Ponorogo has received a thesis,

Entitled : **The Application of Ta'widh in Islamic Banking as an Instrument for Controlling Customer Moral Hazard**

Researcher : **Lu'luatul Jadidah**


Reg. Number : **42023837009**

Program of Study : **Master of Islamic Economics Law**

Declaring that he has been accepted as one of the conditions for obtaining a master's degree in Islamic Economics Law.

Wassalamu 'alaikum Warahmatullah Wabarakatuh.

Ponorogo, April 27th, 2025
Director of Postgraduate Program,


Assoc. Prof. Dr. M. Kholid Muslih, M.A.

UNIDA
GONTOR
UNIVERSITAS DARUSSALAM GONTOR

DECLARATION

I here by :
Name : Lu'luatul Jadidah
Reg. Number : 442023837009
Degree : Magister
Program of Study : Master of Islamic Economics Law

I declare sincerely that this thesis for a master's degree is original and purely my work and does not belong to other researchers for a different degree. Furthermore, this thesis is not a work published before, except for some parts with their original reference.

Ponorogo, 16th of April 2025
17 Syawwal 1446

The Researcher,



Lu'luatul Jadidah
NIM. 402023837009

UNIVERSITAS DARUSSALAM GONTOR

MOTTOES

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

قال الله تعالى:

أَلَمْ تَرَ كَيْفَ ضَرَبَ اللَّهُ مَثَلًا كَلِمَةً طَيِّبَةً كَشَجَرَةٍ طَيِّبَةٍ أَصْلُهَا ثَابِتٌ وَفَرْعُهَا فِي السَّمَاءِ
تُؤْتِي أُكْلَهَا كُلَّ حِينٍ بِإِذْنِ رَبِّهَا ۖ وَيَضْرِبُ اللَّهُ الْأَمْثَالَ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ
﴿سورة إبراهيم (١٤): ٢٥ ٢٤﴾

وَمَا كَانَ الْمُؤْمِنُونَ لِيَنفِرُوا كَآفَّةً ۚ فَلَوْلَا نَفَرَ مِن كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي
الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ
﴿سورة التوبة (١٤): ١٢٢﴾

UNIDA
GONTOR
UNIVERSITAS DARUSSALAM GONTOR

DEDICATION

Millions and countless thanks to My Lord Almighty,
Allah Subhanahu WaTa'ala.

Prayer and greetings for the prophet Muhammad SAW

With the sincerity of my heart, I dedicate this thesis to

My beloved parents,

“Khumaidi and Fashihah”

Who instilled in my conscience a love of effort and gratitude and filled me with a love of knowledge in life. Who taught me life, guided me with patience, loved me infinitely for a long time, cared for me with all affection, gave me the best upbringing, and nourished me with their pure advice. Therefore, I pray that Allah forgives their sins, elevate them to the highest rank, grant them success in their work, and may He bestows His mercy upon them.

And for my beloved brothers and sister,

“Alawy Muhammad A., Rahmad Najikh U. and Selly Apriliani M.”

Those who encourage me a lot to seek knowledge and accompany me and entertain me always, their presence is a big encouragement in my life to become a better person. May Allah reward and grant them success in their affairs and guide them to goodness in their every step.

And I say thank you from a sincere heart to my first supervisor Mr. Assoc. Prof. Dr. Syamsuri., M.Sh. who is not only as my supervisor but encouraged and challenged me throughout my academic program. They have patiently guide me through the thesis process, never accerting less than my best effort, who has guided, taught, and directed me with patience and sacrifice. And to my beloved teachers and lectures of the University of Darussalam Gontor, who have motivated me to keep going and rise so that I can struggle and reach this stage.

I want to express my deepest gratitude to my beloved friends who have given me attention and advice and helped me during the work of this final project.

ACKNOWLEDGEMENT

In the name of Allah, the beneficent, the merciful, praise be to Allah the Lord of the world, the Owner of the Day of Judgment. Pray and peace be upon to Prophet Muhammad SAW, his families, his companions and entire followers.

In the mercy and blessing of Allah SWT, I could complete this thesis of Magister. Therefore, I should like to extend my deeply gratitude to those whom in the course of graduate study at University of Darussalam Gontor. In addition, I wish to extend my appreciation due to:

1. The honor Headmasters of Modern Islamic Boarding School Darussalam Gontor, K.H. Hasan Abdullah Sahal, K.H Prof. Dr. K.H Amal Fathullah Zarkasyi, M.A, and K.H Akrim Mariyat who have sincerely given me the greatest opportunity to dedicate myself in this institution.
2. The Rector of University of Darussalam Gontor, Prof. Dr. K.H Hamid Fahmi Zarkasyi, M.A.,M.Phil. and his vices and the whole lecturers of University of Darussalam Gontor. This simple thesis is an outcome of long journey process of my study in their hands of Gifted.
3. The Director Post Graduate Program Dr. M. Kholid Muslih, M.A
4. The Head of Magister of Islamic Economics Law Department Mr. Dr. Syamsuri, M.Sh and all the lecturers of University of Darussalam Gontor, for the priceless knowledges and educations to be the real wise economist.
5. Great respect and honor to my worthy thesis supervisor, Mr. Assoc. Prof. Dr. Syamsuri. M.Sh., who has sincerely taught me not only invaluable current knowledges but also everything, advised and

motivated me when I was like drowning in confusion of doing thesis project until I had done it perfectly.

6. The backstage invisible mentors in doing this thesis project for all critics, mentoring about writing mechanisms, and other educations that I did not find it in the other place.
7. Thank you to Bank Muamalat Indonesia KC Ponorogo and Bank Tabungan Negara Syariah KCP Sragen for their significant contribution of data and resources to this research.
8. I would like to express my heartfelt thanks to my dear friend, Khansa Nabila for her constant support throughout the course of this research.
9. Then I would be remiss if I did not thank the following individuals, all Classmate of the first grade of *PASCA HES*, all postgraduate staff, best friend during college in joy and sorrow such as and all Magister dorm mate of Pasca Building in Mantingan for sharing and having discussion.
10. Furthermore, I would like to express my sincere gratitude to myself for the unwavering patience, steely perseverance, and strong commitment that have enabled me to reach this point. This journey has not always been smooth, filled with testing obstacles, yet I am grateful to have embraced it wholeheartedly, without ever giving up or retreating from any step taken. Every challenge overcome, every doubt successfully brushed aside, is a testament to the strength and burning spirit within me to keep moving forward.

May Allah reward them in proportion and bless them, and may this humble thesis be valuable and useful for the readers and especially for the researcher. Finally, the researcher would like to offer her deepest respect and gratitude to all her companions for their support and help to complete this thesis, may Allah gives great rewards in this world and hereafter.

Ponorogo, 16th of April 2025 AD

17st of Syawwal 1446 H

The Researcher,



Lu'luatul Jadidah



UNIDA
GONTOR

UNIVERSITAS DARUSSALAM GONTOR