

Implementation of Sharia Principles in Financing Micro, Small and Medium Enterprises in Rural Areas

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Abstract: PT PNM Mekaar Syariah is an institution engaged in sharia financial services that provides financing in the form of capital to support business actors in developing their businesses. Even if the business fails, customers are still required to repay their loans. This study aims to determine the implementation, obstacles, and efforts in applying sharia principles to micro, small, and medium enterprise financing at PT PNM Mekaar Syariah Blang Mangat. This research is a qualitative study using a legal-empirical approach with a descriptive nature. The research data used are sourced from primary and secondary data. Primary data were obtained from observations and interviews, while secondary data were obtained from books, articles, and relevant scientific publications. The research data was systematically organized, beginning with data reduction, data presentation, and conclusion drawing. The research findings revealed that the implementation of Sharia principles and contracts by PT PNM Mekaar Syariah Blang Mangat Branch has not fully adopted Sharia principles, as evidenced by its operational practices not fully adhering to the *murabahah* system. The obstacles encountered by customers are that they often choose financing not for business purposes but for personal needs. This can lead to various challenges such as late payments, increased personal expenses, and difficulties in managing customer business operations. Efforts made include actively monitoring customers to detect potential late payments or defaults early on.

Kata Kunci:

Implementasi, Prinsip
Syariah, Pelaku Usaha,
UMKM.

Abstrak: PT. PNM Mekaar Syariah merupakan sebuah lembaga yang bergerak dibidang jasa keuangan syariah yang memberikan pembiayaan berupa modal untuk mendukung pelaku usaha mengembangkan usahanya. Meskipun usahanya gagal, nasabah tetap diwajibkan membayar kembali pinjamannya. Penelitian ini bertujuan untuk mengetahui implementasi, hambatan dan upaya dalam penerapan prinsip syariah pada pembiayaan usaha mikro kecil dan menengah di PT. PNM Mekaar Syariah Blang Mangat. Penelitian ini termasuk penelitian kualitatif dengan pendekatan yuridis empiris dengan sifat deskriptif. Data penelitian yang digunakan bersumber dari data primer dan sekunder. Data primer diperoleh dari observasi dan wawancara, sedangkan data sekunder diperoleh dari buku, artikel, dan publikasi ilmiah relevan. Data penelitian disusun secara sistematis yang dimulai dari reduksi data, penyajian data dan penarikan kesimpulan. Temuan penelitian diketahui implementasi prinsip syariah dan akad oleh PT. PNM Mekaar Syariah Cabang Blang Mangat belum sepenuhnya menerapkan prinsip syariah terlihat dari praktik operasionalnya tidak sepenuhnya menganut sistem murabahah. Hambatan yang ditemui nasabah sering kali memilih pembiayaan bukan untuk tujuan usaha, melainkan untuk kebutuhan pribadi. Hal ini dapat mengakibatkan berbagai tantangan seperti keterlambatan pembayaran, meningkatnya pengeluaran pribadi, dan kesulitan dalam mengelola operasional usaha nasabah. Upaya yang dilakukan yakni melakukan pemantauan aktif bagi nasabah untuk mendeteksi potensi keterlambatan pembayaran atau gagal bayar sejak dini.

INTRODUCTION

PT Permodalan Nasional Madani (PNM) Mekaar Syariah plays an important role in improving welfare by providing access to capital, support, and development programs for businesses.¹ PT PNM Mekaar Syariah seeks to provide financial support to disadvantaged small business owners to help grow and succeed in entrepreneurial ventures. It aims to foster a thriving household economy by empowering business actors through access to collective capital resources.

According to Ibdul Qudamah in his book *Al-Mughni* he states that if someone borrows without any additional conditions, it is recommended to repay the debt. This type of transaction is permissible and varies in degree and nature.² However, entering into a loan agreement that stipulates the repayment of more than the original amount

¹ Afifah Nazla Sevina, Suryani, and Ratu Humaemah, "Minat Masyarakat Memilih Pembiayaan Di PNM Mekaar Syariah Cabang Kronjo Kabupaten Tangerang Menurut Perspektif Ekonomi Islam," *Wahana Islamika: Jurnal Studi Keislaman* 8, no. 2 (2022): 243–52, <https://doi.org/10.61136/abx21330>.

² Fahrul Rozi Mokoagow, "Kepatuhan Syariah Dalam Aktivitas Bisnis Perbankan Syariah : Analisis Yuridis Normatif," *Al-'Aqdu: Journal of Islamic Economics Law* 4, no. 1 (2024): 44–53.

borrowed, even if it is customary, is considered usury and is therefore forbidden. This is because the fundamental principle of equality in transactions is compromised. If such a practice is not widely accepted, then it is not allowed. This view is in line with the teachings of the followers of Imam Shafi'i.³ The utilization of capital loans for business funding aims to improve the welfare of the community. PT PNM Mekaar Syariah offers empowerment services in groups that follow Islamic principles and guidelines. The program is approved by the National Sharia Council of the Indonesian Ulama Council (DSN-MUI) which specifically targets economically underprivileged women who run ultra small businesses.

Financial loans provided by PT PNM Mekar Syariah do not require any collateral. PT PNM Mekar is a State-Owned Enterprise (SOE) whose main objective is to improve the welfare of the Indonesian people through its vision and mission. In this case, especially for communities that adhere to Islamic law, such as Aceh, it is important to assess the adherence to Islamic principles in the financing activities of PT PNM Mekaar Syariah. It is important to determine whether the institution actually follows sharia law in practice or merely uses the Islamic label.

Aceh's Qanun No. 11/2018 outlines the regulation of Sharia Financial Institutions, which is equivalent to local regulations in other provinces. Based on Article 2 Paragraphs (1) and (2) financial institutions operating in Aceh must be based on sharia principles and financial contracts in Aceh using sharia principles. This Qanun is in accordance with Law No. 11/2006 on the Government of Aceh which grants special autonomy to the province and its districts or cities.⁴

The process for obtaining a loan at PT PNM Mekaar Syariah involves the PNM member meeting with the account officer to discuss terms and payment amounts. After taking out a loan of Rp 3,000,000, - (Three Million Rupiah) the customer is required to pay a Responsibility Money fee of Rp 150,000, - (One Hundred Fifty Thousand Rupiah) which can be returned at the end of the repayment period. Payments are made weekly in multiples of Rp 75,000 (Seventy Five Thousand Rupiah) totaling Rp 3,750,000 (Three Million Seven Hundred Fifty Thousand Rupiah) by the end of the loan term. It is important for the borrower to adhere to the payment schedule and the agreed amount as outlined at the beginning of the contract.

One of the problems that arise is when the community provides funding to improve the economy through business capital, because the concept of profit sharing is essential but can only be determined after the business is operating. However, the situation at PT PNM Mekaar Syariah reveals that borrowers who receive financing for their business are still obliged to repay their loans even if the business fails.

Another problem that can occur is when customers use financing loans for personal expenses rather than for business purposes, causing funds to be mismanaged.

³ Sa'id Abdul Azhim, *Halal Haram Dalam Bisnis Kontemporer* (Solo: Darul Iman, 2002).

⁴ Faisala et al., "Mapping and Harmonizing Qanun on Sharia Financial Institutions," *Sriwijaya Law Review* 8, no. 1 (2024): 20-37, <https://doi.org/10.28946/slrev.Vol8.Iss1>.

This is a weakness of group lending. This system of mutual guarantee means that if the customer is unable to make payments on time, the rest of the group is responsible for covering the outstanding amount to ensure that the group does not fall behind (joint responsibility).⁵

The *murabahah* contract is the legal contract used by PT PNM Mekaar Syariah, in this arrangement PT PNM Mekaar Syariah purchases the desired goods on behalf of the customer and resells them at an agreed price, which includes the cost of goods and a predetermined profit margin. This contract serves as a means for customers to obtain the goods needed without using conventional interest-based financing.

The payment practice in the *murabahah* contract at PT PNM Mekaar Syariah does not determine the payment margin in advance, but after the profit of the customer is known. This creates uncertainty for customers regarding their share of profits in the business. As a result, the principle of profit sharing is not fully realized in the contract. Customers are reminded to make payments on time and the agreed amount. If a customer fails to pay on time, the rest of the group is jointly responsible for the payment, thus adding a financial burden to the group.

RESEARCH METHOD

This research belongs to the qualitative category which involves the systematic study and observation of phenomena in a scientific way. This approach allows for a thorough exploration and understanding of complex concepts and behaviors in their natural context.⁶ This research will explore the implementation of sharia principles in financing for MSME players by PT PNM Mekaar Syariah in Blang Mangat District. The study of research problems using an empirical juridical research approach involves analyzing problems through a combination of secondary legal materials and primary data collected in the field.⁷ In terms of its nature, this research is descriptive, which involves analyzing and interpreting research findings to present well-supported arguments or recommendations based on the research results. This serves as an important step in translating research results into actionable insights or practical applications.⁸ The research data is sourced from primary and secondary materials, primary data obtained from interviews and observations. Meanwhile, secondary materials were obtained from articles, legislation, and other scientific documentation relevant to the topic of study. The combination of primary and secondary data processing methods can be developed into a comprehensive and structured qualitative research project. Through the use of qualitative analysis techniques, which start from

⁵ Ainaul Mardliyyah and Muhammad Nafik Hadi Ryandono, "Sistem Tanggung Renteng Pada Koperasi Assakinah Sebagai Bentuk Penerapan Ta'awun," *Jurnal Ekonomi Syariah Teori Dan Terapan* 7, no. 2 (2020): 254–68, <https://doi.org/10.20473/vol7iss20202pp254-268>.

⁶ Bambang Waluyo, *Penelitian Hukum Dalam Praktek* (Jakarta: Bambang Waluyo, 2002).

⁷ David Tan, "Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum," *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 8, no. 8 (2021): 2463–78, <https://doi.org/10.31604/jips.v8i8.2021.2463-2478>.

⁸ Zainuddin Ali, *Metode Penelitian Hukum* (Jakarta: Sinar Grafika, 2021).

data reduction, data presentation and drawing conclusions. All data collected is carefully examined to generate insights and viewpoints that support the overall research findings. Qualitative data analysis techniques include a thorough examination and thorough understanding of the subject under study. By systematically identifying and analyzing the objective characteristics of the data, this method can enable meaningful conclusions to be drawn.⁹

RESULTS AND DISCUSSION

Implementation of Sharia Principles in Financing Micro, Small and Medium Enterprises at PT PNM Mekaar Syariah

Mekaar Syariah financing is a financial service that focuses on empowering individuals in groups, in line with Islamic principles. Operated by PT PNM Mekaar Syariah which has received approval from the National Sharia Council of the Indonesian Ulema Council (DSN-MUI). This financing program specifically targets underprivileged women engaged in ultra-micro businesses. It aims to help the community improve financial management skills, provide business capital without the need for collateral, encourage a culture of saving, and improve entrepreneurial capabilities for business growth and overall welfare.¹⁰

Mekaar Syariah operates by purchasing goods needed by customers and then selling them to those customers at an agreed price including a profit margin. The community of *Gampong* Kumbang Peunteut in Blang Mangat District chose to utilize the financial services provided by PT PNM Mekaar Syariah in order to improve their family's economy, such as obtaining business capital. The presence of PT PNM Mekaar Syariah has increased public trust and confidence because the financing contract is based on sharia principles. However, according to Mr. Ayi as *Keuchik Gampong* Kumbang Punteut, there are several aspects that may not be fully compliant.¹¹ Based on the research conducted, it is known that the *murabaha* financing practices carried out by PT PNM Mekaar Syariah Blang Mangat Branch are:

1. Determining customers. The implementation of *murabaha* financing practices at PT PNM Mekaar Syariah Blang Mangat Branch is the first step in finding prospective customers who need business capital loans.
2. Financing training. After the entire customer determination stage has been completed, the next step is to receive financing training from PT PNM Mekaar Syariah. The initial training focuses on the formation of group leaders with a minimum of 10 customer members in each group. This training covers the specifics of the Mekaar Syariah *murabaha* financing product offered by PT PNM Mekaar Syariah. Customers are required to attend the training for 3 consecutive days.

⁹ Soerjono Soekarno, *Pengantar Penelitian Hukum* (Jakarta: Rajawali Press, 2001).

¹⁰ Sevina, Suryani, and Humaemah, "Minat Masyarakat Memilih Pembiayaan Di PNM Mekaar Syariah Cabang Kronjo Kabupaten Tangerang Menurut Perspektif Ekonomi Islam."

¹¹ Ayi Mahendra, Wawancara Keuchik Gampong Kumbang Peunteut Kecamatan Blang Mangat (2024).

Failure to attend results in halted fund disbursement, and non-consecutive attendance causes the training to be repeated.

3. Fund disbursement. After completing all the necessary requirements and financing training procedures, customers will be given a loan for the first cycle of Rp 2,000,000. For subsequent cycles, customers can choose a larger loan amount, with the second cycle offering Rp. 3,000,000 and the final cycle Rp. 5,000,000. During the initial loan cycle, customers are entitled to a 5% discount on the Uang Pertanggungjawab (UP) equivalent to Rp 100,000, as well as an additional service fee of 25% of the total loan amount. If the customer receives a total amount of Rp 1,900,000, the customer is required to repay Rp 2,500,000 in installments. Please note that the UP money serves as a customer deposit and can be withdrawn after the installment payment is completed.

The financing system at PT PNM Mekaar Syariah involves the distribution of business capital funding through interconnected *murabahah*, *wakalah*, and *wadiah* contracts. The *wakalah contract* used to allocate business capital funds at PT PNM Mekaar Syariah allows customers to use the loan money to buy goods tailored to their business needs. After the customer completes the purchase of goods, the next step is to deposit the purchased goods with PT PNM Mekaar Syariah. From there, a *murabahah* contract is made which is a sale and purchase agreement between PT PNM Mekaar Syariah and the customer. Based on this agreement, customers are required to make payments in installments, in addition to the agreed profit.

The *wadiah* agreement utilized by PT PNM Mekaar Syariah is a savings program specifically designed for the benefit of its customers. Customers who have obtained a loan have the option to save at PT. PNM Mekaar Syariah, with a minimum deposit requirement of IDR 10,000. While this savings account is not mandatory for all customers, it serves as a safety net for individuals who may have difficulty making loan payments in the future. By contributing to this savings account, customers can access funds to cover their loan installments in times of financial hardship.

The operational process of *murabahah* and *wakalah* contracts is used by PT PNM Mekaar Syariah to channel funds to customers without the need to purchase certain goods according to business needs using the loan amount provided.¹² Furthermore, to ensure profit, PT PNM Mekaar Syariah utilizes customers to deposit a service fee of 25% of the total loan amount borrowed.

One of the customers stated that:

"I borrowed a total of Rp 5,000,000 from PT PNM Mekaar Syariah to be used as my business capital, and I am obliged to contribute Rp 150,000 every week for 50 weeks. This money arrangement from PNM Mekaar Syariah has been a savior for me during this challenging economic time. Some Mekaar Syariah customers take out loans not for

¹² Zulfiyanda, Faisal, and Manfarisah, "Akad Pembiayaan Murabahah Bil Wakalah Pada PT. Bank Rakyat Indonesia Syariah Lhokseumawe," *Suloh Jurnal Program Studi Magister Hukum* 8, no. 1 (2020): 12–28, <https://doi.org/10.29103/sjp.v8i1.2485>.

*business purposes, but just to cover daily expenses. As a result, these customers are unable to repay their loans because the funds have run out. This situation has affected some individuals in the group, causing other customers to bear the burden of defaulted payments."*¹³

Based on the results of the assessment, it is known that the agreement implemented by PT PNM Mekaar Syariah requires an initial mandatory contribution called UP (responsibility fee), which is deducted from the total amount of IDR 150,000. This fee can be reimbursed after the installment is completed. If customers are unable to make payments on time, collective accountability will be emphasized, especially towards the group leader. Thus it can be concluded that the provision of business capital by PNM Mekaar Syariah is intended to use a *murabaha* contract. However, in practice, the contract should ideally be finalized at the end of the transaction, not at the beginning, as customers usually use the capital to set up a business. This is contrary to the rules contained in Aceh Qanun No. 11/2018 on Sharia Financial Institutions.

Head of the PNM Mekaar Syariah customer group in Cot Paya Kumbang Punteut, Blang Mangat District. As one of the customers of PT PNM Mekaar Syariah who obtained a loan for his business, he said that the company's role is very important in providing capital for his operations. However, PT PNM Mekaar Syariah operates with a shared responsibility system, often using personal funds, as a temporary measure, to help customers who face financial difficulties in the group.¹⁴

Obstacles to the Implementation of Sharia Principles in Financing Micro, Small and Medium Enterprises at PT PNM Mekaar Syariah

There are several obstacles to the implementation of sharia principles in MSME financing at PT PNM Mekaar Syariah, including:

1. The customer is late in paying. In terms of collecting payments in installments, there are often cases where customers do not make payments on time or are late for various reasons. Some customers cite insufficient business income, many economic obligations, or prioritizing other financial needs such as education costs, electricity bills, or loans from other financial institutions as reasons for late payments.
2. Increasingly high customer needs in everyday life. Accepting payments in installments, it is not uncommon to encounter situations where customers fail to make payments on time or submit them after the due date due to various reasons. Some customers attribute late payments to insufficient business income, multiple financial responsibilities, or choose to prioritize other expenses such as school fees, utility bills, or debts to other lending institutions.
3. The customer experiences constraints in running the business. In practice, not all customers are able to run their businesses smoothly. The reality in the field shows that various challenges often confront MSME players, ranging from decreased

¹³ Nila, Wawancara Nasabah Mekaar Syariah Kecamatan Blang Mangat (2024).

¹⁴ Misyah Erni, Wawancara Ketua Nasabah Mekaar Syariah Kecamatan Blang Mangat (2024).

market demand, rising raw material prices, to increasingly fierce competition. These conditions cause business turnover to decline, and in some cases, businesses are forced to stop operating temporarily. As a result, the ability of customers to meet their installment payment obligations has been disrupted. Some customers have difficulty paying installments on time due to unstable cash flow or even losses. This situation certainly creates a dilemma, not only for customers who are struggling to maintain their businesses, but also for PNM Mekaar Syariah institutions that are required to continue to carry out prudential principles and maintain the sustainability of revolving funds.

Efforts to Financing Micro, Small and Medium Enterprises Based on Aceh Qanun Number 11 of 2018 concerning Sharia Financial Institutions at PT. PNM Mekaar Syariah

PT PNM Mekaar Syariah is proactive in identifying potential problems of late payment or default by implementing a regular monitoring system. This allows the company to intervene early and take necessary actions to ensure borrowers continue to make payments on time. In the event of a late payment, PT PNM Mekaar Syariah will immediately notify the borrower and remind the borrower to fulfill their loan obligations according to the agreed terms. The Mekaar Syariah team ensures that borrowers are aware of potential problems during the collection process. In addition, PT PNM Mekaar Syariah is also proactive in addressing loan repayment challenges by offering solutions such as rescheduling or restructuring the loan term.

The shared responsibility system implemented is useful to address issues related to bad credit, requiring that if one member of the group fails to make payments on time, the other members are obliged to cover the missing payments on behalf of the absent member. Furthermore, the member who covers the payment must be reimbursed by the defaulting member, and the installment must be returned to the company the following week.

This system ensures that all members keep up with their financial obligations and prevents one individual from negatively impacting the credit reputation of the entire group. If one group member defaults on his or her credit payments or disappears without notifying the other group members, the remaining members are responsible for repaying the debt. This debt will be divided among the remaining group members to ensure that the lender is still compensated.¹⁵

Another initiative undertaken by PT PNM Mekaar Syariah is the implementation of the Client-Centered approach, which prioritizes empowering clients to solve their own problems and become independent individuals. This counseling method also ensures that the counselor is supported in finding solutions and breaking out of their own limitations. Furthermore, the coaching provided aims to prevent the recurrence of similar problems in the future. In addition to customer-

¹⁵ Moona, Wawancara Petugas Mekaar Syariah Kecamatan Blang Mangat (2024).

focused counseling, PNM Mekaar Syariah also has expertise in mentoring and supervision.¹⁶

CONCLUSION

The implementation of sharia principles in MSME financing by PT PNM Mekaar Syariah Blang Mangat Branch involves various processes, including customer selection, financial training, and fund disbursement. The contract practice carried out by PT PNM Mekaar Syariah stipulates that the initial agreement with a set nominal amount cannot be fulfilled because it is important to return the loan amount to prevent usury. In addition, the contract does not specify the exact amount to be paid in accordance with the principle of profit sharing. This shows that the contract practice at PT PNM Mekaar Syariah has not fully adhered to sharia principles, as evidenced by its operational practices. The obstacles that hinder the application of sharia principles in MSME financing by PT PNM Mekaar Syariah Blang Mangat Branch have several obstacles related to late payment customers, higher customer needs in everyday life, and customers experiencing obstacles in running their business. These obstacles pose challenges in applying sharia principles effectively in the financing process at PT PNM Mekaar Syariah. While the efforts made by PT PNM Mekaar Syariah Blang Mangat Branch are to actively monitor customers to detect potential delays in payments or early defaults. This will allow PT PNM Mekaar Syariah to proactively address any issues and ensure timely payments from customers. In the event of a late payment, PT. PNM Mekaar Syariah will immediately notify the customer to repay the remaining loan in accordance with the terms and conditions previously agreed upon. It is important for PT PNM Mekaar Syariah to closely monitor the utilization of customer loans to ensure that the loans are used for business development and not for consumptive purposes. Compliance with sharia principles as outlined in Qanun Aceh, should be a top priority in this process.

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¹⁶ Fauza, Wawancara Petugas Mekaar Syariah Kecamatan Blang Mangat (2024).

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