

Coexistence And Survival Strategy Model In BMT In Indonesia

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Abstract

Through fatwa, the legal basis for the enactment of BMT in Indonesia, which acts as a fund collection and financing, all BMTs in Indonesia have a board responsible for supervising the consistency of the application of Sharia principles. Based on fatwa 130/DSN-MUI/X/2019 Guidelines for Deposit Insurance Institutions in the Implementation of Handling or Settlement of Islamic Banks Experiencing Solvency Problems, making the Sharia supervisory board continues to be an existence that needs to be considered more, related to Sharia principles in Sharia business contracts and treaties. Supported by Fatwa 90 / DSN-MUI / XII / 2013 Transfer of Murabahah Financing Between Islamic Financial Institutions (LKS), where people can obtain significant prosperity by knowing BMT. This institution is expected to continue to develop in the wider community to help or serve the community in the long term so that BMT can be ensured to live sustainably. The development of bmt in the future still needs reference as a reference for more advanced production in learning its evolution. This study uses a descriptive-qualitative research design with a juridical-normative approach to analyze the legal aspects related to BMT (Baitul Maal wat Tamwil). The data collection process involves gathering information from various reputable sources. The collected data is analyzed qualitatively with a juridical-normative approach, and the findings are verified through peer review and consultation with legal experts. The study provides insights into the legal principles and regulations governing BMT operations and proposes recommendations to close any gaps or inconsistencies in the legislation.

Keywords: *Islamic Microfinance Institutions, BMT, DSN*

Abstrak

Melalui fatwa-fatwa yang menjadi sebagai landasan hukum berlakunya bmt di indonesia yang berperan sebagai peghimpun dana dan pembiayaan, maka seluruh bmt yang terdapat di indonesia memiliki dewan yang tanggung jawab sebagai pengawasan konsistensi terhadap penerapan prinsip prinsip syariah. Berdasarkan fatwa 130/DSN-MUI/X/2019 Pedoman bagi Lembaga Penjamin Simpanan dalam Pelaksanaan Penanganan atau Penyelesaian Bank Syariah yang Mengalami Permasalahan Solvabilitas, menjadikan dewan pengawas syariah berterus tersng dalam keberadaan yang perlu diperhatikan secara lebih, terkait dalam prinsip syariah dalam akad dan traksaksi bisnis syariah. Didukung dengan fatwa 90/DSN-MUI/XII/2013 Pengalihan Pembiayaan Murabahah Antar Lembaga Keuangan Syariah (LKS), dimana masyarakat dapat memperoleh kemakmuran yang signifikan dengan mengenal BMT. Lembaga ini diharapkan dapat terus berkembang dalam kancah masyarakat secara luas, sehingga dapat membantu atau melayani masyarakat dalam jangka panjang maka BMT sudah dapat dipastikan dapat hidup berkelanjutan. Pengembangan bmt kedepannya masih perlu referensi sebagai rujukan perkembangan yang lebih maju dalam pembelajaran perkembangannya. Penelitian ini menggunakan desain penelitian deskriptif-kualitatif dengan pendekatan yuridis-normatif untuk menganalisis aspek hukum terkait BMT (Baitul Maal wat Tamwil). Proses pengumpulan data melibatkan pengumpulan informasi dari berbagai sumber yang memiliki reputasi baik. Data yang terkumpul dianalisis secara kualitatif dengan pendekatan yuridis-normatif, dan temuannya diverifikasi melalui peer review dan konsultasi dengan ahli hukum. Studi ini memberikan wawasan tentang prinsip-prinsip hukum dan peraturan yang mengatur operasi BMT dan mengusulkan rekomendasi untuk menutup kesenjangan atau inkonsistensi dalam undang-undang.

Kata Kunci: *Lembaga Keuangan Mikro Syariah, BMT, DSN*

Introduction

Sharia Microfinance Institutions, one of which is Baitul Maal wat Tamwil (BMT) which is an effort to mobilize public funds in the form of collection and distribution of commercial funds prepared on Sharia principles in the implementation of existing contracts. Now BMT has experienced very rapid development along with changes in the direction of the economy today. This is proven through the rapid increase in the number of BMTs spread across Indonesia reaching thousands and spreading thoroughly. This development proves that the presence of BMT has high appeal and importance in Indonesian society. So it needs to be supported by brilliant strategies to help the development of BMT so that it can carry out its functions based on existing Sharia principles, help alleviate poverty in the lower middle class, and raise the concept of non-ribawi to the community.

Poverty alleviation is the sharpest problem for any country in the world whose solution requires a vast amount of time. As we know, the level of Indonesia's poor population in September 2021 was at a percentage of 9.71% with a decrease of around 0.43% compared to March 2021 (Official Statistical News No. 07/01/Th. XXV, January 17, 2021). This means that the stages of solving poverty and economic inequality still require a long time and significant assistance from various parties including BMT as a sharia microfinance institution. According to Adnan and Ajija (2015), BMT has a very effective role in helping reduce the existing poverty rate. The collection and distribution of zakat, infak, alms, and waqf (ZISWAF) funds carried out by BMT provides income security for underprivileged people in improving their economy. Meanwhile, the financing provided by BMT can build a strong microeconomy by distributing funds to micro-entrepreneurs. Doshi (2010) explains that through the distribution of funds and support from microfinance institutions (in this case BMT), micro-entrepreneurs can expand their businesses, earn income, and chart their path to escape poverty. The financing is used to fund micro-enterprises to employ underprivileged people with related skills so that operational expenses can be minimized and the reach of the poor is also wider (Shaikh, 2017). Through the discussion, it can be concluded that the existence of BMT in large numbers is directly proportional to the decrease in poverty rates in the community.

With the need for cheap capital per person and corporate loans per person, the development of BMT is unstoppable. The existence of traditional financial institutions and other institutions in the community that are not in favor of community empowerment facilitates public interest in accessing Sharia-based financial institutions. No doubt his presence is eagerly awaited throughout the country. Institutionally, its development in Indonesia is the strongest among other financial institutions. According to Islamic Development Bank (IDB) data, there were four thousand to five thousand BMTs spread across the country in 2015.

BMT itself can be associated with the form of an organization. Organization itself is a consciously coordinated social unit, with a relatively identifiable boundary, working continuously to achieve goals (Robbins, 2006). Human resources are one of the important factors in organizations because the quality of the organization itself depends

on the quality of human resources and service actors. To get human resources that are by needs, a strategy is needed in good human resource management, which will provide progress for the organization, especially in facing situations and conditions that are always changing and developing. (Megan et al., 2007). In addition, good conditions will certainly lead to a goal that will be aimed at achieving, so that the need for quality human resources in the implementation of BMT in the wider community of Indonesia.

Goals that are the key to success and competitive advantage for the organization from how the organization manages its human factors (HR). Organizations need to view HR as individuals who need recognition and appreciation, not just as a tool for achieving organizational goals. Thus, the organization not only demands what HR must provide to the organization, but also thinks about whether HR needs have been met to stimulate the emergence of social competence, self-efficacy, and knowledge-donating to HR in the organization. For this reason, organizations must also pay attention to fostering good relationships with their human resources, because no matter how good the strategy made by managers, the strategy will not be implemented properly if it is not accompanied by a positive attitude from its HR (Wang and Noe, 2010). Both in terms of vision and mission, of course, a good organization needs connectivity between human resources in contributing to the prosperity of society. About the condition of BMT which needs more direction through sharia principles in the enactment of contracts, making excellence in an HR greatly affects the strategy of the emergence of BMT in Indonesian society.

Broadly speaking, considering that BMT has a very important role in poverty alleviation, it would be nice to maintain the sustainability of BMT to be something that must be carried out regularly and balanced. Social change, especially in reducing poverty, can be realized by maintaining the sustainability of MFIs, especially BMT. development of micro-enterprises and social welfare balanced (Widiyanto, 2008). This means that the sustainability of MFIs (in this case BMT) is the initial requirement for guaranteed alleviation of problems in poverty problems. Therefore, several things need to get more attention to help the development of BMT in the future. Law number Law Number 16 of 2001 concerning Foundations which was further amended by Law Number 28 of 2004 concerning foundations cannot be used as the juridical basis for

BMT operations. This is because the foundation was formed with very limited goals, namely, social, religious, and humanitarian. While BMT not only functions socially but is also profit-oriented (Fadillah). Among them are strengthening the commitment to poverty alleviation, human resource performance, financial performance, and BMT sustainability. Organizational commitment here becomes an important part that connects HR through the organization taken. It is important to build this commitment so that the organization (including BMT) can achieve the feasibility of goals as expected. However, regardless of how important the commitment is, building a strong commitment among human resources within the scope of the institution is not an easy matter and certainly requires a fairly appropriate strategy.

Yousef, D. A. (2001) recommends that practitioners in developing organizations can focus on new methods that can strengthen organizational commitment. From an organizational perspective, effective organizational performance is the basic result and purpose of the commitment that has been built (Kaplan et al. 2018). This commitment gives birth to the psychological attachment of human resources who have a strong desire to serve and realize the vision and mission of the organization. Organizational commitment itself is a global construct that reflects the affective response and relative strength of an individual to his or her identification and involvement with the entire organization. This is manifested by strong trust (identification) and acceptance (internalization) of organizational goals and values, a willingness to strive for the achievement of organizational interests (work involvement), and a strong desire to maintain a position as a member of the organization (Mahdian and Poor, 2014). In other words, the commitment to contribute is related to the empowerment of BMT as a whole, related to the responsibilities held by each member of an organization.

In addition to organizational commitment, human resource performance should get a lot of attention, especially in strengthening BMT's internal system. Based on the results of research that has been done, it can be concluded that 10 internal factors influence the development of BMT Al Hasanah consisting of 5 strength factors and 5 weakness factors. BMT's strength factors are: 1) the level of education and skills of administrators and employees is quite high and professional, 2) BMT facilities and infrastructure are adequate, 3) management is very disciplined, 4) effective use of

capital and 5) service products are very helpful for members. Weaknesses are: 1) members who do not understand the concept of sharia, 2) narrow building conditions, 3) there are still administrative costs, 4) the capital owned by the cooperative is not large, and 5) not all members can enjoy service products. 10 external factors, namely: Opportunities: 1) availability of capital from third parties, 2) BMT adheres to a profit-sharing system, 3) government regulations that support BMT, 4) most local communities of traders, and 5) online transfer technology. The accumulating factors are, 1) capital mostly from third parties, 2) fuel price increases, 3) there is no law regulating the concept of Sharia, 4) people do not understand Sharia and conventional concepts, and 5) high procurement costs. Based on the priority strategy, three alternative highest priority strategies are obtained, namely, a) improving service quality, b) administrators and employees have a high level of education c) cooperating with government and private agencies (Irawan, Affandi, & Kalsum, 2013).

Humans are the actors of all systems and activities carried out. The success or failure of an organization depends on the performance of the human resources in it. Whether or not HR performance is productive is something that deserves to be highlighted and strengthened. Human resources that have good achievements and performance are needed by an institution in the development of this competitive globalization era (Pawirosumarto et al., 2017). Diamantidis and Chatzoglou (2019) added that to survive in a changing market environment, organizations prefer to focus on developing HR performance which is used as one of their competitive advantages (Faizah & Solichin, 2021). This means as an institution. BMT must also ensure that its human resources provide optimal performance. So that BMT which grows in the future becomes an increasingly progressive institution. This growth is not an easy matter and still requires many other supporting aspects such as financial performance.

Financial matters are often associated with the financial statements of an institution. Financial statements are a record of financial information that can describe the performance of institutions in certain periods. Financial statements are the information base for business decision-making (Sulaiman , Muhammad, & Ismail, 2020). The reflection of the success of an institution, including BMT, is in increasingly productive financial performance. This productivity is often associated with the ability

of institutions to get profits to cover all costs incurred into aspects of financial performance. In addition to knowing the productivity of an institution, financial aspects are also used to assess the health of an institution. Often investors use the financial aspect.

Research Methods

This study utilizes a descriptive-qualitative research design with a juridical-normative approach. The purpose of this research is to analyze the legal aspects related to BMT (Baitul Maal wat Tamwil) (Arafat, 2020). The data collection process involves gathering information from various sources such as books, journals, laws, and regulations that are relevant to the subject matter.

To ensure the credibility and accuracy of the data, the following data collection and data analysis techniques are implemented:

1. **Data Collection:** The researcher gathers data from reputable sources, including academic books, scholarly journals, and legislation related to BMT. These sources provide a comprehensive understanding of the legal aspects and regulations governing BMT.
2. **Data Selection:** Relevant data that directly relates to the research objectives and research questions are selected for analysis. The selected data must be reliable, up-to-date, and reputable to ensure the validity of the research findings.
3. **Data Analysis:** The collected data is analyzed using a qualitative approach with a juridical-normative perspective. This analysis involves interpreting the legal principles, regulations, and norms that govern BMT operations. The researcher examines the legal context to identify any gaps or inconsistencies in the legislation and propose recommendations.

Data Verification: The findings and interpretations of the data analysis are verified through peer review and consultation with legal experts knowledgeable in the field of BMT. This step ensures the reliability and validity of the research findings.

Discussion

1. BMT Coexistence In Indonesia

The coexistence of BMT as one of the pioneers of financial institutions with Sharia principles in Indonesia began with the idea of activists in 1980 at the Salman Mosque, Bandung Institute of Technology who established the Technical Expertise Services Cooperative. This cooperative became the forerunner of BMT which was established in 1984 and wanted to roll out financing institutions based on Sharia principles for small businesses (Rachmawati & Nurhadiyah, 2020). Then the development of BMT itself was empowered by the Small and Medium Business Incubation Center (PINBUK), which is a labor body formed by the Small and Medium Enterprises Incubation Foundation (YIBUK), YINBUK itself was formed by the chairman of the Indonesian Ulema Council (MUI), the general chairman of the Indonesian Muslim Scholars Association (ICMI), and the President Director of Bank Muamalat Indonesia (BMI).

The presence of BMT has succeeded in strengthening the capital structure of small businesses through the financing provided so that BMT can reach businesses that are mostly not served by banks (Hapsari & Hadi, 2021; Imaniyati). Although the coexistence of BMT is now widely recognized and known. However, its share of overall microfinance is still not dominant at present. Meanwhile, when viewed in terms of the number of beneficiaries, the amount served by BMT is very large with the financing value of each business unit at the smallest. Apart from the financing side, the importance of BMT for small businesses is in the form of technical assistance or assistance. As the name implies, BMT has two functions, one of which is as a Baitul Maal or social treasury house designed to empower underprivileged groups. This group is assisted by using social funds obtained from the community, such as zakat, infak, and alms which are not allowed to take advantage of these funds at all (Sari & Rahayu, 2019).

The empowerment provided is in the form of independent education and training, business capital, and business assistance. In addition, this group also received health services and educational scholarships (Nurhayati & Hadi, 2018; Rachmawati & Nurhadiyah, 2020; Rahmawati, Fikri, & Mauludin, 2019). In its development, BMT

began to be able to build a reserve fund and taawun fund, which was used to anticipate and provide compensation when financing members experienced a disaster died, or the risk of losing merchandise due to disasters such as fire. The provision of compensation to the deceased and the release of remaining financing to those who lost their lives due to disasters such as fires have created a new category for financial institutions (Dewi & Astari, 2018; Fadillah).

In its institutional growth and strengthening, activists always strive to prioritize various Islamic identities in their operations, including in the process and performance as a business entity that implements Sharia principles. Animating these attitudes and behaviors of the activists as social beings in everyday life. This has a major effect on the pattern of relationships with and between BMT customers. It can even inspire other economic actors so that it can contribute to the realization of a productive economic society founded by Allah SWT.

2. Legal Basis Of BMT

Currently, a special legal umbrella for BMT does not exist, so legally BMT is under the umbrella of cooperatives but its operations are not much different from Islamic banks. While Islamic banks have a juridical basis in the form of laws on Islamic banking, namely Law No. 21 of 2008 concerning Islamic banking so that strong legal legitimacy was born as its shelter. Because it is a cooperative legal entity, BMT must comply with Law Number 25 of 1992 concerning cooperatives and Government Regulation Number 9 of 1995 concerning the implementation of savings and loans by cooperatives, also emphasized by KEP. MEN Number 91 of 2004 concerning Sharia Financial Services Cooperatives (Arafat, 2020).

Currently, some BMTs have been incorporated and some have not been incorporated. BMT which is a legal entity, generally uses the legal entity of Foundations and cooperatives (Fauzi & dkk, 2020). Meanwhile, BMTs that are not yet legal entities generally use KSM (Non-Community Groups). And there are some BMTs whose legal form is unknown.

The licensing procedure is submitted through the local Cooperative Office based on the rules of the Cooperative Office in the area where the BMT will be established.

For BMT that already has a Cooperative Legal Entity, if you want to become a KJKS (Sharia Financial Services Cooperative), just report to the cooperative office, after previously making changes to the KJKS in the Annual Member Meeting (RAT).

3. BMT's Defensive Strategy

Seeing the rapid development and increase in the number of BMTs spread across Indonesia, maintaining this BMT requires growth in financing, support from the community, and good-quality human resources. Therefore, so far the government has formulated policies in the operations of Islamic microfinance institutions aimed at accelerating economic growth with three main policies. First, improving financial services by providing alternatives so that customers make decisions to do financial services business. Second, improving financial services infrastructure. Third, increasing the ability and mastery of aspects of engineering and business management, product development and sales, financial administration, and entrepreneurship.

With the government's policy of strengthening micro-Islamic financial institutions included in BMT, stakeholder support also provides an important role in addition to institutional strengthening. In addition, regulatory support allows each city and district to take a role in the development of BMT according to the conditions of their respective regions without changing the principles of BMT following Sharia principles based on faith and piety. Therefore, BMT has several activities in the form of collecting wealth from various sources such as zakat, infaq, and sadaqah which are distributed to the poor in need. Thus, the importance of BMT measures survival strategies while still contributing to the realization of inclusive finance by increasing the use of equity-based financial model technology and focusing on microfinance (Fadillah).

The existence of BMT is needed by most people, especially in the field of micro-enterprises. In a situation like this, one of the obstacles that determine the success of BMT is the existence of adequate information technology (IT) networks and infrastructure so that it can compete with other financial institutions. Consumer service for information technology is a determinant, especially in digital business competition even though the segmentation is in the middle to lower consumers. Then in addition to information technology, the focus on knowledge and skills related to microfinance

institutions and BMT needs to be improved, if this does not receive much serious attention on the way to go out of business so that in the future it can survive and develop. The coexistence of Islamic microfinance institutions has an important meaning for sharia-minded economic development, especially in providing solutions for the empowerment of small and medium enterprises and becoming the core of people-based economic strength and at the same time becoming the main buffer of the national economic system. This shows that the role of BMT is very meaningful for the community because it is a Sharia micro institution that can solve fundamental problems faced by small and medium entrepreneurs, especially in the field of capital so that BMT not only functions in capital distribution but also functions to handle social activities (Arafat, 2020; Fadillah).

Conclusion

Baitul Maal wat Tamwil (BMT) is a microfinance institution operating based on Sharia principles in collecting and disbursing funds commercially. BMT aims to mobilize funds from the community and use these funds to strengthen the microlayer economy, especially for people who are included in the poor category. One of the main advantages of BMT is to provide empowerment to the community through education, self-reliance training, business capital, and business assistance. By providing education and skills training, BMT helps micro-communities to become more economically independent. In addition, BMT also provides business capital to individuals or groups in need, so that they can start or develop their businesses. Business assistance is also an important part of the BMT program, where they provide guidance and encouragement to business actors to achieve success. In addition to economic empowerment, BMT also strives to provide access to health services and educational scholarships to micro-communities in need. This helps improve the quality of life and educational opportunities for those who were previously limited in this regard.

BMT's main sources of funds come from zakat, infaq, and sadaqah. People who are in better economic conditions make these donations intending to help the poor and improve their lives. With BMT as an intermediary in the distribution of these funds, donors can ensure that the funds they provide are used effectively and follow Sharia

principles. The existence of BMT is very important in maintaining microeconomic coexistence and sustainability in the community. BMT can overcome fundamental problems faced by micro-communities, such as limited capital, lack of access to formal financial services, and limited knowledge about financial management. By supporting and strengthening BMT, micro-communities can overcome these barriers and gradually improve their well-being.

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