

## Strengthening the Principle of Al-Adl in Economic Dispute Resolution to Reduce Non-Performing Financing at PT BPR Syariah Dana Monet Palopo Branch

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### **Keywords:**

*Al-Adl Principle, Economic Disputes, Non-Performing Financing*

### **Abstract**

*This study aims to determine the strengthening of the Al-adl principle in the resolution of economic disputes in reducing non-performing financing at PT. BPRS Dana Monetary Branch Palopo. The research method used is qualitative which analyzes data from arguments, or respondents' answers related to the object of study. The research approach used a case study on several cases of sharia economic disputes that occurred between customers and PT. BPR Syariah Dana Monetary Branch Palopo. The number of respondents was taken from 3 debtors who fell into the default category. Data collection was carried out through interviews, observation, and documentation. Data analysis with the steps of data reduction, data display, and drawing conclusions. This study found that the resolution of sharia economic disputes at PT BPR Syariah Dana Monetary Branch Palopo was carried out through internal mediation and litigation, adjusted to the debtor's condition. Debtors experiencing business decline were given restructuring, while bankrupt ones were given leniency up to voluntary liquidation. For debtors with indications of moral hazard, the bank takes legal action to uphold justice, including the execution of collateral according to court decisions. Strengthening the Al-Adl principle in dispute resolution at PT BPRS Dana Monetary Palopo Branch is carried out through four main steps: a fair approach tailored to the debtor's circumstances, transparency in the resolution process, deliberation for the mutual benefit, and ongoing evaluation to prevent recurrence of disputes.*

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## INTRODUCTION

The Indonesian banking sector, both conventional and sharia, has experienced significant growth. Conventional banks continue to innovate to meet public needs, while sharia banks are gaining popularity because they offer Islamic-compliant and interest-free financial services. However, according to (Adi Ahdiat, 2023) face similar challenges, particularly related to economic disputes resulting from defaults or bad debts. In 2023, the value of bad debt in Indonesia reached IDR 339.13 trillion.

According to (Huljak, Martin, Moccero, & Pancaro, 2022) He stated that resolving disputes resulting from bad loans directly impacts Non-Performing Loan (NPL) and Non-Performing Financing (NPF) rates, which reflect the health of a financial institution. High levels of bad loans also impact national economic stability. (Apergis, 2022) Therefore, steps such as restructuring, reconditioning, and rescheduling are often the initial solution. This is crucial because banks rely

heavily on loan repayments to maintain capital stability, particularly to keep the NPL/NPF ratio below the ideal threshold of 5%.

One such Islamic financial institution, PT BPRS Dana Monet Palopo Branch, is responsible for maintaining the institution's health through sound financial management. One strategy that can be adopted is strengthening the principle of Al-Adl in dispute resolution. This step not only builds debtor trust but also supports the stability and progress of Islamic banking.(Jumaizi, 2024). The following is data on problematic financing at PT BPRS Dana Monet, Palopo Branch.

**Table 1.**Category Financing DataNon-Performing Loan (NPF) for 2021-2023 at PT. BPRS Dana Monet Palopo Branch

Year	Total Financing (Rp)	NPF (Rp)
2021	1,121,545,559	43,740,276.80
2022	2,087,470,351	18,787,233.16
2023	3,362,725,729	116,014,037.65

Source: BPRS Dana Monet Palopo Branch

Financing data from the Palopo branch of PT BPRS Dana Monet shows fluctuations over the past three years. While total financing has increased year over year, the non-performing financing (NPF) has not always been consistent.

(Febrian Duta Pratama, Rafly Pebriansyah, & Mohammad Alvi Pratama, 2024)According to Aristotle, justice is the core of virtue ethics and the basis of morality. He views justice as the highest form of virtue, where a person acts rationally and morally, not only for oneself, but also for the common good. A just person is able to balance rights and responsibilities, both personally and socially. Aristotle divides justice into two: General Justice, which is obeying the law for the common good, and Special Justice, which regulates fairness between individuals regarding property, honor, and rights, so as not to harm others.

According to Al Fuyumi in(Muhammad Rizali, 2022)Al-Adl is understood as a value based on benefit and must be held by both individuals and groups. This means that justice is measured by the extent to which a person receives benefits without violating the rights of others or causing injustice. In the context of resolving Islamic economic disputes, justice is also a key principle. However, efforts to realize it often face various obstacles, both internal and external.

(Alief, 2024)He believes that the principle of Al-Adl, or justice, is a crucial foundation for maintaining business continuity, including when handling disputes in Islamic banking. This principle emphasizes not only legal aspects but also ethical values and moral responsibility. Although regulations for resolving Islamic banking disputes have been issued, they are chosen as a solution when the debtor has no other options.(Adila, Mukhlas, & Sururie, 2024)One of the

major challenges facing Islamic financial institutions is the high number of non-performing financing (NPF). (Lubis, 2024) If not managed wisely, this situation could impact the institution's performance and disrupt its operational stability. Therefore, considering the conditions and facts described, this study aims to further examine the strengthening of the Al-Adl principle in resolving economic disputes to reduce non-performing financing at PT BPRS Dana Monetary, Palopo Branch.

### **Formulation of the problem**

Based on the explanation of the problems outlined above, the formulation of the problems in this research are as follows:

1. How is the Al-adl principle strengthened in the resolution of sharia economic disputes at PT BPRS Dana Monetary Palopo branch?
2. How is the resolution of sharia economic disputes in an effort to reduce non-performing financing at PT BPRS Dana Monetary Palopo branch?

### **Research purposes**

1. To determine the strengthening of the Al-Adl principle in the resolution of sharia economic disputes at PT. BPRS Dana Monetary Palopo branch.
2. To find out the resolution of sharia economic disputes in reducing non-performing financing at PT BPRS Dana Monetary Palopo branch.

## **METHODS**

### **Types of research**

The type of research used in this study is qualitative research. According to (Fikfak, Adam, & Garz, 2019) says that qualitative research concentrates on collecting and analyzing descriptive data from spoken or written words and observed behavior.

### **Research Focus**

According to (Widhagdha & Ediyono, 2022) Qualitative research with a case study approach aims to answer the questions "how" and "why" regarding a phenomenon or case, which is studied in depth in the context of limited time and location.

### **Location and Time of Research**

The author conducted the research at PT BPRS Syariah Dana Monet Palopo Branch, Jl. Latamacelling No. 10 Tompotikka, Wara District, Palopo City, South Sulawesi. This research took place from January 2025 to February 2025.

### **Number of Respondents**

The number of responses in this study was three people.

### **Data source**

The data sources in this study consist of two types:

1. Primary data, obtained directly through interviews with the bank and customers of PT BPRS Dana Monet Palopo Branch.
2. Secondary data, namely information collected from sources that have been previously processed and used to strengthen and clarify discussions relevant to the research topic.

### **Research Instruments**

The instruments in this study include the researcher himself as the main data collector, as well as an interview question guide equipped with recording using a cellphone to document the interview results. (Mtisi, 2022).

### **Data collection technique**

The data collection techniques in this study used three techniques, namely:

#### **1. Observation**

Conducted to directly observe the phenomenon being studied. In participant observation, the researcher is directly involved in the informant's activities. Meanwhile, unstructured observation is conducted without standard guidelines, adapting to the dynamics in the field.

#### **2. Documentation**

Includes collecting data in the form of images or information from various written sources, such as relevant journals and articles.

#### **3. Interview**

It is a question and answer interaction process between researchers and sources, using question guides to dig up information about the research object.

### **Data Analysis Techniques**

The data analysis technique in this study uses three analysis techniques:

#### **1. Data Reduction**

According to (Takona, 2024) is the gathering of information, identification of important details, focusing on important elements, and searching for relevant themes and patterns.

#### **2. Data presentation**

The data presentation in this study aims to clarify the meaning of the information collected. Data is systematically organized, moving from complex to simpler forms, while remaining relevant. This presentation helps researchers draw conclusions and formulate follow-up steps to support future work planning. (Creswell & Creswell, 2018).

#### **3. Drawing Conclusions**

According to (Miles, Huberman, & Saldaña, 2013) The final stage of qualitative analysis is drawing and verifying conclusions. Initial findings are tentative and subject to change if further

data does not support them. However, conclusions are considered valid if they are supported by strong and consistent evidence when researchers double-check in the field.

## **RESULTS AND DISCUSSION**

### **Research result**

Use of the concept of justiceAccording to Aristotle, a Western philosopher, and Al-Fuyumi, an Islamic thinker, from the perspective of the Quran. The thoughts of these two figures formed the basis for the researchers' interviews to assist in obtaining research results. The study identified several conditions within each debtor that led to non-performing financing (NPF). In this case, the researchers used three respondents, each with different conditions that led to the financing stalling.

1. Debtors in default, caused by a decline in business turnover
2. Debtors in default, caused by bankrupt business conditions and difficulty paying
3. Debtors are in default, due to moral hazard conditions or not having good intentions to pay.

#### **Debtors in default, caused by a decline in business turnover**

Field observations revealed that the debtor is a large-scale corn farmer. He faced significant challenges in running his business, particularly since his income began to decline significantly in 2023. This resulted in difficulties in meeting his obligations, with outstanding financing totaling Rp 17,000,000.

The debtor's business is unstable, but he remains committed and makes every effort to fulfill his obligations to the bank, sometimes experiencing delays in making payments. Although he has no intention of defaulting on the agreement, the actual conditions are not as expected. The debtor hopes the bank will understand the situation and work together to find the best solution without burdening or harming either party.

#### **Debtors in default, caused by bankrupt business conditions**

The debtor in question owned a boutique business with a well-known brand. Based on research at the time, the debtor experienced a fairly severe business bankruptcy in 2023, leaving him without a steady source of income as before. This situation made it difficult for him to meet his financing payment obligations on time. The amount of arrears in question amounted to IDR 58,000,000. Despite this, he still demonstrated good faith in paying off his obligations. The debtor expressed a strong desire to repay, but currently his main focus is finding solutions and opportunities to regain income.

The debtor also stated that he had tried to make payments on time before his business went bankrupt, but when the income stopped completely, heHe no longer has a choice. He hopes for a solution without excessive pressure, as he considers the bank's overly focused communication

with debt collection to be inhumane. He desires a more communicative and solution-oriented approach, such as open discussions or financial assistance. For debtors, the recovery process requires time and support, so he hopes the bank will understand and give him the space and time to recover financially.

## **Discussion**

In Islamic banking operations, a major challenge often faced is managing problematic financing or increasing Non-Performing Financing (NPF). PT BPRS Dana Monet Palopo Branch, as an institution based on the principles of Al-Adl and Sharia values, bears the responsibility to resolve disputes fairly, transparently, and without prejudice to any party.

### **Strengthening the principle of Al-adl in resolving Islamic economic disputes at PT. BPR Syariah Dana Monet, Palopo branch**

PT BPRS Dana Monet Palopo Branch's financing activities are committed to making the principle of Al-Adl (justice) the primary basis for resolving economic disputes. This principle emphasizes the balance between rights and obligations, so that decisions taken not only favor the bank, but also consider the interests of the debtor. Based on research results and interviews with both parties, PT BPR Syariah Dana Monet Palopo Branch has strengthened the principle of Al-Adl in resolving sharia economic disputes, adjusted to the conditions of each debtor, namely:

#### **1. Debtors in default, caused by a decline in business turnover**

The bank assessed that the debtor in question demonstrated good faith and a strong sense of responsibility, despite the business experiencing declining revenue. Despite the late payments, the debtor continued to actively communicate with the bank. This is a crucial consideration, indicating that the debtor still deserves a chance through more flexible and solution-oriented policies.

In the dispute resolution process for the debtor case mentioned above, PT BPR Syariah Dana Monet Palopo Branch prioritized strengthening the principles of Al-adl through a persuasive and solution-oriented approach, providing assistance and offering restructuring options, such as extending the tenor and adjusting the installment scheme. This process was conducted through consultation with the debtor and was more transparent and open, with the aim of avoiding undue pressure on the debtor while maintaining the principles of fairness and business sustainability.

The preliminary evaluation results indicate that the debtor remains committed to repaying the installments in installments in accordance with the restructuring plan, based on his ability, even though he has not yet fully recovered. Therefore, the bank continues to monitor the debtor's business development and provide financial education to strengthen his business and

personal financial management skills. He also focuses on conducting follow-up assessments to assess the business's performance in the coming months following the restructuring.

## **2. Debtors in default, caused by bankrupt business conditions**

The bank recognizes that the debtor is facing a challenging situation, as the business that served as his primary source of income has gone bankrupt. Nevertheless, the debtor remains open to communication and strives to find a joint solution, which is a positive factor in the settlement process.

In response to the settlement, the bank prioritizes the principle of Al-adl, which is to view the situation in a truly fair and humanitarian manner by offering various forms of relief, such as margin discounts, penalty waivers, and restructuring payment schedules to make them more lenient. In extreme circumstances, the bank also offers the option of voluntary asset liquidation as a way to reduce the debt burden, of course, by agreement and without coercion.

The evaluation revealed that the debtor was still experiencing difficulties in meeting his obligations despite being granted leniency. Therefore, the bank explored other options, such as involving family members to assist with settlement or authorizing the debtor to sell the collateral pledged to the bank.

This step proved effective. The debtor was ultimately able to settle the financing by selling his own assets, consciously and voluntarily, without pressure from the bank. This demonstrates that an approach that prioritizes fairness, empathy, and deliberation can produce a mutually beneficial resolution while maintaining a harmonious relationship between the customer and the Islamic financial institution.

## **3. Debtors in default, caused by bankrupt business conditions**

The debtor has outstanding financing of Rp. 41,000,000 from 2023. According to the debtor, he admitted that he still has the financial ability to make the agreed payments. However, he chose to delay payments as part of a personal strategy in the hope of obtaining relief from the bank, such as installment deferrals or certain discounts. The debtor also stated that he often delays payments to wait for new policies from the bank that are considered more favorable before resuming payments.

Unlike the previous two debtors, the third debtor's condition was deemed to have shown no good faith in fulfilling his obligations. The bank experienced difficulties in establishing more solution-oriented communication, so the bank adopted a more assertive and legally based approach. During the process, PT BPR Syariah Dana Monet Palopo Branch first issued gradual warnings via official letters, but these were not responded to properly and even appeared to be resisting and evading. Therefore, the bank continued the dispute resolution process through

litigation, namely seeking a settlement in the Religious Court. This process was undertaken after efforts at deliberation failed.

Based on the Religious Court's ruling, the debtor was found to have intentionally committed a breach of contract, causing losses to the company and is therefore obliged to pay all outstanding debts. As a form of enforcement of this ruling, the bank has the right to sell the collateral, with the proceeds used to cover the debtor's obligations. Any remaining funds from the collateral sale will be returned to the debtor.

This case underscores the importance of upholding the principles of justice and legal certainty in dispute resolution, particularly when moral hazard occurs. This firm approach serves as a lesson that the Islamic financial system not only upholds deliberation but also has a firm mechanism for uncooperative parties.

### **Settlement of Islamic economic disputes in an effort to reduce Non-Performing Financing at PT BPR Syariah Dana Monet Palopo Branch**

PT. BPR Syariah Dana Monet Palopo branch in its practice of resolving sharia economic disputes uses two methods, namely:

#### **1. Internal Mediation**

Internal mediation is chosen as the first-line resolution method because it is considered faster, more efficient, and more solution-oriented. In this context, the bank strives to establish good communication with the customer, listen to the issues they face, and find a solution that is not burdensome for both parties.(Herwastoeti, 2019)This aligns with the spirit of Islamic economic law, which upholds the principles of deliberation, justice (al'adl), and peaceful resolution (sulh), without resorting to lengthy and costly formal channels. Furthermore, internal mediation provides a platform for banks to demonstrate their social responsibility as Islamic financial institutions, not solely focused on profit but also empathizing with the real-world situations faced by debtors.

#### **2. Religious Court**

ProcessThis is chosen as a last step if internal mediation fails to reach an agreement.(McKenzie, 2015)This selection is in accordance with Supreme Court Regulation No. 14 of 2016 concerning procedures for resolving Sharia economic cases. This legal regulation stipulates that Sharia contract disputes are resolved at this institution. In addition to their legality, Religious Courts are considered to have a better understanding of the principles of Islamic jurisprudence (fiqh) and the Sharia values underlying contracts such as murabahah, mudharabah, musyarakah, and so on.(Al Hakim, 2014).



The research results above show that the strengthening of the Al-adl principle in the process of resolving Islamic economic disputes in reducing Non-Performing Financing at PT. BPR Syariah Dana Monet Palopo branch has a very significant role.

Financing data from PT BPRS Dana Monet Palopo Branch for the 2021–2024 period shows fluctuations in the level of non-performing financing (NPF). In 2021, the NPF ratio was recorded at 3.90%, then decreased sharply to 0.94% in 2022. However, in 2023, there was a significant spike to 3.45%, before declining again to 1.40% in 2024. This indicates a decrease in non-performing financing in 2024, resulting in a decrease and improvement in the NPF ratio. This pattern reflects the bank's ongoing efforts to improve financing risk management and dispute resolution more effectively and fairly. (Supriyanto, Tay, Chairika, & Barahama, 2022) Although the Non-Performing Financing (NPF) ratio fluctuates annually, an approach emphasizing fairness, open communication, and early prevention has proven helpful in maintaining financial stability and health at the Palopo branch of PT BPR Syariah Dana Monet. This role is evident in the trend table below:

**Table 2.** NPF Trends for 2021–2024 at PT. BPRS Dana Monet  
Palopo Branch

Source: Data processing results, Excel 2024

## CONCLUSION

Based on the results of the research and discussion that has been carried out, the following conclusions can be drawn:

1. The principle of Al-adl plays a crucial role in creating a fairer, more transparent, and more Sharia-compliant dispute resolution approach. This approach builds mutual trust between banks and borrowers.
2. The dispute resolution at the Palopo branch of PT BPR Syariah Dana Monet was conducted through two channels. First, non-litigation (internal deliberation and

Tahun	Total Pembiayaan (Rp)	NPF (Rp)	NPF Ratio (%)
2021	1.121.545.559	43.740.276,80	3,90%
2022	2.087.470.351	18.787.233,16	0,94%
2023	3.362.725.729	116.014.037,65	3,45%
2024	2.879.487.400	40.312.823,60	1,40%

mediation), which is the preferred method because it is more friendly and provides solutions. Second, litigation through the judicial process with the Religious Court as the designated institution for resolving sharia economic disputes to maintain legal certainty.

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