

ABSTRAK

Perkembangan teknologi informasi yang sangat pesat di Indonesia, kini menghasilkan penelitian-penelitian yang membahas tentang *financial technology* di sektor jasa keuangan syariah. Penelitian-penelitian tersebut merupakan suatu hal terpenting untuk menunjang perkembangan *financial technology* dari sisi akademis. Terlebih lagi, sejak munculnya pandemi Covid-19, sehingga menghadirkan bermacam model pembiayaan daring yang dilakukan oleh perusahaan *start-up financial technology*. Hal ini yang menjadi dasar penulis dalam melakukan penelitian ini. Penelitian ini bertujuan untuk mengetahui penerapan mekanisme *peer to peer financing* berbasis syariah di PT. Dana Syariah Indonesia dalam pandangan hukum Islam dan Fatwa DSN-MUI dengan judul Tinjauan Hukum Islam dan Fatwa DSN-MUI No. 117/DSN-MUI/II/2018 terhadap Sistem *Peer to Peer Financing* pada *Financial Technology (Fintech)* Berbasis Syariah (Studi Kasus Danasyariah.id). Penelitian ini membahas mengenai bagaimana terkait penerapan mekanisme sistem *peer to peer financing* pada *fintech* berbasis syariah di Danasyariah.id serta mengetahui tinjauan hukum Islam dan Fatwa DSN-MUI No. 117/DSN-MUI/II/2018 terhadap sistem *Peer to Peer Financing* pada *Financial Technology (Fintech)* berbasis syariah di Danasyariah.id.

Penelitian yang digunakan termasuk dalam jenis penelitian kualitatif dengan menggunakan metode penelitian lapangan (*field research*) yang bersifat deskriptif. Sumber data yang digunakan dalam penelitian ini yaitu sumber data primer yang diperoleh peneliti dengan melakukan observasi dan wawancara via media digital pada *platform fintech* Dana Syariah Indonesia, dan sumber data sekunder yang diperoleh dari buku-buku, jurnal dan artikel yang berhubungan dengan objek penelitian.

Hasil penelitian ini menyimpulkan bahwa penerapan mekanisme sistem *peer to peer financing* pada *financial technology* berbasis syariah di PT. Dana Syariah Indonesia dilakukan dengan beberapa syarat dan ketentuan yang telah ditetapkan oleh perusahaan. Pengguna wajib untuk tunduk dan patuh terhadap syarat dan ketentuan yang berlaku. Jika ditinjau dari hukum Islam, maka sistem *peer to peer financing* di Danasyariah.id termasuk *mubah* dan sangat sesuai dengan pembagian hukum Islam secara *taklifi* dan *wadh'i*. Sebab, dalam praktiknya Tim Dana Syariah Indonesia mewakili pemilik dana melakukan kajian dan penyaringan yang komprehensif dengan prinsip kehati-hatian terhadap perusahaan maupun perorangan yang akan menerima pembiayaan. Begitu pula analisa terhadap Fatwa DSN-MUI No. 117/DSN-MUI/II/2018 tentang Layanan Pembiayaan Berbasis Teknologi Informasi Berdasarkan Prinsip Syariah secara substansi sudah sesuai, hanya saja dalam praktiknya akad *wakālah* yang diberikan pihak penerima pembiayaan dan akad *murābahah* dilakukan secara bersamaan, sedangkan dalam fatwa tersebut secara prinsip dijelaskan bahwa akad *murābahah* dapat terjadi setelah barang dimiliki pihak penyelenggara yakni PT. Dana Syariah Indonesia, karena fatwa lebih bersifat hati-hati. Meskipun demikian, tidak ada larangan dalam syariah.

Kata kunci: *Financial Technology, Peer to Peer Financing, Hukum Islam, Fatwa DSN-MUI No. 117/II/DSN-MUI/2018.*

ABSTRACT

The development of information technology is very rapid in Indonesia, Right now producing studies that discuss financial technology in the Islamic financial services sector. These studies are one of the most important things to support the development of financial technology from an academic perspective. What's more, since the emergence of the Covid-19 pandemic, it has presented various types of online financing models carried out by companies financial technology start-up. This is the basis for the author in conducting this research. This study aims to determine the implementation of the mechanism peer to peer financing syariah-based at PT. Dana Syariah Indonesia in view of Islamic law and Fatwa DSN-MUI with the title Islamic Law Review and Fatwa DSN-MUI No. 117/DSN-MUI/II/2018 on System Peer to Peer Financing in Financial Technology (Fintech Sharia-Based) (Case Study Danasyariah.id). This study describes how the system related to the implementation mechanism of peer to peer financing on fintech Islamic-based in Danasyariah.id and know Islamic law review and Fatwa DSN-MUI No. 117/DSN-MUI/II/2018 of the systems Peer to Peer Financing in Financial Technology (Fintech) syariah based on Danasyariah.id.

The research included in this type of qualitative research using field research that is descriptive. Sources of data used in this study are primary data sources sources obtained by researchers by conducting observations and interviews via digital media on the fintech platform Dana Syariah Indonesia, and secondary data sources were obtained from books, journals and articles related to the object of research.

The results of this study concluded that the application of the mechanism system peer to peer financing in financial technology syariah-based in PT. Dana Syariah Indonesia is carried out with several terms and conditions set by the company. Users are required to comply with and comply with the applicable terms and conditions. When viewed from Islamic law, the peer to peer financing system at Danasyariah.id is considered permissible (*mubah*) and is very compatible with the division of Islamic law in *taklifi* and *wadh'i*. This is because, in practice, PT. Dana Syariah Indonesia Team, representing the owner of the fund, conducts a comprehensive study and screening with the principle of prudence on companies and individuals who will receive financing. Likewise, the analysis of the DSN-MUI Fatwa No. 117/DSN-MUI/II/2018 concerning Information Technology-Based Financing Services Based on Sharia Principles are substantially appropriate, it's just that in practice the contract *wakālah* is given by the recipient of the financing and the contract is *murabahah* carried out simultaneously, while in the fatwa In principle, it is explained that the contract *murabahah* can occur after the goods are owned by the organizer, namely PT. Dana Syariah Indonesia, because the fatwa is more cautious. However, there is no prohibition in sharia.

Keywords: *Financial Technology, Peer to Peer Financing, Islamic Law, Fatwa DSN-MUI No. 117/II/DSN-MUI/2018.*