

MERGER OF BANK MUAMALAT AND BANK BTN SYARI'AH (MASLAHAH MURSALAH PERSPECTIVE)

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ABSTRACT

Backgrounds: It is believed that Bank Muamalat Indonesia's merger policy with Bank BTN Syari'ah can strengthen the market share of the two banks themselves, where Bank BTN focuses on subsidized home financing in collaboration with Bank Muamalat Indonesia which focuses on retail financing. **Objectives** Therefore, this research aims to analyze the merger policy of Bank Muamalat Indonesia with Bank BTN Syari'ah Indonesia from the maslahah murlah perspective. **Methods:** This research is qualitative research with a descriptive approach, namely describing the advantages and disadvantages of the merger of Bank Muamalat Indonesia with BTN Syari'ah Indonesia. The data used in this research is secondary data that researchers obtained from books, scientific journals, magazines, newspapers and various other credible sources. These data were analyzed using the stages of data collection, data reduction, data selection, and drawing conclusionstool. **Results and Conclusions:** the merger of Bank Muamalat Indonesia and BTN Syari'ah Indonesia is in line with the principle of maslahah murlah, namely to bring benefits, goodness and avoid damage in terms of increasing the sharia banking market share, increasing Bank Muamalat's assets. and BTN Syari'ah, and increasing strength in achieving surplus due to collaboration in subsidized housing financing and retail financing between Bank Muamallat and Bank BTN Syari'ah.

Keywords : Merger, Bank Muamalat Indonesia, BTN Syari'a Indonesia, Maslahah Mursalah.

INTRODUCTION

Etymologically, the word al-maslahah is the same as al-false which is a noun (isim) which means the opposite of damage, safe from defects, goodness, right, istiqomah or is used to show that someone or something is good, right, perfect, orderly, praiseworthy. , useful, honest, sincere. Maslahah in Arabic means "actions that encourage human goodness". In its general meaning, it is anything that is beneficial to humans, either in the sense of attracting or producing, such as generating profit or pleasure, or in the sense of

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rejecting or avoiding, such as preventing harm or damage. So everything that contains benefits should be called *maslahah*. In this way, *maslahah* contains two sides, namely attracting or bringing benefit and rejecting or avoiding harm (Asiah, 2022).

The Big Indonesian Dictionary defines the word *mashlahat* as something that brings goodness, goodness or use. So, benefit is usefulness, goodness, benefits and interests. In certain cases, *maslahah* can only be grasped by some people, especially by those who use their minds to the maximum or who want to think intellectually. Meanwhile, ordinary people cannot reach the benefits contained in a problem or law (Bahasa, 1989).

Al-mursalalah is the *isim maf'ul* (object) of *fi'il madhi* (root word) in the form of *tsulasi* (three-letter root word) *رسل* with the addition of the letter "alif" at the base to become *رسل*. Etymologically (language) it means "apart" or in the sense of being free. The words "regardless" and "free" here when connected to the word *maslahah* mean that it may or may not be done (Sari, 2017).

There are several different formulations of the definition of *mashlahah murlah*, but each has similarities and is close in meaning. Among these definitions are (Yuslem, 2007): 1. Al-Ghazali in the book *al-Mustasyfa* formulated *mashlahah murlahah*, namely anything (*masshahah*) for which there is no evidence from the *syara'* in the form of certain texts that cancel it and no one pays attention to it. 2. Al-Syaukani in the book *Irsyad al-fuhul* provides a definition of *maslahah* which is not known whether the *syar'i* rejects it or considers it. 3. Ibn Qudamah from the Hanbali ulama gives a formula, benefit which there is no evidence of certain instructions that cancel it and no one pays attention to it. 4. Yusuf Hamid al-Alim gave a formulation, anything (*maslahah*) that does not have sharia guidance, neither to cancel it nor to pay attention to it. 5. Jalal al-Din Abd al-Rahman gave a broader formulation, *maslahah* that is in line with the objectives *syar'i* (Lawmaker) and there are no specific instructions that prove its recognition and enforcement. 6. Abd al-Wahhab al-Khallaf gave the following formulation, *mashlahah murlahah* is *mashlahat* for which there is no sharia' argument to acknowledge or reject it. 7. Muhammad Abu Zahra gave a definition that is almost the same as Jalal al-Din's formulation, namely, *mashlahah* which is in harmony with the objectives of Islamic law and there are no specific instructions that prove its recognition or rejection (Asmawi, 2014).

In this regard, the government plans to implement a merger policy at Bank Muamalat and Bank BTN Syariah. A merger is an agreement that unites two existing companies into one new company. This is actually considered very positive because there are no Islamic banks that specialize in housing finance, especially in the subsidized housing sector. This specialist will actually have a positive impact when BTN Syariah UUS merges with Bank Muamalat Indonesia, which focuses on retail financing. Meanwhile, Bank Muamalat Indonesia (BMI), which will merge with BTN Syariah as of September 2023, has

huge assets as the second largest sharia bank after BSI. Currently, BMI recorded asset growth of 10.7 percent (yoy) amounting to IDR 66.2 trillion compared to the previous year which was only IDR 59.8 trillion (Mihajat, 2024).

With large asset growth, BMI was able to become the second largest sharia bank above CIMB Niaga Syariah which previously had the label of second largest sharia bank. BMI's asset growth was supported by an increase in financing distribution which grew 22.4 percent compared to last year to IDR 21.7 trillion. If these two big powers are combined, this will add new power to the sharia banking industry apart from BSI and will certainly change the banking landscape nationally. Of course, this will have a positive impact on the sharia banking industry from the side of the big players. The total assets of BTN Syariah and BMI, if combined, will reach Rp. 115 trillion, becoming a sharia bank that will focus on housing financing and retail business. Meanwhile, the total number of Sharia Commercial Banks (BUS) that will operate will remain at 13 BUS, or increase to 14 BUS when Bank Sinar Mas Syariah has spun off from its parent (Respati, 2022).

Based on this, this research aims to analyze the merger policy of Bank Muamalat Indonesia with Bank BTN Syari'ah which can increase the market share of sharia banking, increase new big players besides BSI, and improve the sharia banking industry in Indonesia with the *Maslahah Murlah* concept. which researchers have explained comprehensively above.

METHODS

It is believed that Bank Muamalat Indonesia's merger policy with Bank BTN Syari'ah can strengthen the market share of the two banks themselves, where Bank BTN focuses on subsidized home financing in collaboration with Bank Muamalat Indonesia which focuses on retail financing (Imam Gunawan, 2014). Therefore, this research aims to analyze the merger policy of Bank Muamalat Indonesia with Bank BTN Syari'ah Indonesia from the *masalah murlah* perspective. This research is qualitative research with a descriptive approach, namely describing the advantages and disadvantages of the merger of Bank Muamalat Indonesia with BTN Syari'ah Indonesia (Abdurahman, 2016). The data used in this research is secondary data that researchers obtained from books, scientific journals, magazines, newspapers and various other credible sources (Manzilati, 2017). These data were analyzed using the stages of data collection, data reduction, data selection, and drawing conclusions (Sugiyono, 2019).

RESULTS AND DISCUSSION

Merger Of Bank Muamalat And Bank Btn Syari'ah (Maslahah Mursalah Perspective)

Etymologically, the word al-maslahah is the same as al-false which is a noun (isim) which means the opposite of damage, safe from defects, goodness, right, istiqomah or is used to show that someone or something is good, right, perfect, orderly, praiseworthy. , useful, honest, sincere. Maslahah in Arabic means "actions that encourage human goodness". In its general meaning, it is anything that is beneficial to humans, either in the sense of attracting or producing, such as generating profit or pleasure, or in the sense of rejecting or avoiding, such as preventing harm or damage. So everything that contains benefits should be called maslahah. In this way, maslahah contains two sides, namely attracting or bringing benefit and rejecting or avoiding harm (Asiah, 2022).

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Based on the comprehensive explanation above, the researcher is of the opinion that the merger of Bank Muamalat Indonesia and Bank BTN Syariah Indonesia is in line with the principle of *maslahah murlah*, namely to bring benefits, goodness and avoid damage in terms of increasing the sharia banking market share, increasing Bank Muamalat's assets. and Bank BTN Syariah, and increasing strength in achieving surplus due to collaboration in subsidized housing financing and retail financing between Bank Muamalat and Bank BTN Syariah.

CONCLUSIONS

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