



## Legal Awareness of The Muslim Community Regarding Debt Agreements With *Bank Tungul*

Nur Afifah<sup>1\*</sup>, Tarmidzi<sup>1</sup>

<sup>1</sup>UIN K.H. Abdurrahman Wahid Pekalongan, Indonesia

Received : May 1, 2023

Revised : May 14, 2023

Accepted : May 20, 2023

Online : May 31, 2023

### Abstract

Lending and borrowing agreements that contain high interest often occur in the general public, especially Muslims today. One of them is the loan agreement with *Bank Tungul*, which incidentally contains high interest. In addition to debts under Islamic law, it is clear that the law is unlawful because there is an element of usury in it, as emphasized in QS. Al-Baqarah verse 275. However, in society, such practices are still practiced and considered normal by the Muslim community. The research method used is empirical juridical research with a sociological approach. The purpose of this study was to analyze the legal awareness of the people in the debt agreement made with *Bank Tungul* and to find out the factors that influence the community in carrying out debts and receivables with *Bank Tungul*. The results of the study show that the legal awareness of the people of Kebumen Village in the loan agreement with *Bank Tungul* is low. The community does not yet have extensive knowledge and understanding of the prohibition of usury, especially in debt transactions, so their attitudes and behavior when making loans do not consider the loan's interest. The factors influencing the people carrying out debts and receivables with *Bank Tungul* include educational, religious, social, and economic factors and the ease of transactions. This research can be a reference in increasing legal awareness related to the problems arising from debts that contain usury.

**Keywords** *Community, Debts and receivables, Economic, Islamic law, Muslim, Public, Usury*

### INTRODUCTION

Debt and receivables in everyday life are often used as an alternative way for the community to fulfill household needs, especially when financial needs increase (Hasan, 2018, p.61). Receivables are common in society even though they contain high interest. Seeing the existing reality, lending and borrowing agreements contain high interest, which often occurs in the general public, especially Muslims today. One of them is the loan agreement with *Bank Tungul*, which is the term used by the community for debts that are collected by coming to the customer's house.

There are three *Bank Tungul* in Kebumen Village, Tulis District, Batang, namely MN, PM, and MK. The implication is that if you borrow three million rupiahs, you will get a one hundred and fifty thousand discount and make seventy-five thousand installments every Thursday for 50 times and must be paid under any circumstances (Anik, 2022). Payables with additional debt, as determined by *Bank Tungul*, are still widely practiced by the people in Kebumen Village. In fact, in addition to accounts payable under Islamic law, it is clear that the law is unlawful because there is an element of usury in it. The prohibition of riba has been strictly regulated in the letter Al-Baqarah verse 275. However, in society, such practices are still carried out and are considered normal by the people in Kebumen Village, where the majority of the people are Muslims.

In relation to this, the prohibition of usury, which has been explained and clearly stated in the Koran, must, of course, be implemented, especially for Muslim individuals who obey God's commands, so that these rules run well. In the concept of the sociology of law, regulation can be properly described not only by observing its philosophical and juridical studies but also by how it is applied sociologically to society. So it needs to be reviewed if there are any violations, whether reviewing legal products, implementing laws that are not appropriate, or the level of legal

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Corresponding author's email: [nurafifah45633@gmail.com](mailto:nurafifah45633@gmail.com)

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awareness in society (Soekanto, 2019, p.20).

The above thoughts are increasingly important and relevant if the context is drawn from the people in Kebumen Village, Tulis District, Batang Regency, who still carry out debts to *Bank Tungul* with high interest. A problem arises in empirical studies regarding the facts of society and Islamic law itself. In this regard, the legal awareness of the community in Kebumen Village, which has been represented in traditional values and mindsets and still thinks that "borrowing that can be disbursed quickly and does not want to be complicated even though they already know the risks are big" has become common among the people of this region, so that this research can be a reference in increasing legal awareness related to the problems arising from debts that contain usury and the importance of carrying out muamalah something Islamic law.

### **LITERATURE REVIEW**

Addition to, the practice of accounts payable is no longer new to be studied. Several previous studies have also examined the law regarding the practice of accounts payable where there are additional repayments by the borrower. Among them is research conducted by Sarina (2018). The results of the research show that the activities of people who like to borrow from other people with additional interest are unlawful in terms of Islamic law (Sarina, 2018: 50). Research conducted by The results of the study show that the activities of people who like to borrow from loan sharks are unlawful in terms of Islamic law (Nurdia, 2019: 81).

Furthermore, research conducted by Ratnasari (2019), The results of the study shows that debts and receivables are not yet in accordance with Islamic economic principles, namely the principle of divinity, the principle of balance, the principle of mutual help, and the principle of free will. (Ratnasari, 2019: 50). Besides research conducted by Rismah (2021), the result of the study show that some people do not know about usury (Rismah, 2021, p.6).

In the previous research, especially the four studies, the results of the study were more specific and comprehensive in discussing Islamic law in order to see the phenomenon of community activities in debt and credit. In contrast to the author's research which wants to analyze the legal awareness of the people who have made loans to *Bank Tungul*, so that the new findings (novelty) that the authors conclude are related to the factors that underlie the community to enter into debt and credit agreements with high interest, as well as the legal awareness of the community in carrying out accounts payable agreement with *Bank Tungul*.

### **RESEARCH METHOD**

The type of research used is sociological juridical research which is legal research that examines the law from the concept of actual behavior as a social phenomenon that is unwritten and experienced by everyone in social life relationships (Muhaimin, 2020, p.29). This research used a qualitative approach. The point is that research procedures produce descriptive data in the form of written or spoken words from people, and the observed behavior, in this case, is the behavior of the community and the way local people judge (Muhammad, 2004, p.134). the primary data sources in this study are the people who have borrowed from *Bank Tungul* with the following criteria, including; 1) Already married, 2) Muslim, 3) Original residents of the keumen village community, 4) Borrow at least 4 times from one of the *Bank Tungul*. The secondary data sources were obtained from literature studies, books, journals, and also documentation.

In order to check the credibility of information and data, the authors use a triangulation technique that is applied in practice, both sources and methods. The analytical technique uses an Interactive Model from Miles and Huberman (Sugiyono, 2017). In this case, the activities carried out are like researchers collecting data, which will then be displayed or presented. All the data that has been obtained, both field and library data, must have been very diverse so that in order to adjust

the relevant data, data reduction was carried out. After data reduction is complete, the next step is the presentation of the data, which is then followed by drawing conclusions. This cycle is carried out with an unbroken cycle (Sugiyono, 2017, p.134). After being analyzed, evaluated, and checked for validity, the information and data that have been obtained will be presented in a narrative of self-style (Suharsimi, 2006, p.94).

## FINDINGS AND DISCUSSION

### A. Practices of Debt and Receivable Agreements with *Bank Tungul*

Payables that are collected by visiting their customers in the Kebumen Village community are often referred to as *Bank Tungul*, which is a term derived from Javanese and consists of two words, namely "bank" and *tungul*. This Bank is interpreted by the community as a place to borrow or save money, while "*tungul*" is interpreted as coming suddenly; this is because the collection of debts is done at the place of its customers. In Kebumen Village, there are three *Bank Tungul* with their own agreement systems. The following is the practice of the agreement stipulated by *Bank Tungul* for the Kebumen Village community:

#### 1. *Bank Tungul* MN

*Bank Tungul* MN has a total debtor of approximately 50 people. In practice, people who want to make a loan show their original identity card to *Bank Tungul* MN. You can then apply for a loan with an initial loan of Rp. 100,000.00 to Rp. 300,000.00. For subsequent submissions, the public can borrow a larger amount. At the beginning of each disbursement, the customer will be subject to a 10% cash deduction. In the process of repayment of debt at *Bank Tungul* MN, the public is subject to interest of 30% of the loan amount, which is then paid in 10 installments with the number of installments in accordance with the loan amount, which includes the following:

**Table 1.** Installment List of *Bank Tungul* MN

Loans	Weekly installments (10 Weeks)	The total installments paid
Rp. 100.000,00	Rp. 13.000,00	Rp. 130.000,00
Rp. 200.000,00	Rp. 26.000,00	Rp. 260.000,00
Rp. 300.000,00	Rp. 39.000,00	Rp. 390.000,00
Rp. 400.000,00	Rp. 52.000,00	Rp. 520.000,00
Rp. 500.000,00	Rp. 65.000,00	Rp. 650.000,00

Source: *Bank Tungul* MN Installment Book.

#### 2. *Bank Tungul* PM

According to an officer from *Bank Tungul* PM, the number of customers at *Bank Tungul* PM is currently 76 people divided into four groups. Each community member who wants to make a loan submits the requirements in the form of a photocopy of the identity card, a photocopy of the identity card of his husband/brother, and a photocopy of the family card. For the initial loan, the customer will be subject to a cash deduction of 5%. At the time of paying off the debt, the community was present at the house of one of the members, which was used as a place for members who made loans to *Bank Tungul* PM. In the process of paying public debt, interest is charged at 25% of the loan amount, which is then paid in 50 times the number of installments in accordance with the loan amount as follows:

**Table 2.** Installment List of *Bank Tungul* PM

Loans	Weekly installments (50 Weeks)	The total installments paid
Rp. 2.000.000,00	Rp. 50.000,00	Rp. 2.500.000,00
Rp. 3.000.000,00	Rp. 75.000,00	Rp. 3.750.000,00
Rp. 4.000.000,00	Rp. 100.000,00	Rp. 5.000.000,00
Rp. 5.000.000,00	Rp. 125.000,00	Rp. 6.250.000,00

Source: Interview results with *Bank Tungul* PM officers

### 3. *Bank Tungul* MK

According to officers from *Bank Tungul* MK, the number of *Bank Tungul* MK customers for this year is 58, and it is divided into 4 groups. Each member of the community who wants to make a loan submits requirements in the form of a photocopy of an identity card and a photocopy of a family card. After the submission requirements are submitted to *Bank Tungul* MK, the *Bank Tungul* MK will go to the homes of people who want to borrow to check data and information by asking several questions to the community.

After the requirements are met, the debt disbursement will be made after 1 week after submission. The initial loan will be subject to a cash cut of 5%. In the process of paying public debt, interest is charged at 25% of the loan amount, which is then paid in 50 times the number of installments in accordance with the loan amount as follows:

**Table 3.** Installment List of *Bank Tungul* MK

Loans	Weekly installments (50 Weeks)	The total installments paid
Rp. 2.000.000,00	Rp. 50.000,00	Rp. 2.500.000,00
Rp. 3.000.000,00	Rp. 75.000,00	Rp. 3.750.000,00
Rp. 4.000.000,00	Rp. 100.000,00	Rp. 5.000.000,00
Rp. 5.000.000,00	Rp. 125.000,00	Rp. 6.250.000,00
Rp. 6.000.000,00	Rp. 150.000,00	Rp. 6.500.000,00

Source: Interview results with *Bank Tungul* MK officers

After all, members have paid their installments; the borrowers read out the promises set by *Bank Tungul* MK and led by one member of the group.

### B. Public Legal Awareness regarding Debt and Receivable Agreements with *Bank Tungul*

Legal awareness can be formulated as the awareness that exists in humans about what law is, and is a certain category of human psychology that can distinguish between law or not law (on recht) and between what should be done or not done (Suadi, 2018, p. 192). Legal awareness is essentially an awareness or values that exist in humans about an existing law or about the law that is expected to exist. In order to be able to measure people's legal awareness, according to Soerjono Soekanto, there are four indicators which include legal knowledge, legal understanding, legal attitudes, and legal behavior patterns. Each of these indicators can point to a certain level of legal awareness, starting from the lowest to the highest level.

Based on the indicators of legal awareness, this is to measure the legal awareness of the Kebumen Village community regarding the loan agreement with *Bank Tungul*, which in this case contains usury. Riba as an excess of assets in a muamalah with no reward or compensation. (Hardiwinoto, 2018, p.17). Riba in Islamic law is clearly forbidden; this is as stated in the Qur'an Surah al-Baqarah verse 275:

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ - ٢٧٥

"Those who eat usury cannot stand up but are like the standing of a person possessed by a demon because he is mad. That is because they say that buying and selling are the same as riba. Whereas Allah has justified buying and selling and forbidding usury. Whoever gets a warning from his Lord, then he stops, then what he has earned before becomes his and his affairs (up to) Allah. Whoever repeats, then they are the inhabitants of hell, they are eternal therein" (al-Baqarah [2]: 275)

The prohibition of usury in Islam is certainly caused by the many impacts it has. In this case, some of the impacts of usury for individuals in society, among other things, are because those who eat usury will be resurrected on the Day of Resurrection in a state like a madman; this is as explained in the Qur'an surah Al-Baqarah verse 275 (Siregar, & Koko Khoerudi, 2019, p.91). Riba also has a negative impact on the morals and souls of the perpetrators. Those who interact with usury individually will bring out miserliness, hard-heartedness, worship of wealth, greed for luxuries wealth, and eliminating blessings; this is as explained in the Qur'an surah al-Baqarah 276.

In this regard, Allah has emphasized the magnitude of the prohibition of usury to the level of a threat of war. Islamic law does follow a non-retroactive principle. So, once the prohibition of usury was revealed, Muslims should abandon the existing usury practice. In this case, a person is considered to have a high level of legal awareness if that person has behaved in accordance with the law. As for someone who only knows the law, it can be said that the level of legal awareness is still low (Simbolon, p.228). The legal awareness of the community itself has a close relationship with law enforcement, society, supporting facilities, and culture. Individual awareness is one of the key factors in the law enforcement process, in addition to other factors (Aulia, 2021, p.233).

## 1. Law Awareness

The legal knowledge of the Muslim community regarding usury-based debt agreements can be influenced by educational, economic, experience, or information factors, as well as the environment they live in. Knowledge of the very fact that a certain type of behavior is regulated by law (Angraini et al., 2018, p. 300). In relation to this, knowledge and understanding of usury in society also varies. However, from a legal point of view, the Koran and Hadith, these two sources expressly prohibit riba. Allah has emphasized the magnitude of the prohibition of riba to the level of a threat of war. Islamic law does follow a non-retroactive principle. So, once the prohibition of usury was revealed, Muslims should abandon the existing usury practice. The prohibition of usury itself has been forbidden in Islamic law, as clearly stated in QS. Al-Baqarah verse 275.

Based on the research results, there are people who already have detailed knowledge about usury, but there are also those who only "know" about usury. The public's knowledge about usury is the interest that is in debts and accounts receivable; every loan receivable must have an additional return, whether it's with low interest or high interest. The Muslim community here knows better that what is meant by usury is synonymous with high interest on debts.

This fact can be seen from the results of interviews with several Muslim communities in Kebumen Village who made loans to *Bank Tungul*. From the results of the

research, the author conducts interviews with the public to review legal knowledge with the question, "Do you know about usury in debt?" The average community already knows about usury; this can be seen from some of the people's answers by saying, "Yes, I know usury in accounts payable". Some people also already know about usury in debt and know that there are rules about usury itself. In this case, to find out the public's knowledge regarding the rules of usury in Islam, the authors ask the question, "In your opinion, are there any regulations governing usury?" The average public answered, "Yes, it is the Al-Quran". Regarding the legal knowledge of the Kebumen Village community regarding usury rules, it can be described in the following table:

**Table 4.** Law Awareness

Debtor	Knowledge of usury	Knowledge of the rules of the prohibition of usury	Knowledge of the verses of the prohibition of usury
1. Mrs.Priatun	√	√	×
2. Mrs.Rochati	√	√	×
3. Mrs.Turisih	√	√	×
4. Mrs.Casmiah	√	×	×
5. Mrs.Tamilasih	√	×	×
6. Mrs.Castimah	√	√	×
7. Mrs.Sumiyem	√	√	×
8. Mrs.Masfatun	√	√	×
9. Mrs.Ika	√	√	×
10. Mrs.Tamilasih	√	√	×

Description: X : Don't know  
√: know

Source: Interview results with research informants

Looking at the data above, it turns out that most of the respondents did not know the rules regarding the prohibition of usury, one of which was emphasized in QS. Al-Baqarah verse 275. The public's knowledge of the verses that prohibit usury is still very minimal; it can be seen that out of 10 respondents, none of them knew the verses that explained usury, and there were only 8 respondents who knew about the rules regarding the prohibition of usury. Their knowledge is only related to usury itself, and they know that there are rules that prohibit usury, even though they do not know the exact rules.

It can be concluded that the public's knowledge of the rules of usury in Islam is low. Knowledge of usury and the existence of rules related to the prohibition of usury is one indication of the existence of minimal legal awareness. However, people who only know the rules do not necessarily have high legal awareness of applying Sharia principles, especially in Ramallah. This is because legal awareness does not only cover legal knowledge but rather is determined by attitudes and legal behavior (Rosana, 2014, p.14).

## 2. Law Acquaintance

Understanding public law regarding usury is an important concern; this is because usury has been strictly prohibited in the Qur'an, as emphasized in QS. Al-Baqarah verse 275. The rules related to riba listed in the Qur'an certainly have shar'i meanings and objectives for Muslims. However, in reality, people's understanding of usury is still limited to understanding usury itself which is valued as interest in debts and accounts receivable, and for each loan receivable, there must be an additional return, be it with small interest or high interest. In addition, the Muslim community in Kebumen Village only knows that usury is prohibited in Islam and has been regulated in the Koran, but the community does

not yet understand the verses that prohibit it and the detailed consequences of usury.

The legal understanding of the Muslim community regarding debt agreements with *Bank Tungul*, which incidentally contains usury, is still relatively low. This is motivated by several factors, one of which is due to the lack of formal education in the community, the majority of whom are graduates of elementary school. This fact can be seen from the results of interviews with several Muslim communities in the village of Kebumen who made loans to *Bank Tungul*. From the results of the research, the author conducted interviews with the community to find out the legal understanding of the community with the question, "What do you understand about usury? And what do you understand about the verses of the Koran which prohibit riba?"

*"As far as I know, usury is interest in the debt, and it is already prohibited in Islam, but I do not really understand the prohibition of usury because I have never heard of it." – Mrs. Rochati*

According to the statement above, it appears that Mrs. Rochati understands that usury is prohibited in Islam but does not understand the rules that prohibit it. The same thing was conveyed by Mrs. Priatun, Mrs. Turisih, Mrs. Casmiah, Mrs. TAMILASIH, Mrs. Castimah, Mrs. Masfatun, Mrs. Ika, and Mrs. TAMILASIH. Then Mrs. Sumiyem also said that she understood that usury was prohibited in the Qur'an, as she stated:

*"Riba is an additional return on accounts payable, and any debt that has additional returns is prohibited in Islam; in the Qur'an, it is also forbidden to do usury because usury can be detrimental to the person who borrows." - Mrs. Sumiyem*

On the information above, after cross-checking the truth, Mrs. Anik had the same opinion as what was conveyed by the research informant. In this case, to dig deeper into people's understanding of the rules of usury in Islam, the author asks a question regarding the consequences of violating existing rules; Mrs. Ika argues:

*"It will be able to bring up a lot of harm because it becomes dependent on debt; besides that, it can also reduce blessings." – Mrs. Ika*

From the information submitted by Mrs. Ika, it appears that Mrs. Ika understands quite well the impact when conducting riba-based transactions. Mrs. Sumiyem and Mrs. Rochati also expressed the same opinion. As for other people, the result of carrying out usury transactions is sinful. After cross-checking, Mrs. Anik also revealed the same thing.

Regarding the legal knowledge of the people of Kebumen Village regarding usury rules, it can be described in the following table:

**Table 5.** Law Acquaintance.

No	Debtor	Understanding of usury	Understanding of the contents of the Prohibition of usury	Understanding the legal consequences of violating the prohibition of usury
1.	Mrs.Priatun	√	×	×
2.	Mrs.Rochati	√	×	√
3.	Mrs.Turisih	√	×	√
4.	Mrs.Casmiah	√	×	×
5.	Mrs.TAMILASIH	√	×	√
6.	Mrs.Castimah	√	×	√

7.	Mrs.Sumiyem	√	×	√
8.	Mrs.Masfatun	√	×	√
9.	Mrs.Ika	√	×	√
10.	Mrs.Tamilasih	√	×	√

Description: X: do not understand  
√ : understand

Source: Interview results with research informants

The data above shows that the public's understanding of the contents of the verse prohibiting usury can be said to be low; it can be seen that 8 out of 10 people know the legal consequences of violating the prohibition of usury, and the others only understand related to usury itself. It can be concluded that the public's understanding of the contents of the regulations is still very shallow because they do not know the contents and objectives clearly of the prohibition of usury in the Qur'an, but they already know and understand, at a glance, the prohibition.

### 3. Legal Attitude

The data above shows that the public's understanding of the contents of the verse prohibiting usury can be said to be low; it can be seen that 8 out of 10 people know the legal consequences of violating the prohibition of usury, and the others only understand related to usury itself. It can be concluded that the public's understanding of the contents of the regulations is still very shallow because they do not know the contents and objectives clearly of the prohibition of usury in the Qur'an, but they already know and understand, at a glance, the prohibition.

This fact can be seen from the results of interviews with several Muslim communities in Kebumen Village who made loans to *Bank Tungul*. From the results of the research, the authors conducted interviews with the public to review the legal attitude of the community regarding the prohibition of usury in debts and debts. The people accepted the rules, but due to an urgent need, they were forced to take a loan from *Bank Tungul*. It can be concluded that the attitude of the Muslim community towards the prohibition of usury in debt and credit is still in the receiving stage and has not reached the responsible level. This is shown in the table below:

**Table 6. Legal Attitude**

No	Debtor	Receiving	Responsible
1.	Mrs.Priatun	√	×
2.	Mrs.Rochati	√	×
3.	Mrs.Turisih	√	×
4.	Mrs.Casmiah	√	×
5.	Mrs.Tamilasih	√	×
6.	Mrs.Castimah	√	×
7.	Mrs.Sumiyem	√	×
8.	Mrs.Masfatun	√	×
9.	Mrs.Ika	√	×
10.	Mrs.Tamilasih	√	×

Description: X: Do not accept / Not responsible  
√ : Receiving/ responsible

Source: Interview results with research informants

### 4. Legal Behaviour

The pattern of legal behavior is a criterion in legal consciousness, which aims to achieve harmony, order, and freedom. Any behavior that is in accordance with the existing



rules will be one of the characteristics indicating the existence of legal obedience to someone at a high level (Usman, 2014, p.40). That is, this pattern of legal behavior is an indicator that can be said to be the most basic because, on this criterion, one can see whether a rule has been enforced in people's lives or has not been implemented in society. Therefore, how effective a rule that has been set in people's lives can be assessed or described through existing legal patterns.

The pattern of legal behavior in the Muslim community here can be interpreted as a person's activity related to transactions to fulfill needs or desires that have been patterned within themselves in accordance with the applicable legal rules, both written and unwritten laws, which in this case are related to conformity with Islamic law. In relation to this, the expected pattern of behavior is that people are able to carry out transactions that are in accordance with the Shari'a and do not carry out transactions based on usury. The transactions discussed in this contest are debts and receivables.

Facts that show the legal behavior of the Muslim community towards the prohibition of usury in Islam can be seen from the way it is done in carrying out the debt agreement. Communities tend to carry out debt transactions that have an interest as debts and accounts receivable to *Bank Tungul*. In this case, Mrs. Turisih said:

*"If you have a small debt, you owe it to a third party, and you will return it according to what was borrowed, but for a lot of debt, say five hundred thousand more, you can borrow it from Bank Tungul, regardless of the amount of the loan, the return will be according to the loan plus the interest." – Mrs. Turisih*

From the information conveyed by Mrs. Turisih, it can be seen that in making debts, people tend to ignore the interest in the transaction, even though some people already know that interest on debts is usury and is forbidden in Islam.

Another fact obtained is that Muslim communities have started to consider borrowing places. Communities have started to turn to legal lending institutions, although some communities are not too concerned with this. According to them, apart from being easy, it is also safer to borrow from a legal institution. However, they have not paid attention to the sharing aspects of borrowing and still think that conventional financial institutions and Islamic financial institutions are the same; that is, when making a loan, there will still be an additional return. So according to them, all transactions made with the Bank or the like are bound to have riba. This means that the community has not implemented Islamic teachings properly, particularly regarding true muamalah and avoiding usury.

**Table 7. Legal Behaviour**

No	Debtor <i>Bank Tungul</i>	Compliance with the content of the prohibition of usury	
		Transactions without any element of usury	Transactions with the element of usury still exist.
1.	Mrs.Priatun	x	√
2.	Mrs.Rochati	x	√
3.	Mrs.Turisih	x	√
4.	Mrs.Casmiah	x	√
5.	Mrs.Tamilasih	x	√
6.	Mrs.Castimah	x	√
7.	Mrs.Sumiyem	x	√
8.	Mrs.Masfatun	x	√
9.	Mrs.Ika	x	√
10	Mrs.Tamilasih	x	√

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Description: X: Do not transact without any element of usury

√ : Keep doing transactions with the element of usury still present

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Source: Interview results with research informants

Based on the explanation above, legal awareness begins with one's knowledge of the law. Legal knowledge becomes the basic capital for a person to understand the law, and if legal knowledge is possessed, a legal attitude will be formed and will end up being a legal behavior that fosters legal awareness. The level of legal awareness of the Muslim community in Kebumen Village regarding the prohibition of usury can be influenced by educational factors, economic factors, religion (religiosity), and the socio-cultural environment (Sofiani, 2017, p.199).

### C. Analysis of Factors Affecting Society in Debt Agreements with *Bank Tungul*.

The reality of the people of Kebumen Village is that the majority of Muslims enter into debt agreements that contain elements of usury. Provisions related to usury in Islamic law have been strictly regulated in QS. AL-Baqarah verse 275. Due to the lack of understanding of the community and economic factors, borrowing from *Bank Tungul*, which incidentally has high interest, is considered normal by the people of Kebumen Village. Apart from that, there are several factors that influence people to make loans to *Bank Tungul*, including:

#### 1. Economic Factors

Economic factors are internal factors that affect all economic activities or businesses in meeting the needs of everyday life. (Prasetyoningrum, 2012, p.135). Everyone has different needs in life, and also the path of sustenance obtained is also different. In relation to this, economic factors are one of the main factors that encourage people to owe loans to *Bank Tungul*. This is done when daily needs cannot be met with existing income or because of urgent needs.

Facts related to economic conditions, which became one of the factors driving the community to enter into a loan agreement with *Bank Tungul*, were obtained from several members of the community who were its customers, as expressed by Mrs.Castimah:

*"Borrowing from Bank Tungul because of the poor economy, because working as a laborer means that the income is uncertain. So, when I need money for our children's school needs, I borrow it from there." – Mrs. Castimah*

Mrs. Rochati and 8 other informants also said the same thing, that they made loans to *Bank Tungul* because they were to fulfill their daily needs. After cross-checking the truth of this information, Mrs Anik thought the same as what was conveyed by the research informant.

From the information above, it can be seen that the economic factor is one of the factors that has quite an influence on people's decisions to make loans to *Bank Tungul*. Fulfilling the educational needs of children is one of those that has an impact, but also other needs related to finances, such as daily food needs, as well as for initial capital or additional business capital that has been run. Income that is not in accordance with income makes people take the path of becoming indebted to *Bank Tungul*; even with other facts found in the field, people carry out debts to *Bank Tungul* with the reason to cover other debts.

#### 2. Educational Factors

The level of education is an interpretation of the decision in carrying out accounts payable to *Bank Tungul*. In this case, the level of education is one of the factors that influence the public in conducting usury transactions. The higher the community's

education, of course, the more insight and knowledge related to good muamalah in Islamic teachings are, more understandable, and easier to receive information about usury itself. The low level of education that occurs in the subjects under study is the highest factor in causing debts and receivables that are not in accordance with the rules of Islamic law; for example, a person's low education will create a narrower mindset than someone who has a higher education.

Based on the facts obtained from the research results, the average education of people who make loans to *Bank Tungul* is only up to elementary school and junior high school, and the education level of the people who pay debts with *Bank Tungul* is mostly elementary school graduates, this, of course, will be related to their knowledge and insight regarding muamalah which is in accordance with Islamic teachings, especially regarding the prohibition of usury itself.

### 3. Religion Factor

Religiosity is a religious aspect that is internalized by a person in the heart, which is described in several aspects and must be fulfilled as a guide regarding how to live life correctly in order to achieve happiness in the world and the hereafter. Religiosity is also identified with the depth of a person's belief in a religion which is also accompanied by a level of understanding of their religion, which is then manifested in the practice of religious values by obeying the rules and carrying out obligations in accordance with the rules of Shari'a in everyday life. In relation to this, one of the reasons people make loans to *Bank Tungul* is seen from the level of religious quality of the community, such as praying diligently, often participating in Islamic recitations, giving alms, paying zakat, or other things related to Islam. In this case, the better the quality of his religion, the more he will understand the limits of halal and haram in allocating his income so that he will tend not to make loans to *Bank Tungul*.

Apart from that, the role of community leaders, especially religious leaders, can also influence the community's decision to pay debts to *Bank Tungul*. In this case, the role of community leaders in providing direction regarding how to conduct good muamalah so that it is in accordance with Islamic law is not optimal. Based on some of the arguments obtained from the informants, the lack of public understanding regarding Riba contained in accounts payable with *Bank Tungul* so that the community continues to make these loans is also related to the role of community leaders who understand religion who have not provided direction or understanding to other communities about how to deal with the good one. Of course, this is also one of the factors that are quite influential, especially among the people of Kebumen Village, who are predominantly Muslim.

### 4. Social Factors

Social factors are one of the factors that can also influence a person in making a decision to make a debt to *Bank Tungul*. Community behavior is influenced by social factors such as reference groups, family, social roles, and the status and economic status of the community (Hudani, 2020, p.102). These social factors can be seen from relationships with friends, family, and parents in influencing the decision to enter into a debt agreement with *Bank Tungul*. In relation to this, people who make loans have a fairly close relationship with one another, most of them are close neighbors, and some also have family ties.

The habit of the people who are in debt with *Bank Tungul* makes other people also do the same. Based on the facts obtained, some people who owed *Bank Tungul* also reasoned that they were invited by other people who had already become customers of *Bank Tungul*. This is, of course, in line with the objectives of *Bank Tungul* itself, which must

increase the number of borrowers every year. However, this is not in accordance with Islamic teachings. People choose to owe to *Bank Tungul* because they also see many people borrowing. As a result, they think that borrowing from *Bank Tungul* makes it easier for them even with high interest.

In reality, people's perceptions of what is happening when they act and are sensitive to their own perceptions because basically, if someone thinks about the actual reality, it is people's thoughts on perceptions that influence their actions, such as the habit of carrying out receivables, their consumptive habits, and so forth. The perception of people who consider debt for their daily needs as a natural thing is also based on their own perceptions, which are also influenced by their surroundings.

#### 5. Convenience in Transactions

The requirements for applying for a loan offered by *Bank Tungul* are one of the other reasons people take out debt. This fact was obtained from the results of observations and interviews, one of which was conveyed by Mrs. Sumiyem, who said that making loans to *Bank Tungul* was because the method was easy and there was no need for collateral. Based on the facts, the requirements for applying for a loan at *Bank Tungul* are only an identity card and a family card. This is certainly the most reliable alternative when people need fast funds. Apart from that, people don't need to go to the Bank to get a loan because *Bank Tungul* itself will come to the people who owe it. Even though the interest is high, it's because of the convenience that makes people pay debts with *Bank Tungul*.

### CONCLUSIONS

Based on the facts, the community does not yet have extensive knowledge and understanding of the prohibition of usury, especially in debt transactions, so their attitudes and behavior when making loans do not consider the interest on the loan. Based on the indicators of legal awareness, the legal awareness of the people in the loan agreement with *Bank Tungul* is low. The factors that influence the community in entering into a loan agreement with *Bank Tungul* include economic factors, educational factors, religious factors, social factors, and ease of transaction. This research can be a reference in increasing legal awareness related to the problems arising from debts that contain usury.

### LIMITATION & FURTHER RESEARCH

Research focuses on public legal awareness and the factors that influence society in carrying out usury-based loans for further research to deepen again regarding the factors that influence the culture of debt and credit in society, especially with Bank-Tungul.

### REFERENCES

- Angraini, R., Ersya, M. P., Irwan, I., & Luthfi, Z. F. (2018). Meningkatkan Kesadaran Hukum melalui Pembelajaran Ilmu Hukum di Perguruan Tinggi. *Journal of Civic Education*, 1(3), 297-308. <https://doi.org/10.24036/jce.v1i3.249>
- Aulia, R. (2021). Membangun Kesadaran Hukum Masyarakat di Masa Pandemi COVID-19 melalui Peran Keluarga. *Yudisia: Jurnal Pemikiran Hukum dan Hukum Islam*, 12(2), 225-240.
- Hardiwinoto. (2018). *Kontroversi Produk Bank Syariah dan Ribanya Bunga Bank*. Semarang: Amanda.
- Hartanto, W. (2015). Kesadaran Hukum sebagai Aspek Dasar Politik Hukum Legislasi: Suatu Tinjauan Filsafat. *Jurnal RechtsVinding*, 4(3), 469-483. <http://dx.doi.org/10.33331/rechtsvinding.v4i3.17>.
- Hasan, A. F. (2018). *Fiqh Muammalah dari Klasik hingga Kontemporer*. Malang: UIN-Maliki Press.

- Hidayati, N. (2012). *Pelaksanaan Transaksi Peminjaman Uang Kepada Rentenir Di Desa Karya Indah Kecamatan Tapung Menurut Tinjauan Ekonomi Islam*. [Undergraduate Thesis, UIN Syarif Kasim Riau]. <http://repository.uin-suska.ac.id/9296/>
- Hudani, A. (2020). Pengaruh Faktor Budaya, Faktor Sosial, Faktor Pribadi Terhadap Keputusan Pembelian. *E-Bisma: Enterpreneurship bisnis manajemen akuntansi*, 1(2), 99-107. <https://doi.org/10.37631/e-bisma.v1i2.195>.
- Kementerian Agama RI (n.d.). *Al-Qur'an dan Terjemah*. Accessed from <https://quran.kemenag.go.id/>
- Muhaimin. (2020). *Metode Penelitian Hukum*. Nusa Tenggara Barat: Mataram University Press.
- Muhammad, A. (2004). *Hukum dan Penelitian Hukum*. Bandung: PT. Citra Aditya Bakti.
- Nurdia, S. (2019). *Perspektif Hukum Islam Terhadap Minat Masyarakat Meminjam Uang Melalui Rentenir di Desa Kemantan Kecamatan Tebo Iilir Kabupaten Tebo Provinsi Jambi*. [Undergraduate Thesis, UIN Sulthan Thaha Saifuddin Jambi]. <http://repository.uinjambi.ac.id/1739/>
- Prasetyoningrum, A. K. (2012). Analisis Pengaruh Faktor Ekonomi dan Regiusitas terhadap Persepsi Supervisor dan Manager mengenai Independendi Dewan Pegawai Syariah (Studi Kasus pada Bank Syariah di Indonesia). *Ecnomica: Jurnal Ekonomi Islam*, 2(2), 129-152. <https://doi.org/10.21580/economica.2012.2.2.853>
- Ratnasari, E (2019). *Praktik Hutang Piutang Perspektif Ekonomi Islam (Studi Kasus Desa Giri Kelopo Mulyo)*. [Undergraduate Thesis, IAIN Metro]. <https://repository.metrouniv.ac.id/id/eprint/57/>
- Rismah & Harsinah. (2021). Pengetahuan Asyarakat Tentang Riba Terhadap Perilaku Utang Piutang di Kabupaten Takalar. *Ad-Dariyah: Jurnal Dialektika, sosial dan Budaya*, 2(1), 25-40. <https://doi.org/10.55623/ad.v2i1.58>
- Rosana, E. (2014). Kepatuhan Hukum sebagai Wujud Kesadaran Hukum Masyarakat. *JURNAL TAPIS: Jurnal Teropong Aspirasi Politik Islam*, 10(1). <https://doi.org/10.24042/tps.v10i1.1600>
- Sarina. (2018). *Analisis Hukum Islam Terhadap Praktek Pinjam Meminjam di Kelurahan Tadokkong Kabupaten Pinrang*. [Undegraduate Thesis, STAIN Parepare]. <http://repository.iainpare.ac.id/270/>
- Siregar, H. S. Koko Khoerudi. (2019). *Fikih Muamalah Teori dan Implementasi*. Bandung: Remaja Rosdakarya.
- Simbolon, L. A. (2015). *Penegakan Hukum dan Kesadaran Masyarakat*. Yogyakarta: Deepublish.
- Soekanto. S. (2019). *Kesadaran Hukum & Kepatuhan Hukum*. Jakarta: Rajawali.
- Soekanto, S. (1988). *Pokok-Pokok Sosiologi Hukum*. Jakarta: PT RajaGrafindo Persada.
- Sofiani, T. (2017). Kesadaran Hukum Konsumen Muslim di Pekalongan terhadap Produk Berlabel Halal di Era Masyarakat Ekonomi Asean. *Al Ahkam: Jurnal Ilmu Syari'ah dan Hukum*, 2(2). <https://doi.org/10.22515/alakhkam.v2i2.1070>.
- Suadi, A. 2018. *Sosilologi Hukum*. Jakarta: Prenadamedia Grup.
- Sugiyono. (2017). *Metode Penelitian Kualitatif (Untuk Penelitian Yang Bersifat: Eksploratif, Enterpretif, Interaktif, Dan Konstruktif)*. Bandung: Alfabeta.
- Suharsimi, A. (2006). *Prosedur Penelitian Suatu Pendakatan Praktek*. Jakarta: Rineka Cipta, 2006, 94.
- Usman, A. H. (2014). Kesadaran Hukum Masyarakat dan Pemeritah sebagai Faktor Tegaknya Negara Hukum di Indonesia. *Jurnal Wawasan Hukum*, 30(1). <http://dx.doi.org/10.25072/jwv.v30i1.74>.