

## **Literature Study Analysis of Sharia Pawnshops in Indonesia**

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**Keywords:**

*Literature Study,  
Sharia Economics,  
Sharia Pawnshop*

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**ABSTRACT**

Pawn is one type of debt-receivable agreement and pawnshop itself is a financial institution, which also encourages the survival of the Sharia Economy. The legitimacy of this pawn practice has existed since the time of the Prophet Muhammad, where the Prophet Muhammad himself carried out this practice. This study aims to analyze Islamic law on the pawn system in sharia pawnshops; the pillars that must be fulfilled if partnering with sharia pawnshops; pawn system in sharia pawnshops; and the factors that influence interest in pawnshops in sharia pawnshops. This type of research is descriptive qualitative research with a literature study approach that comes from books, literature, theses, and library materials related to the purpose of this research. This literature research was conducted during the 2015-2020 period on 38 published fulltext literature.

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**Keywords:**

*Studi Literatur,  
Ekonomi Syariah,  
Pegadaian Syariah*

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**ABSTRAK**

Gadai merupakan salah satu jenis akad piutang dan pegadaian sendiri merupakan lembaga keuangan yang turut mendorong kelangsungan Ekonomi Syariah. Keabsahan praktik gadai ini sudah ada sejak zaman Nabi Muhammad, dimana Nabi Muhammad sendiri yang melakukan praktik ini. Penelitian ini bertujuan untuk menganalisis hukum Islam tentang sistem gadai di pegadaian syariah; rukun yang harus dipenuhi jika bermitra dengan pegadaian syariah; sistem gadai di pegadaian syariah; dan faktor-faktor yang mempengaruhi minat pegadaian di pegadaian syariah. Jenis penelitian ini adalah penelitian kualitatif deskriptif dengan pendekatan studi kepustakaan yang bersumber dari buku-buku, literatur, tesis, dan bahan pustaka yang berkaitan dengan tujuan penelitian ini. Penelitian kepustakaan ini dilakukan selama periode 2015-2020 pada 38 literatur fulltext yang diterbitkan.

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### **A. Introduction**

The word pawnshop is not so foreign to the people of this country, to some members of the community, especially to people who have no difficulty in accessing loans or financing from banks. Pawnshops are used as a foundation to get funds quickly. This is

because the procedure for applying for funds at a pawnshop is quite simple and relatively fast and easy. (Subagiyo, 2014)

Pawnshop is one of the institutions appointed by the government to assist the financial needs of the community by means of pawning. Pawn in Islam is often referred to as Rahn. In terms of fiqh known as Ar-Rahn. Ar-Rahn is a loan transaction contract by submitting collateral as a condition for applying for a loan. (Setyaningrum & Khotijah, 2020)

Perum pawnshops issue sharia-based products called sharia pawnshops. Basically, sharia-based products have characteristics such as not collecting interest in various forms because of usury, setting money as a medium of exchange not as a traded commodity, and doing business to obtain compensation for services and or profit sharing. (Surepno, 2018) Sharia pawnshops are business expansions offered by pawnshops in accordance with Islamic law, the products offered are Rahn (pawning), Amanah (loans), Arrum (financing), and gold investment. (Saputri & Dewi, 2020) The presence of Islamic financial institutions as a practical solution to usury and long-standing conventional economic and financial practices, including the Sharia Pawnshop. (Hidayat & Zulhelmy, 2020)

Sharia Pawnshop is a financial institution that is managed by a general pawnshop company. The beginning of the establishment of the sharia pawnshop was motivated by the desire of the Muslim community who expected a pawn service based on sharia principles. Therefore, the general pawnshop company made a new breakthrough and sought to cooperate with Bank Muamalat Indonesia to form a sharia pawnshop service unit. So that in 2002 there was a collaboration between Perum Pegadaian and Bank Muamalat Indonesia to form a sharia pawnshop service unit which was marked by a Musyarakah agreement number 446/SP300.233/2002 where the public pawnshop company sought 54.5% capital while Bank Muamalat Indonesia sought 45, 5%. (Tulasmi & Mukti, 2020)

The development of types of Islamic financial institutions in Indonesia makes people have many choices to choose financial institutions that suit the needs of the community. One of them is the sharia pawnshop, this financial institution has a major impact in meeting the financial needs of the community. Although many Islamic financial institutions have sprung up in Indonesia, Islamic pawnshops seem to have a special attraction for the community to meet their needs. (Dwihapsari et al., 2019) Practically

speaking, sharia pawnshops are also a solution for people who experience financial constraints, who do not have access to banking. (Hidayat & Zulhelmy, 2020)

The development of the Islamic financial system is marked by the establishment of various Islamic financial institutions and the issuance of various sharia-based financial instruments. Islamic financial institutions are essentially different from conventional financial institutions, both in terms of objectives, mechanisms, powers, scope, and responsibilities. Every institution in the Islamic financial institution becomes an integral part of the Islamic financial system. Islamic financial institutions aim to help achieve the socio-economic goals of Islamic societies. (Luluk Wahyu Roficoh, 2018)

The sharia pawnshop itself has the characteristics of not charging interest, using money as a medium of exchange instead of a commodity, and obtaining business benefits from the safekeeping and storage of the pawned goods. The establishment of sharia pawnshops in Indonesia is important to prevent Muslims from the prohibition of usury. The sharia pawnshop itself refers to a modern administrative system that has the principles of rationality, efficiency, and effectiveness that are aligned with Islamic values. (Rahmawati & Mutmainah, 2020)

Islamic financial institutions are indispensable in the Indonesian economy at this time, where Islamic financial institutions are mediators between groups of people who have excess funds and community groups who need funds. The existence of this Islamic financial institution can help the community in overcoming the problems of financial life, or in the long term can improve their standard of living. Islamic financial institutions in Indonesia consist of bank and non-bank financial institutions. (Wahab, 2017)

This is in accordance with the opinion of Surepno (2018) that Islamic law instructs its people to help each other in everything, one of which can be done by way of giving or borrowing. In the form of loans, Islamic law protects the interests of the creditor or the person providing the loan so that he does not get harmed. Therefore, the creditor is allowed to ask the debtor for goods as collateral for the loan that has been given to him.

Pawn in Arabic terms is termed rahn and can also be called al-habsu, namely the detention of an item. Sharia pawnshops or known as rahn, in their operations using the Fee Based Income (FBI) or Mudharabah (profit sharing) method. The government has facilitated the community with Perum Pegadaian which launched a pawn product based on sharia principles so that the community got some quick, practical and reassuring benefits. (Anggadini, 2017)

The facilities provided by the government do not end there. Perum Pegadaian launches a pawn product based on sharia principles so that the community gets several benefits, namely fast because the process only takes 15 minutes, practical because the requirements are easy, flexible time and there are other conveniences, and reassuring because the source of funds comes from sources that are in accordance with sharia or Islamic principles. (Anggadini, 2017)

From this description, the formulation of the problem in this study is 1) How is the analysis of Islamic law on the pawn system in sharia pawnshops? 2) What are the pillars that must be met if partnering with a sharia pawnshop?; 3) What is the pawn system in sharia pawnshops?; and 3) What are the factors that influence interest in pawning in sharia pawnshops?.

The objectives to be achieved in this study are 1) To analyze Islamic law on the pawn system in sharia pawnshops; 2) To analyze the pillars that must be fulfilled if partnering with sharia pawnshops; 3) To analyze the pawn system in sharia pawnshops; and 4) To analyze the factors that influence interest in pawnshops in sharia pawnshops.

## **B. Research Methods**

This type of research is descriptive qualitative research with a literature study approach. Qualitative research is a research method based on the philosophy of postpositivism used to examine the condition of natural objects, (as opposed to an experiment) where the researcher is the key instrument, the data collection technique is done by triangulation (combined), the data analysis is inductive/qualitative, and The results of qualitative research emphasize meaning rather than generalizations. (Sugiyono, 2013) While the literature study is a comprehensive summary of previous research by reviewing journals that are relevant to the research. In descriptive qualitative research, the data analyzed is not to accept or reject the hypothesis (if any). The results of the analysis are in the form of a description of the observed phenomena and do not have to be in the form of numbers or coefficients between variables.

This study uses secondary data during the 2015-2020 period that has been published as a scientific journal both nationally and internationally related to sharia pawnshops. These journals can be obtained or accessed online from journals that have been published through Google or Google Scholar. The data obtained is then processed by describing the context in this study, namely to analyze: Islamic law on the pawn system in sharia

pawnshops, the pillars that must be fulfilled when partnering with sharia pawnshops, the pawn system in sharia pawnshops, and the factors that influence interest in pawning in sharia pawnshops. The data collection technique in this study uses a literature study, by using books, literature, and library materials that support and are related to the researcher's discussion, then record or quote the opinions of experts contained in these sources to strengthen the theoretical basis and analysis. what researchers do. This literature research was carried out during the 2015-2020 period as many as 38 fulltext literatures that have been published.

## **C. Results And Discussion**

### **Results**

#### **1. Literature Characteristics**

Of the 38 literature used as a sample, several characteristics of the literature will be discussed, namely:

##### **a. Literature year**

Based on the literature year related to sharia pawnshops for the 2015-2020 period, the following results were obtained :

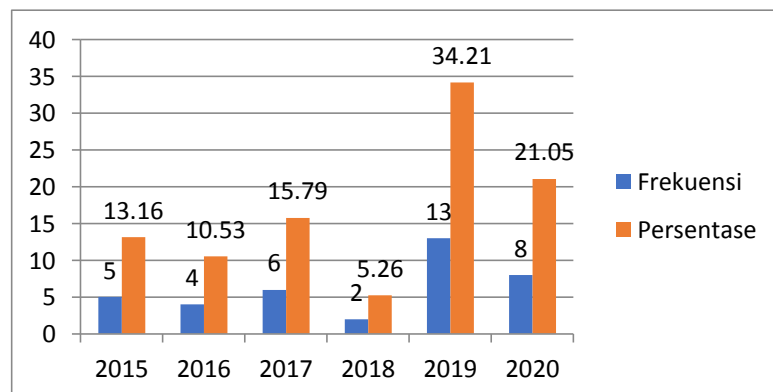
- 1) 2015 : 5 literature (Muthmainah & Cholil, 2015), (Irfan, 2015), (Mahmudahningtyas, 2015), (Hadijah, 2015), (Panjaitan, 2015)
- 2) 2016 : 4 literature (Wandira, 2016), (Suharja, 2016), (Putri, 2016), (Nasution, 2016)
- 3) 2017 : 6 literature (Anggadini, 2017), (Marhani, 2017), (Wahab, 2017), (Budiman et al., 2017), (Habibah, 2017), (Rukmanasari, 2017)
- 4) 2018 : 2 literature (Surepno, 2018), (Luluk Wahyu Roficoh, 2018)
- 5) 2019 : 13 literature (A, 2019; Afdhila, 2019; Dwihapsari et al., 2019; Ellysa & Hidayah, 2019; Fedro et al., 2019; Harahap, 2019; Karnawijaya, 2019; Manahaar, 2019; Perwasih, 2019; Pramudya, 2019; Sari, 2019; Sinambela, 2019; Ulwiyah & Dwi Ayuningtyas, 2019)
- 6) 2020 : 8 literature (Armiya et al., 2020; Hidayat & Zulhelmy, 2020; Kaddi et al., 2020; Muhsin & Masse, 2020; Rahmawati & Mutmainah, 2020; Saputri & Dewi, 2020; Setyaningrum & Khotijah, 2020; Tulasmi & Mukti, 2020)

This can be explained in the following table:

**Table 1. Years of Literature Related to Sharia Pawnshops for the 2015-2020 Period**

No	Years	Amount		Researcher
		F	%	
1	2015	5	13,16	(Muthmainah & Cholil, 2015), (Irfan, 2015), (Mahmudahningtyas, 2015), (Hadijah, 2015), (Panjaitan, 2015)
2	2016	4	10,53	(Wandira, 2016), (Suharja, 2016), (Putri, 2016), (Nasution, 2016)
3	2017	6	15,79	(Anggadini, 2017), (Marhani, 2017), (Wahab, 2017), (Budiman et al., 2017), (Habibah, 2017), (Rukmanasari, 2017)
4	2018	2	5,26	(Surepno, 2018), (Luluk Wahyu Roficoh, 2018)
5	2019	13	34,21	(A, 2019; Afdhila, 2019; Dwihapsari et al., 2019; Ellysa & Hidayah, 2019; Fedro et al., 2019; Harahap, 2019; Karnawijaya, 2019; Manahaar, 2019; Perwasih, 2019; Pramudya, 2019; Sari, 2019; Sinambela, 2019; Ulwiyah & Dwi Ayuningtyas, 2019)
6	2020	8	21,05	(Armiya et al., 2020; Hidayat & Zulhelmy, 2020; Kaddi et al., 2020; Muhsin & Masse, 2020; Rahmawati & Mutmainah, 2020; Saputri & Dewi, 2020; Setyaningrum & Khotijah, 2020; Tulasmi & Mukti, 2020)

From the table, it can be described as follows:



**Figure 1. Year of Literature related to Sharia Pawnshops for the 2015-2020 Period**

From the figure, it can be explained that the majority of the literature related to sharia pawnshops was found in 2019, namely 13 literatures (34.21) and the minority in 2018, there were only 2 literatures (5.26%).

## 2. Research place

Based on the place of research related to the sharia pawnshop literature for the 2015-2020 period, the following results were obtained :

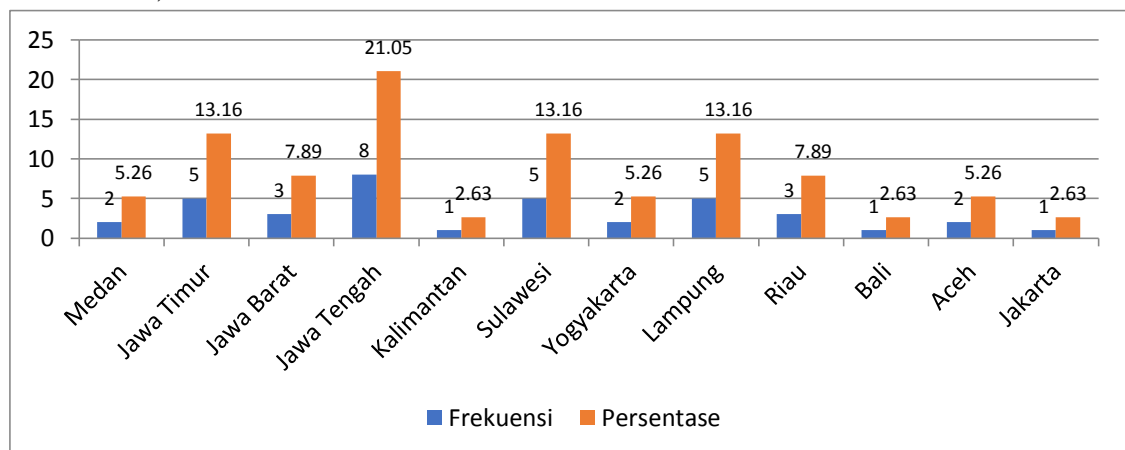
- a) Medan : 2 literature (Harahap, 2019), (Sinambela, 2019)
- b) Jawa Timur : 5 literature (Luluk Wahyu Roficoh, 2018), (Fedro et al., 2019), (Afdhila, 2019), (Sari, 2019), (Mahmudahningtyas, 2015)
- c) Jawa Barat : 3 literature (Habibah, 2017), (Dwihapsari et al., 2019), (Manahaar, 2019)
- d) Jawa Tengah : 8 literature (Setyaningrum & Khotijah, 2020), (Rahmawati & Mutmainah, 2020), (Muthmainah & Cholil, 2015), (Ulwiyah & Dwi Ayuningtyas, 2019), (Karnawijaya, 2019), (Rukmanasari, 2017), (Anggadini, 2017), (Surepno, 2018),
- e) Kalimantan : 1 literature (Nasution, 2016)
- f) Sulawesi : 5 literature (Marhani, 2017), (Wandira, 2016), (A, 2019), (Muhsin & Masse, 2020), (Kaddi et al., 2020),
- g) Yogyakarta : 2 literature (Ellysa & Hidayah, 2019), (Tulasmi & Mukti, 2020)
- h) Lampung : 5 literature (Suharja, 2016), (Perwasih, 2019), (Pramudya, 2019), (Saputri & Dewi, 2020), (Putri, 2016)
- i) Riau : 3 literature (Hidayat & Zulhelmy, 2020), (Wahab, 2017), (Irfan, 2015)
- j) Bali : 1 literature (Hadijah, 2015)
- k) Aceh : 2 literature (Armiya et al., 2020), (Budiman et al., 2017),
- l) Jakarta : 1 literature (Panjaitan, 2015)

**Table 2. Research Places Related to Sharia Pawnshop Literature for the 2015-2020 Period**

No	Location	Amount		Researcher
		F	%	
1	Medan	2	5,26	(Harahap, 2019), (Sinambela, 2019)

No	Location	Amount		Researcher
		F	%	
2	Jawa Timur	5	13,16	(Luluk Wahyu Roficoh, 2018), (Fedro et al., 2019), (Afdhila, 2019), (Sari, 2019), (Mahmudahningtyas, 2015)
3	Jawa Barat	3	7,89	(Habibah, 2017), (Dwihapsari et al., 2019), (Manahaar, 2019)
4	Jawa Tengah	8	21,05	(Setyaningrum & Khotijah, 2020), (Rahmawati & Mutmainah, 2020), (Muthmainah & Cholil, 2015), (Ulwiyah & Dwi Ayuningtyas, 2019), (Karnawijaya, 2019), (Rukmanasari, 2017), (Anggadini, 2017), (Surepno, 2018),
5	Kalimantan	1	2,63	(Nasution, 2016)
6	Sulawesi	5	13,16	(Marhani, 2017), (Wandira, 2016), (A, 2019), (Muhsin & Masse, 2020), (Kaddi et al., 2020),
7	Yogyakarta	2	5,26	(Ellysa & Hidayah, 2019), (Tulasmi & Mukti, 2020)
8	Lampung	5	13,16	(Suharja, 2016), (Perwasih, 2019), (Pramudya, 2019), (Saputri & Dewi, 2020), (Putri, 2016)
9	Riau	3	7,89	(Hidayat & Zulhelmy, 2020), (Wahab, 2017), (Irfan, 2015)
10	Bali	1	2,63	(Hadijah, 2015)
11	Aceh	2	5,26	(Armiya et al., 2020), (Budiman et al., 2017),
12	Jakarta	1	2,63	(Panjaitan, 2015)

From the table, it can be described as follows:



**Figure 2. Research places related to the Sharia Pawnshop Literature for the 2015-2020 period**



From the figure, it can be explained that the majority of literature studies related to sharia pawnshops were carried out in Central Java, namely 8 literatures (21.05%) and minorities were carried out in Kalimantan, Bali and Jakarta, each with 1 literature (2.63%).

### 3. Research method

Based on research methods related to sharia pawnshop literature for the 2015-2020 period, the following results were obtained:

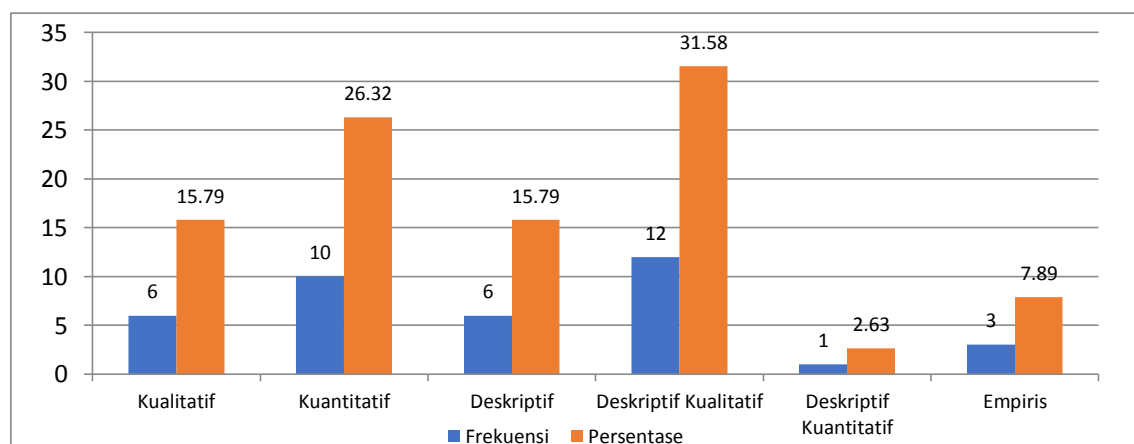
- 1) Kualitatif : 6 literature (Irfan, 2015), (Mahmudahningtyas, 2015), (Afdhila, 2019), (A, 2019), (Sari, 2019), (Perwasih, 2019)
- 2) Kuantitatif : 10 literature (Hadijah, 2015), (Muthmainah & Cholil, 2015), (Wahab, 2017), (Habibah, 2017), (Rukmanasari, 2017), (Ellysa & Hidayah, 2019), (Dwihapsari et al., 2019), (Ulwiyah & Dwi Ayuningtyas, 2019), (Saputri & Dewi, 2020), (Rahmawati & Mutmainah, 2020).
- 3) Deskriptif : 6 literature (Nasution, 2016), (Putri, 2016), (Budiman et al., 2017), (Luluk Wahyu Roficoh, 2018), (Manahaar, 2019), (Tulasmi & Mukti, 2020)
- 4) Deskriptif Kualitatif : 12 literature (Panjaitan, 2015), (Wandira, 2016), (Suharja, 2016), (Anggadini, 2017), (Marhani, 2017), (Surepno, 2018), (Harahap, 2019), (Sinambela, 2019), (Setyaningrum & Khotijah, 2020), (Hidayat & Zulhelmy, 2020), (Kaddi et al., 2020), (Muhsin & Masse, 2020)
- 5) Deskriptif Kuantitatif : 1 literature (Pramudya, 2019)
- 6) Empiris : 3 literature (Karnawijaya, 2019), (Fedro et al., 2019), (Armiya et al., 2020)

**Table 3. Research Methods related to Sharia Pawnshop Literature for the 2015-2020 Period**

No	Research methods	Amount		Researcher
		F	%	
1	Qualitative	6	15,79	(Irfan, 2015), (Mahmudahningtyas, 2015), (Afdhila, 2019), (A, 2019), (Sari, 2019), (Perwasih, 2019)

No	Research methods	Amount		Researcher
		F	%	
2	Quantitative	10	26,32	(Hadijah, 2015), (Muthmainah & Cholil, 2015), (Wahab, 2017), (Habibah, 2017), (Rukmanasari, 2017), (Ellysa & Hidayah, 2019), (Dwihapsari et al., 2019), (Ulwiyah & Dwi Ayuningtyas, 2019), (Saputri & Dewi, 2020), (Rahmawati & Mutmainah, 2020).
3	Descriptive	6	15,79	(Nasution, 2016), (Putri, 2016), (Budiman et al., 2017), (Luluk Wahyu Roficoh, 2018), (Manahaar, 2019), (Tulasmi & Mukti, 2020)
4	Qualitative Descriptive	12	31,58	(Panjaitan, 2015), (Wandira, 2016), (Suharja, 2016), (Anggadini, 2017), (Marhani, 2017), (Surepno, 2018), (Harahap, 2019), (Sinambela, 2019), (Setyaningrum & Khotijah, 2020), (Hidayat & Zulhelmy, 2020), (Kaddi et al., 2020), (Muhsin & Masse, 2020)
5	Quantitative Descriptive	1	2,63	(Pramudya, 2019)
6	Empiris	3	7,89	(Karnawijaya, 2019), (Fedro et al., 2019), (Armiya et al., 2020)

From the table, it can be described as follows:



**Figure 3. Research Methods related to Sharia Pawnshop Literature for the 2015-2020 Period**

From the figure, it can be explained that the majority of literature research methods related to sharia pawnshops use descriptive qualitative methods, namely as many

as 12 literatures (31.58%) and the minority of quantitative descriptive methods there is 1 literature (2.63%).

## **Discussion**

### **1. Analysis of Islamic Law on the Pawn System in Sharia Pawnshops**

Pawn transactions in Islamic jurisprudence are called al-Rahn. The word al-Rahn comes from the language Arabic "rahana-yarhanu-rahnan" which means to determine something (Louis Ma'luf, 1986:284). Linguistically, the meaning of al-Rahn is al-Subutwaal-Dawam which means "permanent" and "eternal" (Abu Zakariyya Yahya bin Sharaf an-Nawawi, 1957:121). According to Taqiyyuddin Abu Bakr al-Husayni (w.829 H), al-Rahn is al-Subut "something that is fixed" and al-Ihtibas "holds something back" (Taqiyyuddin Abu Bakr al-Husayni, tt: 263). For Zakariyya al-Anshary (d. 936 H), al-Rahn is al-Subut which means "stay" (Zakariyya Ibn Muhammad Ibn Ahmad Ibn Zakariyya Al-Anshary, tt: 328). Thus, al-Rahn's linguistic understanding as revealed above is permanent, eternal and holds an item as a debt binder. (Mulazid, 2010)

Therefore, based on al-Rahn's understanding of the various opinions above, the author argues that rahn is an agreement for the delivery of goods as collateral so that the person concerned may take a debt. Thus, it appears that the function of the collateral is to provide confidence, peace and security for the loaned debt. (Mulazid, 2010)

The legal basis for rahn as a muamalah activity can refer to the arguments based on the Qur'an, sunnah, ijma' and DSN-MUI fatwas. The results of the author's tracking of Mu.,jam al-Mufahras, there are at least three words that have the same root as the word rahn in the Qur'an: (1) rahin in Q.S al-Tur (52):21; (2) rahina in Q.S al-Muddatsîr (74):38; and (3) farihan in Q.S al-Baqarah (2): 283. Thus, the three terms rahn are used to emphasize that rahn is a consequence of something that has been promised or done (Muhammad Fu'ad Abd al-Baqi, 1981:400). (Mulazid, 2010)

The legal umbrella for sharia pawning in terms of compliance with sharia principles adheres to the Fatwa of the National Sharia Council (DSN) of the Indonesian Ulema Council (MUI) No. 25/DSN-MUI/III/2002 concerning Rahn, Fatwa of DSN MUI No.26/DSN-MUI /III/2002 on gold pawning. (Maheasyningtyas, 2015), (Luluk Wahyu Roficoh, 2018), (Hidayat & Zulhelmy, 2020), (Putri, 2016) and (Fedro et al., 2019) DSN MUI also issued DSN MUI Fatwa No. 68/DSN-MUI/III/2008 concerning Rahn Tasjily. With the fatwa issued by the MUI DSN, it becomes a general reference and legality for

Islamic financial institutions in Indonesia. In the institutional aspect, it is based on Government Regulation Number 103 of 2000. (Luluk Wahyu Roficoh, 2018)

Likewise, according to Afdhila (2019), the sharia pawn service by PT. Pegadaian is applied based on Fatwa No. 25/DSN-MUI/2002 concerning Rahn and Fatwa No. 25/DSN-MUI/2002 concerning Rahn Gold, Circular No. 31/US.1.00/2006 and other regulations. Financing transactions in Sharia Pawnshops use funds sourced from Bank Syariah Mandiri, Bank Permata Syariah, Bank DKI Syariah with Musyarakah contracts.

The substance in the rahn event is to avoid the harm caused by the betrayal of one party or both parties when both of them carry out debt transactions. The function of the pawned goods (murtahin) in the paragraph above is to maintain the trust of each party, so that the recipient of the pawn (murtahin) believes that the pawnbroker (rahin) has good intentions to repay the loan (marhun bih) by mortgaging the goods or objects he owns. marhun), and does not neglect the repayment period of the debt. (Maheasyningtyas, 2015)

In principle, Sharia Pawnshops do not operate before obtaining legal legality from the MUI DSN. The existence of the MUI DSN, as an independent institution, oversees the compatibility between the implementation of contracts/transactions at Islamic Financial Institutions (LKS), including Sharia Pawnshops with the fatwas that have been issued. The basic thing that is ensured is that its implementation must avoid the principles of MaGhRiB, namely Maisyir/speculation, Gharar, Riba and Bathil. (Hidayat & Zulhelmy, 2020)

The results of the study (Marhani, 2017) show that PT Pegadaian (Persero) Sharia Service Unit (UPS) Jampue, Pinrang Regency is in accordance with the legal basis, namely DSN Fatwa Number 25/DSNMUI/III/2002 concerning Rahn. As in practice it is mentioned in Q.S. al-Baqarah: 2/283, there is no additional cost of any kind above the principal of the borrower's profit-sharing loan, except that which he himself uses for the validity of a debt agreement. Because pawning in Islamic law is a complement to the debt-receivable relationship, the operationalization of sharia pawning in sharia-based companies has been running and in accordance with Islamic law although it needs improvement. In addition, the pawnshop system at PT Pegadaian (Persero) Sharia Service Unit (UPS) Jampue, Pinrang Regency, benefits through an ijarah agreement which imposes maintenance costs on the pawned goods, the cost is calculated from the value of the goods, not the loan amount.

Pawnshop Syariah Branch of Gunung Sari Balikpapan in carrying out its operational system is in accordance with Sharia provisions, or based on a study of fiqh mu'amalah regarding pawning. As for Pegadaian, which contributes the dominant product to Pegadaian's revenue, it comes from pawn products (rahn) which is present around 80% of the total revenue of the Gunung Sari Sharia Pawnshop Balikpapan Branch. (Nasution, 2016)

Research (Maheasyningtyas, 2015) shows that in general the Sharia Pawnshop Landungsari Malang Branch has complied with the rules in rahn gold transactions. However, there are things that are considered not in accordance with the sharia concept, namely the merging of rahn and ijarah contracts, the determination of ijarah and administrative costs based on the size of the loan, and the lack of attention to the status of gold ownership. This means that there is a discrepancy between the concept and the practice of rahn Emas at the Sharia Pawnshop Landungsari Malang Branch.

Sharia pawnshops are one of the most effective funding alternatives because they do not require complicated requirements and processes. Therefore, the Islamic Pawn Financial Institution has a very large social function (besides having a business element) for the benefit of the people according to the concept of ta'awun in Islam. However, it is necessary to re-examine all transactions and practices of pawnshops that take place at sharia pawnshops, because in practice and operationalization, sharia pawnshops play more in the profit-oriented economy. Very little socially oriented. In terms of the basic philosophy and the pawnshop (rahn) it was originally a tabarru' contract, not a tijarah contract. (Suryani, 2019)

## **2. The Pillars That Must Be Fulfilled When Partnering with a Sharia Pawnshop**

There are four pillars of al-rahn, namely: (Surepno, 2018)

- a. The perpetrators consist of: the party who pawns (rahin) and the party who receives the pledge (murtahin).
- b. The object of the contract is in the form of pawned goods (marhun) and debts (marhun bih).
- c. Ijab Kabul/handover.

Sharia provisions, namely:

- a. The perpetrator, must speak the law of baligh
- b. Pawned object (marhun)

- 1) Pawn goods (marhun)
  - a) Can be sold and the value is balanced
  - b) Must be valuable and usable
  - c) Must be clear and can be determined specifically
  - d) Not related to other people (in terms of ownership)
- 2) Debt (marhun bih), the value of the debt must be clear as well as the maturity date.
- c. Ijab Kabul, is a statement and expression of mutual pleasure/willingness between the parties to the contract which is carried out verbally, in writing, through correspondence or using modern communication methods.

Rahn financing is the main product at the Sharia Pawnshop. Many customers choose to use the Rahn facility to fulfill their loans because the terms and procedures for disbursing funds are easy and fast. For customers who want to borrow a number of funds with sharia-based collateral, they only need to meet the following requirements: (Afdhila, 2019)

- a. Submit a photocopy of your KTP/other identification card.
- b. Marhun (guaranteed goods) are goods that meet the requirements.

The types of goods that can be accepted as guarantees for rahin are jewelry (such as gold and diamonds) and electronic goods, such as laptops and cellphones. For laptops and cellphones, when they are submitted as collateral, the completeness of the goods is required, namely manual books, boxes, purchase receipts, and driver CDs. This completeness is needed to ensure that the goods really belong to Rahin and make it easier for the Sharia Pawnshop if the goods are auctioned.

- c. Fill out the FPP (Loan Request Form) + signature

Signing the Rahn and Ijarah contracts on Rahn's Proof There are two contracts that are made when transacting Rahn. The first is the Rahn contract. This contract is enforced when Rahin borrows money from a Sharia Pawnshop and delivers goods as collateral for the debt; the second is the ijarah contract. This contract occurred because Rahin entrusted his goods to the Pegadaian to guarantee the repayment of the debt. In Sharia Pawnshops, this deposit or storage fee is commonly referred to as the ujroh fee. In Rahn's proof letter there is clear information regarding the estimated amount of goods, loans, ujrah fees every 10 days, administrative costs and due dates.

d. Paying administration fee

Administrative costs are operational costs incurred by the company in processing marhun bih. When the Rahn transaction was first made, marhun bih was classified from group A to class H, but currently marhun bih is only classified into groups A, B (B1, B2, and B3), C (C1, C2, and C3), and class C. D. Administration fee is charged to rahin based on the classification of marhun bih. In addition to administrative costs, for goods that are collateral for loans and are kept by the Sharia Pawnshop, there will be a marhun management fee called ijarah. This marhun management service is collected as a rent for Rahin's marhun place as long as it is pawned. The amount of ijarah collected is calculated based on the estimated value of the marhun and the length of time the goods are stored or the length of the loan. However, for customers who do not take loans of the maximum loan size, the Sharia Pawnshop provides compensation in the form of discounts. This discount is based on the consideration that the rahin who does not take the full loan will reduce the risk faced by the Pegadaian so that the rahin does not have to pay the full ijarah. The amount of this ijarah tariff is not agreed upon in the contract.

According to (Panjaitan, 2015) there are 5 (five) pillars of Islamic gold pawning, which are as follows:

a. Rahin (who pawned)

One of the conditions for this gold pawn to occur is the presence of Rahin (who pawned it).

b. Murtahin (who received the pawn)

The party who receives this pledge is from the Bank DKI Syariah itself.

c. Marhun (Pawned goods)

The pawned goods are gold, with a financing value of 90% of the selling price

d. Marhun bih (Debt)

At Bank DKI Syariah, marhun bih is given by way of book transfer, but if the pawnbroker has an account but cash cannot be taken during the ijab qobul contract, it can be transferred via ATM.

e. Ijab Qobul

At the time the contract takes place, the Islamic Bank uses a letter of agreement or an underhand agreement which is stamped accompanied by attachments to the provisions of the gold pawn contract.

### **3. Pawn System in Sharia Pawnshops**

The operational mechanism of the Sharia Pawnshop can be described as follows: (Surepno, 2018)

- a. Through the Rahn contract, the customer submits movable.
- b. Pegadaian stores and maintains it in a place provided by Pegadaian.

The consequences arising from the storage process are costs that include: (Surepno, 2018)

- a. storage investment value,
- b. maintenance costs and the whole process of its activities

On this basis, it is justified for Pegadaian to charge rent to customers according to the amount agreed by both parties. Pegadaian Syariah will benefit only from the rental fee that is collected, not additional in the form of interest or capital rent which is calculated from the loan money. So here it can be said that the process of borrowing money is only a 'lipstick' that will attract consumers to store their goods at the Pegadaian. (Surepno, 2018)

In the research of Iskandar Budiman, Fakhrizal, Munawwarah (2017), it shows that the community strongly supports the sharia pawnshop, with the sharia pawnshop it can help the lower middle class community in obtaining funds quickly and easily and greatly assist the community in their financial problems to fulfill their needs but the lack of socialization carried out by the sharia pawnshop makes people who pawn gold or other goods create ignorance and lack of understanding of the system and contract used by the sharia pawnshop. This resulted in 100% of respondents experiencing understanding of the system, product and contract implemented by the sharia pawnshop.

The operational mechanism of sharia pawnshops according to (Wandira, 2016) runs on two transaction contracts, namely rahn and ijarah. The pawn procedures used apply the standard sharia pawn operational guidelines (PGOS) that have been set by PT. pawnshop. Gita Lestari, A., (2019) in his research shows that the pawn system at the Sharia Pawnshop Sidrap Branch is based on trust financing, which has easy mechanisms/procedures and simple requirements that do not make it difficult for people who want to apply for trust financing, but pawnshops remain cautious in provide financing in order to avoid things that are not desirable. In addition, the Sidrap Branch Sharia Pawnshop does not use an interest system but mu'nah (maintenance fees) for



collateral imposed on customers which has been regulated in the DSN-MUI fatwa No. 92/DSN-MUI/IV/2014 concerning financing accompanied by Rahn (al-Tamwil al-Mautsuq bi al-Rahn).

In Putri's research (2016) the implementation of sharia pawning is very simple and carried out in a relatively short time and has been based on the Fatwa of the National Sharia Council, No.25/DSN-MUI/III/2002 dated June 26, 2002, which states that storage costs should not be determined based on the amount of the loan and will only benefit from the rental fee collected, and in its application there are two contracts, namely rahn and ijarah contracts. Meanwhile, the product development strategy carried out was to expand the marketing strategy of sharia pawn products, strategies in the field of promotion, strategies in the field of pricing and strategies by creating/adding pawn products from existing ones as well as maintaining a surplus of sharia pawnshops and continuously trying to improve them. With the implementation of this strategy, the profits obtained will also increase so that the OSL target is achieved and sharia pawnshops can remain standing in Metro City without having to be merged with other Pegadaian units.

The auction system conducted by the Sharia Pawnshop Landungsari Malang Branch was in accordance with the DSN-MUI Fatwa No: 25/DSN-MUI/III/2002 concerning Rahn. Excess money from the auction after deducting loans and fees will be returned to the customer, while if there is still a shortage, it remains the customer's obligation to pay off. This is the beauty of Islam where the settlement of loans or repayments is carried out fairly. (Maheasyningtyas, 2015)

The operational mechanism for the rahn contract at the Sharia Pawnshop according to Luluk Wahyu Roficoh (2018) is that the community submits movable goods and then the pawnshop stores and cares for these goods in a place provided by the pawnshop. From the storage process, costs arise which include the value of the storage area, maintenance and overall process activities. On this basis, according to sharia pawnshops, it is permissible for pawnshops to charge rental fees for customers according to the amount agreed by both parties. Pegadaian Syariah will benefit only from the rent of the place taken, not additional in the form of interest or capital rental which is calculated from the loan money. The intended rahnyak contract is a rahnya financing product that is in the Sharia Pawnshop.

#### **4. Factors Affecting Pawn Interest in Sharia Pawnshops**

In the research of Iskandar Budiman, Fakhrizal, Munawwarah (2017), it shows that the people in Idi Rayeuk Langsa strongly support sharia pawnshops, they have the perception that the pawnshop has carried out its duties properly and in accordance with sharia provisions. This is because there is an explanation at the beginning by the pawnshop employee about what system and contract is used when going to pawn gold or other goods by the customer. The existence of socialization and explanation from the pawnshop regarding the procedures and systems used automatically provide knowledge to customers and understanding of the community towards the system that is applied. Meanwhile, Rukmanasari's research (2017) shows that knowledge has a significant but insignificant effect on interest in pawnshops in using sharia pawnshops. If the customer's knowledge of the terms and pillars of the sharia pawn is increased, the customer's interest in using the sharia pawnshop will be higher. Customers who have higher knowledge about sharia pawnshops will be more interested in using sharia pawnshops than customers who have less knowledge.

This is in accordance with the opinion of (Sitti Murni Kaddi, M.Kafrawi Al-Kafiah, Donal Adrian, Erdiyansyah (2020) with the ability of employees to explain Arrum Hajj products owned by Pegadaian Syariah Palu Plaza using communication strategies, such as delivering messages by very credible employees, The delivery of this message is related to an easy way to Baitullah to make an initial payment by providing a guarantee of 3.5 grams of precious metal, or 4 to 5 grams of ordinary gold and administrative costs as the initial process of managing Arrum Haji; the ability of leaders, public relations, and marketing officers to compose persuasive sentences. using Indonesian and regional languages, both face-to-face and media; and using social media such as Facebook, Instagram, Twitter and others in marketing their products so as to persuade customers to use the Palu Plaza Syariah Pawnshop products.

The sharia pawn product (rahn) is one of the sharia financial service products that continues to grow from time to time. However, this development still requires attention in order to achieve financial inclusion and increase the market share of sharia pawn products. One of the efforts to achieve this goal is with a socialization strategy. The success of socialization is not only the responsibility of Islamic financial services institutions, but also the role and support of other stakeholders, especially the government. (Ning Karnawijaya, 2019)

However, this pledge decision must be based on a legal philosophy as described by Alfarid Fedro, Setiawan bin Lahuri, Mohammad Ghazali (2020) in their research confirming that it is necessary to include the legal philosophy that underlies the reason for the pledge decision (rahn), be it debt (dain) caused by buying and selling/trading (bai') or for borrowing money, debt (qardh). This basis will explain the limitations of sharia in the implementation of rahn contracts at SFI, especially in sharia pawnshops which still use qardh as the basis for realizing the implementation of rahn.

In an effort to minimize the risk of a decline in gold prices that occurs in rahn gold products, Suharja (2016) in his research states that the Pegadaian Syariah Unit Semangka Bengkulu City always monitors gold price movements, applies know your customer, training and human resource development and reserves a number of funds just in case. if the risk of a decline in gold prices occurs. The risk of falling gold prices has the potential to reduce customer interest in pawning their gold so that it will reduce the number of customers, and make customers delay redeeming their collateral.

Hadijah (2015) in his research shows that there are five factors that influence the customer's decision to use the services of Pawnshop Syariah KCPS Denpasar, namely the physical appearance factor of 67.138%, empathy of 20.960%, reliability of 6.889%, responsiveness of 2.919%, and guarantee of 2.094%. . The physical appearance factor is the most dominant factor because it has the highest explained variance of 61.798%, meaning that the physical appearance factor is able to explain the customer's decision to use the Denpasar KCPS Sharia Pawnshop service of 67.138%.

In addition, Wahab (2017) mentions that service quality is one of the factors that influence interest in pawning in sharia pawnshops. Service quality is measured based on reliability (reliability), responsiveness (responsiveness), assurance (guarantee), empathy (empathy), tangible (direct evidence). Service quality is built on the comparison of two main factors, namely the customer's perception of the service they actually receive with the service that is actually expected or desired. If the reality is more than expected, then the service can be said to be of high quality, whereas if the reality is less than expected, then the service is said to be of poor quality. And if the reality is the same as expected, then the service is said to be satisfactory. The expectations of customers are basically the same as what kind of service the company should provide to its customers. These customer expectations are based on information conveyed by word of mouth, personal

needs, past experiences, and external communications (advertising and various other forms of company promotion).

In addition to achieving the demand for pawning, there are improvements in promotions that are carried out more optimally through online media and promotions must be more focused and well planned. The loan disbursement procedure process is made as easy as possible, so that customers do not find it difficult when making transactions. Keeping costs as low as possible so that customers do not object to the high fees, so that customers will be more interested in conducting transactions at sharia pawnshops. (Rahmawati & Mutmainah, 2020)

The results of the study (Dwihapsari et al., 2019) show that several factors that influence consumer interest in pawning at the Padasuka Sharia Pawnshop are price and location. Price and location factors have a positive and significant influence on consumer preferences, while the most dominant influence is price. Customers' views on prices at the Padasuka Sharia Pawnshop are products at affordable prices, according to price with products, price competitiveness, price compatibility with benefits. Customer views on location factors such as location affordability with public transportation, proximity to the customer's residence, proximity to the center of the crowd, satisfying comfort and safety. Meanwhile, sharia factors do not affect customer preferences because the reason customers make pawn transactions is to meet urgent needs, so sharia principles are not something that must be considered.

#### **D. Conclusions And Suggestions**

From the results of research related to sharia pawnshops during the 2015-2020 period against several literatures, the researchers concluded that:

Based on the analysis of Islamic law on the pawn system in sharia pawnshops, the legal umbrella for sharia pawning in terms of fulfilling sharia principles adheres to the Fatwa of the National Sharia Council (DSN) of the Indonesian Ulema Council (MUI) No.25/DSN-MUI/III/2002 concerning rahn , Fatwa of DSN MUI No.26/DSN-MUI/III/2002 concerning gold pawning. (Maheasyningtyas, 2015), (Luluk Wahyu Roficoh, 2018), (Hidayat & Zulhelmy, 2020), (Putri, 2016) and (Fedro et al., 2019) DSN MUI also issued DSN MUI Fatwa No. 68/DSN-MUI/III/2008 concerning Rahn Tasjily. With the fatwa issued by the MUI DSN, it becomes a general reference and legality for

Islamic financial institutions in Indonesia. In the institutional aspect, it is based on Government Regulation Number 103 of 2000. (Luluk Wahyu Roficoh, 2018)

There are 5 (five) pillars that must be fulfilled if partnering with a sharia pawnshop, namely: Rahin (who pawns), Murtahin (who receives a pawn), Marhun (goods that are pawned), Marhun bih (Debt), and Ijab Qobul. (Panjaitan, 2015); (Surepno, 2018) & (Afdhila, 2019)

The pawn system in sharia pawnshops is through a rahn contract, where the customer submits movable goods then the pawnshop stores and maintains them in the place provided by the pawnshop. The consequences arising from the storage process are costs that include the investment value of the storage area, and maintenance costs as well as the entire process of its activities. (Surepno, 2018), (A, 2019), (Wandira, 2016)

Some of the factors that influence consumer interest in pawnshops are the existence of socialization and explanations from the pawnshops about the procedures and systems used so as to increase customer knowledge and public understanding of the system implemented by sharia pawnshops ((Budiman et al., 2017), (Kaddi et al., 2020), (Karnawijaya, 2019)). In addition, the quality of service is one of the factors that influence interest in pawning in sharia pawnshops. Service quality is measured based on reliability (reliability), responsiveness (responsiveness), assurance (guarantee), empathy (empathy), tangible (direct evidence). ((Hadijah, 2015), (Wahab, 2017)). The need for maximum promotion through online media and promotions must be more focused and well planned. (Rahmawati & Mutmainah, 2020). Price and location are also factors that influence consumer interest in pawnshops in sharia (Dwihapsari et al., 2019).

### **Suggestion**

It is a noble thing if every Muslim always tries to refer to the Qur'an and Sunnah of every action. Principled economic management is something that is very urgent to be explored and formulated academically. This is important so that in the end we can build an economic management paradigm that really comes from Islamic teachings. (Maksum, 2014)

Pegadaian is advised to improve service quality and must pay attention to service quality factors, namely reliability (reliability), responsiveness (responsiveness), assurance (guarantee), empathy (empathy), tangible (direct evidence). If public trust falls, it will result in a decrease in consumer interest which results in a decrease in the

company's income level. Especially for the assurance variable which has the highest level of influence so that if the company can take advantage of and improve the performance of this variable, consumers will have a high level of loyalty but if the performance of the variable decreases, it is possible that consumers will run to find other alternatives.

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