

Anthropological Sociology Of Sharia Economic Law On The Practice Of Gold Arisan Contracts Of Indonesian Sharia Pawnshops

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Abstract

This research analyzes in depth the practice of gold gathering at Sharia Pawnshop from the perspective of sociology, anthropology and sharia economic law to reveal the complex dynamics in modern sharia economic practices and their impact on wider society. This understanding also provides insight into how local traditions and global norms interact in increasingly complex contexts. The author uses qualitative research methods and secondary data analysis. These data will be analyzed using sociological and anthropological theoretical approaches to sharia economic law. The results of this research are that the Gold Arisan practice at Sharia Pawnshop is a collective system of buying gold like traditional arisan. It builds social relationships, reflects cultural values, and adheres to sharia economic principles without usury. Sharia economic laws such as *Qardh*, *Murabahah*, and *Rahn* play an important role. Sociologically, this forms a complex social network. From an anthropological perspective, it reflects the values and traditions of society. From the perspective of economic sharia law, comply with strict principles including the prohibition of usury and asset management. This analysis provides an in-depth understanding of financial practices in the context of culture, social norms and Islamic law, as well as the impact of social interactions.

Keywords: Gold arisan agreement, sharia pawnshop, sociology, anthropology, sharia economic law



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INTRODUCTION

In the turbulent modern era, social, economic and legal dynamics are increasingly complex and rapidly evolving. In the midst of these changes, sharia-based alternative financial practices are gaining attention. One of the interesting practices to melody is the " Gold Arisan Agreement." Gold Arisan Agreement is a form of contract or collective in which a number of participants set aside a certain amount of funds periodically, which will later be used to buy gold. This practice has become an integral part of people's lives, especially in various communities that prioritize the principles of Islamic economics (Ruwaidah et al., 2021).

Sharia Pawnshop, as an entity that combines the principles of Islamic economics with financial services, has played an important role in providing access to the community to invest and manage their finances in accordance with Islamic teachings (Surahman & Adam, 2018). The practice of gold arisan contracts in Sharia Pawnshop is one of the innovations that reflect how sharia economic values can be implemented in everyday financial services. (Huda, 2019, p. 184)

In a sociological context, this practice creates space for complex social interactions between Sharia Pawnshop as a financial institution, gold arisan participants, and the wider community. The socio-logical analysis will reveal how gold arisan participants relate to each other, how they view gold investment as part of their social identity, and the extent to which this practice affects the social structure within the community.

From an anthropological perspective, the practice of gold arisan can be interpreted as an expression of culture and tradition in the context of Islamic economics. This includes understanding the symbolism of gold, the rituals involved in the arisan process, and how this practice affects the collective identity of participants. This study will help uncover how culture and identity interact with Islamic economic norms in a changing environment (Abdullah & Arifin, 2023).

In terms of law, the analysis of gold arisan in Sharia Pawnshop requires an in-depth understanding of the relevant aspects of sharia law. This includes legal considerations related to gold contracts, ownership and transactions, as well as the extent to which this practice complies with the principles of sharia law that prohibit usury and promote economic justice (Tulasmi & Mukti, 2020).

In the perspective of Islamic economics, this practice creates an alternative model in financial management that complies with the principles of Islamic economics. This analysis will help us understand how this practice participates in mobilizing the community economy, and whether it has the potential to improve the economic welfare of gold arisan participants (Habibah, 2017).

Thus, an in-depth analysis of the practice of gold arisan at Sharia Pawnshop from the perspectives of sociology, anthropology, law and Islamic economics is a comprehensive approach to uncovering the complex dynamics of modern Islamic economic practices and their impact on the wider community. In an era of increasingly connected globalization, this understanding also provides insight into how local traditions and global norms interact in an increasingly complex context.

In this context, analyzing the practice of gold arisan in Islamic pawnshops from the perspectives of sociology, anthropology, law and Islamic economics in Indonesia is highly relevant. In-depth research on this phenomenon will not only help us understand the practice of gold arisan itself, but will also provide greater insight into how societies develop, maintain and transform their cultural, economic and legal values. In addition, this research can make an important contribution in formulating better policies and clearer guidelines regarding the practice of gold arisan in Islamic pawnshop institutions in the ever-changing social, cultural, economic, and legal context.

RESEARCH METHODS

The methodology used in this research is qualitative research. In this context, qualitative research methods will allow researchers to explore the practice of gold arisan from the perspectives of socio-logy, anthropology, law, and Islamic economics. The author uses secondary data as a source of data collection, namely through literature studies such as analysis of books, journal articles, and analysis of documents such as gold arisan contracts and historical records of transactions carried out textually (Anggito, Albi, and Johan Setiawan, 2018). These data will be analyzed using the theoretical sociological and anthropological approaches of Islamic economic law to identify the social, cultural, and economic factors that influence the dynamics of gold arisan implementation. The data analysis techniques in this research include tracing and exploring the understanding of the viewpoints of gold arisan participants, as well as presenting the findings in the form of in-depth narratives to provide richer insights into this practice in the context of Islamic economic law and prevailing social norms (Ajat Rukajat, 2018).

ANALYSIS AND DISCUSSION:

The Practice of Gold Arisan at Sharia Pawnshop Indonesia

The practice of Gold Arisan in Sharia Pawnshop is an innovation that combines the principles of Islamic finance with social and cultural traditions that are deeply rooted in society. In this practice, individuals join a group with the common goal of buying gold periodically. The similarity of the mechanism with traditional arisan makes it familiar and easily accepted by the community. Arisan groups usually consist of a minimum of six people, and each member is required to make a down payment before they can be part of the group. This process creates unique social dynamics among group members, including the formation of close social relationships, such as trust, responsibility and expectations between each other (Nurfadillah Ahmad, 2022).

In addition to its social aspects, the Arisan Emas practice also reflects the cultural values and traditions that pervade the communities involved. This underscores how financial practices in this context can be influenced by cultural factors such as rites, symbols and social norms found in a particular society. In addition, this practice allows individuals to stay connected to their cultural roots in investing while following Islamic principles in the financial aspect (Rachmat Syafi'i, 2001).

The Gold Arisan practice at Sharia Pawnshop is a system that allows individuals to collectively pool funds periodically to purchase gold. The mechanism of this practice is similar to traditional arisan, where a group of members, usually a minimum of six people, regularly set aside a sum of money for the purchase of gold. The management of these funds involves an arisan chairman who coordinates the group. Each arisan member is required to make a down payment of 15% of the value of the gold to be purchased, and then the gold is handed over to the members in turn. To be able to apply to purchase gold through this gold arisan product, the minimum requirement is that there must be at least 6 members in the group, and the arisan lasts for a minimum period of 6 months. One of the arisan members is usually appointed as the chairman to coordinate the arisan group (Huda, 2019).

The practice of Gold Arisan at Sharia Pawnshop Indonesia has strong social values, creates close relationships between members, and reflects the traditions and cultural values in the community. In addition, this practice must also comply with the principles of sharia economics, which prohibit usury and regulate the ownership and management of assets in accordance with sharia provisions. Therefore, the Gold Arisan Practice at Sharia Pawnshop is a clear example of how Islamic finance and social values combine in an economic practice that reflects Islamic principles.

Review of Gold Arisan Akad Practices in Sharia Pawnshops According to Sharia Economic Law

Sharia economic law, which is an integral component of Islamic law, provides fundamental guidelines and principles that must be followed in any financial practice in accordance with ethical and sharia principles. In the context of the practice of gold arisan, there are several aspects of sharia economic law that require special attention (Anita Ritqi, 2011).

1. Prohibition of Usury

The prohibition of usury (riba) is one of the main principles in Islamic economic law. The practice of gold arisan in Islamic pawnshop institutions must be completely free from the element of interest or profit generated from gold storage. This means that Islamic pawnshops must manage the arisan practice with the principle of justice, where every arisan participant must have the same opportunity to get gold without paying additional usury (Ahmad Azhar Basyir, 1983).

2. Transparency

Sharia economic law emphasizes the importance of transparency, fairness, and ethics in every financial transaction. In the context of gold arisan practices, Islamic pawnshop institutions must ensure that the arisan process is conducted transparently, and arisan members have a clear understanding of their rights and obligations. This aims to avoid unethical practices or unfairness in the implementation of arisan (Mustaqim, 2023).

3. Ownership and management of wealth

The practice of gold arisan must ensure that the right of ownership of gold and the responsibility to set aside gold in accordance with the arisan agreement are properly safeguarded and regulated in accordance with the principles of Islamic law. In order to comply

with these principles of Islamic economic law, Islamic pawnbroking institutions usually engage a sharia supervisory committee whose task is to ensure that the gold arisan practice is in full conformity with sharia principles. This committee has a very important role in determining the validity of the implementation of gold arisan and in ensuring that all transactions are conducted in accordance with Islamic law (Efendi et al., 2022).

In the context of gold arisan practices in Islamic pawnshop institutions, there are three types of contracts involved: 1) is a Qardh contract, which explains that this arisan actually functions like debt, where members who get arisan as if they owe other members, and vice versa. The basic principle in debts is to repay the same amount received, no more and no less, to avoid potential usury. In this context, gold arisan is included in muamalat or economic transactions, whose laws have not been regulated directly in the Qur'an and as-Sunnah, so it depends on the origin of muamalah, which allows it as long as there is no evidence prohibiting it (Huda, 2019). But keep in mind that the prohibition of usury still applies, and mistakes in the practice of muamalah can refer to the potential for usury. 2) There is a Murabahah contract, which describes the process of buying and selling gold between the Islamic pawnshop and the customer (Wiroso, 2005). In this contract, the seller (sharia pawnshop) discloses the cost of gold and the profit margin obtained from the sale of gold. Then, the customer will pay the gold purchase debt in the form of installments according to the agreed period (Adiwarman A. Karim, 113). 3) there is a Rahn contract, which arises as a guarantee for the repayment of debts related to the purchase of gold. The second party (customer) provides the object of sale and purchase as collateral to the first party (sharia pawnshop) until the second party's obligations are paid off. This guaranteed sale and purchase object can be taken by the second party in a certain amount every month after the monthly installment payment occurs (Huda, 2019, p. 196).

In addition to the three contracts above, based on the MUI National Sharia Council Fatwa No.77/DSN-MUI/V/2010 on the Sale and Purchase of Gold for Cash, it is clearly stated that the sale and purchase of gold for cash, either through ordinary sale and purchase or murabaha, is permissible (mubah, ja'iz) as long as the gold is not used as legal tender (money). However, there are limitations and conditions associated with the permissibility of buying and selling gold, including setting the selling price, using gold as collateral (rahn), and prohibiting the use of gold in other contracts that cause transfer of ownership. This all indicates that the practice of gold arisan in Islamic pawnshop institutions must comply with the principles of Islamic economic law and fatwas from the MUI National Sharia Council to ensure the validity and fairness of its implementation.

Islamic economic law plays a key role in supervising and regulating the practice of gold arisan in Islamic pawnbroking institutions. It ensures that the practice complies with the principles of ethics, fairness, and Islamic finance expected in Islamic finance. In this regard, the contracts involved in gold arisan, such as Qardh, Murabahah, and Rahn, must be executed in accordance with the provisions of sharia economic law to maintain the legitimacy and fairness of the practice.

Analysis of Gold Arisan Akad Practices in Sharia Pawnshops in the Perspective of Anthropological Sociology of Sharia Economic Law

The practice of gold arisan in Sharia Pawnshop institutions creates interesting social and cultural dynamics to be explained from three main perspectives: sociology, anthropology, and sharia economic law. The mechanism of the gold arisan practice, which although similar to arisan in general, illustrates complex social interactions and relationships within the groups involved (Wahyuni et al., 2022).

From a sociological perspective, the practice of gold arisan creates a strong social network among the group members involved. The minimum requirement in this practice is to have at least six members who regularly pool funds together and conduct a drawing process to determine who will receive the gold for their partner. This process not only creates close social ties between group members, but also involves diverse interpersonal dynamics.

In this context, aspects such as trust, responsibility and expectations between each other become important in the group dynamics. Trust between members is key in ensuring the smooth implementation of arisan, as each member must believe that the drawing system is fair and transparent. In addition, there is the responsibility that each member carries to periodically set aside funds, as well as the expectation that they will get gold on their turn (Ruwaidah et al., 2021).

The appointment of a chairperson to coordinate the group also adds a dimension of internal social hierarchy. The role of the chairperson creates an organizational structure within the arisan group, which can be a potential source of tension or conflict in social dynamics. How the chairperson leads and manages the group can be an interesting focus of sociological analysis (Huda, 2019).

Overall, from a sociological perspective, the practice of gold arisan in Sharia Pawnshop creates complexity in the social relations, culture, and internal social structure of the groups involved. It is a concrete example of how social interactions within a society can create interesting and diverse dynamics, allowing for a deeper understanding of how financial practices are delivered within a social context.

From an anthropological perspective, the practice of gold arisan is a reflection of the cultural values and traditions held by the communities involved in this practice. This means that arisan emas reflects the way these communities organize themselves in an economic and financial context, and how cultural values and social norms influence and shape their actions in this regard. Arisan emas is a clear example of how culture and tradition can have a significant influence on economic and financial behavior in a community (Tajul Arifin, 2016).

At a more in-depth level, anthropological analysis can reveal how the practice of gold arisan is related to the existing cultural values in the community. This can involve explaining how certain rituals or rites can be part of the gold arisan practice, how cultural symbols are reflected in the arisan process, and how certain community social norms influence the way the practice is carried out (Lestari et al., 2022).

For example, the practice of gold arisan in a particular society may involve special rituals that are considered important to bring good luck in gold investment. Or there may be certain symbols used in the drawing of gold recipients that have cultural meanings attached to them. In addition, social norms such as trust, solidarity or responsibility among arisan group members can also influence the way the practice is carried out and maintained. Thus, anthropological analysis can help us understand how the practice of gold arisan is not only an ordinary economic transaction, but also the result of a complex interaction between culture, tradition, social norms, and the economic behavior of the people involved.

From the perspective of economic sharia law, the practice of gold arisan in Sharia Pawnshop becomes relevant because it must comply with strict sharia financial principles. This includes the prohibition of usury and provisions on the ownership and management of assets in accordance with sharia principles. The practice of gold arisan must ensure that every transaction and mechanism used is in accordance with sharia economic principles that prioritize the principles of justice and ethics in every financial transaction (Sah et al., 2020).

Overall, the analysis of gold arisan practices in Sharia Pawnshop from these three perspectives provides deeper insights into how financial practices can permeate culture, social norms, and Islamic law. The analysis also reveals how social interactions and cultural values influence the implementation of this practice in the community, and how this practice can be translated in the context of strict Islamic economic law.

CONCLUSION

From some of the explanations above, the author concludes that, *First*. The practice of Gold Arisan at Sharia Pawnshop is a way for individuals to jointly collect periodic funds to buy gold. The mechanism is similar to traditional arisan, where a group of members (at least six people) regularly set aside a certain amount of money for the purchase of gold. There is an arisan chairman who manages the management of the fund, and each member pays a down payment of 15% of the value of the gold to be purchased before taking his turn. This practice creates close social ties between members and reflects the traditions and cultural values of the community. In addition, complying with sharia economic principles that prohibit usury and regulate the ownership and management of wealth is important in this practice. Therefore, the Gold Arisan Practice at Sharia Pawnshop combines Islamic financial principles with social and cultural traditions. *Second*. Sharia economic law plays an important role in regulating the practice of gold arisan at the Islamic Pawnshop institution. This includes key principles such as the prohibition of usury, transparency, and ownership and management of assets in accordance with sharia principles. In this gold arisan practice, there are three types of contracts: *Qardh*, *Murabahah*, and *Rahn*. *Qardh* describes arisan as a debt that must be paid according to the amount received, avoiding usury. *Murabahah* is the process of buying and selling gold with a specified profit margin. *Rahn* is a guarantee of gold debt repayment. The MUI National Sharia Council Fatwa No.77/DSN-MUI/V/2010 also regulates the practice of buying and selling gold in cash. All this shows the importance of complying with the principles of Islamic economics and fatwas to maintain fairness in the implementation of gold arisan at Sharia Pawnshop.

Third. The practice of Gold Arisan at Sharia Pawnshop creates interesting social and cultural dynamics from the perspectives of sociology, anthropology, and sharia economic law. From a sociological perspective, it creates a strong social network with complex interactions among group members. From an anthropological perspective, it reflects the cultural values and traditions of the communities involved. From an Islamic economic law perspective, it must adhere to strict Islamic financial principles, including the prohibition of usury and provisions on the ownership and management of property. Analysis from these three perspectives provides an in-depth understanding of how financial practices are carried out within the culture, social norms and Islamic law, as well as how social interactions influence their implementation in society.

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