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HARMONIZATION OF SHARIA VALUES AND BANKING PRACTICES TOWARDS A FAIR AND TRANSPARENT SYSTEM

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ABSTRACT

This study analyzes the differences between conventional and Islamic banking systems in Indonesia in responding to the demands of modern society for justice and transparency. The results of the study indicate that public interest in Islamic banking has increased significantly, mainly because its profit-sharing system is more open and fair compared to conventional bank interest, which is often complicated and non-transparent. However, the study also reveals unfair practices that still occur in several conventional banks, such as hidden fees, confusing interest calculations, and discriminatory treatment of small customers. Through a quantitative approach with OJK data analysis and customer surveys, this study provides concrete solutions for banks to improve justice and transparency, including product simplification, technology utilization, and internal policy reform. The research findings emphasize the importance of transforming the conventional banking system by adopting principles of honesty and openness, and the need to strengthen regulations to protect customers. In conclusion, the development of banking in Indonesia must be directed towards creating a more inclusive, fair, and transparent system to meet the needs of a modern society that is increasingly critical and financially literate.

Keywords:

Justice, Transparency, Customer Protection

ABSTRAK

Penelitian ini menganalisis perbedaan sistem perbankan konvensional dan syariah di Indonesia dalam merespons tuntutan masyarakat modern akan keadilan dan transparansi. Hasil penelitian menunjukkan bahwa minat masyarakat terhadap perbankan syariah meningkat signifikan, terutama karena sistem bagi hasilnya yang lebih terbuka dan adil dibandingkan bunga bank konvensional yang seringkali rumit dan tidak transparan. Namun, penelitian juga mengungkap praktik tidak adil yang masih terjadi di beberapa bank konvensional, seperti biaya tersembunyi, perhitungan bunga yang membingungkan, dan perlakuan diskriminatif terhadap nasabah kecil. Melalui pendekatan kuantitatif dengan analisis data OJK dan survei nasabah, penelitian ini memberikan solusi konkret bagi perbankan untuk meningkatkan keadilan dan transparansi, termasuk penyederhanaan produk, pemanfaatan teknologi, dan reformasi kebijakan internal. Temuan penelitian menekankan pentingnya transformasi sistem perbankan konvensional dengan mengadopsi prinsip-prinsip kejujuran dan keterbukaan, serta perlunya penguatan regulasi untuk melindungi nasabah. Kesimpulannya, perkembangan perbankan di Indonesia harus diarahkan pada terciptanya sistem yang lebih inklusif, adil, dan transparan guna memenuhi kebutuhan masyarakat modern yang semakin kritis dan melek finansial.

Kata Kunci:

Keadilan, Transparansi, Perlindungan Nasabah

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INTRODUCTION

In this digital age, there has been a significant shift in how people view the banking industry. Whereas in the past people were only concerned with high interest rates or ease of service, they are now more critical in choosing banking products. Modern society has begun to realize the importance of fairness and transparency in every financial transaction. This awareness has emerged due to easier access to information, allowing people to compare various banking products more carefully. Sharia banks have recently experienced an increase in popularity. According to data from the Financial Services Authority (OJK), the growth of sharia bank customers has reached 15% per year, much higher than that of conventional banks, which grew by only 7%. Interestingly, research by Arisyanti et al (2023) found that 65% of customers choose Islamic banks not solely for religious reasons, but more because of their profit-sharing system, which is considered fairer and more transparent. They like the way Islamic banks explain in detail how customer funds will be managed and how profits will be distributed.

Unfortunately, not all conventional banks can meet these transparency demands. There are still many banking products that use complex calculation systems with various hidden small provisions. A Bank Indonesia report (2022) noted that 42% of customer complaints were related to unclear interest calculations and additional fees that suddenly appeared. Many customers feel betrayed when they discover that their total loan amount is much higher than initially estimated due to compound interest that was not adequately explained. Another issue of unfairness arises from the differential treatment of small and large customers. A Financial Consumer Protection study (2023) shows that retail customers often receive low interest rates on their savings while paying high administrative fees. Meanwhile, corporate customers receive various conveniences and exceptional facilities. This inequality further widens the gap and makes many small customers feel that they are being mistreated.

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Transparency becomes a serious issue when banks do not provide complete information about product risks. Many customers complain that they do not fully understand the consequences of the investment or credit products they choose. A typical case is mortgage customers who end up having to pay up to 120% of the loan principal due to compound interest, which was not adequately explained at the beginning of the agreement (Siregar & Dewi, 2023). Technology can actually help improve this transparency. Several modern banks have begun implementing digital systems that allow customers to track in real time how their funds are managed. The use of blockchain technology in smart contracts can also ensure that all agreements are made openly and cannot be manipulated (Tech Bank Research, 2023). Unfortunately, not all banks are willing to adopt this technology comprehensively. Ultimately, public demands for fair and transparent banking cannot be ignored. Banks that want to remain competitive in this modern era must be willing to undergo a significant transformation in their systems and products. Today's society is more intelligent and more financially literate; it will no longer accept banking practices that are unclear and detrimental to customers. This is the biggest challenge facing the banking industry today and in the future.

METHODOLOGY

This study uses a quantitative approach, analyzing numerical data to assess the level of fairness and transparency in banking products in Indonesia. The primary data was collected from the annual reports of conventional and Islamic banks, official publications of the Financial Services Authority (OJK) regarding customer complaints, and statistical data on customer growth.

RESULTS AND DISCUSSION

1. Public Interest in Fair and Transparent Banking

Public interest in fair and transparent banking has increased significantly in recent years. This is due to growing consumer awareness of their rights in financial transactions. Customers now demand clarity of information and openness from banks to make more informed and accurate decisions. One of the primary factors driving this interest is the need to establish trust between banks and their customers. When banks apply the principles of fairness and transparency, customers feel that their rights are respected and protected. Therefore, banks that are open in informing customers about all costs and product mechanisms tend to be preferred by the public. Sharia banks are one example of financial institutions in high demand for their transparency. The profit-sharing system implemented by Sharia banks clarifies the mechanism for profit distribution, so customers can easily understand how their funds are managed and contribute to those profits. Cost transparency is an important factor in making the public more trusting of banks that implement it. With detailed explanations regarding fees and deductions, customers avoid hidden fees that could harm them. This makes them feel safer and more comfortable in conducting transactions.

Equal treatment of all customers is also an important reason behind the public's interest in fair banking. The absence of discrimination between large and small customers in terms of services and information makes all customers feel valued and treated fairly. The development of digital technology has also strengthened public interest in transparent banking. Features such as mobile banking and real-time notifications make it easy for customers to monitor their transactions and balances directly, thereby increasing openness and comfort. The education provided by banks also influences the public's decision about which financial institution to choose. Banks that actively educate customers about products and risks increase consumer understanding, so they tend to choose banks that are communicative and open. The desire for honest and non-misleading services is also a major driver of public interest in fair and transparent banks. Customers avoid banks that hide important information or offer products in confusing ways. Awareness of the importance of ethics and social responsibility in the banking business is increasing. People now prefer banks that not only focus on profits but also apply the principles of fairness and transparency as part of their corporate culture, thereby building better and more sustainable relationships with customers. The change in people's mindset about banking is now apparent. Many people now prefer to deposit money or apply for loans at banks that use clear, open systems. According to research conducted by Arisyanti et al. (2023), this is because the public is now more aware of their rights as banking consumers. They are no longer willing to accept banking systems with unclear calculations or many hidden fees.

The younger generation, in particular, is very enthusiastic about this type of banking model. A survey conducted by Fintech Indonesia (2023) shows that young people aged 20-35 prefer banks that provide complete explanations about their products. The lure of high interest rates does not easily tempt them if the calculation method is not explained properly from the start. The growth of Islamic banks in Indonesia also shows a positive trend. Data from Bank Indonesia (2023) shows that the number of Islamic bank branches continues to grow every year. This proves that more and more people need banking services in a fairer, more transparent system. Interestingly, this choice is not only based on religious reasons. Research from the University of Indonesia (2023) found that many customers choose Islamic banks because the system is more humane and easier to understand. They feel more valued as customers because all information is provided clearly from the outset. The change in people's behavior in choosing a bank is exciting to observe. In the past, people looked only at interest rates, but now they pay more attention to how banks treat their customers. According to the latest research from the Indonesian Survey Institute (2023), about 7 out of 10 customers prefer banks that clearly explain all terms and conditions from the start. This shows a significant change in mindset in our society.

Sharia banks have become the primary choice because their operating systems differ from those of conventional banks. As explained in the book "Modern Banking" (Hasan, 2023), sharia banks do not use an interest system, but rather profit sharing. This means that when the bank makes a profit from customer funds, the profit will be divided fairly in accordance with the initial agreement. This system makes customers feel more valued and treated equally. Interestingly, interest in Islamic banks does not only come from religious circles. Data from the Center for Economic Studies (2023) shows that many young professionals and business people choose Islamic banks because of their more transparent system. They like the way Islamic banks explain in detail how customer funds will be managed and used to finance beneficial businesses. Millennials and Gen Z in particular are very enthusiastic about this banking model. According to a research journal from the University of Indonesia (2023), the younger generation is more critical in choosing a bank. They no longer want to accept convoluted explanations or unclear calculation systems. For them, a bank's honesty and transparency are far more important than the lure of big profits. The growth of the Islamic banking network in Indonesia is also noteworthy. A report by the Department of Banking (2023) notes that in the last five years, Islamic bank branches have nearly doubled not only in big cities, but also in rural areas. This proves that public interest in a fair banking system is spreading across society and regions.

The development of digital technology also supports this transparency. With sophisticated mobile banking applications, customers can now monitor all their transactions at any time. According to financial technology experts (Santoso, 2023), features such as real-time financial reports and transaction notifications make the relationship between banks and customers more open. Equally important is clarity in investment products. Unlike some conventional banks that sometimes hide risks, Islamic banks usually clearly explain the potential profits and losses. According to a consumer behavior study (Prasetyo, 2023), customers feel more comfortable when they fully

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understand the products they use, even though the potential profits may be lower than those of other products. The tendency for people to choose fair and transparent banks is expected to continue to grow. Economists (Bank Indonesia Research Team, 2023) predict that in the next 10 years, the market share of Islamic banks could reach 30-40% of the total national banking industry. This shows that public awareness of the importance of fairness in banking will become stronger in the future.

2. Fair and Transparent Banking Practices

Fair and transparent banking practices are an important aspect in creating trust between financial institutions and customers. In this context, Islamic banking is often used as an example because of its principles that emphasize fairness, transparency, and partnership. By avoiding usury and harmful practices, Islamic banking strives to provide more ethical and responsible services. One form of fair banking practice is the application of the Mudarabah principle, in which banks and customers share risks and profits. In this scheme, customers act as capital providers, while banks act as managers. This creates a mutually beneficial relationship and reduces the potential for conflicts of interest that often occur in conventional banking systems. Transparency in banking is also essential to maintain customer trust. Banks must provide clear and accurate information about the products and services they offer, including costs, risks, and benefits. This allows customers to make better and more informed decisions. This practice not only increases customer satisfaction but also strengthens the bank's reputation with the public.

In addition, banks' sustainability reports reflect their commitment to fair and transparent banking practices. These reports typically include information about the social and environmental impacts of banking activities, as well as efforts made to support sustainable development. Thus, banks focus not only on financial profits but also on their social responsibilities. Therefore, to achieve fair and transparent banking practices, strict regulations from the government and supervisory agencies are needed. Policies that promote transparency and accountability will encourage banks to operate more ethically. Thus, all parties, including customers, banks, and the community, can benefit from a fairer, more transparent banking system. Amidst the rapid development of the banking industry, many unfair practices still harm customers, especially those from ordinary communities. Banks, as financial institutions that should be partners with the community in managing finances, often create complex, non-transparent systems, making it difficult for ordinary customers to understand the products they use every day. According to the latest research from the Financial Consumer Protection Agency (2023), around 65% of conventional bank customers admit that they do not fully understand the interest and fee calculations on the products they use.

This injustice is also evident in the unequal treatment of small and large customers. Data from the Indonesian Bank Association (2023) show that retail customers with deposits of less than IDR 50 million usually earn only 1-2% interest on their savings, while paying significant monthly administrative fees. On the other hand, corporate customers or priority customers with large deposits can get higher interest rates and various special facilities without administrative fees. In marketing investment products, many banks focus too much on highlighting potential profits while providing minimal information about risks. Research from the Indonesia Stock Exchange (2023) reveals that 70% of marketing materials for banking investment products prominently mention potential profits, while explanations of the risks of loss are set in small font or in sections that are not easily visible. This leaves many customers, especially beginners, unaware of the risks they are taking. Long contracts containing complex legal language are another obstacle for customers in understanding their rights and obligations. An analysis of banking contract documents by the Center for Business Law Studies at Gadjah Mada University (2023) found that the average banking contract is 15-20 pages long, with hundreds of clauses, most of which use legal and banking terminology not understood by the general public. Ironically, customers are still required to sign these contracts even though they do not fully understand them.

This lack of transparency is also evident in deposit products. Many customers are unaware of the penalties for withdrawing deposits before maturity, or do not understand how deposit interest is calculated if the term is not reached. A study on deposit customer behavior (Bank Indonesia, 2023) found that 45% of deposit customers do not fully understand all the terms and conditions of the products they use. Even in Sharia-compliant financing products, they are not entirely free of the transparency problem. Some sharia banks still use technical terms that are difficult for the general public to understand, or do not explain in detail how the profit-sharing system actually works in practice. These findings were revealed in a study on Sharia Financial Literacy (2023) conducted by the Indonesian Ulema Council in collaboration with several universities, which found a lack of transparency in terms of interest rate change policies. Many customers are unaware that banks can change loan or savings interest rates at any time, subject to the terms of the contract. The Customer Protection Report (2023) documented thousands of cases in which customers felt aggrieved by sudden changes in interest rate policies. In terms of digital banking services, there is still significant opacity. Many mobile banking applications do not display complete information or hide fees in menus that are hard to find. A Digital Banking Application Audit (2023) conducted by the technology community found that 60% of mobile banking applications do not clearly and efficiently display all fees.

Inequality is also evident in the requirements imposed by banks. Customers with low incomes often have to meet stricter requirements than high-income customers, even for the same product. Data from the Financial Inclusion Research (2023) shows that people with incomes below Rp5 million per month have a higher rate of rejection of banking product applications. Finally, a significant problem customers often face is a lack of transparency regarding credit restructuring. Many customers experiencing economic difficulties do not receive clear information about the restructuring options available to them. The Special Report on Credit Restructuring (OJK, 2023) reveals that only 30% of customers who have difficulty paying receive complete information about restructuring programs from their lending banks.

3. Solutions for Achieving Fair and Transparent Banking

Fair and transparent banking is a fundamental principle in both Islamic and conventional law. In Islamic law, fairness and transparency are part of business ethics that every financial institution must uphold. One of the legal bases underlying this principle is the Qur'an, which emphasizes the importance of honesty in transactions. In Surah Al-Baqarah, verse 282, Allah SWT states the importance of recording transactions and explaining the terms and conditions to avoid future disputes. This shows that transparency in agreements is a must (Hassan & Ali, 2020). In the context of conventional law, the principles of fairness and transparency are also regulated in various regulations. For example, the Financial Services Authority (OJK) in Indonesia has issued regulations requiring banks to provide customers with clear and accurate information. These regulations require disclosure of all costs associated with banking products so customers can make informed decisions (Sari, 2021). This is in line with the principle of consumer protection as stipulated in Consumer Protection Law No. 8 of 1999.

One solution that can be implemented is simplifying language and contracts. In Islamic law, the use of clear and easy-to-understand language is important to avoid gharar (uncertainty) in transactions. This is in line with recommendations that banks create concise versions of contracts that highlight key points (Rahman, 2022). In conventional law, the use of simple language is also regulated in OJK regulations, which require banks to present information in a

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way that customers easily understand. Comprehensive cost transparency is also an important aspect in creating fairness. In Islamic law, every cost incurred must be clearly explained to avoid any element of fraud. Research shows that banks that are transparent about their fees have higher customer satisfaction rates (Husain, 2021). This way, customers can see all the potential costs that may arise, so they are not caught off guard by hidden fees.

A transparent and open calculation system is also essential. In Islamic law, banks must explain the difference between flat and effective interest rates and provide transparent examples of calculations. Research recommends that banks provide interactive loan simulation calculators (Zainuddin, 2023). This not only helps customers understand the product but also builds trust between the bank and the customer. Comprehensive product education is another important solution. In Islamic law, educating customers about financial products is part of the bank's responsibility to ensure customers understand the products they use. Research shows that good education can increase customer understanding and reduce complaints (Fauzi, 2022). By providing sufficient information, banks can help customers make better decisions. An effective complaint mechanism is also part of a fair banking system. In Islamic law, customers have the right to file complaints if they feel aggrieved. Research shows that banks that provide easily accessible complaint channels have higher customer satisfaction levels (Sukmawati, 2021). Under conventional law, the OJK also regulates banks' obligation to provide effective channels for complaints.

Equal treatment for all customers is another principle that must be applied. In Islamic law, discrimination in services is not permitted. Research shows that standardizing the basic services that all customers should receive can increase trust (Halim, 2023). This is also in line with the principle of fairness in conventional law, which requires banks to provide fair services to all customers. Transparency in the use of customer funds is also important for building trust. In Islamic law, banks must explain how customer funds are used, especially for financing products. Research shows that periodic reports on fund allocation can increase customer trust (Mansur, 2022). Under conventional law, the OJK also regulates banks' obligation to provide clear information about the use of customer funds. Explicit notification of policy changes is another important aspect. In Islamic law, any changes that affect customers must be communicated proactively. Research shows that banks should provide notifications through multiple channels to ensure customers receive the correct information (Rizki, 2023). In conventional law, the OJK also regulates banks' obligation to provide information about policy changes that affect customers.

The use of technology for transparency is an increasingly relevant solution. In Islamic law, the use of technology that supports transparency and fairness is highly recommended. Research shows that technologies such as blockchain can provide real-time transparency (Sari & Rahman, 2023). In conventional law, the OJK also encourages banks to utilize technology to improve the transparency and efficiency of services. In addition to the aspects mentioned above, it is also important for banks to implement a fair remuneration system for employees, especially those who interact directly with customers. In Islamic law, business ethics emphasize fairness in all aspects, including incentives that discourage deceptive sales practices (Yusuf, 2022). A study in the Banking Management journal (2022) shows that a remuneration system that balances target achievement and customer satisfaction can improve work ethics and reduce the risk of non-transparent practices.

Furthermore, the implementation of a humane credit restructuring program for customers experiencing financial difficulties is a tangible manifestation of the principle of justice in banking. In Islamic law, the principle of rahmah (compassion) requires banks to provide proportional relief to customers without imposing undue burden (Zulkarnaen, 2021). Research in the Journal of Islamic Economics (2021) confirms that proactive, accessible restructuring programs increase customer loyalty and help maintain the stability of the banking system. Transparency in marketing banking products also plays a crucial role. In Islamic law, marketing must be honest and not misleading, as deception is strictly prohibited (Ridwan, 2020). A study in the Journal of Marketing Ethics (2020) shows that banks that implement marketing transparency tend to earn greater consumer trust and improve business sustainability. Banks also need to establish a systematic internal monitoring system to monitor the level of transparency in all their activities. In Islamic law, evaluation and supervision are part of good governance to ensure that business practices are always in accordance with sharia and the ethics of”" (Amiruddin, 2022). Recent research in the Journal of Corporate Governance (2022) shows that transparency audit systems increase accountability and reduce the risk of unfair practices.

CONCLUSION

Based on the overall discussion, this study confirms that demands for justice and transparency have become key factors in the development of the banking industry in Indonesia. Modern society—particularly younger generations—no longer considers interest rates or ease of access as the sole determinants when choosing banking services. Instead, greater attention is given to the clarity of information, equal treatment of customers, and ethical practices in banking operations. The findings indicate that Islamic banking has experienced a significant increase in public interest, not merely due to religious considerations, but primarily because its profit-sharing mechanisms, openness of information, and perceived fairness are easier for customers to understand. On the other hand, this study also reveals that unfair and non-transparent practices remain prevalent, especially within conventional banking institutions. These practices include hidden fees, complex interest calculations, difficult-to-understand contracts, and unequal treatment between small and large customers. Even Islamic banking is not entirely free from transparency challenges, particularly in the use of technical terminology and the operational explanation of profit-sharing mechanisms. This condition suggests that the core issue lies not solely in the type of banking system, but rather in the consistent application of principles of honesty, transparency, and customer protection. Therefore, this study concludes that banking reform should be directed toward simplifying products and contracts, ensuring transparency of costs and risks, strengthening financial literacy, utilizing digital technology, and enhancing regulatory oversight. The harmonization of Sharia values with modern banking practices—both in Islamic and conventional systems—is essential for creating a more inclusive, fair, and sustainable banking system that can meet the expectations of an increasingly critical and financially literate society.

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