



Contribution of the National Sharia Arbitration Board (Basyarnas) in Resolf of Sharia Financial Institution Disputes

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Abstract:

The National Sharia Arbitration Board (Basyarnas) plays a critical role in the resolution of disputes within Indonesia's Islamic financial sector. Nevertheless, the academic community has yet to investigate Basyarnas's contributions. Based on field observations and document analysis, this study provides a detailed examination of the role of Basyarnas in resolving Islamic finance disputes, with a particular emphasis on the impact it has had on Islamic Financial Institutions. This study employs a content analysis approach to data analysis to examine the role of Basyarnas in resolving disputes between Islamic financial institutions via a descriptive approach. Researchers employed Nvivo 14 software to process data, employing cluster analysis and word clouds. By adhering to sharia principles, Basyarnas has ensured the impartiality and professionalism of arbitration in financial institutions, thereby contributing to dispute resolution. Basyarnas' contribution to the establishment of a Sharia-compliant and expeditious resolution mechanism is manifest, thereby bolstering the overall confidence in the Islamic financial institution system. However, Basyarnas encounter numerous challenges in resolving disputes between Islamic financial institutions, which encompass a variety of factors. This study demonstrates the necessity of electronic-based arbitration administration. Additionally, the limited operation of representative offices in numerous regions serves as an impediment to the provision of equitable and effective arbitration services.

Keywords: Basyarnas, Contribution, Financial Dispute, Sharia Arbitration, Sharia Financial Institutions.

Introduction

On the one hand, the era of globalization has a positive impact on all aspects of life. However, it can also have a negative impact, such as differences in comprehension, differences of opinion, or disputes between one party and another. has entered into an agreement. In comparison to judicial institutions, out-of-court dispute resolution offers several benefits, including the ability to facilitate win-win solutions, reduced costs, and the absence of public access. Arbitration is one of the methods employed to resolve civil disputes outside of the courtroom. The practice of alternative dispute resolution (ADR) in the Muslim world is characterized by a significant degree of diversity. Consequently, it may be more beneficial to emphasize the practices that are observed in Muslim societies and societies that have an Islamic culture, rather than designating the process as "Muslim." non-Muslims are also included in this category.¹

Basyarnas has influenced the norms and operational patterns for financial disputes and settlements within the Muslim community by promoting the implementation of settlements for all forms of economic disputes. The Indonesian National Sharia Arbitration Board will be a significant institution that effectively resolves conflicts and disseminates justice to the community, independent of the courts, as indicated by the results and recommendations. In general, there are two methods of resolving sharia economic disputes: litigation and non-litigation. The resolution of litigation disputes is regulated by Law Number 3 of 2006, which pertains to Religious Courts. Alternative non-litigation dispute resolution is referenced in a variety of regulations, including the Sharia Arbitration Board, independent and impartial mediation institutions, business activity associations of sharia insurance companies, and deliberation and consensus. In the general policy of sharia insurance, there are also a variety of alternatives to dispute resolution, such as the use of peaceful methods to achieve mutual agreement. In the event that peaceful efforts are unsuccessful, disputes may be resolved through the Indonesian Insurance Mediation Agency (BMAI), the Sharia Arbitration Board, the Religious Court / District Court in the area where the policy is issued, or by the participant himself, who must notify the company of

¹ Mohamed M. Keshavjee, "Chapter 33: Dispute Resolution Processes in Islamic Cultures," 2020, <https://www.elgaronline.com/display/edcoll/9781786433022/9781786433022.00044.xml>.

their choice. An institution responsible for resolving a variety of disputes in the field of sharia economics that have not been fully resolved due to inadequate human and financial resources is the National Sharia Arbitration Board (Basyarnas).

Basyarnas' scope is currently restricted to Islamic financial institutions and is primarily concentrated on arbitration. However, it will be expanded to include the service sector and industry in the future to enable it to make a significant impact on society. Basyarnas is notably beneficial in the resolution of disputes related to Sharia Insurance. The settlement of sharia insurance is appointed by individuals who are experts in their respective disciplines to ensure that it is handled by competent individuals and is more optimal. The clause of the sharia insurance agreement (policy) should emphasize the selection of dispute resolution institutions through this sharia arbitration institution.²

The state of the art of this research is elucidated by the results of Vosviewer data processing. The Scopus database on Harzing's Publish or Perish application provides the location of the state of the art. Previous research data on the "Sharia Arbitration Board" keyword was identified in six articles from 2015 to 2022. The research is indexed by Scopus to a lesser extent as the circle in Figure 1 becomes smaller. The National Sharia Arbitration Board (Basyarnas)'s involvement in Islamic financial institution dispute resolution is the unique aspect of this research.

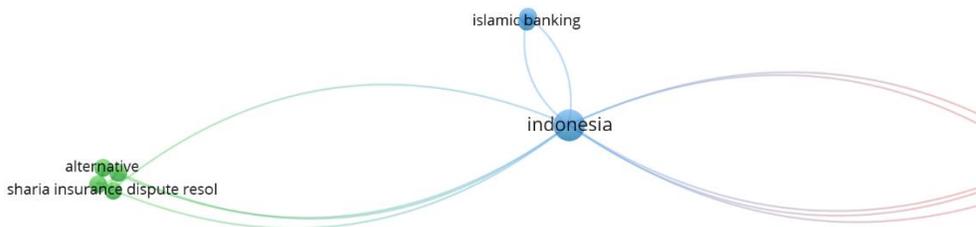


Figure 1. State of Art (Source: Vosviewer, data processed by researchers, 2024)

The focus of the research was ultimately determined by the researcher's further exploration of the "Contribution of the National Sharia Arbitration Board (Basyarnas) in Dispute Resolution of Sharia

² Wetria Fauzi and Devianty Fitri, "An Alternative to Sharia Insurance Dispute Resolution through the National Sharia Arbitration Agency (Basyarnas) in Indonesia," *International Journal of Innovation* 10, no. 5 (2019).

Financial Institutions" in the context of the aforementioned background description of the question. Interviews with informants were conducted in Surabaya and Makassar to gather the data. The Indonesian Ulema Council (MUI) East Java and MUI South Sulawesi offices are among the locations. This investigation will concurrently employ in-depth interview methodologies with experts affiliated with the National Sharia Arbitration Board (Basyarnas). in order to improve the analysis. Purposive sampling and cascade sampling are implemented. In purposive sampling, the researcher identifies the identity that is consistent with the research's purpose in order to accomplish the research's objectives. Researchers conducted interviews with individuals who were most knowledgeable about the role of sharia economic dispute resolution in Islamic financial institutions. A multi-level or chain sampling technique is snowball sampling. The data sources and categories employed in this investigation are primary data and secondary data. In this investigation, primary data is collected through interviews with informants, specifically the Chairman of Basyarnas MUI East Java and the board of MUI South Sulawesi. Various sources, such as the official website of the National Sharia Arbitration Board (Basyarnas) and journals, are used to obtain the secondary data for this research. Descriptive analysis is employed in conjunction with content analysis in this investigation. The descriptive approach guarantees that the results are comprehensible and valuable by consistently presenting a picture of the pattern. The content analysis approach is a method that prioritizes and examines each term in accordance with the subject matter of the study.³

This study employs a content analysis approach in conjunction with a descriptive approach. The content analysis approach involves examining the content of each term in relation to the National Sharia Arbitration Board (Basyarnas)'s role in resolving disputes between Islamic financial institutions. The researchers employed the words frequency tool in the Nvivo 14 software application to analyze the data. By employing a descriptive methodology and data analysis with Nvivo 14 software tools, the frequency of words that are frequently encountered in interview data will be discovered. There are 20 words, as indicated by the word frequency results. The researcher then eliminates words that are irrelevant and unrelated to the subject of the contribution of sharia

³ Posma Leonardo, "APPLICATION OF TAXATION ON TRANSACTIONS E-COMMERCE ON THE MARKETPLACE PLATFORM," *Jurnal Pendidikan Akuntansi & Keuangan* 8, no. 1 (February 14, 2020): 45–54, <https://doi.org/10.17509/jpak.v8i1.17248>.

economic dispute resolution. Conjunctions, which, or, and so forth. The words that are frequently used indicate an emphasis on topics that are frequently discussed and have significance or value. This demonstrates that the informant places a high value on and emphasizes this issue. The findings of interviews with informants are depicted in Figure 2, which illustrates the word cloud display using Nvivo 14 software.

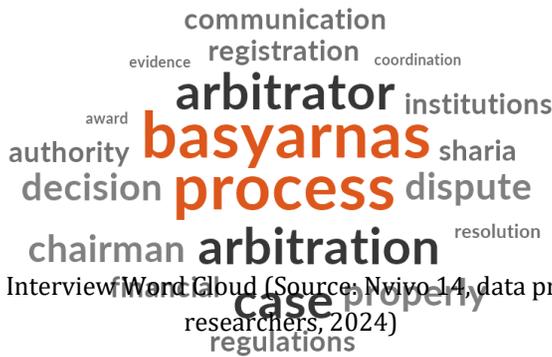


Figure 2. Interview Word Cloud (Source: Nvivo 14, data processed by researchers, 2024)

Based on the results of processing interview data by applying the word cloud in Nvivo 14, the following keywords were obtained: process, basyarnas, arbitration, arbitrator, case, dispute, decision, chairman, properly, financial, registration, regulations, haria, resolution, award, coordination, evidence, authority, communication, and institutions.

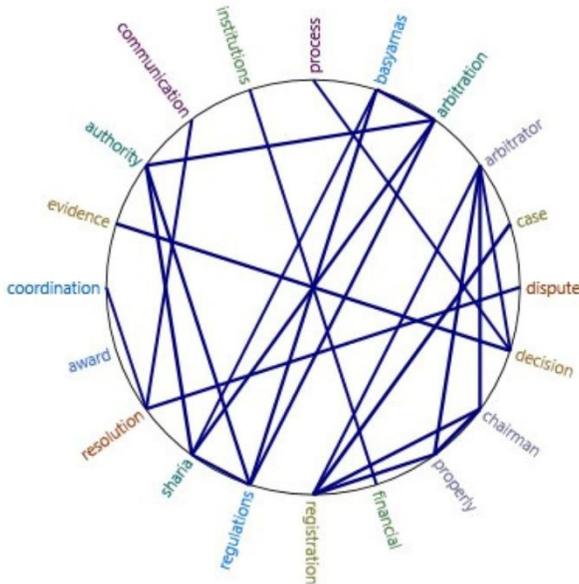


Figure 3. Cluster Analysis of Interviews (Source: Nvivo 14, data processed by researchers, 2024)

Dispute Resolution Process in BASYARNAS

The case acceptance procedure at Basyarnas commences with the submission of a written application by the party seeking to file a dispute, as indicated in the interview with Mr. Mahdi Achmad Mahfud, Chairman of Basyarnas MUI East Java. The request must contain the names and addresses of the parties involved in the dispute, the arbitration clause or agreement that applies, and a concise description of the dispute, as well as pertinent evidence. At Basyarnas, the dispute resolution process consists of the following stages: the filing of a petition for arbitration by the disputing party, the appointment of a single arbitrator or a panel of arbitrators, the submission of a reply by the disputing party, a peace hearing, evidence from witnesses or experts, the possibility of the petition being dismissed, the production of an arbitration decision, the registration of the decision, and finally the implementation of the decision. A mechanism by which the disputing parties may select one arbitrator each as Basyarnas use their representative to determine the arbitrators to handle a case. The arbitrators appointed by the litigants or submitted to Basyarnas-MUI select the third arbitrator. Arbitrators must be at least 35 years of age, have no familial or kinship connection to either party to the dispute, and have no financial or other interest in the arbitral award.

Basyarnas is dedicated to guaranteeing that each arbitration proceeding is conducted in a confidential and private environment. In this context, "closed" does not imply that it is not transparent. The parties engaged in the dispute are the only ones who are granted transparency. The process is only known to the parties involved in the dispute; however, the decision is not accessible to other parties as a result of its closed nature. In Islam, the principle that disgrace must be kept secret and should not be disclosed is observed, in contrast to the open character of the judicial system. The law is closed, which is consistent with the fundamental principles of Islamic law. The parties are equal in the eyes of the law. They are afforded the same opportunity to submit written and witness evidence, as well as to file pleadings, answers, replications, and duplicates. Subsequently, the arbitral award is distributed to all parties involved.

The parties that receive the arbitral award are obligated to adhere to it. The award is executed through the Religious Court (if it is administered through Basyarnas) or the District Court (if it is administered through BANI) if it is not voluntarily complied with. Basyarnas guarantees that arbitral awards are executed in a timely and equitable manner. The arbitrators' decision is deemed final and binding for all parties involved, thereby ensuring that the settlement is upheld and implemented in accordance with the relevant provisions. Should a party fail to effectuate the award voluntarily, the President of the District Court may issue an order to enforce it.

The Parties Involved in the Dispute Resolution Process at BASYARNAS

Arbitrators are individuals who are appointed to resolve disputes between parties in Basyarnas. The arbitrator is responsible for hearing to the arguments of both parties, evaluating the evidence, and issuing a binding decision. The arbitrator must possess a comprehensive understanding of the laws and practices of Islamic financial institutions, as well as be neutral and independent. Litigants are accountable for articulating their arguments and evidence, both orally and in writing. They must guarantee that the evidence they present is both pertinent and robust in order to substantiate their claims or defenses during the dispute resolution process. According to the interview with Mr. Mahdi Achmad Mahfud, Chairman of Basyarnas MUI East Java, Basyarnas has the option to involve third parties or experts in the dispute resolution process if necessary. The arbitrators are able to make more informed decisions as a result of the opinions or explanations provided by these third parties or experts regarding technical or legal issues related to the dispute. Each party is accountable for adhering to the procedures and deadlines established by Basyarnas during the arbitration process. They must also adhere to the arbitrators' decision and execute it in good faith. Throughout the dispute resolution process, correspondence between arbitrators, litigants, and other parties may occur via meetings, emails, or letters. In order to guarantee that the process proceeds effortlessly and efficiently, and to guarantee that all parties are adequately informed of any developments, it is imperative to maintain effective coordination.

Supporting and Obstructing Factors of the BASYARNAS Dispute Resolution Process

The consistent application of Sharia principles is the primary factor that supports Basyarnas' contribution to resolving disputes of Islamic financial institutions, as indicated by the interview with Mr.

Mahdi Achmad Mahfud, Chairman of Basyarnas MUI East Java. Basyarnas ensures that all dispute resolutions are conducted in accordance with sharia provisions, thereby upholding Islamic values. The decisions rendered by Basyarnas arbitrators are implemented by competent and professional individuals who assess cases impartially and in accordance with the law. Furthermore, Basyarnas arbitration decisions are conclusive and legally binding for all parties involved, thereby ensuring legal certainty. The privacy of the disputing parties is also guaranteed by the confidentiality principle, which establishes a secure and dependable environment for dispute resolution.

The non-compliance of the losing party in implementing the award is the inhibiting factor in the dispute resolution procedure through the National Sharia Arbitration Board (Basyarnas). In the event that this occurs, the victorious party is required to apply for execution at the local Religious Court. The sustainability of the award's implementation is also significantly influenced by the quality of its content. The enforcement of the arbitral award will be challenging if it is deemed to be incomplete or ambiguous. This is closely associated with the quality of the petition or lawsuit that has been filed, as well as the evidence that substantiates it. Furthermore, the potential for an annulment of the award must be taken into account. One of the grounds for the annulment of an award is the discovery of evidence that the documents submitted by one of the parties are false or that significant documents have been concealed, as per Article 70 of Law Number 30 of 1999 on Arbitration and Alternative Dispute resolution. Furthermore, the award may be nullified if the trial process is determined to be fraudulent or deceptive.

Strategies for Enhancing BASYARNAS's Contribution

Basyarnas has implemented a strategy to enhance its involvement in dispute resolution, as evidenced by an interview with Mr. Mahdi Achmad Mahfud, the Chairman of Basyarnas MUI East Java. This strategy encompasses numerous critical components. BASYARNAS is dedicated to ensuring that the privacy and confidentiality of the parties involved in the dispute are upheld through a closed and confidential arbitration process. Furthermore, disputing parties are granted the autonomy to select the arbitrator who will resolve their case, which fosters a higher level of confidence in the arbitration process. Basyarnas guarantees that the dispute resolution process is equitable and transparent, in addition to bolstering the confidence and comfort of disputants, through this approach. Basyarnas' credibility and contribution in resolving disputes of

Islamic financial institutions are significantly bolstered by its commitment to confidentiality and the freedom to select arbitrators. The effectiveness of Basyarnas' strategies is evaluated using a comprehensive array of performance metrics. The speed and fairness of dispute resolution are the determinants of success. Efficiency in the arbitration process is a top priority, and dispute resolution time is one of the main indicators. Furthermore, the degree of adherence to the award is a critical criterion. This encompasses the degree to which the disputing parties adhere to the arbitrator's decision. The award is acknowledged and recognized as fair and binding due to the high level of compliance. Dispute party satisfaction is also a substantial performance indicator. Surveys and feedback enable Basyarnas to assess the contentment and experience of parties who utilize its arbitration services. A high level of satisfaction demonstrates Basyarnas' credibility and contribution in resolving disputes between Islamic financial institutions. With the implementation of these measures, Basyarnas can consistently enhance its strategies, guaranteeing that each dispute is resolved promptly, impartially, and to the satisfaction of all parties.

Basyarnas is and will continue to implement a variety of innovations to enhance the arbitration process. The utilization of information technology to expedite the arbitration process and guarantee transparency is one of the most significant innovations. This encompasses the implementation of electronic-based arbitration administration, virtual hearings, and online case registration, which facilitate the arbitration process's efficiency and transparency. In addition, Basyarnas prioritizes the enhancement of arbitrators' skills and training. In the context of disputes that are becoming more intricate, arbitrators must possess a high level of expertise and proficiency. Consequently, Basyarnas intends to implement continuous training and special education programs that are designed to enhance the proficiency of arbitrators in resolving a variety of disputes with Islamic financial institutions. Basyarnas aspires to satisfy the requirements and expectations of disputing parties by offering arbitration services that are more professional, transparent, and expedited through the implementation of these innovations.

The arbitration procedure is improved by Basyarnas' involvement of external parties, including academics and practitioners. Basyarnas can enhance the quality and efficacy of the arbitration process by conducting seminars, workshops, and collaborating with a variety of institutions.

These activities contribute to the arbitrators' knowledge and skills as well as offer the most recent information on best practices and issues in sharia arbitration. Furthermore, these partnerships foster the exchange of valuable ideas and experiences, enabling BASYARNAS to improve its services in the dispute resolution of Islamic financial institutions and continue to expand.

Discussion

Indonesian law has not explicitly appointed the national authority for sharia arbitration as an Islamic banking dispute resolution institution. Furthermore, the execution of national sharia arbitration decisions remains uncertain, which contributes to uncertainty in law enforcement.⁴ Basyarnas' advocacy for its position has the potential to be formally recognized in the future, despite the fact that the law has not explicitly designated the institution. Uncertainty regarding the enforcement of sharia arbitral awards was also identified as a challenge. However, the research established a foundation for legal reforms that could enhance the legal certainty and efficacy of their enforcement. This investigation indicates that these complications have been satisfactorily resolved. The uncertainties that were disclosed in Masse's research have been resolved, as the existence of Basyarnas is currently predicated on a law. The implementation of new provisions regarding the institution of Religious Courts in Indonesia, which are responsible for adjudicating disputes between consumers and Islamic banks, was also revealed in another study. However, the implementation is not yet at an optimal level. The research emphasized the favorable changes in Indonesia's legal framework, specifically the new provisions regarding the establishment of Religious Courts. The acknowledgment of the institution's role in resolving disputes between consumers and Islamic banks represents a significant advancement in the strengthening of the Islamic legal system, despite the fact that its implementation is not yet optimal. This research has the potential to promote the expansion of the Religious Courts' capacity and effectiveness, as well as their collaboration with Basyarnas to ensure that dispute resolution is more efficient and sharia-compliant. The results of this research are consistent with the findings of that study

⁴ Rahman Ambo Masse and Muhammad Rusli, "Islamic Banking Dispute Resolution in National Sharia Arbitration Board," *IOP Conference Series: Earth and Environmental Science* 175 (July 24, 2018): 012169, <https://doi.org/10.1088/1755-1315/175/1/012169>.

in terms of the role of the Religious Courts as adjudicators of disputes. However, they differ in terms of the performance of Basyarnas, which is deemed suboptimal. The data gathered in this research indicates that Basyarnas has satisfactorily resolved all disputes.

Basyarnas has influenced the norms and operational patterns for financial disputes and settlements within the Muslim community by promoting the implementation of settlements for all forms of economic disputes. As indicated by the results and recommendations, the Indonesian National Sharia Arbitration Board is expected to establish itself as a significant institution that is autonomous from the courts and capable of effectively resolving disputes and disseminating justice to the community.⁵ The results underscore the beneficial influence of Basyarnas on the operational patterns and regulations of financial dispute resolution in Muslim communities. Basyarnas has effectively advocated for the comprehensive implementation of economic dispute resolution, with an emphasis on sharia principles. The research also underscores the significance of Basyarnas' independence from the courts, which allows the institution to resolve conflicts and administer justice effectively. This research's recommendations have the potential to enhance Basyarnas' status as a critical institution within Indonesia's sharia financial system, while simultaneously fostering a greater public confidence in sharia arbitration mechanisms. This research is consistent with the observations made by Arifin.

In general, there are two methods of resolving sharia economic disputes: litigation and non-litigation. The resolution of litigation disputes is regulated by Law Number 3 of 2006, which pertains to Religious Courts. Alternative non-litigation dispute resolution is referenced in a variety of regulations, including the Sharia Arbitration Board, independent and impartial mediation institutions, business activity associations of sharia insurance companies, and deliberation and consensus. In the general policy of sharia insurance, there are also a variety of alternatives to dispute resolution, such as the use of peaceful methods to achieve mutual agreement. In the event that peaceful efforts are unsuccessful, disputes may be resolved through the Indonesian Insurance Mediation Agency (BMAI), the Sharia Arbitration Board, the Religious Court / District Court in the area where the policy is issued, or

⁵ Arifin and Mansar, "Features of Arbitration in Islamic Law When Resolving Disputes in Muamalah."

by participants selecting one of the dispute resolution options and notifying the company.⁶ The research is consistent with this study, which demonstrates the significance of implementing a variety of dispute resolution mechanisms in the Islamic economy. A comprehensive framework for addressing conflict is provided by litigation and non-litigation, which is essential for the preservation of integrity and trust in the Islamic economic system. An arbitration process that is equitable, expeditious, and in accordance with sharia principles is the non-litigation route. Basyarnas-MUI is instrumental in guaranteeing that dispute resolution is consistent with Islamic principles and the requirements of the Islamic economy's populace. The sharia principles that underlie tranquil and equitable resolution are reflected in the emphasis on deliberation, consensus, and independent mediation institutions.

An institution responsible for resolving a variety of disputes in the field of sharia economics that have not been fully resolved due to inadequate human and financial resources is the National Sharia Arbitration Board (Basyarnas). Basyarnas' scope is currently restricted to sharia banking and is generally concentrated on arbitration. However, it will be expanded to include the service sector and industry in the future to enable Basyarnas to make a significant contribution to society.⁷ This research is consistent with my own research, which underscores the significance of Basyarnas in the resolution of sharia economic disputes. However, this research demonstrates that the disputes resolved at Basyarnas - MUI are not exclusively focused on the scope of sharia banking; they also encompass muamalah (Islamic civil) disputes that arise in the fields of trade, finance, industry, services, and others, and are managed based on sharia principles, by overcoming the limitations of human and financial resources. This illustrates Basyarnas' dedication to enhancing its effectiveness and inclusivity.

Basyarnas is highly beneficial in the resolution of Sharia Insurance disputes. The settlement of sharia insurance is appointed by individuals who are experts in their respective disciplines to ensure that it is handled by competent individuals and is more optimal. The clause of the sharia insurance agreement (policy) should emphasize the selection of dispute

⁶ Hayati and Mujib, "Dispute Resolution on Muḍārabah Musytarakah Contract on Sharia Insurance in Indonesia."

⁷ Sanawiah, "Badan Arbitrase Syari'ah Nasional (Basyarnas) Menyelesaikan Sengketa Secara Adil Dan Cepat."

resolution institutions through this sharia arbitration institution.⁸ The study is consistent with the perspective of this research, as it emphasizes the significance of specialized expertise and competence in the resolution of sharia disputes. Basyarnas is capable of managing disputes more efficiently and equitably by collaborating with specialists in the field of sharia insurance. Nevertheless, this investigation demonstrates that Basyarnas has enlisted the assistance of sharia insurance specialists, thereby fortifying the agreement clause. This action will also enhance the trust of the parties involved in the dispute and provide them with legal certainty and clarity.

Basyarnas has not implemented Sharia principles to their full potential, as evidenced by the legal considerations that underpin its decisions. Basyarnas should also rectify the contract in accordance with Sharia principles, regardless of whether it conforms with them or not. This will prevent disputes from being solely caused by customer defaults but also by non-compliance with Sharia principles. The application of Sharia principles in the settlement of Sharia economic disputes has not been implemented in accordance with Sharia principles, as per Antony Allot's legal effectiveness theory. This is a result of the ambiguous cases in the Basyarnas decision.⁹ The investigation demonstrated that Basyarnas must enhance its implementation of sharia principles in its decision-making processes. It also underscores the importance of Basyarnas ensuring that the contracts that underlie disputes comply with sharia principles in order to mitigate the likelihood of disputes originating from such inconsistencies, in accordance with this research. This will enhance the efficacy of dispute resolution and fortify the parties' confidence in Sharia arbitration institutions. Arbitration with an online system is a critical component of dispute resolution at BASYARNAS in an era of disruption characterized by innovation and change. The study determined that the implementation of an online arbitration system in the context of technological disruption is a beneficial measure that can enhance the efficacy and accessibility of BASYARNAS, thereby enabling it to resolve disputes more promptly and efficiently. The research indicates that the Basyarnas-MUI trial can be conducted online if both parties to

⁸ Fauzi and Fitri, "An Alternative to Sharia Insurance Dispute Resolution through the National Sharia Arbitration Agency (Basyarnas) in Indonesia."

⁹ Zaidah Nur Rosidah and Layyin Mahfiana, "Efektivitas Penerapan Prinsip-Prinsip Syariah Dalam Penyelesaian Sengketa Ekonomi Syariah di Badan Arbitrase Syariah Nasional (Basyarnas)," *TAWAZUN: Journal of Sharia Economic Law* 3, no. 1 (June 3, 2020): 15, <https://doi.org/10.21043/tawazun.v3i1.7529>.

the dispute agree. However, the online arbitration system at Basyarnas is not yet completely integrated, particularly in terms of the online trial mechanisms that require further development. This is consistent with the research.

Conclusion

The Islamic financial sector in Indonesia is significantly impacted by the National Sharia Arbitration Board (Basyarnas) in the resolution of disputes. Basyarnas' adherence to the principles of sharia, impartiality, professionalism, and confidentiality has had a beneficial effect on the resolution of conflicts between Islamic financial institutions, as indicated by this research. However, certain obstacles must be overcome. One such challenge is the implementation of online trials at Basyarnas-MUI. These trials can be conducted if both parties to the dispute agree. However, the online arbitration system at Basyarnas is not yet completely integrated and requires further development. This investigation underscores the necessity of electronic-based case management, and the restricted operations of representative offices in certain regions also impede the provision of equitable and effective arbitration services.

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