

## RINGKASAN

**Nabila Fathia**      **Penyelesaian Wanprestasi Tanggung Renteng di Koperasi**  
**210510184**            **Mitra Dhuafa (KOMIDA) Syariah Cabang Lhokseumawe**  
                                 **(Prof. Dr. Faisal, S.Ag., S.H., M.Hum. dan Jumadiah, S.H.,**  
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Penyelesaian kasus wanprestasi melalui tanggung renteng pada Koperasi Mitra Dhuafa Syariah Cabang Lhokseumawe. Sistem tanggung renteng yang diadopsi dari model *Grameen Bank* bertujuan meningkatkan disiplin pembayaran dan solidaritas kelompok, namun dalam praktiknya menimbulkan beban hukum dan sosial bagi anggota yang tidak melakukan wanprestasi. Permasalahan utama dalam penelitian ini adalah bagaimana mekanisme penyelesaian wanprestasi melalui tanggung renteng diterapkan, apa saja hambatan yang dihadapi, serta bagaimana upaya penyelesaian di Koperasi Mitra Dhuafa Syariah Cabang Lhokseumawe.

Penelitian ini menggunakan metode kualitatif dengan pendekatan yuridis empiris. Data diperoleh melalui wawancara dengan pengurus koperasi dan anggota pembiayaan kelompok, serta studi dokumentasi. Analisis dilakukan dengan mengaitkan fakta empiris dengan norma hukum yang berlaku, khususnya Kitab Undang-Undang Hukum Perdata (KUHPerduta), Undang-Undang Nomor 25 Tahun 1992 tentang Perkoperasian, Undang-Undang Nomor 11 Tahun 2006 tentang Pemerintahan Aceh, serta prinsip-prinsip hukum Islam dan fatwa Dewan Syariah Nasional Majelis Ulama Indonesia (DSN-MUI).

Berdasarkan hasil penelitian yang dilakukan di Koperasi Mitra Dhuafa Syariah Cabang Lhokseumawe, diketahui bahwa mekanisme penyelesaian wanprestasi dalam sistem tanggung renteng dilaksanakan melalui pendekatan non-litigasi yang mengedepankan musyawarah, tanggung jawab bersama kelompok, *rescheduling*, serta pendampingan terhadap anggota yang mengalami kesulitan pembayaran. Dari perspektif hukum syariah, mekanisme tersebut pada dasarnya telah sesuai dengan prinsip-prinsip syariah dan memiliki kesesuaian dengan konsep kafalah diatur dalam Fatwa DSN-MUI Nomor 11/DSN-MUI/IV/2000 tentang Kafalah dan Kompilasi Hukum Ekonomi Syariah (KHES) Pasal 352–360. Namun, dalam pelaksanaannya ditemukan beberapa hambatan, yaitu rendahnya pemahaman anggota terhadap akad dan konsekuensi tanggung renteng, kurangnya disiplin anggota, lemahnya solidaritas kelompok, kondisi ekonomi anggota yang tidak stabil, keterbatasan dana cadangan kelompok, serta kurang tegasnya aturan terhadap anggota yang beritikad tidak baik. Untuk mengatasi hambatan tersebut, KOMIDA Syariah melakukan upaya seperti pendampingan usaha, musyawarah rutin, pemanfaatan dana kelompok, serta penerapan prinsip-prinsip syariah berupa keadilan (*al-'adl*), tolong-menolong (*ta'awun*), dan kasih sayang (*rahmah*).

Disimpulkan bahwa penyelesaian wanprestasi tanggung renteng di KOMIDA Syariah Cabang Lhokseumawe telah berjalan sesuai dengan prinsip hukum syariah dan lebih dekat dengan konsep kafalah, namun efektivitas pelaksanaannya masih memerlukan penguatan edukasi akad, peningkatan kesadaran hukum anggota, serta penguatan sistem mitigasi risiko agar tercipta keadilan dan kemaslahatan bagi seluruh pihak yang terlibat.

**Kata kunci:** *wanprestasi, tanggung renteng, koperasi syariah*

## SUMMARY

**Nabila Fathia** *Settlement of joint and several liability defaults at the Syariah 210510184 Dhuafa Partner Cooperative (KOMIDA) Lhokseumawe Branch*  
(Prof. Dr. Faisal, S.Ag., S.H., M.Hum. and Jumadiyah, S.H., M.H.)

*This Settlement of default cases through joint liability at the Mitra Dhuafa Syariah Cooperative, Lhokseumawe Branch. The joint liability system, adopted from the Grameen Bank model, aims to improve payment discipline and group solidarity, but in practice creates legal and social burdens for members who do not default. The main problem in this study is how the default resolution mechanism through joint liability is implemented, what obstacles are encountered, and how resolution efforts are being made at the Mitra Dhuafa Syariah Cooperative, Lhokseumawe Branch.*

*This study used a qualitative method with an empirical juridical approach. Data were obtained through interviews with cooperative administrators and group financing members, as well as through documentation studies. Analysis was conducted by linking empirical facts with applicable legal norms, specifically the Civil Code (KUHPerduta), Law Number 25 of 1992 concerning Cooperatives, Law Number 11 of 2006 concerning the Governance of Aceh, as well as Islamic legal principles and fatwas from the National Sharia Council of the Indonesian Ulema Council (DSN-MUI).*

*Based on the results of research conducted at the Lhokseumawe Branch of the Mitra Dhuafa Syariah Cooperative, it is known that the default resolution mechanism in the joint liability system is implemented through a non-litigation approach that prioritizes deliberation, shared group responsibility, rescheduling, and assistance to members experiencing payment difficulties. From a sharia law perspective, this mechanism is basically in accordance with sharia principles and is in accordance with the kafalah concept regulated in the DSN-MUI Fatwa Number 11/DSN-MUI/IV/2000 concerning Kafalah and the Compilation of Sharia Economic Law (KHES) Articles 352–360. However, in its implementation, several obstacles were found, namely the low understanding of members regarding the contract and the consequences of joint liability, lack of member discipline, weak group solidarity, unstable economic conditions of members, limited group reserve funds, and the lack of strict rules against members with bad intentions. To overcome these obstacles, KOMIDA Syariah has implemented efforts such as business mentoring, regular deliberations, utilization of group funds, and the application of sharia principles of justice (al-'adl), mutual assistance (ta'awun), and compassion (rahmah).*

*It was concluded that the resolution of joint and several liability defaults at KOMIDA Syariah's Lhokseumawe Branch has been carried out in accordance with sharia law principles and is closer to the concept of kafalah. However, its effective implementation still requires strengthening contract education, increasing members' legal awareness, and strengthening the risk mitigation system to ensure justice and the benefit of all parties involved.*

**Keywords:** *Breach of contract, Joint Liability, Islamic Cooperative*