

ABSTRACT

Wafiyah Rawdhatul, 2012. *Analysis of The principle of justice toward Gold Rahn Agreement in BMT*. Under Thesis. Major of Business Law of Syariah. Faculty of Syariah. State Islamic University of Maulana Malik Ibrahim Malang. Advisor: Musleh Herry, SH, M. Hum.

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Products offered by the *Baitul Maal wa Tamwil* (BMT) is one of the products including products which funds distribution that is rahn products (mortgage). Rahn product (mortgage) is included short-term working capital. So far, we often heard or known, that mortgage only in a general mortgage company, but actually BMT has rahn financing product (mortgage) based on Syari'ah principles. In general, rahn-financing product (mortgage) on the BMT is a gold mortgage. In a transaction, a justice have to be completed by someone who wishes to conduct a transaction, because justice is one of the Syari'ah principles that must be applied to the BMT and the basic principles that must be upheld in all aspects of life, including economic life.

From multiple principles, researchers conducted this study with the aim to find out how the application of gold mortgaging contract in BMT, how the application of principles of justice toward rahn gold agreement on the BMT.

This study includes normative research type with descriptive method. The research data include secondary data. The approach used is an normative/legal approach. Data sources include primary legal materials, secondary, and tertiary. Data collection techniques used in this research is the study of literature. In analyzing the data, the authors will use content analysis techniques. This study use descriptive empirical research type.

In practice, gold *rahn* of *Baitul Mal wa Tamwil* (BMT) using the two agreements, that is the rahn agreement and ijara agreement which of the two agreement are listed on the back sheet of *Rahn* Proof Letter or Surat Bukti rahn (SBR), and thus each customer understand what to do. In technical of implementation, the client does not need to hold the agreement twice, because a SBR sheet signed by the client already includes two agreements. With both contracts, BMT has applied the principles of justice because profit-shared which divided by BMT to the client are equally, and they do not feel harmed each other.