

ABSTRACT

Ach.Dlofirul Anam, 10220111, Comparison Study between Warranty Right of Warehouse Receipt concept based on Statute No. 9, 2011 and Rahn (pawning) Concept on Islamic Law. Thesis, Islamic Law Department, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang, Advisor: Dr. Suwandi, M.H

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One of the endeavors that can be applied to add our scientific treasure is that by discussing global competition that we usually hear in the field of trade finance and national supply management called “Warranty right of warehouse receipt” which is intended to rise new instruments, so that the good’s cost offered can ideally compete in global market. The trade finance system must be accessible every time by business agents especially the entrepreneur and farmer, that still find many difficulties in financing due to limited warranty credit during this time. In this related system, there is a strong relationship between warranty right of warehouse receipt systems regulated in a statute number 9, 2011 with Rahn (pawning) concept in Islamic law, which its point is that these two concepts are one of the endeavors to help the society especially farmers to get financial capital. Definitely, these two concepts have already been clarified if there are some similarities and differences. Thus comparison study is needed to add our scientific knowledge.

Hence from this research, there are some problem formulations: 1. how the concept of Warranty Right of Warehouse Receipt is in Indonesia and rahn (pawning) concepts on Islamic law. 2) How the differences and similarities between the concepts of warranty right of warehouse receipt in Indonesia rahn (pawning) on Islamic law are. On this research, we discuss the similarities and differences between those two concepts which will give scientific knowledge discourse in law field that is still related to law of loaning. Yet on this research is classified as normative law research. The approaches on this research are using three approaches: 1) approach according to the law 2) Conceptual Approach. 3.) Comparative Approach. Data analysis method used here is some analysis materials as instrument in data processing as thesis material.

As regards to this research result is based on similarities and differences between warranty right of warehouse receipt and rahn (pawning). Thus, these two concepts are globally the concepts which are the same in the field of good loan or treasure considered as precious. But warranty right of warehouse receipt concerns more on commodity goods which are long lasting when it is well saved in a warehouse. These two concepts are new innovations which are regarded to alleviate and ease the society especially the farmers to get financial capital for their business. As well as these concepts afoot on social sector which is notably purposed to help each other as what has already prophet Muhammad suggested