

ABSTRACT

Rakhmatul Layli, 11220052, 2015. *Life Assurance In Lajnah Bahtsul Masail Nahdlatul Ulama (LBM-NU) And Dewan Syariah Nasional Majelis Ulama Indonesia (DSN-MUI) Perspective(Study Of Characteristic And Ijtihad Method)* Thesis, Department of Shariah Business Law, Shariah Faculty, The State Islamic University (UIN) Maulana Malik Ibrahim Malang. Supervisor: H. Alamul Huda, M.A.

Keywords : Fatwa, *Lajnah Bahtsul Masail*, Dewan Syariah Nasional Majelis Ulama Indonesia, Life Assurance

Recently, assurance practice is inseparable from social and economic life. Both conventional and shariah assurance company develops significantly. Many Indonesians use assurance product either conventional or shariah, including life assurance. Because most Indonesians are Muslims, it is needed to clarify the law that permits the use of life assurance. From the case above, the researcher conducted this study by title: “Comparative study of life assurance in *fatwa* Lajnah Bahtsul Masail Nahdlatul Ulama (LBM-NU) and Dewan Syariah Nasional Majelis Ulama Indonesia (DSN-MUI)”.

In this study, the problems are: 1) How is the characteristic of *ijtihad* in LBM-NU and DSN-MUI about life assurance? 2) How is the method of determining *fatwa* in LBM-NU and DSN-MUI about life assurance?

This study is normative research. The approach used is comparative and conceptual, that is by comparing the concept of determining fatwa in LBM-NU and DSN-MUI about Life Assurance. The data used is the secondary data, e.g. the data obtained from written information or document. Data collecting method used is library research.

The result indicates that the characteristic of *ijtihad* used by LBM-NU and DSN-MUI is similar, that is by using *ijtihad jama'i* or collective *ijtihad*. To determine *fatwa* about life Assurance, LBM-NU uses *Qauliy* method, while DSN-MUI refers either to the holy Qur'an, Hadith, or to *qawa'idul fiqhiyyah* by considering the significance for all party. In this case, LBM-NU forbids life assurance. However, as time passes, LBM-NU permits it under some tight prerequisites. In the same way, DSN-MUI allows life assurance by establishing *fatwa* DSN No. 21/DSN-MUI/ X/2001 about general guidance of shariah assurance.