

ABSTRACT

Zamrani, Ahmad. 2013. The effectiveness of dispute resolution *murabahah* through mediation of banking in BNI Syariah Malang. Thesis. Islamic Law Business Department of the Faculty Sharia of Islamic State University Maulana Malik Ibrahim Malang. Supervisor: Dr. Suwandi, M.H.

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Talking about competition healthy business values, Islamic financial system can be said to be conceptually and even otherwise very competitive compared to the values in the competition and other financial systems. However, as good and as perfect a concept or theory whatsoever, it does not necessarily make something perfect anyway. Disputes in the banking world so many kinds, one such dispute in *murabahah* financing that occurred in Bank BNI Syariah Malang. In a *murabahah* financing dispute can be resolved through mediation banks regulated by law No. 21 of 2008 on Sharia banking.

In accordance with the formulation of the problem how to BNI Syariah Malang *murabahah* financing to resolve disputes when there is a dispute between the parties in order to find out how BNI Syariah Malang *murabahah* financing to resolve disputes when there is a dispute between the parties and how the effectiveness of dispute resolution through mediation in a dispute over financing BNI Syariah *murabahah* in Malang in order to determine the extent of the effectiveness of dispute resolution through mediation *murabahah* financing banks in *murabahah* financing dispute.

This study is empirical study (field study) that uses a qualitative approach. In addition, the data collection processes are through interview and documentation. Meanwhile, the data analysis is descriptive qualitative with triangulation.

Eventually, the finding shows that 1) BNI Syariah bank uses banking mediation process in overcoming *murabahah* financing, 2) Furthermore, BNI Syariah bank utilizes *Restrukturisasi*, *Rekondisioning/Reskeduling*, *Restartring* (R3) that are called as banking mediation. After all, this is the effective solution in that both stake holders are agreed and satisfied. Moreover, both parties also intend to sincerely obey the rule (banking mediation process). One of examples is *Restrukturisasi*, a rescheduling process of customer payment deadline.