

ABSTRACT

Adam Reka Cipta Adi , 10220106 , **The practice of pawning rice field on village community of Kedungbetik Kesamben Jombang (Compilation of Sharia Economic Law Perspective)**. Thesis, Department of Sharia Business Law, Sharia Faculty, Maulana Malik Ibrahim State Islamic University of Malang.

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Key words: Practice, pawn, rice field.

Basically, pawning is the activity of debts that categorized as contract which is charity; giving debts is an act of virtue to help people who are really need the cash money. However, debt practice is often accompanied by practice of usury that in initial agreement, both agree to determine certain condition that giving benefit for those who are owed money when the payment come. Pawn activity on villagers of Kedungbetik Kesamben Jombang is the person who owes the creditor gives his field as a guarantee, at the beginning of the contract there is a repayment agreement that is at least two years and who receiving the pawn (rice field) has the right of fully utilizing and enjoying the results during the debtor has not paid off debt.

From the problems above, the writer wants to know how the practice of rice field pawn on villagers of Kedungbetik Kesamben Jombang and how the review of KHES (Islamic Economic Law Compilation) on the implementation of the contract agreement on the utilization of field pawning the community. This research includes an empirical study with a qualitative approach. The techniques of data collections are observation, interviews, and documentation. While the stages of data analysis techniques are editing, classifying, verifying, analyzing, and concluding.

The results of this research is when the contract is carried out which is presented by the pawner (rahin) and receiver of pawn (murtahin) then do a deal, and the deal only an with the verbal which sometimes asking for the help from the another villagers as a witness of the pawn agreement. At the beginning of the agreement, they helded that the repayment agreement is at least two years and receiver of pawn (murtahin) is entitled to use the fields and enjoy the results fully until the pawner (rahin) may redeem the debt. In terms of harmony and fiduciary requirements, the practice of pawning has been legitimate and complied by the provisions described in the Islamic Economic Law Compilation.