

## IMPLEMENTATION OF RAHN ACADEMIC IN SYARIAH PAWNTOWN

**Shakila**

Faculty of Economic and Business, Universitas Malikussaleh

E-mail: <sup>1)</sup>[shakila22446@gmail.com](mailto:shakila22446@gmail.com), <sup>2)</sup>[Khaddafi@unimal.ac.id](mailto:Khaddafi@unimal.ac.id)

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### Abstract

The development of sharia products is currently happening in Indonesia, especially in Islamic financial institutions, various kinds of products and contracts are applied in carrying out their business activities, one of the products is the rahn contract in sharia pawn shops. Basically, sharia-based products have special characteristics such as, not using interest in any form because it can cause usury, using money as a medium of exchange not as a traded commodity, and doing business to get rewards for the services performed. Although the pillars and conditions of the rahn contract have been carried out in accordance with sharia, there are still some things that must be clarified to get the correct practice in sharia theory. This study aims to find out how to apply rahn contracts to sharia pawnshops.

Key words: *Rahn Contract, Sharia pawnshops*

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### 1. INTRODUCTION

Lately, it often happens that around us, Indonesian people in meeting their daily needs, both primary and secondary, not all of them can be fulfilled properly. This is due to a decrease in inflation or not having sufficient funds, so it is not uncommon for people to be forced to seek loans from relatives, neighbors or banks or other financial institutions. In Islam we are also taught to help each other, one of which can be done by providing loans. In Islamic law, the creditor's interests are very guarded and cared for, so that he is not harmed. Therefore the creditor may ask for collateral for the loan given to the borrower, and this is often referred to as a pawn. Pledge is a debt agreement, in order to gain the trust of the creditor, the debtor submits his goods as collateral for his debt. Financial institutions play an important role in the development and growth of the Indonesian economy. Financial institutions are divided into two, namely bank financial institutions and non-bank financial institutions. Bank financial institutions are central banks, commercial banks and others, while non-bank financial institutions are insurance, leasing, mutual funds, mortgages and others. Pawnshops are a solution for the community, when people need funds as soon as possible, while the person concerned does not have savings, a third party is the solution to the problem. The implementation of the rahn contract in sharia pawnshops has not gone well, this is due to limited support for rahn products such as interpreter resources, tools for interpreting, warehouses for storing rahn goods, and banks are unable to facilitate the existence of these rahn products, but people really need them. Therefore, the community must understand and understand how the rahn contract is implemented in sharia pawnshops. The main purpose of establishing sharia pawnshops is to help the community and realize social welfare. With the existence of sharia pawnshops, it can eradicate the practice of illegal pawning, reternship which is a burden to society.

### 2. LITERATURE REVIEW

The rahn contract can be interpreted as a loan agreement by guaranteeing the goods or property of the borrower, as collateral for the loan he receives. Pawn items can only be taken back if the borrower has paid off his debt.

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The rahn contract aims to make the lender trust the debtor more. Maintenance and storage of pawned goods, in essence, is the obligation of the pawning party (rahin), but can also be carried out by the lender and the costs are borne by the borrower. The amount of maintenance costs should not be determined based on the loan amount.

### 2.1.Rahn Akad Legal Sources

Al-Qur'an

The Rahn contract is permissible in Islam based on the Qur'an which is contained in surah Al-Baqarah verse 283 which means;

"If you are on a trip (and the problem is not in cash) while you do not get a writer, then the person who owes the debt should have a dependent, but if some of you trust some of the others, then let the one who is trusted fulfill the mandate (the debt). and let him fear Allah and do not you (witnesses) hide his testimony, and whoever hides it, then surely he is a sinner in heart; and Allah is well-aware of what you do. The collateral is held if one another does not trust each other." (QS. AL-BQARAH: 283)

Hadith

In a hadith narrated by Bukhari it is said that:

" From Aisha, in fact the Prophet SAW bought food on debt from a Jew and the Prophet pawned an armor belonging to him." (HR Bukhari)

### 2.2.Ar-Rahn pillars and sharia provisions

The terms and conditions are as follows:

1. Actors, consisting of; the party who mortgages (rahin) and the party who receives the pawn (murtahin)
2. Rahn contract object; in the form of mortgaged goods (marhun) and debt (marhun bih)
3. Ijab granted

### 2.3. Sharia Pegadaian

Sharia pawnshops are financial institutions that carry out their business activities using a pawn system, based on all of their activities based on Islamic teachings. Sharia pawnshops use two contracts, namely the Rahn contract and the Ijarah contract. Sharia pawnshops have been operating for almost 19 years and indeed have implemented sharia principles. The main purpose of establishing this sharia pawnshop is to realize community welfare and help each other. With the existence of sharia pawnshops, it is able to eradicate moneylenders and illegal pawning practices which are very burdensome to society. Another reason for the establishment of this sharia pawnshop is permissible, because it can help ease the burden on the middle and lower class people in their daily lives. Even so, in its operational activities, Islamic pawnshops are more widely used by the middle and upper class of society.

## 3. RESEARCH METHODS

In this study using secondary data. Secondary data is the type of data taken by the author to support his research by conducting a series of literature studies through mass media such as the internet, other articles, journals, books and other sources. The data collection in this article is the literature study method, this method is used by means of several theoretical bases related to the implementation of the rahn contract in sharia pawnshops. The resulting data is descriptive.

## 4. RESULTS AND DISCUSSION

In the operational activities of sharia pawnshops through the Rahn contract, the community hands over their assets or valuables and then the pawnshop stores and takes care of these items in the place provided by the pawnshop. Now from the process of storing these goods, costs arise

which include the value of storage, maintenance costs and the entire activity process. On this basis it is justified for the pawnshop to charge a rental fee for the public or customers according to the agreed amount. It is from these costs that Islamic pawnshops benefit not from additional interest or capital leases calculated from borrowed money. In this case, the rahn contract in question is a rahn financing product at an Islamic pawnshop. Rahn financing in sharia pawnshops is the right solution for those who need funds as soon as possible. Types of goods that will be accepted as collateral are movable goods such as jewelry, electronic goods, vehicles, machinery and other items that are considered to have value such as securities.

Pegadaian as a financial institution may not collect funds directly from the public in the form of savings. To meet its funding needs, the pawnshop has funds from its own sources. The sharia aspect does not only touch on operations, but on financing activities and funding for customers must also be obtained from sources that are completely free from usury. All pure Islamic pawnshop funding activities are from own capital and collaboration between Bank Muamalat as the founder, and other Islamic financial institutions. If the customer has not been able to pay off the debt, the customer can extend the mortgage period by only paying the deposit and administration fees, but if the customer does not pay off the debt and does not extend the mortgage, the mortgagee will give a warning in advance.

## 5. CONCLUSION

Based on the description of the discussion above, it can be concluded that the rahn contract is an agreement that makes assets or valuables as collateral, until the parties concerned can pay off their debts. The pillars of rahn are marhun, marhun bih, and rahin and murtahin. The conditions for being sane, mature, and marhun exist at the time of the contract, and are accepted by the murtahin. The operational activity of the rahn contract at the sharia pawnshop is that the community or the customer guarantees the goods to move later, the pawnshop stores and takes care of the goods in the place provided. It is from the storage and maintenance process that the pawnshop takes advantage of the cost of renting the space taken, not from interest or capital rent. The Rahn contract in question is a rahn financing product at a sharia pawnshop.

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