

ABSTRAK

Resky Amelya Putri S, NIM 105251100522. *Tanggungjawaban Pegadaian Syariah terhadap Hilangnya Barang Jaminan Nasabah dalam Perspektif Hukum Islam (Pegadaian Syariah di Kabupaten Bantaeng)*. Program Studi Hukum Ekonomi Syari'ah (Mu'amalah), Fakultas Agama Islam, Universitas Muhammadiyah Makassar. Dibimbing oleh Hasanuddin dan Ulil Amri.

Penelitian ini bertujuan untuk mengetahui bentuk pertanggungjawaban Pegadaian Syariah terhadap hilangnya barang jaminan nasabah serta menganalisisnya dalam perspektif hukum Islam. Penelitian ini merupakan penelitian lapangan (*field research*) dengan pendekatan kualitatif. Data diperoleh melalui wawancara, observasi, dan dokumentasi di Pegadaian Syariah Kabupaten Bantaeng, kemudian dianalisis secara deskriptif dengan pendekatan normatif syariah dan yuridis.

Hasil penelitian menunjukkan bahwa Pegadaian Syariah Kabupaten Bantaeng bertanggung jawab atas hilangnya barang jaminan nasabah apabila kehilangan tersebut terjadi akibat kelalaian pihak pegadaian. Bentuk pertanggungjawaban yang diberikan berupa ganti rugi berdasarkan nilai taksiran barang jaminan (*marhun*) sesuai dengan ketentuan internal Pegadaian Syariah dan peraturan perundang-undangan yang berlaku. Dalam perspektif hukum Islam, pertanggungjawaban tersebut telah sejalan dengan prinsip amanah dan *mas'uliyah* (pertanggungjawaban) sebagaimana diatur dalam akad rahn dan Fatwa DSN-MUI, yang mewajibkan penerima gadai (*murtahin*) untuk menjaga barang jaminan serta menggantinya apabila terjadi kehilangan akibat kelalaian. Mekanisme penyelesaian yang diterapkan juga mencerminkan prinsip keadilan dan musyawarah.

Dengan demikian, dapat disimpulkan bahwa pertanggungjawaban Pegadaian Syariah terhadap hilangnya barang jaminan nasabah telah sesuai dengan prinsip hukum Islam, meskipun masih diperlukan peningkatan sistem pengawasan dan pengamanan guna menjaga kepercayaan masyarakat.

Kata Kunci: Pegadaian Syariah, Barang Jaminan, Pertanggungjawaban, Rahn, Hukum Islam.

ABSTRACT

Resky Amelya Putri S, Student ID 105251100522. *The Responsibility of Sharia Pawnshops for the Loss of Customers' Collateral Items from the Perspective of Islamic Law (Sharia Pawnshop in Bantaeng Regency)*. Islamic Economic Law Study Program (Mu'amalah), Faculty of Islamic Studies, Muhammadiyah University of Makassar. Supervised by Hasanuddin and Ulil Amri.

This study aims to examine the responsibility of Sharia Pawnshops for the loss of customers' collateral items and to analyze it from the perspective of Islamic law. This research is a field research with a qualitative approach. Data were collected through interviews, observations, and documentation at the Sharia Pawnshop in Bantaeng Regency and analyzed descriptively using normative Sharia and juridical approaches.

The findings show that the Sharia Pawnshop in Bantaeng Regency is responsible for the loss of collateral items if the loss is caused by the pawnshop's negligence. The responsibility is fulfilled through compensation based on the appraised value of the collateral items (marhun) in accordance with internal regulations and applicable laws. From the perspective of Islamic law, this responsibility is consistent with the principles of *amanah* (trustworthiness) and *mas'uliyah* (responsibility) as regulated in the *rahn* contract and DSN-MUI fatwas, which require the pawn recipient (murtahin) to safeguard the collateral and provide compensation in case of loss due to negligence. The settlement mechanism also reflects the principles of justice and deliberation.

Therefore, it can be concluded that the responsibility of Sharia Pawnshops for the loss of customers' collateral items is in accordance with Islamic legal principles, although improvements in supervision and security systems are still needed to maintain public trust.

Keywords: Sharia Pawnshop, Collateral, Responsibility, Rahn, Islamic Law.