

DAFTAR ISI

- 1 Ahmad Hidayat Buang
Islamic Finance and *Takaful* in Contemporary Social and Economic Development
- 9 M. Atho Mudzhar
The Legal Reasoning and Socio-Legal Impact of the *Fatwas* of the Council of Indonesian Ulama on Economic Issues
- 21 Muhammad Muflis
Rekonstruksi Pemahaman terhadap Konsep Riba pada Transaksi Perbankan Konvensional
- 31 Miftabul Huda
Model Manajemen *Fundraising Wakaf*
- 39 Khamami Zada
Arus Utama Perdebatan Hukum Perkawinan Beda Agama
- 47 Dewi Sukarti
Legal Pluralism in Settling Inheritance Disputes in Besemah, South Sumatera
- 57 Iffatin Nur
Islamic Law on Gender Based Sexual Violence
- 65 La Jamaa
Kekerasan dalam Rumah Tangga Perspektif Fikih
- 81 Yayah Yarotul Salamah
Urgensi Mediasi dalam Perkara Perceraian di Pengadilan Agama
- 89 Asep Arifin
Aplikasi Dalil *Qat'i* dan *Zanni* dalam Pertimbangan Subyek dan Tujuan Hukum
- 99 Muhammad Yusuf
Pendekatan *al-Maslahah al-Mursalah* dalam Fatwa MUI tentang Pernikahan Beda Agama
- 109 Faisal Ananda Arfa & Muhammad Syahrial
Hermeneutika Muhammad Shahrur dan Implikasinya terhadap *Istinbât al-Abkâm* dalam Persoalan Wanita
- 125 Fuad Thobari
Mengungkap Istilah-istilah Khusus dalam Tiga Rumpun Kitab Fikih Shâfi'iyyah
- 135 Tutik Hamidah
Dialektika Teks dan Konteks dalam Metode *Istinbât* Fikih Perempuan Kontemporer
- 145 سودريان سودريان
شوريان تغير الأحكام بغير تطهير

ISLAMIC FINANCE AND *TAKAFUL* IN CONTEMPORARY SOCIAL AND ECONOMIC DEVELOPMENT*

Ahmad Hidayat Buang

Department of Sharia and Law
Academy of Islamic Studies University of Malaya, Malaysia
E-mail: hicayat.buang@gmail.com

Abstrak: *Keuangan Islam dan Takaful dalam Pembangunan Sosial dan Ekonomi Kontemporer.* Artikel ini menegaskan bahwa meskipun keuangan Syariah memiliki kekurangan, namun telah berhasil dalam pembangunan sosial dan ekonomi dibandingkan dengan instrumen tradisi yang lain, seperti wakaf dan zakat. Dengan perubahan situasi ekonomi dan hubungan sosial, keuangan Syariah, dan *takaful* diharapkan akan menjadi instrumen pelengkap yang penting dalam pembangunan sosial dan ekonomi masyarakat Islam. Untuk mendukung kesimpulan tersebut artikel ini akan menyajikan argumen-argumen dan kritik-kritik terhadap perbankan Syariah modern pada aspek di atas di samping memberikan justifikasi dan penjelasan sebagai jawaban atas kritikan tersebut.

Kata Kunci: keuangan Islam, *takaful*, pembangunan Islam, ekonomi Islam, perbankan Islam, muamalah Islam

Abstract: *Islamic Finance and Takaful in Contemporary Social and Economic Development.* This article argues that Islamic finance although with its limitations has relatively been successful in the contemporary social and economic development compared to other traditional instruments such as *waqf* and *zakâh*. With the changing economic climate and social relations, Islamic finance and *takaful* is expected to be an important complementary instruments of Islamic social and economic development. To support such a conclusion the article revisits some of the arguments and critics on modern Islamic finance in respect of the above issues and offers justification and explanation as a response to those critics.

Keywords: Islamic finance, *takaful*, Islamic development, Islamic economics, Islamic banking, Islamic mu'amalah

Introduction

Although most of world resources are located in the Muslim lands, poverty, hunger, illness, illiteracy, unemployment, and social insecurity etc. are the main issues and concerns among the Muslim nations and society. According to the World Bank database as reported in 2010 only 23 percent (or 13 from 57 countries) of the OIC member countries is above world GDP (PPP) per capita, whereas half of the 20 most

Received: 27th August 2012, revised: 15th October 2012, accepted: 24th October 2012.

* Part of this article was originally a paper presented at 3rd International Convention on *Takaful* and *Re-takaful*, 30 August 2007, Nikko Hotel, Kuala Lumpur, under the title "Role of *Takaful* in Social and Economic Development". Some additions to the above were made during my presentation at the International Seminar on *Sharia Economics*, STAIN Ponorogo, Indonesia, 4th July 2012 under the title "The Role of *Sharia Economy* in the Contemporary World: Challenges and Possibilities For the Reshaping of World Economy Order". I have made some changes and updating to the current title to include perspectives in Islamic finance. I wish to record my gratitude to the participants both of the convention and seminar for their valuable comments and suggestions.

poorest countries (9 in Africa and one in Asia) in the world is Muslim. Poverty also means malnutrition, health issues, illiteracy, and other social ills. While according to Ernst & Young's inaugural World Islamic Banking Competitiveness Report 2011, Islamic banking assets with commercial banks globally will reach \$1.1 trillion in 2012, a significant jump of 33% from their 2010 level of \$826bn, little impact is seen to the improvement of Muslim livelihood throughout the globe. In some countries where Islamic finance is fast growing, especially where Muslims are minority, the concern is chiefly if not entirely to solicit funds from the Middle East by offering financial products which are compatible with the religious convictions of those investors. Interviews with some Muslim respondents conducted in one of these countries revealed that they received little or no benefits from the staggering amounts of Islamic investment in the country. In term of economic domination, there is no doubt the world wealth is controlled by super rich non-Muslim