TAKAFUL: OPPORTUNITIES AND CHALLENGES IN INDONESIA

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ABSTRACT

Takaful is one of the instruments transactions, which are tailored to the operational system of Islamic sharia. So the contract, the fund management mechanism, the operating mechanism of the company, the corporate culture (shariah corporate culture), marketing, product, etc. must be in accordance with sharia. But that should also be underlined is that sharia is not merely to run the system operational in accordance with the principles of Sharia, but more than that, it’s also had to implement a value which is the “heart” of the Islamic principles.

Keywords: Takaful, Gharar, Maysir, Riba

1. BACKGROUND ISSUES

Initially, the discourse of Islamic insurance is included in the contemporary Islamic law. In the early days of Islam, which at the time of the Prophet Muhammad and the Islamic period subsequent, yet known financial institution insurance. No texts of the Qur’an or the Hadith of the Prophet that describes the theory and practice of insurance operations as currently understood. Historically the discussion about the emerging insurance in the 18th century, which in his lifetime Ibn Abidin (1784-1836), a scholar of Islamic jurists among Hanafi madhab, who responded insurance practices in his book Raddul Mukhtar, the al-mustāmin (the requesting the warranty).

As part of the contemporary fiqh issues, the discourse about sharia allows for ijtihadiy studied. Among contemporary scholars, including Ahmad Mustafa Zarqa, including one of the scholars who can accept the practice of insurers with a record does not conflict with the values that exist in Islam. In this case, insurance accepted and executed after adjustments through the process of “Islamisation”. Practices that do not conform with Islam issued in the operational activities of insurance, such as the practice of riba (interest), maisir and gharar.

Insurance practices among Muslim scholars through the institutions can ijmā’ (mutual agreement), as a fatwa institutions in the Indonesia Ulema Council (MUI) or non Bahtsul masa’il at NU and Muhammadiyah the Legal Affairs Committee. In 2001, MUI through the National Sharia Board (DSN), has issued a fatwa on the general guidelines as an initial guide Takaful Islamic insurance industry operations in Indonesia. The purpose of this fatwa as an initial guide Takaful operations in Indonesia.

In the next stage, the insurance sharia fatwas issued by the DSN-MUI can be used as materials in the process of economic positivisasi sharia law which is currently under construction by a Working Group (Working Group) Supreme Court Indonesia.

On the other hand, need attention in the matter of Takaful system is operational and covenants used in the Takaful. On the issue of the contract is found in Takaful operations that are not based on a single contract, but more use of a combination of several contract. For example, Islamic insurance products

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accounts, saving accounts and accounts of non saving (tabarru'), based on a contract akadnya tabarru' and tijarah contract.

Indonesia is a country, where the majority of the population are Muslims. However, the development of products with Islamic principles emerging about 3-4 years ago, one of which is the Islamic insurance products. After that, sharia-based insurance began work by some of the companies with the establishment of sharia division. With the continuous development of Sharia-compliant products, we see the need to introduce a specifically Islamic insurance products. Before entering the principles and mechanisms of these products,

many Muslims who think that insurance is haram. Is it true? How do the values of the Takaful Management?

Discussion
Embryo Takaful - History Insan Protection In Islam
In Arabic, the so-called Insurance AttaĂ’min (ﻥﻱﻡﺃﺕﻝﺍ) derived from the word (ﻥﻡﺃ) that has the meaning given protection, tranquility, security and freedom from fear, as Allah SWT says: "It is God who secured them from fear". From the word (ﻥﻡﺃ) above which is the base word (ﻥﻱﻡﺃﺕﻝﺍ), appearing in other words that have similar meaning, namely:
1. (?????? ?? ?????) safe from fear.
2. (??????? ?? ???????) mandate the opposite of treasonous.
3. (??????? ?? ?????) faith is the opposite of kufr.
4. (????? ?????? / ?????) gives a sense of security.

The latter sense the closest to translate the term attaĂ’min, namely: MentaĂ’minkan something, it means someone paid/hand money payments that he or his heirs get the amount of money as agreed, or to obtain compensation for the lost treasure.

Sharia Insurance (TaĂ’min, Takaful or Tadhamun) is an effort to protect each other and helping each between a number of people/parties through investment in assets and/or tabarru’ giving patterns return to face certain risks through contracts (alliances) that suits the sharia. Contracts executed in accordance with the sharia is that it does not contain gharar (deception), maysir (gambling) laptop, dzulm (persecution), risywah (feed), illegal and immoral stuff.

Nature of Takaful
Al-aquila. Al-Aqilah are mutually assume or be responsible for his family. If one of the members of the tribe were killed by members of the other tribes, the heir of the victim will be paid with blood money (diyat) in compensation to the next of kin of the killer. Kin of the killer called aqilah. Then they raise funds (al-kanzu) is designed to help families involved in the killing was not intentional.

Ibn Hajar Al-Asqolani Aqilah argued that the system was adopted and became part of Islamic law. This is evident from the hadith that tells an altercation between two women of the tribe Huzail, where one of them hit the other with a stone to cause the death of the woman and the baby she carried. Heir casualties bring the issue to the Court. Prophet gave judgment that the compensation for a baby killer is freed slaves, both men and women. While compensation for the killed woman was blood money (diyat) to be paid by Aqilah (paternal relatives) of the accused.

Al-Muwalat the Security Agreement, in which a surety guarantees someone who has no heir and no dikeketahui heirs. Guarantor agrees to bear him a fee, if the person who is doing jinayah guaranteed. If the person who secured death, the guarantor shall inherit his property as long as no heirs. (Az ZarqaĂ’ in Aqdud TaĂ’min). That is a concept that relates to the human agreement. This system involves fundraising, money collecting dues from members or majlis. The benefi will be passed to the heirs if murder was not known who the killer or no viable witness to really know the killer or s
At-Tanahud. Tanahud is like of the food collected from the participants safar mixed into one. Then the food will be distributed in due to them, although they get a different portion. In a history stated, “Marga Asyâ’ari (Asyâ’ariyin) when his family suffered shortages of food, so they put together what they have in the collection. Then divided equally among them. They are part of us and we are part of their.” (Narrated by Bukhari). In this case, the food can be delivered the same or different levels. So it is with the food they receive, could be the same or different portions.

Aqd al-hirasah. That contract security guards. In the Islamic world there are various contracts between individuals, for example, there are individuals who want to survive and then he made a contract with someone to maintain safety, where he paid some money to the guards, with compensation kemanannya be guarded by a bodyguard.

Dhiman Khatr Tariq. This contract is a guarantee of trafc safety. Muslim traders in the past to get the protection of safety, and he made a contract with the people who are strong and brave in vulnerable areas. They pay a sum of money, and others maintaining safety journey.

Insurance is Islamic?
Some Muslims believe that the same insurance against qodlo and Qadr or contrary to fate. Basically, Islam recognizes that accidents, misfortune and death is the destiny of God. It can not be denied. It’s just that we as human beings are also instructed to make plans for the future. Allah says in Surat al-Hashr: 18

“Who believe pious to Allah and let every soul consider what has been done for tomorrow (the future) and devoted you are to God. The truth is Allah knows what you do”. Obviously, in this verse we are told to plan what we will do for the future.

In the Qur’an, Surat Yusuf:43-49, God describes an example of a business man facing the possibility of establishing a system for the protection of poor in the future. In summary, this verse tells of her dream neighbor Egyptian king’s question to the Prophet Joseph. Where is the king of Egypt dreamed that seven fat cows being eaten by seven skinny cows, and he also saw the seven green stalks of grain and seven fruiting stalks dried red unfruitful. Joseph replied that in this case you are planting seven years and most of the results ought to be saved. Then after that will come seven years of very hard, who spend what you save for hard times menghadapapi prociency level, but little of what is stored. It is clear in this verse we are encouraged to try to maintain the continuity of life with the possibility meproteksi poor condition. And above verse clearly states that berasurnasi not conict with fate, God even suggested that efforts be made towards the planning of future protection sisitem known in the insurance mechanism.

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So, if the system or insurance protection is justifi ed, the next question is: does the insurance as we know it (conventional insurance) meets the other requirements of the concept in Islamic Muamalat. In conventional insurance mechanism, especially life insurance, there are at least three things that are forbidden by the scholars, namely: the element of gharar (obscurity funds), the element of gambling (gambling / gambling) and riba (interest). These will be described in a detailed exposition of the differences between conventional and Islamic insurance.

Conventional and Islamic Insurance
Islamic insurance and conventional insurance the same goal, which is the management or risk mitigation. The fundamental difference between the two is the way conventional insurance risk management management risk transfer in the form of the participants to the insurer (risk transfer) while embracing the principles of Islamic insurance please help by sharing the risk among participants of insurance (risk sharing).

In addition to differences in risk management, there are different ways of managing the savings element of insurance products. Management of insurance funds in embracing sharia Islamic investment and free from...
elements of usury. In detail, the difference between life insurance and life insurance conventional sharia can be seen in the following description:

**Table 1. Differences Takaful and Conventional Insurance**

<table>
<thead>
<tr>
<th>No.</th>
<th>Distinguishing Matter</th>
<th>Takaful</th>
<th>Conventional insurance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Contract Mutual assistance and investment</td>
<td>Buying and selling (tabaduli)</td>
<td>Funds collected from customers</td>
</tr>
<tr>
<td>2</td>
<td>fund holdings</td>
<td>(premium) is owned by the participants, the company only as a duciary to cultivate</td>
<td>Funds collected from customers</td>
</tr>
<tr>
<td>3</td>
<td>investment funds</td>
<td>Based Islamic investment fund with a pro t-sharing system (mudharabah)</td>
<td>Investment funds based on interest (riba)</td>
</tr>
<tr>
<td>4</td>
<td>Payment of claims</td>
<td>From the account tabarru’s (social fund) all participants</td>
<td>From the account of company funds</td>
</tr>
<tr>
<td>5</td>
<td>Sharia supervisory board</td>
<td>Divided between the company and the participants, according to the principle of sharing</td>
<td>A company wholly owned</td>
</tr>
</tbody>
</table>

**Contract Or Agreement**

Clarity of contract or covenant in practice muamalah a principle because it will determine whether or not the sharia legal. Similarly, the contract between the participants with insurance companies. Conventional insurance contract in applying sharia called contract of sale (tabaduli).

In this contract must meet the terms of the contract of sale. Obscurity matter the amount of premium to be paid because it depends on the age of the participants of which only God knows when we die cause conventional insurance contains a so-called gharar - obscurity the contract resulting in a property exchange agreement in conventional insurance practice legally shawed, resulting in Islamic insurance contract used instead purchase agreement contract but please help (takaful). So Islamic insurance using the so-called tabarru’ contract can be interpreted as charity or donation. This contract is valid and justi ed an alternative currency in escaping from the practices that are forbidden in conventional insurance.

The purpose of the fund tabarru’ virtue is to provide funds with sincere intentions for the purpose of helping each other with fellow attendees including Islamic insurance if there are affected. Therefore tabarru’ fund deposited in a special single account, where if there is risk, claim funds from the account given is tabarru’ fund which is intended for the benefit of all participants please help.

**Al-Mudaraba contract**

Explanation of the above, the contract tabarru’ is a grant that is allocated in the event of disaster. While elements of the life insurance may also be savings. In Islamic insurance, savings or investments must meet the sharia. In this case, the pattern of results is characteristic of investments for which the insurance company is managing the funds collected from the participants. Technically, al-mudaraba contract is a collaboration effort between the two parties in which the rst provides a whole (100 percent) of capital, while the other became manager.

Mudaraba business pro ts are divided according to the agreements set forth in the contract, while if the loss, borne by owners of capital loss is not due to negligence on the manager. If the loss was caused by fraud or negligence the manager, then the manager should be responsible for the losses.
that when the profit distribution will follow the production sharing contracts. Suppose the contract for the result is 60:40, in which participants get 60 percent of the profit of the insurance companies currently gets 40 percent of the profits.

In connection with the investment, which is one element of the insurance premiums, must satisfy Islamic law which does not recognize what is commonly called riba. All conventional insurance invest funds with interest mechanism. Thus, conventional insurance is difficult to avoid riba. While Takaful daolam should save their money to invest in various investment by Islamic Sharia al-mudaraba system.

Scorched fund

In conventional insurance known forfeited funds, where participants can not continue to pay the premium and wanted to resign before the maturity date. Similarly, the non-conventional life insurance saving (no elements of savings) or liability insurance, if the contract expires and there is no claim, then the insurance premium has been paid forfeited or become profit insurance companies. In Islamic insurance concept, its mechanism is not known forfeited funds. Participants who are new though for some reason wanted to resign, then the funds or premiums previously paid may be recovered except a few that are intended to fund tabarru’ that can not be retrieved.

Similarly, the general Islamic insurance, if the expiration of the contract and there is no claim, then the company returns a portion of the premium is the pattern of results, say 60:40 or 70:30 according to contractual agreements in advance. In this case it is possible that the premium paid at the beginning of the year can be taken back and the number is quite dependent on the level of investment in that year.

Insurance Law in the Perspective of Islam, since the problem has been socialized insurance in Indonesia and is expected to Muslims involved in it, then the problem should also be reviewed from the perspective of Islam. Among the Islamic Ummah was thought that insurance was not Islamic. People who commit insurance as well as those who deny God’s grace. Allah determines everything-everything and give sustenance to His creatures, as the word of Allah, which means:

“And no one else on earth reptiles meailink Allah gives sustenance.” (Surah Hud: 6)

“...... And who (also) who gives you sustenance from heaven and earth? Is no god beside Allah (who else)? ...... “(Surah An-Naml: 64). “And we have made for you the earth-keprluan life purposes, and (we created anyway) creatures you occasionally not giving sustenance to him.” (Surat al-Hijr: 20)

From the third verse can be understood that the true God has prepared everything for the needs of all His creatures, including man as a vicegerent on earth. Allah has prepared raw, not cooked ingredients. Immerse yourself in this insurance, is one effort to confront the future and old age. However, because of the insurance issue is not explicitly described in the texts, then the problem is seen as a problem ijtihadi, the problem may still be debated and certainly hard to avoid disagreements.

There are several views or opinions of the insurance in terms of Islamic fiqh. The most prominent difference is divided into three, namely:

1. Insurance is forbidden in all sorts of forms, including life insurance.

   This opinion was expressed by Sayyid Sabiq, Abdullah al-Qalqii (mufti Jordan), Yusuf Qaradawi and Muhammad al-Muth‘i hunks (mufti of Egypt). The reasons they put forward are:

   1. Insurance is similar to gambling
   2. Insurance ungur contains uncertain elements.
   3. Insurance contains elements of Riba / renten.
   4. Insurance contain elements of extortion, as the policyholder, if not continue to pay the premium, the premium will be gone already paid or less.
   5. Premiums are paid to play in the practice of usury.
   6. Insurance including the sale or exchange of currency is not cash.
   7. Life and death of human being the object of the business, and just as with preceding destiny God.
2. Conventional insurance is allowed

The second view is presented by Abd. Wahab Khalaf, Akhmad Mustafa Zarqa (Islamic law professor at the faculty of Shari'ah University Syria), Muhammad Yusuf Musa (Islam law professor at Cairo University Egypt), and Abd. Rakhman Jesus (author of the book al-Muamallha wa al-Haditsah Ahkamuha). They reasoned:

1. No texts (Qur?an and Sunnah) which prohibits insurance.
2. There is agreement and willingness of both parties.
3. Mutually beneficial to both parties.
4. Insurance can overcome the public interest, because the collected premiums can be invested for productive projects and development.
5. Insurance including mudhrabah contract (for results)
6. Insurance including cooperatives (Syirkah Ta?awuniyah).
7. Insurance in analogy (qiysakan) with a pension system.

3. Social insurance are allowed and which prohibited commercial

The third opinion is shared among others by Muhammad Abdu Zahrah (Professor of Islamic Law at the University of Cairo). The third reason is the same as the ?rst group in the commercial insurance (haram) and the same with the second group of reasons, under the social insurance (must). Reasons groups who say the insurance is doubtful because there is no ?rm proof that the unlawful or illegitimate insurance.

From the above it is understood, that the insurance problems that develop in society today, there is still a question and invites of doubt, that it is di?cult to determine, which is the closest to the correct law. If only there was another way that can be taken, of course that’s the proper pass. Offered a new alternative way, is insurance under the provisions of the Islamic religion. In these circumstances, should be held to the words of the Prophet Muhammad: “Leave the things you doubt (cleave) to things that are not doubting you.” (Narrated by Ahmad)

Takaful

The definition of insurance under the National Sharia Board Shariah is an attempt to protect each other and mutual help among people through investment in assets and or tabarru ‘which gives the pattern returns to face the risks / hazards with certain covenants in accordance with sharia.

Takaful is an attempt to protect each other and help each other among a number of people / parties through investments in assets and or tabarru ‘which gives a pattern of return to a particular risk through the contract (engagement) in accordance with Sharia. Takaful is one of the Islamic economic system is based on universal and applicable to all the assurance and community groups. Takaful not contain things like uncertainty, gambling, usury, assault, bribery, illicit goods and sinners.

Insurance Shari’ah also called ta’awun insurance which means you please help or mutual aid. Therefore it can be said that the Insurance ta’awun basic principle is the basis of a mutually tolerant Shari’a fellow humans to forge unity in mitigating disasters experienced by the participants. This principle is in accordance with the word of Allah in Maida 2, which means: “And help one another in goodness and piety help and not helping each other in sin and enmity”.

Insurance has been used by the majority of people (non islamic) is not an insurer, known by the predecessors of the Islamic jurists, for not including transaction known by the Islamic ?qh, nor from among the companions who discuss legal.

Sharia Insurance Beneﬁts

Islamic insurance beneﬁts outlined are very different from conventional insurance, ie, policyholders positioned as savers, then by law, the fund is insured, the same savings as well. With its position as savings, then there are two advantages to be gained directly.
First, the Islamic insurance fund for each policyholder will receive additional value. Additional value is not of interest, but the results of mudaraba system which is financially benefit the insurance policy of cooperation with banks Shari’ah Shari’ah. In this case, the Shariah insurance, policyholders entrust funds as investment instruments managed Shariah financial institutions, such as Bank of shari’ah or sharia mutual funds. Premium for this context is a premium savings. While the Bank’s Shariah system there is provision that anyone who participated in the project business, he will get the results on gains from cooperation. Because of that, the policyholder, are entitled to the profits achieved by Bank of Sharia. If we examine the addition of the insurance fund that enjoyed by its policyholders, is the real fruit of a partnership or a joint policy between Shariah and the Bank Insurance shari’ah. This is one of the benefits of Shariah Insurance. In this case we can ask the comparatively between conventional insurance with insurance Shari’ah. Ever happen insurance fund increase in value. Only insured Shariah happens. Other insurance is not at all clear.

Second, that the policyholder at any time, for some reason could not continue the relationship with the insurance agency Shari’ah, so he unilaterally cut ties with insurers Shari’ah. This termination does not cause the funds expire. He is the policyholder, has the right and obligation to recover the funds are insured. It is not completely (100%) funds are insured, it will be returned. Because policyholders funds will be reduced tabarru funds (fund policy). And it should be noted also, that policyholders continue to receive additional funding from the results that have been fully paid premiums. Although there was a slight reduction, but, it is far better returns than conventional insurance system which destroyed a total fund policyholders. Further important to note, that the practice of Islamic insurance free from practices that are forbidden.

Islamic Insurance

In practice, Islamic insurance, return of some of the premium to the customer in the form of surplus sharing mechanism glance similar to the conventional insurance is known as the No Claim Discount (NCD). For example, a vehicle insurance policy holders in a conventional insurance company will get a discount at the time the policy is renewed again in the next year (provided during the coverage period does not claim). From the point of sharia, as the discount mechanism is of course different from the mudaraba as NCD is only applied if the policy holder was about to extend the policy. In Islamic insurance, mudaraba rights remain payable to the participant even though he did not renew the policy. Accordingly, NCD and the results can be applied as well in Islamic insurance, but not for conventional insurance.

Because the coverage period for insurance products (such as fire insurance, motor vehicle, personal accident, etc.) are usually valid for a period of one year, then this product does not contain elements of savings (non-saving) so that all premiums collected will be entered into a single pool / fund for later managed by the company based on the principles of sharia. Of the total funds plus investment returns and reduced insurance expenses (commission agents, reinsurance premiums, claims, etc.), if there is a surplus then the surplus will be been distributed among the participants and the company with the ratio specified in the initial agreement.

Values in Management Takaful

Takaful is one of the instruments transactions, which are tailored to the operational system of Islamic sharia. So the contract, the fund management mechanism, the operating mechanism of the company, the corporate culture (shariah corporate culture), marketing, product, etc. must be in accordance with sharia. But that should also be underlined is that sharia is not merely to run the system operational in accordance with the principles of Shariah. But more than that, he also had to implement a value which is the “heart” of the Islamic principles.

Adhering to these values
sesusunghnya which is the spirit of the system of operations carried sharia. The loss of these values will impact on disappearance of sharia.

For example, the relationship aspect of mudaraba, where there are two parties; shahibul maal (owners of capital), and mudharib (entrepreneur). Shahibul maal mudharib asked to manage the funds, however, that the
Islamic values in the world of insurance. In terms of customers, Islamic insurance is intended to trade in the form of mutual help which is based on Islamic principles, and not merely for “protection” in case of accident. Thus, the value of monotheism in the Takaful industry. Allah says:

“And I created not the jinn and the men but that they may worship me”. (QS. 51 : 56)

2. Principles of Justice

The second principle of the values in the implementation of sharia is the principle of justice. This means that sharia should really be fair, especially in making the relationship between the customer and the customer, and the customer with Takaful companies, related to the rights and obligations of each. Takaful should not mendzalimi customers with things that are difficult or harm customers.

Judging from the insurer as a company, the potential to do enormous injustice. As with any element of forfeited funds (at saving products), where customers who already take insurance (eg insurance education) with a particular period, but for some reason he canceled the membership in the middle of the road. In Islamic insurance, saving customers money through premiums paid to be returned to the customers concerned, following the investment. Takaful sometimes even feel confused when there is a customer saving funds that have withdrawn or lost in the middle of the period of insurance, then do not take these funds have dhubungi despite either by mail or through other media. Want dikemanakan this fund? As these funds are not the property of sharia, but belongs to the customer. But the years have told or contacted, customers are also concerned not to take it. It is certainly different from insurance in general. Allah says:

“Who believe, let you be the ones who always uphold the truth as God, bearing witness with justice. And do not ever hatred against a people, encourage you to do injustice. Be fair, as fair it Allah, surely Allah is Aware of what you do”. (QS. Al-Maidah/ 5 : 08)
3. Principles to Mutual Help

The spirit of mutual help is a very important aspect in Takaful operations. Because, Islamic insurance concept is based on this principle. Where fellow participants bertabarru ‘or charity for the benefit of other customers who are hurting. Customer does not donate to Islamic insurance companies, participants donate only to other participants only. Takaful Company acts as manager only. Consequently, the company is not entitled to claim or take tabarru funds’ clients. Companies only get from ujrah (fee) tabarru’ fund management.

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which is paid by the customer together with the payment of contributions (premiums). Takaful companies manage tabarru’ fund, to be invested (the sharia) and kemudia allocated to other customers who are hurting. And with a concept like this, it means that the client has implemented fellow helping each other, although each of them are not face to face. Allah says:

وَتَعاَوَّنُواْ عَلَى الْبِرِّ وَالْقِفَوٰى وَلَا تَعَوَّنُواْ عَلَى الإِيمَانِ وَالْعَذَابِ الْأَلِيمِ

“And you help one another in goodness and piety, and do not you help one another in sin and aggression”. (QS. Al-Maidah : 2)

4. Principles of Cooperation

Between the customer and the cooperation established Islamic insurance companies, depending on what contract uses. With mudharabah musyatarakah (will be explained separately in the discussion about this particular contract agreement), established collaboration where customers act as Shahibul maal (owners of capital) while as mudharib Islamic insurance company (manager / entrepreneur). If there is a benefit from the fund, it will be divided according to an agreed ratio, eg 40% for Islamic insurance companies and 60% for customers. When cooperation are good, customers fullfil their rights and obligations, as well as Islamic insurance companies fullfil their rights and obligations as well, it will be established pattern of relations of cooperation as well, which, God willing, will bring blessings on both sides.

5. Amanah principle

Amanah is also a very important principle. Because this life is essentially a mandate that would have to be justified before God Almighty. Companies are required to manage the trust in the premium fund. Similarly, customers, need to trust in aspects of risk to him. Do not let the customers do not trust in the sense of making it something that you should not claim to be a claim that will surely result in harm other participants. The company was also so, should not be arbitrarily taking advantage, resulting in harm customers. And transaction trust, will bring the perpetrators to get heaven. Rasulullah SAW said:

۱۶۶۴ ﺍendant ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ ﺍلدِبِرْ ﺍم‌یوٰ 

“As an honest businessman again trustful, (later to be gathered in the Hereafter) with prophets, and martyrs shiddiqin”. (HR. Turmudzi)

6. Principle Ridha (’An Taradhin)

In any transaction, an taradhin aspect or another should be pleased to be with. Customer pleasure of funds managed by the Takaful company trustful and professional. And the pleasure of Islamic insurance companies obtain any mandate entrusted customers in managing contributions (premiums) them. Likewise customers sake of the funds allocated to other customers nasbah-stricken, to alleviate their suffering. With this principle, the Takaful helping each other make has a broad and deep meaning, because everything is helping with sincerity and pleasure, in collaboration with sincerity and pleasure, and the pleasure of dealing with a sincere and well.

7. Principle of Avoiding Riba

Riba is a form of transaction that should be avoided as far as possible particularly in insurance. Since riba is sebatil-batilnya muamalah transaction. Depth smallest sin of usury is like committing adultery with his own mother (read enormity sin of usury, in this blog). Contributions (premiums) paid by the customer, should be invested in investments that comply with Shariah and halal status is clear. Similarly, the operating system must also deploy an Islamic insurance concept of risk sharing that rely on contract tal element of riba on providing Takaful benefts (claims) to customers.
8. Principle of Avoiding Maisir

Insurance if it is managed well will bring elements of conventional gambling (gambling). Because a customer may be paying a premium up to a dozen times but never claim. On the other hand, there is a new one-time customers who pay premiums and claims. This happens, because the basic concepts used in conventional insurance is the concept of the transfer of risk. Where conventional insurance companies when it receives a premium, the premium automatically becomes the property of the company, and when any claim is paid from the account of the company. So the company can profit (when premiums and claims a bit much), or it can lose a lot (when premiums and claims a little much).

9. Principle of Avoiding Gharar

Gharar is unclear. And talk about the risks, is talking about the lack of clarity. Because of the risk can not be happening. And in Islamic law, we are not allowed to trade-related aspects of obscurity. In insurance (conventional), participants did not know whether he got the claim or not? Because the claim depends on the risk to him. If there is a risk, then he will be able to claim, but if not then he is not assigned the claim. Things like this become gharar is, since the contract or concept used is the transfer of risk. Whereas if you use sharing aspects of risk, lack of clarity was not a gharar. But be something to watch out for, in case of a fellow customer who will help each other help to the affected participants, drawn from tabarru’ fund managed by the Takaful company (not from corporate funds).

10. Principle of Avoiding Risyawah

In conducting its business, both sharia insurers nor the customers had to distance themselves as far away from the aspect risywah (bribe bribe or bribery). Because whatever he argued, risywah will certainly benefit one party, and there will be others who suffer. Customer instance can not be bribed individual insurance in order to obtain the benefit (claims). Or conversely company does not need to bribe in order to get premium (contribution) insurance. But all must be done well, transparent, fair and based on the ukhuwah Islamiyah. Here are ten basic principles of Takaful management mechanism. And how beautiful these ten principles, if implemented well in Takaful.

Hadith Islamic insurance practice Ukhuwah

In an illustrated history:

“Of Nu’man ibn Bashir ra, Rasulullah SAW said, Parable of the brotherhood of the Muslims in the love and affection between them is like one body. When one part of the body to feel pain, it will be perceived by other parts of the body, such as when he could not sleep or when fever.” (HR. Muslim)

This hadith reflects the existence of helping each other in Islamic society. Where described the situation as one body, if there is one member of a sick society, then others follow taste. Minimal with see him, or even provide assistance. And sometimes of the aid received, the amount exceeds expenses incurred for treatment. Until there was a surplus, which can reduce the burden of the least affected by the disaster. This hadith prevailing philosophy forms the basis of Shariah insurance system.

Conclusion

Takaful can be an alternative protection option for Moslems who want products that comply with Islamic law. This product can also be an option for people of other faiths who view the concept of sharia unfair to them. Sharia is a principle or a universal system which can be used by anyone interested. Here are some of the benefits to be gained in using Islamic insurance, namely:
1. The growing sense of brotherhood among members.
2. Implementation of the recommended Prophet Muhammad that Muslims helping each other.
3. Away from other forms of prohibited Muamalat Law.
4. In general it can provide protections from the risk of loss suffered by one party.
5. Also increases efficiency, because it does not need to specifically conduct surveillance and to provide protection that takes a lot of energy, time, and cost.
6. Equitable cost, which is enough to pay a certain amount, and do not need to replace / pay for their own losses which amount is not certain and uncertain.
7. For savings, because the amount paid to the insurance company during the event will be refunded or the cessation of the contract.
8. Closing Loss of coming power person or entity when it does not work (work).

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