

ABSTRACT

Cahyono, Eko. Of 2012. *The Lottery Perspective of Islamic Law, (Maslahah Study of Savings Program "Muamalat Share Profit" in Bank Muamalat Indonesia Malang branch office)*. Thesis. Department of Business Law of Sharia. Faculty of Shari'ah. State Islamic University of Malang Maulana Malik Ibrahim.

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The growth of sharia banking in Indonesia can be seen from the rapid development of the quantity and quality in existence from year to year. Therefore, these developments certainly came from some of the efforts made by the Sharia bankers, ranging from improving the quality of management, a strong legal basis for the management and effective marketing so as to reach all walks of life with some of the products offered. One effort to develop Sharia banking is a very lively place most renowned Sharia financial institutions today is giving gifts to customers of the lottery program as implemented in the Bank Muamalat Indonesia. However, some scholars argue that this lottery program have a vague resemblance to the practices and gambling or maysir is strictly prohibited in Islam. So it is very ironic if the banking Sharia implementing it without the basis of Islamic law in order to develop their business.

This study aims to determine the implementation program Muamalat Share Profit Savings Bank Muamalat Indonesia in branch offices Malang and to know the perspective *mashlahah* / Islamic law to the program.

To achieve the goal in this study, researchers used a type of juridical-empirical research with qualitative approach. Data collection techniques using interview and documentation. Test the validity of the data using triangulation. The data analysis using descriptive, qualitative methods are exploratory.

These results indicate that the savings program implemented by Muamalat Share Profit Muamalat with the aim of increasing Third Party Fund, foster a sense of love to save the people and strengthen partnerships with bank customers. Implementation is for one full year 2011 provided the customer must have a minimum savings balance RP.3.000.000,-will get a reward points that will be raffled at the quarter-I, II, III and IV in 2011 for the grand prize of *BMW* cars, *Toyota Avanza*, Umrah Package, *Honda Scoopy*, *iPad*, gold coins, Haji Savings and Shopping Vouchers. Then, the analysis Muamalat Share Profit Savings Program is proven in accordance with the principles of Sharia in the presence of five review *mashlahah* include: the first indications of voluntary bank and customer, both the effort to avoid the practice of gambling / *maysir*, these three properties to avoid scams / *gharar*, all four will bring benefits and avoid *Awliyaa*, and fifth, the principle of justice. Then in terms of welfare, Muamalat Share Savings program is classified in *mashlahah* Profit mursalah *mashlahah* in terms of its existence and *mashlahah tahsiniyah* in terms of importance and quality of its *mashlahah*