

## ABSTRACT

Iqromi, Maratul, 08210062, **Breastmilk Bank Donation In Hospitals Dr. Soetomo During Perspective of Islamic Law.** Thesis, Majority of Al-Ahwal Al-Syakhshiyyah, Faculty of Syariah, Islamic State University Maulana Malik Ibrahim of Malang. Supervisor : Dr. Fadil SJ., M.Ag.

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All newly born babies have their personal right that must be fulfilled by their mother particularly to gain sufficient breast milk. Islam recommends mother to breast-feed their babies for two years. according to classical ulama of fiqh, under two year babies have rights to gain breast milk because the breast milk influences the growth of the babies psychologically. It is recommended in the Quran verse 233 in Al-baqarah. recently, it is a public aware that breast milk is very important for babies. however, for particular reasons, mothers cannot feed their babies by their own breast milk. Therefore, the idea of breast milk bank emerges to make easier for the mothers to get breast milk and the rights of the babies are fulfilled.

The focus of this research is to find out the procedure of breast milk bank at DR. Soetomo local Hospital in Surabaya and the procedure is perceived from Islamic law perspective.

This research is empirical research with qualitative approach. Data are collected through observation, interview and documentation. Triangulation technique is used to verify data. Then, the data are analyzed by editing, classifying, verifying, analyzing and concluding steps.

The result reveals that the procedure pass through some steps, namely, firstly, the mothers who want to donate their breast milk must fill in the form of donation which is available at the hospital. Secondly, they must get medical check up and mental check up. The donatur and those who receive the donor make a contract which is facilitated by the hospital and it is free. The procedure is allowed in Islamic perspective under some requirements such as the agreement between two sides (donator and receiver) and the donators are health physically as well as mentally. The procedure which is implemented at this hospital is still in Islamic track and maintaining the requirement of Islamic law.