

## ABSTRACT

Ashfia, Tazkiah. 2013. *Handphone Blackberry Trading by "Black Market" System (Case Study at Students of State Islamic University Maulana Malik Ibrahim Malang)*. Thesis. Department of Business Law Sharia. Faculty of Sharia. State Islamic University Maulana Malik Ibrahim Malang. Mentor: Dr. Roibin, M.H.I.

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In this modern era, many different kinds of trading systems were found, one of them is black market trading. Black market trading is buying and selling in black market. One object of the trade is a type of smartphone, Blackberry. In Indonesia, Blackberry smartphone is the type that most widely sought from various circles of society. Because of demand that too much and the price is expensive, the businessmen take advantages of this by selling Blackberry with the lower prices. This system is called by black market trading.

This research aims at providing and understanding explicitly about practice of Blackberry trading by black market system, especially students of State Islamic University Maulana Malik Ibrahim (UIN Maliki) Malang, because the trading system has penetrated the students affair. The type of research that used in this study is socio legal research and qualitative approach.

Based on these results, the conclusions can be drawn. First, the practice of Blackberry black market trading among students UIN Maliki Malang based on mutual trust with each other between the seller and the buyer, as well as information disclosure. Blackberry for sale are not much different from the original Blackberry is marketed in the official counters. The sellers also provide services as much as possible to buyers.

Secondly, some of the background why the students practice trading of blackberry black market is due to economic and financial factors. The sellers pratice Blackberry black market trading because they want to get extra pocket money and to partially offset the cost of tuition that paid by their parents. Similarly with the buyers, they buy Blackberry black market because they want to get a cheap smartphone with good quality.

Third, the trading that applied to the black market transactions among students of UIN Maliki has some relevance to the trading system of Islam. That is the practice of applying *khiyâr 'aib*, not excessive pricing, the absence of the element of *gharar*, and responsibility of sellers related to the complaints from buyers. From some of those conclusions, it can be seen that the practice of Blackberry black market trading in accordance with the concept of an acceptable *maslahah*.