

ABSTRACT

Rauf, Abdul. 2013, *The Business Network of Hajj and Umrah Travel in Islamic Law Perspective (Studies in PT Happy Prima Wisata)*. Thesis. Sharia Business Law Department. Faculty of Sharia. The State Islamic University of Maulana Malik Ibrahim of Malang, Supervisor: H. Khoirul Anam, Lc., M.H.

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Nowadays, *Multi Level Marketing* system has been followed by some Hajj and Umrah travel organizers. The status of permission of *Multi Level Marketing* is still debated by Majelis Ulama Indonesia and Ministry of religious affairs, because a victim of an MLM promo of the other travel organizer was not sent to do umrah as promised.

One of them is PT Happy Prima Wisata as Hajj and Umrah travel organizer which uses MLM model in conducting Umrah and Hajj. Although this activity is likely hidden, but the organizer admitted that the system used is multilevel marketing model. Having been known that The status of permission of *Multi Level Marketing* in Umrah and Hajj is not yet clear. Furthermore, the system of Hajj and Umrah travel by MLM system in PT Happy Prima Wisata is hidden from the customers, the researcher aims to conduct research in this travel to identify the business network of Hajj and Umrah travel implementation and business network in Islamic law perspective.

The method of research uses empirical-juridism research and qualitative method. The research focuses on business network of Hajj and Umrah travel implementation and *mashlahah* perspective by *maqâshid al-syari'ah* observation.

The result of research at PT Happy Prima Wisata reveals that the *Multi Level Marketing* implementation hidden impacts on direct sales products is only given to followers-known. However, it does not reduce services or even suffer the other followers who do not uses multilevel marketing system. Thus, it will not be foul (*ghisy*) even victimization (*gharar*) of business. According to *mashlahah* existences, it includes *mashlahah mu'tabarah munasib mulaim* category because the texts are not mentioned, but it is not ordered directly to help others in virtue and piety in as mentioned in surah al-Mâ'idah verse 2 about Hajj. In terms of importance and quality of *mashlahah*, it includes al-Tahsiniyah *mashlahah* category, which is a complement of *mashlahah* Hajiyyah (organizing Hajj and Umrah). So, dharûriyah between al-Mashâlih al-khamsah in this case (Hajj and Umrah) is realized.