

ABSTRACT

Widya Nur Admaja Putra. 09220034. 2013. **The Practice of Maintenance and Dairy Cow Milking Contract in Sutojayan Sub-district, Blitar Regency (Islamic Law Review)**. Thesis. Department of Islamic Business Law. Faculty of Sharia, State Islamic University Maulana Malik Ibrahim, Malang. Advisor: Dr. H. Fadil SJ, M.Ag.

Keywords: Contract, Maintenance and Dairy Cow Milking, Islamic Law.

Contract is an engagement, agreement, and consensus (Al-Ittifaq), the relationship between *ijab* and *qabul* (offer and acceptance) as in accordance with the will of sharia that affects the object of engagement. Contract includes a promise of a bondsman to God and the agreement made by human beings. In business, many contract practices are offered to the people in Muamalat law. There are some known systems of cooperation such as *muzara'ah*, *mukhabarah*, *ijarah*, *musaqah* and *syirkah*. Those forms of cooperation are widely used by most of the human race.

The objectives of the problems are: 1) How is the practice of maintenance and dairy cows milking contract in Sutojayan Sub-district, Blitar Regency? 2) How is the practice of maintenance and dairy cows milking contract in Sutojayan Sub-district, Blitar Regency according to Islamic law review? The purposes of this study are to determine how the practice of maintenance and dairy cows milking contract in Sutojayan Sub-district, Blitar Regency and to know how is the practice of maintenance and dairy cows milking contract in Sutojayan Sub-district, Blitar Regency according to Islamic law review.

This study is classified as a field study research. This is an empirical study with qualitative descriptive approach because it searches for description or describes something by doing direct observation to see the reality in the research. In this study, the data analysis method used is qualitative data analysis.

The practice of maintenance and milking contract conducted in the Sutojayan Sub-district are executed orally without any binding posts, and the capital given is also dairy cow, and not in the form of money, and based on the requirement and the pillars of Islamic law contract. The fiqh scholars have determined that the contract which has fulfilled the pillars and requirements has a binding strenght to parties who do it. After knowing that the contract in the practice of maintenance and dairy cows milking uses Mudharabah contract and can be analogized with Musaqah contract for sharing the profits and it is in conformity with Islamic law as well without harming any of the cooperated parties.