

ABSTRACT

Kadim, Immawan Muhajir, 09220038, *The Perspective of Law No. 5 of 1990 and Four Scholars (Madzhab) of Fiqh on Animal Trade*. Thesis, Islamic Business Law Department, Sharia Faculty, Maulana Malik Ibrahim State Islamic University (UIN), Malang. Supervisor: Dr. H. Abbas Arfan, Lc, MH.

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Animal trade is the most popular trade activity among animal lover's society recently. This activity owns its special market so it can facilitate the traders to meet the buyers. This matter is worth to be discussed through the animal protection law and four *mazhab* of fiqh since both of them have classified animals into two categories, the animals which are allowed to be traded and the forbidden ones.

The research problems are, based on the four *mazhab* of fiqh and animal protection law No. 5 of 1990 perspective: 1) What are the categories of forbidden animals in trading? 2) How is the law of animal trade? This research is categorized as a normative research. It employs an analytical-juridical normative approach. The type of approach is a conceptual approach. This research uses a qualitative data analysis method.

The result of this research points out that we, muslim people, must obey and abide the laws made by the government on condition that it does not contradicted with Islamic Aqidah. Concerning animal trade, Muslims must also obey the animal protection law issued by the government. It is prohibited to put rare animals, animals with an extremely decreasing population each year, and endangered animals on trade. As long as it does not have a contradictory regulation regarding Islamic Aqidah, Muslims must obey the law by not including the animals which are also declared unlawful or harmful (*haram*) by Quran and Hadith into the trade.