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THE PRACTICE OF SHARING PRODUCTION FROM CATTLE FROM A SHARIA ECONOMIC LAW PERSPECTIVE

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ABSTRACT

The problems studied in this research are regarding the practice of sharing cattle and livestock results in the community in Limpomajang sub-district, Majauleng sub-district, and Wajo Regency. The purpose of this research is to find out how profit-sharing contracts (mudharabah) are practiced in the community and to find out the perspective of Sharia economic law regarding the system used. In this research, the method used is field research with a normative approach; and the data analysis used is the Miles and Huberman model of data analysis. The informants in this research are people who keep cattle and who own cattle in Limpomajang Village. The results of the research show that in the practice of sharing cattle products from a Sharia economic law perspective in the community, there are no elements of gharar and dharar contained in this collaboration because the cooperation implemented is based on the principles of trust and kinship. The cattle owner (shahibul mal) bears the costs of medicine and rope, and the cattle breeder (mudharib) is responsible for looking after the cattle entrusted to him. The principles applied are based on the principles of trust and kinship as well as the pleasure of both parties. Apart from that, mutual trust and a spirit of mutual assistance are also the main foundations for the community to implement this kind of cooperation agreement.

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1. INTRODUCTION

Muamalah is one of the main pillars of Islamic teachings, which aim to benefit humanity, especially Muslims (Erwandi Tarmizi & Konsultan, 2017; Harisah & Arifkan, 2020). Therefore, the prophets, messengers of Allah SWT, friends, and scholars invite and emphasize the importance of muamalah to be studied, understood, and put into practice. Muamalah, in its technical sense, is a term in Islam that describes the reciprocal relationship between humans as social creatures in fulfilling their needs (Haryoso, 2017). The science that discusses muamalah is called muamalah fiqh. Muamalah fiqh is a science that discusses activities or transactions between humans in

accordance with sharia laws regarding human behavior in their lives, which are obtained through detailed Islamic postulates (Azzam, 2022).

One form of muamalah often carried out by Indonesian people in general is mudharabah, or cooperation on a profit-sharing system (a form of cooperation between capital owners and capital managers) (Fitri et al., 2021; Primadhany et al., 2023). In a cooperation agreement, there are provisions agreed to by both parties, namely between the capital owner and the manager. The provisions referred to are profit sharing.

Mudharabah can be interpreted as a form of cooperation between two or more parties where one party acts as the owner of capital (shahibul mal) and entrusts a certain amount of funds to another party, namely the entrepreneur (mudharib), to manage a business activity (Sapuan, 2016; Rahman, 2018). Income from business using a profit sharing system (mudharabah) will later be divided according to what has been agreed upon by both parties concerned in the business agreement, and if there is a material loss, it will be borne by the first party, also called shahibul mal, for the duration of the loss. This occurred not due to negligence on the part of the second party, namely the implementer of the business activity (mudharib).

The propositions or sources of Islamic law that discuss the profit-sharing system (Mudharabah) are as follows: In Q.S. Al-Muzammil/:20 Hadith (HR. Ibnu Majah), it is narrated that a number of friends used the assets of orphans in mudharabah contracts, and no one disowned them (Hanik, 2020; Abduroman, 2021; Fajrussalam et al., 2023). And this is seen as ijma'.

In cooperation with the profit-sharing system (mudharabah), there is a sharia economic code of ethics that must be reflected in every implementation (Jumadi, 2013; Waluyo, 2016). One of the things that underlies cooperation is trust, so that when the agreed contract has been implemented, the owner of capital (shahibul mal) is not permitted to be directly involved in managing business activities carried out by the entrepreneur (mudharib) in any form, except exercising his rights as owner of capital, namely carrying out supervision with the aim of avoiding the management of funds outside the mutually agreed agreement and also as a form of anticipation of negligence and fraud that may be committed by entrepreneurs.

The contract is one of the most important elements to pay attention to in a cooperation agreement (de Pablo González et al., 2014; Copelovitch & Putnam, 2014). When the contract stipulated by one of the parties does not comply with the pillars and conditions, the agreement entered into can be considered void.

Limpomajang Village is one of the areas located in Wajo Regency. In their daily activities (meeting their needs), the people of Limpomajang Village have various types of livelihoods, but the jobs that are widely used are farming, trading, and animal husbandry. Either by using your own capital or in the form of profit-sharing collaborations with other parties

Collaboration in the profit sharing system (mudharabah), which is commonly carried out by Indonesian people, includes in the Limpomajang Village area, Majauleng District, Wajo Regency, one of which is livestock production sharing. Collaboration in the livestock production sharing system has been regulated by Regulation of the

Minister of Agriculture of the Republic of Indonesia (Permentan) Number 13 of 2017 and states that livestock business partnerships are cooperation between livestock businesses based on the principles of mutual need, strengthening, profit, respect, responsibility, and dependence (Ilham, 2020; Amam, 2021). Limpomajang Village has several types of livestock, depending on the type of animal, such as fish farming, chicken farming, goat farming, and cattle farming. One of the livestock models implemented by the people of Limpomajang Village and which has been a tradition that has been carried out for quite a long time and has attracted the attention of the author is cattle farming.

The practice of cooperation between cattle owners and cattle keepers using a profit-sharing system (mudharabah) has three types of profit-sharing systems that are based on profit-sharing techniques and are generally applied by the surrounding community (Marzuki, 2019; Andayani & Sohrah, 2020; Katman et al., 2022), namely:

- 1. Cooperation is carried out by relying on one female cow and one bull that the owner gives to someone else to look after. According to the agreement, if the cow gives birth to its first calf, everything will belong to the person who looks after it. In other words, the cow owner does not get any share during that period. After that, the calf is divided into two parts between the cow owner and the cow keeper, and this pattern continues onward.
- 2. Initially, an agreement is made to share the proceeds. After the cattle have successfully bred or given birth, they are all sold. After the capital and remaining profits from cattle management are deducted, the remainder is then divided between the keeper with a proportion of 40% and the owner with a proportion of 60%.
- 3. Profit sharing is carried out based on an agreement where the cow owner and cowkeeper take turns getting a share of the results when the cow being kept successfully breeds or gives birth. For example, when a cow gives birth to its first calf, the produce is given to the owner of the cow, and when the cow gives birth again, the produce is given to the keeper, and this pattern continues in turn.

Based on the maintenance model, there are two ways, namely breeding and fattening. The breeding model is generally applied if the cattle being managed are female, while fattening is applied to cattle that are male.

The cattle farming cooperation that is generally implemented by the people of Limpomajang Subdistrict is cooperation in sharing livestock products with a breeding model, using a third form of profit sharing technique where the distribution is carried out by agreement that if the cattle being kept have bred or given birth, then between the owners The cow and the cowkeeper only take turns getting the results. For example, a cow gives birth to its first calf for the owner of the cow, and if the cow gives birth again, then it goes to the manager, and so on. Because this is considered easier by society. This collaboration began with the financier, in this case the cattle owner, for certain reasons mandating his capital for cattle farming business activities to the entrepreneur (cattle breeder).

In its implementation, the cooperation agreement for cattle production sharing in the Limpomajang Village community tends to still use traditional methods and is determined only based on word of mouth. So, when cooperation activities take place, problems have the potential to arise because cooperation agreements contain elements of ignorance (obscurity).

Based on the description of the background of the problem described above, it should be more accurate and systematic. So the main problems that will be studied in this research can be formulated, namely:

- 1. What is the practice of sharing cattle products among the community in Limpomajang Village, Majauleng District, Wajo Regency?
- 2. What is the perspective of sharia economic law on the practice of sharing cattle products among the community in Limpomajang Village, Majauleng District?

2. METHOD

The type of research used by the author is field research using descriptive qualitative methods (Thorne, 2016). Field research is a research method used to obtain relevant data from the field by exploring or visiting the object that is the target of the research. The descriptive-qualitative research method aims to reveal and understand data related to facts, situations, variables, or phenomena that occur during the research process (Lambert & Lambert, 2012; Kim et al., 2017). The research location used by the author is in Limpomajang Village, Majauleng District, Wajo Regency.

To achieve a deeper understanding of the phenomenon the author is researching, the author uses a normative approach. A normative approach is an approach to research or analysis that focuses on the development, evaluation, or application of norms, values, or rules that are considered ideal or expected in a particular context. This approach involves assessing and analyzing what should happen based on norms that are considered desirable or ideal, whether in legal, ethical, political, economic, or other fields. A normative approach is used to identify gaps between what should be done or achieved and what actually happens. The aim is to provide guidance or recommendations on how to achieve or improve the desired normative standards.

Meanwhile, in obtaining the data used in this research, the author used data collection tools in the form of interviews, observations, and documentation. Meanwhile, for data management methods, the author uses the following steps:

- 1) Data Collection: The first step is to collect data that is relevant to the research title. This data can be in the form of sharia legal documents related to cattle production sharing practices, agreements or contracts used, economic data related to production costs, income, and profits, as well as interviews with cattle owners, breeders, or other related parties.
- 2) Transcription and Data Organization: After the data has been collected, the next step is to transcribe the interview data or organize the document data according to relevant categories or themes. This makes it easier for further analysis.
- 3) Data Classification and Categorization: Data that has been organized needs to be classified and categorized according to relevant aspects from the perspective of sharia economic law. For example, classifying data based on the type of profit-

sharing practice, the sharia economic principles involved, or the legal requirements that must be met.

- 4) Qualitative Analysis: Qualitative analysis techniques can be used to understand the meaning and implications of the data that has been collected. This involves identifying patterns, themes, or concepts that emerge from the data. For example, analysis can be carried out to see to what extent cattle production sharing practices are by Sharia economic principles and whether there are differences between the practices carried out by cattle owners and breeders.
- 5) Interpretation and Conclusion: The results of the data analysis need to be interpreted by considering the Sharia economic legal framework and the relevant societal context. This helps in concluding research findings, seeing the suitability of practice from a sharia economic law perspective, and providing recommendations or practical implications.

The data analysis used in this research is the Miles and Huberman model data analysis, including data reduction, data presentation, and conclusion (Miles & Huberman, 1994).

3. RESULTS AND DISCUSSION

3.1 Practice of Sharing Cattle Production in Limpomajang Village, Majauleng District, Wajo Regency

1. Form of cooperation in cattle farming in Limpomajang Village

Limpomajang Village is a village where most of the people work as farmers. Meanwhile, being a breeder is a side job. Due to their lack of education and the lack of jobs that they can do, they chose the option of becoming farmers and livestock breeders as a side job. As stated by Muhammad Nono, as follows:

"In the past, the average child like us didn't go to school, so when our children did, they worked as farmers and buffalo herders because, at that time, buffalo were animals that people generally kept." If I kept the cow after my first child got married, I decided to keep the cow as a sideline and investment."

From the explanation above, it can be concluded that almost all individuals who work as breeders have minimal education. Likewise, some community members use livestock activities only as additional work outside their main job as farmers.

Through an interview process with capital owners and breeders, researchers obtained information about the type of cooperation implemented by the community. In Limpomajang Village, there is a form of collaboration between individuals who provide capital and those who act as breeders. This view is in line with the explanation put forward by Muhammad Gusasi, as follows:.

"I have quite a lot of cattle, so I was overwhelmed looking after them, so I gave them to Mr. Jamal to look after. The type of cow I gave was female, so later the calves would be divided, the first calf for the farmer and the second calf for me. "I don't use my bulls as livestock for profit sharing because the distribution is difficult."

The same thing was conveyed by Baso Anwar following his interview excerpt:

"I have an empty garden that is sufficient for cattle, but because I work as an educator, I bought a cow and asked Mr. Nono to look after it and use the land for herding because he is one of my closest relatives too."

From a series of interviews that have been conducted, it was revealed that in the Limpomajang Village community, there is a form of cooperation known as a profit-sharing system in the context of animal husbandry. This cooperation pattern is formed through an agreement between the individual who provides the capital and the breeders. In this scenario, the capital owner hands over the livestock to the farmer to look after and care for. After the livestock gives birth, the calves will be divided according to the agreement between the capital owner and the farmer.

This collaboration began with the desire of one of the parties, namely the capital owner or breeder, to work together. Both parties met and expressed their determination to carry out cooperation. The initiative for a meeting between the two parties (capital owner and breeder) can be carried out in various ways, such as the capital owner initiating the interaction by handing over the livestock to the breeder to be looked after, or vice versa, the breeder approaching the capital owner and asking for permission to keep the livestock owned by him. capital owners.

The people in Limpomajang Village use cooperation, where the capital owner gives the cow to the farmer, and the capital owner also covers the costs and needs of the cow, such as medicine, vaccinations, and rope. On the other hand, farmers are responsible for meeting the cow's feed needs.

This cooperation in sharing results is also regulated because of the principle still adhered to by society that animal husbandry has a social dimension. This includes a spirit of mutual assistance that can strengthen the relationship between those investing and the breeders. One of the positive impacts of this agreement is assistance to underprivileged communities in meeting their daily needs.

Production-sharing cooperation is carried out by livestock owners for various motives, including the intention to provide opportunities for individuals who do not own livestock to work and increase their income from their main jobs as farmers. In addition, some individuals have a large number of livestock but are unable to take care of them due to limited human resources and sufficient land. Some also want to give their children the opportunity to engage in worthwhile activities.

Cooperation agreements between the majority of community members who act as livestock breeders occur because of limited capital to purchase livestock and the desire to have additional income, encouraging them to enter into such agreements to ensure the fulfillment of their daily needs.

The basis for cooperation between capital owners and breeders, as revealed from the results of researcher interviews, includes the following:

- a. Capital owners
- 1) Having a lot of animals and not being able to do the work yourself.
- 2) Capital owners provide opportunities for other people who do not have enough capital so that a feeling of mutual help arises.

- 3) The capital owner wants to continue to earn income even though he is not taking care of the animal.
- b. Breeder
- 1) The desire to obtain capital.
- 2) Have a large area of land but lack capital.
- 3) The desire to earn additional income

2. Cooperation agreement on cattle farming in Limpomajang Village

Individuals who live in a particular area and interact with others are greatly influenced by the norms and traditions adopted by the local community. This also applies to the results-sharing cooperation pattern operating in Limpomajang Village, where cooperation is based on the spirit of mutual assistance. This includes the establishment of cooperative agreements, especially in the livestock context.

Cooperation between capital owners and breeders is only based on the principle of trust. Therefore, they entered into a verbal cooperation agreement (without writing), because this form of agreement was considered valid because it had become common practice in local society. This was explained during the interview by Andi Halwiyah, the owner of the capital. The results of the interview are as follows:

"Usually, when we agree, we don't use a written agreement; it's usually verbal. We just need to trust each other, especially if the party we are working with is our own family. We don't want to be too strict with each other."

Abdul Jalil conveyed a similar message, as follows:

"So far, the contracts we have carried out in livestock cooperation have only been in verbal form because the parties we are collaborating with are also the closest. And so far, thank God, no problems have arisen, so it's safe."

Even though there is no written record of the cooperation agreement, because both parties, namely the capital owner and the breeder, have often implemented this cooperation system, they already understand the cooperation procedures used. So, the conclusion from the description above is that the contract used when carrying out production-sharing cooperation in Limpomajang Village is relatively verbal, and maintenance costs are borne by the cattle owner.

The process of this collaboration occurs because one of the parties offers themselves, for example, a farmer who offers services and labor to be willing to do livestock work if there are cows that want to be looked after. Usually this collaboration also occurs because of an offer from the capital owner, who provides capital for the cattle for the farmer to look after. However, based on the author's research, offers appear more often from breeders because breeders need additional income. This is as explained by Muhammad Nono as a breeder; here are excerpts from his interview:

"So yesterday I offered myself to the cow owner to take care of his cow. "Instead of me just staying at home after farming and not working, this way I can have something to do."

After an agreement has been reached by both parties, at that time the farmer has full rights and responsibility to look after, care for, and sell the cow. Meanwhile, the capital owner only hands over the cow completely to the farmer to care for it until it gives birth, then the calf will be divided according to the agreement made at the beginning of the agreement.

From the results of the research that has been carried out, it can be concluded that the production-sharing cooperation agreements carried out by residents in Limpomajang Village only depend on verbal agreements between capital owners and breeders.

Generally, breeders who are looking for work will approach capital owners to establish cooperation agreements, or capital owners will offer their livestock to neighbors or relatives they already know. Basically, in cooperation agreements in the livestock sector that occur at the location of the capital owner, this only involves granting permits. In other words, breeders ask for permission from capital owners to raise their livestock using a profit-sharing scheme. So, when the capital owner gives this permission, the cooperation agreement with the breeder is considered to have officially started.

This cooperation agreement is generally agreed to orally without involving a third party as a witness because its implementation depends on trust and agreement between both parties. Once this agreement is formed, production-sharing cooperation to care for the cows automatically begins.

The tradition of cattle farming cooperation contracts carried out by the community in Limpomajang Village takes place verbally, and without the presence of witnesses, it has become a customary norm adopted by the community. The principle of mutual trust and the spirit of mutual assistance are the main basis for society to implement this kind of cooperation agreement. Residents of Limpomajang Subdistrict believe that involving witnesses, such as village officials, will complicate the cooperation agreement process and result in unwanted additional costs. People are more likely to choose a simple, easy, and uncomplicated approach.

The view of several residents in Limpomajang Subdistrict is that cooperation agreements in the livestock sector only involve capital owners and breeders so only they know the agreement. This community has never been involved in or sought assistance from the village head or village officials in implementing production-sharing cooperation agreements in the livestock sector. This approach has become a common habit in the Limpomajang Village community, where capital owners usually cannot care for their livestock, and this is also due to limited land. Therefore, they chose to enter into a profit-sharing collaboration. Thus, capital owners also play a role in efforts to improve social welfare and reduce poverty levels.

3. Practice Profit Sharing

Most of the residents in Limpomajang Village rely on farming as their main source of livelihood and raising livestock as a side job. Their levels of well-being vary. Many of them have cows to raise, but some don't have their own. Therefore, to meet their living needs, they collaborate with other individuals who own cows, where they care for the cows in exchange for results for both parties. However, there is also a group of residents who already own cattle, but due to limited capital, land area, and various living needs, they work together with other cattle owners who may not be able to or do not have enough land to care for their livestock.

The process of profit sharing in the cattle farming cooperation system is carried out after the cow being cared for by the farmer gives birth. Generally, the first calf of the cow belongs to the farmer, and the next calf belongs to the owner of the capital, but this is again an agreement between both parties. All maintenance costs are borne by the owner of the cattle without reducing the profits from the distribution of livestock later. As stated by Muhammad Gusasi,.

"The profit-sharing method that I apply is the same as other people apply, namely that the female calves that I entrust to the farmer will be shared, and the real cost issue that I want is that all the livestock maintenance costs that I incur will be deducted later when the results are shared." To make it fairer, but because the community tradition here is that all maintenance costs are borne by the owner without having to deduct from the distribution of profits, that's what I apply."

With the distribution of results agreed upon by the cattle owner and farmer, neither party feels disadvantaged because they feel they benefit from each other and need each other. Even though the capital owners are responsible for the maintenance costs, this is not a problem for them because they consider it to be nothing compared to the effort put in by farmers to maintain their cows.

So with the existence of this cooperation system where breeders take care of livestock that is not their own, it can be ensured that the burden or responsibility borne by breeders is heavier than that of capital owners, but in this case, through a cooperation system in the form of raising livestock, it will help the family economy for breeders so that this is not a significant problem for breeders because with the practice of profit sharing agreed with the capital owner, breeders get additional income and capital. Meanwhile, capital owners feel that it is very helpful to have farmers who look after their cows so that their capital can circulate and provide additional income for capital owners.

3.2 Sharia Economic Law Perspective on the Practice of Cattle Profit Sharing in Limpomajang Village, Majauleng District, Wajo Regency

Islam provides opportunities for humans to innovate in various economic transactions necessary in life, as long as the form does not conflict with established Islamic principles (Ali & Al-Owaihan, 2008; Iqbal & Mirakhor, 2013). The development of various types and forms of economic transactions carried out by

humans from the past to the present is in line with the development of human needs and understanding itself.

Every human action towards fellow humans always has reciprocal consequences because humans, in living their lives, always need each other. This is reflected in the concept of muamalah, namely interaction between humans (Habibullah, 2018; Rasyid & Badwi, 2023). In Islam, the principles regarding muamalah have been explained in the Qur'an and hadith.

In muamalah law, there are various regulations relating to various human activities (Arwani, 2012; Amrullah, 2023). The practice of profit-sharing cooperation carried out by residents in Limpomajang Village is included in the muamalah domain because in the cooperation there are elements related to muamalah principles. One aspect is the contract, where there is interaction between two individuals to form a binding agreement between them.

The profit-sharing system is permitted in Islam because it aims to encourage cooperation between capital owners and individuals who have expertise in managing capital, to help each other and seek mutual benefits (Sakinah, 2014; Fitri et al., 2020). Many capital owners do not have the skills to manage and develop their money, while some have skills in trading but do not have sufficient capital. In the context of mutual assistance in managing capital, Islam provides opportunities for cooperation between capital owners and individuals who can manage and develop that capital.

A situation where capital owners face a shortage of labor and have limited land encourages them to provide capital in the form of cattle to breeders to be cared for through a cooperative system. On the other hand, breeders, who may lack capital but have sufficient land, take advantage of this opportunity to collaborate in the livestock business through a profit-sharing system.

The cooperation system implemented by the community in Limpomajang Village, as previously explained, is permitted in Islam as long as the profit sharing system implemented by both parties, namely capital owners and breeders, does not result in losses for either party. Islamic law, which regulates muamalah, provides flexibility in the form of profit-sharing cooperation (Munib, 2018; Sa'diyah, 2019; Retnowati & Ihsan, 2023), as implemented in Limpomajang Village. This is because, in this region, the profit-sharing system they practice is based on the principle of kinship and under the principles of Sharia economic law.

Therefore, in this collaboration, openness between capital owners and breeders is very important to ensure that no party feels disadvantaged. This means that in the revenue-sharing process, proof of purchase or documentation during treatment must be included or shown. This step aims to ensure that both parties feel confident that the cooperation is running fairly and that no one feels unfairly benefited or disadvantaged.

In terms of capital, the application of capital in the cooperation system carried out by the community in Limpomajang Village has been adapted to Sharia economic principles. Although there is an opinion among the ulama that capital is required in the form of money, in practice, for the people of Limpomajang Village, the capital used is cows, not money. However, because the value and unit price of cattle is clear and can be estimated, this practice remains legal and in line with sharia economic principles. Likewise, maintenance costs such as injection costs, medicines, and ropes that are borne by the capital owner are deemed to be by what is explained in the Compilation of Sharia Economic Law regarding general provisions in Article 247: "Travel costs undertaken by the mudharib in the context of carrying out cooperative business, charged to the capital of shahib al-mal".

Based on the explanation that has been given, it can be concluded that the profitsharing process carried out by capital owners and breeders has fulfilled the criteria of Sharia economic law. This is based on an agreement from both parties and on implementation that does not cause harm to either party. The existence of a sense of pleasure and mutual benefit between capital owners and breeders also supports the compatibility of this practice with Sharia economic principles. Where sharia economic principles prioritize the principle of mutual assistance in building the wheels of the economy in society.

4. CONCLUSION

Based on the results and discussion of the author's research, the conclusions are as follows:

- 1. The practice of sharing cattle products implemented by the community in Limpomajang Village, Limpomajang District, Wajo Regency is based on cooperation in the field of mudharabah between cattle owners and breeders. Capital in the form of cows and maintenance costs in the form of medicines and rope come from the owner of the capital, while the care and feeding of livestock is entirely the responsibility of the cowkeeper, while the distribution of the results is provided by dividing the calf equally, or it can also be in the form of money. from the proceeds from the sale of cattle with mutually agreed terms.
- 2. The perspective of Sharia economic law from the practice of cattle production sharing implemented by the community in Limpomajang Village, Limpomajang District, Wajo Regency is profit sharing, in which capital owners and breeders implement Islamic Sharia principles. The thing that is the basis for the mutual agreement between the two parties is the existence of mutual consent and benefit between the capital owner and the breeder, as well as the implementation of the principles of trust and kinship. The principle of mutual trust and a spirit of mutual assistance is also the main basis for society to implement this kind of cooperation agreement.

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