

# **BASIS OF AGRICULTURAL SHARIA CONTRACT: ANALYSIS OF MUZARAH PRACTICES IN PINRANG SOUTH SULAWESI**

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## **Abstract**

This research aims to provide information and input to the community in carrying out economic activities, especially the community in Tiroang. This research uses qualitative research with method approaches, observations, interviews, documentation, and literature studies. The data analysis technique used is triangulation. The results of this study show that. 1) The form of agricultural land cultivation agreement through a system of cooperation followed by a revenue sharing system is not made in written form because it still uses custom, where the landowner gives up his land or land to be tilled by others using the provisions of the revenue sharing system. 2) The form of capital in the form of seeds and loss costs; If agricultural land fails to harvest, landowners jointly bear certain losses in the form of pesticides and fertilizers and the rest is borne by landholders. 3) A review of Islamic law on the cultivation of agricultural land in the Tiroang community is allowed syar'i because it follows the system of agricultural cooperation known in Islam, namely the muzara'ah system.

**Keywords:** *Soil Processing System, Muzara'ah, Mukhabarat*

## **A. Introduction**

Agriculture is one sector that still has the potential to be worked on to meet human needs. Apart from being a source of food availability for the nation, agriculture is also a source of community

income in meeting their needs.<sup>1</sup> So that people can free themselves from adversity and fulfill their needs without destroying or destroying honor, Allah SWT shows humans the way to mu'amalat..

On the other hand, Islam teaches mu'amalat correctly, following the legal norms of mu'amalat that are taught. Everything is contained in the Qur'an and Hadith, the good and correct way of mu'amalat, starting from starting a business, managing it to ending it, must follow what is determined by the Shari'a.<sup>2</sup>

In mu'amalat law, there are several cooperative systems known as muzara'ah, mukhabarah, ijarah, musaqah and syirkah.<sup>3</sup> Most of humanity really wants these forms of cooperation because it is based on good cooperation and mutual help. As the word of Allah SWT., in QS a-Maidah/5: 2.

بِأَيُّهَا الَّذِينَ آمَنُوا لَا تُحِلُّوا شَعَائِرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَائِدَ  
وَلَا آمِنِينَ الْبَيْتِ الْحَرَامِ يَنْتَعُونَ فَضْلًا مِّن رَّبِّهِمْ وَرِضْوَانًا ۚ وَإِذَا حَلَلْتُمْ فَاصْطَادُوا ۚ وَلَا  
يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ أَن صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَن تَعْتَدُوا ۚ وَتَعَاوَنُوا عَلَى  
الْبِرِّ وَالتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ ۚ يَوَاتَّبِعُوا اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

Translation:

*Help each other in goodness and don't help each other in bad so that you become pious people..<sup>4</sup>*

Likewise, the cooperation between the owners of agricultural land and the cultivators of agricultural land with a profit-sharing system is carried out by the Tiroang community. This cooperation system is required to help each other with mutual benefit and not to harm each other.

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<sup>1</sup>Izzuddin Khatib al-Tamim, *Bisnis Islami* (Pub.I; Jakarta: Fikahati Aneska, 1992), 56.

<sup>2</sup>Nasrun Harun. 2007. *fiqh muamala*. (Jakarta: Gaya Media Pratama) 84.

<sup>3</sup>Mohammad Daud Ali. *Hukum Islam* (Jakarta: PT. Raja Grafindo Persadara, 2009) 57.

<sup>4</sup>Departemen Agama R.I, *Al-Quran dan Terjemahnya* (Semarang: CV. As-Syifah, 2000), 226.

In carrying out a job, workers are entitled to receive compensation or wages in accordance with their efforts and efforts.<sup>5</sup> As the command of Allah SWT, to be fair and do good to others, then whoever does not put something in its place is an act of injustice.

Therefore, the practice of implementing profit-sharing agreements in the management of agricultural land must be carried out based on the provisions outlined in Islam. The hallmark of profit sharing is the party who only owns the agricultural land and the party who only works on the agricultural land.<sup>6</sup> Sometimes there are agricultural land owners who do not have the skills to manage it themselves. They have agricultural land because it is used as a mere investment. On the other hand, some people do not own agricultural land but are adept at managing agricultural land, so the two parties establish cooperation.

The nature of the profit-sharing system is similar to the cooperative system; that is, the landowner and the farmer are like two people in pairs.<sup>7</sup> There were no rights violations from various parties, nor were there any fears of oppression or outrageous actions by the landowners against the partners because both were linked in the management agreement. Therefore, the forms of processing carried out with such a system minimize the violation of the rights of others.<sup>8</sup>

Profit sharing is a noble endeavor if in its implementation it always prioritizes the principles of justice, honesty and not harming

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<sup>5</sup>Veithzal Rivai *Hukum Transaksi Islam Dalam Bisnis Dari Teori Ke Praktek* (Jakarta: Bumi Aksara., 2011) 91.

<sup>6</sup>Abdul Wahhab Khallaf., 2013.*Kaidah-kaidah Hukum Islam* Jakarta: CV Rajawali. 2013) 128.

<sup>7</sup>Adwin, *Praktek Bagi Hasil Dalam Pengelolaan Pertambangan (Studi kasus Muzaraa'ah dan Mukhhabarah di Desa Paria Kec. Duampanua. Kab. Pinrang)*, (Undergraduate Thesis; Jurusan Syariah Prodi Muamalah: STAIN Parepare. 2015) 135.

<sup>8</sup>Afzalurrahman, *Doktrin Ekonomi Islam*, Translator: Soeroyo dan Nastangih, license edition (Yogyakarta: Dana Bhakti, 1995), 265.

each other.<sup>9</sup> For example, in profit sharing, the land owner only gives part of the proceeds to the cultivators and does not follow the two agreements. The distribution of results like this does not follow the principle of justice, and of course it is very detrimental to the cultivators. An act like this is an act that is arbitrary and self-defeating and includes a very despicable act.

The profit-sharing system in agricultural management to meet the needs of one's life can be done through the muzara'ah and mukhabarah systems. The muzara'ah and mukhabarat systems are forms of cooperation that have been prescribed in Islam.

However, in reality there are still many people who do not know the law of profit sharing in the context of managing both. Their ignorance and the increasingly stringent demands of life cause many people to choose to get money and goods instantly, even though the way is detrimental to others.

The economic activities of the Tiroang people, for example in terms of cooperation in the field of agricultural management, ignore the basic concepts of Islamic economics regarding the muzara'ah and mukhabarat systems. Their economic activities have been practiced for a long time.

Cooperation in cultivating agricultural land is an economic practice that is widely applied in the Tiroang community, which is based on the principle that the person who gives his land for cultivation by another party has the right to take part in the produce and the person who cultivates it. he is also entitled to benefit from what he sows as long as he gets a certain share based on the results with a percentage distribution according to the agreement.

As happened to the people of Tiroang in general, they use a profit-sharing system with a percentage of 50%-50%, excluding the cost of plowing the land borne by the land cultivators. However, the essential thing about the profit sharing itself depends on the agreement between the two parties. Therefore, researchers are interested in researching this by focusing the study on muzara'ah and mukhabarat

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<sup>9</sup>Zainuddin Ali, *Metode Penelitian Hukum*. (Pub.III; Jakarta: Sinar Grafika)

activities implemented by the people of Tiroang Regency.

Agricultural Land Cultivation System in Tiroang Community Using Muzara'ah and Mukhabarah Reviews. The purpose of the title is how the views of Islamic law regarding the Tiroang community's agricultural land cultivation system using muzara'ah and mukhabarat reviews, whether the agricultural land cultivation system carried out by the Tiroang community is included in the muzara'ah system or the mukhabarah system as stipulated in the law. . Islam or some problems make the contract done not in accordance with Islamic law. Islamic law means customary regulations that are officially considered binding, which are carried out by rulers, governments or authorities, or laws, regulations, and more to regulate the social life of the community. What is meant by the system in this case is the entire series of implementation muzaraa'ah from the beginning of the contract to the application of profit sharing. Obligations for one party become rights for the other party and vice versa.

Similar research was also conducted in 2019 by Novi Puspitasari, et al with the research title "Muzara'ah in Rice Farming: Analysis of Islamic and Financial Values (Study in Bangsalsari District, Jember Regency). However, this study only discusses the research objectives according to Muzara'ah review only, do not see from the Mukhabarah review. Then, the results obtained are that the farmers still use verbal agreements so that it is felt that local farmers have not made any progress to make written agreements or both.<sup>10</sup>

Thus, it can be concluded that the purpose of this title is to find out the phenomenon of the cooperative system of cultivating agricultural land carried out by the community by examining the provisions imposed by the local community in carrying out cooperation in the agricultural sector so that later it can become Islamic law regarding the phenomenon of cooperation that occurs in agriculture. agriculture. Society, whether the provisions carried out in

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<sup>10</sup>Novi Puspitasari,,dkk. Muzara'ah Pada Usaha Pertanian Padi: Analisis Nilai-Nilai Islami Dan Keuangan (Studi di Kecamatan Bangsalsari Kabupaten Jember):2019.

it follow Islamic law or deviations, cause discrepancies.<sup>11</sup>

This research is a field research. This research is based on field data, namely information about facts that occur in the community regarding the applied agricultural land management system. This study uses a descriptive qualitative approach.<sup>12</sup>

The research location was conducted in Tiroang District, Pinrang Regency regarding the system of cultivating agricultural land carried out by the local community. The time needed by researchers to carry out their research is  $\pm$  two months.

The data sources used in this study are divided into three, namely primary data sources, secondary data sources, and tertiary data sources;<sup>13</sup>

This research will later observe and record the symptoms related to the profit sharing contract of muzara'ah and mukhabarat. Researchers will directly interview people who directly implement the cooperative system in agricultural land management.

## **B. Results and Discussion**

### **1. Contract-Based Agricultural Practices**

The form of agricultural land management that is usually carried out by the Tiroang community, the latter is the way the land owner manages it himself but employs someone to take care of some forms of maintenance that are usually carried out in agricultural land management, for example hiring someone to sow rice seeds on the ground, provide fertilizer, and provide fertilizer. Pesticides and so on to the land, provided that the land owner will provide wages after harvest.<sup>14</sup> However, to find out in depth about the land management

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<sup>11</sup>Ibnu Rusyd. *Bidayat al-mujtahid* Translator. Imam Ghozali said, *Analisis Fiqih Para Mujtahid* (Jakarta: Pustaka Amani) 68.

<sup>12</sup>Dudung Abdurrahman, *Metode Pengantar Penelitian*. (Yogyakarta: Kurnia Alam Semesta.2003) 45.

<sup>13</sup>Burhan Bungin. *Analisis Data Penelitian Kualitatif*. (Pub. VIII; Jakarta: PT Raja Grafindo Persada, 2013) 85.

<sup>14</sup>Ibrahim Anis, *Al-Mu'jam Al-Washit, only I*. Pub.II; (Kairo: Dar Ihya al-Turats al-Araby, 1972) 98.

system applied by the Tiroang community, the researcher will describe the process of managing agricultural land from the cooperation agreement to the profit sharing process carried out by the local community. For example, they hire someone to sow rice seeds in the ground, apply fertilizer, apply pesticides.<sup>15</sup>

However, to find out in depth about the land management system applied by the Tiroang community, the researcher will describe the process of managing agricultural land from the cooperation agreement to the profit sharing process carried out by the local community. For example, they employ someone to sow rice seeds on the ground, apply fertilizer, spray pesticides, etc. on the ground, on the condition that the landowner will pay wages after harvest.

The cooperation agreement which is the customary law of the engagement in carrying out the agreement concerns the legal balance to achieve peace, but legal certainty cannot be underestimated.<sup>16</sup> Therefore, the legal process of customer involvement is carried out to achieve engagement. As an unwritten law, customary law cannot die, as well as in cooperation agreements which are generally carried out orally in rural areas, even though Law no. 2 of 1960 concerning profit sharing agreements, but people in rural areas still use local customary law.

Meanwhile, the form of profit sharing agreement according to Article 3 Paragraph (1) of Law no. 2 of 1960 was made in writing between the parties before the Village Head. The point is to avoid doubts that allow problems to occur in the future, such as rights and obligations, length of time and much more. According to customary law, cooperation agreements are generally made orally, but cooperation agreements can be made in writing. This situation can occur because customary law can change according to circumstances, time and place.

Likewise, what was said above, most transactions were carried out

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<sup>15</sup>Hendi Suhendi. *fiqh muamalah*. (Jakarta: Pers Rajawali, 2010)

<sup>16</sup>Muhammad Syafi'I Antonio. *Bank Syari'ah dan Teori ke Praktek*, (Jakarta: Gema Insani Press, 2001). See also Helmi Karim, *fiqih muamalah*, (Jakarta: Raja Grafindo Persada).

in an unwritten form like what happened to the Tiroang community, Tiroang District, Pinrang Regency, but as science developed and to avoid an incident that had not happened or problems such as fraud in the community, a small part of the local community had some are in written form.

Mr. Farlin explained the form of cooperation carried out in the management of his agricultural land through excerpts of his interview with the following statements:

“Agreeing is usually done verbally or in writing, depending on the person who is my partner, if that person is my family then I have never made a written agreement, just verbal because I believe in my family and that is enough. for me, but if the person who is my partner is someone else or I have no family ties, then I usually do it in writing, and even then only a receipt that I do between me and my partner.

From the description above, it can be deduced that the cooperation agreement usually carried out by the Tiroang community is relatively sometimes in oral form and sometimes in written form, and it can also be deduced that the role of the village head in the cooperation agreement is in the Tiroang community, Tiroang District, Pinrang Regency. only as a party who knows in the agreement the limits to be worked out so that the goods (capital) are not disputed)

So that the function of the village head in the cooperation agreement with the Tiroang community, Tiroang District, Pinrang Regency does not become a witness as desired by Article 3 Paragraph (1) of Law no. 2 of 1960, namely to carry out supervision, with an agreement between individual land owners and individual cultivators not before the village head, so that it is enough to do it between the parties. The form of the agreement in the form of a receipt made in the environment as a written or oral witness shows that the nature of this customary law is simple. This is done so that there is no conflict in the future.

The contents of the cooperation agreement in the Tiroang community, Tiroang District, Pinrang Regency, among others contain the rights and obligations of each party, risks, length of time for cooperation, distribution of results and forms of profit sharing. However, the length of the agreement in the contents of the agreement



is sometimes not stated, and this is usually because the parties to the cooperation have close family relations, so the term of the agreement is not included in the contents of the agreement.

In the cooperation agreement, as previously explained, the legal subjects in the cooperation agreement are the land owners and cultivators of agricultural land, where the rights and obligations of each determine the contents of the agreement. The rights and obligations of the land owner are:

- a. Allowing cultivators to manage their land or land
- b. Bear part of the operational costs of cultivating land for harvesting seeds, pesticides, fertilizers.
- c. Receive the harvest according to mutual agreement
- d. While the rights and obligations of land cultivators include
- e. Loan capital in the form of fertilizers and various pesticides
- f. Agree with the owner of the capital
- g. Manage or cultivate land using this capital
- h. Provide pesticides
- i. Provfertilizer
- j. Providing seeds
- k. Tractor rental
- l. Bring farm equipment
- m. Giving part of the harvest according to mutual agreement<sup>17</sup>

In carrying out cooperation in the management of agricultural land, risks can occur if pests attack rice crops, climate, fires, floods, which can cause crop failure, or the risk can be in the form of a decrease in the selling price of the harvest.<sup>18</sup> due to the decline in the quality of the rice produced. Following a cooperation agreement with the Tiroang community, Tiroang District, Pinrang Regency, the

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<sup>17</sup>Ahmad Muslich dan Ahmad Wardi. *Fiqh Muamalah*. Pub.I; (Jakarta: Sinar Grafika Offset, 2010) 141.

<sup>18</sup>Khumadi. *Tinjauan Hukum Islam Terhadap Praktek Perjanjian Kerjasama Pertanian Garam (Studi kasus di Desa Guyangan Kecamatan Trangkil Kabupaten Pati)* , Undergraduate Thesis; [Syariah dan Hukum:Semarang,p.110 eprints.walisongo.ac.id/5803/1/122311056.pdf (Retrieved Februari 22, 2017).

question is who bears the risk if in the cultivation of agricultural land there is a crop failure, based on the results of research in the field, most of the risk is profit sharing, this follows the nature of profit sharing shows that profit sharing in management Agricultural land is not a business but has social value, the owner of the capital lends the capital.

“In managing agricultural land, it has become a habit to borrow capital in the form of pesticide fertilizers from sellers, the problem is that the payment is after harvest, if the harvest is insufficient, usually part of the harvest will be paid first. , then the next harvest will be paid the rest, but the price is different if borrowed compared to being paid directly.” .

The problem with other agricultural land management agreements is if one of the parties dies. However, in the agricultural cooperation system implemented by the Tiroang community, Tiroang District, Pinrang Regency, if this happens when the land owner dies, it will usually be passed down to his heirs, while if the cultivator dies. The land is still in the process of being cultivated; the cultivator's family will continue it until the harvest.

The following is an excerpt of an interview with Muhammad Nur as a cultivator of agricultural land:

“If the land owner dies, then part of the harvest will be given to his family. If an agricultural cultivator dies, the cultivator's family will continue until the harvest, but if the rice fields have not descended, the owner can immediately take over or give the land to someone else, but during the management process you have to wait until the harvest first before the owner can take over.

The profit-sharing agreement made by the people of Tiroang, Tiroang District, Pinrang Regency, half of the harvest for the cultivators and the other half for the owners of agricultural land with a ratio of 1/2. So the distribution of crops, customary provisions and local customs are elements that need to be considered to achieve justice and peace in society. Profit sharing ratios are generally 1/8, 1/4, and 1/2. However, the amount of profit sharing that applies to the Tiroang community generally uses 1/2, which is 50% for land owners and 50% for land cultivators, provided that all cultivation costs have been incurred except for tractor costs which are fully borne by the

cultivators.

The following is an excerpt of an interview with Muhammad Nur as a cultivator of agricultural land:

“Initially, the community used 40% or 40% of the profit sharing for land owners and 60% for land cultivators because in the past it was not someone else who cultivated the land but from among their own families. Now it has many owners. The agricultural land is from outside the village, so he asked that the profit sharing amount be equalized, because most people only live by farming, so we cultivate it willingly, and even then we are grateful to be made cultivators of the land because farming is the source of our family's life.”

In the Tiroang community, the profit-sharing system has two forms, namely direct distribution in the form of rice, and the second form of distribution is by selling the rice first. Then the money from the sale of rice will be divided, but in general the people of Tiroang, Tiroang District, Pinrang Regency generally use the second form of profit sharing, namely the system where the rice obtained is first sold and then the money will be distributed. For example, if a plot of land with crops yields 4,000.Kg of rice at a price of rice per 1. Kg is Rp.3000. After all have received Rp12,000,000, the results will be deducted with certain costs that have been agreed between the landowner and the cultivator until harvesting, which is usually in the form of pesticide fertilizers. For example, the total cost is Rp. 2,000. 000 and after harvest minus the cost or Rp. 12,000,000 – Rp. 2,000,000 is to get the amount of Rp. 10,000,000 then the amount is Rp. Ten million will be divided between land owners and tenants, with the end result that the cultivators will receive Rp. 5,000,000, and the land owner gets Rp. 5,000,000 too.

Meanwhile, if the management of agricultural land experiences crop failure, the cost of the loss is also shared between the land owner and the cultivator, but the cost of the loss will only be paid after the next harvest.

The following is an excerpt from an interview with Rusli as a cultivator of agricultural land:

“Total crop failure without yields is rare but usually if there is a

total crop failure and no yield at all or crop failure, the loss is shared, except for the costs of the responsible actor, but the loss will be paid in the amount of Rp. the next harvest, so the pesticide fertilizer debt to the seller will be paid off for the next harvest, but usually for the next harvest we might farm just to cover the debt to the pesticide fertilizer seller and the tractor fee, which is heavy because we add another loan for the maintenance costs of the next harvest.” .

Excerpts of an interview with Hj. Patria as the owner of agricultural land, are:

“If there is a crop failure, neither me nor my land cultivators will get anything. If the debt for the operational costs of cultivating land that has failed to harvest is still the responsibility of both of us, so usually I only receive the harvest. in the third harvest season because the second harvest season is usually the result to cover the debt of the second harvest season due to the failure of the first harvest.”

The interview excerpt above explains that in the cooperative system for agricultural land management implemented by the Tiroang community, Tiroang District, Pinrang Regency, in the event of crop failure, certain costs have been agreed in advance between the land owner and the land cultivator.

Plants as the object of a profit-sharing agreement can be planted on wet land or dry land. Sawah means rice fields that are irrigated or rice fields that are not rained. Dry land is not rice fields but includes ponds/fishing ponds, but not dry. From quantitative data, it turns out that agricultural land in Tiroang is irrigated agricultural land where the payment process or profit sharing will be carried out after the harvest process is complete provided that costs have been incurred during land management or net. profits to be shared between landowners and land cultivators.<sup>19</sup>

The end of the profit sharing agreement for the Tiroang community, Tiroang District, Pinrang Regency in the cooperation agreement accompanied by the majority profit sharing is not

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<sup>19</sup>Utami, Anita Mega. “*Pengaruh Pembiayaan Mudharabah Terhadap Pendapatan BMT Bina Umat Sejahtera Pondok Gede*” *Undergraduate Thesis*; (Fakultas Syariah dan Hukum: Jakarta. 2011).

determined because it still refers to local customs. However, sometimes there is also a certain period of time. If the cultivator is no longer able to work on the agricultural land he has given to be managed by the land owner, then the agreement is automatically terminated because the land is handed back to the land owner.

According to Article 10 of Law Number 2 of 1960, the end of a cooperation agreement or profit sharing is due to the expiration of the term of the agreement or one of the reasons as referred to in Article 6 and the cultivator is obliged to submit it. the land in question is in good condition. The termination of profit sharing as referred to in Article 6 may occur if with the agreement of both parties.

## **2. Muzaraah's Review of Agricultural Land Management Practices in the Tiroang Community**

Humans as social beings will not be separated from the interaction in meeting all the needs of his life. He could not achieve it through himself. After all, he needed the help of others, as well as his help for others.

Therefore, what the Tiroang kiai expressed about the agreement for the management of agricultural land has lessons for the agreement's actors, including with this agreement mutual respect, mutual trust, mutual cooperation, and mutual willingness can be embedded.

With this agreement, both farmers and cultivators can respect each other, meaning that it can lead to the principle of equality and equality where muamalah is one way to meet the needs of human life. It often happens that one person has an advantage over another.<sup>20</sup>

This shows that among humans, each has advantages and disadvantages. For that, humans with one another must complement each other's shortcomings from the advantages they have.<sup>21</sup> Therefore, humans have an equal chance to agree. In carrying out this agreement, the parties determine their respective rights and obligations based on

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<sup>20</sup> Dahlan, Abdul Aziz. 1997. *Ensiklopedi Hukum Islam*. Jakarta: Ichtiar Baru Van Hove.p.98

<sup>21</sup> Anwar, Syamsul. 2007. *Hukum Perjanjian Syariah*. Edition.I; Jakarta: PT. Raja Grafindo Persada.p.120

this principle of equality.

Mutual trust can foster the principles of honesty and truth. Honesty must be carried out by humans from all fields of life, including in the implementation of muamalat.<sup>22</sup> If this honesty is not applied in the agreement, it will damage the legality of the agreement. In addition, if there is dishonesty in the agreement, it will cause a dispute between the parties.

Tiroang village is one of the villages with the potential of natural resources in agriculture which is quite large. This is shown by seeing the majority of Tiroang people who work as farmers manage agricultural land in various forms where some of them run a cooperative system by giving their land for farming. Others manage with a profit-sharing system, and some manage their communal agricultural lands. Farmers in Tiroang Village are usually inherited from their parents. They often get land by buying their own, because agricultural land is currently considered a pretty good investment because every harvest, the landowner gets a profit.

Many residents outside the Tiroang area own agricultural land and are unskilled in cultivating agricultural land. They only use this agricultural land as an investment, creating a lot of agricultural land that is cultivated through a cooperative system where the land owner gives his land to other people who are Tiroang residents. Own. It is also used by Tiroang residents who do not have agricultural land or only have a little and have skilled skills in working on agricultural land and cooperate in working on it with a profit-sharing system.

In the cooperative system of agricultural land management followed by a profit-sharing system, sometimes income or results in one land are abundant, few, and it is not uncommon for crop failures to occur, where if the land used as the object of cooperation fails, it will leave problems, considering that in cultivating land, There are many costs or capital that must be spent in managing agricultural land

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<sup>22</sup>Ath-Thayyar, Abdullah bin Muhammad et al. *Ensiklopedi Fiqih Muamalah dalam Pandangan Empat Mazhab*. Pub.I; (Yogyakarta: Maktabah al-Hanif. 2009) 78.

so that it can be harvested.<sup>23</sup> However, if there is a failure in this cooperation, it has been arranged or anticipated who will bear the losses due to crop failure or other problems - other problems in establishing this cooperation.

The agricultural land management system implemented by the Tiroang community, Tiroang District, Pinrang Regency as described above is allowed by Islam as long as the cooperation between the two parties is valid. Cultivators do not feel that any of them have been harmed, considering the Islamic law that regulates them.<sup>24</sup> The goal is to provide concessions regarding profit sharing as was done to the Tiroang community because in the Tiroang area the practice of managing agricultural land is accompanied by a profit sharing system that is carried out in a familial nature and follows the teachings of Islamic law.

Based on the land management system applied by the Tiroang community, it can be converted into a system of agricultural cooperation in Islam. As in Islam, the cooperative system in managing agricultural land is known as the muzara'ah system and the mukhabarah system.

In conducting cooperation transactions, the agreement must be explicit. The main thing is to determine the type and modal practice to be implemented.<sup>25</sup> This muzara'ah contract as it should be is the seeds and all operational costs incurred during the cultivation of agricultural land are borne by the agricultural land cultivator, and regarding the distribution of results depending on the contract that has been made. mutually agreed upon between the land owner and the land cultivator.<sup>26</sup>

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<sup>23</sup>Wahbah Zuhaili,, *Al-Fiqhi al-Islamiy wa Adillatup*. Juz 5 (Damaskus: Dar-Fikri. 1986)

<sup>24</sup>Fauzan. 2010. *Kompilasi Hukum Ekonomi Syariah*. Pub.I; Jakarta: Grup Media Kencana Prenada.p.49

<sup>25</sup>Lexy J.Moleong, *Metodologi Penelitian Kualitatif*. (Bandung: PT Remaja Rosdakarya.MO. 2010) 66.

<sup>26</sup> al-Huzani, Imam Taqiyuddin Abu Bakar bin Muhammad. *kifayah al-*

Ulama in Tiroang Village, Tiroang District, Pinrang Regency agreed that the agreement on rice cultivation (*muzaraah/mukhabarat*) applied by the Tiroang community must be based on several principles, including the principle of equality, the principle of honesty, the principle of mutual cooperation, and the principle of willingness. What is implemented in the regions cannot be separated from the existence of these four elements: equality, the principle of honesty, the principle of mutual cooperation, and the principle of willingness.<sup>27</sup> Although Islamic law does not explicitly explain the law of making agreements based on *adat* and does not conflict with existing provisions, this is permissible. As in *fiqh*, custom can be taken into account in determining the law, so that if the agreement is carried out logically and is relevant to common sense, it is carried out repeatedly, does not conflict with *syara'*. and no harm. If these customs can meet the criteria above, then they can be included in *'urf*, which can be used as a source of *ijtihad* law.<sup>28</sup>

The system of cooperation in cultivating agricultural land applied by the Tiroang community, both *muzara'ah* and *mukhabarah* can be seen using the *qiyas* method. Where *qias* is linguistically equivalent, comparing or measuring, equating something with something else. In terms of terminology, according to scholars, *ushul qias* means explaining the law of something that is not contained in the *Qur'an* and *Hadith* by comparing it with something determined by law based on the text.<sup>29</sup>

Legal sources are texts that describe laws, or legal source areas, issues of similar size or place. The *fuqaha* define *al-ashlu* as an object of *qiyas* in which a certain matter is told to him (*al-maqis 'alaihi*), and *musyabbah bih* (a place of parables), is also interpreted as a subject, namely an event whose law has been determined based on

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*akhyar fi hilili Ghayah al-Ikhtishar*, Juz I, Surabaya: Dar al-ilm, t.th.p.217

<sup>27</sup> Ghazaly, Abdul Rahman et al. 2010. *fiqh muamalah*. Pub.I; Jakarta: Grup Media Kencana Prenada.p.83

<sup>28</sup> Karim, Helmi. 1996. *Fiqh Muamalah*. Jakarta: Raja Grafindo Persada.

<sup>29</sup> Sabiq, Sayid. 1998. *Fiqh al-Sunnah*. Book 3. Dar al-Fikr: Beirut.p.132



the text.

Based on the above understanding, it can be seen that the qiyas approach in classifying cooperatives is applied by the Tiroang community, Tiroang Village, Pinrang Regency. If you look at the flow of cooperation in cultivating agricultural land applied by the Tiroang community starting from the contract to the profit-sharing process, then based on the research, when compared to the muzara'ah system with the mukhabarah system, the researcher can conclude that the cooperation system implemented by the local community is more oriented towards the mukhabarah system. compared to the muzara'ah system.<sup>30</sup>

### C. Conclusion

The cooperative system for cultivating agricultural land in the Tiroang community, Pinrang Regency in the implementation of the contract in carrying out cooperation, most of the people are still made in oral form because they still use local customs. However, a small part of the contract process is already in written form. Where the contents of the agreement include the rights and obligations of each party, the risks, the length of time for cooperation, the distribution of results and the form of profit sharing, but the length of time the agreement is in the contents of the agreement is sometimes not stated. , and this is usually caused by the working parties. Both have close family relations, so the terms of the agreement are not included in the contents of the agreement.

Regarding the risk in this cooperation process, if the harvest fails, the land owner will jointly bear certain losses in the form of fertilizers and pesticides because the capital is in the form of seeds, and both parties bear certain costs. However, in terms of profit

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<sup>30</sup> Hamidah, Iin. 2014. *Kesesuaian Konsep Islam dalam Praktik Kerjasama Bagi Hasil Petani Desa Tenggulun Kecamatan Solokuro Kabupaten Lamongan Jawa Timur*, Undergraduate Thesis; [Syariah dan Hukum: Jakarta, repository.uinjkt.ac.id/dspace/bitstream/123456789/28561/1/IIN%20HAMID AH-FSP.pdf (Accessed February 22, 2017).p.152

sharing, the local community applies a profit sharing system with 50% for land owners and 50% for land cultivators. Meanwhile, if in the management of agricultural land the land owner dies, then part of the harvest will be given to his family or heirs, but if the agricultural cultivator dies, the family of the cultivator will remain until harvest.

The practice of cultivating agricultural land in the Tiroang community follows the muzara'ah system and the mukhabarah system, which when viewed from the results of the research on the cooperative system applied by the Tiroang community in cultivating agricultural land is more mukhabarah. compared to the muzara'ah system, taking into account the existing considerations. In the local community, landowners leave it entirely to the cultivators to manage it, provided that some of the costs of certain maintenance, including seeds, are shared. But first it is borne by the cultivators until harvest, where usually the cultivators borrow capital in the form of pesticide fertilizers to the seller, then after harvest and land. This results in certain expenses being paid in advance before any profit sharing is made.

## Reference

- Abdurrahman, Dudung. 2003. *Metode Pengantar Penelitian*. Yogyakarta: Kurnia Alam Semesta.
- Adwin, 2015. *Praktek Bagi Hasil Dalam Pengelolaan Pertambangan (Studi kasus Muzaraa'ah dan Mukhhabarah di Desa Paria Kec. Duampanua. Kab. Pinrang)*, Skripsi Sarjana; Jurusan Syariah Prodi Muamalah : STAIN Parepare.
- Afzalurrahman. 1995. *Doktrin Ekonomi Islam*. penerjamah : Soeroyo dan Nastangih. edisi Lisensi, Yogyakarta: Dana Bhakti.
- Ali, Mohammad Daud. 2009. *Hukum Islam*. jakarta: PT. Raja Grafindo Persadara.
- Ali, Zainuddin, 2011. *Metode Penelitian Hukum*. Cet.III; Jakarta: Sinar Grafika.
- al-Huzani, Imam Taqiyuddin Abu Bakar bin Muhammad. *kifayah al-akhyar fi hilili Ghayah al-Ikhtishar*, Juz I, Surabaya: Dar al-ilm, t.th.
- al-Mujtahid, Ibnu Rusyd Bidayah. terj. Imam Ghozali berkata, *Analisis*

- Fiqih Para Mujtahid*; Jakarta: Pustaka Amani .
- al-Tamim, Izzuddin Khatib. 1992.*Bisnis Islami*. Cet.I; Jakarta: Fikahati Aneska.
- Anis, Ibrahim. 1972.*Al-Mu'jam Al-Washit, hanya 1*. Cet.II; Kairo: Dar Ihya al-Turats al-Araby.
- Antonio, Muhammad Syafi'i. 2001.*Bank Syari'ah dan Teori ke Praktek*, Jakarta: Gema Insani Press, 2001. Lihat juga Helmi Karim, *fiqih muamalah*, Jakarta: Raja Grafindo Persada.
- Anwar, Syamsul. 2007.*Hukum Perjanjian Syariah*. Edisi.I; Jakarta: PT. Raja Grafindo Persada.
- Ath-Thayyar, Abdullah bin Muhammad dkk. 2009.*Ensiklopedi Fiqih Muamalah dalam Pandangan Empat Mazhab*. Cet.I; Yogyakarta: Maktabah al-Hanif.
- Bungin, Burhan. 2013. *Analisis Data Penelitian Kualitatif*. Set. VIII; Jakarta: PT Raja Grafindo Persada.
- Dahlan, Abdul Aziz. 1997.*Ensiklopedi Hukum Islam*. Jakarta: Ichtiar Baru Van Hove.
- Departemen Agama RI 2000. *Al-Qur'an dan Terjemahannya*. Semarang: CV. As-Syifah.
- Fauzan. 2010.*Kompilasi Hukum Ekonomi Syariah*. Cet.I; Jakarta: Grup Media Kencana Prenada.
- Ghazaly, Abdul Rahman dkk. 2010.*fiqh muamalat*. Cet.I; Jakarta: Grup Media Kencana Prenada.
- Hamidah, Iin. 2014.*Kesesuaian Konsep Islam dalam Praktik Kerjasama Bagi Hasil Petani Desa Tenggulun Kecamatan Solokuro Kabupaten Lamongan Jawa Timur*, Skripsi Sarjana; [Syariah dan Hukum: Jakarta, hi repository.uinjkt.ac.id/dspace/bitstream/123456789/28561/1/II N%20HAMIDAH-FSH.pdf (Di akses 22 februari 2017).
- Harun, Nasrun. 2007.*fiqh muamalah*. Jakarta: Gaya Media Pratama.
- J.Moleong, Lexy. 2010.*Metodologi Penelitian Kualitatif*. Bandung: PT Remaja Rosdakarya.
- Karim, Helmi. 1996. *Fiqih Muamalah*. Jakarta: Raja Grafindo Persada.

- Khallaf, Abdul Wahhab. 2013. *Kaidah-kaidah Hukum Islam*. Set. AKU AKU AKU; Jakarta: CV Rajawali.
- Khumadi. 2016. *Tinjauan Hukum Islam Terhadap Praktek Perjanjian Kerjasama Pertanian Garam (Studi kasus di Desa Guyangan Kecamatan Trangkil Kabupaten Pati)* , Skripsi Sarjana; [Syariah dan Hukum: Semarang, eprints.walisongo.ac.id/5803/1/122311056.pdf (Diakses 22 Februari 2017).
- Muslich, Ahmad Ahmad Wardi. 2010. *Fiqh Muamalat*. Cet.I; Jakarta: Sinarj Grafika Offset.
- Puspitasari, Novi.dkk. Muzara'ah Pada Usaha Pertanian Padi: Analisis Nilai-Nilai Islami Dan Keuangan (Studi di Kecamatan Bangsalsari Kabupaten Jember):2019
- Rivai, Veithzal. 2011. *Hukum Transaksi Islam Dalam Bisnis Dari Teori Ke Praktek*. Jakarta: Bumi Aksara.
- Sabiq, Sayid. 1998. *Fiqh al-Sunnah*. Jilid 3. Dar al-Fikr: Beirut.
- Suhendi, Hendi. 2010. *fiqh muamalah*. Jakarta: Pers Rajawali.
- Utami, Anita Mega. 2011. "Pengaruh Pembiayaan Mudharabah Terhadap Pendapatan BMT Bina Umat Sejahtera Pondok Gede" Skripsi Sarjana; Fakultas Syariah dan Hukum: Jakarta.
- "Peta Kecamatan Tiroang."  
2017. <http://syafraufgisqu.Wordpress.com/tag/peta-makassar/>. (26 April).
2017. <http://pnpm-tiroang.blogspot.com/2013/07/profil-kecamatan-tiroang.html>. (24 April).
- Nur, Muhammad. 2021. "Tiroang Community Profit Sharing". Personal Interview Results: February 8, 2021, Pinrang.
- Patria. 2021. "Agricultural Land Management Cooperative System". Personal Interview Results: February 9, 2021, Pinrang.
- Rusli. 2021. "Tiroang Community Profit Sharing". Personal Interview Results: February 7, 2021, Pinrang.

