



The Practice of Buying and Selling Artificial Insemination Seeds in Cows Reviewed According to Sharia Economic Law

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Abstract: The local cattle crossbreeding program with exotic cattle was developed as a result of the high demand from farmers for artificial insemination of exotic cattle. The number of local cattle is expected to decline over time and may be threatened with extinction. These artificial inseminations have been distributed through ordering, direct sales and distribution systems. The problems are (1) How is the mechanism of the sale and purchase transaction of artificial insemination seeds in cattle carried out in sharia? (2) What is the view of Sharia Economic Law on the practice of buying and selling artificial insemination seeds in cattle? The type of this research is qualitative with a field approach (Field Research), the data collection methods used are observation, interview, and documentation methods. The results of this study are (1) The mechanism of the practice of buying and selling artificial insemination seeds in cattle has been running in sharia is known to use tabarru` contracts based on service turnover, namely the wakalah contract that the mechanism of buying and selling artificial insemination practices only focuses on operational payments for orderlies' services in helping and helping farmers. (2) The view of sharia economic law on the practice of buying and selling artificial insemination seeds in cows using a tabarru` contract based on the replacement of the services of the wakalah contract which contains elements of help, so that this buying and selling practice is permissible according to the principles of sharia economic law, namely the benefit of hajjiyah.

Keywords: Artificial Insemination; Buying; Selling; Sharia Economic Law

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INTRODUCTION

In the development of modern times today, it is inevitable that the activities and activities of the community every day must always be related to muamalah, one of which is buying and selling.¹ Buying and selling is a way for people to get the goods they need for their daily needs, both personal and communal. According to economic theory, buying and selling refers to the transfer of ownership rights to products or other assets, most of which use money as a medium of exchange. Currently, the buying and selling that is the focus of this research is on artificial insemination seeds which are growing rapidly in the cattle field.² However, artificial insemination has its own problems that will result in the local cattle crossbreeding program declining over time and possibly becoming endangered.

Artificial insemination is a process of injecting male sperm cells into the female reproductive tract using a special sperm injection needle. The practice of injecting mating or artificial insemination is a reproductive technology for livestock that aims to increase reproductive efficiency and spread superior seeds evenly and can prevent the spread of diseases due to sexual transmission.³

These artificial inseminations have been distributed through ordering, direct sales and distribution systems. One of the technology implementation units (UPT) that creates and distributes high quality artificial inseminated cows is the Lembang Artificial Insemination Center.⁴ There are two options for buying and selling artificial insemination in Lembang Artificial Insemination Center, namely coming directly or ordering online through the e-catalog website.⁵

¹ Nurul Inayah and Andri Soemitra, "Fiqh Muamalah Money and Financial Institutions: A Literature Study," *Islamic Economics Scientific Journal* 8, no. 3 (2022): 2966, <https://doi.org/10.29040/jiei.v8i3.6777>.

² Norman, Efrita, and Idha Aisyah. " *Online Business in the Era of Industrial Revolution 4.0 (Fiqh Muamalah Review)*." *Al-Kharaj: Journal of Islamic Economics, Finance & Business* 1.1 (2019): 30-44.

³ Ziani, Muftia Zahra, and Sandy Rizki Febriadi. " *A Review of Muamalah Jurisprudence on the Application of Salam Akad in the Sale and Purchase of Artificial Insemination in Beef Cattle*." *Journal of Islamic Banking Research* (2022): 15-22.

⁴ Fakhri Alfi Annashru et al., "Effect of Different Timing of Artificial Insemination on Cattle Pregnancy Success Brahman Cross The Effect of Differences Time in Artificial Insemination toward Successful Brahman Cross Pregnancy," *Journal of Animal Science* 27, no. 3 (2017): 17-23, <https://doi.org/https://doi.org/10.21776/ub.jiip.2017.027.03.03>.

⁵ Prabuwisudawan, Dwipanca, Amzul Rifin, and Setiadi Djohar. " *Development Strategy of Artificial Insemination Center Lembang West Bandung Regency with Approach Business Model Canvas*." *Journal of Business and Management Applications (JABM)* 4.3 (2018): 317-317.

Blang Weu Baroh Village, Blang Mangat Subdistrict, Lhokseumawe City, where the majority of cattle breeders currently use exotic frozen cows to conduct artificial insemination in crossbreeding programs between native cows (ongole, brahmana, madura, aceh, pasundan) and exotic cows (*Simental*, *limousin*). The practice of buying and selling artificial insemination seeds uses an order system through a local orderly after which the orderly injects it into the female cow's reproductive organs. The purpose of farmers doing artificial insemination is because it has benefits such as heavy children at birth, faster growth, adapting to the environment and animal feed is quite affordable, the size of cows at adulthood is larger than usual, and higher selling prices.⁶

Based on the results of interviews, researchers in the field found two reasons why farmers use artificial insemination seeds in cows. *First*, the use of artificial insemination seeds in female cows because it is more dominant to be able to improve the genetic quality of superior local cows and quality, and the price is appropriate for farmers, which later farmers can get more profit when later sold the cow, and facilitate the breeding of cows owned by farmers. *Secondly*, when injecting artificial insemination seeds into a female cow's reproductive organs, we must wait 20 days to see the development of the seeds whether successful or not, but if the cow is not successful in getting pregnant, we as farmers do not experience losses if the cost of the injection is Rp. 50,000 rather than renting out male cows for mating worth Rp. 150,000.⁷

Furthermore, the researcher also obtained information through the local animal orderly who said that the practice of buying and selling artificial insemination seeds uses *limousine seeds*, because the quality of the calf's weight when born is very good and qualified, but if the farmer chooses other seeds besides *limousine* such as: ongole, bali, pasundan, the injection rate remains the same at Rp. 50,000 per injection, this rate has been in effect since 10 years ago.⁸

From the results of observations found in the field, the researcher draws the conclusion that seeing the practice of buying and selling artificial

⁶ Observation of the Practice of Orderig Insemination Seedlings in the Field. Conducted on August 24, 2023 Thursday, 10:30 am, in Gampong Blang Weu Baroh.

⁷ Mr. Azhar as an Animal Breeder, Interview Conducted on January 11, 2023 Wednesday, 11:00 am, in Gampong Blang Weu Baroh.

⁸ Mr. Roji as an Animal Orderly, Interview Conducted on January 11, 2023 Wednesday, 10:23 am, in Gampong Blang Weu Baroh.

insemination seeds in cows carried out by the majority of cattle breeders in Gampong Blang Weu Baroh, Blang Mangat District, Lhokseumawe City is due to misunderstanding the legal perception of the practice of buying and selling artificial insemination seeds in this cow. Because farmers consider that the sale and purchase practice they carry out is based on paying the insemination rate to the animal orderly and there is no element leading to buying and selling which is prohibited by Islam. In fact, according to the MUI (Indonesian Ulema Council) fatwa opinion, there is still no consensus on whether or not it is permissible to trade cow sperm. In addition, the Regulation of the Minister of Agriculture of the Republic of Indonesia number 03 of 2020 concerning Minimum Service Standards of the Lembang Artificial Insemination Center has allowed artificial insemination.

RESEARCH METHODS

This type of research is qualitative research with a field Research⁹, namely researchers looking for data directly in Gampong Blang Weu Baroh, precisely the Gampong community about the practice of buying and selling artificial insemination seeds according to Sharia Economic Law. The data obtained from this research is used as the main data or primary data. Field studies are carried out to obtain information about the practice of buying and selling artificial insemination seeds in cattle reviewed according to Sharia Economic Law in Gampong Blang Weu Baroh. While the literature study is used as supporting data that may be found from document data and books on theories developed by experts and other sources. From this document data, it is expected that an initial policy will be found about the general description of the theoretical basis for buying and selling artificial insemination in Gampong Blang Weu Baroh. From this type of research, it is expected that a valid conclusion will be found.

DISCUSSION/RESULTS AND DISCUSSION

A. Sharia-compliant Mechanism of Artificial Insemination Seeds Sale and Purchase Transaction in Cattle

Blang Weu Baroh Village, Blang Mangat Subdistrict, Lhokseumawe City is the majority of cattle farmers currently using exotic frozen cows for artificial insemination in crossbreeding programs between native cows (ongole, brahmana, Madura, Aceh, Pasundan) and exotic cows (*Simental*, *limousin*).

⁹ Abdullah Boedi dan Ahmad Saebani Beni, "Islamic Sharia Economic Research Methods" (Jakarta: Publica Indonesia Utama, 2014), h 34.

The practice of buying and selling artificial insemination seeds uses an order system through the local orderlies after which the orderlies inject them into the female cow's reproductive organs. Therefore, to answer the formulation of the problem of how the mechanism of buying and selling artificial insemination seeds in Pedijalan cattle is sharia-compliant. Researchers conducted interviews with 4 informants, namely Mr. Roji as (Animal Mantri), Mr. Afrizal as DKPP Employee of Lhokseumawe City and Mr. Azhar, Mr. Jhoni as (cattle breeders).

In the process of artificial insemination of cattle carried out by animal orderlies to people who have cattle farms in Gampong Blang Weu baroh, the mechanism of the practice of buying and selling inseminated seeds is carried out in a way, namely:

1. Making an order, usually the farmer contacts me by phone or can come directly to the house to ask if it is possible to inject the cow. Then the farmer confirms in determining the type of cow seed that the farmer wants to choose for artificial insemination. So that the agreement between me and the farmer is in accordance with the options in selecting and determining the insemination seeds.
2. Insemination. Before inseminating I check whether the cow is in heat or not, if the cow is in heat the insemination process can be carried out by tying with a rope or cage clamp.
3. In accordance with the Standard Operating Procedure, I can use tools such as syringes, transport *containers*, *straw* (frozen sperm), rope, warm water to thaw the sperm, tweezers to take the *straw*, *glove* (gloves) and liquid nitrogen.
4. Conveying the success rate. I told the farmers that the success rate of artificial insemination is determined by the accuracy of desire detection, sperm deposition on the cow's reproductive organs, semen quality, and the condition of the offspring's organs. If the first insemination fails within 19 hours, a second insemination can be performed in about 21 days. But, if the insemination still fails, I tell the farmer that there is no money-back guarantee because I am only a provider of veterinary injections.
5. Delivering the Price. After the insemination process was complete, I conveyed the price of operational costs as a mantri profession in

conducting insemination in the amount of Rp 50,000. Not the price of cattle seeds.¹⁰

Then according to Mr. Roji as the minister of animals regarding the mechanism of the practice of buying and selling artificial insemination seeds in cattle is known to be included in the form of sharia, because the mechanism The cost of implementing artificial insemination for farmers has been determined in advance. The cost of practice is determined based on the agreement of inseminators who are members of the livestock industry association, taking into account the cost of purchasing sperm, equipment needed for artificial insemination and surgery. Farmers pay a certain amount of money to inseminators from the agency as payment for helping them in breeding their animals, including reimbursing the cost of straw.

The selling and buying mechanism conveyed by the animal orderlies is in accordance with Mr. Afrizal regarding the capacity of seedling assistance to farmers in Lhokseumawe City. The price of services determined by ordinary orderlies is Rp. 50,000 if the cow seeds come from DKPP (Food Security and Animal Husbandry Service) in Lhokseumawe City, because cow seeds in DKPP are distributed to farmers in Lhokseumawe City, but the number of available assistance seeds is only 1,500 seeds, while popularity should stand at 7,000 farmers in Lhokseumawe City. Therefore, there are some people who do buy seeds directly on the cattle seedling production market at a price of Rp. 200,000 per injection.¹¹

In contrast to Mr. Azhar Ibrahim as the first farmer who received assistance through the government, where doing artificial insemination using breeding seeds will produce quality cows, which later can reach two to three times the price of the previous cow. The insemination process that I do is not certain, sometimes 2-3 times depending on the condition of the cows and the process of purchasing cattle seeds is obtained through government assistance, so I only pay the mantri the operational costs.¹²

Meanwhile, according to Mr. Joni as the second cattle breeder who performs artificial insemination on cows, because the growth period of

¹⁰ Mr. Roji as an Animal Orderly, Interview Conducted on January 11, 2023 Wednesday, 10:23 am, in Gampong Blang Weu Baroh.

¹¹ Drh. Afrizal as an DKPP Employee of Lhokseumawe City, Conducted on August 22, 2023 Tuesday, Jam 15:00 pm, in Gampong Blang Weu Baroh.

¹² Mr. Azhar Ibrahim as an Cattle Farmer, Interview Conducted on August 24, 2023 Thursday, 13:35 pm, in Gampong Blang Weu Baroh.

cows will be faster than usual, because the purchase of cow seeds can be higher prices that I get from this injected cow seed because it is not through the government not through the mantri and the cost is cheap, and I can also choose the type of offspring we ask for. As for the number of injections I did, the mother and the injected breeding stock did not match.¹³

Different from the delivery of Mr. Samson as the third farmer who conducts the insemination process, it aims to save on maintenance costs, growth, food consumption, and regulate the spacing of cattle births.¹⁴ This is in line with the statement of Mr. Zulbadri regarding the mechanism of insemination seed selling practices, where artificial insemination is to improve the genetic quality of quality local cattle so as to provide a good selling price. From the results of insemination carried out so far, 4 have succeeded and 1 has failed due to the capacity of the mother with the breeding seeds not matching.¹⁵

Based on the results of the presentation of data from interviews with informants, the researcher draws the conclusion that the mechanism of the practice of buying and selling artificial insemination seeds in cattle the cost of implementing artificial insemination for farmers has been determined in advance. The cost of practice is determined based on the agreement of inseminators who are members of the livestock industry association, taking into account the cost of purchasing sperm, equipment needed for artificial insemination and operations. Farmers pay a certain amount of money to inseminators from the agency as payment for assisting them in breeding their animals, including reimbursing the cost straw.

Then the mechanism of the practice of buying and selling artificial insemination seeds in cows is carried out in sharia, it is proven that the buying and selling practices carried out between farmers and animal orderlies are found to be only the operational costs of their work as the profession of animal orderlies who help the process of injecting artificial insemination seeds in farmers' cows. Because the purchase of cow seeds made by farmers through the government and independent inseminators. So the researcher draws the conclusion that the mechanism of buying and

¹³ Mr. Joni as an Cattle Farmer, Interview Conducted on August 24, 2023 Thursday, 13:44 pm, in Gampong Blang Weu Baroh.

¹⁴ Mr. Samson as an Cattle Farmer, Interview Conducted on August 24, 2023 Thursday 11:35 am, in Gampong Blang Weu Baroh.

¹⁵ Mr. Zulbahri as an Cattle Farmer, Interview Conducted on August 24, 2023 Thursday 13:44 pm, in Gampong Blang Weu Baroh.

selling practices runs in sharia, namely regarding the *Tabarru`* contract with the *Wakalah* contract category.

B. A Sharia Economic Law View of the Practice of Buying and Selling Artificial Insemination Seeds in Cattle

Buying and selling in the language of exchange or exchanging something and *al-bai' al-tijarah*, *al-mubadalah* means: taking, giving something or *bartering*. Meanwhile, according to the understanding of *Shara'*, buying and selling is the exchange of property based on mutual consent or transferring property rights by changing property rights. The definition of buying and selling according to the *term* is exchanging one asset for another object and both receive assets to be spent with *ijab qabul* in a certain way. Selling and buying in *general* is an agreement to exchange goods or objects that have value, carried out voluntarily between the two parties, the first party receives money and the second party receives objects in accordance with the agreed agreement note and justified by *syara'*.¹⁶

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¹⁶ Syaikh Sulaiman Ahmad Yahya Al-Faifi, "*Sayyid Sabiq's Summary of Sunnah Jurisprudence*" (Pustaka Al-Kautsar, 2013), h. 120.

contracts are carried out with the aim of helping in order to do good (*tabarru'* comes from the Arabic word *birru*, which means goodness). Therefore, the party who does the good has no right to require any reward from the other party. The reward of the *tabarru'* contract is from Allah, not from humans. However, it is permissible for the party doing the act of kindness to ask its transacting partner to cover the costs it incurred to enter into the contract, without taking profit from the *tabarru' contract*.¹⁷

In substance, *tabarru'* contracts consist of lending something and giving something, so the mechanism of buying and selling practices included in *tabarru'* contracts is lending services. There are three types of contracts in borrowing services, namely *Wakalah*, *Wadi`ah* and *Kafalah*. So, the researcher draws the conclusion that the mechanism of the sale and purchase practice of artificial insemination of artificial seeds in cows runs sharia with the principles of *tabarru`* contracts with the type of *Wakalah* contract.

To answer in accordance with the formulation of the problem regarding the view of Sharia Economic Law on the Practice of Buying and Selling Artificial Insemination Seeds in Cattle. Researchers review sharia economic law through Muamalah Rules, Al-Quran and Hadith and the principles of sharia economic law. Furthermore, researchers will present the following:

1. Muamalah Rules

Fiqh muamalah is a science that deals with the laws of shara' that regulate relationships between humans and other humans whose main target is property (al-maal). This relationship has a very broad scope, because it involves human relations, both Muslims and non-Muslims. However, there are some principles or principles that must be a common reference and general guidelines in every muamalah activity .¹⁸ This principle is the most important principle of Islamic law in the field of muamalah. According to Prilia in the book *Fiqh Muamalah* quoted by Rusdan, this principle means that fiqh muamalah provides ample

¹⁷Mr. Azhar Ibrahim as an Cattle Farmer, Interview Conducted on August 23, 2023 Wednesday 13:35 pm, in Gampong Blang Weu Baroh.

¹⁸ Mustofa K and Rismayanti, "Review of Sharia Economic Law on Pricing in the Sale and Purchase of Artificially Inseminated Cattle in Suntenjaya Village, Lembang District, West Bandung Regency Rismayanti," *Journal of Sharia Economic Law*. Volume VI, no. 21 (2019), <https://doi.org/https://doi.org/10.15575/am.v6i2.9644>.

opportunities for the growth and development of various forms and types of new muamalah in accordance with the development of the needs of society. Forms or types of new business economic activities must be adapted to existing needs without forgetting the main principles of muamalah.

It can also be said that all forms of business and economic transactions and matters related to them are valid and may be carried out as long as there is no evidence that prohibits it . In this case the *fiqihyyah rule* is clear, namely:

الأَصْلُ فِي الشُّرُوطِ الْمُعَامَلَاتِ الْحِلُّ وَالْإِبَاحَةُ إِلَّا بِدَلِيلٍ عَلَى التَّحْرِيمِ

Artinya: The basic principle in muamalah is that it is permissible as long as there is no evidence that forbids it.

Based on the findings of the researchers, the mechanism of buying and selling practices runs in sharia that it is known that the *tabarru`* contract is based on the form of lending services, namely *wakalah*. The mechanism of buying and selling practices is seen through the cost of implementing artificial insemination for farmers has been determined in advance. The cost of the practice is determined based on the agreement of inseminators who are members of the livestock industry association, taking into account the cost of purchasing sperm, equipment needed for artificial insemination and operations. Farmers pay a certain amount of money to inseminators from the agency as payment for helping them in breeding their animals, including reimbursing the cost of straw.

In the hadith of the Messenger of Allah (*peace and blessings of Allah be upon him*). There is a prohibition on receiving wages or a prohibition on marketing animal seeds. In terms of *maslahah*, the cost of this operation is acceptable, because the seed used is not produced by the Livestock Service Office but comes from the Artificial Insemination Center Singosari Malang, so it costs money to obtain the sperm. In this case, the quality of the sperm has been checked and the dosage can be measured and used. In addition, in the practice of artificial insemination, costs are required for activities such as purchasing artificial insemination equipment and operating the insemination machine. Therefore, it is permissible to earn wages from the practice of artificial insemination.

Islam does not provide detailed provisions on wages. Islam teaches to prioritize human values in determining workers' wages. Human values include cooperation and helping to create social harmony.¹⁹

Even according to the opinion of Imam Shafi'i and Imam Abu Hanifah who prohibited the sale of male animal sperm on the basis of the hadith related to Ba'i *Ashab al Fahl*, namely:

عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ قَالَ نَبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ عَسْبِ الْفَحْلِ

Meaning: Ibn Umar Radhiallahu 'anhuma said: "The Prophet Muhammad (peace and blessings of Allah be upon him) forbade the buying and selling of male sperm." (HR. Bukhari, no. 2284).

Likewise, according to Ibn Hajar Al-Asqalani in Fathul Bari, it is also prohibited to trade in male animal sperm because it cannot be measured, its level cannot be known and it cannot be handed over.²⁰

2. Qur'an and Hadith

Based on the results of research on the mechanism of the practice of selling artificial insemination seeds in cows carried out in sharia with a *tabarru` contract* based on the form of lending services, namely wakalah. The legal basis for the *tabarru` contract* is the Qur'an and the Prophet's hadith, among others:

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

Meaning: And help each other in (doing) righteousness and piety, and do not help each other in sin and enmity. Fear Allah, indeed, Allah is very severe in His punishment. (QS Al-Maidah verse 2)

مَنْ نَفَسَ عَنْ مُؤْمِنٍ كُرْبَةً مِنْ كُرَابِ الدُّنْيَا نَفَسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرَابِ يَوْمِ الْقِيَامَةِ وَمَنْ يَسَّرَ عَلَىٰ مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالْآخِرَةِ وَمَنْ سَتَرَ مُسْلِمًا سَتَرَهُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ وَاللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخِيهِ. رَوَاهُ مُسْلِمٌ عَنْ أَبِي هُرَيْرَةَ

¹⁹ M B Anto and Pengantar Hendri, "Islamic Microeconomics" (Jakarta: Ekonisia, 2003), h. 228.

²⁰ Ahmad bin Ali Hajar Al-asqalani, 'Abd.'Aziz bin'Abdullah Ibn Baz, and Hafiz Thana'Allah Zahidi, "Fath Al-Bari Bi-Syarah Sahih Al-Bukhari" (Beirut: Dar Al-fikr, 1993), h. 108.

Meaning: "Whoever relieves a believer of one of the hardships of this world, Allah will relieve him of one of the hardships of the Day of Resurrection. Whoever alleviates the suffering of a person, Allah will alleviate his suffering in this world and the Hereafter. Whoever covers the disgrace of a Muslim, Allah will cover his disgrace in this world and the Hereafter. Allah will help a servant as long as that servant is willing to help his brother." (HR Muslim from Abu Hurairah).

Based on the opinion of Adimarwan A. Karim in his book entitled "Islamic Bank Fiqh and Financial Analysis" quoted in his journal M.Harfin Zuhdi with the title "Principles of Akad in Transactions in Islamic Economics" explains that the verses of the Qur'an and the Prophet's hadith, it is clear that in a *tabarru'* contract, *the* party doing good has no right to require any reward from the other party. The reward of the *tabarru'* contract is from Allah, not from humans. However, the party doing the good deed may ask his counterpart to cover the costs he incurred to enter into the *tabarru'* contract. However, he may not take any profit from the *tabarru'* contract. Examples of *tabarru'* contracts are qard, rahn, hiwalah, wakalah, kafalah, wadiah, hibah, waqf, shadaqah, and gifts . In accordance with the results of interview data that animal orderlies are known that there is no profit taking by animal orderlies because the cost of ensimination seeds distributed by the government is 1,500 seeds and the production of cattle seeds other than the government costs Rp 200. However, the animal minister is only paid according to his operational provisions as a profession of animal orderlies by being paid Rp 50,000. So there is no profit at all.

3. Principles of Sharia Economic Law

But in this case, as the results of interviews conducted by researchers with farmers in Gampong Blang Weu Baroh that artificial insemination of cattle seeds can provide convenience to the community in everything from how to breed cows to prices that help benefit farmers in Blang Weu Baroh. In this case if insemination is prohibited, it will make it difficult in terms of breeding female cattle breeders in Gampong Blang Weu Baroh.

Then for now it is very difficult to get quality artificial insemination cattle seeds and also the maintenance costs are so expensive too. Artificial insemination has so many benefits for farmers in Gampong Blang Weu

Baroh, where it is not difficult for the cattle farmer to bring the neighbor's stud cow to the place of the female cow. But with the presence of artificial insemination only brings the seeds, and there is a guarantee to be able to produce children for the mother who are quality and tested seeds.

A contract is said to be valid if it fulfills the conditions and pillars that have been determined, such as those mentioned in Chapter II that the goods are useful and do not conflict with religious norms. However, the object used in artificial insemination is animal sperm, which is prohibited. In the case of a benefit contract, such as the lease of a house, vehicle, clothing, and jewelry. If the benefit is a benefit that is allowed by *Shara'* to be used, then the fiqh scholars agreed that it can be used as an object of leasing.²¹

The sale and purchase of services in the nature of work is by hiring someone to do a job. This kind of sale and purchase is permissible if the type of work is clear, such as construction workers, tailors, factory workers, hairdressers, and cobblers. This kind of sale and purchase of services is usually private, such as hiring a housemaid, and unionized, where a person or group of people sell their services for the benefit of many people, such as cobblers, factory workers, and tailors. According to the scholars of fiqh, both forms of sale and purchase of services are permissible.²²

The contract between the farmer and the inseminator in Gampong Blang Weu Baroh is a service contract and is done orally. The fee given by the farmer to the animal orderly as a wage. The fee is operational for the inseminator or animal orderly including all artificial insemination equipment. Akad in the practice of artificial insemination is included in the level of *maslahah hajjiyah*, namely *maslahah* needed by humans to perfect their basic benefits and eliminate the difficulties faced. As is the case that artificial insemination is a technological breakthrough that provides convenience in livestock breeding. Shari'a is established basically contains benefits for humans. To achieve the benefit, humans will always be influenced by the development of their own place, time, and environment.

Buying and selling services means wages or compensation or rewards. The general understanding of buying and selling services has services or utilization of something object or reward for an activity, or wages for doing

²¹Mustofa, "Contemporary Fikih Studies Islamic Legal Answers to Various Contextual Problems of the Ummah", (Yogyakarta: Idea Press, 2019), h.203-204.

²²*Ibid*, h.203-204.

something activity.²³ According to terminology, buying and selling services is selling benefits. Sale and purchase of services according to Hanafiah scholars, means a contract for a benefit with a substitute. The Shafi'iyah scholars stated that buying and selling services is a contract for a benefit that has a specific purpose and is permissible, and accepts a substitute or permissibility with a certain substitute. According to the Malikiyah and Hanafiah scholars, buying and selling services means making ownership of a permissible benefit in a certain time with a substitute.²⁴

Based on the description of the opinion above, it can be synthesized that the sale and purchase of services is the taking of benefits for a good or service involving a person with another person in accordance with a predetermined period of time and the existence of a reward or wage and without any transfer of ownership. This is supported by Sudiarti's statement which reveals that buying and selling services is a lease that has clear benefits and objectives, can be handed over, may be with a known compensation (wage), such as a house to live in, a car to ride in, and the services of an orderly who performs artificial insemination.²⁵

As in the case of interviews the author obtained from Blang Weu Baroh farmers that artificial insemination has been carried out and has become a convenience and benefits so much for farmers and has become a habit of the community in breeding livestock. If this is prohibited, it will cause difficulties. Then the goods used in the practice of artificial insemination have been removed from the body of the male animal and know the type of seed that will be inserted into the womb of the female cow. Artificial insemination already has a clear object of the type of seed used by the veterinarian of Gampong Blang Weu Baroh and there is already a guarantee, so that from the practice of artificial insemination that occurs in Gampong Blang Weu Baroh it is allowed to see the benefits of the practice of artificial insemination is quite large.

So based on the view of Islamic economic law, it is known that in the rules of muamalah there is a prohibition on the practice of buying and selling insemination based on the words of the prophet in terms of objects and services. Meanwhile, based on the laws of the Qur'an and Hadith, the mechanism of the practice of selling artificial insemination seeds in cows is

²³ Helmi Karim, *"Fiqh of Muamalah"*, (Jakarta: Raja Grafindo Persada, 1997), h. 29.

²⁴ Syafei Rachmat, *"Fiqh of Muamalah"*, (Bandung: Pustaka Setia, 2001), h. 137.

²⁵ Sri Sudiarti, *"Contemporary Fiqh Muamalah"*, (Medan: FEBI UIN-SU Press, 2018), h. 194.

carried out in sharia with a *tabarru` contract* based on the form of lending services, namely *wakalah*, including being allowed to take compensation only as a condition of the contract without profit. Then based on the principles of Islamic economic law, it is included in the legal principle of benefit. Although the object is prohibited, it has a big impact on the community's commercial activities.

CONCLUSION

From the description above about the Practice of Buying and Selling Artificial Insemination Seeds in Cattle Reviewed According to Sharia Economic Law Case Study in Gampong Blang Weu Baroh that:

The mechanism of the practice of buying and selling artificial insemination seeds in cattle has been running in Sharia is known to use *tabarru` contracts* based on service turnover, namely the *wakalah* contract that the mechanism of the practice of buying and selling artificial insemination only focuses on operational payments for the services of orderlies in helping and helping farmers.

The view of Sharia Economic Law on the practice of buying and selling artificial insemination seeds in cows is included in a *tabarru` contract* based on replacing the services of a *wakalah* contract which contains elements of help, so this buying and selling practice is permissible according to the principles of Sharia Economic Law, namely the benefit of *hajjiah*.

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