

ABSTRAK

Penelitian ini bertujuan untuk menganalisis penyelesaian sengketa dalam praktik kerja sama *paron sapi* di Desa Kokop Kabupaten Bangkalan serta menganalisis kesesuaiannya dengan prinsip-prinsip fiqh muamalah. Penelitian menggunakan metode penelitian hukum empiris dengan pendekatan kualitatif. Data diperoleh melalui observasi, wawancara dengan pemilik sapi, pengelola, tokoh masyarakat, dan tokoh agama, serta dokumentasi. Analisis data dilakukan melalui tahapan reduksi data, penyajian data, dan penarikan kesimpulan.

Hasil penelitian menunjukkan bahwa penyelesaian sengketa dalam praktik kerja sama *paron sapi* lebih banyak dilakukan melalui musyawarah kekeluargaan dengan melibatkan tokoh masyarakat atau kepala desa sebagai mediator. Mekanisme tersebut merupakan bentuk *Alternative Dispute Resolution* (ADR), khususnya negosiasi dan mediasi, yang mengutamakan penyelesaian secara damai (*win-win solution*). Sengketa yang terjadi umumnya berkaitan dengan pembagian hasil, biaya pemeliharaan, serta tanggung jawab atas kerugian akibat Penyakit sapi, pencurian sapi dan perjanjian tidak tertulis.

Berdasarkan tinjauan fiqh muamalah, praktik kerja sama *paron sapi* pada dasarnya telah memenuhi prinsip kerja sama, amanah, kerelaan para pihak, dan bagi hasil sehingga dapat dianalogikan dengan akad syirkah dan mudharabah. Namun, masih terdapat kelemahan berupa pelaksanaan akad secara lisan tanpa perjanjian tertulis yang menyebabkan ketidakjelasan mengenai hak, kewajiban, dan pembagian risiko. Oleh karena itu, diperlukan penyusunan akad yang lebih jelas dan tertulis agar tercipta kepastian hukum, keadilan, serta kemaslahatan bagi para pihak sesuai dengan prinsip-prinsip fiqh muamalah.

Kata Kunci: Fiqh Muamalah, Penyelesaian Sengketa, ADR, Syirkah, Mudharabah, *Paron Sapi*.

ABSTRACT

This study aims to analyze dispute resolution in the practice of paron sapi (cattle-sharing partnership) in Kokop Village, Bangkalan Regency, and to examine its conformity with the principles of Fiqh Muamalah. This research employed an empirical legal research method using a qualitative approach. The data were collected through observation, interviews with cattle owners, caretakers, community leaders, and religious leaders, as well as documentation. The data were analyzed through the stages of data reduction, data presentation, and conclusion drawing.

The results of the study indicate that disputes arising from the paron sapi partnership are predominantly resolved through family-based deliberation involving community leaders or the village head as mediators. This mechanism reflects the implementation of Alternative Dispute Resolution (ADR), particularly negotiation and mediation, which emphasize peaceful settlement and a win-win solution. The disputes generally concern profit-sharing, maintenance costs, responsibility for losses caused by cattle diseases, cattle theft, and unwritten agreements.

From the perspective of Fiqh Muamalah, the paron sapi partnership generally fulfills the principles of cooperation (ta'awun), trust (amanah), mutual consent (an-taradhin), and profit sharing, making it comparable to the contracts of Syirkah and Mudharabah. However, the study also found a significant weakness in that the agreements are mostly conducted orally without written contracts, resulting in uncertainty regarding the rights, obligations, and allocation of risks between the parties. Therefore, it is necessary to establish clearer and written agreements to ensure legal certainty, justice, and public welfare in accordance with the principles of Fiqh Muamalah.

Keywords: *Fiqh Muamalah, Dispute Resolution, Alternative Dispute Resolution (ADR), Syirkah, Mudharabah, Cattle-Sharing Partnership.*