



**Polarization of Profit Sharing of Paddy Cultivation in the Acehese
Community as an Attempt to Alleviate Poverty: A Study of *Fiqh
Muamalah***

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Abstract: This study examines the polarization of profit sharing in paddy cultivation in the tradition of the people of Aceh as an effort to alleviate poverty. This study, as the empirical or juridical sociological legal research, examines the behavior of law or operation of law in society. The study uses *fiqh muamalah* approach and obtains data through interviews and literature study. This study concludes that the pattern of profit sharing on the cultivation of paddy fields is categorized into a *muzāra'ah aqd*, which has rules specified in *fiqh muamalah* and promotes mutual assistance. However, traditionally, the people of West Aceh, Pidie, and Aceh Jaya utilizing leasing in managing paddy fields tend not to fully operate in accordance with the *muzāra'ah aqd*. This is due to the operational costs needed for the management of the fields have to be provided by the tenant farmers without financial contributions from the landowners at all. This method can easily allow the landowners to exploit the labor of tenant farmers as the tenants do not have other options aside from cultivating the land. As a result, tenant farmers find it difficult to get out of the shackles of poverty. Therefore, it takes effort to help the farmers out of poverty. It is expected that the government plays a role in the forms of the provision of aids such as seeds, fertilizers, medicines, harvesting machines, and rice threshers, with the goal to reduce expenditure costs of management and thus, the farming revenue will increase and farmers' well-being will be achieved.

Keywords: Profit Sharing Pattern, Paddy Cultivation, Acehese Traditions, Poverty Alleviation, *Fiqh Muamalah*

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Abstrak: Artikel ini mengkaji tentang polarisasi bagi hasil penggarapan sawah dalam tradisi masyarakat Aceh sebagai upaya pengentasan kemiskinan. Kajian ini merupakan studi hukum empiris atau yuridis sosiologis yang mengkaji tentang perilaku hukum atau bekerjanya hukum dalam masyarakat. Pendekatan yang digunakan adalah fiqh muamalah, sedangkan teknik pengumpulan data yaitu; wawancara dan studi literatur. Kajian ini menyimpulkan bahwa pola bagi hasil pada penggarapan sawah termasuk dalam aqad muzāra'a, yang memiliki aturan tertentu dalam fiqh muamalat dan mengandung sifat tolong-menolong. Sedangkan dalam tradisi masyarakat Aceh bagian Barat, Pidie, dan Aceh Jaya menggunakan sistem sewa dalam pengelolaan sawah cenderung belum sepenuhnya sesuai dengan aqad muzāra'a. Karena biaya operasional yang dibutuhkan untuk pengelolaan sawah ini harus disediakan oleh pihak petani penggarap sendiri tanpa ada kontribusi finansial dari pihak pemilik lahan sama sekali. Cara ini juga semakin mengerdilkan keberadaan petani penggarap karena pihak pemilik lahan semakin mudah mengeksploitasi tenaga buruh tani, dan pihak penggarap tidak memiliki opsi lainnya karena tidak memiliki lahan sendiri. Akibatnya petani sulit untuk keluar dari jeratan kemiskinan. Oleh karena itu dibutuhkan upaya untuk mengeluarkan petani tersebut dari jeratan kemiskinan. Tentu pemerintah mempunyai peran dalam bentuk pemberian bantuan, baik dari segi bibit, pupuk, obat, mesin pemanen dan perontok padi, dengan tujuan untuk mengurangi pengeluaran biaya-biaya pengelolaan, sehingga pendapatan lebih besar dan kesejahteraan dapat tercapai.

Kata Kunci: Pola Bagi Hasil, Penggarapan Sawah, Tradisi Aceh, Pengentasan Kemiskinan Dan Fiqh Muamalah

Introduction

Indonesia has enormous agricultural land, and most people cultivate paddy fields using the system of kinship and customs and traditions that are passed down from one generation to another.¹ With the pluralistic conditions of agricultural land, policies, such as intensification of agriculture, are required in the management of the paddy fields so that they can properly produce rice. In some areas, available land is very limited and the

¹ Ahyar Ari Gayo, "Perlindungan Hukum Hak Atas tanah Adat (Studi Kasus di Provinsi Aceh Khususnya Kabupaten Bener Meriah, *De Jure: Jurnal Penelitian Hukum* 18, No. 3, (2018), p. 289-304. Indra Rahmat, "Pengelolaan Harta Pusaka Tinggi dalam Masyarakat Adat Minangkabau (Studi di Kecamatan Batipuh Kabupaten Tanah Datar," *Jurnal Bakaba: Jurnal Sejarah kebudayaan dan Kependidikan* 8, No. (1), (2019), p. 15-24.

development of land is nearly impossible to do. In fact, in most parts of Aceh, as in Greater Aceh and Pidie, the areas of rice fields have been increasingly eroded for the construction of housing and other construction needs.

This issue has an impact on the level of difficulty of society to continue their livelihood from the sector of agriculture. There are many people who work primarily as farmers, but still they do not have their own paddy fields, thus reducing the level of prosperity of the people. In fact, ironically, most of the agricultural lands are owned by the middle-upper class society; however, they are unable to cultivate their land due to busyness and lack of farming expertise. Conversely, other members of the community who are landless have the ability to cultivate the land. As a consequence, some marginal groups emerge and depend their livelihood by working on other people's fields.²

Such reality has then triggered various events of law in society, one of which is an agreement on the management of paddy fields between the landowners and the tenant farmers. This agreement is a general form of field management treaty. The agreement is also followed by more specific clauses as most of the landowners also have a contribution in the management of the fields in addition to providing the land, such as providing capital for the cultivation of the fields (i.e., buying seeds and fertilizers) and for a variety of purposes associated with the management of the fields.

In *fiqh muamalah*, the cooperation pattern in managing the fields described above can be categorized as a *muzāra'ah aqd* (contract), which is one of the forms of the tradition of the community of Arab legalized in Islam as a form of cooperation of management on agricultural land between landowners and tenants. *Muzāra'ah* contract is usually done because the landowners hope to shift the management of the fields to the tenant farmers, after which the farmers will plant the fields with various plants and maintain the fields until the yield is obtained to be shared between the two parties in accordance with the agreement on the obtained crop yield.³

²Rifatul Janah, Bambang Trisetoyo Eddy and Tutik Dalmyatun, "Alih Fungsi Lahan Pertanian dan Dampaknya terhadap Kehidupan Penduduk di Kecamatan Sayung Kabupaten Demak," *Agrisociconomics: Jurnal Sosial Ekonomi Pertanian 1*, No. 1 (2017), p. 1-10. Suharyanto, Jemmy Rinaldi, Nyoman Ngurah Arya and Ketut Mahaputra, "Faktor-Faktor Yang Mempengaruhi Presepsi Petani terhadap Kebijakan Perlindungan Lahan Pertanian Pangan Berkelanjutan di Provinsi Bali," *Jurnal Pengkajian dan Pengembangan Teknologi Pertanian 20*, No. 2 (2017), p. 111-124.

³Muhammad Syafi'i Antonio, *Bank Syariah: dari Teori ke Praktik*, Jakarta: Gema Insani Press, 2001.

This *muzāra'ah* practice is better known as *mawah blang* within the Acehnese society. The landowners entrust the cultivation of their paddy fields to the tenant farmers with several considerations. From the social aspect, the landowners cooperate with the farmers because the farmers do not have their own fields nor a job that conforms to their farming skills. In the aspect of kinship, the landowners try to prioritize the benefits that can improve the welfare of their own relatives. Further, in terms of business interests, the landowners hand over the management of the fields to the party who has adequate experience and expertise in cultivating the fields. All of these considerations tend to be the significant basis of the landowners to allow other people to manage their paddy fields.

Nevertheless, the farmers are in need of huge capital because of the required costs in paddy cultivation such as plowing fields, threshing rice, purchasing seeds, purchasing fertilizers and insecticides, and purchasing other agricultural tools such as hoes and sickles. All operational costs incurred for the management of the fields have to be provided by the tenant farmers without financial contributions from the landowners at all. Still, these costs are to be provided as initial capital to start managing the paddy fields. Therefore, concerns arise in relation to financial issues among the tenant farmers which cause an impact on revenue. Hence, the calculation of crop-yield profit sharing or the distribution of the crop yield becomes a crucial issue. In this case, it is necessary to discuss about the system of the field management between the landowners and the tenant farmers in Aceh by using the concept of *muzāra'ah* contract.

This study is empirical or juridical sociological legal research that examines the behavior of law or the operation of law in society.⁴ The approach used in the study was *fiqh muamalah* or Islamic jurisprudence on economy. The focus of the study was the traditional pattern of profit sharing in paddy cultivation within the Acehnese community with unwritten specific rules. The profit sharing pattern was analyzed using the perspective of *fiqh muamalah*. Data were collected by means of interview and literature study.

Profit Sharing in Paddy Cultivation from the Perspective of Fiqh Muamalah

Profit sharing linguistically means a transaction for processing the earth with (wages) of a portion of the yield that comes out of it. This profit sharing is associated with the practice of *muzāra'ah*, or in other words, profit

⁴Jonaedi Efendi and Johnny Ibrahim, *Metode Penelitian Hukum: Normatif dan Empiris*, Jakarta: Kencana, 2016, p. 151. Salim and Erlies Septiana Nurbani, *Penerapan Teori Hukum Pada Penelitian Tesis dan Disertasi*, Jakarta: Rajawali Press, 2017, p. 20-21.

sharing in agriculture.⁵ In brief, profit sharing in agriculture refers to the agreement of land processing, with the payment taken from a portion of the yield obtained from processing the land. On January 2, 1960 the Act No. 2 of 1960 on profit-sharing agreement was promulgated. The primary purpose of the emergence of this legislation is to protect economically weaker groups against practices that are detrimental for them from those of stronger groups. Similar to the agreement of profit sharing described in the above, the regulation is issued in the agrarian sector which governs the profit-sharing agreement with the aims as follows:

- a. To allow the distribution of land products between the landowners and the tenants is carried out on a fair basis.
- b. By asserting the rights and obligations of landowners and tenants, it is to secure the legal position that is feasible for the tenants, whom usually are not in a strong position in the profit-sharing agreement, generally because the land available is not abundant while the number of people who want to farm is numerous.
- c. With the implementation of what is stated in a and b above, the tenants will be assisted appropriately, which in turn will affect the production of the land concerned, indicating this as a step forward in implementing the program that complements the clothing and food of the people.⁶

In fiqh muamalah, the concept of paddy cultivation is called *muzāra'ah*. *Muzāra'ah* is derived from the root word *zara'ah* which means to grow. Another source explains that *muzāra'ah* comes from the word *az-zar'u*, which means to sow seeds in the field or to grow.⁷ According to Hanafi school, *muzāra'ah* is a contract to farm with part of what comes out of the earth.⁸ In the view of Hanbali scholars, *muzāra'ah* is the handover of farming land to a farmer to cultivate on and its yield is divided by two. Shafi'i scholars state that *muzāra'ah* is a cooperation between the landowner and the tenant with the agreement for profit sharing in agreed amount, and the seeds are from the landowner.⁹ According to Maliki school, *muzāra'ah* is

⁵Sayyid Sabiq, *Fikih Sunnah Jilid 12*, Bandung: Alma'arif, 1998.

⁶Hanifah, Fifi Alifatun Nisa and Nani, "Tinjauan Ekonomi Islam Terhadap Bagi Hasil Muzara'ah Di Desa Tembokrejo Kecamatan Muncar Kabupaten Banyuwangi." *Economic: Jurnal Ekonomi dan Hukum Islam* 8, No. 2, (2017), p. 129-144.

⁷Lestari, Ragil Neno Lesatari, "Menggagas Sistem Mu zara'ah Sebagai Alternatif Bentuk Pembiayaan Pertanian di Indonesia," *Economic: Jurnal Ekonomi dan Hukum Islam*, (2015), p. 68.

⁸Hendi Suhendi, *Fiqh Muamalah*, Jakarta: Rajawali Pers, 2013.

⁹Abdul Rahman Ghazaly, *Fiqh Muamalat*, Jakarta: Kencana, 2010.

associating with a contract.¹⁰

Muzāra'ah is categorized into the type of *tabarru aqd* or social contract, in which the purpose of carrying out the contract is to help those in need. There are several factors to consider in *muzāra'ah* that will affect the crop yield, such as the type of plant to grow. Cooperation in the form of *muzāra'ah* according to most *fiqh* scholars is permissible, among whom are Abu Yusuf and Muhammad (friends of Imam Abu Hanifah), Imam Malik, Ahmad, and Abu Dawud Azh-Zhahiri.¹¹ These scholars determined the permissibility of *muzāra'ah* based on a hadith narrated by Bukhari and Muslim from Ibn Abbas r.a which means: *indeed the Prophet s.a.w did not forbid muzāra'ah, and he even encouraged it so that some will give compassion to some others* (Narrated by Bukhari and Muslim).

The majority of Islamic scholars who allow *muzāra'ah aqd* state that there are pillars and requirements that must be met before the *aqd* is considered valid. The pillars of *muzāra'ah* according to the scholars are:

- a. Landowner
- b. Tenant farmer
- c. The object of *muzāra'ah* , namely the benefits of land and the work of the farmer
- d. *Ijab* (expression of land handover from the landowner) and *qabul* (statement of accepting land to be cultivated by the farmer).¹²

By definition, *ijab* of a contract is an expression or statement of the will to do an engagement (a contract/*aqd*) by a party, usually referred to as the first party, whereas *qabul* is a statement or expression that describes the will of the other party, usually called the second party, to accept or approve the statement of the *ijab*.¹³ *Ijab* and *qabul* are called *sighat aqdi* or words that show the will of both sides of the parties. *Sighat aqdi* requires three principal matters as follows:

- a. The meaning must be clear.
- b. *Ijab* and *qabul* should match one another.
- c. It describes the seriousness and the willingness of the concerned parties.¹⁴

¹⁰Abdullah, Sohari Sahrani and Ru'fah, *Fikih Muamalah*, Bogor: Ghalia Indonesia, 2011.

¹¹Rachmat Syafe'i, *Fiqh Muamalah*, Bandung: Pustaka Setia, 2001.

¹²Hasrun Masroen, *Ensiklopedi Hukum Islam, Jilid 4*. Jakarta: PT. Ichtiar Baru Van Hoeve, 1997.

¹³Ghufron A. Mas'adi *Fiqh Muamalah Kontesktual*, Jakarta: PT. Raja Grafindo Persada, 2002.

¹⁴Ghufron A. Mas'adi *Fiqh Muamalah Kontesktual*, Jakarta: PT. Raja Grafindo Persada, 2002.

In brief, *ijab* and *qabul* can sufficiently be said orally. However, it is preferred to be written into a letter of agreement that is approved by both parties, including the profit sharing of the cooperation. According to the Compilation of Economics Sharia Law from Article 256 to Article 265, there are several regulations governing the implementation of *muzāra'ah* as follows:¹⁵

- a. The landowners must handover the land to be worked on to the party who will cultivate it.
- b. The tenants must have farming skills and are willing to work on the land they receive.
- c. The tenants shall give the advantage to the landowners when the land management generate profits.
- d. *Muzāra'ah* can be done in absolute and/or limited ways.
- e. The type of seeds to be planted in limited *muzāra'ah* must be clearly stated in and known to the tenants.
- f. The tenants freely choose the type of seeds to be planted in absolute *muzāra'ah*.
- g. The tenants must pay attention to and consider land conditions, weather conditions, as well as possible ways to deal with them before the planting season.
- h. The tenants are obliged to explain the estimated crop yield to the landowners in absolute *muzāra'ah*.
- i. The tenants and landowners can make an agreement regarding the distribution of agricultural yield that will be received by each party.
- j. Irregularities which the tenants do in *muzāra'ah* may result in the cancellation of the contract.
- k. The entire crop yield in which the tenants commit a violation as in letter (j) belong to the landowners.
- l. In the event of a situation as referred to in letter (k), the landowners are recommended to provide compensation for the work the tenants has done.
- m. The tenants have the right to continue *muzāra'ah* if the crops are not yet suitable for harvesting even though the landowners have died.
- n. Beneficiaries of the landowners shall continue *muzāra'ah* cooperation conducted by the party who has died before the plants cultivated can be harvested.
- o. The right to work on the land can be transferred by means of

¹⁵Directorate of Religious Courts, *Kompilasi Hukum Ekonomi Syariah*, Jakarta: Mahkamah Agung Republik Indonesia, 2011.

inheritance when the tenants have died until the plants can be harvested. Beneficiaries of the tenants have the right to continue or cancel *muzāra'ah* conducted by the party who has died.

The long history of the *muzāra'ah* practice has been around till these days, even penetrating into rural areas in Indonesia. Profit-sharing agreement is chosen because there are a number of people who own agricultural land suitable for planting, yet do not have adequate farming skills. In contrast, some own both the land and the skills, but have a shortage of capital, whereas others have nothing except the ability and energy to cultivate the land. In this case, Islam encourages a landowner to utilize the land so that equality occurs and no land is abandoned. However, if the owner cannot work on or does not have the ability to manage the land, then the land management can be handed over to someone who is more skilled in this respect.¹⁶

The profit-sharing system of *muzāra'ah* although considered a classic, it is still likely to be practiced in various types of businesses, especially in agriculture. This classic system comprising benefits should not be left at all; however, it can be modified as long as its renewal helps create benefits with even a larger proportion. In essence, any change may occur due to circumstances and conditions around the people, society, or the dynamics of life. Therefore, *muzāra'ah* as part of the *fiqh muamalah* should not be uprooted from social reality. The *fiqh* on *muzāra'ah* is still able to accommodate the needs of the community and has traditional roots that can be traced back to the past, with relevance to the present day. Hence, *muzāra'ah* as practiced by the Prophet is still capable of demonstrating that Islamic intellectual heritage can be used to deal with the issues of food security and food self-sufficiency and to minimize agrarian conflicts.¹⁷ *Fiqh* is flexible, however, its flexibility does not undermine its identity as a law that is just and fair, provides benefits, brings grace, and gives meaning to life.¹⁸

This *muzāra'ah* practice is also able to help improve the welfare of the people who work hard, work smart, work sincerely, and work completely. These four patterns of work reflect the expectation of the public,

¹⁶Deni Lubis, Ira Roch Indrawati, "Analisis Pendapatan Petani Penggarap Dengan Akad Muzara'ah Dan Faktor Yang Mempengaruhinya, *Maqdis: Jurnal Kajian Ekonomi Islam* 2, No. 1, (2017).

¹⁷Ahmad Harisuddin, et. al., *Fiqh Rakyat, Pertauan Fiqh dengan Kekuasaan*, Yogyakarta: LKiS Yogyakarta, 2011.

¹⁸ Firman Muh. Arif, "Muzara'ah Dan Pengembangan Ekonomi Umat Di Pedesaan," *Al-Amwal: Journal of Islamic Economic Law* September 3, No. 2, 2018.

all of which are full with values to revive the land, to produce the land, to green the earth, to empower the community, and to improve the standard of life of the community sustainably.¹⁹

The past practice of *muzāra'ah* related to the land of Khaibar refers to a classic practice at the time of the Prophet s.a.w. Today, however, this practice has undergone modifications and rapprochement following the dynamics of the development of society. The permissibility of *muzāra'ah* to this day is due to the pattern of cooperation that exists between the owners and tenants. This cooperation system tends to synergize the wealth and work that correspond with the outward values in Islam, which is mutual help. Rites of worship must be balanced with social-related worship so that no partiality towards either of them. Ultimately, people can live in harmony balancing the matters of the world and the hereafter. In this regard, Islam has greatly promoted its people to work hard, work smart, and work willingly.²⁰

Tradition of Paddy Cultivation in the Farming Community in Aceh

Paddy fields are called *umong*, *blang*, or *paya* by the Acehnese people, *payo* by the Jame people, *ume* by the Gayo people, and *blang* by the Tamiang people. The paddy fields worked by the farmers are divided into plots. The plots are referred to as *pireng* by the local people in Aceh, *piring* by those in the Jame community, and *tempeh* by the people in Gayo. Situated between one *pireng* to another is an *ateung*, which creates a barrier. This barrier is known as *pematang* in the Jame community, and *patal* in the Gayo community.

In general, the paddy fields cultivated can be classified into the two groups: rain-fed paddy fields and irrigated paddy fields. In rainfed paddy fields, farmers have to adjust field activities to seasonal conditions. In contrast, in irrigated paddy fields, farmers are not very much affected by the state of the seasons as there is regular irrigation.

There are several ways of managing paddy fields in the traditions and customs of Acehnese farmers. This management is interwoven as a result of strong relationships in the farmers' everyday life. The ways to manage the paddy fields within the Acehnese farming community are described as follows:

- a. Individual management; In this type, the farmers work on the paddy fields belonging to them. The fields are obtained through inheritance

¹⁹ Muhaimin Iqbal, *Dinar The Real Money, Dinar Emas, Uang dan Investasiku*, Jakarta: Gema Insani Press, 2009.

²⁰ Firman Muh. Arif, "Muzara'ah Dan Pengembangan Ekonomi Umat Di Pedesaan," *Al-Amwal: Journal of Islamic Economic Law* September 3, No. 2, 2018.

or legacy, purchase, or acquisition by clearing unclaimed land into paddy fields. This type of management is called *meuroh umong*.

- b. Profit sharing; Profit sharing is often referred to *plah dibak*. In this case, a system of contracts and agreements between landowners and tenants applies, in which the landowners provide plows and rice seeds. When the fields are ready to be planted, the fields will be worked on by the farmers and then divided into two. One of the profit-sharing systems in the agreement of natural resources management in traditional Acehese is known as *mawah*. *Mawah* is an economic practice commonly used in the Acehese society which follows the principle of profit sharing between the owners of capital and the managers.²¹ *Mawah* has a mechanism in which the owner of the assets hands over the right to manage the assets to others with agreed profit sharing. This *mawah* system is mostly practiced in agriculture (i.e., paddy fields, fields, and gardens) and livestock (i.e., cattle, buffalo, goats, and poultry) wherein profits shared highly depends on an agreement between the two sides of the parties. *Mawah* usually begins with an agreement between the *mawah* giver (investor/owner of resources) and the *mawah* receiver (manager). The agreement concerns with some aspects related to *mawah* including the amount of profit sharing for each party, the duration of the agreement, the maintenance methods, and so forth. The proportion of profit sharing agreed between the owner and the manager depends on several factors such as cost management, soil conditions, and distance from the place of residence, as well as difficulty or easiness of management. The proportion of profit sharing in the management of agriculture varies between one place to another, depending on the level of soil fertility, the plants produced, and the cost of land management. As such, profit sharing differs accordingly, for example, *mawah bagi lhe'e*, *mawah bagi peut*, *mawah bagi limong* (i.e., 1:3, 1:4, 1:5, respectively) and so forth. Here, it means that one part is allotted for the owner and the rest of the part (3, 4, and 5) is allotted for tenant farmers. In the agreement of paddy cultivation within the Acehese community, the term *bulueng* is also known. *Bulueng* is a scheme of profit sharing in the *mawah* agreement of paddy fields between the landowner and the party working on the fields. *Mawah/meudua laba* refers to someone who promises to work on other people's fields, after which half of

²¹Sri Sudiarti, Pangeran Harahap and Nanda Safrida, "Mawah & Cater Di Aceh." *Al-Muamalat Jurnal Hukum Ekonomi Syari'ah*, Vol. 3, No. 1, (2017), p. 137.

the yield is divided by two. If the profit agreed is in different proportions, it is not called *mawah* only, but rather is called *bagi lhee* and so on. The contract of *mawah* is mainly held by the landowners whose fields are in remote locations, for example, the *uleebalangs*/landlords, and in this way, they can send people to work on the fields which they have confiscated. They hand over their fields using the contract system and they do not take part in managing the fields until the time of harvest. They themselves or their representatives will attend and calculate the crop yield and then set aside half that is their share.

- c. Leasing; In this regard, farmers rent a plot of land to the owner of the paddy fields in a certain period of time. In return the farmers are required to pay rental fees in a specified amount. Rental fees are subject to the distance of the fields from the village, in addition to the soil fertility.
- d. Pawning; In this form, the paddy fields worked on by the farmers are owned through pawning, commonly termed *gala umong*. *Gala umong* is an Acehnese phrase which consists of *gala* meaning pawn and *umong* meaning paddy field. If translated into Indonesian, this phrase literally means paddy field pawning. *Gala umong* carried out by the people of Aceh refers to placing the goods in the form of paddy fields on loan received by the borrowers from people who give the loan. The pawn recipients are entitled to utilize and take advantage of the pawning goods, which is paddy fields, as long as the debtors have not paid off their debt. The way the recipients utilize the fields is by working on their own or asking the owners of the fields to cultivate them and in return they will pay rental fees or give crop yield.²² In short, paddy field pawning is obtained through the provision of a number of valuable items, such as paddy, to the owners of the fields. As a consequence, the paddy recipients must give a plot of land of their paddy fields as a collateral to the paddy givers. Afterward, the fields are temporarily owned by the givers until the owners of the fields can redeem the pawn.

Sharing Pattern of Crop Yield from Paddy Cultivation in Aceh

The practice of *muzāra'ah* or “*mawah blang*” in the Acehnese community is generally conducted by handing over the paddy fields to the

²²Safrizal. "Praktik *Gala Umong* (Gadai Sawah) Dalam Perspektif Syariah (Studi Kasus Di Desa Gampong Dayah Syarif Kecamatan Mutiara Kabupaten Pidie Provinsi Aceh)." *Jurnal Ilmiah: Islam Futura Vol. 15*, No. 2, (2016), p. 231-250.

tenant farmers after which the farmers will manage the fields until the yield is obtained. The handover process, however, is not accompanied by other contributions by the landowners. The landowners will only transfer the land management to the tenant farmers, and all costs incurred will solely be borne by the tenants. The sharing of the yield will be subject to the agreement made between the relevant parties.

The process of cultivating the fields can be personally carried out by the farmers or by hiring other people to plow the fields and thresh rice, among others. Apart from these, the process of cultivation can also be done by hand or by technology. In general, some of the costs incurred for paddy cultivation in the tradition of the Acehnese people are as follows:

- a. The cost of plowing the fields (*Meu'u*)
- b. The cost of planting rice (*Seumula*)
- c. The cost of fertilization
- d. The cost of spraying pesticide
- e. Harvesting cost (*Keumeukoh*)
- f. Rice threshing Cost (*Ceumeulo*)
- g. Other costs, such as transportation of crop yield

The entire costs become the sole responsibility of the tenants, whereas the landowners only receive net income in accordance with the agreement made. If both parties have agreed that the crop yield will be shared in a 1:2 ratio, then the crop yield will be divided by two between the tenants and the landowners. For example, if the crop yield reaches 1 ton, then the tenants will receive 500 kg of the yield, and the owners will also receive 500 kg of the yield. Likewise, if the agreed sharing ratio is $\frac{1}{4}$ to the owners and $\frac{3}{4}$ to the tenants, or 40% to the owners and 60% for the tenants, the yield obtained will be divided in accordance with the ratio that has been agreed upon.

In addition to managing paddy fields by setting a profit-sharing ratio at the beginning of the agreement or *aqd*, the people of Aceh are also familiar with the management of paddy fields under a lease agreement, in which the tenants (who do not own the land) rent the land to the owners of the paddy fields to manage. The rental fee comes from the crop yield given in a certain amount after harvesting. In practice, some also pay rental fees in advance in the agreed amount.

Among the local people in Pidie, they will pay a rental fee of 2 *gunca* rice or equivalent to 360 kg of rice (1 *gunca* = 10 *naleh*, 1 *naleh* = 18 kg, thus 1 *gunca* = 180 kg) for every paddy field of 1 *naleh* ($\frac{1}{3}$ ha or 3,333.33 m or 16 *bambu*). The crop yield of the paddy field of 1 *naleh* is 8 *gunca* (1,440 kg / 1 ton and 440 kg of rice). The range of costs spent in the managing the paddy field of 1 *naleh* is shown in the following table:

Table 1. Operational Activities of Paddy Cultivation and Incurred Costs

No.	Activity	Cost
1.	Plowing the fields (<i>Meu'u</i>)	Rp. 220,000
2.	Planting rice (<i>Seumula</i>)	Rp. 450,000
3.	Fertilization	Rp. 50,000
4.	Rice cutting and threshing (<i>Keumeukoh</i> and <i>Ceumeulho</i>)	Rp. 500,000
	Total	Rp. 1,220,000

The costs mentioned above are lower than usual because the farmers will usually work on their own. Then, excluding the rental fees and the other costs, revenue earned by the tenant farmers of 1-*naleh* paddy fields is as follows:

Rice yield = 8 *gunca*

Rental fee = 2 *gunca*

Remaining for tenants = 6 *gunca* = 1,080 kg

Unhulled rice sale:

Price of 1 kg of unhulled rice = Rp. 5,000

Price of 1,080 kg of unhulled rice = Rp. 5,400,000

Tenants' net income = Sale of unhulled rice – paddy cultivation costs
= Rp. 5,400,000 – Rp. 1,220,000 = Rp. 4,180,000

Thus, net income obtained by the tenant farmers can reach up to Rp. 4,180,000

The costs incurred by the tenants as described above are a bit lower as the cultivation of paddy fields is mostly carried out by the tenants without hiring other people.

However, supposed that the tenant farmers hire other people for all types of work, the income calculation will be as follows:

Land area: 0.25 ha

Crop yield: 1,5 ton = 1,500 kg

Table 2. Costs of Paddy Cultivation in Aceh

No.	Activity	Cost
1.	Plowing fields	Rp. 1,200,000
2.	Rice planting	Rp. 500,000
3.	Land clearing	Rp. 300,000
4.	Fertilizers	Rp. 450,000
5.	Drug	Rp. 400,000

6.	Rice cutting	Rp. 600,000
	Total	Rp. 3,450,000

Rice yield = 1,500 kg

Land rental fee = 300 kg

Remaining for the tenants = 1,200 kg

Unhulled rice sale:

Price of 1 kg of unhulled rice = Rp. 5,000

Price of 1,200 kg of unhulled rice = Rp. 6,000,000

Tenants' net income = Sale of unhulled rice – paddy cultivation costs
= Rp. 6,000,000 – 3,450,000 = Rp. 2,550,000

In this case, the net income earned by the tenant farmers will reach up to Rp. 2,550,000.

This illustration uses the typical costs of paddy cultivation in the Pidie community. The income obtained will be much lower due to the total costs incurred for the management of the paddy fields.

The above expected income will be earned provided that all unhulled rice is sold; however, when some of unhulled rice is stored and processed into rice for private consumption, then the expected income will be reduced even more. Thus, given the magnitude of the operational costs of paddy cultivation, many people choose to work on their own to minimize the costs incurred.

On the other hand, in Pidie people try to carry out the *peupah trok* system, in which landowners hand over the land to tenants until rice planting season, and then, after rice planting is completed, the tenants will return the land to the owners. The costs of land cultivation will be paid after planting is completed, and land maintenance is entirely the responsibility of the owners.²³

Similarly, the people of western Aceh (Meulaboh) also use leasing in managing paddy fields. The rental fees of the fields do not take into account the crop yield obtained. The rental fees are determined when the contract of the agreement is made; however, the payment is done after harvest time. In this regard, tenants will have a high risk in terms of land management and incurred costs.²⁴

As described beforehand, rental fees and operational costs of paddy

²³ Interview with Abdullah, Village Secretary of Gampong Pulo Tumbo, Pidie District, February 2, 2020.

²⁴ Interview with Husein Ali, Gampong Suak Timah, Samatiga Subdistrict, West Aceh District, February 6, 2020.

cultivation are varied. The local people of Samatiga Subdistrict in West Aceh, in general, pay the cost for plowing of Rp. 70,000 per plot of land. Harvesting rice (*keumeukoh*) costs Rp. 70,000 and threshing rice (*ceumeulho*) of every 1 *gunca* (180 kg of rice) costs 1 *naleh* (18 kg of rice). Here, farmers will usually sell their crop yield after the harvest is done and after the stored rice is sufficient for their consumption needs. Farmers will generally sell rice for Rp. 80,000 per *naleh* or Rp 800,000 per *gunca*. Nevertheless, this leasing transaction still poses a risk for tenant farmers, in which they have to pay the rental fees as stated in the leasing agreement despite experiencing *fuso* or crop failure.²⁵

Typically, rental fees are based on the local customs although some are based on the agreement of the parties involved, and so, the fees may vary greatly. For instance, the rental fee of 1 *naleh* seeds is 1 *gunca*. Leasing practice is also commonly influenced by the habits of the locals, and in general, it is given to those who are diligent and skilled.²⁶

In the Aceh Jaya region, the local community also implements leasing for those who do not own agricultural land. Rental fees are determined according to the deal made, some of which amount to Rp 2.5 million/ha, although generally 2.5 *gunca*/ha is used. In Aceh Jaya, the sharing ratio of 50:50% is used for the owners and the tenants. Yet, even though the land is abundant, the land suitable for agriculture is still not adequate because there is no irrigation system. Income of farmers may reach around 5-6 tons/ha; however, due to expensive fees of Rp 5,000,000, comprising the cost of plowing for Rp 2,500,000 and the cost for harvesting for Rp 2,500,000, the income for landowners and wage earners is almost equal.²⁷

On the other hand, the people in Central Aceh do not rely on paddy fields as the main revenue as they are more inclined to plantations. Therefore, the rice grown is generally not for commercial purposes, but to be stored and to meet the basic needs. Those who do not own any land will work on other people's fields. The profit sharing is divided into three parts, one part for the owners and two parts for the tenants. The paddy fields which spend 3 cans of rice seeds (seeds used are *Rom Kuning*) will gain crop yield amounted to 150 cans in a year. The costs incurred or operational costs of the fields in general consist of the cost of planting for Rp 60,000 per person,

²⁵ Interview with Azhar M. Jamil, Samatiga Subdistrict, West Aceh, February 6, 2020.

²⁶ Interview with Radian, Mukim Lhok Bubon, West Aceh, February 6, 2020.

²⁷ Interview with Muhammad Adan Husein, Keujruen Chik, Aceh Jaya, February 10, 2020.

tractor fee for Rp 160,000 per can of seeds, and cost of harvesting for Rp 60,000 per person.²⁸

Efforts Made by Tenant Farmers in Alleviating Poverty

The policy of the government of Aceh has been focusing on the provision of rice seeds and subsidized fertilizers to farmers. However, this is not sufficient to address the farmers' welfare. Farmers still experience issues such as the lack of paddy fields to cultivate which can become a source of income. A majority of farmers rely on paddy fields inherited from their families, and thus, it is inevitable that the number of the fields continue to decrease as the number of people that receive the inheritance also grows. In addition, paddy fields may also experience transfer to other uses, such as from rice planting to housing. Changes in the priority of land uses can cause the area of paddy fields to narrow down increasingly. As such, this circumstance causes some landless farmers to work on other people's fields which are also already scarce. Some of these farmers then turn into peasants or laborers.

These laborers or peasants cannot solely rely on income from farming since the income obtained is not much, or in other words, it barely meets the family needs. This situation makes many small farmers live in pre-prosperous economic conditions.

The results of interviews with several people from the farmers groups, including managers and members, revealed that that farming is still considered a very strategic occupation in Aceh as it is predominantly carried out in society. Yet, ironically earnings obtained from farming is insufficient. Nurdin, Head of Farmers Group of Aceh Jaya, has admitted that the government of Aceh Jaya in particular has not worked optimally yet to improve the standard of life of local farmers. Several programs created by the government of Aceh Jaya, through the Office of Agriculture, are yet to produce proper goals needed by the community. These programs are only formalities to spend the allocated budget proposed in the Regional Expenditure Budget (APBK) of Aceh Jaya.²⁹

However, Fadlun Mirza, Head of Food Crops and Horticulture Division, Office of Agriculture and Plantations of Aceh Jaya in Calang, provided different statements. He mentioned that the Regent of Aceh Jaya, through the Office of Agriculture, has been revamping several important and

²⁸ Interview with Muhammad, Keujruen Blang Peugasing, Central Aceh, February 4, 2020.

²⁹ Interview with Nurdin, Head of Farmers Group in Keudee Panga, Panga Subdistrict, Aceh Jaya, February 8, 2020.

strategic programs on agriculture that can help improve people's welfare. One of the programs is the Superior Rice Seed program that can produce seedlings of rice which will be distributed to the community of farmers through the Farmers Group in Aceh Jaya. The farmers consist of 582 groups living in nine subdistricts in the entire region of Aceh Jaya. To this end, rice seed breeding has been carried out in Teunom Subdistrict in an area of 10 ha, in Jaya Subdistrict area of 10 ha, as well as in the Subdistricts of Darul Hikmah, Setia Bakti Panga, and Pasie Raya in a planting area of 10 ha, respectively. Rice breeding has already produced superior seeds of at least around 180 tons per harvest. Although the areas provided are 10 ha each, due to climate and weather conditions, the minimal breeding area for planting is only 5 ha. Hence, to obtain optimal results, the Office of Agriculture and Plantations of Aceh Jaya has performed optimum surveillance, which is supposedly carried out by BPSB Aceh Jaya.³⁰

In addition, according to Iskandar, the head of the department of the Office of Agriculture of Aceh Jaya, the index of new planting in Aceh Jaya has reached 1.5%, and the amount of land in Aceh Jaya has also been ideal, with the areas of rice fields around 7,711.75 ha. This is because every farmer who resides in the rural areas has had his/her own land although there are also a small proportion who work on land belonging to other people.³¹

From above findings, the study noted that there is lack of information and awareness in the public about the work of the local government. On the one hand, the Office of Agriculture believed that it has been providing the best for the community. On the other hand, the local people assumed that the government's work is limited to creating a program that is not highly influential for the community and it cannot help improve the life of the farmers to prosperity. The communities in Pidie and West Aceh have also reported rather similar information in that prosperity among farmers is imbalanced because the affluent ones are farmers who have paddy fields and work on their own. In contrast, tenant farmers are rarely prosperous as nearly all landowners manage their own fields.³²

Conclusion

This study concludes several points based on aforementioned findings. Land cultivation system made between landowners and tenants is referred to

³⁰Interview with Fadlun Mirza, Head of Food Crops and Horticulture Division, Office of Agriculture and Plantations of Aceh Jaya, February 9, 2020.

³¹Interview with Iskandar, Office of Agriculture and Plantations of Aceh Jaya, February 9, 2020.

³²Interview with Bahagia Daud, Village Secretary of Gampong Tong Peria, Tiro Subdistrict, Pidie, March 10, 2020.

as *muzāra'ah* in *fiqh muamalah*. *Muzāra'ah* belongs to a *tabarru aqd* or social contract, in which the purpose of this contract is to help those in need. This practice among the people of Aceh is commonly known as *mawah blang*, mostly carried out in West Aceh, Pidie, and Aceh Jaya. The local people there, however, generally use leasing in paddy cultivation which still does not fully conform to *muzāra'ah aqd*. This is because landowners hand over paddy fields to the farmers to cultivate until crop yield is obtained, and yet, no other contributions made by the landowners for cultivation. The landowners fully transfer the right to cultivate the paddy fields without any intervention, and any costs incurred in managing the fields will be the sole responsibility of the tenant farmers. In this case, farmers who cultivate and manage the fields under the leasing system have not been able to secure their income properly because the profits they gain are very small. The farming community who manage the fields is pressured by incurred costs, starting from the planting time until harvest time. Moreover, if there is crop failure, they are still faced with adversity. As a result, farmers who are mostly tenants still live below poverty line. Thus, it takes effort to put the farmers out of the shackles of poverty. It is expected that the government plays a role by providing assistance to the farming community, such as rice seeds, fertilizers, medicine, harvesting machines, and rice threshers, all of which aim to reduce expenditure costs of management. By doing so, the farmers can gain larger revenue and achieve proper well-being. In addition, the policies of the government of Aceh through the Office of Agriculture and Plantations also need revamping so that the supervision and improvement of the welfare of the people, in this case the farmers in Aceh, can be well carried out.

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