

## **IJARAH AL-A'MAL DIFFERENTIATION OF RICE FARMING WORKERS ISLAMIC LEGAL PERSPECTIVE**

**Yuniartik**

Institute of Islamic Religion Sultan Muhammad Syafiuddin Sambas  
e-mail: Yuniartik093@gmail.com

### **ABSTRACT**

*Muamalah is a sharia law that regulates humans in relation to worldly affairs in social interactions in obtaining and developing assets. Muamalah that often occurs is in the case of cooperation between humans, where one party is a service provider or laborer, commonly called a laborer or worker, and the other party who provides a job or work area is called a service provider to carry out production activities provided that the worker or employee receives the job. Compensation in the form of wages. This collaboration with fiqh literature is called the ijarah al-a'mal contract, namely the rental of human services. This study aims to determine how the practice of distinguishing the ijarah al-a'mal of rice farm workers in terms of Islamic law. This type of research is a field research with an empirical sociological approach. The results of this study indicate that the practice of distinguishing ijarah al-A'mal of rice farm workers in terms of Islamic law if it is associated with the concept of muamalah, then the practice of paying rice farm workers who are paid in cash is in accordance with Islamic law because the pillars and conditions of wages have been met. However, the practice of working wages for rice farm workers whose payments are deferred is not in accordance with Islamic law because their wages are deferred until the harvest is complete and this is contrary to the hadith of the Prophet Muhammad regarding the time of payment of wages, besides that the pillars and conditions are not fulfilled, namely about ujah (wages), because they have denied the pillars of wages, namely consent and qabul. The conclusion of this study is that the practice of Ijarah Al-A'mal Differentiation of Paddy Farmers from an Islamic Law Perspective where the payment of wages is initially paid with rice is then replaced with money without an agreement and deferred payment is makruh. Things that have become habits should be used as useful demands to avoid or leave these actions.*

**Keywords** : Islamic Law, Ijarah Al-A'mal, Farm Workers.

### **Introduction**

The economy is an actor who plays an important and influential role in people's lives. Talking about the economy, of course, one of them discusses economic resources, both primary sources, including agriculture, industry, trade, and human labor as well as secondary sources, including tourism, salaries, and transportation facilities. These two sources cannot be separated from economic actors, namely humans. Humans are social beings who need each other in meeting their daily needs, so that one

interacts with one another to meet these needs. This interaction is very closely related to rights and obligations, assets, buying and selling, cooperation in various fields, lending and borrowing, leasing, use of services and other activities that are needed by humans in their daily lives, which have been regulated. in fiqh muamalah . Through human resources these resources can be run and benefits are felt both in the form of goods or services because humans have the ability to produce goods, grow crops, carry out buying and selling transactions and so on (Jusmunandar, 2019).

Muamalah is part of the pillars of Islam that regulates the relationship between one person and another others. Muamalah teaches focused individual and community life behaviors on how to meet needs, and how to use existing resources. To achieve this goal, people work together to conclude an agreement. Muamalah is one of the forms with the occurrence of muamalah then Cooperation between humans on one side will occur, where one party is the provider a service, benefit or energy referred to as a laborer or worker, and one of the parties others play a role as providing workers or land for work or so-called with employer. In carrying out a production activity with the provisions that have been stipulated that the workers or workers get compensation in the form of wages. In This collaborative fiqh literature is also called an Ijarah contract (Novitasari et al., 2022).

Ijarah (lease) is one such economic transaction many people do. Because this ijarah is not only in the form of a lease on the benefits of goods (ijarah al-manfa'ah), but also in the form of a skill/work lease or what is commonly called labor (ijarah al-a'mal). (Setiawan, 2015)Wages can be a cause of ownership, with the illustration that wages are a mediation for seeking wealth. The minimum salary in the Koran is not stated or specified in detail, but Allah SWT explicitly obliges a person to pay the salary of the farm laborers he employs. Therefore the amount of salary in Islam must be determined through an agreement between farm workers and laborers. It has been explained in the Qur'an Surah Al-Thalaq verse 6 which reads:

أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِنْ وُجْدِكُمْ وَلَا تُضَارُّوهُنَّ لِتُضَيِّقُوا عَلَيْهِنَّ وَإِنْ كُنَّ أُولَاتٍ حَمِلٍ فَأَنْفِقُوا عَلَيْهِنَّ حَتَّىٰ يَضَعْنَ حَمْلَهُنَّ فَإِنْ أَرْضَعْنَ لَكُمْ فَآئُوهُنَّ أَجُورَهُنَّ وَأُتْمِرُوا بَيْنَكُمْ بِمَعْرُوفٍ وَإِنْ تَعَاَسَرْتُمْ فَسْتُرْضِعْ لَهُ أُخْرَىٰ ۗ

Translation: *Place them (wives) where you live according to your ability and do not trouble them to constrict their (hearts). And if they (the wives who have been talaq) are pregnant, then give them their living until they give birth, then if they breastfeed your (children ) for you, then give them their wages, and negotiate between you (everything) well; and if you encounter*

*difficulties then another woman may breastfeed (the child) for her.*

From the verse above it is explained that the important point to be raised from this verse is, the word *ajr* (*ujur*) is a right for workers and an obligation for people who employ someone. To the extent that, for a mother who has been *thalaq*, her husband has the right to receive a breast-feeding wage even for her own child from her husband. Likewise if her husband hires another nurse (Jusmunandar, 2019).

Wages are very important in terms of leasing services, because with wages a worker or laborer feels more valued by the amount of wages given for the services they have issued. The amount of wages is also a means to improve the welfare of workers. So that in paying wages, a service tenant must act fairly in terms of paying wages to workers and not harm either party, both the service tenant and the service provider in order to create social welfare. The wages given must be in accordance with the work that has been done (Saprida, 2018).

The wage system must be in accordance with the provisions and norms that have been determined. Everyone's wages should be determined on the basis of his work, for that must be paid no less, too nothing more than what has been done. Wages set for workers must reflect a fairness as well can consider several aspects of life, to Islamic views regarding the rights of para workers to receive more realized wages (Akad et al., 2018).

In giving wages, it must be reasonable and to some parties no one is feel disadvantaged and that is expected by the workers, and the cost of living within limits minimum. In setting wages it is not permissible on the basis of an estimate of the standard of living lowest or highest level. In setting fair wages for workers or Labor according to sharia is not an easy matter. Mawardi's opinion on the book of *alaham al-sulthaniyah* that, the basics in set something wages worker is standard which adequate it means wages or wages worker can cover need minimum (Novitasari et al., 2022).

If there is a reduction in their wages without a reduction in their work, then it is considered unfair. Payment of wages must be paid without deduction and no more than what has been done. Wages in some *fiqh* literature are often discussed with teachings, provisions that have been determined in such a way as to fulfill justice and not harm either party, both the service tenant and the service provider himself. The consequence of this provision is that the wage system for workers must be in accordance with the provisions and norms set out in Islam.

However, not all residents have rice fields to plant rice, some of those who do not have rice fields usually work as rice farm laborers. In this wage

system, it is customary to calculate daily wages, that is, wages can use money or rice depending on the agreement between the service tenant and the service provider. Practice in the field proves that there are differences in the amount of wages if paid with money and rice. The usual wage is paid idr. 25,000 if using money and for half a day work. Meanwhile, if paid using rice then as much as 3 kg of rice. If denominated in rupiah, that's where there is a difference in the amount of wages.

In addition to the above, for the payment of wages using rice, the service tenant does not pay rice directly to the workers but is paid at a later date or in other words it is deferred. For the time of payment, it is not clear when it will be paid. The service tenant only stated that the wages would be paid when the harvest was finished, but did not clearly specify the day and time when the wages would be paid. Payment of wages with this system which is not bound by a time of payment is only verbal. Therefore, the service lessee unilaterally replaces the original payment of wages using rice but after the time has come, the service tenant pays wages using money. Based on this, it is clear that it is detrimental to the farm workers because it is not in accordance with the agreement at the beginning.

## **RESEARCH METHODS**

The type of research used in this study is a type of qualitative research with a research pattern *field research*. While the approach used in this research is an Empirical Sociological approach. In empirical research, the things studied are primarily primary data. The type of data in this study is the type of field to obtain data or information directly by visiting rice field owners and farm laborers in Kupak Rebung Village, Ratu Sepudak Village, Galing District. The source of the data in this study used primary data, this primary data was obtained by direct observation visiting the houses of rice field owners and workers. Data collection techniques in this study were interviews, observation, documentation, and literature. The techniques used in data analysis used in this study include: data reduction, data display, data editing, drawing conclusions and data verification.

## **RESULTS AND DISCUSSION**

Based on population data of Ratu Sepudak Village, Galing District, Sambas Regency, West Kalimantan Province in the 2nd Semester of 2020 which states that the Kupak Rebung Hamlet, Ratu Sepudak Village, most of the people work as farmers. This is evidenced by the total population data, namely 2115 people and as many as 1133 work as farmers (Data of the Directorate General of Population and Civil Registration for 2020).

The concept of wages for rice harvest workers in Kupak Rebung Hamlet according to Islamic law included in the discussion of fiqh

muamalah, namely ijarah for work (ijarah al charity). The practice of rice harvest labor wages in the perspective of the contract has fulfilled the pillars wages, namely farmers and slashers (mu'jir), laborers (musta'jir) as subjects, labor as a benefit (al-manfa'ah), rice wages as a reward (ujrah), and sighat (Yanti, 2019).

As the results of this study show that the implementation of the wage contract in Kupak Rebung Hamlet, Ratu Sepudak Village, Galing District, between the service tenant and the service provider (worker) is carried out orally. Based on Islamic law, contracts that are carried out orally include: one form of sighat consent qabul which is justified, but the risk of causing conflict at a later date because there is no written evidence. In practice it rarely occurs the problems in the village are due to the trust capital of the contract actors. It's just that, when the payment of wages for service tenants changes the agreement at the beginning, namely wages using rice, but after the harvest, wages use money and a nominal difference occurs.

Make obeyed Islamic law this is not justified because the form of wages is not in accordance with agreement at the start of the contract. The form of muamalah that occurred in Kupak Rebung Hamlet, Ratu Sepudak Village, Galing District, namely wages (Ijarah) Wages between landowners and farm labourers, where are labourers These farmers work on the land owned by the land owner for a certain period of time. This collaboration in fiqh literature is called *a l-ijarah al'amal* ie one form of muamalah activity in meeting the needs of human life, such as leasing , contracts, selling services and so on.

The practice of wages for rice farming workers in Kupak Rebung Hamlet, Ratu Sepudak Village, Galing District, is carried out on the basis of *ta'awun* which is carried out by muamalah. Muamalah is permissible in Islam as long as it does not conflict with *syara'*. The practice of wages using rice carried out by the community, especially in Kupak Rebung Hamlet, Ratu Sepudak Village, Galing District, uses the *al-qardh system* The implementation of this system is carried out every time the rice harvest. This wage system using rice has been implemented since 2020.

The purpose of this system is to ease the burden on service tenants who want to hire other people's services so that they can still be rented even though they don't have money. The timing of the payment of the rice wages is not known clearly because they did not specify when they would be paid. They only said the wages would be paid when the harvest was finished. In this wage there are no conditions given to workers, the most important thing is that they must finish doing their work first. In this regard, the practice of paying wages using a debt system in Kupak Rebung Hamlet,

Ratu Sepudak Village, Galing District. Word of Allah SWT QS. Al-Baqarah verse 282 which reads which means:

﴿وَإِنْ كُنْتُمْ عَلَىٰ سَفَرٍ وَلَمْ تَجِدُوا كَاتِبًا فَرِهَانٌ مَّقْبُوضَةٌ فَإِنْ أَمِنَ بَعْضُكُم بَعْضًا فَلْيُؤَدِّ الَّذِي أُؤْتِمِنَ أَمْنَتَهُ وَاَلَيْتَىٰ اللَّهُ رَبَّهُ وَلَا تُكْفُمُوا الشَّهَادَةَ ۗ وَمَنْ يَكْفُمْهَا فَإِنَّهُ عَانِمٌ قَلْبُهُ ۗ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ ۝٢٨٢﴾

Translated: *If you are on a trip (and don't do mu'amalah in cash) while you don't get a writer, then there should be dependents held (by the debtor). However, if some of you trust some of the others, then let that trusted person fulfill his trust (his debt) and let him fear Allah, his Lord; and do not you (witnesses) hide testimony. And whoever hides it, then indeed he is a sinner in heart; and Allah is Aware of what you do.*

Based on the verse above, it explains that everyone who enters into a contract or agreement if it is done with debt either in the form of money or goods should be notified. In addition, every transaction that contains a suspension agreement must have written evidence. However, if a written agreement is not possible, a witness should be presented. If it turns out that there are no witnesses, nor written evidence, guarantees are allowed.

Islamic law has regulated this the principles that must be fulfilled in the wage system are: **First**, the amount of wages received by rice farming workers. Islam regulates the amount of wages determined by agreement between service tenants (owners) and rice service providers (farm workers). Both parties have the freedom to determine the amount of wages, and are free to determine terms and methods payment of the wages. As long as they are mutually willing and not detrimental one of the parties.

In practice, the payment of wages for rice farming workers made in Kupak Rebung Hamlet is not in accordance with the amount of wages agreed at the beginning of the agreement. If the payment of wages is in cash using money, which is 25 thousand rupiahs and if it is paid with rice, it is as much as 3 kg but the time of payment is deferred until an uncertain time. The thing that often causes problems is when the service tenant replaces the original wage payment using rice but the time has come for the service tenant to pay wages using money. The discrepancy between the agreed contracts made the rice harvest workers feel that the service tenants reneged on the initial agreement because it was not in accordance with the agreement. The problem is that service tenants change wages without prior agreement, but not all of them are like that, some also inform in advance that the wages that were originally paid with rice were replaced with money. The service tenant emphasized that the reason for doing this was because

when agreeing that the rice farm workers asked for payment in the form of rice, the service tenant still could not estimate how much or how little the yield would be. However, after the harvest is clean, for service tenants who get a small amount of income, that is where the agreement is broken because they are more willing to pay using money rather than rice. *Ijarah al-a'mal* (leasing human services) is one of muamalah activities. *Ijarah al-a'mal* (lease for human services) is given as a form of remuneration for what one does must contain fair and proper elements.

Islam gives freedom to humans in matters of muamalah to arrange it in accordance with their benefit, provided that they do not violate the general provisions contained in the *syara'*, namely not being able to harm themselves or others and not causing harm. Shari'a law can be stipulated by referring to prevailing customs, as long as it does not conflict with *syara'* arguments, namely that in wages wages there is no *gharar element* regarding *ujrah* and may not harm oneself or others and regarding the payment of wages wages are not permitted. may be postponed, wages should be paid after the work is completed. Therefore, the principle that applies in an agreement or a contract is the principle of willingness and agreement between the two parties. So that the rights of both parties can be fulfilled.

**Second**, the obligation to pay wages. Service tenants are obliged to pay wages to rice farm laborers has finished his work. Be it on a daily basis, weekly, monthly or otherwise. Islam recommends for accelerate the payment of wages, do not delay. Slowing wage payments can cause great suffering for the workers. In Islam, delay arbitrary payment of wages to workers is prohibited, unless the delay is stipulated in the contract (agreement).

Likewise with the postponement of payment of wages by employers, it must first be regulated in the contract. If it is not regulated, the employer is obliged to pay workers' wages after completing their work.

According to Islam, service tenants may not deny agreed time for payment of wages. If postponed, it is becomes the employer's debt to the worker in the amount of the wages paid the postponed. After workers pay off the work with the terms of the job, the service tenant must keep his promise. As the word of Allah in QS. As-Shura: 183 which means:

وَلَا تَبْخَسُوا النَّاسَ أَشْيَاءَهُمْ وَلَا تَعْنُوا فِي الْأَرْضِ مُفْسِدِينَ ۗ۳

Translated: *And do not harm humans in their rights and do not run rampant on earth by causing damage.*

The verse above is a guarantee that his wages will be paid in accordance with the mutually agreed contract. Not only must the worker's wages be paid fairly, but the implementation of the payment must also not be delayed, it must be in accordance with the prevailing custom of paying wages or in accordance with an existing contract.

Table 1. Wage Practices for Rice Harvesting Workers from the Perspective of Islamic Law

<b>No</b>	<b>Practice</b>	<b>Islamic Law Theory</b>	<b>suitability</b>
1	The owner of the rice field invites the rice harvest workers individually to harvest the rice	Etymologically, the cooperation agreement between farmer/cutter (mu'jir) and rice harvester (musta'jir) according to Islamic law is included in the ijarah contract for work (ijarah ala al a'mal).	In accordance
2	The period of cooperation is after the rice harvest is finished on that day.	The timeframe for conducting cooperation must be clearly agreed from the beginning of the agreement.	It is not in accordance with: The timeframe agreed at the beginning is the day after the harvest is finished. But in reality it is done after the harvest is complete.
3	Contracts between rice field owners and rice harvest workers are carried out orally through solicitations or offers, and on the basis of trust.	In Islamic law, a contract that is carried out verbally is one of the forms of sighat consent qabul which is justified and valid.	In accordance



4	Rice harvest labor wages are given in the form of money.	In Islam, <i>ijarah al a'mal</i> that applies in society must not conflict with <i>syara'</i> and fulfill the principles of Islamic wages.	It is not in accordance with: The initial agreement was in the form of rice, but at the end of the contract, the lessee defaulted on paying wages in cash.
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When it is associated with the concept of *muamalah*, the practice of wages for farm workers in Kupak Rebung Hamlet which is paid in cash is in accordance with Islamic law because the pillars and conditions of wages have been fulfilled. However, the practice of wages for agricultural workers whose payment is deferred is not in accordance with Islamic law because there is wages that are deferred until the harvest is complete and this is contrary to the hadith of the Prophet SAW regarding the time of payment of wages, besides that the pillars and conditions are not fulfilled, namely regarding *ujrah* (wages), because they have denied the pillars of wages, namely *consent* and *qabul*.

### CONCLUSION

The practice of differentiating *ijarah al-a'mal* rice farming workers in Kupak Rebung Hamlet, Ratu Sepudak Village, Galing District, from the perspective of Islamic law, where wages were originally paid in rice and then replaced with money and the payment was suspended, is *makruh*. Because in Islam deferred work wages until the harvest is complete this contradicts the hadith of the Prophet Muhammad regarding the time of payment of wages, besides that the pillars and conditions are not fulfilled, namely regarding *ujrah* (wages), because they have denied the pillars of wages, namely *consent* and *qabul*.

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