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BUYING AND SELLING TRANSACTIONS AT THE PEOPLE'S  
MARKET SELIMBAU DISTRICT KAPUAS HULU REGENCY  
ACCORDING TO ISLAMIC ECONOMICS

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ABSTRACT

*The purpose of this study is to explain, identify and implement solutions for buying and selling transactions in traditional markets from an Islamic economic perspective. The research approach used is qualitative research and its type uses phenomenology. The number of informants from this study were 6 traders, 6 buyers around the market and 2 market managers. Methods of data collection by observation, interviews and documentation. Technical analysis uses the Miles and Huberman models. Checking the validity of the data with triangulation. The research stages consist of the preparation, implementation and data analysis stages. The results of the research on the first problem, in the implementation of buying and selling transactions are not in accordance with the principles according to Islamic Economics, there is still fraud in the scales and services of traders to buyers who still do not maintain friendship properly. Second, the constraints that occur in the two research locations are still not in accordance with the principles of Islamic Economics. Because there is a trader who practices usury, breaks his promise in ordering goods, and commits fraud. Third, solutions to reduce obstacles include cooperation with BPOM. Monitoring the weighing of goods available at the People's Market in Selimbau District. Conduct periodic monitoring of each trader and other market locations. Conduct market operations and receive complaints from buyers or traders in case of problems. Then orderly in supervising every scale, price of goods and quality sold by traders in the People's Market market, Selimbau District.*

**Keywords:** *Transaction, Buying And Selling, Selimbau, Market*

ABSTRAK

Tujuan dari penelitian ini adalah untuk menjelaskan, mengidentifikasi dan solusi penerapan transaksi jual beli di pasar tradisional perspektif ekonomi Islam. Pendekatan penelitian yang digunakan adalah penelitian kualitatif dan jenisnya menggunakan fenomenologi. Jumlah informan dari penelitian ini ada 6 pedagang, 6 pembeli di sekitar pasar dan 2 pengelola pasar. Metode pengumpulan data dengan observasi, wawancara dan dokumentasi. Analisa teknikal menggunakan model Miles dan Huberman. Pengecekan keabsahan data dengan triangulasi. Tahapan penelitian terdiri dari tahap persiapan, pelaksanaan dan analisis data. Hasil penelitian pada masalah pertama, dalam penerapan transaksi jual beli tidak sesuai dengan prinsip menurut Ekonomi Islam, masih adanya kecurangan dalam timbangan dan pelayanan pedagang kepada pembeli yang masih kurang menjaga silaturahmi dengan baik. Kedua, kendala yang terjadi di kedua lokasi penelitian masih belum sesuai dengan prinsip Ekonomi Islam. Karena ada seorang pedagang yang melakukan praktek riba, mengingkari janjinya dalam pemesanan barang, dan melakukan penipuan. Ketiga, solusi untuk mengurangi kendala antara lain kerjasama dengan BPOM. Memantau kegiatan penimbangan barang yang tersedia di Pasar Rakyat Kecamatan Selimbau. Melakukan pemantauan berkala terhadap setiap pedagang dan lokasi pasar lainnya. Melakukan operasi pasar dan menerima pengaduan dari pembeli atau pedagang jika terjadi masalah. Kemudian tertib dalam mengawasi setiap timbangan, harga barang dan kualitas yang dijual pedagang di pasar Pasar Rakyat Kecamatan Selimbau.

**Kata kunci:** *Transaksi, Jual Beli, Selimbau, Pasar*

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## A. INTRODUCTION

A market is a place where buyers and sellers meet. Its main activity in the market is buying and selling transactions. One of the activities of buying and selling transactions is one of the needs of the community as a means and infrastructure to meet the needs in human life. Every human activity itself requires possessions, food, drink, clothing and wealth to make ends meet. It is not just an activity that puts forward the principles of maximum profit, but also bound by the frame of religious law and morals in addition to others. Sale and purchase is an agreement between the two parties where mutual exchange of objects or goods voluntarily, where one receives the objects or goods and the other party receives money or a replacement of these objects or goods, in accordance with the agreement or provisions that have been justified *syara'* and agreed. (Ahliwan, 2015). Traditional markets are places of sale of basic materials (*sembako*). As a meeting place for sellers and buyers directly. The goods sold depend on the buyer's request. In this bargain will specify only that will be traded. Traditional markets operate within certain time limits such as morning, afternoon and weekend markets. (Multolo, 1995: 9).

While the market according to Islamic Economics regardless of the labeling of traditional and modern connotations has a very high position. Historically, the first generation of Muslims in addition to agrarian profession, also businessmen by sticking to the principles of Islamic business applied by the Prophet Muhammad. Islamic economics itself is an Islamic economic system that concerns the regulation of economic activities in society based on Islamic means or methods. (Mardani, 2015: 9). Meanwhile, the practice of distortion is that the market determines the price and way of production, there should be no interference that results in the destruction of the market balance. But in reality it is difficult to find a market that runs itself fairly (*fair*). This is what we call market distortion. However, the diversity of disturbances that cause less stable market mechanisms is influenced by various factors, both internal and external factors make the behavior and actions of traders different, both in terms of profit making, how to offer goods to consumers, honesty about the quality of goods traded, honesty in weighing or measuring and so forth. Selimbau District People's market used to be a simple market, many traders who do not have kiosks so that they hold their wares with plastic in an untidy row with other fellow traders and many visitors always buy. However, the Selimbau Sub-District People's market is now a market that has received improvements from the government program in 2015.

Like traditional markets in general, traders in this market is dominated by mothers and grandmothers. Buyers are dominated by housewives. But there are also men who shop and become traders in the people's market of Selimbau District. Selimbau District People's market provides daily necessities such as vegetables, fruits, meat and other necessities. But there are more vegetable traders than food traders. Based on observations and interviews of researchers with traders in the sale and purchase transactions. That there are actions that are still deviated from the principles exemplified by the Prophet Muhammad such as *shiddiq*, *amanah*, *fhatanah* and *tablig*. As for the application of buying and selling transactions that traders do such as *shighat (ijab qabul)* orally and of course there is a bargaining process for goods that are traded are *halal* and easily vulnerable to damage. The Selimbau Sub-District People's market is shaded by the head of the UPT Department of Industry and trade, namely the market manager and has several management officers who routinely monitor activities and levy fees on traders.

Every Friday the Selimbau District People's market is crowded with traders, although buyers are more interested in vegetable traders than food traders. The application of traders in buying and selling has taken actions such as showing the scales to the buyer when the buyer has decided to choose the purchased goods. The absence of the behavior of merchants who practice usury, hoarding and monopoly. Obstacles that often occur in the Market District Selimbau people's market that traders in serving buyers is still less harmonious, weak speech acts and breaking promises in the order is not preferred. Thus triggering the silence of buyers. In addition, there are often problems related to complaints between buyers and traders because

of high prices and poor quality goods. Then less explanation Traders on the good and bad buyers of the type of goods traded. The unfairness of traders in offering prices to buyers, which when there are buyers far from the area of the Selimbau District People's market offered a higher price than the previous price. Other buying and selling transactions, if no one has bought it, there are also traders who tell their friends to pretend to praise and offer expensive prices so that buyers are interested when they don't really want to buy. Then the researchers found fruit traders who took action, they deliberately put rotten fruit mixed with good ones in plastic to cover the defects. The buyer knew and immediately returned to the merchant to ask for compensation earlier, but the merchant with the face does not sumringah say that is not good so that the buyer angry". Until the buyer is forced not to transact with the merchant. The incident researchers got accidentally while observing the market at the Selimbau District People's market on Friday. Based on the results of observations and interviews of researchers with traders, there are those in which the surrounding community remains faithful to shop there despite the slum and untidy market conditions. Sloping prices and good service as well as the diversity of goods sold are the main reasons more buyers go to the Selimbau District People's market.

But there are also some traders who do not perfect the measure and scales of traders and lack of explanation of the good and bad types of trade to buyers. From the results of in-depth observations that researchers did tracing from the results of interviews also with one of the buyers. when buyers buy tomatoes 1 kg which is cheap and the contents of diplastic tomatoes feel light. The buyer said it felt suspicious and tried to weigh again to another merchant. Knowing happens like that the buyer goes back to the merchant earlier to explain and replace with a new one. But the merchant refused on the grounds that his scales were correct.

The buyer was forced to leave with regret not wanting to return to the merchant again. From the incident the buyer felt cheated because the trader did not perfect the scales and the lack of good explanation and good quality of the merchandise. These constraints hinder the process of buying and selling transactions that occur in both research sites.

## C. DISCUSSION

### RESULT AND DISCUSSION

#### 1. Transaction Theory In Buying And Selling

##### a. Defenition of Buying

Basically, a transaction is a sale and purchase agreement (traded) between two parties (seller and buyer). (Kamus Bahasa Indonesia, 2008: 643). In addition, a transaction is an activity carried out both by individuals and on behalf of a company in buying and selling. In the rules of law that apply states that all things are prohibited, except those that have provisions based on the Quran and al-Hadith. When it comes to business or transactions, everything is allowed unless there is a proposition that prohibits it. Transactions are situations or events that involve elements of the environment and affect financial position. Each transaction must be made a written statement such as an invoice or note of sale or receipt and is called proof of transaction. In Accounting a transaction is measured by units of currency. Trade or buy and sell almubadah (exchange). (Natasya, 2014: 21).

According to the view of the Malikiyah fuqaha, buying and selling can be classified into two types, namely buying and selling that is special and general buying and selling. Buying and selling in a general sense is an exchange of something that is not for the benefit and enjoyment. This means that something that is not a benefit is an object that is exchanged is in the form of substance (form) and it serves as an object of sale, so it is not a benefit or not a result. (Qamarul Huda, 2011: 52). Buying and selling in a special sense is a bond of exchange for something that has criteria, among others, not usefulness and not delicacy, which has attractiveness, the exchange is not gold and not

silver, the object can be realized and exists instantly (not delayed), does not constitute a debt whether the item is in front of the buyer or not and the item has known its properties or has been known in advance. (Qamarul Huda, 2011: 54).

#### b. Legal Basis Of Sale And Purchase

Buying and selling transactions are permissible activities in Islam, both mentioned in the Qur'an, Al-Hadith and ijma' ulama. As for the legal basis of buying and selling according to the word of Allah Swt in surat Al-Baqarah verse: (2) 275:

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ۚ ذَٰلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا ۗ وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا ۚ فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَىٰ فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَىٰ اللَّهِ ۗ وَمَنْ عَادَ فَأُولَٰئِكَ أَصْحَابُ النَّارِ ۗ هُمْ فِيهَا خَالِدُونَ

He said: "Those who eat usury will not be able to stand except as one who has been driven into insanity by Satan. That is because they say that buying and selling is the same as usury, whereas Allah has made selling lawful and forbidding usury. those to whom the prohibition from their Lord has come, and they desist, will have what they took before, and their affair will be with Allah. those who return (to usury), those are the Companions of the fire, they will abide therein eternally". (Ministry of Religious Affairs, 2010: 47).

In addition to the arguments of the Qur'an, There are also arguments from as-Sunnah, among others:

عَنْ رِفَاعَةَ بْنِ رَافِعٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، سُئِلَ أَيُّ الْكَسْبِ أَطْيَبُ؟ قَالَ: عَمَلُ الرَّجُلِ بِيَدِهِ وَكُلُّ بَيْعٍ مَبْرُورٍ (رَوَاهُ أَبُو بَرٍّ وَ الْحَاكِم)

Meaning: " from Rifa'ah Ibn Rafi" that the Prophet Muhammad, once asked: What is the best profession? The Prophet (peace and blessings of Allaah be upon him) said: "the work of man's own hands and every sale and purchase are blessed". (H.R. Bazzar and Hakim, in Hadith Software).

From the content of the verses of Allah Swt and the words of the Prophet Muhammad above, the scholars " fiqh said that the original law of buying and selling is mubah (permissible). However, in certain situations, according to imam Ash-Syaitibi Maliki fiqh experts, the law may change to mandatory. The last postulate of the ijma' "ulama", that Muslims agree that buying and selling is permissible and there is wisdom in it. (Soenjoto, 2015: 39).

Because humans depend on goods that are in others and of course the person will not give them without reciprocity. therefore, with the permissibility of buying and selling, it can help meet the needs of everyone and pay for their needs. Imam Shafi'i said, all types of legal buying and selling are allowed if carried out by two parties who each have the qualifications to carry out transactions, except buying and selling which is prohibited or forbidden with his permission, then it is included in the prohibited category. (Uthman Syaroni, 2008: 4).

Then it is a scam and they sell it. So not all buying and selling contracts are haram as some people think based on this verse. This is because the letters alif and lam in the verse in explaining the type and not for the already known because previously there was no mention of the sentence Al-bai' which can be used as a reference and if it is determined that buying and selling is common, then it can be devoted to what we have mentioned in the form of usury and the other of the forbidden things to be transaction such as liquor, carcasses and other than what is mentioned in the sunnah and ijma' the

scholars will prohibit it. So that the sale and purchase is one way to realize human desires and needs, because basically humans will not be able to live alone without the contact and help of others.

**c. Terms and Conditions of sale**

As one of the basics of buying and selling, pillars and conditions are the most important thing, because without pillars and conditions, the sale and purchase is not legal. Therefore Islam has set about the pillars and terms of the sale and purchase, among others:

**1. The Unity Of Sales**

*Arkan* is the plural of *rukun*. The pillars of something mean its strongest side, while *arkan* means the things that must exist for the realization of a contract from the outside. (Uthman Syaroni, 2008: 28). The *Rukun* is a matter that must be carried out that determines the validity or not of an act or worship and it is in the act or worship. From among the *fuqaha*, there are differences regarding the pillars of buying and selling. According to the *fuqaha* among Hanafis, the pillars of buying and selling are *qabul's* consent. Meanwhile, according to *Jum'ur ulama*, the pillars of buying and selling consist of a contract (*ijab* and *qabul*), *aqid* (seller and buyer), *Ma'qud* (contract object). The contract itself is an agreement (bond) between the buyer and the seller. This contract can be said to be the core of the ongoing process of buying and selling, because without the contract, the sale and purchase has not been declared valid. In addition, this contract can be said as a form of willingness (pleasure) between the two parties. Willingness can not be seen, because it is associated with the heart (mind) of man, but the indication of the existence of the willingness there is consent and *qabul* between the two parties. (Qamarul Huda, 2011: 55).

**2. Terms Of Sale And Purchase**

*Madhhab* scholars have different opinions in determining the requirements contained in the pillars of buying and selling either in the contract, *aqid* or in *Ma'qud* *alaih*. The condition is something that must be carried out that determines the validity or not of an act or worship and it is outside the act or worship. the conditions include:

**a) Conditions that are met in the contract (*ijab* and *qabul*)**

*Ijab* in terms of language means "obligation", while *qabul* means "acceptance". Consent in buying and selling can be done by the buyer or seller as *qabul* can also be done by the seller or buyer. Speech or action that is born first from one who is in action is called consent, then speech or action that is born afterwards is called *qabul*. Another condition for the validity of consent and *qabul*, in the opinion of scholars *Shafi'iyah* and *Hanabilah* is the continuity between the two in a contract assembly without any separator that can damage the contract. Meanwhile, *Malikiyah* scholars argue that the limitations between consent and *qabul* will not be buying and selling as long as it happens according to custom. (Qamarul Huda, 2011: 56-57).

The Prophet (Peace Be Upon Him) said:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: لَا يَتَفَرَّقَنَّ عَنِ بَيْعٍ إِلَّا عَنْ تَرَاضٍ  
(رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ)

It means: "from *Abi Hurairah* r.the Prophet (peace and blessings of Allaah be upon him) said:"Do not let two people who sell and buy separate from each other until they are happy with each other".

Sale and purchase transactions are required consent *qabul*, a statement describing the sale and purchase transactions, both orally and in writing. This can be excluded from the sale and purchase of goods that are simple, or small in value, or goods



that have a definite price tag as in the supermarket, if there is no need for *sighat* (consent *qabul*). (Musthafa Kamal Pasha, 2009: 373).

**1) Terms of *aqid* (seller and buyer)**

Sellers and buyers can be classified as *berakad*. As such, both parties are capable of legal action. In Islamic law, the term *baligh* (adult) is known and reasonable. Based on this condition, the sale and purchase of minors and people who are not of sound mind, according to the number of scholars, is considered invalid. The views of the four *mazhab* in imposing this sale and purchase. According to the view of scholars *mazhab Hambali* states that the two parties who perform the contract should not be forced either physically or mentally. From the opinion of the *Hanafi madhhab* that the contract imposed by one person on another is considered valid. *Maliki's* opinion that buying and selling has no legal force if there is an element of coercion without rights. While *Shafi'i* opinion that the sale and purchase in which there are elements of coercion is considered invalid. (Qamarul Huda, 2011: 58-62).

**2) Conditions in *Ma'qud alaih* (contract object)**

*Ma'qud alaih* (contract object) is the goods sold, the scholars have set the requirements that must exist in *Ma'qud alaih* there are four kinds. Such as: goods sold there and can be known when the contract takes place. If the goods cannot be known then it is invalid, the thing being sold is a valuable thing, the thing being sold is the property of the seller. Then the sale and purchase of goods that do not belong to the seller is not legal. Then, the objects sold can be handed over at the time of the contract. This means that the object must be sold concretely and exist at the time of the contract. The form of submission of objects can be divided into two kinds, namely on moving objects and objects that do not move. (Qamarul Huda, 2011: 63-66).

**3) Freedom Of Contract**

The majority of *fiqh* scholars agree that pleasure (willingness) is the basis for the establishment of a contract (contract). In indicating that Allah SWT forbids Muslims to eat other people's property in vain. This question doesn't have a brief answer. Among them are conducting economic transactions that are contrary to the *Shari'ah*, such as conducting *riba*-based transactions (interest), speculative transactions (*maisir*, gambling), or transactions that contain elements of *gharar* (the existence of risk in transactions) and other things that can be equated with it. And also gives an understanding that attempts to obtain such property must be made with the consent of all parties to the transaction, such as the consent of the seller and the buyer. *Imam Shafi'i* stated, the origin of the sale and purchase is allowed when carried out with the willingness/pleasure of both parties to the transaction made, and as long as it does not conflict with what is prohibited by *Sharia*. one of the recommended acts which *Islam* has emphasized upon is cutting of nails in whatever manner or way it may be. Business people are given wide freedom to build a contract as long as there is an element of pleasure. (Qamarul Huda, 2011: 66-67).

**2. Application Of Buying and Selling Transactions In The People's Market District Selimbau Kapuas Hulu According To Islamic Economics**

**a. Terms and Conditions of sale**

From the results of interviews researchers with six traders, researchers can see that only four traders who really understand and apply the contract in the sale and purchase transaction. The four traders were Mr. Hd, Mrs. Slt, Mr. Ag and Mr. Skm. When asked about their understanding of the contract and its pillars, they agreed to answer "the contract is a transaction process between the seller and the buyer with transactions such as bargaining with pillars and legitimate conditions". When researchers asked about consent and *qabul* they agreed that consent and *qabul* should be spoken orally.

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That consent and *qabul* it does not have to be said directly orally, because according to them the contract is valid if the seller has given the goods to the buyer, and the buyer pays money for the price of the goods. Then with regard to the Shafi'i school itself, it states that buying and selling is a contract for exchanging property (things) for property based on a certain way. In the past, before the creation of currency, people traded by exchanging goods for goods of equivalent value, but now after the creation of currency, buying and selling transactions are carried out by exchanging objects or services for money. In Islam the transaction or contract of sale and purchase contains elements of the contract and conditions. When peace and conditions have been met well then the sale and purchase can be said to be legitimate.

Among the pillars that must be met in buying and selling are *Ba'i* (seller), *Sighat* (consent and *qabul*), *Ma'qud alaih* (object/ goods that are the object of the transaction). Transaction contract sale and purchase that occurs in the Market District Selimbau people's market among the sellers, buyers, goods that become the object of sale and purchase, agreement. Sales are made when they are fulfilled. When the buyer wants to buy an item, he chooses the item he wants, after that there is an agreement on the price of the item to be purchased, after both agree on the specified price and then there is an exchange of property for property or goods for money. In addition to some of the pillars that have been described in the sale and purchase is also known as the terms of sale and purchase. A sale and purchase is not valid if it is not fulfilled in a contract seven conditions are mutually agreed between the two parties, the perpetrator of the contract, the property that is the object of the transaction has been previously owned by both parties, the object of the transaction is the goods allowed religion, the object of the transaction is the goods commonly handed over and accepted, the object of the sale and purchase is known by both parties at the time of the contract and the price must be clear at the time of the transaction.

In general, the purpose of all these conditions, among others, is to avoid conflicts between people, maintain the benefit of people who are on a contract, avoid buying and selling *gharar* (fraud). If the sale and purchase do not meet the conditions of the contract, the contract is void. If you do not comply with the legal requirements, according to ulama Hanafiyah the contract is *fasid*. There are many types of buying and selling transactions in Islam, but what often happens in the people's market of Selimbau District is (*Ba'i amanah*) buying and selling where the seller mentions the selling price of the item. So as a market with the concept of traditional markets will not be spared from bargaining. It is common for the same to happen after the buyer chooses the goods he buys, he asks the price of the goods. After that, the buyer bargains the price of the goods with the goods to get a cheaper price and then the buyer lowers the price of the goods, which is often found in clothing, vegetables and fruit sellers.

However, not all goods offered at the price such as people who sell meat, groceries and food do not accept the bargain on the grounds that the price sold has been patented can not be bargained back. And it has been applied by the people's Market District Selimbau market today. While, in general, the transaction is based on purchases made directly on the spot, in which the goods are paid directly when the seller delivers the merchandise. Can be explained according to Suhrawardi "buying and selling is where it is asserted, among others, prohibited from carrying out transactions containing usury. Then affirmed the provisions of the pillars and terms of sale and purchase, such as the parties who must be legally competent in the sense of *balig* (adult) so that it is not legitimate to buy and sell minors, and must be reasonable so that it is not legitimate to buy and sell crazy people or people who are drunk.

Then, the object of buying and selling should also meet the conditions in the form of transactional and not prohibited according to Sharia, so it is not legitimate to buy and sell wine, liquor, dogs, pigs and other haram objects. In addition, the object must also be a

valuable object (useful) which in fiqh terms is called *mutaqawwim*. (Suhrawardi, 2012: 139-143).

Based on the above, the object of sale and purchase must be the property of the seller or be in his power either because he is the guardian or has authority over the object in question. If these conditions are not met, it is illegal to sell it. Another condition is that the object of sale and purchase must be clear and specific. Clarity of the object is obtained by looking at it directly or through a gift. In addition, there must be consent and *kabul* such as the seller's statement, "I sold this thing" and the buyer's words "I bought this thing". The parties have the right *khiyar* (select), both *khiyar* Assembly and *khiyar* terms. This means that one of the parties may choose to continue the contract of sale or cancel it unilaterally after the consent and *kabul* as long as the contract Assembly has not been dissolved (which in jurisprudence is called *khiyar majelis*), or if there is a clause that each party has the right to cancel the agreement for a certain time, a maximum of three days (which in jurisprudence is called *khiyar* terms).

#### **b. Quality Standard Management Principles**

The application of buying and selling transactions in showing the measure or scale to the buyer and refining the results of the researcher's own data findings. Means that traders do in such a way that buyers feel confident and do not feel lied to by traders. Then, by maintaining a patient and calm attitude, they can control their emotions if the buyer feels uncomfortable and avoid the silence of buyers in the Selimbau Sub-District People's market.

#### **c. Principle of good service**

This is because they or traders are trying to deceive good service for traders so that traders feel satisfied. Based on data obtained by researchers from both locations of the study, that researchers found there were some traders who did not explain the shortage of merchandise to buyers. If this is the case, then the buyer has the right. According to Abdul Aziz, the right of *khiyar* is the right to return the goods that have been purchased and ask for compensation, or ask for replacement for other goods that are better. The person who sets for himself the conditions of *khiyar* he has the right to continue the contract or cancel it so unusual from the side of the person who has the right of *khiyar*, he may return the goods because *khiyar* hinder compulsory will buy and sell". (Abdul Aziz, 2014: 101).

As we know that the act of concealing defects in goods intentionally includes fraud and deception. Furthermore, true or straight is the characteristic of believers, the characteristic of the Prophet Muhammad, without the truth, religion will not be upright and will not be stable because the right attitude is the spirit of faith. On the other hand, lying and denying is the attitude of a hypocrite, the widespread act of lying and falsehood in trade in both markets today such as, lying or perjury in promoting goods can lead to injustice.

#### **d. The principle of honesty in the scales**

From the market in improving the scales orderly traders follow the program held by the Department. These activities such as checking scales and BPOM. The nature of trade in perfecting the measure or scales in order to obtain lawful profits. According to Islamic law, according to Mawardi, trade or exchange in economics is defined as a transaction process based on the voluntary will of each party. Trade like this can bring benefits to both parties or in other words trade increases profits for the parties involved". (Imron Mawardi, 2015: 12). While what the merchant does is explain the type and quality of Good Goods and the bargains that the merchant determines to the buyer.

#### **e. Honesty in explaining the goods to the buyer**

From the findings of the researchers that there are differences from the two locations of the researchers, namely the market people's Market District Selimbau, that researchers have never found a buyer who explains the quality of the type of product and the price offered. according to Nizar is "being honest because honesty can bring peace of mind,



eliminate fear, and bring justice. Islam states that believers are commanded to uphold justice, be fair witnesses, and should not cultivate hatred so that it is discriminatory. This shows that people who can tell the truth and act according to reality can do just and right.

Those who do not trust their words and do not keep their promises can be categorized as liars. Thus, honesty must be based on high moral awareness, recognition of equal rights and obligations, fear of making mistakes and sins". (Muhammad Nizar, 2023: 21). Furthermore, from the results of research related to the application of services that traders do to buyers as supporting success. In the two research sites the average trader sometimes provide services and speech acts to buyers in the process of promoting merchandise including pricing. Merchants providing good service to customers must be balanced between rights and obligations, because if one of these is not fulfilled, it means that one of them, both the merchant and the buyer feel disadvantaged.

So that no one feels disadvantaged unilaterally, the two things, it must be understood between the rights and obligations must be balanced, should not do coercion in promoting trade. According to thorik, " if he becomes a marketer, he must be able to convey the advantages of his products honestly, so then he will be able to be a good communicator, patient in dealing with customers not easily angry and disappointed, especially in terms of bargaining for goods if there are customers who bid on merchandise below the standard, this kind of thing is often experienced by traders, especially traders". (Thorik Gunara, 2007: 61).

The purpose of the above explanation is as a trader must be patient, in the process of Service. Merchants providing good service to customers must be balanced between rights and obligations, because if one of these is not fulfilled, it means that one of them, both the merchant and the buyer feel disadvantaged.

### **3. Constraints in the implementation of buying and selling transactions in the people's Market District of Kapuas Hulu Selimbau District according to Islamic Economics**

#### **a. Riba Practice**

Based on the results of interviews researchers with traders in the practice of riba explained that 5 traders from 1 trader had done the practice of riba. Thus, the researchers concluded that the obstacles in buying and selling transactions in minimizing distortion practices in the market are not in accordance with Islamic Economics. Therefore, the wrong action in the act of riba practice, researchers know that Allah and the Prophet forbade the act of dhalim, especially in the trading business. It is known that various reasons are the triggering factors for traders to practice usury only to get excessive profits. According to James F, explain consumptive behavior is the actions of individuals directly involved in the business of obtaining and using goods economic services including the decision-making process that precedes and determines these actions.

While riba according to Nuraeni is an addition in certain matters, riba is also the advantage of a property without replacement in a contract of exchange of property for property. (Farida Nuraeni, 2015: 34).

#### **b. Breaking promises to buyers**

According to the results of research conducted by researchers responses of traders about ever breaking promises in trading. Shows from 6 traders, there are 3 traders never break promises to buyers in trading. 2 traders or stating that sometimes they break promises to customers in trading. The statement can be understood that in fact the merchant does not intend to break the promise, they are forced to give the goods to other customers for fear that the goods are damaged. By applying a trustful attitude in trading means that customer expectations are in accordance with reality, customers are satisfied. Customers who feel satisfied will usually return to shop or become customers in the place.

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Related to the nature of trust, in the application of buying and selling transactions, the cooperation system does not include fraud and exploitation. Including not hoarding merchandise, piling up goods within a certain period with the aim that one day the price of goods will rise so that it can reap greater profits. The Prophet (peace and blessings of Allaah be upon him) forbade this kind of business.

**c. Hoarding Practices**

Furthermore, from the results of the research findings data to traders who have hoarded goods and riba practices in trading. States have never practiced hoarding of goods and none of the traders stated that he had or sometimes did the practice of usury and hoarding of goods in trading. The results of the study researchers concluded that the practice of usury or hoarding goods at traders in the market of Selimbau District People's market District is not potentially to be done, it is because sometimes traders oversupply of goods for sale, it is impossible for traders to hoard goods, given that the goods they sell and buy are basic necessities or groceries that in fact are very vulnerable to damage or decay.

**d. Monopolistic Practices**

The results of the researcher's own observations related to monopoly practices, by traders in the market Selimbau District People's market does not have the potential to do so. This is evidenced by the large number of food vendors who sell, they have the same opportunity with fellow traders to sell a variety of goods komoditas, they are free to peddle merchandise, healthy competition with fellow traders to get a buyer or customer.

Thus the results of research researchers have concluded that traders do not have the potential to practice monopoly because most monopoly practices are carried out or practiced by traders who have large capital and do not understand the impact of their actions. With a large capital they can afford to buy large quantities of materials directly from the factory, then they distribute them at high prices or at will set selling prices without neglecting the public interest.

According to researchers from both markets in Tulungagung that traders have obstacles in applying fathanah attitude, especially with regard to consumer tastes in bargaining goods that tend to be cheap and not infrequently get complaints related to the type of goods, quality and price issues. And from the conclusion of this interview confirms that there has never been a customer who complains about defective goods from buyers because food vendors have claimed in advance that the goods they sell are of clear quality and if necessary they only provide adequate information related to the quality of the goods they sell. The opinion of Riska is the hoarding of goods is the biggest obstacle in the regulation of competition in the Islamic Market. The Islamic State has the right to control and regulate prices and profits. Thus, the maximum prices can be set. The main cause of a person's Ihtikâr or monopoly action is due to egoism and misguidance of the heart towards the servant of God. Because people who practice it want to expand their wealth by strangling others (harming others)". (Riska Ariska, 2011: 19).

It is not permissible for him to trade in any form that is not permissible (haram) to possess, nor is it haram to trade in any form that is not permissible (haram) to possess. But there are provisions of Islamic law that basically the goods are halal, because the attitudes and actions of the perpetrators are contrary to the Shari'ah.

**4. Solution For the Implementation Of Buying And Selling Transactions In The People's Market Of Selimbau District, Kapuas Hulu Regency According To Islamic Economics**

In the application of buying and selling transactions applied by traders of the people's market of Selimbau District, Kapuas Hulu Regency according to Islamic Economics. From the results of interviews researchers with the head of UPT Department of Industry and trade that they have done a variety of ways to anticipate the distortion around

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the market. In his opinion Akhmad Mujahideen, that avoid the practice of distortion there are authorities in overseeing a market called Muhtasib. In detail the tasks that must be implemented, among others: (Rozalinda, 2015: 179).

**a. Keep an eye on prices, sizes, measurements and scales**

This task is very important because there is often fraud related to these issues, namely the issue of price, quantity and quality of goods. Muhtasib must regularly monitor the prices, sizes, measures and scales prevailing in the market. It also tests the scales and standard sizes used by traders. Muhtasib is authorized to set the applicable size and weighing standards. It should also give everyone clear information about the applicable prices. To keep an eye on him, the muhtasib may order any merchant to paste a list of applicable prices.

**b. Keeping An Eye On Prohibited Buying And Selling**

Muhtasib is in charge of overseeing the sale and purchase of goods and services that are prohibited by Sharia, both prohibited because of the substance and prohibited because the sale and purchase uses a contract that deviates from Islamic teachings.

**c. Supervise The Halal, Health And Hygiene Standards Of A Commodity.**

Muhtasib must carry out quality control over the goods circulating in the market. He is a field officer who oversees the halal and health of various commodities traded in the market.

**d. Market Setting**

Muhtasib is in charge of regulating the beauty and comfort of the market. He arranged for traders not to set up tents or buildings which resulted in public streets, the market became narrow and crowded. He placed merchandise that hindered the smooth passage of traffic. Muhtasib also regulates the layout of the market so that it is easier for muhtasib to supervise the market.

**e. Market Intervention**

Muhtasib is a government official who has the authority to intervene in the market and prices under certain circumstances and reasons. For example, high prices caused by scarcity of goods due to hoarding of goods by speculators. He can take a strategic policy that can restore the market back. When price distortions occur, the muhtasib holds the authority to intervene in the market.

**f. Open Access To Information**

Some of the prohibitions against fraudulent practices (tadlis) are efforts to spread information disclosure so that transactions can be carried out with the same likes (antaradin minkum) and fair. The Prohibition of talaqi rukhban is to buy goods by intercepting sellers outside the city, basically so that sellers can know the market situation with all available information including market prices and practices related to it. Bay najasyi, which includes the notion of collusion between sellers with each other to cooperate or cartel to deceive consumers. In this transaction the seller will tell others to praise the goods (so that others are interested in buying) or bid at a high price (so that others also buy at a high price). Ghabab faahisy is a deliberate attempt to obfuscate information because sellers take advantage of the ignorance of consumers to seek high profits. These prohibitions should be avoided in order to create Islamic Business. According to the Quran a Muslim is one who has absolutely surrendered to Allah and his commands and believes in pure Tawhid (the oneness of God) that isn't tainted with any shirk and this is why the Almighty has introduced prophet Abraham as a true. In connection. With the opinion of monzer kahf is to reject the practice of seeking maximum profit, because such a thing is beyond reason and at the same time contrary to religious norms. (Lukman Hakim, 2016: 32).

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Based on the explanation above, it can be understood that economic actors are only allowed to take appropriate and reasonable profits, not too high which will result in public distress, and also not too low which will result in bankruptcy. To avoid the occurrence of *ihthikar*, one way that must be taken is to prevent monopolistic practices in the management of merchandise. Such practices must be prevented in order to avoid great misery for the people. This action is in accordance with the principle of *saduz-Zari'ah* in Islam. To realize this, the role of the government is very large considering that it has the Power (Authority).

#### D. CONCLUSION

Based on the results of research on the system of buying and selling transactions in the people's Market District of Kapuas Hulu Selimbau District according to Islamic Economics, researchers can conclude that: The application of buying and selling transactions in the people's market of Selimbau District, Kapuas Hulu Regency according to Islamic Economics. In the application of buying and selling transactions from both locations of the study is in accordance with the principles according to Islamic economics although there is still some fraud in the scales and service traders to buyers who are still less maintain *silaturahmi* well. Constraints on the implementation of buying and selling transactions in the people's market of Selimbau District, Kapuas Hulu Regency according to Islamic Economics. Constraints that occur in both research sites are still not in accordance with the principles of Islamic Economics. Because there is one merchant who has practiced usury, has broken his promise in ordering goods, and has committed fraud. As for the similarities in the two markets is the practice of hoarding and monopolistic practices of goods on traders do not have the potential to do because the basic goods are very vulnerable to damage. Solution for the implementation of the people's market of Selimbau District, Kapuas Hulu Regency according to Islamic Economics. Various kinds of obstacles that occur in both research sites can be solved by solutions or problem solving, so it can be concluded that it is in accordance with the principles of Islamic Economics. Solutions to reduce constraints include cooperation with the Metrology Agency, BPOM. Monitor activities on a scale of goods available at the Selimbau Sub-District People's market. Conduct periodic monitoring of each trader and the location of other markets. Conduct market operations, if caught doing things that are prohibited get strict sanctions from office staff and receive complaints from buyers or traders in case of problems.

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