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**REVIEW OF ISLAMIC LAW ON THE PRACTICE OF  
BUYING AND SELLING SAND IN SAMBAS WITH THE  
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Email: nilhakimhaki87@gmail.com**ABSTRACT**

Buying and selling sand is one of the businesses that is currently loved by the community. Sand has uses as a building material. Therefore, buying and selling sand must be considered from various aspects. Such as quality and quantity. Good sand quality makes buildings that have been designed can be built properly. Residential buildings are a primary need. In this context, before making a sale. There are sales methods that usually occur in the general public. Every buying and selling transaction has the option to be kept confidential or reported to one party if there are irregularities at the time of the transaction. The most important rule of buying and selling is tawazun or balance, which states that buying and selling should be done in a way that is oriented towards the world and the hereafter. Production must be coordinated with consumption and distribution. The focus of the problem in this study is: How is the practice of buying and selling sand with the concept of tawazun in Kartiasa Village, Sambas District, Sambas Regency? How is the review of Islamic Law on the practice of buying and selling sand with the concept of tawazun in Kartiasa Village, Sambas District, Sambas Regency. This research uses field research methods, namely research in the field aims to obtain information and describe events that occur in the field in accordance with the facts found in the field. While the approach that researchers use is qualitative descriptive. Based

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on the results of the research and discussion above, the following common thread is drawn: The practice of buying and selling river sand is carried out directly and indirectly using mobile communication devices, The reduction in the quantity of sand in one tailgate is done by collectors only for profit and this is seen as something that is contrary to the Qur'an resulting in illegal buying and selling because there is no clarity between price and dosage. Price fixing shows a mismatch between the amount of material received and the price paid, because the goods received by buyers are reduced. The review of Islamic Law on the practice of buying and selling sand with the concept of *tawazun* in Kartiasa Village, Sambas District, Sambas Regency has not fully complied with the provisions of Islamic law contained in one of the requirements of objects that Being an object of buying and selling is seen in terms of standard sizes and measurements. From this action, the element of reduction in the transaction of buying sand can cause tyranny for one party. Transactions that contain this dose reduction result in one of the conditions of the contract pillar not being fulfilled perfectly.

**Keywords:** Buy and Sell, Sand, Tawazun, Kartiasa

## INTRODUCTION

Buying and selling is an action that cannot be separated in public activities in general. The general public needs to buy things to improve daily life. Buying and selling has many benefits for improving the quality of life of the general public. Selling products is the single most common way for people to meet their needs. The general public views trading as the single most effective form of communication to achieve goals during transactions. The *fukaha* use the term buying and selling with *al-ba'i* or exchanging goods and goods, or replacing one item with something else (Jazil, 2014).

Islam encourages people to work together as a team with those who are different from them. Connecting with goods is a way for two people to share with each other (Musafa'ah, 2013), The Quranic verse confirms this. Allah SWT said in the Quran Surah al-Baqarah verse 275: "While Allah has legalized buying and forbidding usury". (Q.S. al-Baqarah: 275).

Scholars agree that trade should be allowed because people cannot meet their own needs without the help of others. In addition, buying and selling has existed since the time of the Prophet and continues to this day. Sales must adhere to the

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principles of *Shara* and not contradict Islamic laws and traditions. Buying and selling transactions included in Islamic economic law were fundamental policy ideas that helped lay the foundation for the development of Islamic business theory. These ideas center on the object and process of applying Islamic law *kaffah*, or charitable work, which deals with the issue of wealth. Islam teaches its people how to do business in a morally acceptable manner, and one of the most common examples is buying and selling goods.

When both parties to a transaction are willing and able to act honestly and fairly, the situation is described as "for sale." A sale and purchase agreement is a legally binding contract between the buyer and seller. Buying and selling means reaching an agreement, or pact. Sales are legitimate if they comply with laws and regulations (Ali Hasan, 2003). The importance of second and third parties should be considered when selling goods. This can be seen in the completed *qabul ijab*. When *qabul ijab* is finished. As a result, the goods sold become transferable.

Everyone has to find fortune to prolong his life. The most common way for people to find fortune is by buying and selling. Buying and selling is one of the many ways to meet one's basic needs. Islam is a religion that strongly encourages its people to trade. One of the most common businesses carried out by the general public is buying and selling sand. Islam teaches that when running a business, one should maintain a high level of integrity, honesty, and fairness, as well as avoid harm to others (Havis Aravik, 2016).

A business must have the necessary business ethics for the individuals making transactions. The Islamic definition of business can include any individual, group, or organization that engages in profitable business activities. in accordance with Islamic laws and teachings (Abdul Aziz, 2014). Islamic business principles offer a set of basic principles, or universal principles, that stipulate that business operations must conform to the laws of nature and time as well as to the laws of society. The basic pillars of business ethics are *tawhid*, *khilafah*, *worship*, *tazkiyah*, and *ihsan* (Abdul Aziz, 2014).

Selling sand is currently one of the things that the community is engaged in. Sand is a building material that can be sold because it has a specific structure in each building. Sand has the capacity to serve as a building block. Therefore, the purchase of sand should be considered from different angles. Similar to quality and

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quantity. Buildings that have been built can be reconstructed with good quality thanks to good quality sand. As a starting point, residential buildings are needed. It is necessary to use high-quality building materials so that long-term development can proceed as planned. The single most important building material is sand. Sand makes it one of the requirements for all construction projects.

Buying and selling sand is one of the businesses that is currently loved by the community. Sand can be traded because sand is a building material with important structures in every building. Sand has uses as a building material. Therefore, buying and selling sand must be considered from various aspects. Such as quality and quantity. Good sand quality makes buildings that have been designed can be built properly. Residential buildings are a primary need. Quality building materials are needed so that long-term development can be realized appropriately. Sand is one of the important building materials so that the quality of sand is needed in buildings. If high-quality building materials are used, the construction structure may fail. In addition to quality, the crucial factor is the quantity of sand. The price quantity quoted in the sale and purchase sand transaction can be used as a guide for the buyer to complete the sale and purchase transaction.

In this context, before making a sale. There are sales methods that usually occur in the general public. Regardless of the method of sale, negotiations between the two parties on the basis of mutual willingness to transfer ownership rights of an item should be carried out in accordance with the established Sharia law (Lubis, 2014). Every buying and selling transaction has the option to be kept confidential or reported to one party if there are irregularities at the time of the transaction. This study aims to discuss the buying and selling of sand. The sand sold is a type of sand that can be found in the Kartiasa River, Sambas District, Sambas Regency. Sand mining is carried out using two methods, namely, directly by using colt diesel which is carried out mining and stocking in pile stock (sand storage area. The sand present on land also has an option to sell.

Sand mining in the River uses heavy equipment which is also a suction device. Utilizing this suction device has a detrimental impact on the community. Because it is likely that the structure of the river bed will deepen and result in a large hole in the river bed. Using heavy equipment like this makes the selling price of sand more expensive (Interview, Saefuddin, November 15, 2022).

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In the process of selling sand, product quality can be a serious consideration so that a long sales process can benefit buyers, sellers, and maybe local communities who are related to the process of buying and selling sand. In this buying and selling process, accuracy and timeliness are important considerations. Islamic law respects distance and time. Cheating is frequent, perhaps even in this mining sand.

Some of the parties involved in sand mining include miners, mining equipment, permit owners, and truck drivers. Miners use mining equipment to perform the task, and mining permit owners sell the sand using truck drivers. The owner of the mining permit with a statement that the mining permit sells sand through a driver's truck. Truck drivers buy sand without using the right size. After the sand is loaded in the truck, the prepared sand is sold at a price per cubic (Interview, Saefuddin, November 15, 2022).

In the Qur'an, the measure in the sale and purchase is the letter of Al-Araf verse 85: "And (We sent) to the people of Mad-yan their brother, Syu'aib. It says: "O my people, worship God, there is no God for you but Him. Behold, there has come unto you a tangible proof of your Lord. Then perfect the measure and scale, and do not reduce to man the measure and scale, and do not make mischief on the earth after the Lord has repaired it. It is better for you if you are truly believers."

The most important rule of buying and selling is *tawazun* or balance, which states that buying and selling should be done in a way that is oriented towards the world and the hereafter. Production must be coordinated with consumption and distribution. Sand miners in Kartiasa Village have unclear dimensions when selling. This situation may be solved by only one organization. The Sambas district government did not publicly announce the cubic price. Therefore there are no regulations governing the buying process. Offenders and buyers generally only make verbal agreements.

The sand mine sold poses a problem for the people of Kartiasa. The positive impact is that residents have a livelihood with mining transport workers. In terms of economy, this expansion has also increased employment opportunities for the general public. This caused the unemployment rate in Kartiasa Village to decrease. However, one of the disadvantages of this mining is that it is prone to flooding due to the use of suction equipment. As a result, the road to Kartiasa Village became



dangerous. The government through SKAB gives licenses to miners and truck drivers, which happens in the field, there are truck drivers who commit fraud with drivers only buying one SKAB and it can be used several times.

Buying and selling is a muamallah activity with the aim of seeking profits to achieve goals so as not to be harmed by each other. Therefore, the object must be understood by those who are knowledgeable in the dosage, quality and object of buying and selling. With this sale and purchase of sand, both parties must know this so that no one will be harmed.

Based on the background described, the author formulates a problem that will be the subject matter. The formulation of the problem in the research is: How is the practice of buying and selling sand with the concept of *tawazun* in Kartiasa Village, Sambas District, Sambas Regency and How is the review of Islamic Law on the practice of buying and selling sand with the concept of *tawazun* in Kartiasa Village, Sambas District, Sambas Regency.

## **RESEARCH METHODS**

This type of research includes qualitative research with *field research*. Qualitative research is a research procedure that produces descriptive data in the form of written or spoken words from people and behaviors that can be observed and directed at the natural setting and the individual as a whole (Tim Penulis, 2021). *Field research* is research that seeks to describe and interpret something, such as existing conditions or relationships, opinions that develop, ongoing processes, effects or effects that occur, or about ongoing trends (Paramita, 2021). The research approach used in this study is an *empirical* approach. *Empirical* is a research approach used to describe conditions seen in the field as they are. The *empirical* approach emphasizes its analysis on deductive and inductive inference processes as well as on the analysis of the dynamics of relationships between observed phenomena, using scientific logic (Saifuddin Azwar, 1999). Bogdan and Taylor define qualitative methodology as a research procedure that produces descriptive data in the form of written or spoken words of people and observable behavior. According to them, this approach is directed at the setting and the individual holistically (Saifuddin Azwar, 1999).

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## **DISCUSSION**

### **The Practice of Buying and Selling Sand with the *Tawazun* Concept in Sambas**

In this study, what researchers achieved was to find out how the implementation of sand buying and selling in Kartiasa Village, Sambas Boxing District, Islamic Law. The results of the study were obtained from interviews and observations that the author made to miners, collectors, buyers, stevedoring workers and related parties.

#### **1. Mining Preparation**

The preparatory stage is usually preceded by the transportation of various types of equipment used when mining. The tools used are boats, fuel, sand suction machines, water pumps and boat pipes function as tools to transport equipment for mining, vehicles for miners and places to hold sand from suction. Sand suction machine as a tool to lift sand on the seabed or river bed. Water pump / water vacuum as a tool to pump water, the water pumped is water that settles in the boat sand reservoir so that the boating is slightly reduced. The pipe serves as a place or medium through which sand is sucked at the bottom of the river or sea.

Fuel serves as a material to run boat engines, water pump engines and sand suction machines. Fuel can be obtained from Pertamina located on the beach of Kartiasa Village. In terms of transporting mining equipment, what needs to be considered is the road to be traveled. This needs to be carefully calculated so that there is no waste of fuel. At this stage, observations are made, wherever usually sand will collect a lot, then after knowing the location, the community will immediately suck sand.

#### **2. Mining or Suction**

Activities carried out at this stage are mainly in the form of mining or sand suction. Mining materials found in hilly areas, although the type is the same, such as sand, the mining technique will be different from sand deposits found in plain areas, especially those found in river and sea channels. Sand suction is usually done with a sand suction device. As revealed by Saefuddin, a miner, that initially the people of Kartiasa Village carried out sand mining in the traditional way, namely by digging sand with simple tools such as hoes and shovels and then put them in sacks. Sand-filled sacks are transported on

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ships for storage in sand reservoirs.

In the beginning, the people of Kartiasa Village carried out sand mining using traditional methods. They used simple tools such as hoes and shovels to dig sand. After successfully digging the sand, the sand is then put into sacks. The sack contains sand which will be transported by ship to the sand reservoir.

The mining process begins with the use of hoes and shovels to dig sand from the intended location. The workers carefully picked up the sand and moved it into sacks. The sack is a container strong enough to withstand the weight of sand. Once the sacks are fully filled with sand, the next step is to transport them by boat. The sand-filled bags were carefully transported to the prepared ship. The ship serves as a means of transportation to carry sand from the mining site to the sand reservoir. The ship is designed in such a way as to accommodate a fairly large number of sandbags. The ultimate goal of transporting sand by ship is to store sand in a predetermined sand reservoir.

This sand reservoir is an area specifically designed to store sand that has been mined. Thus, the people of Kartiasa Village rely on simple tools and boats as an important part of their sand mining and transportation process. Then explained further by another miner, Mr. Zuhri, that: Mining sand in this traditional way is quite draining in mining, but after the existence of sand suction machines, people no longer mine traditionally because mining sand using a sand suction tool is very easy to do and does not drain much energy (Interview, Zuhri, Sand Miner, May 12, 2023).

It can be clarified that the traditional method of mining sand requires a lot of manpower and is quite laborious. However, after the introduction of sand suction machines, people no longer do traditional mining. This is because mining sand using a sand cleaner is very easy to do and does not drain much energy. In the traditional method, people have to dig the sand manually using simple tools such as hoes and shovels. This process requires great physical effort and consumes a lot of energy. However, with the sand suction machine, the mining process has become much more efficient and practical.

Sand suction tools work by sucking sand from the river bed or mining site. This machine has the ability to absorb sand quickly and effectively. The vacuumed sand can then be stored in



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containers or tanks in such machines. The advantage of using a sand suction device is a faster and more efficient mining process. People no longer need to do laborious fission work such as manually digging sand. By simply operating the sand suction machine, they can easily get the desired amount of sand without having to expend a lot of effort.

In addition, the use of sand suction machines is also more profitable in terms of productivity. The mining process becomes faster and more sand can be extracted in a relatively short time. This helps communities increase production yields and meet sand needs more efficiently. With the existence of sand suction machines, people have moved from laborious traditional methods to using modern technology that facilitates and increases efficiency in sand mining.

Likewise with another miner, Mr. Junaidi, that: The way to mine sand with this suction tool is enough to lower the suction pipe to the bottom of the sea or river. Sand that rises from the suction results enters the machine to separate the sand material from materials other than sand. Sand material will enter the sand storage boat through pipes while materials other than sand will be discharged into the sea. The sand that enters the holding boat is still mixed with water, the water is sucked using a water suction machine to be disposed of so that the boat load is slightly reduced. However, there is a slight drawback in using this sand suction machine, which is when the suction machine experiences a blockage and causes sand cannot be sucked, so it must dive to the seabed to open the materials that cause blockages (Interview, Junaidi, Sand Miner, May 12, 2023).

The process of sand mining using a suction device is carried out by lowering the suction pipe to the bottom of the sea or river. When the suction pipe is in the right position, it begins to suck sand from below. The sand sucked by the suction device then enters the suction machine for further processing. Inside the suction machine, the sucked sand will be separated from materials other than sand. This separation process aims to obtain pure sand material. Sand material that has been separated will flow through a pipe to a sand storage boat. Meanwhile, materials other than sand will be discharged back into the sea through the disposal system. Although the sand has entered the holding boat, it is still mixed with water. To reduce the burden on the boat, the water mixed with sand is sucked up

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using a water suction machine. This process is done to remove water that is not needed so that the boat can transport sand more efficiently. However, there are drawbacks that arise when using a sand suction device. One of the problems that can occur is a blockage in the suction machine. If there is a blockage, the sand cannot be sucked properly. To solve this problem, divers must descend to the bottom of the sea to open up the material that causes blockages so that the sand flow can run smoothly again.

3. Sand Mining Process in Kartiasa Village

Observations made by researchers found several stages in the sand mining process. The sand mining process consists of three stages, namely:

Separation between sand and other materials The amount of content contained in the soil such as rocks, garbage, tree roots, and other materials that are still a whole unit to be separated. It is done by spraying it with high water pressure, it is assisted by a water machine. Based on the results of an interview with Mr. Junaidi as a sand miner said: before the sand is sold, we first clean the contents contained in the sand, such as rocks, garbage, etc. (Interview, Junaidi, Sand Miner, May 12, 2023).

Before the sand is sold, we carry out a cleaning process first to remove the contents contained in the sand, such as rocks and garbage. The cleaning process begins by separating the rocks in the sand. We use filter tools or sieving devices that have small holes to filter sand from larger rocks. In this way, the rocks can separate from the sand, so the remaining sand becomes purer. In addition, we also do sorting to remove waste contained in the sand. Waste such as plastic, paper, or other objects not related to sand will be separated manually. Our team will carefully sort the sand and remove all visible rubbish. This is done to ensure that the sand sold is clean and not mixed with unwanted materials.

By doing this cleaning process, we are able to offer quality sand to our customers. Sand that has been cleaned from rocks and garbage will have a high level of purity, making it suitable for various needs such as construction, concrete making, or other projects that require quality sand. The importance of the cleaning process before sale is to ensure that the sand we offer meets the quality standards expected by customers. By

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separating rocks and removing debris, we can provide ready-to-use sand without having to worry about containing unwanted materials.

Then the next interview with Mr. Saefuddin as a sand miner said: after the process of picking up sand in the river, then we clean the sand from the garbage that comes with the sand using a water machine with high pressure (Interview, Karmain, Buyer, May 14, 2023). After carrying out the process of taking sand from the river, we continued with the sand cleaning stage to remove the garbage that was carried with the sand. This cleaning is done using a high-pressure water machine. The cleaning process begins with putting the sand that has been taken into the water machine. The machine is equipped with a high-pressure water jet system that will be intensely sprayed onto the sand. This high water pressure helps clean the sand effectively.

4. Sand Sale and Purchase Transaction

The usual transaction carried out by sand sellers in Kartiasa Village is with an estimate that if the volume of the tailgate is deemed sufficient, the sand is then delivered to the buyer, the following is described more briefly the results of interviews and observations at the research location with various sources and respondents related to the problem studied. From searching to several buyers, the interview that the author gets generally has the same answer, including.

The interview result from one of Mr. Karmain buyers said I went to the sand miner's place to buy sand because I was going to build a house, after making a transaction then I waited at home until the sand came (Interview, Karmain, Buyer, May 14, 2023). Sand buyers go to sand miners with the aim of buying sand for the purpose of building houses. After making a sand purchase transaction, the buyer returns home and waits for the arrival of the sand.

Upon completion of the sand purchase transaction at the miner's premises, the buyer may have paid the agreed price and received confirmation of sand delivery. After that, the buyer returns home and gets ready for the arrival of sand. At home, buyers wait with anticipation of sand that will be delivered according to the agreed schedule. The buyer may have provided a clear address and shipping instructions to the sand miner to ensure the sand can be delivered to the desired place.

While waiting for the arrival of sand, buyers can use this

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time to make other preparations related to the construction of the house, such as preparing the area that will receive sand or preparing equipment and teams that will assist in the sand processing process. When the sand arrives at the house, the buyer or responsible party can accept the shipment of the sand. The sand that has arrived can be used according to the plans and needs in the construction of the house.

This process includes a trip to the place of the sand miner, the purchase of sand, and waiting for the arrival of sand at home. After the sand arrives, the buyer can continue the construction of the house by utilizing the sand according to the plan that the buyer has made before. Mrs. Hasanah considered that the seller had been honest and did not deceive her about the size of the sand.

Next is an interview with Mr. Karmain, one of the sand buyers whose address is in Kubung Village, saying: I buy sand directly to the owner of the sand truck without going to the location because it is easier to order directly to the collector without having to go to the location directly. After I made a transaction about the amount of sand and the price of sand, I waited for the sand at home until the sand came. The buyer decides to buy sand directly to the owner of the sand truck without the need to visit the mining site in person. Buyers consider that ordering directly from sand collectors is easier than having to go to a mining site.

The purchasing process begins with communicating directly with the owner of the sand truck, perhaps by phone or text message, to order the required sand. The buyer agrees on the amount of sand to be purchased and the price that has been determined. After the purchase transaction is complete, the buyer waits for the sand at home until the sand actually arrives. The buyer may have provided a clear delivery address to the owner of the sand truck, so that the sand can be delivered exactly where it is desired (Interview, Saefuddin, Sand Miner, May 12, 2023).

While waiting for the arrival of sand, the buyer can use the time to make other preparations related to construction or projects that require sand. The buyer can make sure that the area that will receive the sand is ready and prepare the necessary equipment. When the sand arrives at the house, the Buyer or responsible party can accept the delivery of the sand.

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The sand that has arrived can be used according to the plans and needs in the ongoing project. By purchasing sand directly to the owner of the sand truck without the need to go to the mining site, the buyer saves time and effort required to travel. This process allows the Buyer to order sand easily and get the right sand delivery at home according to the Buyer's needs.

5. Stages in Buying and Selling Sand in Kartiasa Village

There are several stages in the sand buying and selling transaction in Kartiasa Village, including: Sand Ordering, Based on the results of the researcher's interview with Mr. Rahman as a collector said: There are several ways to order sand, namely, it can be via mobile phone or to the miner's location directly (Interview, Rahman, Collector, May 13, 2023). The process of ordering sand can be done through several available means. One common way is via mobile or phone, which allows customers to order sand by contacting miners or responsible parties.

Through telephone communication, customers can contact sand miners using the telephone number provided. In the conversation, the customer can provide information about the amount of sand needed, the desired sand specifications, as well as other relevant details. This ordering process allows customers to get clarity on pricing, sand availability, and other information directly through telephone conversations. In addition, the process of ordering sand can also be done by visiting the mining site directly. Customers can come to the designated sand mining site and communicate directly with the miner or the officer in charge there. During the visit, customers can provide their orders directly, view sand samples, and get first-hand information on pricing and purchasing procedures.

Both ways of ordering sand have their own advantages and conveniences. Over the phone, customers can order sand quickly and easily without having to go to the site. Meanwhile, by visiting the mining site, customers can see firsthand the quality of the sand to be purchased and ensure suitability to their needs. With several sand ordering methods available, customers can choose the most convenient method for them according to their individual preferences and needs.

Then the next interview was reinforced by Mr. Erul as a collector saying: if those who have often bought sand here usually order via mobile directly without the need to go to the location because it is easier for consumers to communicate via



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mobile phones (Interview, Erul, Collector, May 14, 2023). For those who have often bought sand in this place, most of them tend to place orders via mobile directly without the need to visit the mining site. This is because it is easy for consumers to communicate directly through mobile phones.

After consumers or buyers order sand, then the collector calls the truck driver to take the sand to the sand mining site in Kartiasa Village. After arriving at the location, the loading and unloading workers will pick up sand using an excavator or backhoe and directly put it into the tailgate. The next interview was with Mr. Saefuddin the sand miner whose address is in Kartiasa Village saying: Sand is directly put into the tailgate by loading and unloading workers so that sand extraction becomes easier not twice the work (Interview, Saefuddin, Sand Miner, May 12, 2023).

The stevedoring personnel perform the important task of loading sand directly into the tailgate to ensure efficiency and ease in the sand retrieval process. By involving loading and unloading personnel, sand extraction does not need to be done twice, thus saving time and effort. The process begins with trucks parked near a sand source, such as a quarry or sand mining area. The stevedores will work together to put the sand directly into the tailgate using tools such as buckets or shovels.

The stevedores would fill buckets or shovels with sand from the sand piles around them. Using physical force and proper technique, they will move sand from the pile into the tailgate with high efficiency. The process of moving sand into the tailgate requires coordinated teamwork. The stevedores will work in tandem, moving the sand from one bucket or shovel to another, then putting the sand into the tailgate. They will use techniques such as push, lift, and pour to move the sand smoothly and without much spillage.

Thus, involving stevedoring personnel in this process ensures that sand can be directly fed into the tailgate without the need for two jobs. This helps increase the efficiency and speed of sand retrieval, thus speeding up the process of filling the truck with the required sand.

#### 6. Price of Sand in Kartiasa Village

Regarding the price of sand in Kartiasa Village, the results of an interview with Mr. Erul, one of the collectors said: the price varies depending on the type of vehicle used if the pick up is 200k if 1

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dam truck is 300k, because the size of the car body varies (Interview, Erul, Collector, May 14, 2023). The price of sand varies depending on the type of vehicle used for transportation, with prices of 200 thousand rupiah for pick-up and 300 thousand rupiah for trucks with 1 dam. This price difference is caused by the difference in the size of the car body used in the transportation process. For pick-ups with a smaller capacity, which is around 1 dam, the price of sand is usually set at 200 thousand rupiah. Pick-up is a vehicle with a relatively smaller tailgate and is able to carry a smaller amount of sand. Meanwhile, trucks with a capacity of 1 dam have a larger body and are able to transport a greater amount of sand. Therefore, the price of sand transported using trucks with this capacity is usually set at 300 thousand rupiah.

This price difference reflects the difference in payload capacity between pick-ups and 1 dam trucks. The larger the size of the car body, the more sand can be transported in one trip, so the price is also higher. It is important to note that the price of sand mentioned in this sentence is indicative and may vary depending on other factors such as the location of the shipment, mileage, and the policy of the sand seller. Preferably, to get more accurate information about the price of sand, it is recommended to contact the seller or contractor who is competent in the field.

Then the next interview with Mr. Amat as a collector who said: this sales mechanism is owed the same as direct payment. But people who owe money usually see first how often they buy sand here, if often then we dare to give him debt, but if rarely we dare not (Interview, Amat, Collector, May 14, 2023). This sand sales mechanism involves two payment options, namely direct payment and payment with a debt system. However, the decision to grant the option owes to customers depends on how often they buy sand from the premises.

If the customer proves to be buying sand consistently from the point of sale, the seller is likely to be willing to provide a debt option. It is based on the trust built up from a customer's transaction history that demonstrates the loyalty and regularity of their purchases. As a result, sand sellers feel more confident in giving such customers the opportunity to purchase sand with a debt system. However, if customers rarely buy sand from the premises or do not have a consistent purchase history, the seller tends to be more cautious in granting debt options. This is

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because trust in these customers has not been built enough. In this situation, sand sellers prefer to demand immediate payment as a form of financial guarantee.

The decision to grant the option to owe or not is an attempt by the sand seller to manage possible payment risk. They want to make sure that customers who choose the owe option are trustworthy customers and have a reliable purchase history. It is important to note that this debt policy can vary from sand seller to another. Each seller has policies and criteria for determining payables that may differ. Therefore, it is important for customers to communicate directly with the sand seller to get information regarding payment policies and debts that apply at the place.

Sales are made in two ways, direct payment (*cash*) and payable. The payable mechanism uses the nature of trust, it can be seen from how often buyers make transactions at the miner's location. The more often buyers make transactions at that location, the level of trust sellers have to provide payments behind (owed) to buyers is likely to occur. Then the next interview with Mr. Rahman as a collector in Kartiasa Village said: The price of sand here starts from 250-300k depending on the order, then for buyers who are located in Sambas sub-district 300k and outside Sambas sub-district 350-450k (Interview, Rahman, Collector, May 13, 2023).

In this place, the price of sand varies depending on several factors, such as the type of order and the region of the buyer. The range is between 250 to 300 thousand rupiah. For buyers in Sambas sub-district, the price of sand is set at 300 thousand rupiah. This means that buyers located in the sub-district have a slightly higher price compared to the price of public sand. Meanwhile, for buyers outside Sambas sub-district, the price of sand ranges from 350 to 450 thousand rupiah. This higher price range reflects the additional costs that may be required for shipping sand to areas further from the mining site.

The price difference between buyers in Sambas sub-district and outside Sambas sub-district is based on distance and logistics considerations in the sand delivery process. Buyers outside Sambas sub-district may require additional effort and costs to deliver sand to their area, resulting in higher sand prices. However, it is important to note that the price of sand mentioned in this sentence is indicative only and may change at any time depending on market conditions and other factors.

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Therefore, it is recommended that buyers contact the sand seller directly to get the latest information about the applicable prices.

The reason for the implementation of regional boundaries for sand prices is because the distance between areas is quite far, reaching 7-10 KM where the addition is used for gasoline money, if this is not done then the miners will suffer losses.

### **Review of Islamic Law on the Practice of Buying and Selling Sand with the *Tawazun* Concept in Kartiasa Village, Sambas District, Sambas Regency**

Religion has taught people to pay more attention to the efforts or activities carried out. Religion has the nature of guiding people to avoid things that are not pleasing to Allah SWT. In the guidance of the Shari'a, a Muslim is encouraged to seek and try to meet the needs of life that are personal and group by acquiring property through halal means. One of them is the mining business. Seeking and trying to gain pleasure in the halal way has been explained in the Qur'an surah al-Baqarah verse 168 which reads: "O people, eat what is lawful again good from what is on earth, and do not follow the steps of Satan; Indeed, Satan is a real enemy to you. (Q.S. al-Baqarah: 168)

The reduction of scales has gained special attention in the Qur'an because such practices have deprived others of their rights. In addition, this practice also has a big impact because it harms one party and does not want to be fair to others and will foster a sense of distrust between the seller and the buyer. The parties in the buying and selling company must pay attention to the rules and rules that apply in buying and selling, one of which is the prohibition of cheating on others because the law is very painful in the hereafter. Cheating is also a cause of injustice and discord in society. Islam is a religion that pays considerable attention to the environment, because in the teachings of Islam (verses of the Quran) contain principles related to resources (Muhammad Erwin, 2020)

Kartiasa Village is one of the villages located around rice fields, the fertile condition of the area makes the majority of people still depend on natural products. Natural utilization is carried out such as animal husbandry, plantations, agriculture, mining, and other businesses. The majority of people's jobs are farmers, more than 600 people who work as farmers. But not all people have land to cultivate. This kind of condition makes



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people to rotate their mindset in order to create jobs that are in accordance with environmental conditions. The people of Kartiasa Village make sand mining an added value to the economy.

With regard to deductions made by collectors, this activity can lead to whether or not buying and selling is legal. Reductions made to bring harm to one of the parties are prohibited in Islamic law. In the practice of buying and selling sand in Kartiasa Village, the disadvantaged party is the last consumer because the sand received is not in accordance with the habits in the general sand buying and selling dose. In addition to having an impact on economic losses experienced by consumers, fraud in the form of reducing sand capacity carried out by collectors can also have a negative impact on social life between residents to be distrustful of each other and will always arouse suspicion of each other.

Therefore, with the reduction in the dose carried out by collectors causes many negative impacts in the community, making the practice of buying and selling river sand in Kartiasa is considered not an illegal buying and selling practice because the requirements of Islamic law that require a balanced clarity between prices and doses in buying and selling have not been met.

Looking at the explanation above, it is necessary for us to know some details about buying and selling that should be considered, especially for those who struggle with buying and selling transactions every day, even if observed carefully, everyone must be in contact with buying and selling. Therefore, knowledge of buying and selling in accordance with Islamic Sharia is absolutely necessary. However, in practice in the community, not all buying and selling transactions are carried out correctly in accordance with applicable Sharia law. We often find in society many people who in intraction commit violations and justify all means in order to pursue multiple profits in a short time. But these violations have become commonplace, as a result the seller perpetrators are increasing, because sellers who are all honest do the same.

At a glance about the provisions in buying and selling, Pillars and Conditions of buying and selling are important aspects that must be met every time you want to make a transaction, as a benchmark and determinant of whether or not



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the sale and purchase transaction is valid or not. These pillars include: The existence of sellers and buyers (*aqidain*). a seller and buyer are required to be puberty, intelligent, without coercion, and have been able to manage property well. Because someone who is crazy, a person who is not competent in transactions, or a person who is forced, is unable to distinguish which transactions are good and bad for him, the law of buying and selling is invalid, because people in this category are very vulnerable to being harmed in the transactions they make. Shighat (*ijab kabul*) from both sides. A person who recites *ijab kabul* must be baligh (intelligent), and carried out in one majlis, *ijab kabul* shows a statement that describes the occurrence of transactions and willingness between actors of buying and selling contracts, both orally and in writing.

The object of buying and selling (*ma'qud 'alaih*), Goods that become the object of sale and purchase must meet several criteria such as, the object must be sacred, the object of sale and purchase must be useful according to Shari'a, can be handed over, the object is the property of the seller, and the object is known by both parties. The laws and rules of buying and selling in Islam are a matter of great priority. This is because if the sale and purchase contract is not in accordance with the rules set by the Shari'a, it can be ascertained that the sale and purchase contract that takes place cannot be considered valid. If this is the case, then there will be tyranny against other parties who make transactions with each other, even though Islam always arranges its people to live side by side, and not harm each other. Basically, buying and selling is permissible (*mubah*), but the law can turn into haram when the transaction is contrary to Shara".

The number of cases of violations in the community, proves that there is still a lack of public knowledge and awareness, especially in carrying out buying and selling transactions in accordance with Islamic Shari'a, as evidenced by the many cases of buying and selling that violate and contradict Islamic Shari'a. Religious knowledge and public consciousness. This is what must be built so that in the future the community in transactions can be in accordance with Islamic Sharia and without any legal provisions being violated. Basically, Sharia law is made in such a way as to protect the rights of those who make transactions, the existence of Pillars and Legal Conditions in

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buying and selling is intended so that during and after the transaction is carried out, both parties get certainty regarding the perpetrators of the contract and the goods that are the object of sale and purchase. So that after the transaction is carried out, both parties can equally feel the benefits of the transaction without either party feeling disadvantaged.

Cheating is the reason for injustice in society, while justice is required in every act of *agara* not causing discord. The owner of the scales is always threatened with a painful punishment when he cheats on his scales. Islam teaches how the practice of buying and selling is allowed by Islamic law, namely the pillars and conditions and paying attention to the principles and rules that should apply in Islamic Law so that both parties get benefits, wisdom and benefits from buying and selling transactions. However, buying and selling sand in Kartiasa Village has bad consequences such as losses that must be borne by buyers. In buying and selling not only to get profit, but also to seek the pleasure of Allah SWT.

In this life, especially in business, it is very respectful and upholds the values of brotherhood, so that in Islamic society doing business is not only aimed at seeking profit but further than that to increase brotherhood with various groups, tribes, races and various nations in this world, especially fellow Muslims. (Moeljatno, 2014). So that later by trading will add and strengthen the *Ukhuwah Islamiyah* Bond which is getting better

## CONCLUSION

Based on the results of the research and discussion above, the following common thread is drawn: The practice of buying and selling river sand is carried out directly and indirectly using mobile communication devices, The reduction in the quantity of sand in one tailgate is done by collectors only for profit and this is seen as something that is contrary to the Qur'an resulting in illegal buying and selling because there is no clarity between price and dosage. Price fixing shows a mismatch between the amount of material received and the price paid, because the goods received by buyers are reduced.

The review of Islamic Law on the practice of buying and selling sand *with the concept of tawazun* in Kartiasa Village, Sambas District, Sambas Regency has not been fully in accordance with the provisions of Islamic law contained in one of

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the requirements for objects that are the object of sale and purchase, namely in terms of standard sizes and measurements. From these actions, the element of reduction in the transaction of buying sand can cause tyranny for one party. Transactions that contain this dose reduction result in one of the conditions of the contract pillar not being fulfilled perfectly.

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## **INTERVIEW**

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- Interview with Mr. Erul, Collector, May 14, 2023.
- Interview with Mr. Junaidi, Sand Miner, May 12, 2023.
- Interview with Mr. Karmain, Buyer, May 14, 2023.
- Interview with Mr. Rahman, Collector, May 13, 2023.
- Interview with Mr. Saefuddin, Kartiasa, 15 November 2022.
- Interview with Mr. Zuhri, Sand Miner, May 12, 2023.