



Fish Buying and Selling Practices in the Perspective of Sharia Law and Business (Case Study at the TPI Market in Sumber Jaya Village)

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ABSTRACT

The title of this research is the practice of buying and selling fish in the perspective of sharia law and business (case study at the TPI market, Sumber Jaya Village). The population in the study took the market head, traders, and buyers. The sample of this research is Bengkulu City TPI market traders. This research is qualitative research, the data analysis method used in this research is qualitative descriptive analysis, where researchers in addition to processing and presenting data, also analyze the qualitative data. The practice of buying and selling fish at the TPI market in Sumber Jaya Village is an indicator of the value of awareness between sellers and buyers respecting each other's rights and obligations. The result of this research identifies an opportunity for the implementation of buying and selling in the perspective of sharia law and business in exchange activities or buying and selling in the TPI market, because the majority of respondents think that it is important to implement buying and selling Islamically or in the perspective of sharia law and business. Although in theory they do not understand it, normatively they implement Islamic business ethics.

Keywords: *Buying and Selling, Islamic Market, Sharia Laws and Business*

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INTRODUCTION

Selling and buying there are two subjects, namely the seller whose position as a business actor and the buyer as a consumer (Guo dkk., 2018; Gupta dkk., 2019; Wongkitrungrueng & Assarut, 2020). The seller as a business actor is every individual or business entity, both in the form of a legal entity and not a legal entity established or

carrying out activities within the jurisdiction of the Republic of Indonesia, either alone or jointly through an agreement, organizing business activities in various economic fields. According to (Awan dkk., 2020; Tunca & Zhu, 2018; Wu & Zhou, 2019) the buyer as a consumer is every person who uses goods and or services available in society, both for the benefit of themselves, families, other people and other living things and not for trade.

Islam teaches us to buy and sell consensually, voluntarily or both want, not because of coercion (Bantekas, 2021; Counted & Watts, 2019). Of course, Muslims do not want if their property does not get blessings. One of the blessings of wealth comes from how we buy and sell with a halal process, including the goods being sold are goods that are not prohibited by Allah for consumption (Salsabila dkk., 2021; Şencal, 2021). This phenomenon illustrates that some traders in traditional markets in the TPI community in Sumber Jaya Village are still found to ignore Islamic rules in running their business. There are still many traders who commit irregularities in trading. Some of the problems that are often found in the TPI market include reducing scales, and mixing good quality goods with bad ones, as well as selling by force.

Islam views the market as one of the legitimate places of commerce, and generally as an ideal location for trade (Hassan, Rabbani, dkk., 2022). The Islamic market system is a market in which competition is carried out in a healthy manner and wrapped in moral values (Yan, 2020). The history of the world proves that humans cannot be separated from associations that regulate human relations in all their needs or what is commonly called muamalah (Hassan, Aliyu, dkk., 2022; Mohamed & Ali, 2018). Islam as a perfect religion provides guidelines in muamalah such as obtaining property, developing and using property without harming other parties.

Bengkulu is one of the provinces located on the west coast of Sumatra Island at 2°16'9" - 3°31'17" N.S. and 101°1'0" - 103°41'5" BT (Mase, 2021; Paski dkk., 2021). Bengkulu Province is bordered by West Sumatra Province in the North, with the Indonesian Ocean and Lampung Province in the South, with South Sumatra and Jambi Provinces in the East and bordered by the Indian Ocean in the West (Khoironi dkk., 2019; Sukisno dkk., 2021; Wijaya & Setijadji, 2022). The total area of Bengkulu Province is ± 32,254.53 km² with a land area of ± 19,919.33 km² and a water area (sea) of ± 12,335.2 km² with a coastline length of ± 525 km (Mikasari dkk., 2021; Puteri dkk., 2019). Currently Bengkulu Province consists of 9 regencies and 1 city, of which 6 regencies and 1 city are included in the coastal area (Sarwono, 2020; Wibowo dkk., 2023; Zulfain dkk., 2023). With this area, Bengkulu Province has considerable potential in the marine and fisheries sector, both capture fisheries, aquaculture and fisheries processing, so that it can be a promising investment opportunity.

With the majority of the population working as laborers, fishermen, employees and private employees, many Bengkulu residents also make their living as traders, one of which is by trading in the market (Lestari, 2019). With approximately 25 traditional markets in Bengkulu city, it is an opportunity for the community to carry out trading activities, one of the markets that is still active until now is the Fish Auction market or people usually call it by the abbreviation TPI. This market is located in Sumber Jaya sub-district, kampung melayu sub-district, Bengkulu city. Sumber Jaya urban village is a coastal area located to the south of the sub-district capital of kampung melayu with a distance of 1 km, while the distance to the capital city of Bengkulu is 16 km, which

requires 27 minutes using a 4-wheeled vehicle (four) or 2-wheeled (two). The Sumber Jaya urban village consists of 06 RW and 29 RT. With a total population of 9,283 people, 4,696 men and 4,587 women. The total population is divided into 2,456 households, the area of Sumber Jaya Village is 600 hectares with an altitude of 50-100M above sea level.

In terms of market participants, of course, all parties involved in the market have their own interests. Every transaction that occurs is a representation of efforts to fulfill their respective needs (Syapsan, 2019). This is where Islamic morality or ethics must have its role, where Islamic values (sharia concepts) will shape the direction, method and completion of meeting the needs of market participants. Thus, market participants will act in accordance with the rules of existing Islamic values.

Based on the researcher's observations, it was found that the majority of Bengkulu City people, both traders and consumers, are Muslims. It is indicated that there are some traders and consumers who practice non-Islamic business, this can be seen from the way buying and selling is practiced, starting from cheating on scales, uncertainty and price instability, dishonesty, deception, and mutual oppression, this is done to get more profit and competition in trading. Based on these problems, researchers are interested in studying more deeply the practice of buying and selling fish at the Fish Auction Market (TPI).

RESEARCH METHODS

The population in the study took the market head, traders, and buyers. The sample of this research is TPI market traders of Bengkulu City. This research is qualitative research, the data analysis method used in this research is qualitative descriptive analysis, where researchers in addition to processing and presenting data, also analyze the qualitative data. Reducing data summarizes, selects key things, focuses on important things, and looks for themes and patterns (Hamilton & Finley, 2019; Lobe dkk., 2020; Sun dkk., 2020). Sampling of this study using purposive sampling technique. The data collection technique starts from the interview, observation, documentation, questionnaire and conclusion drawing stages. The instruments used in this research are cameras, telephones, books, pens and so on. Cameras are used when researchers make observations to record important events in an event both in the form of photos and videos. While pencils, pens, books to record or describe data information obtained from sources.

RESULTS AND DISCUSSION

Fish Buying and Selling Practices in the Market

There are many markets in Bengkulu city, both traditional and modern. One of them is the fish auction market (TPI). In traditional markets, buying and selling activities are carried out traditionally as well. Such as buying and selling between sellers and buyers directly, there is a bargaining process. And the quality of goods traded by fish sellers, for example fish that have been frozen and fresh fish, but the seller says that the quality of the fish he sells is very good.

Table 1. Respondents who Tell the Truth about Fish Quality

Answer	N	%
Yes	8	40%
No	5	25%

Sometimes	7	35%
Total	20	100%

Source: data processed

The table above shows, it can be seen that 8 people or 40% of respondents have honesty in trading with dominant sellers such as mothers, who explain the quality of fish to buyers is an obligation for them. Likewise, as many as 5 people or 25% who carry out activities in trading have not implemented honesty and do not understand that an honest attitude can bring blessings or success in business. In fact, the work they do is an act that can harm others. While as many as 7 people or 35% have explained the quality of fish, but are not done or applied every time they sell. This means that they have not fully implemented an honest attitude in trading. With the reason that sometimes if explained about the quality of goods, many buyers bid prices far below the market and capital.

Table 2. Respondents who are Honest about Scales

Answer	N	%
Yes	20	100%
No	0	0
Total	20	100%

Source : data processed

Based on the table above, it is known that as many as 20 people or 100% of respondents strongly agree with the principle of honesty in the scales practiced in doing business. The results of the above research show that the understanding of fish sellers in the TPI market of the principle of honesty in scales is quite adequate and provides a positive indication. This is where the importance of the value of justice between sellers and buyers lies. That sellers in developing their property through doing business must be done in a good way or a way that does not cause destruction of themselves and others.

Table 3. Respondents about Understanding Sharia Business

Answer	N	%
Yes	14	70%
No	3	15%
Undecided	3	15%
Total	20	100%

Source : data processed

From the table above, it can be seen that the condition of the respondents from their level of understanding of sharia business shows that as many as 14 people or 70% of respondents already know about sharia business, as many as 3 people or 15% of respondents still cloud what sharia business is, what they know is doing business with the capitalism system that has been applied in Indonesia since long ago, while 3 people or 15% are still hesitant about understanding sharia business. Many fish sellers are still hesitant or do not understand how to implement business in accordance with Islamic law. The respondents' lack of understanding about sharia buying and selling, not

because of the value system contained in the value itself, but the term sharia buying and selling.

The results of this study identify an opportunity for the implementation of buying and selling in the perspective of sharia law and business in exchange or buying and selling activities in the TPI market, because the majority of respondents think that it is important to implement buying and selling Islamically or in the perspective of sharia law and business. Similarly, the results of sister research (Sri wahyuni, 2015) state that 95% of Indonesian people who are predominantly Muslims have understood sharia business.

Table 4. Respondents Do Not Push Buyers

Answer	N	%
Yes	20	100%
No	0	0
Total	0	100%

Source : data processed

The table above indicates, that as many as 20 people or 100% of respondents said that they never forced buyers, and as many as 0 people or 0%, respondents who stated coercion in buying and selling. From the highest percentage of respondents who never force buyers, this certainly shows that the behavior of fish sellers in the TPI market is in accordance with the principles of free will and wisdom. Although in theory they do not understand it, normatively they implement Islamic business ethics. Being friendly can give satisfaction to the traders and they should also understand that buyers are also gifts from God.

Table 5. Respondents' Attitudes about Low Price Offers

Answer	N	%
Yes	0	0%
No	15	75%
Sometimes	5	25%
Total	20	100%

Source : data processed

From the table above, it is known that 15 people or 75% of the respondents stated that they were not angry if a buyer bargained at a price below the standard. Then 5 people or 25% of respondents still feel angry because the price offered is not suitable or far below the capital. This is what causes losses in selling so that there is still an attitude of the seller who feels unable to understand each buyer's character. However, it is known that 0 people or 0% stated that the respondents were not angry. This means that there are still many seller attitudes that understand the rights and obligations of buyers. This proves that the indicator is that fish sellers in the TPI market have a gentle and calm attitude.

Table 6. Respondents about Customer Satisfaction

Answer	N	%
Yes	20	100%

No	0	0%
Total	20	100%

Source : data processed

From the table above, it is known that the respondents' situation prioritizes satisfaction in doing business. 20 people or 100% of respondents said yes, this means that the understanding of respondents in the TPI market is very good and positive. They consider that providing satisfaction to customers will build a reputation so that people can come back to buy their sales.

Review of Islamic Economic Law on Fish Buying and Selling Practices

Islamic economic law is a system of science that highlights economic problems, just like other conventional economic concepts, only in this economic system, Islamic values are not the basis and basis for every activity (Akram & Rashid, 2020; Bishara, 2020). In Islamic law, as a rule established by Shariah, there are principles that must be met if an interaction between fellow humans related to property and ownership will be carried out (Baehaqi dkk., 2020). Related to the law of buying and selling in the TPI market regarding the quality of goods is still very contrary to Islam. Many sellers still sell fish with poor quality. There are some buyers who state that they have bought fish that are not good enough. By hiding the quality of the goods or providing defective goods.

This Islamic arrangement is oriented so as not to harm each other and mutually benefit both parties. As stated in this Qur'anic verse.

﴿ إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنفُسَهُمْ وَأَمْوَالَهُمْ بِأَنَّ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ وَعَدًّا عَلَيْهِ حَقًّا فِي التَّوْرَةِ وَالْإِنْجِيلِ وَالْقُرْآنِ وَمَنْ أَوْفَى بِعَهْدِهِ مِنَ اللَّهِ فَاسْتَبْشِرُوا بَبَيْعِكُمُ الَّذِي بَايَعْتُمْ بِهِ ۗ وَذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ

"Verily, Allah has purchased from the mu'min their selves and their wealth by giving them Paradise. They fight in the cause of Allah; then they kill or are killed. (That has been) a true promise from Allah in the Torah, the Gospel and the Qur'an. And who is more faithful to his promise (than) Allah? So rejoice in the trade you have made, and that is a great victory." (QS At Taubah: 111).

So when viewed in sharia, buying and selling fish at the TPI market does not fulfill the legal requirements that have been determined by shara. This can be said that buying and selling fish at the TPI market still contains elements of forbidden. Thus, everything related to buying and selling can just follow the customs or habits that have been running as long as the Nash-Nash determines it. As social beings, humans cannot escape to relate to other people in order to fulfill their lives.

Meanwhile, according to Shara", buying and selling is an agreement to exchange objects or goods that have value voluntarily between the two parties, one of which receives objects and the other party accepts them in accordance with agreements or conditions that have been mutually agreed upon between the various parties involved in it and justified by Shara".

Factors inhibiting the implementation of sharia buying and selling

The development of Islamic economics has experienced significant growth, although it is relatively slow compared to when it first emerged in the 1990s (Rethel, 2018). Islamic economics is mostly concentrated in the financial sector which will slow down if it is not supported by the real sector (Bhatti & Azmat, 2018; Rahmanto, 2019). The challenges in developing Islamic economics will be easier to overcome if there are serious efforts from all human resources. Muslims must certainly be at the forefront of giving thoughts and unraveling existing problems.

In addition, the economy in the eyes of Islam is a demand for life as well as a recommendation that has a dimension of worship that is applied in ethics and morals (Ali dkk., 2018; Thu, 2022). Islamic economics is not in the middle of these three economic systems (Kuran, 2018; Sarkar, 2020). In contrast to the more individualized capitalist economic system, the socialist system that gives almost all responsibility to its citizens, and the extreme communist system, the Islamic economy determines the forms of trade and services that can and cannot be transacted.

In every practice in the field, the application of fish buying and selling practices in the TPI market can occur according to Islamic and non-Islamic provisions. This depends on the factors that support the implementation of sharia buying and selling. These inhibiting factors determine how the rate of application of the practice of buying and selling fish according to sharia in the community of Sumber Jaya Village. 1) Lack of public understanding of sharia business. 2) There are still many people trading in traditional ways or based on customs from long ago. 3) The existence of community dissatisfaction. 4) Still influenced by outside businesses. 5) The development of knowledge and technology is very slow. 6) Prejudice against new things.

CONCLUSIONS

The result of this research identifies the opportunity to implement buying and selling in the perspective of sharia law and business in exchange or buying and selling activities in the TPI market, because the majority of respondents think that it is important to implement buying and selling Islamically or in the perspective of sharia law and business. However, the law of buying and selling in the TPI market regarding the quality of goods is still very contrary to Islam. Many sellers still sell fish with poor quality. There are some buyers who state that they have bought fish that are not good enough. By hiding the quality of the goods or providing defective goods. So when viewed in sharia, buying and selling fish at the TPI market has not fulfilled the legal requirements that have been determined by shara. This can be said that buying and selling fish in the TPI market still contains elements of forbidden. In every practice in the field, the implementation of the practice of buying and selling fish in the TPI market can occur according to Islamic and non-Islamic provisions. This depends on the factors that support the implementation of sharia buying and selling. These inhibiting factors determine how the rate of application of the practice of buying and selling fish according to sharia in the community of Sumber Jaya Village.

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