

The Determinant Factors For Application Of Buying And Selling Transaction In Sharia Market

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Abstract

The concept of sharia is currently developing and extending to the operational level of the Islamic market. The choice of models in order to improve the welfare of the ummah is limited to discourse and is gradually being implemented, making many problems to be solved. In the Ulul Albab sharia market located in Riau Province, precisely in Kampar Regency has become an example for other sharia markets. But in practice, ideal sharia transactions have not understood by interested parties namely traders, buyers and managers yet. This study uses qualitative methods through in-depth interviews to the unit of analysis, namely the manager of the Ulul Alab Islamic market, the Ulul Alabab Market Shariah Supervisory Board and strengthened by traders and buyers who transact in the Islamic market. Based on the results of the study indicate that the reason why sharia transactions that occur in the Islamic market Ulul Albab has not been optimally implemented, these are caused by four determinant factors, among others, the firstly; the factors that come from traders where traders are not all traders come from Muslim traders, there is also a background of practicing religion from traders who are still not perfect. Secondly; factors that come from consumers or buyers where buyers are not only Muslims but also non-Muslims. Heterogeneous population causes misunderstanding about the concept of sharia. The third factor, market managers do not have the operational standards of sharia policies or procedures in the Islamic market, and even the practices of usury moneylenders also operate in the Ulul Albab market. And the fourth factor is that the sharia supervisory board still does not have a clear reference in implementing the ideal sharia market practices. Therefore it is necessary to take strategic steps for market managers and the supervisory board in order to add insight through comparative studies to



Islamic markets applied in Indonesia in order to obtain the concept of sharia transactions that are by heterogeneous community cultures.

Keywords: Sharia Transactions, Sharia Markets, Traders, Buyers, Managers, and Sharia Supervisory Boards

INTRODUCTION

The existence of Islamic culture has contributed greatly to the progress of economic development and also to the economic theory itself, and the market is a mechanism that can bring together sellers and buyers to make transactions on goods and services, both in the form of production or pricing. The main requirement for the formation of a market is a meeting between the sellers and the buyers. Economics in the viewpoint of Islam is not an economic goal in itself but is a necessity for humans, and it is a common means for them to be able to live and work to achieve their high goals. Islam as a system of complete and perfect religious teachings provide the means and also unite the elements of inner and outer life by overseeing the principle of balance. Islam views the concept of buying and selling as a tool to make human beings become more mature in thinking patterns and carrying out activities, including economic activities. The market as a place for buying and selling activities should be used as the right training place for humans as leaders on the face of the earth. So far the Market has been united and has the most important place in people's daily lives, for the community, the market is not only a meeting place between sellers and buyers but also as a place for social interaction. Such as justice, honesty, and healthy competition which are universal values, not only for Muslims but also non-Muslims.

Ibn Taymiyyah stated that the hallmark of Islamic market life is that people must be free to enter and exit the market, there is sufficient information about market forces and merchandise, monopolistic elements must be eliminated from the market, collusion between sellers and buyers must be eliminated, there is an increase or decrease in prices caused by ups and downs in the level of demand and supply. There are homogeneity and standardization of products to avoid product counterfeiting, fraud, and fraudulent quality of goods.

"O you who believe! Eat not up to your property among yourselves unjustly except it be a trade amongst you" This verse also gives us an understanding that efforts to get these assets must be carried out with the willingness of all parties in the transaction, such as willingness between sellers and buyers. About buying and selling transactions, the transaction must be far from the element of interest, speculation or the element of fraud in it. Also, this paragraph also provides an understanding that in



every transaction carried out, it must pay attention to the element of willingness for all parties.

The Prophet (Sal Allahu Alayhi Wa Sallam) said: "A truthful and honest trader will be a companion of the prophets, the righteous and the martyrs on the Day of Judgement." [Tirmidhi] From the verses of the Koran and the Hadiths stated, it can be understood that buying and selling is a lawful and noble job. If the trader and buyer are honest, then his position will be equivalent to the Prophet, Martyr and the righteous later. The scholars and all Muslims agree about being allowed to buying and selling because this is very much needed by humans in general.

Contract (subject) of buying and selling is divided into three parts, namely the contract of buying and selling carried out verbally, that is the contract carried out by most people, for the mute person, replaced by a sign that is a natural disposition in revealing the will, and what is viewed in the contract is the intention or will and understanding, not talk and statement. Submission of sale and purchase contract through messenger, intermediary, writing or correspondence, buying and selling like this is the same as *ijab qabul* with sayings and buying and selling with actions (giving each other) or known as *mu'athah*, namely taking and giving goods without mutual consent, such as someone taking an item that has been written a price tag, priced by the seller and then giving the money to the seller. To avoid the loss of one party, buying and selling must be done with honesty; there is no fraud, coercion, mistake and other things that can cause disputes and disappointments or reasons for regret for both parties so that both parties must carry out what are their right and obligations. Including the seller hands over the item while the buyer hands over the money as payment. "O you who have believed, when you contract a debt for a specified term, write it down. And let a scribe write [it] between your injustice" (QS. Al-Baqarah: 282).

For Muslims who do business and always cling to Islamic legal norms, they will get various lessons, including; (a) that buying and selling (business) in Islam can be of social value or help to others, it will grow various rewards, (b) business in Islam is one way to maintain cleanliness and halal things to be eaten for himself and his family, (c) business in Islam is a way to eradicate laziness, unemployment, and extortion to others, (d) do business with honesty, patience, friendliness and provide satisfactory service as taught in Islam will always establish friendship with fellow human beings (Shobirin, 2015).

Based on the description of the research conducted by (Waldelmi, I., & Aquino, A. (2018), conclusions are drawn as follows; Sharia buying and selling transactions in the sharia market have been applied by traders in the sharia market. The basis of the application of sharia transactions, where the highest application is the appropriate application in the discussion of benefit, in fact, all forms of goodness and benefits that



are worldly and religious, material, spiritual, individual and collective, it must be prioritized for a better life. Also, there is also the lowest variable, namely the principle of brotherhood (ukhuwah), the essence of universal values that organize social interactions and harmonization of interests of the parties to benefit in general with the spirit of mutual help. This means, on the value of ukhuwah which is in the sufficient category, it means that this value is still not fully implemented by sharia market traders in carrying out the buying and selling transactions. And the application of sharia buying and selling transactions in the ulul albab sharia market in Tanah Merah Village, Siak Hulu Sub-district, Kampar-Riau Regency is caused by three main factors, including the manager/trader, customer and the concept itself, which is not the concept of sharia buying and selling.

Nowadays all buying and selling activities are all synonymous with sharia; they will be linked to Islamic values as well as the existence of sharia supermarkets, sharia markets, sharia financial institutions (Islamic banks, BMTs, Sharia cooperatives, and other financial institutions). But in this study, researchers were eager to review more deeply about the existing Islamic market in Kampar Riau, namely the Ulul Alab Islamic market.

LITERATURE REVIEW

Muslim Tawhid teaches that the Koran and hadith are sources of knowledge and guidelines for all human life, so we must ensure that the subject of economics is also included in the Koran and hadith (verses of other scientific subjects). Contemporary economics explains that the objectives of Islamic economics are to reach al Falah. It is mentioned in the Qur'an Al-Baqarah verse 201 which means "Our Lord, give us in this world [that which is] good and in the Hereafter [that which is] good and protect us from the punishment of the Fire."

Economics should not stop at the epistemology level, but it must be built fixedly. It is unfortunate when some Muslim experts are so eager to formulate the Islamic economic model, but at the practical level, they are only used by conventional business people. For example, nowadays almost every conventional bank opens a system of "sharia services" and its products which need to be re-examined regarding their implementation. Since this allows the mixing of two systems management: between a sharia system and a conventional system due to being on one foundation. Why not just have to be independent like Bank Muamalah, so that it will run well and on target regarding management while eliminating the doubts of lay customers to use the sharia service (Hanifullah, 2012).

(Maman Firmansyah, 2011) States that the rules of sale and purchase have been regulated in the Koran and Hadith, so the recommended buying and selling is



beneficial buying and selling, providing benefits and not harming or burdening others. The concept of buying and selling is mutual pleasure, so that if there is an element of fraud in buying and selling, then the main purpose in the transaction is lost. The success achieved in a way that is not blessed by Allah SWT and that is detrimental to others is a success which will instead plunge economic agents into evil in the world and the hereafter.

The market has an important role in the development of a country because, with the existence of the market, the economy can run well. The market has a role as a mediator for the distribution of goods and services, the sellers get a profit, and the consumers get satisfaction from the goods consumed. The market has an important role in the development of Islamic countries since the time of the Prophet to the hulaufurrasyidin. The Prophet Muhammad as the founder of the Islamic market greatly appreciated the mechanism that occurred in the market, where he gave up market prices on the strength of supply and demand, so he firmly refused the intervention of the price as long as the price had been fair.

The state serves as a supervisor and judge in economic transactions, and it can be a view from the need for an Islamic institution which must monitor market conditions and has the right to impose penalties if there is fraud in the market. This is as exemplified by the Prophet Muhammad who placed himself as the market supervisor of Medina at that time, as well as Umar bin Khattab who sent supervisors (mujtahid) to every market he founded. From this explanation, the role of the government is very important in monitoring and regulating the market to ensure the benefit of the community.

According to the Koran and al-Hadith, the Islamic market must be organized like the mosque rules. The Islamic market can only be realized if Muslims have their markets which are fully regulated by Islamic law. The government as a market supervisor should ensure that the buying and selling transactions that occur are by the Sharia. Producers and consumers must know that the law of muamalah in buying and selling transaction so that there is no mistake in the procedure of buying and selling on the market (Suwandi, Muhammad Hakimi, 2016).

The form of a market in Islam is a reflection and ability of the community to fulfill their needs and not vice versa. Therefore, the involvement of producers, consumers, and government in the market is very necessary, and the purpose of this involvement is to equalize their perceptions of the level of a price. If this is achieved, the market mechanism by the Islamic Shari'ah will have an impact on the welfare of the community (Sudarsono, 2003).

Based on the results of research conducted by researchers ((KUSNIA, 2015) stated that traders' understanding in the Traditional Market of Ngaliyan Semarang



regarding Islamic business ethics concluded that traders did not know Islamic business ethics. However, in carrying out buying and selling transactions, they use rules that have been regulated by the Islamic religion. The rules of Islam in business activities are presented in the principles of Islamic business ethics that exist, namely: unity (tauhid), balance, free will, responsibility, policy (ihsan). As well as in research conducted by (Fery Setiawan, 2018) the implementation of buying and selling transactions is valid if viewed from the perspective of Islamic Economics with the analysis of the subject contract, object contract, and consent. A few problems that will occur, such as the incompatibility of the number of items traded, have become natural and have been anticipated by both parties. In Management disciplines, this is included in the category of loss reserves. Honesty, helping each other in kindness and maintaining mutual trust have become values that must be put forward by all parties in buying and selling transactions. Because these values will bring greater benefits to facilitate the smoothness of sustenance, and the most important thing is to gain the blessing of Allah as the highest achievement of a human being.

RESEARCH METHODS

The design of this study uses qualitative methods, carried out in natural settings with qualitative methods. The researcher understands and interprets the meaning of an event of human behavior interaction in a particular situation according to the perspective of the researcher himself.

RESULTS AND DISCUSSION

Based on the results of interviews with informants consisting of market managers, market sharia council ulul albab, traders and consumers. Related to the application of sharia transactions in the ulul albab sharia market. The results of the discussion with the chairman of the Islamic Sharia Market Council Ulul Alab, namely Mr. [JN], said that since the establishment of the Ulul Alab Islamic Market and up to now the implementation of buying and selling transactions that should be in this market, but in reality until now the implementation has not been able implemented, many factors have led to the non-realization of buying and selling transactions based on sharia value in buying and selling transactions.

Among the sharia market management factors that have guidelines on how to apply the buying and selling transactions that should be in Islam, the establishment of the sharia market itself is inseparable from the desire that is still private, as sharia councils cannot do much because of the traders' own factors, such as buying and selling practices the high level of fraud committed by traders on consumers who shop in the Islamic market, the practices of moneylenders who are so entrenched among



traders themselves, cooperatives owned by market owners themselves are still complained by traders who need additional capital because of cooperatives still based on interest and coupled with the high-interest rate applied. The application of own sale and purchase transactions as well as expressed "far from the fire," meaning that the application of sharia sale and purchase transactions is still limited from the pulpit to the pulpit. From the number of traders of 354 people, only about 30-50 people still want to listen to lectures delivered after the midday prayer is carried out, even when the material is general, not on the content of how to become a sharia-compliant trader. This is also in line with the results of research conducted by Waldelmi, I. (2017) that stated those traders have not fully implemented the sharia system in the ulul albab sharia market. As the sharia council in the sharia market itself does have a role but the role is more general rather than vital. Based on experience since being appointed as a sharia supervisory board, he did have a bitter story, because once traders in the market were cheating and were advised but gave rise to a polemic that was a threat as the sharia council because of reports from market/consumer customers. Based from the results of the discussion it was found that the application of sharia buying and selling transactions in the sharia market was indeed returned to the traders themselves, because there were still traders who applied the buying and selling openly and stated that the goods they traded, even though the concept of sharia was not very knowledgeable but they understand that there are those who know the good deeds they make and the Islamic values inherent in them. The concept of sharia buying and selling that occurs in the Islamic market is admittedly indeed still does not have (in) and if it has never been delivered by the market manager himself. The description explains that the application of sharia transactions in the ulul albab sharia market is still not optimal, there are many determinant factors that influence why the implementation of sharia buying and selling transactions is still not optimal in the ulul albab sharia market. Based On the results of interviews conducted by several speakers both from market managers, market traders and also the community or consumers found several factors including:

1. Factors of the characteristics of education, the practice of religious values and knowledge of sharia traders. Factors from traders can be viewed that traders have still never received technical information on the implementation of sharia sale and purchase transactions in the sharia market, both held by market managers and personally. This is also reinforced by what the market managers say that they acknowledge that the application of the sharia concept is still not optimal up to the traders. Then there was also limited knowledge of traders where 66% of traders only educated at the Middle School level. This indicates that the insights from traders on the application of the sharia concept are still



not optimal and are also reinforced by buying and selling activities that cause traders to have less time to read and listen to lectures on sharia in making a decision. It can also be seen that traders are not all Muslim, but also about 10% are non-Muslims.

When viewed from the characteristics of the trader, regarding education, the area of origin, the practice of religious values and knowledge of sharia, the fact is:

- 1) Regarding education, it is one of the causes for the development of scientific insights from traders in the Islamic market and the intense routines carried out by traders every day to serve shoppers and the lack of willingness of traders to add knowledge in the implementation of regulated buying in sharia.
 - 2) The factor from which the merchant is from is also the cause of whether or not a trader can apply Islamic values in carrying out buying and selling activities, like Kampar itself is known as the Mecca and other cities, of course, this is a certain assessment for individuals in applying Islamic values in making a decision.
 - 3) The practice of religious values, Islam teaches the ummah to always present the creator, namely Allah SWT in every activity that will be carried out, whether that is related to fellow human beings and especially with Allah SWT, therefore in the context it also becomes a necessity to be actualized in order to get blessings in muamalah, this is where the importance of applying religious values.
 - 4) Knowledge of sharia, Islam teaches the ummah always to learn, knowledge of the laws of God and this is a necessity that must be a guideline in life so that this life is more meaningful. Knowledge of sharia for a Muslim who does business / becomes a differentiator between traders and other traders or as a Muslim or non-Muslim. Knowledge of the value of Islamic sharia is always present by the market manager through the efforts of the shariah supervisory board through the pulpits which are delivered every day at the time of the midday prayer meeting, even though the study delivered is general at all times.
2. Factors of understanding the religion, ethnicity, social and cultural status of the customer. Factors that come from customers can be known that customers do not know and do not get the socialization of the application of sharia buying and selling transactions that are practiced directly by traders to consumers/customers who shop at the ulul albab sharia market: sharia buying and selling transactions for every consumer who comes shopping, or some kind



of notification whether in the form of information boards, banners, brochures or otherwise. This is also reinforced by what market managers say that they recognize that the application of the sharia concept is still not optimal to consumers.

Customers who shop at the Ulul Albab Islamic market not only come from Muslim customers but also many from non-Muslims.

If viewed from the characteristic factors of the customer, regarding religion, then from the tribe, social and cultural status, that is:

- 1) Regarding religion, it can be seen from the buying and selling transaction activities in the ulul albab sharia market; it is certain that the customers in the Islamic market are not only from Muslim consumers but also from non-Muslim customers, meaning that anyone can shop at the sharia market.
 - 2) The factor of ethnicity in the view of Islam will be its value and full of color, this becomes an important note in the application of sharia values on the market in the form of buying and selling transactions, customers who shop at the sharia market can see that tribal factors will influence shopping, because of one tribe, one village / one area.
 - 3) Social status, this is caused by customers themselves, and also by traders, it is seen from the daily activities of customers and traders when making purchases on merchants selling merchandise, for example, traders will more fully provide services to these consumers, where traders know that these customers have a lot of money and so do customers who see the business capital owned by traders.
 - 4) Culture, shopping in the Islamic market should be different from the markets in general or most. This culture should be the differentiator felt by customers when shopping at the Ulul Alab Islamic market. Ulul sharia market should be able to present Islamic values.
3. The concept of sharia buying and selling applied by market managers
- Ulul Albab sharia market carries out business activity, it has become a habit and activity to fulfill their life needs, by carrying out these activities, they can obtain profits/sustenance and with these benefits, a person or group of people can determine the future of their life. The application of sharia buying and selling transactions that have not been optimally implemented in the Islamic market of Ulul Albab certainly has its record; the Islamic market should have implemented proper buying and selling practices.

The factor of the concept of sharia buying and selling can be seen from several parts, namely the market management, the existence of recitation, sanctions and government support, that this can affect.

- 1) The market manager is the sharia market supervisory board (Jn) explaining that the application of the sharia concept in buying and selling activities carried out in the ulul albab sharia market has not been fully implemented or is not optimal to practice. Especially, sharia market managers who do not have a guideline in conveying it to traders and customers who come to shop.
 - 2) Recitation, the ulul albab sharia market as also conveyed by the management, almost every time there were recitations delivered by the market sharia council, the time of recitation was always in the midday prayer, and every month there was a monthly prayer involving all market traders. But every recitation and prayer activity that comes with the same people, only a few want to join in the daily and monthly recitations.
 - 3) The written and unwritten Islamic market does not have a standard rule if there are rules that are violated by customers, traders. In practice, the application of sharia buying and selling is not actualized.
 - 4) Government support, in carrying out a policy or rule, the sharia market is a privately managed market, but in this case, there is still a role from the government. The government as a rule maker and policy certainly has a role, especially in the management of a market.
4. Sharia policies made by the Shariah Supervisory Board

The sharia supervisory board in the sharia market as a supervisor has a role, how can the sharia council be able to provide sharia teachings in the sharia market to be actualized by managers, traders, and customers who will conduct buying and selling transactions in the ulul albab sharia market. The role of the sharia council in making operational standards in the application of sharia concepts for buying and selling transactions. To implement the sharia concept there is a need for a supervisory board that oversees market activity and the application of sharia concepts. From the Islamic market concept, it should be able to form an independent trade cycle for the region where the Islamic market is located.

The chairman of the ulul sharia market trader union and concurrently as a trader in the ulul albab sharia market described that the implementation of sharia transactions can be said to be uncomprehending, which I know about trading, whether the customers complain about me or does not harm my customers, in fact, my customers



more and more and I opened more than one business place with the same kind of basic food.

Trading activities have indeed become a daily activity that has been carried out while still in school, up to now and even the children have their own in this sharia market. The practice of sharia trading in the Islamic market is a challenge, because (zz) sees the same as the practice of buying and selling in general. Regardless, I am trusted as the chairman of the Islamic market traders union that the ulul albab sharia market does use Islamic names, but in reality, it is the same as existing markets in general. This can be seen from daily activities, for example during prayer, there are those who rush to come to the mosque, and also many who are relaxed, busy serving customers and even as though nothing sounds anything, in terms of associations of fellow traders just the same and even mixed up with discussion, joking and others, in terms of dressing just the same, as with veiled ones, and not veiled or not covering aurat, as well as other things that are contrary to the concept of sharia.

But here is something interesting in this sharia market, where every Muslim trader they have a sacrificial savings that are quoted by the market sharia board every day and that is fully supported by traders so that every year they continue to increase the number of qurban in the Islamic market there are many traders who have umrah savings, so that in the 4-5 year period there were those who left for Umrah and Alhamdulillah there were already departing for Umrah from the trades in this Islamic market.

Ulul Albab sharia market is the same as the market mostly or in general; there is nothing different (dd & sb). This can be seen by merchant activities, transaction activities, customers activities, activities in and out of new traders or new customers and in and out of producers. The majority of traders who trade in the Ulul Islamic market come from traders who move from conventional markets.

The Islamic market is no different from most market markets or with a shocked market in a residential area - housing that is available (bt) and does not understand sharia, the important thing is that it is easy to shop. This shows that the Sharia market conditions are the same as other traditional markets. This condition is different from the Islamic market in other places. As applied in the Islamic sharia market - that is, Surabaya, the difference between the Islamic market and traditional markets is that most of them should be different, whereas the Islamic market, merchandise traded in the sharia market must be clear in its essence and value, the tools used to ensure the scale of the merchandise must be accurate so as not to cause harm to the customer, ensuring that the activity does not harm the customer which is honest and lying, not giving rise to the values of good competition with fellow traders but prioritizing brotherhood and partnership values, noting that the place to be used for buying and



selling must be in a clean and well-traded place, not doing activities that make customers or the merchant is not comfortable, such as not smoking, the goods that are traded must be cheaper according to mutual agreement with the merchant, and cheaper rental prices for traders who rent on the market. This is also supported by the results of research conducted by Rokan, MK (2015) stating that fair markets are built on the paradigm that the market is not only a business institution but also a religious and social institution based on brotherhood (ukhuwwah) and mutual assistance (ta'awun) The principle of brotherhood and cooperation that requires every business to respect each other, shared responsibility and not feel complacent in success.

Regarding traders, he said the same thing that the application of sharia sale and purchase transactions were understood by traders, namely being honest, polite, friendly and pleasing to customers, regardless of whether the sale and purchase activities were by the applicable sharia.

It is also from the market manager who does not question the condition; the market manager has not provided the correct methods of transacting sharia in the Islamic market. This condition is explained by the application of sharia transactions from the results of research conducted by Amalia, F. (2012). Islam places business as the best way to get wealth. Therefore, all business activities must be done in the best ways by not committing fraud, usury, fraud, and other acts of injustice. Awareness of the importance of ethics in business is an awareness of oneself in seeing himself when dealing with good and bad things, which are lawful and haram. Islamic business ethics is also applied to traders so that what is traded is not merely to gain profit (profit) as a worldly goal, but also to get blessings and pleasure from Allah for what is done. And so are the results of the study described by Cahyani, AA, & Wulandari, D. (2018) which states that the results of this study indicate that the stages of understanding Islamic values in tawhid, Khilafah, worship, takziah, and the dimensions of understanding Islamic values of the tauhid dimension have a positive and significant effect on the seller's business behavior at Merjosari Market in the face of business competition.

A description of how the implementation of sharia transactions is considered not optimal in the Islamic market and when compared to other regional markets is still low. The application is caused by four determinant factors, namely the factor of market managers in implementing the rules of sharia transactions which are supervised by the syariah supervisory board in which the transactions between traders and consumers become integrated systems so that all parties can carry out sharia transactions in the ulul albab sharia market. The effort that can be done is to apply a model that is by the area where the ulul albab market is located, monitored continuously so that sharia identity in the trade is maintained, and gives blessings.



CONCLUSION

Based on the results of the study indicate that the reason why Islamic transactions contained in the Islamic market ulul albab has not been optimal in its application, this is caused by four determinant factors, among others, the first is the factor of traders where not all traders come from Muslim traders, some have backgrounded religious practices from traders who are still not perfect. The second factor is consumers or buyers where buyers are not only Muslims but also non-Muslims. The heterogeneous population of people causes a lack of understanding of the concept of sharia. The third factor is the manager's factor can be known to the manager that the market does not yet have operational standard procedures, Islamic policies in the Islamic market and even the practices of usury moneylenders operate in the Ulul Alab market. And the fourth factor is that the shariah supervisory board does not yet have a clear reference in implementing the ideal sharia market practice. Therefore it is necessary to take strategic steps for market managers and the supervisory board in order to provide insights through comparative studies to Islamic markets that are applied in Indonesia to obtain a concept of sharia transactions that is by heterogeneous community cultures.

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