

SHARIA MARKET AND THE IMPLEMENTATION OF SHARIA SELLING AND BUYING SYSTEM

Jhonny Ardan Mardan¹, Idel Waldelmi²

¹Economic College of Riau

Street of HR. Subrantas 57 Panam Pekanbaru, Riau-Indonesia 28293 (0761) 63237

²Lancang Kuning University

Street of Yos Sudarso KM 8 Rumbai Pekanbaru, Riau-Indonesia (0761) 52582

Email: idelwaldelmi@unilak.ac.id

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Abstract: This study discussed on the implementation of sharia transactions in sharia markets. According to Wiroso, the dimension of sharia transactions can be seen in the brotherhood principle (*ukhuwah*), the justice principle (*'adalah*), the benefit principle (*mashlahah*), the balance principle (*tawazun*), and the universalism principle (*syumuliah*). This study used survey method towards the merchants in Ulul Albab market by distributing questionnaires. The results were analyzed using descriptive analytical technique. According to the result of the study, it was found out that the implementation of sharia selling and buying system in the sharia market is appropriate in accordance with the assessment. It implemented all the five dimensions and the highest dimension proved to be the universalism dimension; meaning that the buying and selling activities employed to the whole society without restriction. Meanwhile, the lowest dimension was found to be the brotherhood dimension; meaning that the courteous manner and attitude towards familiar and unfamiliar customers were low.

Keywords: *Sharia System, Sharia Buying and Selling, Sharia Market*

INTRODUCTION

Economic activities are basically any human activities to fulfill their needs adequately in the form of production, consumption, distribution, or other activities. For Moslems, these activities are inseparable parts of their duties as caliphs (leaders) and the worshippers of Allah. Thus, these activities must be based on and tied by the values and principles listed in Al Qur'an and the Prophet's Sunnah (Hanifullah, 2012).

Discussing about the mechanism of market in the Islamic Law, the first rule becoming the legal basis was Al Qur'an despite the fact that it does not give any specific rules regarding to market mechanism.

Nowadays, the emergence of Islamic moral values in preventing the market theories can be interpreted as a

part of reactions in rejecting socialism, secularism, and specifically the ideologies which have been mostly assumed as systems ruining the market and positioning themselves as the opposition of free and opened market concept in the Arabic world.

According to Ibnu Taimiyah in the book of *Majmu Fatwa*, the manner and ethics that should be practiced by a merchant, which are also the efficient market principles at the same time, are prohibition to be deceptive, illegal contracts, and intercepting the goods before being delivered to the market.

According to Marthon (2004), in the Islamic economy concept, the available markets should be based on sharia ethics and values in the form of command, prohibition, recommendation, or appeal. The market players have the main aims of performing a transaction,

that is, expecting Allah's blessing and approval for the sake of realizing the mutual benefit in life and realizing the individual welfare.

The Islamic market can only be realized if Moslems have their own markets fully managed based on Islamic sharia. The government as the market supervisors should ensure that the occurring transactions and buying and selling activities have been in accordance with the sharia law.

LITERATURE REVIEW

The moral values that should be practiced by Islamic markets according to Hendri (2016) are fair play, honesty, transparency, and justice. These morality values must be a strong foundation in implementing the Islamic market. To ensure that the pure Islamic values are well-implemented in the market, Prophet Muhammad Peace Be Upon Him played his role as a market controller monitoring the market performance. He would reprimand, advise, and give sanctions to anyone breaking the rules of the sharia law (Suwandi and Institute, 2016).

The Moslems strictly holding the norms of the Islamic law in running their business will obtain some wisdoms such as: (a) The Islamic business and buying and selling may strengthen social values, lead to mutual assistance, and enable the Moslem businessmen practicing them to obtain various rewards from Allah; (b) Islamic business is one of the ways in maintaining the purity and rightfulness (the *halal* state) of products and food used and consumed by the Islamic entrepreneurs and their families; (c) Islamic business is a way of eradicating laziness, unemployment, and extortion towards others; (d) Moslems who run a business with honesty, patience, courtesy, and friendliness and who give satisfying services as taught in the Islamic teaching will constantly make

good friends with their fellow human beings (Shobirin, 2015).

More specifically, the principles of sharia transactions, which are in accordance with the requirements determined by Indonesian Accountant Association (IAI), as listed in Basic Framework of Arrangement and Presentation of Sharia Financial Reports are: Brotherhood (*ukhuwah*), justice (*'adalah*), benefit (*maslahah*), balance (*tawazun*), and universalism (*syumuliyah*) (Wiroso, 2009: 91).

The realization of Islamic market is the society's reflection and ability in fulfilling their needs and not the other way around. The religion of Islam has organized and managed on how the existences of markets do not harm each other.

The concept of Islam has emphasized and accentuated that a market must be established based on the principle of free competition (perfect competition). Nevertheless, such freedom is not absolute. The freedom should be framed by sharia law.

The religion of Islam has placed markets as valid, legal, and rightful trading sites, so that they can generally be considered as an ideal commerce mechanism. The high appreciation towards sharia markets is not merely normative, but had been proven in the long history of classic Moslem society life. The image of Islamic market is any market containing fair competition framed in the Islamic values and morality.

METHOD

This study used survey method towards Ulul Albab merchants by distributing questionnaires. The results of the study were analyzed using descriptive analytical technique.

RESULT AND DISCUSSION

Based on the survey conducted to fifty merchants performing commerce

activities in Ulul Albab market, which is the sharia market in Riau Province implementing sharia buying and selling system, the researcher found out the evidence that the implementation of sharia transactions and buying and selling has been in line with the prevailing sharia system.

The more distinct illustration can be seen in the following figure 1:

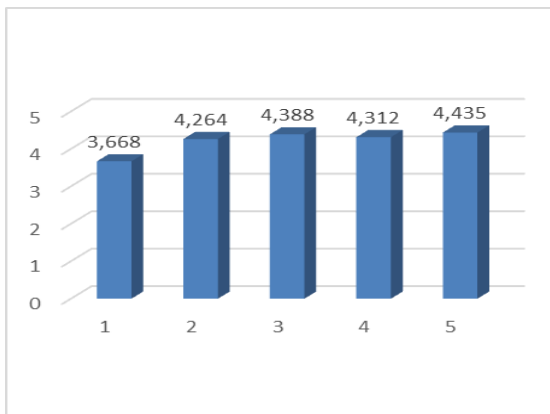


Figure 1: Sharia Transactions And Buying And Selling

Based on the data regarding to the discussion on the brotherhood principle (*ukhuwah*), there were five items of statements being addressed. In the item stating that “I understand the consumers’ needs that must be provided” had the highest score, that was, 4.4 with the category of appropriate. Meanwhile, the lowest score was in the item of statement “I frequently give loans to the customers” with the category of less appropriate in accordance with the score of 2.6.

In the gathered data regarding to the discussion on the implementation of justice concept (*‘adalah*), there were five items of statements addressed. It was obtained that the highest concept of justice was “I do not sell any items or products without the rightful label (*halal*) from Indonesian Clergy Council/ Indonesian *Ulama* Council (MUI) and National Agency of Drug and Food

Control (BPOM) with the score of 4.43 with the category of appropriate. Meanwhile, the item of statement receiving the lowest score was “I do not like stockpiling goods even though it seems profitable” with the score of 4.98 with the category of sufficiently appropriate.

Afterwards, the data gathered from the field regarding to the implementation of the benefit concept (*maslahah*) indicated that among the five items of statement addressed to the merchants, the item stating that “In my point of view, the revenue gained from the rightful (*halal*) commerce given to the offspring and children will make them have better quality of life with the score of 4.6 with the category of appropriate. Meanwhile, the lowest score was obtained from the item of statement “In my point of view, the commerce activities will give more insights” with the score of 4.18. In addition, in the item of statement “I believe commerce can lead to blessing, prosperity, and wealth” with the score of 4.18 with the category of sufficiently appropriate.

Based on the data successfully gathered from the questionnaires distributed to the merchants, among the five items of statements addressed regarding to the implementation of the balance principle (*tawazun*), the item stating that “The trading activities do not make me abandon the obligatory worship (daily five-time prayers)” has the highest score of 4.62 with the category of appropriate. Meanwhile, the one with the lowest score was the item stating that “Gaining profit from trading may also help the social interests” with the score of 4.2 with the category of sufficiently appropriate.

Regarding to the discussion on universalism (*syumuliyah*), among the four items of statements addressed to the merchants, a data containing an item of statement with the highest frequency was

obtained. It was the item stating that “The prices prevailing at this market do not discriminate the consumers’ race or tribe” with the score of 4.54 with the category of appropriate. The item of statement with the lowest score was the one stating that “The goods sold can be purchased by all layers of consumers” with the score of 4.26 with the category of appropriate.

Based on the results of the study, it was found out that the sharia buying and selling system in the sharia market has been compatible with the prevailing sharia referring to the five dimensions namely the principle of brotherhood (*ukhuwah*), the principle of justice (*‘adalah*), the principle of benefit (*maslahah*), the principle of balance (*tawazun*), and the principle of universalism (*syumuliyah*). The implementation of the sharia market has been compatible with four dimensions which will be elaborated as follows.

The survey results proved that the principle of justice implemented in Ulul Albab sharia market has achieved the average of 4.246 which is categorized as compatible and appropriate with sharia law; meaning that the sharia market of Ulul Albab Riau has applied the dimension of sharia transaction system. In other words, this principle of justice values essentially places something accordingly, gives something only to those who deserve, and treats something according to its position. The implementation of justice in a business activity is in the form of a set of rules consisting of *muamalah* principles prohibiting *riba* (excessive profit and the interest elements in any forms and types both *riba nasiah* and *riba fadhil*), tyranny (any elements harming oneself, others, and the environment), *masyir* (gambling elements and speculative nature), *gharar* (obscurity and vagueness elements), and *haram* (illegitimate elements in

products, service, and all related operational activities. This matter is compatible with the study (Noor, R.A.G., 2012) stating that the economic injustice is the major cause of development failures in Indonesia for a few decades. One of the indicators of injustice comprises the unequal distribution of wealth among the citizens. Thus, our economy must shift into the Islamic economy system which may become a solution and an alternative for the unstable Indonesian economy.

The implementation of benefit (*maslahah*) concept achieving the average of 4.388 is categorized as the dimension compatible with the Islamic sharia. In other words, the benefit concept is classified as the dimension which essentially covers all types of kindness and advantages with the worldly and afterlife dimensions, material and spiritual dimensions, and individual and collective dimensions. The acknowledged benefit principles must fulfill two elements namely sharia compliance (*halal/* rightful) and beneficial and lead to goodness (*thayib*) in the whole aspects of life which do not generate chaos (*mudharat*). Beneficial sharia transactions must fulfill the whole elements of sharia determination goals (*maqasid sharia*) namely safeguarding of faith (*aqidah*) consisting of belief and God-fearing (*dien*), intellectuality (*‘aql*), generation (*nasl*), spirit and safety (*nafs*), and wealth (*mal*). This result of the study was compatible with the research conducted by Hanafiah, H. M. (2015) stating that the buying and selling contract in the Floating Market of Banjar Society has taken into account the law principles becoming their foundation for the sake of actualizing “the principles of benefits in life and the principles of freedom and volunteerism” in their commerce activities. The practices of buying and selling contracts in the Floating Market had fulfilled the contract requirements in buying and selling, which essentially led to the volunteerism and

mutual understanding between the buyers and the sellers.

Referring to the dimension of the implementation of balance principles (*tawazun*) in the sharia market of Ulul Albab with the average of 4.312, this concept has proven to be compatible with the sharia law. The implementation of balance principles has essentially comprised the balance between material and spiritual aspects, the balance between private and public aspects, the balance between financial and real sectors, the balance between business and social aspects, and the balance between utilization and preservation or maintenance. This is also in accordance with the results of the study conducted by Amalia, E. (2013) in which the market mechanism and the price management should be well organized for the sake of creating market balance and economic justice by taking into account of the involving parties' interests (stakeholders) in the market and by applying reasonable price. In addition, when there are some actions causing distortion and imbalance of market price, the government needs to take some actions to implement price management by taking into account of the distortion causing factors and restoring the original price onto the balance point.

Regarding to the dimension of the implementation of universalism principles (*syumuliyah*), based on the data gathered from questionnaire distribution, it has achieved the average of 4.435; meaning that the implementation of the universalism concept in the commerce practices of Ulul Albab sharia market in Riau Province is compatible with the prevailing sharia law. In other words, the essence of this concept implementation can be performed by and for all the stakeholders without discriminating tribes, religions, races,

and group in accordance with the idealism of universal affection (*rahmatan lil alamin*). This is compatible with the results of the study conducted by Lesmana, E. (2010) stating that there is a reciprocal and significant relation between a business competition level and the universal understanding towards the Moslem business ethics to the trading behavior.

Meanwhile, the brotherhood dimension (*ukhuwah*) has achieved the category of sufficiently appropriate with its implementation or practices when it is seen from the other dimensions namely justice principle (*'adalah*), benefit principle (*maslahah*), balance principle (*tawazun*), and universalism principle (*syumuliyah*) stating that the implementation of brotherhood principle (*ukhuwah*) is compatible and in line with its practices in the sharia market. Referring to the problems coming from the merchants, the survey proved that the conclusion of the survey results obtained from the merchants in the sharia market has achieved the score range of 3.668. The dimension of brotherhood, as how it was supposed to be elaborated, must go with its essence where the universal values organizing social interactions and the harmonization of some stakeholders' interests must be used for the general benefit with the passion of mutual assistance.

CONCLUSION

The implementation of sharia buying and selling system in the sharia market has been sufficiently appropriate according to the assessment. It utilized the five dimensions and it proved that the highest dimension lies on the universalism principle; meaning that the buying and selling activities are performed towards all circles of the society without restriction. Meanwhile, the lowest dimension lies on the brotherhood principle; meaning that the attitude and treatment towards familiar and

unfamiliar customers remains discriminative or lacking.

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