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**Buying And Selling Sago Piles At Youtefa Market In Jayapura From Sharia
Perspective**

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ABSTRACT :

Sale and purchase is an agreement to exchange an object or item that has value voluntarily, which is carried out by two parties, by individuals, businesses, and organisations to obtain the goods or services they need or make a profit. Voluntariness in buying and selling will occur if sellers and buyers are objective in their transactions. A unique phenomenon exists in the market of Youtefa market in Jayapura, Papuan mothers who sell sago, in the transaction using doses only, without going through the weighing process, so that the contents are not the same. not the same.

Research This research uses qualitative by describing the phenomenon of Papuan mama-mama sago buying and selling transactions by measure. The focus of this research is twofold, firstly how the buying and selling of sago piles in the Youtefa Jayapura market. Youtefa Jayapura market. The second focus how the buying and selling of sago piles in the Youtefa Jayapura market in the perspective of sharia.

The result of of this research, buying and selling using doses in the case of buying and selling sago by Papuan mothers is not in conflict with sharia principles. mama-mama Papua, does not contradict the principles of sharia.

Key words: *buying, selling, sago, sharia economic.*

INTRODUCTION

Sale and purchase is an agreement to voluntarily exchange an object or item that has value, which is carried out by two parties, by individuals, businesses, and organisations to obtain the goods or services they need or make a profit. Sellers and

buyers are mutually voluntary in transactions, because they are supported by transparency so that no party feels disadvantaged. Buying and selling has characteristics and is dynamic following the times, modern buying and selling is different from traditional buying and selling, based on the method and method.¹

Buying and selling in the traditional way can be found in the youtefa market in Jayapura, namely buying and selling sago without using scales but rather estimations.² Buying and selling sago without weighing can be a complex issue depending on the context. Sago is an agricultural product that is usually sold as flour or granules, and in most buying and selling transactions, the weight or amount of sago sold is an important factor. However, if there is an agreement between the seller and buyer to sell or buy sago without being weighed, this can lead to some potential problems:³ *Firstly*, Quantity uncertainty: Without weighing, it is difficult to determine the actual amount of sago sold or purchased. This could result in a dispute between the two parties if one party is dissatisfied with the amount of sago it received. *Secondly*, the potential for Fraud: without accurate measurements, there is potential for fraud in this transaction. One party may try to take advantage by selling or buying sago in quantities that do not match the initial agreement. *Thirdly*, unclear contracts: Transactions without weighing will often result in unclear contracts. This can result in disagreements later on in the event of a dispute or if one party wants to cancel the deal.

To avoid this problem, it is advisable to measure the weight of the sago to be bought or sold after going through the weighing process. The use of accurate scales is the best practice in this kind of transaction to ensure both parties get a fair value and in accordance with the initial agreement. In addition, establishing good communication between sellers and buyers is essential to avoid future conflicts.

Buying and selling without scales has become a tradition among Papuan mothers, so far there have been no complaints from buyers, because they are not satisfied with the size of the sago being sold. According to the sharia perspective, buying and selling

¹ Ullah, F., & Sepasgozar, S. M. (2020). Key factors influencing purchase or rent decisions in smart real estate investments: A system dynamics approach using online forum thread data. *Sustainability*, 12(11), 4382.

² Estimation here is the tradition of Papuan mothers in buying and selling sago in the form of a pile of sago..

³ Trisia, M. A., Tachikawa, M., & Ehara, H. (2021). The role of the sago supply chain for rural development in Indonesia: a review and perspective. *Reviews in Agricultural Science*, 9, 143-156.

must be based on several elements, including buying and selling transactions must be carried out in good faith and honesty, without deceiving or harming other parties. If the transaction fulfils all the elements above and does not violate Islamic principles, then the transaction is considered valid and halal. Conversely, if there is a violation of these principles, the transaction can be considered haram.

The focus of research is the core of a study, the discussion of this research begins with a gap, between mama-mama sago sellers with estimates that have been going on for a long time, and are considered commonplace (mubah), but how does sharia view the problem, starting from this problem, the focus of this research includes two things, first how to buy and sell sago piles in the Youtefa Jayapura market. The second focus is how the sale and purchase of sago piles in the Youtefa Jayapura market in the perspective of sharia.

METHODS

This research method uses qualitative research, which seeks to understand social phenomena or the behaviour of Papuan mothers in conducting sago pile buying and selling transaction activities at the Youtefa market in Jayapura. The main purpose of this research is to explore a deep understanding of the context, meaning, of transaction activities in the Youtefa market by Papuan mama-mama in buying and selling sago piles. This qualitative research approach tends to be descriptive and exploratory. Researchers try to understand the phenomenon of buying and selling sago piles of Papuan mama-mama in Jayapura's Youtefa market.

Data and data sources are obtained using several ways to obtain data and data sources:

1. Primary Data Collection:

Survey: Collecting data by asking questions/interviews to respondents, namely Papuan mama-mama sago pile sellers and buyers.

Observation: Observing and recording data directly from the source at the place of activity of buying and selling transactions in the Youtefa Jayapura market..

2. Secondary Data Collection:

Online sources: Downloading or accessing data from the internet, online databases, or other online sources.

Documents and reports: Using official documents, research reports or other publications as data sources.

Archives: Accessing data from the archives of organisations, governments or other institutions.

3. Interview and Discussion:

Obtain data from interviews with specific individuals or groups, peers at IAIN Fattahul Muluk campus, or through informal discussions. The data analysis technique uses Qualitative descriptive analysis, which seeks to describe the phenomenon of buying and selling sago piles of Papuan mothers, from the results of understanding and interpreting qualitative data, such as interviews, observations on the object of research.

RESULT

Papua Island is the second largest island in the world after Greenland and is the habitat of various types of plants with very high biodiversity. One type of plant that is abundant in Papua is Sago (*Metroxylon sago*).⁴ Sago is a plant species native to Southeast Asia.⁵ The process of smoking sago is carried out using a sago smoking tool with basic materials derived from the Sowang Plant (*Xanthostemon* sp) and Ironwood.⁶

In general, the selection of Sago palms to be cut down is based on their age of around 10 - 15 years. Sago trees that have been cut down are then cut vertically into two parts. The contents of the Sago are then taken using a sago smoker to remove the contents until the Sago Empulur is obtained.⁷ The result in the form of sago pith is generally stored in the Sago Frond The pith is allowed to settle within 30-45 minutes to become sago flour.

The traditional use of sago has long been known in sago-producing areas in general and specifically in the Papua Region traditional food products produced from sago such as papeda, sago plates, brown sugar plates and so on are products that are truly

⁴ Kadir, A., Suharno, S., Reawaruw, Y., Komari, K., & Mahuze, A. (2022). Ethnobotanical knowledge of marind-anim tribe in utilizing sago (*metroxylon sago*) in merauke, papua, indonesia. *Biodiversitas Journal of Biological Diversity*, 23(1).

⁵ Van Harling, Vina N. "Analisis Perbandingan Produksi Sagu Secara Tradisional Dan Modern Pada Alat Parut Sagu Dengan Menggunakan Motor Penggerak Listrik." *Sosied* 1, no. 1 (2018): 57-64.

⁶ Sanito, Raynard C. "Jenis-jenis tumbuhan lokal yang dimanfaatkan sebagai bahan baku pembuatan peralatan dalam pengolahan sago (*Metroxylon* sp)." (2017).

⁷ Wahyuni, S., Zaenab, S., Kurniasari, W., Iriany, A., & Maharani, D. H. (2021). Application of Morning Glory Flower (*Ipomea purpurea*) Extract for Colouring Plant Section Preparation.

born from a traditional knowledge of the community itself. The Papuan community has principally utilised various types of plants whose wood is used as equipment in the sago processing process.

Buying and selling sago in Youtefa market Abepura Papua traders who sell sago in Youtefa market are usually Papuan mothers, the process of buying and selling sago does not use the weighing process. Buying and selling sago in the Youtefa market in Jayapura uses a measure, where the sago trader rounds the sago first after that the sago that has been formed round, then cut according to the estimated dose.

Subsection

Buying and selling is an agreement to exchange objects or goods that have value voluntarily. Buying and selling is a transaction activity carried out by both parties. Buying and selling is a practical transaction contract that can be done easily by anyone.⁸ Buying and selling activities can occur at any time regardless of time and boundaries.

The concept of buying and selling in Islam is the most ideal concept to be applied in everyday life, because by implementing this concept, one will gain satisfaction in transactions and great fortune in business more broadly. However, there are not many who understand this.

Buying and selling in Arabic is called Al-bai' which means selling, replacing, and exchanging something for something else. The lafal Al-bai' in fiqh etymology is sometimes used for its opposite meaning, namely the lafal Al-syira' which means buying. Thus, the word Al-bai' means both selling and buying or buying and selling.⁹ Al-bai' (selling) and Al-syira' (buying) are sometimes used for the same meaning. The definition of buying and selling from an etymological point of view is exchanging property for property. While the definition of the term is to exchange one item for another in a certain way (contract). The real meaning of the word "bay'un" (selling) is the ownership of property for property (goods for goods) and religion adds the requirement of mutual willingness (mutual consent).¹⁰

⁸ Suretno, Tetap, and Perbankan, "Jual Beli Dalam Perspektif Al- Qur ' an."

⁹ Raudhya, Ar-Raniry, And Aceh, "Tinjauan Hukum Islam Terhadap Pelaksanaan Khiyār Dalam Jual Beli Pakaian Thrift Berbasis Online Melalui Platform Instagram (Studi Penelitian Di Banda Aceh)."

¹⁰ Yani, N. (2023). Analysis Of The Application Of The Weighing System In Buying And Buying Coffee Beans Based On An Islamic Perspective (Case Study of Semelit Mutiara Village, Silih Nara District Central Aceh District). *Global Sharia Economics Research and Actual Management*, 1(1), 1-12.

According to article 20 paragraph 2 of the Compilation of Sharia Economic Law, Al-bai' is a sale and purchase between objects and objects, or an exchange between objects and money. Meanwhile, according to Article 1457 of the Civil Code, the definition of buying and selling is "an agreement, by which one party binds himself to deliver an existence and the other party to pay the promised price".¹¹

Selling and buying according to the malikiyah scholars, namely general selling and buying is an agreement to exchange something that is not benefit and enjoyment. An engagement is a contract that is not a benefit and enjoyment. An engagement is a contract that binds both parties. Exchange is one party giving in exchange for something exchanged by the other party, and something that is not a benefit is that the object being exchanged is a substance (form), it functions as an object of sale, so it is not the benefit or the result.¹²

Buying and Selling Without Weighing Scales

Scales are taken from the word imbang which means appeal, scales, timbalan, bandingan. Weighing (not one-sided), from this understanding it can be taken that weighing is the act of weighing. While to carry it out we need a tool that is a scale. Scales are a tool to determine whether an object is in accordance (appeal) with the weight that is used as a standard.

According to Latifah, the scale can be interpreted as a tool that can be used to measure the weight of an object. According to article 1 letter M of Law number 2 of 1981 concerning Legal Metrology, the definition of measuring scales is a tool intended or used for mass measurement or weighing.¹³ In Islam, Allah SWT in the Qur'an QS Ar-Rahman verse 9 regarding measures and scales, namely.

وَأَقِيمُوا الْوَزْنَ بِالْقِسْطِ وَلَا تُخْسِرُوا الْمِيزَانَ

Translation:

¹¹ Raudhya, Ar-raniry, and Aceh, "Tinjauan Hukum Islam Terhadap Pelaksanaan Kbiyar Dalam Jual Beli Pakaian Thrift Berbasis Online Melalui Platform Instagram (Studi Penelitian Di Banda Aceh)." *Tinjauan Hukum Islam Terhadap Pelaksanaan Kbiyar Dalam Jual Beli Pakaian Thrif Berbasis Online Melalui Platfrom Instgram* (Studi Penelitian Di Banda Ace)', 2022

¹² Umi Nurrohmah, "Pengaruh Berat Timbangan Dalam Jual Beli Pisang Dan Talas Menurut Perspektif Hukum Islam (Studi Kasus Di Desa Gunung Batu Kecamatan Sumberejo Kabupaten Tanggamus)."

¹³ Penguik Ambok, *Tinjauan Etika Bisnis Islam Dalam Penggunaan Timbangan Sembako Dalam Jual Belli* (Studi Kasus Di Pasar Mandehara Illir, Tanjabtim)', Vol, 4 Nomor 1, Juni 2019, 36-51 hal 42-43

"And establish the balance with justice and do not diminish the balance." (Q.S Ar-Rahman Verse 9).¹⁴

The types of scales include:

1. Manual Scales are manual scales, which are a type of scale that works mechanically with a spring system, usually this type of scale uses several needles as a pointer to the size of the scaled mass.
2. Digital scales are types of scales that work electronically with electricity. Generally these scales use weak currents and indicators in the form of digital numbers on the reading screen.

The legal basis of individual freedom scales in carrying out economic activities is bound by the provisions of Islam in the Qur'an and hadith. Buying and selling as one of the activities in economic activities is highly recommended to be fair and honest in these activities. Upholding justice is not only required in matters relating to actions and speech or both at once, but also ordered in business transactions.

The differences between scales, measures, and piles are as follows:

1. Scales are used to measure units of weight (solid objects).
2. Measure is a tool used for measuring, in muamalah the measure is used to measure a basic content (goods) and is stated in a standard that is recognised by many parties. Measures and scales are two kinds of measuring instruments that are given attention to be used properly in the perspective of Islamic economics.¹⁵
3. According to the Big Indonesian Dictionary (KBBI) pile means goods that are piled up. For example, the sago sold at Youtefa market is piled up.

In the Youtefa market many sago traders sell sago without using scales but they use measures by stacking in this case Allah SWT. In his words and regarding buying and selling as follows:

أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ بِتِجَارَةٍ عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ

بِكُمْ رَحِيمًا

Translation:

¹⁴Al-Qur'an Kementerian Agama Republik Indonesia "Qur'an Surat Ar-Rahman Ayat 9

¹⁵ Akhmad Mujahidin, *Ekonomi Islam Sejarah Konsep, instrument Negara dan Pasar*, (Jakarta: PT. Grafindo Persadaa, 2014,) hal 159

"O you who believe, do not eat from one another's wealth by means of unlawful means, except by way of a mutual trade between you. And do not kill yourselves; indeed, Allah is Most Merciful to you." (Q.s An-nisa': 29).¹⁶

Regarding the measure, there is a hadith that discusses the measure as follows: "Ibn Umar (may Allah be pleased with him) reported: "The Messenger of Allah (peace and blessings of Allaah be upon him) enjoined zakat al-fitr in the amount of one saa' of dates or one saa' of wheat on a slave, free, male and female, great and small, among the Muslims, and he commanded that it be paid before the people went out to pray." (HR: Bukhari 1511 and Muslim 2327)

In another Hadīth narrated by Abu Saïd al-Khudzir (may Allah be pleased with him). "We used to pay zakat al-fitr with one saa' of foodstuffs, or one saa' of wheat, or one saa' of grapes." (Reported by Bukhari 1506 and Muslim 2330).

In this Hadīth, it is explicitly stated that the rate of zakat al-fitr is one saa' of food. It is important to note that a saa' is a measurement, not a scale. The measurement of "saa'" that prevailed at the time of the Prophet (blessings and peace of Allah be upon him) was the saa' of the people of Madina, which was equivalent to four mud. One mud is the size of one normal palm combined, so one saa' is four times the full coverage of two normal palms combined.

We need to know that in terms of measuring or measuring, it has been in effect for a long time from the time of the Prophet (peace and blessings of Allah be upon him). So that in view of the above arguments and hadiths, buying and selling using measuring is permissible according to sharia.

Sharia Economics

Economics is a branch of social science that discusses human behaviour in the economic field. Human behaviour in the efficient use of limited resources to produce various commodities, then distributed to individuals and groups who live called citizens, this is the definition of economics described by modern economists today.¹⁷

¹⁶Al-Qur'an Kementrian Agama Republik Indonesia "Qur'an Surat An-nisa ayat 29

¹⁷ Kasdi, A. (2019). Actualizations of Maqāṣid Al-Shariah in modern life; Maqāṣid Al-Shariah theory as a method of the development of Islamic laws and Shariah economics. *Justicia Islamica: Jurnal Kajian Hukum dan Sosial*, 16(2), 247-268.

Adam Smith said that economics means the specific study of the tools used by mankind to acquire wealth. Alfred Marshall's defines in general, the science that studies the particulars of the people in the affairs of life. Lord Robbins defines, the study of the attitude of the people as a correlation between goals and means of satisfaction are scarce, and find a replacement as an alternative.¹⁸

Sharia Economics is known in Arabic as al-iqtishad.¹⁹ Al-iqtishad linguistically means al-qashdu, which is the middle and justice.²⁰ Iqtishad is the knowledge of the mechanisms that govern production, distribution and consumption.²¹

According to Abdul Mun'im al-Jamal, Islamic economics is a combination of the basics of economic science derived from the Koran and al-Sunnah.²² In essence, Islamic economics is a metamorphosis of Islamic values in the economy and is intended to dismiss the notion that Islam is a religion that only regulates the issue of ubudiyah only, the vertical relationship between creatureskhaliq. In other words, the emergence of Islamic economics is a form of sociological and practical articulation of Islamic values that have been considered as a form of doctrine and normative. Thus, Islam is a religion syumul (way of life), whose teachings are not limited to the activities of ubudiyah (hablum minallah) alone, but also muamalah (hablum min an nas).

Islamic economics is a form of implementation of Islamic sharia in economic activity. This definition is very appropriate, to be used in analysing the issue of economic activity, in the midst of society. for example consumption, production and distribution activities, all of which must run according to the provisions of sharia law. According to Yusuf al-Qardlawi, Islamic economics is an economy based on divinity (Iqtishad Rabbani), humanitarian insight (Iqtishad Insani), moral (Iqtishad Akhlaqi), as well as a middle economy (Iqtishad Washati).²³ Washatiyah in the middle meaning, are the main values in Islamic economics, because it is the spirit and soul of sharia economics.²⁴

¹⁸ *Ibid.*, 17.

¹⁹ Khan, M. (2018). *Theorizing Islamic economics: Search for a framework for Islamic economic analysis*. SSRN.

²⁰ Husain Hamid Mahmud, *al-Nizham al-Mal wa al-iqtishad wa al-Islam* (Riyadh: Dar al-Nasyr al-Dauli, 2000), 11.

²¹ Monzer Kahf, Islamic Economic Analytical of The Functioning of The Islamic Economic System, terj. Machnun Husein, *Ekonomi Islam Tela'ab Analitik Terhadap Fungsi Sistem Ekonomi Islam* (Yogyakarta: Pustaka Pelajar, 1995), 2.

²² Muhammad Abdul Mun'im al-Jamal, *Mausu'ah al-Iqtishad al-Islami* (Kairo: Dar al-Kitab al-Misr, 1980), 14.

²³ Yusuf al-Qardhawi, *Daur al-Qiyah wa al-Akhlag fi Iqtishad al-Islami* (Kairo: Maktabah Wahbah, 1995), 27

²⁴ Yusuf al-Qardhawi, *Daur al-Qiyah wa...*, 81.

According to Abdul Mannan, Islamic economics is a social science, which studies the economic problems of society, inspired by Islamic values.²⁵ Hasanuzzaman defines Islamic economics as the knowledge and software derived from the recommendations and rules of sharia that prevent injustice in obtaining material resources, so as to create consumer satisfaction and enable them to fulfil the commands of Allah and society.

Khursid Ahmad added that Islamic economics is a systematic effort to know economic problems and human attitudes in relation to using these problems based on an Islamic perspective.²⁶ The most popular definition based on Dawam Rahardjo, economics is all activities related to using production and distribution among people.

The Islamic economic system has basic principles that distinguish it from other economic systems. Islamic economists have formulated the principles of Islamic economics although there are differences but the substance is the same. According to Muhammad, the building of the Islamic economy is laid in 5 foundations, (1) divinity / divinity; (2) justice / al-adl; (3) prophethood / al-Nubuawah; (4) government / al-khilafah; (5) results / al-ma'ad.

The purpose of Islamic economics is *maslahah* (benefit) for mankind. In order to realise the benefit, avoiding everything that brings *mafsadat* (damage) to humans.²⁷ Monzer Kahf,²⁸ that Islamic economics uses two methods: first, the method of deduction, which was developed by Islamic jurists and *fuqoha*. Second, the method of perspective thinking, this method is used by contemporary thinkers who feel the pressure of poverty and underdevelopment and trying to find various solutions to the economic problems of Muslims by returning to the Qur'an and Hadith (using God's guidance).

The main source of Islamic economic law is in the form of revelation, namely the Qur'an and Hadith.²⁹ Broadly speaking, Islamic law is grouped as three, namely, *aqidah*, *akhlaq* and *muamalah*. *Muamalah* is the law that regulates human relations with

²⁵ Muhammad Abdul Mannan, *Teori dan Praktek Ekonomi Islam* (Yogyakarta: Dana Bhakti Wakaf, 1993), 351.

²⁶ Umar Chapra, *Masa Depan Ekonomi*, Sebuah Tinjauan Islam (Jakarta: Gema Insani Press, 2001), 121.

²⁷ Ika Yunia Fuzia dan Abdul Kadir Riyadi, *Prinsip Dasar Ekonomi Islam Perspektif Maqasid al-Syariah* (Jakarta: Kencana Prenada, 2014) 12-13.

²⁸ Monzer Kahf, *Ekonomi Islam: Telaah Analitik Terhadap Fungsi Sistem Ekonjomi Islam* (Yogyakarta: Pustak Pelajar, 1995) 12.

²⁹ Yusuf al-Qardhawi, *Al-Madkhal fi Dirasat Ayy-Syariah Al-Islamiyah*, terj. *Membumukan Syariat Islam* (Surabaya: Dunia Ilmu, 1417H) 35.

other humans.³⁰ According to Muhammad Khudari Bek, there are six phases in the development of Islamic rules. Firstly, the phase of Muhammad's apostasy. Secondly, the phase of the senior companions until the end of the Khulafaur Rashidin period. Third, the phase of the junior companions, starting from the beginning of the Umayyad Daulat until the end of the first century Hijriyah. Fourth, the phase of fiqh becoming a separate science, from the beginning of the second century Hijri until the end of the third century Hijri. Fifth, the phase of differences about the sitting of the law among fuqaha, from the beginning of the fourth century hijriyah until the Abbasid conquest in the 7th century hijriyah (1258 AD). Sixth, the phase of taqlid, from the fall of the Abbasids to the present day.³¹

Based on the explanation of Islamic economics according to the definition based on several expert opinions, a red thread can be taken in a comprehensive definition that summarises the whole, namely Islamic economics is as a branch of science that discusses consumption, production and distribution, with norms and ethics based on the Koran and hadith which aims to achieve worldly and ukhrawi welfare (falah).

Buying and selling in Arabic comes from the word al-bai' which means selling, replacing the word exchanging something for something else, the word al-bai'in Arabic is used for its opposite sense, namely the word sarah thus the word al-bai' means the word selling and at the same time means the word buying.

In terminology, there are several definitions of the scholars, including by the Hanafiyah scholars giving the meaning of mutually prospering property with property through certain means or with the meaning of exchanging something that is desired with commensurate through certain useful means.

The Hanafis explained that the specific meaning in the above definition is ijab and qabul, or it can be through giving each other goods and setting prices between buyers and sellers. While in the second sense explains that the property that is traded must be useful for humans.³²

Syayid Sabiq defines buying and selling with the meaning of exchanging property for property on a consensual basis, while Imam al-Nawawi explains that buying

³⁰ Fathurrahman Djamil, *Hukum Ekonomi Islam* (Jakarta, Sinar Grafika, 2013) 19-20.

³¹ Rifyal Ka'bah, *Hukum Islam di Indonesia, Perspektif Muhammadiyah dan NU* (Jakarta: Universitas Yarsi Press, 1999), hlm, 53.

³² M.S, "Etika Jual Beli Dalam Islam", Vol. 11, No. 2, Desember 2014. Hal 3."

and selling is exchanging property for property in the form of transfer of ownership. This definition is not much different from what is defined by Abu Qudamah, namely exchanging property for property in the form of transfer of ownership and ownership. Meanwhile, according to Hasib ash-Shiddieqy, buying and selling is a contract consisting of exchanging property for other property, so there is an exchange of permanent ownership.³³

The explanation of some of the scholars above, the right of ownership and property is emphasised because there is an exchange of property that does not have to be owned such as renting. Islam has determined the rules both regarding the pillars and conditions as well as the forms of buying and selling that are permitted or not permitted. Then it must be done consistently and provide benefits. In the business world, it is required to know things that can result in buying and selling being valid or invalid. It is intended that buying and selling activities run legally, all attitudes or actions are far from damage that is not justified.³⁴

The pillars and conditions of buying and selling

The definition of a pillar is something that is a basic element in something, and does not materialise if it is absent. For example, the seller and buyer are elements that must be present in the sale and purchase, if the seller and buyer do not exist or only one of the parties is present, the sale and purchase cannot be realised.

The definition of a condition is something that is not an essential element but is an element that must be present in it. If it does not exist, then the action is not valid, for example; mutual consent is one of the conditions for the validity of buying and selling if the element of mutual consent does not exist, buying and selling is not valid according to Islamic law.

In buying and selling is a social interaction between humans and other humans to fulfil their needs based on predetermined pillars and conditions. The pillars according to the Jumhur ulama are four of them:

³³ Ibid, hal 2

³⁴ Lisqa Nurwati Sukmanitawireja dkk, *"Analisis Fiqh Muamalah Terhadap Praktik Jual Beli Tanpa Takaran di Pasar Ancol Karapitan Bandung"* 2018

1. There are people who have a contract, namely the seller and the buyer. Also called *aqid*, which is the person who does the contract in buying and selling, in buying and selling it is impossible without the person who does it, and the person who does it.
2. There is an *ijab* and *qabul*, namely the ability of the buyer and the merchant.
3. There are goods purchased, namely sago
4. There is an exchange rate for goods, namely the price of sago given by the buyer to the trader.³⁵

The conditions of buying and selling something with the pillars of buying and selling stated by the majority of scholars above are as follows:

Conditions of the contracting parties

The definition of a condition is something that is not a basic element but is an element that must be present in it. If he is not there, then the action is not valid, for example; mutual consent is one of the conditions for the validity of buying and selling if the element of mutual consent is not there, buying and selling is not valid according to Islamic law, the *fiqh* scholars agree that the person who makes the sale and purchase contract must fulfil the conditions, namely:

1. Being of sound mind, a trader and buyer must have sound mind in order to carry out a sale and purchase transaction in a state of consciousness. With this requirement, a child who has not yet come to his senses may not make a sale and purchase transaction and if it has occurred the transaction is not valid. The majority of scholars are of the opinion that the person who makes a sale and purchase transaction must be *baliqh* and have a mind, if the person in the transaction is still *mumayyiz* then the sale and purchase transaction is not valid.
2. On the basis of mutual consent, namely with their own will and there is no element of coercion from any party.
3. Those who do the contract are different people, the meaning of this third point is that a person cannot act at the same time, namely as a seller and buyer. Syarat-syarat yang terkait *ijab qabul*

The conditions related to *ijab qabul* are:

³⁵ Khaoirun Nikmah, “Praktik Jual Beli Jagung Pipil Kering Antra Tengkulak Dengan Pengepul Perspektif Etika Bisnis Islam”, *Istithmar, Jurnal Studi Ekonomi Syariah*, Vol. 6, No 2 Juni 2022. Hal 8.”

1. The majority of scholars are of the opinion that the person who utters it must have reached puberty and be of sound mind, while according to the Hanafi Mazhab scholars, it is only required to have sound mind.
2. The qobul must be in accordance with the ijab, if the ijab and qabul are not in accordance then the sale and purchase is not valid.
3. Ijab and qabul are done in one transaction, and cannot be separated. This means that both parties to the transaction must be present at the same time.

Conditions of goods that are traded

1. Sacred
2. Goods that are traded are owned or authorised by someone else who owns them.
3. Goods that are traded there is a benefit
4. Goods that are traded are clear and can be controlled
5. Can be handed over when the contract takes place

Conditions for the exchange rate or price of goods

1. The price agreed upon by both parties must be clear
2. May be delivered at the time of the contract.
3. If the sale and purchase is carried out by exchanging goods, the goods used as the exchange rate are not prohibited goods.³⁶

Sago is the staple food of the indigenous Papuan people who live in wet areas or swamps. Sago itself is produced from sago tubers, which are part of the sago tree (*Metroxylon sago*). The sago tree is a type of palm that grows in the tropics, especially in eastern Indonesia, including Papua. The process of making sago involves extracting starch from the sago tuber. Sago tubers are crushed and squeezed to obtain starch, which is then precipitated and dried to produce sago. Sago is an important staple food in some regions, especially in areas around sago palms. In Indonesia, especially in Papua, sago is a very important staple food. Sago trees thrive in the humid forests of Papua, and sago is processed into a variety of food products that are important to the local community.

Sago in the Youtefa market is sold by cutting into quarter-round pieces, because initially this sago is placed in a sack, then cut into quarters and sold every quarter

³⁶ Kartini, “Rukun Dan Syarat Jual Beli”, 2016. Hal 8 Dan 9.”

at a price of Rp 20,000 (twenty thousand rupiah). Among the original Papuan traders in the Youtefa market, they are called Papuan mama-mama with the tradition of selling using the term pile. Among them, they still use the pile tradition, and have not used scales and this has become a characteristic-trade mark. And sales in this pile are not only for sago sales but also apply to other merchandise. This tradition has been going on for a long time and from generation to generation, indigenous Papuans or migrants do not feel disadvantaged by this tradition.

In sharia law, the system of buying and selling sago in the youtefa market practised by Papuan mothers is categorised in the sale and purchase of estimated or wholesale systems, and not using measures or scales as applicable in areas other than Papua. In the view of Shara', buying and selling by estimation or wholesale is permissible and valid. Based on a narration:

عَنْ بِنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: كُنَّا نَشْتَرِي الطَّعَامَ مِنَ الرُّكْبَانِ جِزَافًا فَنَهَانَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَ سَلَّمَ أَنْ نَبِيعَهُ حَتَّى نَنْقُلَهُ مِنْ مَكَانِهِ

Abdullah ibn Umar (may Allah be pleased with him) reported: "We used to buy food by estimation, so the Messenger of Allah forbade us to sell any more until we had removed it from the place where it was bought." (HR Muslim: 1526)

In buying and selling transactions, especially in the practice of borongan or taksiran, the concept of urf plays an important role. The value of goods based on urf also influences the practice of buying and selling borongan or taksiran. Sellers and buyers usually refer to the standards of quality and price recognised in the community (urf) when determining the quantity of goods to be bought or the estimated price to be used. (*urf al-Mikdar wal-Qeemat*)

Trust and Business Relationships (Urf al-'Uqbah): Urf also covers non-material aspects of transactions, including trust and business relationships between sellers and buyers. In the practice of wholesale or estimated buying and selling, trust between parties plays a key role. Sellers and buyers rely on this urf to maintain integrity in their transactions.

However, while urf can provide guidance in the practice of wholesale or estimated buying and selling, it is still important to ensure that the practice adheres to the

principles of sharia, such as avoiding gharar (uncertainty) and ensuring transparency in the transaction, and most importantly that neither party feels disadvantaged.

In Youtefa market, buyers do not question sago traders who sell sago without scales. Because between the buyer and the seller have previously agreed with each other with the goods purchased and the price set by the sago trader.

The sale and purchase carried out in the Youtefa market has fulfilled the laws and conditions of buying and selling as we know that in the laws and conditions of buying and selling, namely: there are people who have an agreement, there is a lafaz ijab qobul, there are goods purchased and there is a substitute exchange value for goods.

Conclusion

Sago as the staple food of the Papuan people is traded in a unique traditional way, namely using a pile system, each pile is valued at Rp. 20,000. In sharia law, the stack system has become a tradition (urf) and is known as the estimated or wholesale system, this is permissible and was practised in the days of the companions and the prophet knew about it.

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