

ABSTRAK

Alfarizzi: Perspektif Hukum Ekonomi Syariah Terhadap Jual Beli Batu Bata Dengan Sistem Pesanan (Study Kasus Jual Beli Batu Bata Di Desa Jatimunggul Kecamatan Terisi, Kabupaten Indramayu)

Penelitian ini secara garis besar dapat diartikan bahwa *Istishna* adalah akad jual beli dalam bentuk pemesanan pembuatan barang tertentu dengan kriteria dan persyaratan tertentu yang disepakati antara pemesan (pembeli/*mustashni'*) dan penjual (pembuat/*shani'*). Akad *istishna* yang dilakukan antara pengguna pembeli/pemesan dengan penjual batu bata, karena dalam praktiknya barang terkadang tidak sesuai karena salah satu pihak membatalkan akad tersebut.

Penelitian ini bertujuan (1) Penelitian bertujuan untuk mendeskripsikan mekanisme jual beli yang terjadi di Desa Jatimunggul. (2) Penelitian ini bertujuan untuk mendeskripsikan Praktik Jual Beli Batu Bata Menggunakan sistem pesanan di desa Jatimunggul. (3) Mendeskripsikan tinjauan hukum ekonomi syariah terhadap mekanisme jual beli batu bata di desa Jatimunggul berdasarkan teori *Istishna*.

Penelitian ini menggunakan metode *kualitatif pendekatan deskriptif*. Yaitu mendeskripsikan pelaksanaan jual beli batu bata di Desa Jatimunggul serta menganalisis berdasarkan Hukum ekonomi Syariah. Sumber data dari pemilik batu bata. Serta hasil wawancara dari masyarakat pembeli batu bata di Desa Jatimunggul. Hukum Ekonomi Syariah, buku-buku, karya ilmiah seperti artikel, jurnal, makalah dan skripsi. Teknik pengumpulan data yaitu melalui wawancara, studi dokumentasi dan studi pustaka. Sedangkan analisis menggunakan metode pendekatan deskriptif.

Hasil dari penelitian ini dapat kita simpulkan bahwa jual beli batu bata di desa Jatimunggul Kecamatan Terisi, Kabupaten Indramayu. Dalam sistem pemesanan batu bata banyak sekali barang pecah, cacat, dan menimbulkan kerugian bagi konsumen. Dalam hal ini pembeli merasa dirugikan karena batu bata yang ia pesan tidak sesuai seperti yang diharapkan di awal yang ia pesan sebelumnya. Namun, pembeli ini menerima batu bata tersebut karena tidak mau ada keributan antara penjual dan pembeli ataupun minta ganti rugi terhadap penjual karena tidak ada perjanjian di awal bahwa antara penjual dan pembeli tidak melakukan perjanjian ganti rugi maka pembeli ini mau tidak mau harus menerima batu bata tersebut. Akad yang digunakan ialah akad *istishna* yaitu perspektif hukum ekonomi syariah terhadap jual beli batu bata dengan sistem pesanan yang ada di desa Jatimunggul sudah terpenuhi menurut hukum ekonomi syariah maupun fatwa Dsn MUI No. 6 tahun 2000.

Kata kunci : Jual beli, batu bata, sistem pesanan, akad *Istishna*.

ABSTRACT

Alfarizzi : Sharia Economic Law Perspective on Buying and Selling Bricks with an Order System (Case Study of Buying and Selling Bricks in Jatimunggul Village, Terisi District, Indramayu Regency)

In general, this research can be interpreted as saying that Istishna is a sale and purchase contract in the form of an order for the manufacture of certain goods with certain criteria and conditions agreed between the orderer (buyer/mustashni') and the seller (maker/shani'). Istisna contract is carried out between the buyer/order user and the brick seller, because in practice the goods sometimes do not match because one of the parties cancels the contract.

This research aims at (1) This research aims to describe the buying and selling mechanisms that occur in Jatimunggul Village. (2) This research aims to describe the practice of buying and selling bricks using an order system in Jatimunggul village. (3) Describe the review of sharia economic law on the brick buying and selling mechanism in Jatimunggul village based on Istishna theory.

This research uses a qualitative descriptive approach. Namely describing the implementation of buying and selling bricks in Jatimunggul Village and analyzing it based on Sharia economic law. Data source from brick owners. As well as the results of interviews from the brick buying community in Jatimunggul Village. Sharia Economic Law, books, scientific works such as articles, journals, papers and theses. Data collection techniques are through interviews, documentation studies and literature studies. Meanwhile, the analysis uses a descriptive approach method.

The results of this study can be concluded that the sale and purchase of bricks in Jatimunggul Village, Terisi District, Indramayu Regency. In the brick ordering system, there are many broken, defective items, and cause losses for consumers. In this case, the buyer feels disadvantaged because the bricks he ordered are not as expected at the beginning that he ordered previously. However, this buyer accepts the bricks because he does not want any trouble between the seller and the buyer or ask for compensation from the seller because there is no agreement at the beginning that between the seller and the buyer there is no compensation agreement, so this buyer has no choice but to accept the bricks. The contract used is the istishna contract, namely the perspective of Islamic economic law on the sale and purchase of bricks with the existing ordering system in Jatimunggul Village has been fulfilled according to Islamic economic law and the Dsn MUI fatwa No. 6 of 2000.

Keywords: Buying and selling, bricks, order system, Istishna contract.