

REVIEW OF SHARIA ECONOMIC LAW REGARDING PRICES AND SIZES IN BUYING AND SELLING EMPANG CRABS

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ABSTRACT

This study aims to find out the practice of buying and selling crabs at different prices and sizes and to review Sharia economic law regarding the practice of buying and selling crabs. This research uses descriptive and qualitative research methods. The author's data collection technique involves conducting observations, interviews, and documentation. The results of the research show that the practice of buying and selling pond crabs in Watu village, Cenrana subdistrict, Bone Regency is carried out by the collector contacting the fisherman, and the collector usually gives the fisherman a down payment so that when the fisherman gets the sea lobster catch, he immediately gives it to the collector. The practice of determining prices and sizes is that before selling to buyers, collectors have sorted and divided the sizes of crab types with predetermined price differences. Meanwhile, collectors get crabs from fishermen with crabs that have not yet been sorted by type and size, while all those involved in the practice of buying and selling crabs do not understand the existence of ministerial regulations governing the size of crabs. Buying and selling crabs according to Sharia economic law is legal because it complies with the provisions of Islamic law. However, in the practice of buying and selling crabs, buyers only feel burdened by the high prices set. Because in buying and selling, both parties must be equally sincere and willing without anyone feeling disadvantaged.

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1. INTRODUCTION

Humans, as social creatures, need other people for their survival; they complement each other, so humans, in fulfilling their life needs, need to create a good relationship between one human and another (Cacioppo & Patrick, 2008; Tomasello, 2020; Mundiasari, 2022). Muamalah activities such as buying and selling, accounts payable, giving wages, business unions, etc. are no exception. One form of muamalah in Islam is buying and selling, namely an agreement where one party binds himself to hand over an object and the other party pays the agreed price (Siswadi & Soemitra, 2022; Ziaulhaq, 2022). In other words, buying and selling occurs when it is carried out by two or more

people based on mutual liking and the willingness of each party to carry out the transaction.

Islam does not limit a person's will in seeking and obtaining wealth as long as this is done within the general principles that apply, namely what is halal and good (Ghazaly, 2016; Alam et al., 2017; Shahabuddin et al., 2020). This means that Islam does not prohibit someone from seeking as much wealth as possible. Because, after all, the one who determines the wealth that a person can obtain is Allah SWT himself. In doing business, someone certainly needs to work. Work is an activity that uses the power possessed by humans, which is a gift from God (Ramadhan & Ryandono, 2015). Islam's attitude towards work can be seen in the many verses of the Koran that command humans to work.

Apart from that, the Islamic view regarding wealth is that it is not a goal but a tool to perfect life and a tool to achieve Allah's pleasure (Shihab, 2019). Buying and selling is part of muamalah, which has a clear legal basis, both from the Qur'an and the Sunnah, and has become an Ijma, an ulama, and a Muslim (Arwani, 2012; Shifa, 2021). Buying and selling is not just for fun but also a means of carrying out activities to help each other. All humans are obliged to seek sustenance in this world, and one of the ways recommended by religion is by buying and selling. Trade, or buying and selling, is the activity of exchanging goods or services based on mutual agreement, not coercion (Hakim et al., 2023; Santi et al., 2023).

With the increasing development of buying and selling, buyers must be more alert when carrying out buying and selling transactions (Hasan & Azli, 2022). Buying and selling involves two different people, in practice, the exchange requires the buyer to know the price of the item he wants to buy because the terms of the sale and purchase are sacred, there are benefits, the item can be handed over, the item belongs to the seller, and the item is known to the seller. and the buyer of the substance, shape, size, and nature is clear so that there will be no confusion between the two parties. Islamic law states that humans are prohibited from consuming property obtained through vanity (Aisya & M Syam, 2021; Asari et al., 2022). What this means is fulfilling the requirements, harmony, and other things related to buying and selling. So if the conditions and pillars are not fulfilled, it means it is not according to the wishes of Sharia.

The buying and selling of "empang" crabs that occur in Watu Village, Cenrana District, and Bone Regency have been carried out for a long time because it has become a habit of the local community. In buying and selling carried out in local communities, there is an element of uncertainty in the process of managing the price and size of crabs by the seller. There are buying and selling transactions for "empang" crabs with differences in price and size without any transparency to the buyer. The price of large-sized pond crabs is much more expensive than small-sized ones with the same weight, and even that cannot be done using a random system, so it is burdensome for buyers. Meanwhile, sellers, when taking crabs from ponds, use a different system where large and small crabs are put together on a scale and at a relatively cheaper price. It looks like there is already an agreement between pond farmers and sellers in terms of buying and

selling so that pond crabs from farmers can only be distributed to sellers in Watu Village. Crabs are one of the leading commodities with high economic value ([Bondad-Reantaso et al., 2022](#); [Wiloso et al., 2022](#)), so they are one of the targets for catches by fishermen and farmers in the sea and ponds.

Based on the background of the problem, the main problem in this paper can be formulated, namely:

1. What is the practice of buying and selling pond crabs at different prices and sizes carried out by sellers in Watu Village, Cenrana District, Bone Regency?
2. What is the review of Sharia economic law regarding the practice of buying and selling "empang" crabs at different prices and sizes carried out by sellers in Watu village, Cenrana sub-district, Bone Regency?

2. METHOD

The type of research used by the author in this research is descriptive-qualitative research ([Stanley, 2014](#)). Research is intended to describe and interpret data that is relevant to the facts, circumstances, and phenomena that occurred during the research and present it as it is ([Creswell & Creswell, 2017](#)). The data collection methods in research are as follows: observation, interview, and documentation.

The method used to analyze the collected data is inductive, which is a method or path used to obtain data or information by analyzing the data using a specific level of thinking and then drawing general conclusions ([Creswell & Creswell, 2017](#)). Deductive reasoning is drawing conclusions based on the reasons put forward based on the results of data analysis.

3. RESULTS AND DISCUSSION

3.1 Practice of Buying and Selling Empang Crabs in Watu Village, Cenrana District, Bone Regency

Buying and selling is an effort to meet someone's needs. Buying and selling is the exchange of one item for another. One of the commodities traded is crabs, especially in coastal areas or those close to saltwater (brackish) rivers. This is commonplace, considering that many crabs live in such areas. One of the areas close to the saltwater river is Watu Village. Catching crabs and selling them is mostly done by people, both old and young. This is done because catching crabs is easy and doesn't take much time. To find out more precisely about the practice of buying and selling crabs in Watu Village, Cenrana District, Bone Regency. Researchers have classified them as follows:

Before the crab-selling process is carried out, the crab-catching process is first carried out. The process of catching crabs carried out by fishermen in Watu Village is still manual or passive, namely by using traps fitted with bait, or in the Bone language, it is called rakkang. Meanwhile, the bait used by the community is fish that have been cut to a certain size. After the preparations have been made, the fishermen will install the traps in the river or the pond.

This is as explained by Aris, who is one of the crab fishermen:

"In the process of catching crabs, the first thing that must be prepared is a trap and bait. The fisherman can make the trap himself or order it from someone else. Meanwhile, the bait is fish that has been cut into pieces. Once this is prepared, then put it in the river."

According to Sahabu:

"To catch crabs, you do it by installing a trap with bait, then go to the place to install the trap, then look at it again in the morning."

Crab fishing time is the time when fishermen usually install traps in the river to catch crabs. Fishermen catch and sell crabs every month. Installation of traps is usually done in the afternoon, and fishermen will look again at the traps in the morning, or installation will be carried out in the morning and fishermen will look again in the afternoon; this depends on the ebb and flow of the water in the river.

According to Aswar,

"The trap installation is carried out when the water has receded. If it is installed in the afternoon, it will be seen again in the morning; conversely, if it is installed in the morning, it will be seen in the afternoon." I carry out fishing and sales activities every month."

According to Sahabu,

"The traps can be installed in the morning or afternoon, depending on how the river water is. If you install it in the afternoon, then look at it again in the morning; if you do it in the morning, then look at the trap again in the afternoon." For crab-catching activities, I do it every month; every time I catch, I still sell all the results."

The crabs obtained by fishermen are usually sold to collectors without sorting them out, whether they are egg-laying crabs, small or large. This aims to additionally meet needs.

According to Idrus,

"The crabs obtained are tied first and then sold to collectors for additional daily needs. I sold all the crabs that I got." Yesterday I sold 2 kg of crabs, including 1 kg of Lb crabs, which weigh around 1-1.5 ounces, and 2 egg-laying crabs, and the rest were Cb crabs."

According to Sahabu,

"I sell all the crabs I catch to supplement my daily needs." Yesterday I was selling crabs from the catch, with Cb crabs weighing around 1-1.5 ounces, Lb crabs weighing 6 ounces, and crabs laying one egg."

For collectors, the crabs that have been sold by fishermen are reused, namely resold to top collectors for export and consumption, and others are sold to markets, sold to the

public for consumption purposes, and some are also sold to the public for other purposes. cultivation.

The crabs that are bought and sold vary depending on the weight and condition of the crab. Meanwhile, prices vary greatly depending on the current market and according to the type of crab and weight of the crab being bought and sold. The bigger and heavier the crab, the more expensive it is. The crabs sold by fishermen are sorted first by collectors and paid according to the type and weight of the crab. There are various types of crabs that are usually bought and sold in Watu Village. As explained by Mr. Bagong, the crabs that are bought, sold, and exported are:

- a. CB weighing 300 grams, 0.3 ounces, for IDR 240,000/kg
- b. CB weighing 250 grams, 0.2 ounces, for IDR 165,000/kg
- c. CB weighing 200 grams, 0.2 ounces, for IDR 135,000/kg
- d. LB weighing 500 grams, 0.5 ounces, for IDR 170,000/kg
- e. LB weighing 400 grams, 0.4 ounces, at IDR 135,000/kg
- f. LB weighing 300 grams, 0.3 ounces, for IDR 105,000/kg
- g. LB weighing 200 grams, 0.2 ounces, for IDR 75,000/kg

Meanwhile, according to Mr. Salim, the crabs that are bought, sold, and exported are:

- a. LB weighing 500 grams for IDR 130,000/kg
- b. LB weighing 400 grams for IDR 95,000/kg
- c. LB weighing 300 grams for IDR 60,000/kg
- d. LB weighing 200 grams for IDR 35,000/kg
- e. CB weighing 300 grams for IDR 170,000/kg
- d. CB weighing 250 grams for IDR 115,000/kg
- e. CB weighing 200 grams for IDR 75,000/kg
- f. CBK at 65

According to Ardian,

"I sort the crabs I sell first, depending on the type, and I pay according to their weight. The types of crabs I buy start with CB, LB, CBK, LBS, BONE, etc. Then I sort and weigh it for export. Regarding price, it depends on the market; sometimes it can be expensive, and sometimes it can be cheap. During Chinese New Year, the price of crabs sold is relatively expensive because they are exported abroad, such as to China. And for the size of export crabs, namely above 12 cm, the carapace has been implemented by KP Ministerial Regulation No. 16 of 2022 concerning the management of lobsters, crabs, and crabs."

From the explanation above, it can be understood that fishermen sell the crabs they get without sorting them first. At the collector's place, the crabs are sorted depending on their type to find out how much the fishermen sell the crabs for. Meanwhile, many fishermen don't know about the rules for managing crabs.

According to Aris,

"I don't know about those rules."

Buying and selling is a means for humans to obtain necessary goods, be they clothing, shelter, or food (Xiang & Sarvary, 2013). The purpose of buying and selling is to help each other. In buying and selling, some pillars and conditions must be met for the sale and purchase to be valid. On the issue of the harmony of buying and selling, there are differences of opinion between the majority of ulama and the Hanafiah ulama. However, according to most scholars, there are four pillars of buying and selling: akid, sighat, matsmun, and tsaman (Shifa, 2021). If we look at the pillars of buying and selling mentioned by the number of ulama, the buying and selling of crabs in Watu Village has fulfilled the pillars of buying and selling. This is seen by the existence of akid, namely fishermen (sellers) and collectors (buyers) or collectors (sellers) with the community. (Buyer), there is sighat ijab qabul, which is carried out when buying and selling; there is matsmun, namely crab; and there is tsaman, namely the price of crab.

If you look at the akid requirements, buying and selling crabs in Watu Village meets these requirements, namely that the seller and buyer of crabs carrying out the transaction are sensible and are different people. The conditions for sighat have also been fulfilled, namely when the ijab qabul has been carried out in one assembly and the qabul carried out has been by the ijab. If we look at the Matsmun conditions, the conditions for buying and selling crabs have been fulfilled, namely that the crabs that are the object of the transaction are the legal property of the seller, the crabs are not unclean goods, the crabs are goods that can be handed over, and the crabs that are the object of the transaction are known to both parties. And if you look at the tsaman terms or exchange rate, the conditions for buying and selling crabs have been fulfilled, namely that the price of the crab is agreed upon by both parties, the price can be handed over, and the price of the crab is not a prohibited item.

Everything created by Allah SWT has its benefits, such as animals and plants. This aims to ensure that humans, as caliphs on earth, can use it to fulfill their needs. Humans are allowed to explore biological resources, such as catching, buying, and selling natural products. One example is the practice of buying and selling crabs in Watu Village, Cenrana District, Bone Regency.

From these rules, it can be seen that the practice of catching, buying, and selling crabs carried out by the community is permissible. However, some things need to be underlined, namely that there are several rules that must be obeyed by the community regarding catching, buying, and selling crabs. These rules are contained in the regulations of the Minister of Maritime Affairs and Fisheries. This regulation regulates the prohibition on catching and selling substandard crabs, namely crabs weighing 150 grams and crabs in egg-laying condition for consumption purposes. However, what was found in the field was the ineffectiveness of these regulations. This is proven by the large number of catches and sales of crabs that do not comply with the mandate of the minister's regulations. The purpose of making this ministerial regulation is to protect the ecosystem, economy, and crab population in nature.

3.2 Sharia Economic Law Views on Price and Size Determination in Buying and Selling Empang Crabs

According to the author, if seen from the perspective of Islamic law, determining prices and sizes for buying and selling crabs in Watu Village has positive and negative impacts. Based on data obtained from several fishermen or people who catch crabs, it can be understood that the aim of the practice of catching, buying, and selling crabs is to additionally fulfill their daily needs, meaning that apart from having other businesses such as farming, they also catch crabs for sale. Based on the results of interviews with several fishermen, it was also found that fishermen and collectors sell all the crabs they catch without sorting the crabs, whether they comply with ministerial regulations or not. This means that the fishermen and collectors who catch and sell all these crabs include crabs that are prohibited from catching and selling. This can be seen from the expressions of fishermen and collectors.

Buying and selling crabs according to Sharia economic law is legal because it complies with the provisions of Islamic law. However, in the practice of buying and selling crabs, buyers only feel burdened by the high prices set. Because in buying and selling, both parties must be equally sincere and willing without anyone feeling disadvantaged.

Every action carried out by humans has a law that regulates it, be it a Sharia economic law or a positive law (Pratama et al., 2019; Mukharom et al., 2020). This law functions as protection for humans and their surroundings, including the environment. One example of this regulation is the catching, buying, and selling of crabs, which is regulated by the Minister of Maritime Affairs and Fisheries Regulation Number 12 of 2020 concerning the management of lobsters, crabs, and crabs (Susanto, 2020). The reason for issuing this regulation was explained by Minister Edhy issued KP Ministerial Regulation number 12 of 2020, not only prioritizing economic benefits in policy but also maintaining the sustainability of lobsters and environmental sustainability, both crabs and crabs. KP Ministerial Regulation Number 12 of 2020 is an effort made by the government to maintain the stock and availability of crabs in nature so that it will be able to improve the economy and welfare of the community (Dina & Hasanah, 2020; Susanto, 2020).

In KP Ministerial Regulation Number 12 of 2020, there are 17 articles explaining the management of lobsters, crabs, and crabs (Dina & Hasanah, 2020). However, the rules that explain crabs are only found in Article 7, which has 4 verses. In article 7, paragraph 1, letters a and b, it is explained that catching and/or releasing crabs for consumption purposes can only be carried out with several conditions, namely that the crabs are not in egg-laying condition, the crab density must be above 12 cm, or the crab's weight must be above 150 grams per head.

If seen from a review of Islamic law, the practice of catching buying, and selling crabs in Watu village falls into two categories. The first is that if the buying and selling of crabs carried out are those that comply with government regulations, then the law is permissible. This is because it will not damage the crab population in nature. However, if the practice of buying and selling crabs is to comply with government regulations,

this is prohibited by law because it will damage the crab population in nature and will reduce the community's economy. These regulations aim to encourage the community to always comply with the law and to work together to maintain the balance of the existing natural ecosystem, including the crab population, to improve the economy and welfare now and for future generations.

4. CONCLUSION

Drawing from the author's research findings, the following conclusions are reached:

1. The sale and purchase of crabs in Watu village are carried out by the collector contacting the fisherman, and the collector usually gives a down payment to the fisherman so that when the fisherman gets the crab catch, he immediately gives it to the collector.
2. Buying and selling crabs according to Sharia economic law is legal because it complies with the provisions of Islamic economic law. However, in the practice of buying and selling crabs, buyers only feel burdened by the high prices set.
3. As a suggestion for buyers, fishermen, and collectors to better understand the regulations of the Minister of Fisheries and Maritime Affairs regarding the size and weight of crabs that are suitable for catching or buying and selling.
4. For collectors, if you want to make a profit, do it in a good and honest way, without any elements of lying.

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