

ANALYSIS OF THE BEHAVIOR OF KH MAS MANSUR PESMA MAJASANTRIES IN THE USE OF AN HONESTY CANTEEN REVIEWED IN THE PERSPECTIVE OF SHARIA ECONOMIC LAW

Lukmanul Hakim¹⁸, Hasib Nazri², Aufanida Nurhikmah³

¹Universitas Muhammadiyah Surakarta (UMS), Surakarta, Indonesia

² Faculty of Islamic Religion, Universitas Muhammadiyah Surakarta (UMS), Surakarta, Indonesia

³ Faculty of Islamic Religion, Universitas Muhammadiyah Surakarta (UMS), Surakarta, Indonesia

ABSTRACT

The purpose of this study was to measure how well the students of Islamic boarding school kh mas mansur students understand the law of buying and selling, especially in buying and selling transactions at the honest pesma kh mas mansur canteen. The research data uses a descriptive qualitative method, namely from primary data collection, which can be taken through several questionnaires and interviews from the management of the Honesty Canteen or often called the Pesma Business Center Department. Thus, it can produce 50 respondents from the questionnaire and 100% of the respondents from the interviews, who have understood the legal terms of buying and selling in general. In this study, 84% or 42 of the respondents who participated understood the pillars of buying and selling and 16% or 8 other people did not understand the pillars of buying and selling in general. In addition to being able to understand the pillars and legal terms of buying and selling in general, the intensity of the respondents was obtained. make payments directly or indirectly. Future research is expected to examine debt problems that occur at the Kh Mas Mansur Student Islamic Boarding School and increase the quota of respondents by distributing questionnaires to obtain valid and more ideal results.

INTRODUCTION

In everyday life, humans cannot be separated from social interactions between one human being and another or often referred to in Islam as social muamalah. Based on the literal, the notion of muamalah is an action or human interaction other than worship, in order to create a relationship and connection between human beings. In muamalah fiqh, it can be defined as law relating to human actions in property cases, for example in sales and purchase agreements, accounts payable, leasing, trade cooperation, associations and so on. Buying and selling is one of the economic muamalah which means exchanging goods in a certain way that is useful or something that is desired with something else that has a commensurate value.

According to Jumhur Ulama, buying and selling is an exchange of property for property in the form of transfer of ownership and one of the dynamic transactions, which is indicated by the beginning of a sale and purchase transaction using the barter system, namely transactions carried out by exchanging goods that have the same value. The transfer of ownership ensures that the concept of property in Islamic economics is that it is best if the property is transferred so that economic activity and distribution arise (Sufyati, 2022). Difficulties when exchanging goods according to needs was an obstacle at that time, thus encouraging people to innovate to create convenience in terms of exchanging, this innovation was by creating money as a medium of exchange, with money as a medium of exchange, a buying and selling system was created between sellers and buyers. Meanwhile, the dynamic understanding contained in buying and selling, namely transaction activities that develop according to the times, is indicated by the increasing number of buying and selling variations and making it easier for sellers and buyers. The economic activities of buying, selling, and renting have been regulated in Islam. In the Al-Qur'an and Hadith, which are sources of Islamic law, there are many examples of how to organize a business that is right according to Islam (Asia, 2023).

The market is a means of buying and selling system and is an economic activity that shows the existence of human adaptation to their environment. This is based on the factors of economic development which initially emerged from the problem of fulfilling basic needs. Economists argue that the market is a gathering place for buyers and sellers who make transactions over certain products or product groups (Herdiana, 2015). A traditional market is a meeting place for sellers and buyers which is characterized by direct sales transactions and a process of negotiation or bargaining, which is generally an ordinary building consisting of kiosks, outlets and open platforms built by the seller or manager of the market. Many traditional markets are inconvenient and are usually located in muddy, smelly and dirty environments. Thus, most traders in traditional markets have sold basic necessities such as food and so on.

As time goes by, this modern market appears not much different from traditional markets. However, in this modern market there are no direct transactions between the seller and the buyer, the modern market provides several advantages for the buyer, namely the buyer can immediately see the price tag (barcode) printed on the goods, has smaller access (easy to reach), is in in the building and its services are carried out independently or can be assisted and served by sales assistants (Private, 2002).

In the modern market, it gives freedom to buyers to choose and pick up their own goods and the prices given by sellers are non-negotiable. However, there are attractive discounts and promos that buyers can enjoy. Payment is made at the cashier using cash, debit or credit card. However, this method of buying and selling is considered impractical because you have to organize and take the time and choose the products you need yourself. In this way that is considered impractical, online buying and selling transactions emerge which spoil buyers by only choosing the products they need through smartphone applications or websites without having to go to modern markets or traditional markets.

The many developments and changes that have occurred in human life, do not get rid of the role of religion in it, Islam continues to play a role by guiding society through the guidance of jurisprudence to regulate the relationship of interaction between humans to create the common good. In this case, Al-Qanun al-Madani, which is one of the scopes in muamalah fiqh which discusses material matters such as buying and selling, leasing, borrowing and so on, includes also discussing the rights and conditions of the perpetrator. This problem is discussed in more detail in muamalah fiqh (Selviyana, 2019)

There are so many developments and changes in buying and selling transactions, not only with the development of places and ease of access, but the contracts in them are also experiencing developments, for example, buying and selling mu'athah works by means of sellers and buyers making contracts, each of which parties exchange with other parties. The seller provides the goods traded and the buyer takes the goods and gives money to the seller without saying the word consent qabul (Ad-Duwaish, 2006).

One example of a transaction with this contract and can be found around us is a sale and purchase transaction at the honesty canteen or also called honest cooperatives and by various other names. This honesty canteen works with a self-service system, namely by the way the buyer chooses the product being traded, then looks at the price list provided and puts money in the available place with the amount according to the purchase and all that is done without the seller's direct intervention.

Some of the statements above, this honesty canteen still has drawbacks that are often encountered and questioned by some people due to the absence of a seller who is referred to as one of the pillars of a sale and purchase contract and makes some people think that the contract in the transaction is not valid, but when referring to In the statement regarding the mu'athah sale and purchase contract above, the sale and purchase transaction at the honesty canteen is still valid because the conditions as a seller are left at the place of the transaction. An example is the inclusion of a price and the availability of a money box at that place, this proves that the seller left the idea there and proves that this seller is smart. This also fulfills the requirements of consent and qabul which state that consent and qabul can be done in writing, verbally, gestures or attitudes that indicate the existence of a form of consent and qabul.

Therefore, judging from the statement written above, the author is interested in researching how far the understanding of Islamic Boarding School Student KH Mas Mansur Student KH Mas Mansur at Muhammadiyah University Surakarta is about the laws that exist in buying and selling transactions in the honesty canteen and how to implement this understanding in canteen transactions honesty. With this statement the author tries to compile research with the title **"BEHAVIOR ANALYSIS OF PESMA KH MAS MANSUR'S STUDENTS IN THE USE OF HONESTY CANTEEN REVIEWED IN THE PERSPECTIVE OF SHARIA'AH ECONOMIC LAW"**

LITERATUR REVIEW

1. The Meaning of Buying and Selling

Buying and selling in terms of fiqh is called al-bay' which means selling, exchanging and replacing something with something else. The word "al-bay'" in Arabic is sometimes used to mean its opposite, namely the word ash-syira' (buy). The word al-bay' means selling which also means buying, so that in everyday custom, the term al-bai' is defined as buying and selling. In terms of terms, Hanafiyah scholars mean that buying and selling is a transaction of exchanging goods for other goods in a certain way or exchanging something you want for something of the same value in a certain way that is useful. According to Jumhur Ulama, buying and selling is exchanging goods for goods by transferring ownership (Harun, 2017). As for what is meant by property is a fundamental part of human life and with these assets, humans can fulfill their needs in the world. To meet these needs, there are muamalah transactions between people. The existence of assets is an object of transaction, either in the form of sales, leasing, debts and receivables, business cooperation and other economic transactions (Djuwaini, 2008).

2. The Legal Basis of Buying and Selling

Buying and selling as a means of mutual help between fellow human beings and has a strong foundation from the Al-Quran and al-Hadith.

1. Al-quran Surat al-Baqarah, 2: 275:

وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا

"And Allah has justified buying and selling and forbidding usury."

2. Al-quran Surat an-Nisa', 4: 29:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ

"O you who have believed, do not consume one another's wealth unjustly [179] but only [in lawful] business by mutual consent. And do not kill yourselves [or one another]. Indeed, Allāh is to you ever Merciful."

3. Hadith of the prophet narrated by Ibn Majah from Abu Sa'id Al-Khudri :

إِنَّمَا الْبَيْعُ عَنْ تَرَاضٍ

"Actually, buying and selling is based on reciprocal licensing"

4. Ijma'

Fiqh scholars and every muslim agree that buying and selling is a valid and jaiz (permissible) contract.

3. Terms and Conditions of Sale and Purchase

There are four pillars of buying and selling as follows :

1. Seller and buyer, required conditions as a seller and buyer, namely by having the ability to act perfectly legal (reasonable, baligh, and rushd)
2. Goods to be traded (objects of sale and purchase) must meet the following requirements:
 - a. The goods are there at the time of the contract or the goods are not there at the time of the contract, but the seller said he was able to provide the goods.
 - b. These goods can be utilized or beneficial to humans.
 - c. The item is in a state of ownership, meaning that the item is not owned by someone may trade.
 - d. The goods can be delivered when the contract takes place or at another agreed time jointly by both parties (seller and buyer) when the contract takes place. Goods criteria must be explained specifically in terms of type, quality, and quantity.
3. Price or money, must meet the following requirements:
 - a. The price agreed by both parties (buyer and seller) has a clear nominal amount.
 - b. Prices can be submitted during the contract, either by cash, check or credit card. If the price of goods is paid later (debt), the time of payment must be clear.
 - c. If the sale and purchase is carried out by bartering (exchanging goods of equal value), if the goods are of the same type, the price, quality and quantity must be the same, but if the goods are not of the same type, then the price, quality and quantity may differ. But the delivery is carried out when the contract takes place (Aarun, 2000)
4. Ijab qabul, as for the conditions as follows:
 - a. Consent must be pronounced clearly, there is conformity between consent and qabul.
 - b. Ijab and qabul are carried out in one forum, meaning that sellers and buyers are in the same place (shops, markets and others)
 - c. Ijab and qabul are allowed to be carried out using written, verbal, gestures and behavior that indicate the existence of consent and qabul activities (Harun, 2017).
5. Goods to be traded (objects of sale and purchase) must meet the following requirements :

4. The definition of buying and selling mu'athah

Mu'athah comes from the word عَطَى - يُعْطَى which means giving to each other in the form of mufa'alah which comes from the word عَطَى which means handing each other over without any contract. Buying and selling mu'athah is when there is an agreement between the seller and the buyer regarding the price and the goods to be traded and hand over to each other by making a qabul consent with a sign or sometimes only one party says the qabul consent. Therefore, this willingness needs to be stated in consent and acceptance.

5. Opinion of Ulama Regarding Buying and Selling Mu'athah

According to Imam Syafi'i, buying and selling mu'athah is not legal if it is equated with buying and selling. He based this opinion on one of the arguments in the hadith of the Prophet as follows:

إِنَّمَا الْبَيْعُ عَنْ تَرَاضٍ

It means :

"Indeed, buying and selling must be on the basis of likes and likes."

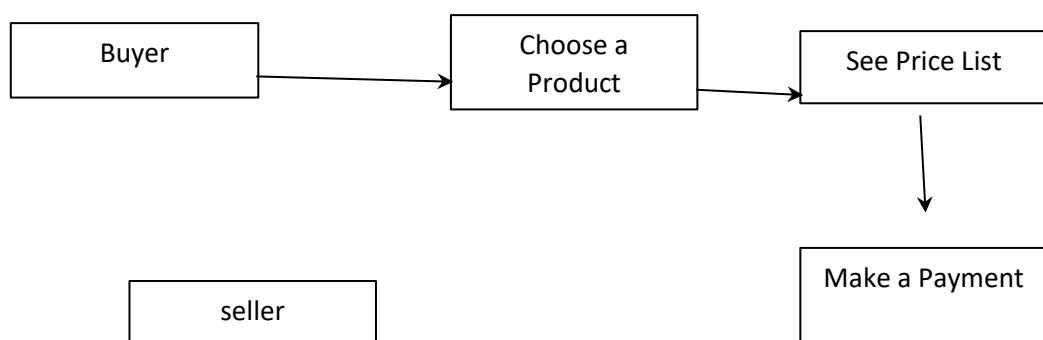
If according to Syafi'iyyah scholars, all buying and selling activities must be carried out using shighat, whether it's cheap or expensive. Then the Hanafiyah scholars argued that the contract was very compatible with online buying and selling transactions, where it was said that the implementation of the consent granted did not have to be expressed verbally, because the size of the consent granted was an element of pleasure felt by both parties making the transaction and the treatment or actions that show the consent qobul.

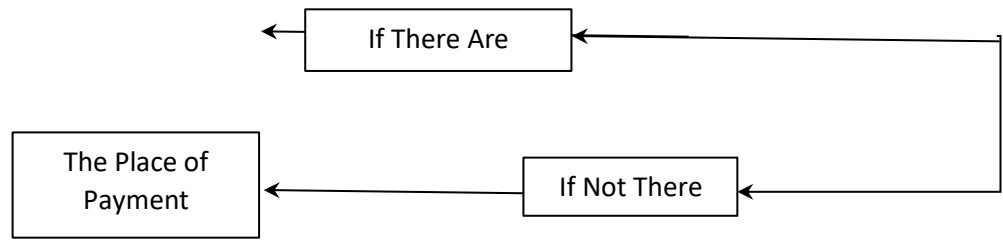
Imam Nawawi, Mutawali, Baghawi and several other scholars are of the opinion that this pronunciation is not a pillar in buying and selling, but is just a habit. If something like this happens, then this has already been determined as a sale and purchase, because there is no clear argument for obliging lafaz. Whether it's by giving action, receiving action or anything that shows pleasure.

6. Mu'athah Sale and Purchase Transaction Scheme

Tabel 3.1

Description of The Mu'athah Sale and Purchase Transaction Scheme





The scheme above presents the flow of the mu'athah contract transaction, the above flow shows that the mu'athah contract transaction is carried out by the buyer viewing the product or goods provided, after that the buyer can see the price of the item through the notes left by the seller, then the buyer can make payment, payments made here can be made directly (if the seller is in place) and indirectly (if the seller is not in place) by placing the purchase money in the place provided.

7. Understanding Honesty Canteen

Honesty canteen is a place where snacks and drinks are sold inside. The honesty canteen does not have a seller and is not supervised. Food and or drinks in this honesty canteen are accompanied by a price list set by the seller. This honesty canteen is a form of movement in anti-corruption education. In practice, an honesty canteen is different from buying and selling activities in general, where sellers and buyers meet. As explained in the transaction system at the honesty canteen, the seller only provides the goods, provides information related to the price of the goods and provides a money box to place payment money from the buyer, thus resulting in one of the pillars of buying and selling, namely a meeting between the seller and the buyer not fulfilled.

As for some research that has been done previously concerned with the problem of this research, among them are:

1. Research conducted by (Handoyo, 2016) entitled: "Buying and Selling in Honest Canteens in an Islamic Economic Perspective". The research was conducted by the author to find out how the practice of buying and selling in the honesty canteen was carried out by students of STAIN Jurai Siwo Metro and provide an understanding of the implementation of buying and selling transactions in the honesty canteen and explain how buying and selling in the honesty canteen in an Islamic perspective.

The difference with this study lies in the research subject and discussion. In this study, it was discussed how the attitude and understanding and knowledge of the Islamic Boarding

School Students KH Mas Mansur UMS related to the legal contract that exists in the Honesty Canteen transaction, while in the research by Ibnu Handoyo above it was carried out to find out the law that applies in buying and selling transactions at the Honesty Canteen. The similarities are the discussion regarding the meaning of the Honesty Canteen and the discussion regarding the law of buying and selling in transactions at the Honesty Canteen.

2. Research conducted by (T. R. Dewi, Rohmah, & Kurniawan, 2020) entitled: "Honesty Canteen as a Means of Instilling Honest Character in Students in Elementary Schools". This research was conducted by the author to find out how the management of honesty canteens as a means of instilling honest traits in elementary school students. The planting of honesty education which was carried out by holding honesty canteens in elementary schools made us realize that education like this really had to be done to form good habits from a young age.

The difference with this study lies in the subject of the study and its discussion. to find out how the influence of the existence of an honesty canteen on the honest nature of students who are at the elementary school education level. The similarities are only about discussing the meaning of the Honesty Canteen.

METHODOLOGY

In this study the authors will use field research methods or field research. This study used field research and obtain qualitative data (Siregar, 2018). Field research referred to here is research conducted by going directly to the research area or location. This research was conducted at the KH Mas Mansur Student Islamic Boarding School, Muhammadiyah University, Surakarta. By doing this research, the writer will obtain the actual information and data from the place that is researched by the writer. The data obtained from this research includes qualitative research with a descriptive approach which will explain how the analysis is obtained from the practice of buying and selling honesty canteens at the KH Mas Mansur Student Islamic Boarding School.

The types of data sources used in this study are in the form of primary and secondary data. Primary data was obtained from the Board of Student and Student Islamic Boarding Schools through questionnaires distributed. The number of respondents from mahasantri was 50 people. The data from the management of the Student Islamic Boarding School was obtained through direct interviews at the Management Office. Management resource persons as many as 4 people; Rijal Ari as the Person in Charge of the Management of the PBC department (Business Center Student Islamic Boarding School) as well as the Co-Founder of the Honesty Canteen, Rodan Jahfal as Chair of the PBC Department for 2020/2021, Yahya Amiqul as Chair of the PBC Department for 2021/2022 and Farisa Nuha as Member of the PBC Department 2021/2022 and documentation, data related to history, obstacles and solutions

from the results of the interviews as well as the results of the distribution of questionnaires which are recorded as a reference for the authorship of this study. The secondary data in this study were taken from several research journals, articles, theses and books with almost the same theme or close to the title of this research.

RESULTS AND DISCUSSION

After doing research by the author, the following are the results obtained :

1. Results of distributing questionnaires to Islamic Boarding School Students KH Mas Mansur Surakarta Muhammadiyah University as Honest Canteen Consumers.

From the questionnaire that was created and distributed by the author, the author obtained 50 respondents from the Islamic Boarding School Students KH Mas Mansur UMS with information as shown in the following table :

Table 4.1
Description of Respondent Profile in General

Respondent Profile	Amount	Percentage
Gender :		
1. Male	13	26%
2. Woman	37	74%
Amount	50	100%
Force :		
1. 2015	1	2%
2. 2016	1	2%
3. 2017	6	12%
4. 2018	11	22%
5. 2019	19	38%
6. 2020	3	6%
7. 2021	5	10%
8. 2022	4	8%
Amount	50	100%

The profile description of the respondents who participated in this study is presented in Table 4.1 which informs that judging from the gender of the respondents, the majority were women with a total of 37 people (74%) and the rest were men with a total of 13 people (26%). Then, judging from the year of the respondent's batch, the 2 batches with a number above 10 are from the 2019 class with a total of 19 people (38%), the 2018 class of 11 people (22%) and the rest is the 2017 class with a total of 6 people (12 %), 2021 class with 5 people (10%), 2022 class with 4 people (8%), 2020 class with 3 people (6%) and 2015 and 2016 class with 1 person each (2%).

Table 4.2

Understanding of Fiqh Muamalah Respondents

Subject	Level of Understanding of Fiqh Buying and Selling		
	Understand	Less Understand	Don't Understand
Sale and Purchase Pillars			
Percentage	84%	16%	0%
Amount	42	8	0
Purchase Terms			
Percentage	100%	0%	0%
Amount	50	0	0

The description of the respondents who participated in this study related to the understanding of Fiqh Muamalah which has been presented in Table 4.2 informs about the level of understanding of the respondents towards the trading branch of Fiqh Muamalah. It can be seen from Table 4.2 in the pillars of buying and selling, showing that 84% of respondents understand these pillars and the remaining 16% of respondents do not really understand the pillars of buying and selling, this is indicated by the majority of respondents choosing the right answer, namely answer (E) (choice a , b, c, e are correct) with a total of 42 people (84%) and the rest chose the wrong answer, namely answer (A) (choices a, b, d are correct) and answer (D) (choices a, b, c, d is correct) with each answer totaling 4 people (8%) and for wrong answers namely answers (B) (choices c, d, e are correct) and answers (C) (choices a, c, d are correct) there are no respondents who chooses.

Then in the second part of Table 4.2, namely the legal terms of sale and purchase, it shows that 100% of respondents understand the legal terms of sale and purchase. This is shown by respondents who chose the right answer, namely answer (A) (having full authority) with a total of 8 people (16%), answer (C) (goods were handed over during the contract) with a total of 32 people (64%) and answers (D) (there must be a similarity between the types or levels) with a total of 10 people (20%) and wrong answers, namely answers (B) (there is capital) and answers (E) (the harvest must be divided equally) no respondent chooses.

Table 4.3

Respondents Honesty Canteen Shopping Intensity

Amount Percentage intensity scale

Intensity Scale	Percentage	Amount
1 – 5	64%	32
6 – 10	16%	8
11 – 15	10%	5
16 – 20	2%	1
>20	8%	4
Amount	100%	50

Descriptions of respondents who have participated in this study have been presented as in Table 4.3 which informs about how often students of KH Mas Mansur UMS Islamic Boarding School students shop at the Honesty Canteen of KH Mas Mansur UMS Student Islamic Boarding School, the majority of respondents shop on a scale of 1-5 times at the Honesty Canteen in the period of time for one month totaling 32 people (64%), shopping scale 6-10 times in one month totaling 8 people (16%), shopping scale 11-15 times in one month totaling 5 people (10%), then shopping scale 16- 20 amounted to 1 person (2%) and the last scale shopping more than 20 times amounted to 4 people (8%).

Tabel 4.4

The Tendency of Respondents on Honesty Canteen Payments

Subject	Percentage	Amount
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Cash	60%	30
Indirect Payment	40%	20
Amount	100%	50

Description of the Tendency of Respondents on payments at the KH Mas Mansur Pesma Honesty Canteen as presented in Table 4.4 informs that the majority of Pesma KH Mas Mansur UMS students make payments at the KH Mas Mansur UMS Honesty Pesma Canteen by means of direct payments as shown by the number of 30 people (60%) and the rest, namely Mahasantri who make payments indirectly or delay payments when making transactions at the KH Mas Mansur Pesma Honesty Canteen as shown by the number of 20 people (40%).

1. Results of an interview with the Management of PBC (Pesma Business Center) as Person in Charge and Manager of the Honesty Canteen

The beginning of the formation of the KH Mas Mansur Student Islamic Boarding School Honesty Canteen was in 2018 where at that time one of the KH Mas Mansur Pesma staff saw many Pesma Mahasantri who had a passion for selling independently and finally he gathered a number of these Mahanstri to become cooperative administrators at that time. The cooperative runs regularly and is maintained periodically by the management. Gradually the cooperative administrators begin to be preoccupied with other activities and the cooperative eventually changes the system to an Honest Canteen which runs without cooperative guards. By changing the existing system, it does not rule out the possibility of changes and or additional obstacles that are felt by the administrators of the KH Mas Mansur Student Honesty Canteen, some of these obstacles are as follows :

1. It is difficult to calculate profits in real terms due to the non-systematic calculation of goods
2. 2.Lost merchandise cannot be easily detected
3. 3. Lack of personnel in the management of the KH Mas Mansur Pesma Honesty Canteen
4. 4. The system behind the scenes is still a mess
5. Many of the Mahasantri Pesma KH Mas Mansur delayed payments

CONCLUSION

According to the view of Islamic law, transactions that exist in the practice of the Honesty Canteen are valid because there is a delivery and receipt of goods between the seller and the buyer without any words of consent from the two of them or only one of the parties says it and the transaction has fulfilled the conditions of your sale and purchase contract. *atah*. In this case, the buying and selling activities that exist in the Honesty Canteen of the KH Mas Mansur UMS Islamic Boarding School have fulfilled the legal requirements of buying and selling and the existing system in practice is in accordance with the existing Shari'a. In the theory of Fiqh Muamalah, it is explained that in every transaction there are conditions and pillars that must be met to perfect and make the contract valid and this applies to one of the contracts, namely the sale and purchase contract. From the data taken in this study, it shows that the students of the KH Mas Mansur Islamic Boarding School understand how the laws, conditions, and pillars apply in *mu'amalah*, especially in transactions that occur in the Honesty Canteen of the KH Mas Mansur Student Islamic Boarding School. With the knowledge understood by Mahasantri Pesma Mas Mansur, besides that they can apply this understanding in life. An example is making transactions at the Honesty Canteen of the KH Mas Mansur UMS Student Islamic Boarding School.

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