

Practices of Buying Chicken According to Imam Syafi'i's Views in Traditional Markets

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Article Info:

Article history: Accepted, 10/12/2023, | Revision, 20/01/2024, | Published, 28/02/2024, | Vol (2), Issue (1), (Feb, 2024)
e-ISSN 2987- 6036 | p-ISSN 2988-0319 | doi: <https://doi.org/10.61233/zijec.v2i1.78>

Abstract:

Buying and selling is the exchange of goods or objects with agreements or conditions that have been agreed upon. In this buying and selling there are conditions and pillars that must be carried out, there are also provisions for the conditions themselves according to the imams, one of whom is Imam Shafi'i. This research discusses the practice of buying and selling broiler chickens according to the views of Imam Syafi'i in traditional markets (Case Study of Pandan Jaya Village, Geragai District, East Tanjung Jabung District). The problem in this research is first, what is the practice of buying and selling broiler chickens in the traditional market in Pandan Jaya Village? second, what is Imam Syafi'i's view of the practice of buying and selling broiler chickens? The method used in this research is a qualitative method with a case study approach. The data collection methods used were observation, interviews and documents and data sources were obtained from primary and secondary data. The results of this research are that the buying and selling practices that occur in the traditional market of Pandan Jaya Village in transactions do not have a feeling of mutual liking or sincerity, this is due to fraud and the attitudes of both parties (seller and buyer). Imam Syafi'i's views of the practice of buying and selling broiler chickens states that buying and selling is permitted, then he explained that there are pillars and conditions that must be met. Meanwhile, there is one pillar that is not fulfilled, namely the contract (ijab qabul) which is not carried out consensually or sincerely.

Keywords:

Buying and Selling, Slaughtered Chicken, Imam Syafi'i, Traditional Market.



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INTRODUCTION

The religion of Islam is the perfected religion of Allah which has the aim of providing guidelines (rules) for humans, including beliefs, manners, morals, beliefs, commands and prohibitions. One of them is in the field of economic activity. These guidelines (rules) are in outline form only, so that there are opportunities for further development of economic activities. In 2022 the largest religion in the world will be Christianity, then the second largest religion will be Islam which is followed by more than 1.9 billion people. In the Islamic religion there is something known as a madzhab, a madzhab is the main idea or basis used by mujtahid imams in solving a problem or enshrining Islamic law. There are 4 known schools of thought in the world, namely: First, Imam Hanafi, whose full name is Abu Hanifah Al-Nu'man bin Thabit bin Zutha. He was born in Iraq and was nicknamed Abu Hanifah (Hamirudin, Harjan Syuhada, 2001). The two Maliki Imams have the

full name Malik bin Anas bin Malik. He was born in Madinal al Munawwaroh. The three Hambali Imams, whose full names are Ahmad bin Muhammad bin Hanbal bin Hilal bin Asad bin Idris bin Abdillah bin Hayyan bin Abdillah bin Anas bin Auf bin Qasith bin Mazin, were born in Mary Turkmenistan. The four Shafi'i Imams have the full name Abu Abdillah Muhammad bin Idris bin al-Abbas bin Uthman bin Syafi' bin as-Sa'ib bin Ubaid bin Abdi Yazid bin Hasyim bin al-Mutthalib bin Abdi Manaf bin Qushai. He was born in Gaza, Palestine (Hamirudin, Harjan Syuhada, 2001).

Imam Syafi'i is a scientific figure in the Islamic field, he mastered literature, tafsir, hadith, fiqh, ushul fiqh and others. Even for the science of ushul fiqh, he is seen as the founder and compiler of the study of ushul fiqh. In the field of jurisprudence, he has also expressed many of his thoughts, these thoughts include: leasing, syirkah, murabahah, accounts receivable, khiyar, buying and selling and so on. According to Imam Syafi'i, buying and selling is a contract that contains an element of exchanging property for property, of course, obtaining ownership of the item. He is of the opinion that the terms and conditions of buying and selling contracts (ijab and qabul) must be carried out even in the form of small items. Furthermore, the object of the contract must be pure, while wine, carrion, pork and idols cannot be sold because they are unclean, but idols are not allowed because they have no benefit, not because they are unclean, and idols may be sold if they are broken and sold in the form of stones (Hendi Suhendi, 2008). Buying and selling is the most important circle in human economic activities; this buying and selling is usually found in traditional markets.

Buying and selling if seen in general is something that is permitted and is a basic form of human economic activity, buying and selling is the exchange of goods or objects with agreements or conditions that have been agreed upon, according to the Shari'ah, what is meant by buying and selling is the exchange of assets on the basis of willing to each other or transfer property in exchange that can be justified (Tira Nur Fitria, 2017). With this buying and selling, people can meet their daily needs, and in the buying and selling process honesty is also expected from both parties (seller and buyer) with the aim of each party not only getting worldly blessings but also blessings in the hereafter. In carrying out buying and selling transactions, there are conditions that must be fulfilled based on Islamic law, the conditions for buying and selling include: the contract (ijab and qabul), the person making the contract (seller and buyer), and the object of the contract (Daharmi Astuti, 2018). Buying and selling often occurs in traditional markets.

Traditional markets are places where sellers and buyers meet to carry out transactions, usually characterized by direct transactions between sellers and buyers and a bargaining process and an open space environment (Istikerjagul Aliyah, 2017). Like the traditional market in Pandan Jaya Village, Geragai subdistrict, East Tanjung Jabung district, the Pandan Jaya Village traditional market is a market that is held every Sunday and is visited by many people, apart from being a holiday, the strategic location also attracts visitors and traders. The Pandan Jaya Village traditional market is a market that can be said to be large, the reason is because the traders do not only come from East Tanjung Jabung but some come from Jambi City. In the traditional market in Pandan Jaya Village there are many sellers, including sellers of broiler chickens who are very easy to find.

Broken chicken is a food that is very popular among people because it has high protein and is relatively cheap when compared to beef, goat, buffalo and free-range chicken. With the high demand

for broiled chicken meat in the traditional market in Pandan Jaya Village, Geragai subdistrict, East Tanjung Jabung district, the author sees several problems that the author encounters, including: Firstly, there is the problem of scales (this problem often occurs in some sellers where sellers cheat on the scales, which when weighed at the chicken place amounts to 1 kg, but after weighing it at home the number of chickens is less than 1 kg). This problem is the same as Islam regulates a person in buying and selling, namely being required to be fair by fulfilling the measurements and scales. In this way, no one party is harmed. Those who buy and sell are prohibited from reducing the measure or being measured and are also prohibited from reducing the scale or what is being weighed. This is as stated by Allah in the Al-Quran, Surah Hud verse 84. The meaning of this verse is that Allah sent the Prophet Shuaib to advise the middle-class people to worship Allah and not cheat the scales in business, because this action is the same as cheating people, in fact their condition is good economy with a fertile area. The purpose of Allah SWT in prioritizing the issue of scales in the Prophet Syu'aib's treatise is not just weighing or hoarding but encouraging humans to do and act correctly and uphold the rights of other people (Ulfah octaviani, 2018). This is intended to ensure peaceful human life when carrying out buying and selling activities.

Second, there is a lack of honesty regarding quality (this occurs where sellers usually lie about the quality of the chicken, whether the chicken was yesterday and resold or the chicken is old chicken). This problem is as Islam regulates Gharar which is prohibited in Islamic law, therefore carrying out transactions or providing conditions in contracts that contain elements of gharar is legally prohibited, the prohibition on gharar has the aim of buyers making transactions to get goods that are without defects and according to their wishes, as well as sellers transact to gain profit, this condition is detrimental to one or all of the parties to the contract and is very likely to give rise to disputes and hostility. Gharar in the study of Islamic law means doubt, deception or action aimed at harming other people, so that gharar is a contract that is prohibited in Islamic law (Muhamad Fakhrudin, Isti Nuzulul Atiah, Mohamad Ainun Najib, 2022). Every transaction in Islam must be based on the principle of mutual consent between both parties, they must have the same information so that neither party feels cheated. The maqshid (purpose) of prohibiting gharar is so that no party to the contract is harmed, they do not get their rights and so that there is no dispute and hostility between them.

Third, lack of awareness of buying and selling practices that should be in accordance with existing conditions (this problem often occurs in sellers who do not pay attention to buying and selling practices that should be used, such as *ijab qabul* and there is no clarity about who is slaughtering the chicken. The problem of *ijab qabul* is as stated by Imam Syafi'i states that, no matter how small an item, it must be done with a *qabul* agreement (Hendi Suhendi, 2008). Then, if the slaughter is not carried out in a *syar'i* manner and is not slaughtered in the name of someone other than Allah, then the chicken can be said to be carrion and it is not halal to eat it. That is based on the word of Allah SWT in Q.S Al-An'am verse 121. The meaning of this verse is that those who make lawful something that Allah has made unlawful or forbid something that Allah has made lawful, then they are polytheists, because in this way they has determined that there are parties who have the right to make sharia apart from Allah SWT (Department of Religion of the Republic of Indonesia, 2011). Slaughter is a halal requirement for land animals that can be consumed. This

means that the animal is not halal without the slaughter process. The slaughterer is required to be a Muslim or People of the Book (Jews and Christians). Based on this problem, the author wants to study further about "Practices of Buying and Selling Broken Chicken According to the Views of Imam Syafi'i in Traditional Markets (Case Study of Pandan Jaya Village, Geragai District, East Tanjung Jabung Regency)".

METHOD

In this research, the author uses a qualitative method, a qualitative method is research that does not use thematic or statistical models, this method is carried out in natural conditions of discovery (Mamik, 2015). The aim of using qualitative methods is to gain an understanding of human and social problems (Muhammad Rijal Fadli, 2021). Qualitative method research leads to reality. This research uses a case study design. The case study approach is an empirical investigation that investigates contemporary phenomena in real life (Ratna Dewi Nuraini, 2019). This case study research was carried out directly in the field to obtain the necessary data. Research is carried out directly at the object, as an effort to collect data and various information. This research also uses library research. Library research is research carried out with literature (libraries), whether in the form of books, reports of previous research results, or notes as complete data support.

RESULTS AND DISCUSSION

Results

In the previous description, the data from the research results was described. The data presented were obtained from interviews and observations at the traditional market in Pandan Jaya Village. There are several findings obtained from the field, namely:

- a) The reason sellers sell broiler chickens is due to several things, such as unemployment, looking at existing opportunities and the short time needed to harvest broiler chickens. And the competition is getting tighter, because there are more and more sellers.
- b) Losses often occur, so sellers and buyers of broiler chickens have their own ways of minimizing these losses.
- c) Sellers use various methods to maintain the quality of broiler chickens and respond to buyers' complaints. And buyers determine quality based on the color of the chicken meat.
- d) Public interest is high in purchasing broiler chickens so strategies are carried out to attract buyers
- e) Transactions that occur in this market, if there is money, there will be goods and there are many things that cause feelings of insincerity between sellers and buyers.
- f) Not all sellers and buyers know and apply the terms and conditions of buying and selling
- g) The seller and buyer have implemented the seller and buyer terms
- h) Not all sellers and buyers know about Ijab Qabul and its application.
- i) Buyers choose broiler chicken because the meat is tender and delicious, high in protein and the price is cheaper than the price of free-range chicken, goat or beef.

Discussion

1. Practice of buying and selling broiler chickens at the traditional market in Pandan Jaya Village

In the market, trader fraud is very common among traders in various places today. As happened in the Pandan Jaya Village Traditional market, there are many traders who do not provide real service. This is of course very detrimental to consumers in that market. Merchant fraud can occur due to many things, for example because buyers make too many demands so that sellers feel annoyed and have to rethink what they can do to attract customers again and ultimately commit fraud. For this reason, it means that the *ijab qabul* contract cannot be carried out, because there is no mutual willingness or sincerity.

In a market which is actually a place where buying and selling transactions take place, of course there are many kinds of goods being sold. In this context, one of them is broiler chicken. It cannot be denied that there are many broiler chicken sellers in the traditional market in Pandan Jaya Village, because chicken is one of the meats that is much sought after and consumed by the public. Chicken is an animal that is halal for consumption. The broiler chicken business is well known throughout the country.

Based on interviews, observations and documentation carried out by the author, it is known that the buying and selling practices in the Pandan Jaya Village Traditional Market, Geragai District are: There are quite a lot of chicken traders selling at the Pandan Jaya Village Traditional Market, Geragai District because of its strategic location and buyers come from various villages and sub-districts. According to data from the manager of the Pandan Jaya Village Traditional Market, Geragai District, there are around 250 traders, including chicken traders, meat traders, fish traders, food traders, vegetable traders and others. Meanwhile, there are 10 chicken sellers.

There are quite a lot of chicken trading transactions that occur every week at the Pandan Jaya Village Traditional market, at least each trader sells approximately 80-120 chickens. Apart from that, traders also deliver chicken to their customers from restaurants, traveling traders and meatball mills. Every week there are at least 2 small cars carrying chickens into the Pandan Jaya Village Traditional market, most of the chicken suppliers are chicken breeders in the Parit Culum I sub-district and there are also chicken breeders in Jambi Province.

The practice of buying and selling broiler chickens that occurs in the traditional market in Pandan Jaya Village, Geragai District, is: Judging from the large number of people interested in broiler chicken capital, chickens can be sold before they are 8 weeks old, this is because at that age their body weight is almost the same as a one-year-old village chicken. The public knows this broiler chicken for its various advantages, including that it only takes 5-6 weeks before it can be sold or harvested. According to the author's observations in the field, one of the reasons traders sell broiler chickens is because they can be sold at 5-6 weeks of age, meaning the chickens can be harvested in a short time so the chickens will rarely run out of stock. Another reason is because they saw the opportunity, namely that there were lots of buyers and some of them accepted the invitation because

they were unemployed. In the practice of buying and selling there is competition that is getting tighter and tighter, this is because the number of sellers is increasing over time. This is because the traditional market in Pandan Jaya Village is a large market so that buyers do not only come from that village but from various villages and sub-districts. is in East Tanjung Jabung.

In buying and selling, it is not uncommon to experience losses, losses are the amount of expenses or costs that are greater than the income received. To overcome or minimize it, you must have a plan. Planning is a process of determining what you want to achieve and determining the stages needed to achieve it. According to the author's observations in the field, broiler chicken traders in the Pandan Jaya Village Traditional Market, Geragai District, when buying and selling, often experience losses due to not having finished the chicken they sell. In dealing with losses, some traders also have their own ways of minimizing them, including maintaining quality. chicken, cheaper prices or only carrying a small amount of merchandise. Buyers can also feel disadvantaged as a result of traders cheating on scales and quality, therefore buyers have ways to minimize these losses, including by choosing a more expensive price but high quality, choosing good scales and choosing to buy from customers who already know they are fresh. .

Fresh chicken meat has a pink color, elastic chewy skin texture and a fishy aroma that is typical of fresh meat. Meanwhile, chicken meat that is not fresh is characterized by an unpleasant odor, the surface of the meat is rougher, the color is paler or blue. According to the author's observations in the field, buyers of broiler chickens at the Pandan Jaya Village Traditional Market, Geragai District, when choosing quality, buyers look at the color of the meat, if it is still pink then the broiler meat is still fresh. However, if it is pale then the meat is no longer of good quality.

Buyers' interest in broiler chickens is actually high, but it all also depends on people's own income which determines the level of interest in buying broiler chickens. There are various strategies used by sellers to attract buyers, including lowering prices, maintaining scales, or maintaining quality. Buying and selling according to Sharia is the mutual exchange of property for property with mutual consent with permitted transfer of property rights. According to the author's observations in the field, buyers and sellers of broiler chickens at the Pandan Jaya Village Traditional Market, Geragai District, in carrying out transactions between sellers and buyers, have many things that cause feelings of insincerity, including: sellers feel disingenuous when buyers bid too far and denigrate the quality of the chicken, buyers ask for additional meat even though they only bought a little, buyers come at the end but ask to be given priority, giving money is not in accordance with the agreed decision and buyers who ask for chicken pieces are not reasonable. Buyers have feelings of insincerity during transactions between them: sellers who cheat on scales, lie about quality and sellers who are angry because they are asked for discounts.

Broken chicken is a food that is very popular among people because it has high protein and is relatively cheap when compared to beef, goat, buffalo and free-range chicken. According to the author's observations in the field, chicken buyers at the Pandan Jaya Village Traditional Market, Geragai District choose broiler chicken because the meat is tender and delicious, it is also high in protein and the price is cheaper than the price of free-range chicken, goat or beef. Looking at the terms and conditions regarding sales and purchase contracts in Islam, the Aqid (seller and buyer)

must be mature, have their own will, and not be wasted. The contracts of fools, children and drunk people are invalid. According to the author's observations in the field, the majority of all chicken sellers and buyers at the Pandan Jaya Village Traditional Market, Geragai District, are Muslim and are adults and sensible. So, in terms of the subject or perpetrator (aqid), the buying and selling that occurs in the Pandan Jaya Village Traditional Market, Geragai District already knows the legal provisions that apply in Islam.

In terms of the object, the conditions for goods being bought and sold or contracted in Islam are that the goods are clean (pure), can be used by the person making the contract, are able to hand them over, know that the goods being contracted are in their hands. From several conditions for the object of the contract above, in practice in the field the conditions have been met. Viewed from the perspective of the agreement of sale and purchase agreement, it is divided into three parts, verbally, by intermediary and by deed. A contract of sale and purchase made verbally is a contract that is carried out by most people, for mute people it is replaced by signs, signs are a natural way of expressing one's will, what is seen in a contract is the intention or will and understanding, not speech and statements. Meanwhile, the practice of buying and selling broiler chickens that occurs at the Pandan Jaya Village Traditional Market, Geragai District, is not expressed verbally but is usually agreed between the seller and the buyer, but in this verbal practice there is a lot of mutual dislike or sincerity from each party in the transaction. So it could be said that the buying and selling of broiler chickens that took place at the Pandan Jaya Village Traditional Market, Geragai District, did not meet the terms of harmony and conditions, namely the agreement of consent or mutual love or sincerity.

2. Imam Syafi'i's views on the practice of buying and selling broiler chickens

Imam Syafi'i is one of the four imams known in the world. Imam Syafi'i explained that buying and selling in terms is a contract with the intention of exchanging property for property to be owned for certain, while buying and selling in language means exchanging goods for other goods. In another sense, buying and selling is the exchange of assets for benefits that can be used forever. Buying and selling is an activity that requires a contract, this contract has pillars and within these pillars there are conditions. Imam Syafi'i explained that buying and selling has harmony and conditions that must be carried out, including:

- a) Sellers and buyers have conditions, rationality, their own will, maturity or baliqh.
- b) Ijab Qabul has conditions that it is not linked to any conditions or timing, there is no long pause between the pronunciation of ijab and qabul, the ijab qabul must be appropriate, willing and the same as what was said in the ijab qabul sentence.
- c) The object has the conditions of being valuable according to the law, it is present at the time of the contract, it is useful, it can be measured or counted, the person making the contract must have power or ownership over the item, it must be known to both parties.

Prohibited buying and selling are: selling milk that has not been squeezed, selling fruit that is not yet ripe on the tree, buying and selling that contains elements of gambling, two buying and selling in one buying and selling contract, selling debt with debt, selling goods that do not yet belong to the seller. Based on the buying and selling of broiler chickens that takes place at the Pandan Jaya

Village Traditional Market, it is in accordance with Imam Syafi'i's view that the initial buying and selling is permissible, as long as there is a feeling of mutual consent or sincerity. If we look at it objectively, the broiler chickens sold at the Pandan Jaya Village Traditional Market meet the requirements, namely goods that are owned by oneself or represented by another person, can be handed over, have clear benefits and are known to both parties to the contract. So, Imam Syafi'i's view, when viewed from an object perspective, meets the requirements.

If we look at the people who have a contract, namely the sellers and buyers of broiler chickens at the Pandan Jaya Village Traditional Market, they have met the requirements, namely: Adult or conscious, not forced or without rights, the buyer is not an enemy, and the requirement of being Muslim is only for buying and selling, as in Al-Qur'an. So, Imam Syafi'i's view, when viewed from the perspective of the person making the contract, meets the requirements. If we look at the contract (ijab qabul), namely the sighat or greetings at the Pandan Jaya Village Traditional Market, they do not meet the requirements, this is because in making transactions there is still no mutual willingness or sincerity from each party, things still often happen that make Both parties have feelings of unwillingness or sincerity. The sighat or utterance of buying and selling broiler chickens that occurred at the Pandan Jaya Village Traditional Market was not a sighat or clear utterance in which each word clearly shows the meaning of the sale and purchase, but the sighat or utterance that occurred at the Pandan Jaya Village Traditional Market was a sarcastic utterance that was said to be contains the meaning of buying and selling.

CONCLUSION

Based on the results of the research and discussion that the author conducted regarding the practice of buying and selling broiler chickens according to Imam Syafi'i's views in traditional markets (Case Study of Pandan Jaya Village, Geragai District, East Tanjung Jabung Regency) it can be concluded that:

- 1) The practice of buying and selling broiler chickens at the traditional market in Pandan Jaya Village still has a lot of fraudulent behavior by sellers and buyers, fraudulent behavior by traders such as: cheating in the weighing and quality of the broiler chickens being sold. Meanwhile, the behavior of buyers that makes traders dislike them is: denigrating the quality so that the price is far from the original price, when the transaction pays not according to the agreement, asking for extras or excessive discounts, and asking to be served first and often getting angry even though they come last. This is what causes each party to feel a sense of lack of sincerity and willingness to carry out the transaction. At the Pandan Jaya Village Traditional Market, buying and selling can be said to be illegal because traders cheat both in weight and quality and buyers cheat intentionally which can harm other parties.
- 2) Imam Syafi'i's view regarding the practice of buying and selling broiler chickens is permissible by fulfilling the pillars and conditions of sale and purchase. According to Imam Syafi'i, the pillars and conditions of sale and purchase include:

- a) People who enter into a contract have the following requirements: being Muslim (especially buying and selling related to Islam), mature or conscious, the buyer is not an enemy (especially swords for people fighting Muslims), not forced or without rights.
- b) The goods (object of the contract), have the following conditions: sacred, the goods belong to oneself or represent another person, can be handed over, are clearly useful and known to both parties to the contract.
- c) Contract (ijab and qabul), this speech is divided into two, namely: clear speech and insinuating speech. The contract (ijab and qabul) has conditions: The qabul is pronounced by the person to whom the agreement is addressed, shown to the entire body of the contract, facing each other, must mention the item or price, the pronunciation of the agreement must be perfect and not separate, the pronunciation must not change, it must not be associated with time or something that has nothing to do with the contract.

The buying and selling that occurred in the traditional market of Pandan Jaya Village was not valid or not as it should be because in the contract (ijab qabul) there was a feeling of unwillingness or sincerity from both parties (seller and buyer) which was caused by fraudulent behavior from both parties (seller and buyer). In fact, consent must be done with sincere feelings or like it.

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