

ABSTRAK

Fenomena jual beli online melalui media sosial, khususnya Facebook, semakin berkembang pesat di tengah masyarakat, termasuk di wilayah Kwanyar. Grup jual beli motor bekas di platform tersebut menjadi alternatif yang diminati karena kemudahan akses dan jangkauan yang luas. Namun, praktik jual beli ini kerap menimbulkan permasalahan, seperti informasi kendaraan yang tidak sesuai, kurangnya kejelasan akad, serta potensi kerugian bagi konsumen. Berdasarkan hal tersebut, penelitian ini bertujuan untuk menganalisis praktik jual beli motor bekas dalam grup Facebook Kwanyar dari perspektif hukum Islam dan hukum perlindungan konsumen di Indonesia.

Penelitian ini menggunakan pendekatan kualitatif dengan metode studi kasus. Data diperoleh melalui observasi langsung terhadap aktivitas jual beli di grup Facebook, wawancara dengan beberapa pelaku jual beli (penjual dan pembeli), serta dokumentasi terkait transaksi yang dilakukan. Analisis data dilakukan secara deskriptif kualitatif dengan mengacu pada prinsip-prinsip akad jual beli dalam Islam dan ketentuan dalam Undang-Undang Perlindungan Konsumen No. 8 Tahun 1999.

Penelitian ini menunjukkan bahwa praktik jual beli motor bekas di Kwanyar umumnya sah menurut hukum Islam karena memenuhi unsur akad dan menghindari gharar berat. Namun, masih ditemukan ketidakterbukaan informasi oleh penjual, seperti tidak mencantumkan kondisi lengkap kendaraan, yang berpotensi melanggar hak konsumen dan ketentuan dalam Undang-Undang Perlindungan Konsumen. Temuan ini menegaskan pentingnya transparansi dan tanggung jawab dalam transaksi online agar sesuai dengan prinsip syariah dan hukum positif.

Kata kunci: jual beli motor bekas, hukum Islam, perlindungan konsumen

ABSTRACT

The phenomenon of online buying and selling through social media, especially Facebook, is growing rapidly in society, including in the Kwanyar area. Used motorcycle buying and selling groups on the platform are a popular alternative due to easy access and wide reach. However, this buying and selling practice often causes problems, such as incorrect vehicle information, lack of clarity of contracts, and potential losses for consumers. Based on this, this study aims to analyze the practice of buying and selling used motorcycles in the Kwanyar Facebook group from the perspective of Islamic law and consumer protection law in Indonesia.

This study uses a qualitative approach with a case study method. Data were obtained through direct observation of buying and selling activities in Facebook groups, interviews with several buying and selling actors (sellers and buyers), and documentation related to the transactions carried out. Data analysis was carried out descriptively qualitatively by referring to the principles of buying and selling contracts in Islam and the provisions of the Consumer Protection Law No. 8 of 1999.

This study shows that the practice of buying and selling used motorbikes in Kwanyar is generally legal according to Islamic law because it fulfills the elements of akad and avoids severe gharar. However, there is still a lack of transparency of information by sellers, such as not listing the complete condition of the vehicle, which has the potential to violate consumer rights and provisions in the Consumer Protection Law. This finding emphasizes the importance of transparency and responsibility in online transactions in order to comply with sharia principles and positive law.

Keywords: *used motorcycle buying and selling, Islamic law, consumer protectio*