

ABSTRAK

Praktik bagi hasil dengan sistem *sara'an* yang berlaku antara nelayan dan pemilik perahu di Kecamatan Masalembu berjalan berdasarkan kesepakatan yang telah disetujui kedua belah pihak sebelum melaut. Hasil dari tangkapan ikan kemudian dibagi sesuai dengan kesepakatan awal tersebut. Kerja sama ini berlangsung atas dasar kesepakatan bersama dan kerelaan kedua pihak dalam menentukan pembagian hasil, meskipun tidak didukung dengan perjanjian secara tertulis.

Adapun jenis penelitian yang dilakukan peneliti merupakan penelitian lapangan yang menggunakan metode pendekatan kualitatif. Sedangkan teknik pengumpulan data yang digunakan adalah dengan menggunakan teknik wawancara dan observasi langsung terkait praktik *sara'an* yang berlaku antara pemilik perahu dan pekerja nelayan di Kecamatan Masalembu.

Berdasarkan analisis yang dilakukan, hasil penelitian menunjukkan bahwa praktik *sara'an* masih banyak digunakan dan dianggap mencerminkan keadilan menurut kearifan lokal, meskipun penerapannya belum sepenuhnya sejalan berdasarkan prinsip akad *mudharabah* dalam perspektif hukum Islam. Praktik *sara'an* yang terjadi antara pemilik perahu dan pekerja nelayan yang terjadi di Kecamatan Masalembu dengan sistem 70% bagian untuk pemilik perahu sedangkan 30% sisanya dibagikan kepada para pekerja. Sistem ini memiliki keunggulan dalam menjaga keseimbangan sosial, namun adanya ketidakseimbangan dalam pembagian hasil yang bisa merugikan pihak nelayan. Oleh sebab itu, diperlukan adanya pembaruan serta penyuluhan mengenai prinsip keadilan syariah agar tradisi *sara'an* tetap relevan dan berjalan secara adil di masa mendatang.

Kata Kunci: *Sara'an*, Pembagian Hasil, *Mudharabah*

ABSTRACT

The profit-sharing practice using the sara'an system between fishermen and boat owners in Masalembu District is carried out based on an agreement mutually accepted by both parties before going to sea. The fish catch is then divided according to the initial agreement. This cooperation is conducted on the basis of mutual consent and willingness of both sides in determining the profit-sharing arrangement, although it is not supported by any written contract.

The type of research conducted by the researcher is field research employing a qualitative approach. The data collection techniques used in this study involve interviews and direct observation related to the practice of sara'an applied between boat owners and fishing workers in the Masalembu District.

Based on the conducted analysis, the results of the study indicate that the practice of sara'an is still widely implemented and is perceived as a reflection of justice according to local wisdom, although its application is not yet fully aligned with the principles of mudharabah contracts from the perspective of Islamic law. The sara'an practice observed between boat owners and fishermen workers in Masalembu District operates under a system in which 70% of the earnings are allocated to the boat owner. In comparison, the remaining 30% is distributed among the workers. This system has the advantage of maintaining social balance; however, the unequal distribution of profits may potentially disadvantage the fishermen. Therefore, there is a pressing need for reform and education regarding the principles of Sharia justice, so that the sara'an tradition can remain relevant and be implemented fairly in the future.

Keywords: *Sara'an, Profit Sharing, Mudharabah*