

ABSTRAK

Praktik *du'uman sara* atau pembagian kasaran merupakan sistem tradisional pembagian hasil penangkapan ikan yang berkembang di kalangan nelayan Desa Klampis Timur, Kecamatan Klampis, Kabupaten Bangkalan. Sistem ini merujuk pada pembagian hasil secara kasaran tanpa memperhitungkan biaya operasional, dan dijalankan atas dasar kesepakatan lisan serta nilai keadilan lokal. Meskipun dianggap adil oleh masyarakat, praktik ini belum dikaji secara mendalam dari sudut pandang hukum ekonomi syariah dan pendekatan sosiolegal.

Penelitian ini menggunakan metode kualitatif dengan pendekatan yuridis dan sosiolegal. Data dikumpulkan melalui wawancara mendalam, observasi, dan studi dokumentasi terhadap nelayan, pemilik kapal, serta tokoh masyarakat. Analisis dilakukan dengan memadukan kajian normatif hukum ekonomi syariah (khususnya akad syirkah) dan sosiolegal yang menganalisis antara norma hukum dan praktik sosial masyarakat.

Hasil penelitian menunjukkan bahwa meskipun belum sepenuhnya sesuai dengan prinsip hukum ekonomi syariah, praktik *du'uman sara* mengandung nilai keadilan dan solidaritas antar masyarakat maupun nelayan yang tinggi. Terdapat beberapa aspek yang perlu ditingkatkan, seperti kejelasan kesepakatan akad, keseimbangan peran antara nelayan dan juragan serta perlindungan hukum bagi awak kapal. Penelitian ini bertujuan agar adanya edukasi hukum ekonomi syariah dan sosiolegal berbasis kearifan lokal agar sistem tradisional ini dapat bertransformasi menjadi praktik yang adil, sah, dan berkelanjutan.

Kata Kunci: ***Du,uman sara, syirkah, Praktik ,Hukum ekonomi , Sosiolegal***

ABSTRACT

The practice of du'uman sara, or "rough sharing," is a traditional system of fish catch distribution that has developed among fishermen in East Klampis Village, Klampis District, Bangkalan Regency. This system refers to a rough distribution of the catch without taking operational costs into account, and is carried out based on verbal agreements and local values of justice. Although considered fair by the community, this practice has not been studied in depth from the perspective of Islamic economic law and socio-legal approaches.

This research used qualitative methods with juridical and socio-legal approaches. Data were collected through in-depth interviews, observations, and documentation studies with fishermen, boat owners, and community leaders. The analysis was conducted by combining normative studies of Islamic economic law (specifically the syrkah contract) and socio-legal studies that analyze the relationship between legal norms and social practices.

The results indicate that, although not fully compliant with Islamic economic law principles, the practice of du'uman sara embodies strong values of justice and solidarity between the community and fishermen. Several aspects need improvement, such as clarity of the contract agreement, the balanced role between fishermen and boat owners, and legal protection for crew members. This research aims to provide education on sharia economic law and socio-legal issues based on local wisdom so that this traditional system can be transformed into a fair, legitimate, and sustainable practice.

Keywords: Du'uman sara, syirkah, Practice, Economic law, Sociolegal