

ABSTRAK

Utang piutang dikenal dalam Islam dengan sebutan *qarḍ*. Dalam penelitian ini kasus utang piutang di Desa Balong Kecamatan Kembang kabupaten Jepara, dimana pemberi utang memberi bantuan berupa emas pengembaliannya menggunakan uang, dalam hal ini pengembalian utang atau pinjaman harus sama bentuk, sifat, dan wujudnya. Pelaksanaan utang piutang ini tentu ada pihak yang dirugikan, karena pengembalian utangnya berupa barang yang berlainan jenis, wujud, sifat, dan bentuk. Penelitian ini bertujuan menganalisis bagaimana konsep praktik pengembalian utang emas dengan uang di Desa Balong Kecamatan Kembang Kabupaten Jepara.

Untuk mengetahui bagaimana analisis praktik pengembalian utang emas dengan uang dalam perspektif hukum Islam. Penelitian ini menggunakan penelitian kualitatif, metode pengumpulan datanya menggunakan observasi dan wawancara. Metode analisis data dengan cara menguraikan dan menarik kesimpulan masalah atau data yang diperoleh dari hasil observasi dan wawancara.

Hasil dari penelitian menyimpulkan bahwa praktik pengembalian utang emas dengan uang di Desa Balong Kecamatan Kembang Kabupaten Jepara perspektif hukum Islam sebenarnya dalam akad *qarḍ* diperbolehkan karena bersifatnya tolong menolong. Dalam akad yang dilakukan tidak menggunakan objek (barang yang diutangkan) yang berakibat batal, dan tidak adanya kandungan riba. Pada penelitian penulis menemukan bahwa di dalam akad ini terdapat unsur *wakālah* dan akad ini termasuk *wakālah al-muqāyyadah*. Maka akad ini diperbolehkan dilakukan.

Kata Kunci: Hukum Islam, Utang Piutang, *Qarḍ*

ABSTRACT

Debts and credits are known in Islam as *qarḍ*. In this research, a case of debts and credits in Balong Village, Kembang District, Jepara Regency, is studied, where the lender provides assistance in the form of gold and the repayment is made using money. In this context, the repayment of the debt or loan must be in the same form, nature, and appearance as the original loan. The implementation of this debt and credit practice may result in some parties being disadvantaged, as the repayment involves items of different types, forms, nature, and shapes. The aim of this study is to analyze how the concept of repaying debts of gold with money is practiced in Balong Village, Kembang District, Jepara Regency, from the perspective of Islamic law.

The study seeks to understand how the analysis of the practice of repaying debts of gold with money is viewed from the perspective of Islamic law. This research employs qualitative methods, with data collection conducted through observation and interviews. Data analysis is done by presenting and drawing conclusions from the issues or data obtained from observations and interviews.

The results of the study conclude that the practice of repaying debts of gold with money in Balong Village, Kembang District, Jepara Regency, from the perspective of Islamic law, is actually permissible in the context of *qarḍ* (interest-free loan) due to its nature of mutual assistance. The agreements made do not involve objects (the items lent) that would render the contract void, and there is no presence of usury (*riba*). In the research, the author found that the concept of *wakālah* (agency) is present in this agreement, specifically *wakālah al-muqāyyadah* (restricted agency). Therefore, this type of agreement is deemed permissible in Islam.

Keywords: Islamic Law, Receivables Debt, *Qarḍ*