

ABSTRAK

Skripsi yang berjudul “Tinjauan Hukum Islam Terhadap Jual Beli Bibit Tembakau (dederan) dengan Sistem Taksiran Studi Kasus di Desa Kesongo, Kecamatan Kedungadem, Kabupaten Bojonegoro” merupakan penelitian lapangan untuk menjawab pertanyaan bagaimana praktek jual beli bibit tembakau dengan sistem taksiran di tinjau dari hukum Islam.

Penelitian ini menggunakan metode penelitian kualitatif dengan jenis penelitian lapangan yang bersifat deskriptif analisis yaitu menggambarkan suatu kejadian yang terjadi dilapangan kemudian dianalisis dengan metode induktif. Pada metode pengumpulan data melalui observasi, wawancara dan dokumentasi.

Hasil dari penelitian ditemukan bahwa praktek jual beli bibit tembakau (dederan) di Desa Kesongo terdapat unsur *gharar* yaitu ketidakjelasan jumlah bibit yang diterima dengan yang dibeli. Berdasarkan hasil analisis jual beli dengan sistem taksiran yang dilakukan oleh masyarakat Desa Kesongo, Kecamatan Kedungadem, Kabupaten Bojonegoro termasuk pada ‘*urf fasid* yaitu bertentangan dengan hukum *syara*’ adanya unsur *gharar*. Menurut teori sesuatu yang terdapat *gharar* sedikit maka dasar hukumnya *gharar al-yasir* diperbolehkan sebagai bentuk keringanan bagi pelaku bisnis, sehingga jual beli bibit tembakau dengan sistem taksiran termasuk pada ‘*urf shahih*’.

Kata Kunci : Jual beli, *gharar*, ‘*urf*

ABSTRACT

Thesis with the title “Review of Islamic Law Against the Sale and Purchase of Tobacco Seeds (dederan) with a case study Estimation system in Kesongo village Kedungadem district, Bojonegoro Regency is a study to answer the question of how the practice of buying and selling tobacco seeds with an estimation system is viewed from Islamic law.

This study uses qualitative research methods with the type of field research that is descriptive analysis, which describes an event that occurs in the field and then analyzed by inductive method. In the method of collecting data through observation, interviews and documentation.

The result of the study found that the practice of buying and selling tobacco seeds (dederan) in kesongo village contained an element of *gharar*, namely the uncertainty of the number of seeds received and purchased. Based on the results of the analysis of buying and selling with an estimation system carried out by the people of Kesongo village, Kedungadem district, Bojonegoro regenc, it is included in ‘*urf fasid*, which is against the *syara*’ law, there is no *gharar*. According to the theory of something that contains a little *gharar*, the legal basis for *gharar al-Yasir* is allowed as a form of relief for business actors, so that buying and selling tobacco seeds with an estimation system is included in ‘*urf shahih*.

Keywords : But and sell, *gharar*, ‘*urf*