

ABSTRAK

Penelitian ini dilatarbelakangi oleh praktik jual beli sapi antar pulau di Desa Katol Barat, Kecamatan Gegar, Kabupaten Bangkalan, yang dalam proses pengirimannya kerap menimbulkan permasalahan berupa sapi mengalami sakit. Kondisi tersebut menimbulkan persoalan mengenai mekanisme ganti rugi serta pihak yang bertanggung jawab atas kerugian yang terjadi. Penelitian ini bertujuan untuk mengetahui mekanisme ganti rugi dalam jual beli sapi sakit saat pengiriman antar pulau di Desa Katol Barat serta menganalisis praktik tersebut berdasarkan perspektif fikih muamalah.

Penelitian ini merupakan penelitian lapangan (*field research*) dengan pendekatan kualitatif deskriptif. Data diperoleh melalui observasi, wawancara, dan dokumentasi. Informan penelitian terdiri atas penjual sapi, pembeli, pihak ekspedisi, dan tokoh masyarakat. Analisis data dilakukan secara kualitatif melalui tahapan reduksi data dan penyajian data, kemudian ditarik kesimpulan berdasarkan teori fikih muamalah yang meliputi konsep *dhaman*, *ta'widh*, *khiyār al-'aib*, dan *'urf*.

Hasil penelitian menunjukkan bahwa mekanisme ganti rugi dalam jual beli sapi sakit saat pengiriman di Desa Katol Barat didasarkan pada kesepakatan para pihak sebelum akad berlangsung. terdapat kesepakatan bahwa risiko yang terjadi selama pengiriman apabila sepuluh hari pengiriman risiko ditanggung oleh penjual, dan sepuluh hari sesudah pengiriman risiko ditanggung oleh pembeli. Perspektif fikih muamalah menunjukkan bahwa praktik tersebut pada dasarnya sejalan dengan konsep *dhaman* dan *ta'widh* karena didasarkan pada kesepakatan yang tidak bertentangan dengan syariat, memenuhi prinsip keadilan, serta mencerminkan penerapan *'urf shahih* (kebiasaan yang dibenarkan syariat). Di sisi lain, penerapan *khiyār al-'aib* menjadi terbatas karena para pihak telah menyepakati batas waktu tanggung jawab sebelum akad dilaksanakan.

Kata Kunci: Fikih Muamalah, Ganti Rugi, Jual Beli Sapi, *Dhaman*, *Ta'widh*, *Khiyār al-'Aib*.

ABSTRACT

This research was motivated by the practice of inter-island cattle trading in Katol Barat Village, Kokop District, Bangkalan Regency, in which cattle often become ill during the shipping process. This condition raises issues regarding the compensation mechanism and the party responsible for the resulting losses. This study aims to determine the compensation mechanism for sick cattle during inter-island transportation in Katol Barat Village and to analyze the practice from the perspective of *Fiqh Muamalah*.

This study employed a descriptive qualitative field research approach. Data were collected through observation, interviews, and documentation. The research informants consisted of cattle sellers, buyers, shipping service providers, and community leaders. The data were analyzed qualitatively through the stages of data reduction and data presentation, followed by drawing conclusions based on the concepts of *dhaman* (liability), *ta'widh* (compensation), *khiyār al-'aib* (option due to defects), and *'urf* (custom) in *Fiqh Muamalah*.

The findings indicate that the compensation mechanism for sick cattle during inter-island transportation in Katol Barat Village is based on an agreement reached by the parties before the contract (*akad*) is concluded. Under this agreement, any risk occurring within the first ten days of shipment remains the responsibility of the seller, whereas any risk arising after the ten-day period becomes the responsibility of the buyer. From the perspective of *Fiqh Muamalah*, this practice is consistent with the principles of *dhaman* and *ta'widh* because it is based on a mutual agreement that does not contradict Islamic law, upholds the principle of justice, and reflects the application of *'urf shahih* (valid customary practice). Furthermore, the application of *khiyār al-'aib* is limited because both parties have agreed in advance on the duration of the seller's liability before the contract was concluded.

Keywords: *Fiqh Muamalah*, Compensation for Losses, Cattle Sale and Purchase, *Dhaman*, *Ta'widh*, *Khiyār al-'Aib*.