

**REVIEW OF ISLAMIC LAW ON WAGE PRACTICES OF RICE PLANT WORKERS
CASE STUDY IN SANGIANG VILLAGE, RANCAEKEK DISTRICT, BANDUNG
DISTRICT**

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ABSTRACT

Islam is a religion that regulates all aspects of human life in terms of worship, morals and muamalah. Muamalah is said to be closely related to humans who can change according to the times. Muamalah law is a rule that regulates the relationship between rights and obligations in social life. One form of conversion is cooperation between humans, the first party providing benefits or labor services and the other party providing work. In carrying out this activity, there will be a provision that the working party will receive compensation in the form of wages in return for the energy that has been expended. This collaboration is called an ijarah al-a'mal agreement or rental of services with personnel in fiqh literature. This research uses the Empirical Normative Legal Research Methodology, which is a research methodology that combines normative legal elements which are then supported by additional data or empirical elements. This research focuses on case studies and facts in the field. The main data source for this research was obtained from observations of transactions between workers and rice field owners. The results of the research show that wages given to rice planting workers are wages paid using cash, wages given by rice field owners are handed over after they have finished their work. The difference in wages between men and women has been around for decades. A review of Islamic economic law related to providing wages to rice planting workers is not appropriate because it ignores the principles of justice contained in the principles of Islamic economic law and can give rise to social jealousy among rice planting workers.

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INTRODUCTION

Humans are social creatures in every relationship they have interests with other people. Therefore, every human being has rights and obligations, the relationship between rights and obligations is regulated in legal principles so that there are no clashes with various interests.

Islam is a religion that regulates all aspects of human life in terms of worship, morals and muamalah. Muamalah is said to be closely related to humans who can change according to the times. Muamalah law is a rule that regulates the relationship between rights and obligations in social life.

One form of conversion is cooperation between humans, the first party providing benefits or labor services and the other party providing work. In carrying out this activity, there will be provisions that the working party will receive compensation in the form of wages in return for the energy that has been expended. This collaboration is called an ijarah al-a'mal agreement or rental of services with personnel in fiqh literature.

The concept of ijarah is taking benefits with a contract (rental). Something contracted is in the form of objects or goods (al-A'yan), land (al-Arad), riding animals (ad-Dawab), or in the form of services/labor (al-A'mal). In ijarah there is the term mustajir (a person who is contracted) or vice versa, depending on what becomes al-Ainu al-Musta'jar (something who is contracted).

Remuneration or Ijarah al-'Amal occurs because of the ownership that wages are the result of seeking wealth. In the Koran it is not stated in detail, but Allah SWT strictly requires a person to pay the wages of the agricultural laborers he employs. To determine wages, it must be determined through an agreement between farm workers and rice field owners which is based on the principle of justice. Determining wages in Islamic law must take into account the values of appropriate wages.

Fair wages are wages that are balanced with the services provided by workers. Wages are influenced by several things, namely the amount of money received and the purchasing power of money which is a means of payment to meet one's living needs. Determining wages in Islam is not explained explicitly, but the Koran and Hadith apply universal values such as the principle of justice which can be interpreted as putting things in their place and must be equalized and not distinguish between one another, the principle of worthiness means reasonable, proper and proper. And virtue is moral perfection, virtue is human behavior that is in accordance with Islamic law.

Every worker has the right to receive fair and commensurate wages according to the work they have done. The right to wages arises from the employment agreement, and is one of the rights in the employment relationship. This right has been regulated and protected in article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia which stipulates: "Every citizen has the right to work and a living worthy of humanity."

Article 28 D of the 1945 Constitution of the Republic of Indonesia stipulates: (1) Every person has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law (2) Every person has the right to work and receive compensation and fair and decent treatment in employment relationships.

In Law no. 13 of 2003 article 1 paragraph 30 explains that wages are the rights of workers or laborers which are received or expressed in the form of money as compensation from entrepreneurs or employers to workers which are determined and paid according to work agreements, agreements or statutory regulations, including allowances for workers or workers and families for work and/or services that have been or will be performed.

Legislation has regulated the minimum wages of workers/laborers. There are differences in each province or region. For the Minimum Wage for Employees (UMK) for Bandung Regency in 2023 which has been approved by the Governor of West Java and determined through Decree (SK) Number 561.7/Kep.776-Kesra/2022 concerning Regency or City Minimum Wages in West Java Province with increases amounting to 7.09%. For Bandung district with a UMK of Rp. 3,492,466 per month.

With a predetermined wage stipulation, the aim is to ensure that no party is harmed, either the employer or the employee. However, in practice there are still many violations that cause various problems that make workers feel unfair.

In an authentic hadith from Ibn Majah, namely:

Meaning: "From Abdillah bin Umar he said: Rasulullah SAW said: Give wages to workers before their sweat dries." (HR Ibn Majah Sahih)

In the Al-Quran there are words of Allah SWT regarding wages

﴿ وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَ

Meaning: "And if you want your child to be breastfed by someone else, then there is no sin for you if you pay according to what is appropriate. Have faith in Allah and know that Allah is All-Seeing of what you do." (QS. Al-Baqarah: 233)

From the hadith and verses of the Qur'an above, in principle, everyone who works will definitely get a reward for what they have done and no party will be harmed. Give appropriate wages to people who have been hired. And don't delay in paying wages.

In Sangiang village there are several types of groups who take wages for planting rice. There are men's groups and women's groups. The wages earned by female rice planting workers are lower

compared to male rice planting workers. This creates unfairness in the form of work and the same working hours. And the wage system in Sangiang Village is considered normal by the local community

METHOD

This type of research uses empirical normative legal methods. By referring to the problems discussed, this research uses field research, namely research carried out on an event that actually occurred based on the problem and tries to find solutions to existing problems based on data by presenting, analyzing and interpreting the data. . Using data collection methods in this research was carried out to decide which direction the research should go based on context. Because this research was conducted in the midst of society or certain groups, the researcher tried to directly look for data in the field to find out events related to the problems raised by the researcher. With a theoretical basis that is used as a guide so that the focus of the research is in accordance with the facts in the field.

The data source in research is where the data is obtained. The research carried out is case research, namely research carried out intensively and in depth on a transaction. The data used are primary, secondary and tertiary data

The data collection techniques are the most appropriate steps in research, because the main aim of research is to obtain data. Researchers are directly involved at the research location to obtain concrete data related to the research. The techniques used in collecting data in this preparation are as follows:

1. Observation is one of the series taken to make direct observations of research objects. Observation also means systematic observation of the symptoms experienced. The researcher here is a full observer of the symptoms that occur in society, then notes important and necessary things for this research. Then the researchers also made observations by seeking information from one of the rice planting workers.
2. Interviews are a method of collecting diverse data from respondents in various situations and contexts. By interviewing researchers can obtain as much diverse data as possible and as clear as possible for their research.
3. Documentation is a method of collecting data that produces important notes related to the problem being studied, so that complete data will be obtained, and not based on estimates. To collect data that is already available in document notes

According to Moleong, data analysis is the process of arranging the sequence of data, organizing it into patterns, categories and basic units of description so that the data is easier to read and describe.

Data analysis is the process of compiling transcripts and other materials that have been collected. This means that researchers can perfect their understanding of the data and then present it to others more clearly about what has been discovered or obtained in the field. Data analysis will later draw specific conclusions or depart from the truth on an event or data that is indicated to be the same as the phenomenon in question.

RESULTS AND DISCUSSION

Working in Islam is something that is recommended, including contracting workers or laborers, with compensation or wages in accordance with the agreement between the worker and the employer.

Wages are the rights of workers or laborers who are received in the form of money from employers or places of work as compensation for work that has been completed and must be paid in accordance with previously established agreements and regulations.

Al-ijarahis one form of muamalah that is necessary in human life, such as in renting, contracts and selling services. In terms of terminology, ijarah is defined as a type of contract to take advantage of compensation in accordance with the agreement in the contract agreement. Services or rewards are a transaction that buys and sells the benefits of an asset .

Ijarah can be interpreted as buying and selling services (wages), namely taking advantage of human labor. According to the Hanafiyah fuqoha, ijarah is a transaction of a benefit in return. According to the Syafiiyah fuqoha, ijarah is a transaction for the intended benefit, which can be utilized with a certain reward. According to the Malikiyah and Hanabilah fuqoha, ijarah is the ownership of the benefits of something that is permitted within a certain time in exchange for a reward. . Al Syarbini also believes that ijarah is a contract to exchange the benefits of an item for something, where these benefits are halal benefits and are permitted by the Sharia'.

Principles of Islamic Economic Law

The principle of justice, fairness is one of the most important principles in the Islamic economic mechanism. Being fair in economics is not only based on the verses of the Koran and the Sunnah of the Prophet but is also based on considerations of natural law.

Al-Maslahah, Beneficence is the goal of establishing Islamic Law, namely gaining happiness in this world and the hereafter by taking advantage and rejecting harm.

Amar Ma'ruf Nahy Munkar, namely the obligation to use the principles of Islamic Law in business activities and stay away from all kinds of prohibitions in business activities that contain elements of gharar, usury, maisyir and haram.

The principle of Tazkiyah, tazkiyah means purification, in the context of development, this process is absolutely necessary before humans are entrusted with the task of being agents of development.

The Falah principle is a concept about human success. In this principle, success achieved in this world will contribute to success in the afterlife as long as this success is achieved with the guidance of Allah SWT.

Principle of Honesty and Truth, this principle is reflected in every transaction which must be firm, clear and certain, both goods and prices. Losing transactions are prohibited. Prioritize social interests. The transaction object must have benefits. Transactions do not contain usury, transactions are based on mutual consent and transactions do not contain elements of coercion.

The Principle of Kindness (ihsan), this principle teaches that in economics, every Muslim is taught to always be beneficial to many people, whether of their religion, fellow countrymen, compatriots or fellow human beings.

Accountability (al-Mas'uliyah) This principle includes accountability between individuals and individuals, accountability within society. Humans in society are required to carry out their obligations for the sake of creating the welfare of members of society as a whole, as well as the government's responsibilities, these responsibilities relate to the management of state finances or state treasury (bait al-mall) and fiscal monetary policy.

Kifayah principle, this principle is related to the obligation of every Muslim to care for each other. The aim of this principle is to eradicate poverty and fulfill the primary needs of all members of society in order to avoid disbelief., Islamic law

The Principle of Balance (wasathiyah/itidal), Islamic law recognizes personal rights with certain limits. Islamic law determines the balance of individual interests and the interests of society. Islam recognizes individuals within certain limits including ownership of the means of production and factors of production.

Economists view work and wages as closely related to social equality. The economy is a very important thing in life, in fact the economy has been started since the time of the Prophet Muhammad, because it is the economy that can fulfill one's needs.

Also with the community in Sangiang Village, Rancaekek District, Kab. Bandung, where people depend on economic income and their business in the agricultural sector to meet the living needs of their families, children and wives, especially rice farmers. During the rice planting season or often called tandur, rice field owners need workers to make it easier to plant rice seeds.

Before carrying out a job, an agreement or contract is made. Usually rice field owners will come to or look for workers to plant rice seeds in their fields. The rice field owner orders workers to work on his rice field, and when the work is finished the rice field owner will provide wages. And the owner of the rice field will ask the worker "who is working with today" if it is empty, then they can be hired according to the agreed time. (Results of interviews with rice field owners and workers).

After carrying out the contract, the workers carry out rice planting work starting from 06.00 to 12.00 or until the midday call to prayer sounds. Meanwhile, eating and drinking usually depends on

the agreement at the beginning, there are also good rice field owners who provide food or snacks to the workers.

The amount of wages received after doing work in the fields, agricultural workers are entitled to receive their wages. If women are given a wage of Rp. 50,000 while men are given a salary of Rp. 55,000. The amount of wages paid is based on the number of days worked, not the area of rice fields.

The factors behind the workers' wage system in Sangiang Village, Rancaekek District, Bandung Regency

There is a habit factor

In Sangiang Village, the local community practices wages by following the habits of the people there in general, both in the process of searching for workers, implementing work agreements, and paying workers' wages.

There is a factor of trust and mutual help

In making agreements or agreements, the people of Sangiang Village use language that is easy for both parties to understand. Apart from trust, there is also a sense of mutual help between them, where rice planting workers who need money can be helped by collaborating with rice field owners who need labor to do their work. When you plant your rice fields, a feeling of mutual help arises.

There are economic factors and a lack of decent jobs

Some people in Sangiang Village, Rancaekek District work as farmers to meet their daily needs. They accepted job offers as laborers working to plant rice in the fields, this was because the workers in the Diswah rice parks were no longer young and their minimal educational background made it difficult to find decent work to fulfill their daily needs.

In Islamic economics, workers' wages are determined strictly based on the principles of justice and sufficiency. This principle is used as a benchmark. The main principle lies in the principle of justice, namely the clarity of the contract and commitment based on willingness to do so. The contract in a work transaction is a contract that occurs between the rice planting worker and the rice field owner, so that before the worker is hired it must first be clear what wages the worker will receive. These wages include the amount of wages and the procedures for payment, because payments are made when the worker has finished or the land planted has been planted by the worker. Therefore, an agreement must accommodate the payment of workers with the portion they should receive according to their work. Likewise, workers must not force rice field owners to pay more than they can afford to pay wages which are workers' rights.

CONCLUSION

The practice of implementing the wage system for rice planting workers in Sangiang Village, Rancaekek District, Bandung Regency, if seen and analyzed in Islamic Economic law regarding labor wages, both from the justice discourse and the wage system, then the wages for rice planting in Sangiang Village, Rancaekek District, Bandung Regency are not appropriate or not yet in accordance with in Islamic Economic Law because it ignores the principles of justice. Every worker has the right to receive fair and commensurate wages according to the work they have done. The right to wages arises from the employment agreement, and is one of the rights in the employment relationship. This right has been regulated and protected in article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia which stipulates: "Every citizen has the right to work and a living worthy of humanity."

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