

ABSTRACT

Mahdi Andi Kusuma, 2022, *Opinion of Tapin Regency Clerics On The Practice of Jual Buy Fish (Case Study di Desa Buas-Buas North Laras Temple Subdistrict) Tapin Regency*. Thesis, Department of Sharia Economic Law, Faculty of Sharia. Supervisor I Mr. Dr. Rahmat Sholihin, S.Ag., M.Ag. and Supervisor II Mr. Abdul Hafiz Sairazi, SHI., MHI.

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This research was motivated by the majority of people in Buas-B village uas Candi Laras Utara District, Tapin Regency as fish finders. Where the practice of buying and selling fish , namely by buying and selling (buyers) giving prices to sellers (fish finders) at prices that are too low, is very different from the prices in the market by the *buyers* according to seasonal prices, so that even though the price of fish is high in the market, if it is fish season, the fish that sell will still be given low prices because it is ika n season. ,

The purpose of this study was to find out the opinions of Tapin Regency scholars on the practice of buying and selling fish in Buas-Buas Village, North Laras Temple District, Tapin Regency and to find out the legal basis for the opinion of Tapin Regency scholars on the practice of buying and selling fish in Buas-buas Village, North Laras Temple District, Kabupaten Tapin . The research method used is empirical law or in other terms called sociological legal research. The approach used is the case study approach.

The result of the research conducted by the author is *first*, the practice of buying and selling fish applied in Buas-Buas Village is divided into two opinions where the 2 scholars who have been interviewed argue that the transaction is legitimate, because the prohibition does not return to the contract itself and neither returns to the nature attached to it, so that the prohibition does not mean that the buying and selling is damaged, illegitimate. 5 scholars interviewed argued that the transaction was corrupt, illegitimate. Because the ban absolutely indicates the invalidity of the transaction. *Secondly*, the legal basis of the opinion of the Tapin Regency scholars on the practice of buying and selling fish in the Village of Buas-savage Candi Laras Utara Kabupaten Tapin District is that the transaction is valid, because the prohibition does not return to the contract itself and neither returns to the nature attached to it, so that the prohibition does not mean that the sale and purchase is damaged, it is invalid where 2 scholars argue similarly to the legal basis. QS. An-Nisa/4: 29, QS. Al-Baqarah/2:185, and ijma. Meanwhile, 5 scholars agreed that the transaction was broken, invalid. Because the prohibition absolutely indicates the invalidity of the transaction, on the legal basis of QS. An-Nisa/4: 29 and hadith. The illat (reason) of the prohibition of this is for the benefit of the seller and avoids him from losses, where the sale and purchase enters into *talaqi rukban* which is absolutely and legally not allowed.