

ABSTRAK

Nasrullah, 240211040111. *Analisis Hukum Terhadap Praktik Penimbangan Tandan Buah Segar Sawit (Studi Kasus Pada Pengepul Sawit Di Kabupaten Paser).* Tesis, Program Studi Hukum Ekonomi Syariah, Pascasarjana UIN Antasari Banjarmasin, di bawah Pembimbing I: Prof. Dr. H. Jalaluddin, M.Hum dan Pembimbing II: Dr. Yulia Hafizah, SHI., M.El

Kata Kunci: Penimbangan TBS Sawit; Hukum Ekonomi Syariah; Metrologi Legal; Transparansi Timbangan; Perlindungan Petani.

Penelitian ini dilatarbelakangi oleh persoalan transparansi dan keadilan dalam praktik penimbangan Tandan Buah Segar (TBS) kelapa sawit pada tingkat pengepul di Kabupaten Paser. Dalam praktiknya, petani sering menghadapi ketidakjelasan mengenai hasil timbangan, dasar potongan berat, serta rincian pembayaran yang diterima, sehingga berpotensi menimbulkan ketidakseimbangan posisi tawar dan merugikan hak ekonomi petani. Penelitian ini penting karena penimbangan TBS tidak hanya berkaitan dengan aspek teknis perdagangan, tetapi juga dengan hukum ekonomi syariah, metrologi legal, dan perlindungan konsumen. Penelitian ini bertujuan menganalisis praktik penimbangan TBS, perilaku hukum pengepul, serta kesesuaiannya dengan hukum ekonomi syariah dan hukum positif di Kabupaten Paser.

Penelitian menggunakan metode hukum empiris dengan pendekatan yuridis-sosiologis. Data diperoleh melalui observasi, wawancara dengan petani, pengepul, serta pihak Dinas UPTD Metrologi Legal, dan dokumentasi, kemudian dianalisis secara kualitatif melalui reduksi data, penyajian data, dan penarikan kesimpulan.

Penelitian ini menunjukkan bahwa pertama praktik penimbangan TBS di Kabupaten Paser telah melalui tahapan penimbangan bruto, pengurangan potongan, dan pembayaran hasil penjualan. Kedua Perilaku hukum pengepul menunjukkan bahwa kepatuhan terhadap transparansi, pencatatan transaksi, keterbukaan potongan, dan ketentuan tera ulang belum optimal. Ketiga, sebagian alat timbang yang digunakan pengepul belum memiliki kepastian status tera ulang. Dari perspektif hukum ekonomi syariah, kondisi tersebut belum sepenuhnya mencerminkan prinsip keadilan, keterbukaan, dan kerelaan dalam akad jual beli, dari sisi hukum positif, praktik tersebut belum memenuhi ketentuan metrologi legal dan perlindungan konsumen. Praktik penimbangan TBS yang adil harus didukung oleh alat timbang sah, proses transparan, potongan objektif, serta bukti transaksi jelas guna mewujudkan kepastian hukum dan perlindungan hak ekonomi petani.

ABSTRACT

Nasrullah, 240211040111. *Legal Analysis of the Weighing Practices of Fresh Fruit Bunches (FFB) of Oil Palm: A Case Study of Oil Palm Collectors in Paser Regency.* Master's Thesis, Master's Program in Islamic Economic Law, Postgraduate Program, UIN Antasari Banjarmasin. Supervised by Prof. Dr. H. Jalaluddin, M.Hum (Supervisor I) and Dr. Yulia Hafizah, SHI., M.EI (Supervisor II).

Keywords: Fresh Fruit Bunch (FFB) Weighing; Islamic Economic Law; Legal Metrology; Weighing Transparency; Farmers' Protection.

This study is motivated by issues of transparency and fairness in the weighing practices of oil palm Fresh Fruit Bunches (FFB) at the collector level in Paser Regency. In practice, farmers often face uncertainty regarding weighing results, the basis for weight deductions, and the details of payments received. This situation may create an imbalance in bargaining positions and undermine farmers' economic rights. This study is important because FFB weighing is not only related to the technical aspects of trade but also to Islamic economic law, legal metrology, and consumer protection. This study aims to analyze FFB weighing practices, the legal behavior of collectors, and their conformity with Islamic economic law and positive law in Paser Regency.

This study employed an empirical legal research method with a juridical-sociological approach. Data were collected through observations, interviews with farmers, collectors, and officials from the Technical Implementation Unit for Legal Metrology, as well as documentation. The data were then analyzed qualitatively through data reduction, data presentation, and conclusion drawing.

The findings show that, first, FFB weighing practices in Paser Regency involve several stages, including gross weighing, deduction of weight, and payment of sales proceeds. Second, the legal behavior of collectors indicates that compliance with transparency, transaction recording, disclosure of deductions, and periodic verification requirements remains suboptimal. Third, the verification status of some weighing instruments used by collectors remains uncertain. From the perspective of Islamic economic law, these conditions do not fully reflect the principles of justice, transparency, and mutual consent in sale and purchase agreements. From the perspective of positive law, these practices have not fully complied with the provisions of legal metrology and consumer protection. Fair FFB weighing practices must be supported by legally verified weighing instruments, transparent procedures, objective deductions, and clear transaction records in order to ensure legal certainty and protect farmers' economic rights.