

ABSTRACT

M. Siro Juddin, 10220047, **The practice of buying and selling the Rock Garden with a system volume village Ngerambut, Padang Asri, Jatirejo, Mojokerto (Compilation of Sharia Economic Law Perspective)**
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As social beings, human life cannot be separated from relations with other human beings. It is that in Islamic Fiqh, known as concept mu'amalah. In practice in the community, many found activities mu'amalah contrary to Islamic principles. One of them is the practice of buying and selling rock garden with the system volume in the village of Ngerambut, Padang Asri, Jatirejo, Mojokerto. In the application of the selling, buyers and sellers both are not aware of any stone size levels in the soil. Determination of the agreed selling price based on land area and without limitation of time. so the contract selling recently completed if the content of the stone in the land have been exhausted.

Based on the background there are two formulation issues will be the focus in this study: first, how is the practice of buying and selling the rock garden with a system volume community Village Ngerambut, Padang Asri, Jatirejo, Mojokerto? Second, how the legal compilation of Sharia economic review (KHES) against the practice of buying and selling the rock garden with a system volume in the community of the village Ngerambut, Padang Asri, Jatirejo, Mojokerto?

This research is a kind of empirical legal research conducted with qualitative approaches. The primary data sources used in this study is the result of the interview against the parties involved in the sale and purchase of a rock garden with a system volume in the village of Ngerambut. Method of data collection is done using the method of interview respondents are determined by the method of purposive sampling. In the meantime research begins with the data processing stage of the edit, classify, analyse, verify, and close.

The results showed that the practice of buying and selling the rock garden with volume system by the people of the village Ngerambut, Padang Asri, Jatirejo, Mojokerto is done verbally in the absence of an agreement on the number and size of the stones, as well as the absence of certainty regarding the mining time. so the determination of sale price is only done based on estimates of land area, and mining can continue to make up the content of the stone had been exhausted. Based on the reviews KHES, buy sell stones with the system volume can be classified as selling unauthorized (cancel) because it did not meet the terms of the sale and purchase of an object as provided for in article 76 and article 77 KHES.

