

## ABSTRAK

Skripsi dengan judul “Implementasi Prinsip *Khiyar* dalam Jual Beli Pakaian di Pasar Warujayeng Nganjuk dalam Perspektif *Maslahah*”, Jurusan Ekonomi Syariah, Fakultas Ekonomi dan Bisnis Islam, Institut Agama Islam Negeri Tulungagung, Pembimbing Lativa Hartiningtyas, M.Pd.

Penelitian ini dilatarbelakangi oleh pelaksanaan *khiyar* dalam jual beli pakaian di Pasar Warujayeng Nganjuk belum sepenuhnya diterapkan oleh pedagang pakaian karena tidak semua pembeli mendapatkan hak *khiyarnya*. Berdasarkan kasus yang ada, apabila pembeli mendapati cacat pada pakaian yang dibeli pakaian tidak boleh dikembalikan apabila tidak ada perjanjian terlebih dahulu.

Rumusan masalah penelitian ini diantaranya: (1) Bagaimana mekanisme jual beli pakaian di Pasar Warujayeng Nganjuk? (2) Bagaimana pelaksanaan prinsip *khiyar* dalam transaksi jual beli pakaian di Pasar Warujayeng Nganjuk? (3) Bagaimana tinjauan *maslahah* dalam pelaksanaan prinsip *khiyar* dalam transaksi jual beli pakaian di Pasar Warujayeng Nganjuk? Tujuan masalah dari penelitian ini diantaranya: (1) Untuk mengetahui mekanisme jual beli pakaian di Pasar Warujayeng Nganjuk (2) Untuk mengetahui pelaksanaan prinsip *khiyar* dalam transaksi jual beli pakaian di Pasar Warujayeng Nganjuk (3) Untuk mengetahui tinjauan *maslahah* dalam pelaksanaan prinsip *khiyar* dalam transaksi jual beli pakaian di Pasar Warujayeng Nganjuk.

Metode penelitian yang digunakan adalah metode kualitatif dan jenis penelitian menggunakan studi kasus. Teknik pengumpulan data yang digunakan dalam penelitian ini berupa wawancara, observasi dan dokumentasi. Teknis analisis data yang dilakukan dengan mereduksi data yang diperoleh, menyajikan data, menarik kesimpulan. Pengecekan keabsahan data dilakukan dengan teknik triangulasi.

Hasil penelitiannya adalah: (1) Mekanisme jual beli pakaian di Pasar Warujayeng Pedagang akan menawarkan kepada calon pembeli yang melewati tokonya. Kemudian menjelaskan model, kualitas dan harganya. Apabila pembeli menghendaki pakaian yang ingin dibeli, keduanya melakukan tawar menawar. Setelah itu, mereka melakukan transaksi jual beli (2) Pelaksanaan prinsip *khiyar* dalam jual beli pakaian di Pasar Warujayeng Nganjuk berdasarkan bentuk *khiyarnya* dapat dikategorikan ke dalam *khiyar aib* dan *khiyar syarat*. Namun, bentuk *khiyar* ini belum sepenuhnya diaplikasikan karena hanya ada beberapa pedagang yang menerapkannya (3) Tinjauan *maslahah* dalam penerapan prinsip *khiyar* dalam jual beli pakaian di Pasar Warujayeng Nganjuk ini bagi pembeli yang telah melakukan perjanjian, telah sesuai dengan tinjauan *maslahah*. Sedangkan untuk pembeli yang tidak melakukan perjanjian di awal tidak sesuai dengan tinjauan *maslahah* karena hilangnya hak *khiyar* yang mana akan merugikan pembeli.

**Kata Kunci :** Jual Beli, *Khiyar*, *Maslahah*

## ABSTRACT

*Thesis with the title "Implementation of Khiyar Principles in Buying and Selling Clothing at the Warujayeng Nganjuk Market in the Perspective of Maslahah", Department of Sharia Economics, Faculty of Islamic Economics and Business, State Islamic Institute of Religion Tulungagung, Advisor Lativa Hartiningtyas, M.Pd.*

*This research is motivated by the implementation of khiyar in buying and selling clothes at the Warujayeng Nganjuk Market has not been fully implemented by clothing traders because not all buyers get the khiyar rights. Based on existing cases, if the buyer finds defects in the clothes purchased, the clothes cannot be returned if there is no prior agreement.*

*The formulation of the research problems include: (1) How is the mechanism of buying and selling clothes at the Warujayeng Nganjuk Market? (2) How is the implementation of the khiyar principle in buying and selling clothes at the Warujayeng Nganjuk Market? (3) How is the review of maslahah in the implementation of the khiyar principle in buying and selling clothes at the Warujayeng Nganjuk Market? The objectives of this research are: (1) To find out the mechanism of buying and selling clothes at Warujayeng Nganjuk Market (2) To find out the implementation of the khiyar principle in buying and selling clothes at the Warujayeng Nganjuk Market (3) To find out the review of maslahah in the implementation of the khiyar principle in transactions. buying and selling clothes at the Warujayeng Nganjuk Market.*

*The research method used is a qualitative method and this type of research uses case studies. Data collection techniques used in this study were interviews, observation and documentation. Technical data analysis is done by reducing the data obtained, presenting the data, and drawing conclusions. Checking the validity of the data is done by triangulation technique.*

*The results of the research are: (1) Mechanism of buying and selling clothes at Warujayeng Market Traders will offer to potential buyers who pass by their shop. Then explain the model, quality and price. If the buyer wants the clothes they want to buy, both of them make a bargain. After that, they made a sale and purchase transaction(2) The implementation of the khiyar principle in buying and selling clothes at the Warujayeng Nganjuk Market based on the form of the khiyar can be categorized into khiyar requirements and khiyar disgrace. However, this form of khiyar has not been fully applied because there are only a few traders who apply it (3) This review of the maslahah of the application of the khiyar principle in buying and selling clothes at the Warujayeng Nganjuk Market for buyers who have made an agreement, is in accordance with the maslahah review. As for the buyer who does not make the initial agreement, it is not in accordance with the maslahah review because of the loss of khiyar rights which will harm the buyer.*

**Keywords :** *Buying and Selling, Khiyar, Maslahah*