

# A Barter System for Used Palm Oil Traders: Islamic Law Perspective

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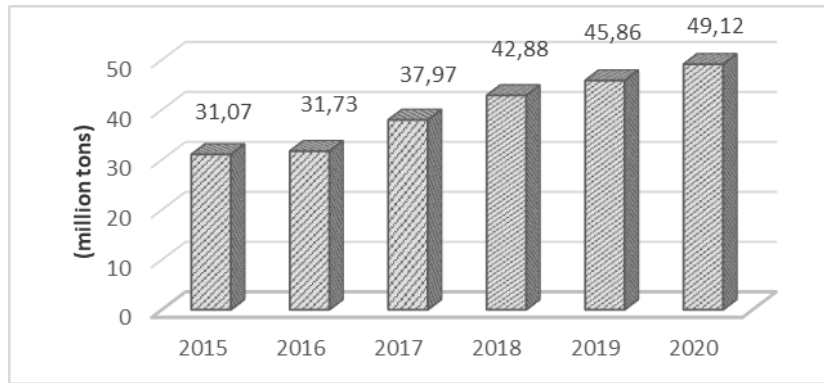
**Abstract:** *This study aimed to determine the practice of purchasing and selling used cooking oil utilizing a barter system at UD Jelantah Sejahtera and examine the applicable Islamic law. This study employs a qualitative methodology with a deductive approach. There are two types of data sources: primary and secondary. The statistics were gathered through direct interviews with UD Jelantah Sejahtera Karanganyar, an oil collector, and three clients. Secondary data was gathered from many books, journals, and websites. The findings of this study are the barter mechanism or service of exchanging used goods for consumable goods, namely the exchange of used cooking oil products for good oil that is suitable for use in cooking. However, the oil exchanged by UD Jelantah Sejahtera is vegetable oil, such as cooking oil, that is no longer suitable for use and is commonly referred to as waste oil. Trading old cooking oil for fresh packaged cooking oil of varied quantities or volumes is allowed because cooking oil is not an Indonesian staple.*

**Keywords:** *barter system, palm oil, Islamic law, riba, economic.*

## INTRODUCTION

Biodiesel, also known as fatty acid methyl ester (FAME), is a renewable energy source that has attracted significant attention recently. This biodiesel can be broken down with other microbes, is non-toxic, and can replace diesel fuel without further modification, making it an alternative energy source to replace fossil fuels. The government has mandated the use of biodiesel made from palm oil since 2018, and its implementation has reached B30, with a blend of 30% FAME and 70% diesel [1].

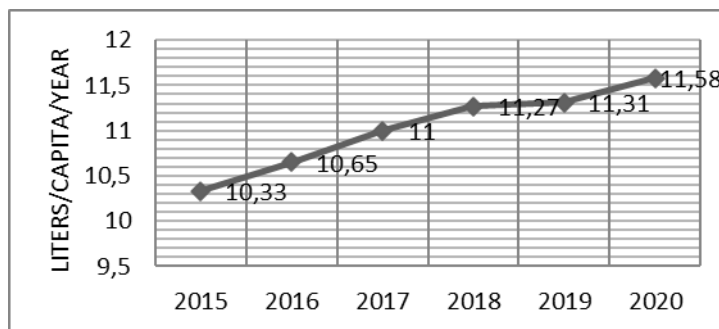
FAME can also be generated from animal oil, vegetable oil, discarded cooking oil, and palm oil. Considering its potential, palm oil derivatives, namely used palm cooking oil, also known as used cooking oil, are one of the future's most promising economic opportunities. The rise of palm oil output in Indonesia is depicted in Figure 1.



**Figure 1. The development of palm oil production in Indonesia**

Source: Indonesian plantation statistics 2018-2020, Ministry of Agriculture

This large production impacts the large consumption of palm cooking oil in Indonesia. Figure 2 explains this.



**Figure 2. The development of the average consumption of palm cooking oil in Indonesia in 2015-2020**

Source: National Socio-Economic Survey, Central Bureau of Statistics (March 2015-2020)

The preliminary study conducted by TNP2K (National Team for the Acceleration of Poverty Reduction) and Asia Traction Energy on the Potential of Waste Cooking Oil for Biodiesel and Poverty Reduction in Indonesia in 2020 revealed that in 2019, the national consumption of palm cooking oil reached 16.2 million kilos (KL). Based on this number, the average amount of waste cooking oil generated ranges between 40 and 60 per cent, or 6.46 and 9.72 million KL. Unfortunately, the amount of waste cooking oil that may be collected in Indonesia has only reached 3 million KL or 18.5% of the country's total palm cooking oil use [2][3].

According to the report, just a tiny percentage of leftover cooking oil in Indonesia is converted into biodiesel. Only roughly 570 kiloliters of the 3 million kilo-litres gathered were transformed into biodiesel and other uses. The remaining 2.4 million kiloliters of cooking oil and exports [4].

According to TNP2K and Traction Energy Asia, it is due to the lack of a system for collecting waste cooking oil from restaurants, hotels, and homes. The distribution of used cooking oil source locations is not symmetrical with the location of biodiesel processing plants, processing technology (especially those managed by the community) that is insufficiently efficient, and the quality of biodiesel produced from used cooking oil requires further testing are the next obstacles [5].

Processing waste cooking oil into biodiesel, mainly if carried out by the community, will have numerous economic, health, and environmental benefits. The group's biodiesel production turnover has reached Rp 2 million per day by employing nine workers for each person for four hours per day at Rp 2 million per month. The daily production of biodiesel can reach 180 litres and is sold for Rp 11,000 per litre [6].

Even though the cost of converting biodiesel derived from used cooking oil is more than that of converting biodiesel manufactured from palm oil, the production index (HIP) price of used cooking oil for biodiesel is lower than the HIP for palm oil because of the raw material component [7].

The absorption of used cooking oil for biodiesel production can reduce the allocation of recycled used cooking oil as a cooking ingredient, thereby indirectly reducing the risk of increasing levels of HNE (a toxic substance that is easily absorbed by food) in food, which can cause stroke, Alzheimer's disease, and Parkinson's disease. In addition, utilizing leftover cooking oil as a biodiesel feedstock can positively affect the environment by minimizing B3 waste [8].

Reprocessing spent cooking oil reduces the amount of waste that might damage the environment and disturb the ecology. However, the unscrupulous disposal of used cooking oil threatens the increase of Chemical Oxygen Demand (COD) and Biological Oxygen Demand (BOD) in the water. This causes the water's surface to be coated with an oily film. Therefore, sunlight cannot penetrate the water, which promotes the demise of aquatic life and potentially contaminates the groundwater [9].

The Jelantah Sejahtera Trading Company in the Karanganyar Regency of Indonesia sells wasted cooking oil as recycled material. UD Jelantah Sejahtera's buying and selling mechanism consists of customers trading their leftover cooking oil for new oil of various sizes. This study explores a review of Islamic law about transactions, namely the possibility that trading oil for oil is equivalent to bartering for usurious goods, which is prohibited in Islam [10].

## LITERATURE REVIEW

The study by Tag el-Din justifies the anti-monopoly hypothesis and protection of competition by referencing the Maliki reasoning that ascribes the property of staple-storable food to the four ribaawi items (dates, wheat, barley, and salt), given that staple-storable foods would ordinarily command high market demand and low price-elasticity. Then, a suitable analytical framework with reasonable assumptions was developed to test this hypothesis against alternative hypotheses proposed by earlier scholars (Ghaban prevention, blocking of means to riba al-nasaa', and abandonment of the luxury purpose). Specifically, the Shaban-possibilities model was developed to evaluate the three alternative hypotheses, whereas the quality-differential equilibrium model was utilized to evaluate the anti-monopoly hypothesis. As a result, the conclusion appears to support the anti-monopoly hypotheses, whereas none of the three alternative hypotheses receives theoretical support [11].

The study Mehfooz provides insight into the adverse effects of Ribaa on society. An infinite worldview determines divine religions, and there is no distinction between spiritual and material life in human predestination. The divine paradigm of financial relations consists of laws and decrees distinct from Sharia's uncovered lessons. Sharia imposes regulations on the creation and utilization of assets, the operation of market patterns, and profit distribution [12].

Research by Das et al, provides electric utilities, transformer manufacturers, and users with information regarding the environmental safety and future of transformer oil derived from coconut oil. Vegetable cooking oils (VCOs) and used vegetable cooking oils (UCO)

can be considered alternative fuels that will provide the household with low-cost fuel and may solve the issue of removing waste VCOs. In addition, their use as cooking fuel can bring numerous benefits to urban communities in Indonesia and rural communities [13].

## METHODOLOGY

**Methods** By the research objectives, the writers will conduct qualitative library research. Literature research is research that involves the acquisition of in-depth data about the subject of study [14].

This study collects data through documentation, examining primary and secondary data. Data analysis was performed concurrently with data gathering by choosing, concentrating, abstracting, and altering data. The employed data presentation model is a narrative text in which the texts are filtered using coded pieces and from which inferences are drawn [15].

Conclusion drawing is a search for facts, patterns, explanations, configurations, charts, and hypotheses that are always validated during the research process so that the truth can be examined. This analysis effort is also assisted by a philosophical approach that emphasizes core structure and basic concepts while avoiding irrelevant details. The concrete steps of this strategy are as follows: (1) Determining the philosophical research model, namely scientific theory research. (2) Identifying the essential structure and basic concepts in the evidence for philosophical thought. (3) Conducting philosophical analysis by the general method's components, such as interpretation, induction-deduction, internal coherence, description, holistic, continuity, historical, idealization, heuristics, and personal reflection [16].

## RESULTS AND DISCUSSION

UD Jelantah Sejahtera is a regional company engaged in exchanging discarded cooking oil for new, consumable packaged cooking oil. This UD allows for the exchange of vegetable oil, namely used cooking oil. The occurrence of barter trade at UD Jelantah Sejahtera is a sign of the times; as the supply of petroleum decreases, the government, particularly Pertamina, accepts spent cooking oil for processing into new forms of oil. In this instance, the soil and water ecosystems are not polluted by waste oil, reducing environmental pollution. Customers trade and barter at UD Jelantah Sejahtera, exchanging used cooking oil for fresh cooking oil of varying quantities or litre capacities [17].

UD Jelantah Sejahtera is a regional enterprise specializing in exchanging used vegetable oil. Suppose examine the transactions at UD Jelantah Sejahtera, specifically the acceptance of exchange (barter) for one-litre containers of high-quality bottled cooking oil. In that case, notice that they involve barter. In addition, UD Jelantah Sejahtera accepts used cooking oil in exchange for people who have grocery stores in traditional markets. If there is merchandise such as used canned margarine or used cooking oil from fried food traders that is of poor quality or expired and unfit for consumption, the merchant contacts the pick-up by sending a message via WhatsApp (WA) or the COD (CASH On Delivery) system to meet somewhere directly [18].

Used cooking oil is collected at UD Jelantah Sejahtera in Tuban Kulon, Gondangrejo District, Karanganyar Regency. This facility is located in Tuban Kulon, Gondangrejo District. New cooking oil will be substituted for the used cooking oil. While used cooking oil is valued at Rp 4,000 per large bottle of mineral water, customers must exchange three large bottles of 4.5 litre mineral water for 1 litre of new cooking oil if they wish to swap used cooking oil for new oil. Those who return a large container or one jerry can for new cooking oil receive 5.5 litres of new cooking oil. UD Jlantah Sejahtera can collect between 5,000 and 6,000 litres of waste cooking oil in a single month [19].

cooking oil from fried food vendors in traditional marketplaces surrounding Solo Raya or consumers in their homes. In transactions, consumers contact UD Jelantah Sejahtera via an employee's cell phone. UD Jelantah Sejahtera's services can be obtained at the agreed-upon location [20].

There are no issues concerning *ijab* and *qabul* in the sale and purchase of old cooking oil through barter. Because at the time of buying and selling by bartering used cooking oil, the *ijab* and *qabul* process took place in the exact location as the willingness at the time of bartering, namely the exchange of old cooking oil for packaged or new oil. According to the opinion of scholars, such as Hanabilah, Malikiyah, and Hanafiah scholars, buying and selling in this manner is permissible under Islamic law if it is done by the customs of a country's society because it demonstrates an element of mutual willingness from the seller or buyer; the essential factor is mutual liking. Like. It conforms to the contents of Qs An-Nisa verse 29 [21].

"يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ ۚ وَلَا تَقْتُلُوا أَنْفُسَكُمْ ۚ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا"

"O you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent. Furthermore, do not kill yourselves [or one another]. Indeed, Allah is to you ever Merciful."

In bartering used cooking oil for new cooking oil or packaging, there is no problem because the buyer or UD Jelantah Sejahtera exchange has agreed that the size difference between the used cooking oil being exchanged is not a problem; specifically, three large aqua bottles of used cooking oil are exchanged for one litre of packaging oil. Because the exchange rate for substitute items or the agreement of both parties is conducted in credit, debit, or at the time the contract is executed (Omar Farooq, 2012). It does not contain goods prohibited or prohibited by Sharia [22].

Rasulullah SAW said:

«الذَّهَبُ بِالذَّهَبِ وَالْفِضَّةُ بِالْفِضَّةِ وَالْبُرُّ بِالْبُرِّ وَالشَّعِيرُ بِالشَّعِيرِ وَالتَّمْرُ بِالتَّمْرِ وَالْمِلْحُ بِالْمِلْحِ مِثْلًا بِمِثْلِ سَوَاءٍ بِسَوَاءٍ يَدًا بِيَدٍ فَإِذَا اخْتَلَفَتْ هَذِهِ الْأَصْنَافُ فَيُعَوَّضُ كَيْفَ شِئْتُمْ إِذَا كَانَ يَدًا بِيَدٍ»

"If gold is sold for gold, silver is sold for silver, whole wheat is sold for round wheat, *sya'ir* (a type of long-grain) is sold for *sya'ir*, dates are sold for dates, and salt is sold for salt, then the amount (measure or scales) must be the same and paid in cash (cash). If the type of goods is different, you are welcome to barter them as you like, but it must be done in cash (cash)." (HR. Muslim) [6].

Commodities of usury The scholars agree that there are six kinds of them in Table 1:

**Table 1. The Six Commodities of Riba**

Type	Effective Reason
Gold Silver	Its capacity is the dominant currency

Wheat Millet Dates Salt	The staple food is weighed or graded
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These six commodities must be paid in cash and be identical to avoid usury. According to the Shafi'i school, gold and silver are included in usury for one specific reason: their pricing structure. In terms of the intrinsic worth of gold and silver [23].

The role of hard currency is crucial in any modern economy. The introduction of money as a form of compensation successfully eradicates the problems associated with traditional barter trade. In the medieval world, gold and silver were the most widely accepted and circulated forms of currency, kept in the treasuries of kings, the wealthy, and the powerful. In 1971, the United States government abolished the Bretton Woods system and replaced it with a floating or fiat economy system, quickly becoming the global standard currency system. No Muslim government-issued legal rulings (fatwas) rejected the legality of the fiat system and demanded the return to gold- and silver-backed currency. The sole fatwa issued in Saudi Arabia in 1985 concluded that paper currency had wholly replaced gold and silver and that all Islamic legal rulings previously issued on gold and silver were now applicable to the paper currency [24].

In contrast, it is caused by everything that can be consumed and has three criteria in the food industry. The first is an essential food, the second is a flavour enhancer for foods like dates, dry grapes, and figs, and the third is food as medicine. All of these food ingredients have a lengthy shelf life [25].

Riba is one of Islam's most prominent regulations regarding economic life. The commercial lives of Muslims and commerce-related laws were regulated by the prohibition of riba, thereby creating a society that avoided riba sensitively. This sensitivity to riba manifested itself in the principle that the suspicion of riba is evaluated as riba and prohibited as riba. In fiqh sources, in addition to issues about riba, issues involving the suspicion of riba were also mentioned, and the presence of such suspicion was used to justify specific rulings. However, the logic of using the concept of riba suspicion in fiqh sources may vary from case to case: the logic behind the use of riba suspicion in one case may not apply to another case, and a completely different logic of riba suspicion may therefore appear in another case. To clarify the framework of the concept of riba suspicion, it would be helpful to examine each of these applications in classical fiqh sources [26].

In Islamic law, the principle of evaluating "the suspicion of riba as riba" is related to the rule of considering "any suspicion as certainty when it comes to harams or matters requiring substantial precaution." Since riba is a haram that Muslims must avoid with vigilance and therefore requires caution, its suspicion is subject to the same rules as riba. In most Hanafi fiqh texts, the concept of suspicion of riba appears in the following situations: In barter transactions where equality is stipulated, not knowing whether there is equality between the subject matters [27].

For instance, when exchanging two batches of the same type of ribawi merchandise, despite the quantities being unknown. It is unknown whether Tariq al-itibr has occurred in changes that may be permissible under Tariq al-itibr. In exchanging a silver-embroidered sword for silver, for instance, if the amount of silver in the ornamented portion is unknown, riba suspicion arises. The emergence of a situation similar to riba as a result of an otherwise permissible transaction: Although there are two legal sales in Bay' al-inah, the conclusion that they are the same as an interest-bearing loan is viewed with riba suspicion [28].

When there are two sides to a case, an act is riba from one side, but from the other, it is not. For instance, in the case of a salam contract for ribawi goods, if goods of differing quality are delivered, and the customer requests the difference in quality, a suspicion of riba



to prove a contested opinion among schools of Islamic law. For instance, to argue that riba rules also apply to goods sold by the piece or by length measures, the Hanafis assert that one of the two causes of riba is the exchange of these goods by type and the suspicion of riba arises with only a single cause. The Shafi'is, on the other hand, argue that identifying the subjects in the exchange of ribawi goods other than gold and silver is insufficient [29].

In the Hanafi 'illat school, gold and silver are forbidden because they are types that can be weighed. It is forbidden to buy and sell by weighing. As well as explaining substitute assets in exchanging assets for assets, such as chillies with similar chillies, namely by being weighed, and the conditions must be the same and appropriate. The size is said to be included in riba fadhl on food, which is half a sha', because there may be an addition if it is less than half a sha'. If the size of the ribaa nasi'ah is seen from the addition of the size at the time of final payment, such as the purchase of wheat in the first week of one kilogram and payment in the second week and there is an increase of half a kilogram to one and a half kilograms [30].

There are three narrations of the Hambali school of 'illat riba. The first is the same as 'illat Syafi'iyah. The second is the Hanabilah which forbids buying and selling the same kind that is weighed with one date. The third history is not only about gold and silver. Food without weighing is not included in the category of usury even though there is an addition, according to Sa'id Ibn Musayyab who agrees with the hadith of the Prophet Muhammad. This means "There is no usury, except on what is weighed or from what is eaten and drunk." [31].

The Maliki school on gold and silver is said to be riba if it is 'illat on the price, but in terms of food ingredients 'illat (because), riba differs in opinion on usury fadhl and usury nasi'ah. 'Illat on riba fadhl food, that is, because the food is included in the staple food and lasts long when stored. 'Illat is forbidden to usury nasi'ah (food other than for treatment) because in food, there are elements in reinforcement (staple food) and strong resistance, so there are no these two elements [32].

Riba commodities include selling value and can be stored including Selling value as price, as a medium of exchange for 'illat gold and silver, Hambali and Maliki opinions on price, as a medium of exchange the value of goods and services is illat gold and silver. Stored, In Maliki's opinion, the staple food that can be stored for a long time is 'illat. The Ulama approved Malikiyah's opinion, and the most potent international fiqh institutions became the basis [33].

The threat to usury eaters has been explained in the verses of the Qur'an and the Sunnah of the Prophet Muhammad SAW. In the Koran Al-Baqarah (2) verse 275:

"الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ"

"Those who consume interest cannot stand [on the Day of Resurrection] except as one stands whom Satan is beating into insanity. They say, "Trade is [just] like interest." However, Allah has permitted trade and has forbidden interest. So whoever has received an admonition from his Lord and desists may have what is past, and his affair rests with Allah. However, whoever returns to [dealing in interest or usury] - those are the companions of the Fire; they will abide eternally therein."

In other words, the Qur'an must elaborate on the meaning of usury. The restriction on usury fadhl is based on the words of the Prophet. Unless for the same sort and price, do not sell gold for gold, silver for silver, wheat for wheat, poetry for poetry, Tamar (dates) for tamar (dates), and salt for salt [34].

This verse's conclusion confirms that people who have engaged in usury and those who have ceased usury but resume it after this prohibition are revealed to be among hell's residents and will remain there forever. According to some scholars, the greatest sin committed by usury eaters is that their hearts have been infected with a love of wealth, prioritizing self-interest, and acting for self-interest rather than Allah's sake. Such a person is incapable of cultivating authentic faith in his soul, that is, a faith founded on sentiments, confession, and submission to God. If a person who engages in such usury nonetheless professes to trust in Allah, then his religion is superficial and does not penetrate the depths of his heart. Hasan Al Basri stated that faith is not an adornment of the tongue and a figment of the imagination; rather, faith is a heartfelt commitment demonstrated by deeds. Allah rejects the confession of a person whose words are positive but whose actions are inappropriate [35].

The Prophet condemned the less blessed parties engaging in muamalah.

لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَكِلَ الرِّبَا وَمُوكِلَهُ وَكَاتِبَهُ وَشَاهِدَيْهِ وَقَالَ هُمْ سَوَاءٌ

"The Messenger of Allah (PBUH) cursed those who eat usury property, those who give usury, the writer of usury transactions, and the two witnesses of usury transactions. They are all the same (sinful)." (HR Muslim)

## CONCLUSION

According to most halal experts, there is no usury (increase) save for food and drink that is weighed. According to most experts, it does not include usury in the sale and purchase of barter transactions at UD Jelantah Sejahtera since used cooking oil is neither a staple for consumption nor a staple for treatment.

The establishment of barter trading at UD Jelantah Sejahtera with consumers who trade in spent cooking oil is prohibited under Islamic law. However, when referring to the six usury commodities mentioned in the hadith of the Prophet Muhammad, the results of trading and bartering used cooking oil for fresh packaged cooking oil of varying quantities or volumes are permitted because cooking oil is not a staple food commodity for the Indonesian people. As used cooking oil is not consumed directly, it does not have a detrimental effect on humans; therefore, Islam permits the exchange of spent cooking oil for new oil. As long as its usage is not for direct consumption so that it does not hurt humans, it is permissible to swap used cooking oil for newly packaged cooking oil.

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