

**BUYING AND SELLING A BOUQUET OF MONEY
ACCORDING TO WAHBAH AZ-ZUHAILI**

Sifak Saifuddim Ahmad^{1*}, Maranda Sukma Mufatzizah², Malifah Balqis³

¹ UIN Sunan Kalijaga Yogyakarta ² UIN Sunan Kalijaga Yogyakarta, ³ Universitas al-Azhar Kairo
sifakfulan@gmail.com, marandasukma@gmail.com, mashalu2408@gmail.com

*Corresponding Author

▪ Received: 03-05-2023

▪ Revised: 28-12-2023

▪ Accepted: 30-12-2023

Abstract

This study discusses the views of Islamic law related to buying and selling bouquets of money from the perspective of Wahbah az-Zuhailiy. Money that was originally only used as a medium of exchange, with the development of human creativity, money can also be used as a series of beautiful arts in the form of a bouquet. Viewed from the other side, it is stated that it is not allowed to sell or exchange money for money with suspension and excess. This research is a library research that in its approach uses an analytical descriptive approach, by knowing the description and practice of buying and selling bouquets of money in the field. According to Wahbah Az-Zuhaili, buying and selling a bouquet of money includes buying and selling currency with currency that contains additional accessories. Thus, it can be concluded that in buying and selling a bouquet of money, the contract in buying and selling is not purely buying and selling currency with currency only, but rather buying and selling currency with currency with other accessories added, so that the law is valid according to one opinion and invalid according to another. This paper is expected to help answer the law of buying and selling a bouquet of money, especially for every party involved in this money bouquet business.

Keywords: Az-Zuhaili, Sarf, Money Bouquet

Abstrak

Penelitian ini membahas tentang pandangan hukum Islam terkait jual beli buket uang perspektif Wahbah az-Zuhailiy. Uang yang pada mulanya hanya digunakan sebagai alat tukar menukar, dengan berkembangnya kreatifitas manusia, uang juga dapat dijadikan sebagai rangkaian seni yang indah dalam bentuk buket. Dilihat dari sisi lainnya, disebutkan bahwa tidak diperkenankan menjual atau tukar menukar uang dengan dengan uang dengan adanya penangguhan dan adanya kelebihan. Penelitian ini adalah penelitian *library research* yang dalam pendekatannya menggunakan pendekatan deskriptif analitis, dengan mengetahui gambaran dan praktik jual beli buket uang di lapangan. Menurut Wahbah Az-Zuhaili, Jual beli buket uang termasuk jual beli mata uang dengan mata uang yang terdapat tambahan aksesoris lainnya. Dengan demikian, maka bisa disimpulkan bahwa dalam jual beli buket uang akad dalam jual beli tidak murni jual beli mata uang dengan mata uang saja, melainkan jual beli mata uang dengan mata uang dengan tambah aksesoris lain, sehingga hukumnya adalah sah menurut satu pendapat dan tidak sah menurut pendapat lainnya. Tulisan ini diharapkan dapat membantu menjawab terkait hukum jual beli buket uang, khususnya bagi setiap pihak yang berkecimpung dalam bisnis buket uang ini.

Kata kunci: Wahbah Az-Zuhaili, Sarf, Buket Uang.

INTRODUCTION

Recently, buying and selling bouquets has started to be discussed a lot and has become a commodity that is most often sought after during special times. If seen from its initial appearance, this bouquet uses flowers as the main decoration material. However, as times change, bouquet makers have other initiatives to attract customers by replacing flower accessories with other accessories such as snacks, gallons and money. The use of money as an accessory has recently become more popular among customers. This can be seen at certain times, especially at graduation, graduation or even weddings.¹

A bouquet itself is a series of objects or items arranged into a creative and attractive shape. Currently, there are various kinds of hand-made creations that can be used as gifts or gifts as an opportunity to open a business such as this bouquet creation. Bouquet accessories themselves have a wide variety, for example there are flower bouquets, bouquets, snacks, balloon bouquets and money bouquets, this depends on the request of the buyer and the ability of the seller. Turning to money, money itself is an object that can be accepted by the general public as a means of exchange or a legal means of payment in economic activities.² Money can also be said to be an object that has been accepted by the general public to measure the value of goods, a medium of exchange or various tools for making purchases in the form of commodities and services whose existence has been regulated in legislation.³

Basically, money is a medium of exchange that has value which functions as a transaction tool in buying or paying for everything to meet all the living needs of a community in an area. Money printing itself is carried out by banks under very strict supervision by the government. It cannot be denied, starting from ancient times, currency was not only used as a tool to give goods. Sometimes, due to necessity, the currency itself is needed to be exchanged for other currencies and this is nothing new in Islam. Rasulullah Salallahu 'alaihi wa Sallam said

عن أبي بكر رضي الله عنه قال: قال رسول الله - صلى الله عليه وسلم " لا تبيعوا الذهب بالذهب؛ إلا سواً بسواً، والفضة بالفضة؛ إلا سواً بسواً، وبيعوا الذهب بالفضة، والفضة بالذهب كيف شئتم. "

¹ Ila Rizky, 'Buket Uang Sebagai Hadiah: Mengapa Ini Menjadi Fenomena', *Ruang Berbagi Cerita Dan Review*, 2023, p.3. <https://www.kikysmile.com/2023/03/fenomena-buket-uang-sebagai-hadiah.html?m=0>. hlm. 6-8.

² Wikipedia, 'Uang', *Wikipedia*, 2007, p. 7 <https://id.wikipedia.org/wiki/Uang>.

³ Kbbi, 'Definisi Uang', *Wikipedia*, 2000, p. 5. <https://id.wikipedia.org/wiki/Uang>

From Abu Bakrah Radyallahu 'anhu, Rasulullah Salallahu 'alaihi wa Sallam said, "Do not sell all gold for gold unless it is the same in size and sell silver for silver unless it is the same in size, and sell all your gold for silver and silver for gold as you wish."⁴

In ancient times, the types of currency used were gold and silver, so Rasulullah SAW described buying and selling currency with gold and silver. Nowadays, currency is no longer made of gold and silver but is made of metal and paper. The scholars provide conditions for the validity of this sale and purchase, namely that they must be the same in size and without any delays. What's interesting about buying and selling money bouquets is that the commodities sold in this bouquet are not only money, but there are several other accessories included in the bouquet. So, there needs to be a special study on how Islam views this matter. In this way, it is hoped that it will be able to answer the problem regarding cash bouquets which are still often questioned about the law, as well as being a solution for bouquet producers and consumers of cash bouquets so that their activities are in accordance with the Shari'a.

METHOD

This research is library research which has a qualitative nature. The approach used is a standardized normative approach with the views of Wahbah az-Zuhaili, meaning legal research which in its implementation uses research with library materials or secondary data as basic material for research, with the process of conducting searches on regulations and literacy related to the problem being researched. and qualitative in nature, namely research that does not use numbers in the process of collecting data and providing interpretation of the results, but in certain contexts researchers may use numbers. Then the research approach used in this case is a normative juridical approach.⁵

RESULTS AND DISCUSSION

A. WAHBAH AZ-ZUHAILI

Wahbah az-Zuhaili is a contemporary cleric who was born on 06 March 1932 in Dir Athiyah Village, Qaimun, Damascus and died on Saturday 08 August 2015 at the age of 83 years. His very famous book, namely *al-fiqh al-islamiy wa adillatuhu* has become one of the reference books for students and even scholars in studying problems in the jurisprudence of the four schools of thought. Wahbah was not a descendant of great scholars like other scholars, he was the son of a farmer who was pious and wara' and memorized the Koran, but he was able to

⁴ Al-Asyqudi Al-Albani, *Mukhtashar Shahih Imam Bukhari* (Riyadl: Maktabah Ma'arif, 2002). hlm. 97.

⁵ Wahyu Purantara, *Metode Penelitian Kualitatif* (Surabaya: Graha Ilmu, 2010). hlm. 105.

reach the level of quality of world scholars, this can be proven by the many appreciations from world scholars for him in his books. His father's love for science made Wahbah az-Zuhaili a place with a lot of knowledge from a young age, making him a leading scholar of his time.⁶

Starting from basic education in his village, he has begun to know the basics of Islam very well. In 1946, he continued at a higher level, namely intermediate level, focusing on the sharia department in Damascus until in 1952, from here he had sufficient provisions to further deepen the field he was studying, simultaneously he entered two majors at once and at different universities, namely the Arabic Language Department at al-Azhar and the Sharia Faculty at 'Ain Syam University. Within a period of five years, he was able to complete all his education, then he entered a higher level, namely a postgraduate degree at Cairo University, which he completed in two years and received an M.A. degree. Next he continued his education to a doctoral program which he took and completed in 1963 with the thesis title *asar al-harb fi al-fiqh al-islam*.

Known as a diligent and competent person, in 1963 he was appointed as a lecturer at the Sharia Faculty of Damascus University and soon became Dean. He taught there for approximately seven years, he was known as a person who was very expert in the science of exegesis, Islamiyyah and fiqh. Until finally he became a professor in 1975.⁷ His title as Professor is not only big in name, he has proven his worth by being a lecturer in a number of education institutions in Arab countries, such as the sharia and law faculty at the Postgraduate School of Benghazi University, Libya, and at Umm Darman University and at the University of Africa, all of which are in Sudan. Wahbah also attended several international seminars in several countries including Malaysia and Indonesia. He was very prolific in writing, it is noted that he wrote books, articles and bulletins on various scientific disciplines. In fact, his books numbered more than 133 books and if combined with his small notes, he counted more than 500 writings.⁸

Even though in his thinking he belongs to the Hanafi school of thought, he is not blindly fanatical in following his school of thought. He remains proportional and also explores other

⁶ Wahbah Az Zuhaili, *Al-Fiqh Al-Islami Wa Adillahuhu* (Damaskus: Dār al-Fikr, 1989). Jilid IV, hlm. 145.

⁷ Andy Hariyono, 'Analisis Metode Tafsir Wahbah az-Zuhaili Dalam Kitab Al-Munir', *Al-Dirayah*, 1.1 (2018), hlm. 25.

⁸ Azizatul Qoyyimah and Mu'iz, 'Tipologi Moderasi Keagamaan: Tinjauan Tafsir Al-Munir Karya Wahbah Az-Zuhaili', *Jurnal Ilmiah AL-Jauhari: Jurnal Studi Islam Dan Interdisipliner*, 6.1 (2021), 22–49 <<https://doi.org/10.30603/jiaj.v6i1.2059>>. hlm. 15.

schools of thought. This can be seen in several of his works, especially in his book *al-fiqh al-islami wa adillatuhu*, in this book the depth of understanding of fiqh is very clear, not only in the Hanafi school of jurisprudence, but in other schools of thought, such as the Maliki school of thought, the Syafii school of thought and the Hanbali school of thought.

His expertise is in several scientific disciplines, so it is not surprising that his work is also in several scientific disciplines. This can already be seen from several book titles, such as *al-fiqh al-islami wa adillatuhu*, *al-fiqh as-syafii al-muyassar*, *al-huquq ad-dawali fi al-fiqh al-islami bi al-istihrak ma'al akhirain*, *haqqu al-hurriyyah fi al-'alam*, *al-uquq al-musamma fi al-qanun al-mu'amilat al-madani al-emirati*, *atharu al-harb fi al-fiqh al-islami*, *ushul al-fiqh al-islami*, *al fiqh al-islami 'ala mazhab al-maliki*, *al-islam al-din sura wa ad-dimuqratiyyah*, *aslu muqaranit aal-adyan* dan *tafsir al-munir*. Apart from books in Arabic, he also wrote a lot of writing, both small notes and even thick books in English, such as the book *financial transactions in islamic jurisprudence*.⁹

SARF (BUYING AND SELLING CURRENCY)

Linguistically, *sarf* means addition. Therefore, the worship of *nafilah* (sunnah) is also called because it is additional. Prophet Muhammad SAW. said, "Whoever assigns himself to someone other than his biological father, Allah will not accept *sarf* (sunnah practices) and *'adl* (sunnah practices). In terms of terms, *sarf* is a form of buying and selling *naqdain*, whether similar or not, namely buying and selling gold with gold, silver with silver, or gold with silver and whether in the form of jewelry or currency.¹⁰

The concept of *sarf* has been explained in a hadith of the Prophet which states that gold and silver are two types of assets which are the origin of ribawi goods. This is based on the basis, namely because there is a hadith which states emphatically that both gold and silver treasures are *taumani* or twins. Furthermore, this rule is equipped with an explanation that the exchange of gold for gold, or silver for silver, must comply with the concept of *matsalan bi matsalin* (equivalent for equivalent) and must be *yadan bi yadin* (mutual handover) in one place of contract. As for exchanges that are not of the same kind (for example, gold for silver), it is required that they be disproportionate, but they are still required to be *yadan bi yadin* (mutual handover).

⁹ Zuhaili. Op.cit., hlm. 148.

¹⁰ Sayyid Sâbiq, *Fiqh Sunah* (Beirut: Dar al-Kitab al-'Arabi, 1397). Jilid 3, hlm. 65-66.

The two sharia prohibitions above, namely the obligations of *matsalan bi matsalin* and *yadan bi yadin*, are the reason why the opinion emerged that the use of paper money as a medium of exchange/trade is the fulfillment of a ribawi transaction, so it is haram. This is because in this regulation the minimum provisions *manshush* (stated in the text) are not fulfilled that in exchanging ribawi goods it is mandatory to apply the *yadan bi yadin* provisions which are interpreted as obligatory *qabdlu al-haqiqi* (real receipt of goods) in the form of gold or silver, before parting with one assembly (*al-taqabud qabla tafarruq al-majlis*). However, the provisions of *yadan bi yadin* (mutual handover) are still mandatory. Due to these two sharia prohibitions regarding the obligations of *matsalan bi matsalin* and *yadan bi yadin*, it is believed that using paper money as a medium of exchange or for trade constitutes the completion of a ribawi transaction and is therefore prohibited. The opinion that states the acceptance of paper money is one that has support. This approach does not only apply to things that are *manshush* (explained by the Koran and Hadith) but also to approaches that are based on *qiyasi* (analogy) and *manhajy* (methodology). Of course, there needs to be a legal basis that proves that the action was taken so that its authenticity can be recognized.¹¹

According to a historical record, Sayyidina Umar reportedly tried to print money from camel skin, this is where the use of paper money thus has a legal basis. It is not an idea that stands without legal basis which is considered by Sayyidina Umar to issue money made from camel skin to be used as currency. Of course, one of the legal justifications for using camel skin is that the assessment is based more on the collateral material than the raw material. The hoard of gold from the spoils of war stored in Baitul Mal became collateral. As a result, conception is now permitted in fiqh because camel skin is now considered a guarantee of gold (*mafi al-dzimmah*). Why doesn't that happen? The fuqaha scholars interpret Sayyidina Umar's fundamental factors as 2 sided things, namely; 1) Using camel skin for cash is considered impractical because it is not very wide and is easily damaged; 2) It is feared that in the end many camels will be killed, causing extinction. In fact, to be used as a storage unit for assets, what is often called money, must follow certain rules.¹²

The current era is different from the era during Sayyidina Umar's time, with the invention of the paper printing machine and printing machine technology, the problems faced by

¹¹ Ibid., hlm. 70.

¹² Abdur Rahman, *Al-Fiqh 'Ala Al-Madzahib Al-Arba'Ah* (Mesir: Dar al-Kutub al-Ilmyyah, 2003). Jilid 3, hlm. 110.

Sayyidina Umar bin Khathab can now be minimized. Although the idea of gold reserves still existed, paper was used as the main component of currency.

B. STATUS OF PAPER CURRENCY AND ITS RIBAWI ASPECTS

Paper money is indirectly seen as *mafial-dzimmah* (value guaranteed by gold) because of its status as gold collateral. *Mal ad-duyun* (debt) is another word for *ma fi al-dzimmah*. When banknotes are exchanged, it is as if a debt has been transferred from one party to another. Buying and selling debts is often referred to as *bai' ad-dain bi ad-dain* or *bai'u ma fi ad-dzimmah bi ma fi ad-dimmah*, for scholars who adhere to *mansus* postulates, then they will consider this to be usury.¹³ This is because it seems as if gold is being transferred with other gold where no real or visible presence of gold is found which is used as an intermediary.

Regarding the scholars who are of the opinion that buying and selling debt for debt (*bai' ad-dain bi ad-dain*) is not always prohibited, they argue that there needs to be a balance of debt that is transferred or exchanged. There is no illat usury if the debt is proportional (*tamatsul*). The term "usury" refers to the requirement of excess on the opposite side of a loan in exchange for one of the obligations.

C. BUYING AND SELLING MONEY ACCORDING TO THE VIEWS OF WAHBAH AZ-ZUHAILI

Buying and selling money or exchanging money are two terms that look different but actually have the same substance and aspects. It cannot be denied that exchanging money is an activity that cannot be ignored in society. Generally, someone needs to exchange money for a particular purpose, for example a trader who needs small denominations. Money exchange services are increasingly popular as Eid approaches, people flock to exchange money to give to their relatives. According to Wahbah az-Zuhaili, buying and selling transactions of ribawi commodities can actually avoid riba contracts if they fulfill several conditions.¹⁴ He stated that there are at least four conditions that need to be considered, including the following:

- a) Handover between the parties to the transaction before separating. In a *sarf* contract, it is required that the goods be handed over before the two parties to the transaction separate. This requirement is intended to prevent us from falling into usury *nasi'ah* (usury due to suspension). Apart from that, so that the contract carried out does not turn into buying and selling debt for debt which results in usury *fad* (usury because there is an addition to one

¹³ Ibnu Rusd, *Bidayatul Mujtahid* (Beirut: Dar al-Fikr, 1420). hlm. 123.

¹⁴ Wahbah az- Zuhaili. Op.cit., hlm. 150..

- of the goods exchanged). These handover conditions apply whether buying or selling two similar goods or not.
- b) Equal in size if both types are the same. If goods sold are of the same kind, such as silver, or gold and gold, this cannot be done unless the size or weight of both are the same, even though the quality and shape are different, one of which is of better quality than the other or the shape is better.
 - c) Free from the rights of *khiyar sart*. In a *sarf* contract, *sarf* is not permitted to have *khiyar sart* for both parties to the transaction or one of them. Because in this *sarf* contract, handover is one of the absolute conditions for ownership. And in *khiyar sart* it actually hinders ownership rights, even though the scholars are still debating this issue as explained in the previous discussion. The right of *khiyar* can eliminate acceptance which is a condition of the contract to obtain certainty of goods.

The contract is carried out in cash (without any delays). Among the conditions of a *sarf* contract is that there is no suspension of time for either party or one of them. If this condition is not fulfilled, then the contract made will be *fasid* (void), because as is known, the handover of exchanged goods must occur before parting.¹⁵ A time delay will clearly be an obstacle to the handover, so that the contract will clearly be cancelled.

D. BUYING AND SELLING BOUQUETS OF MONEY ACCORDING TO WAHBAH AZ-ZUHAILI'S VIEWS

It is important to pay attention when buying and selling money bouquets, that buying and selling in a money bouquet is not only between money, but there are other accessories. What is included is a straight piece of wire used to attach each money, rolled ribbon, artificial or plastic leaves or flowers, paper wrapping money, and other additional accessories according to the wishes of the consumer. Thus, it can be decided that in the sale and purchase of a bouquet of money, the contract in this sale and purchase is not purely a sale and purchase of currency with currency alone, but rather a sale and purchase of currency with currency along with other accessories.

Meanwhile, if the buying and selling of currency that occurs involves other goods (not purely currency for currency), then the scholars in this case have different opinions on how to respond to it. In the jurisprudence of the four schools of thought mentioned by Wahbah az-Zuhaili and other scholars, for example as quoted in the book *Al-Mawsû'ah al-Fiqhiyyah al-*

¹⁵ Ahmad bin Muhammad al Kaf, *At-Taqrirat as-Syadidah* (Yaman: Dar al-Miras an-Nabawi, 1999). Jilid II, hlm. 25.

Quwaytiyyah, that there are legal details in buying and selling currency with currencies according to the mechanism and commodities specified. also sold.¹⁶

1. Selling currency with similar currencies

Islamic jurisprudence scholars agree that if you sell gold for gold or silver for silver, you must pay cash and hand it over at the same place with the same size or grade. So it is haram to sell currency of the same kind with different sizes or grades, just as it is forbidden to sell currency of the same kind and at the same time. This first division is based on several hadiths of the Prophet Muhammad, one of which is the hadith narrated by Ubadah bin Shamit. He said that Rasulullah SAW once said *قال رسول الله صلى الله عليه وسلم: الذهب بالذهب والفضة بالفضة. . . مثلا بمثل يدا بيد selling gold with gold and selling silver with silver so that the size must be the same and handover on the spot*".¹⁷

As for whether gold or silver is good or bad, it doesn't matter when buying and selling. Because of the words of Rasulullah SAW *جيدها ورديتها سواء "Good and bad currencies are considered the same"*. From this hadith, fiqh scholars require both parties to a transaction to know the size or grade of the currency being exchanged. Therefore, it is not permissible or legal to sell similar currencies without knowing the nominal value or value, even though in reality the two currencies have the same size.

2. Selling one currency for a different currency

The scholars agree on the permissibility of such buying and selling provided that they are not the same in terms of weight or number. Or it may be the same size, as agreed by the ulama, selling one currency for a different currency in a random manner, if both currencies or one of them is the same in value or weight. This is because the currencies are not the same. This is based on the words of the Prophet SAW. *إذا اختلف الجنسان فبيعوا كيف شئتم. إذا كان يدا بيد "If the types of two currencies are different, then buy and sell according to your wishes, provided that you receive it on the spot"*.

In this second division, in the entire context, it is required that there be a handover at the place of contract before parting with both or one of them. This is because it avoids usury *nasa'*.

3. Selling currency with currency and with one of the currencies or both plus other goods

In this second division, the scholars provide details into two illustrations, namely:

¹⁶ Wahbah az- Zuhaili. Op.cit., hlm. 150..

¹⁷ Abu Abdillah al Bukhari, *Shahih Al-Bukhari* (Damaskus: Dar al-Yamamah, 1993). Jilid VI, hlm. 43.

- a. If someone sells currency with currencies of different types, in which one of the currencies or both of them has other objects added, such as selling gold with silver plus clothes and the goods are handed over before both or one of them part, then the contract is valid, either with different or the same size and grade. Because the currency used is different. However, if the grade or size is different, then handover is required at the contract location.
- b. Meanwhile, if someone sells currency with the same currency, and in one of them there are additional items, such as gold with gold and in one of them there is an addition of other items, such as two dirhams with one dirham plus one piece of clothing, then in this context the scholars have different opinions. whether it is allowed or not. The scholars who allow it provide conditions that the currency used as a means of payment must have a larger denomination than money mixed with other goods. So if the value of the currency is the same then the law is haram because it is included in usury which is prohibited. As for the scholars who do not allow it, they are based on the hadith of the Prophet that the Prophet once came to the Khabar area to sell some of his livestock, then someone wanted to buy them by giving some gold and jewels, then the Prophet took the gold and returned the jewels. What the Prophet did indicates that currency, which in the previous context was gold, should not be mixed with other items that are not similar.

4. Selling currency in large amounts

The majority of scholars such as the Maliki school of thought, the Syafii school of thought, the Hanbali school of thought and some of the Hanafi school of thought are of the opinion that such buying and selling is invalid. The Syafii school of thought and the Hanbali school of thought included buying and selling in the *mud 'ajwah* chapter.

5. Buying and selling currency with underwriting

In this fifth division, the scholars provide three illustrations, namely:

- a. Someone buys currency with a different currency in one assembly, then the buyer owes the currency to a third party, and the buying party also owes a different currency. Then the seller hands over the money and so does the buyer. In this first illustration, the majority of ulama, such as Syafiiyah ulama, Hanafiah Ulama and Hanabilah Ulama, are of the opinion that buying and selling can be legal provided that it must be handed over on the spot. Because on-site acceptance is counted as acceptance in the contract.

- b. Someone has a responsibility (debt) to another person, for example gold, and that other person also has a responsibility to that person in dirhams, for example. Then both of them agreed to exchange their debt for their debt. Syafiiyah and Hanabilah scholars are not allowed to exchange things in this way. Because the sale and purchase is included in the sale and purchase of debt with debt. Ibn Qudamah said that it is not permissible to buy and sell debt for debt with the agreement of the ulama.
- c. Exchanging the currency in custody with a different currency. For example, so and so has a debt in dirhams to Zaed, then so and so pays in dinars or vice versa. According to the Hanafiah and Hanabilah scholars, an exchange like this is permissible, provided that the handover occurs at the place before parting.

6. Buying and selling currencies with mixed currencies

Islamic jurisprudence scholars agree on the permissibility of mu'amalah with mixed dirhams or dinars, if this is the case in society. However, if part of it is sold with another part by buying and selling, the ulama will specify the law.

7. Buying and selling currencies other than gold and silver (*fulus*)

Fulus is currency made other than gold and silver such as copper, metal or iron which is printed in a certain shape. In this buying and selling, fiqh scholars agree on the permissibility of buying and selling like this, because *fulus* is a commodity that has a known value, so if the *fukus* is not valid in that area the waka is obliged to determine it. However, if the *fulus* is valid in that area then it is not mandatory to determine it, because the *fulus* is included in this context including gold and silver currency. However, if the *fulus* is exchanged or sold for gold and silver currency over time, the scholars have different opinions about the law. Or cash is exchanged or sold for cash with an excess in one of them.

- a. Syafiiyyah and Hanafiyyah scholars apart from Muhammad and Hanabilah scholars in their well-known opinions are of the opinion that there is no usury in the *fulus* used by muamalah by calculating. Even though the *fulus* is not sold in that area, because in its nominal form it does not use measures and scales and there are no *nas* and *ijmak* that explain this. And another reason is because the illat of usury in gold and silver is its nature as currency with its pure material (*jauharah al-atsman*). This means it is not made from small change even though that is popular in that area. There are even some Syafiiyyah scholars who classify cash as a trade commodity even though it sells well in the area.

Thus, according to the view of the first group, buying and selling *fulus* with other *fulus* is legal if there is an excess or unequal size, provided that it must be handed over on the spot. This is the opinion of the Hanafiah ulama, they are of the opinion that it is permissible to sell one *fulus* for one *fulus* provided that there is no overdue or debt. Because goods that are like currency in their position are still legal like gold and silver currency.

- b. Meanwhile, the Malikiyyah ulama in their qoul rajih are of the opinion that it is not permissible to sell *fulus* for *fulus* with excess or unknown size and it is not permissible to sell money in a tempo manner. Nor may it be sold in gold or silver at tempo. Because according to this group's view, *fulus* is still a currency that is at the same level as meas and silver. Therefore, the laws that apply to gold and silver currency also apply to *fulus* law. For example, there should be no delays in delivery or there should be no different or unknown sizes.

Looking at the several types of exchange mechanisms or buying and selling currency for currency, it can be concluded that money bouquet transactions include the third type of exchange, namely selling currency for currency and along with one of the currencies or both plus other goods. As is known, in a throwaway bouquet there are additional accessories for sale, such as ribbons, flowers, and others. As for the legal status, as stated in Az-Zuhaili's explanation, the laws of this third category are detailed:

1. If the currency used in the bouquet and the currency used as a means of payment are not the same, for example the money in the bouquet is rupiah and the means of payment is ringgit, then the contract is valid, whether the nominal or value is different or the same . However, if the nominal value is different, a handover of goods is required before the two parties leave the contract location. For example, the nominal amount in a bouquet of money is 90,000 IDR (rupiah) and it is purchased with Malaysian currency of 0.00030 MYR or the equivalent of 100,000, then there must be a handover on the spot.
2. If the type of currency in the bouquet and the currency used as a means of payment are the same and in one of them there are additional items, for example the currency in the bouquet is rupiah and the means of payment is rupiah then in this context the Ulama have different opinions, there are some There are scholars who allow it and there are those who don't. The scholars who allow it provide conditions that the currency used as a means of payment must be greater than the nominal amount of money contained in the bouquet. So if the value of the currency is the same then the law is haram because it is included in

usury which is prohibited. As for the scholars who do not allow it, they are based on the hadith of the Prophet narrated by Fadhalah bin Ubaid.¹⁸

CONCLUSION

The law regarding buying and selling a bouquet of money is detailed, if the currency used in the bouquet and the currency used as a means of payment are not the same, for example the currency in the bouquet is rupiah and the means of payment is ringgit then the contract is valid. either with different or the same nominal or value. Meanwhile, if the type of currency in the bouquet and the currency used as a means of payment are the same, for example the currency in the bouquet is rupiah and the means of payment is rupiah, then in this context scholars have different opinions, there are some scholars who allow it and some who do not. Wahbah Az-Zuhaili's conclusion is also in line with the explanation given by Ibn Qudamah in his book *al-mugni li ibn qudamah*.

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¹⁸ Wahbah az- Zuhaili. Op.cit., hlm. 150-151..

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