THE ROLE OF MIDDLEMEN AND FISHERMEN WELFARE IN MAQASHID SHARIAH PERSPECTIVE

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ABSTRACT

This study aims to identify and explain the role of middlemen in financial function and explain how this impacts on the welfare of fishermen and middleman in maqashid shariah perspective. The research methodology is descriptive qualitative with expalanatory of case study. Data was collected through interviews where the informants in this study is the chairman of the fishermen and association of fishermen. The subjects in this study, namely welfare, while the object of this study is fishermen in Grajagan village of Purwoharjo district of Banyuwangi regency. The financial functions of middlemen is expected to help the middleman economy condition to be independent to realize their welfare, because the ultimate goal of all human being is welfare in their life. The results obtained are the fishermens’ welfare are in dharuriyyah rank, but the fulfillment of welfare was not purely because of the role of middlemen. There are others party who help fulfilling the basic needs of fishermen.

Keywords: middlemen, prosperous, fisherman, maqashid sharia, dharuriyyah

ABSTRAK


Kata kunci: tengkulak, kesejahteraan, nelayan, maqashid syariah, dharuriyyah
INTRODUCTION

Indonesia is the largest archipelago in the world because it has a large number of islands and vast oceans. The coastline reaches out to 104,000 km with the sea reaching out to 7.7 million km². The vast field of sea marks Indonesia as a nation with numerous living or non-living varieties of maritime resources.

Tabel 1
Gross Domestic Product (GDP) on Fisheries Based on Current Price in 2009 - 2011 (billion rupiahs)

<table>
<thead>
<tr>
<th>Business Field</th>
<th>2009*</th>
<th>2010*</th>
<th>2011***</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fisheries</td>
<td>176.6</td>
<td>199.2</td>
<td>52.07</td>
</tr>
<tr>
<td>GDP</td>
<td>5.603</td>
<td>6.422</td>
<td>1.742</td>
</tr>
<tr>
<td>Total</td>
<td>.871</td>
<td>918.2</td>
<td>691.3</td>
</tr>
<tr>
<td>GDP non</td>
<td>5.138</td>
<td>5.924</td>
<td>1.600</td>
</tr>
<tr>
<td>Oil and Gas</td>
<td>.955</td>
<td>008.2</td>
<td>347.0</td>
</tr>
<tr>
<td>% GDP Towards: GDP</td>
<td>3.15</td>
<td>3.10</td>
<td>2.99</td>
</tr>
<tr>
<td>Total GDP non</td>
<td>3.44</td>
<td>3.36</td>
<td>3.25</td>
</tr>
<tr>
<td>Oil and Gas</td>
<td>20</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>


The contribution of marine sector towards total Gross Domestic Products (GDP) was undergoing a decline during 2009-2010. In 2009 the number was decreasing to 3.15% and kept decreasing to 3.10%. However, the contribution regained its success by the third quarter of 2011 by reaching out to 3.11%.

Despite the abundant resources, poverty is still a problem. In fact, based on the data collection, about 34,963.3 people in 2008, 32,350 in 2009, 31,023 in 2010, and 30,020 in 2011 were still suffering from poverty. Based on the data the highest number of poverty cases in 2011 is concentrated on Java Island which was 55.7% of all around Indonesia in total (BPS, 2011:48). Among them, 1,768 people are in East Java. Ironically, it is said that the majority of poverty cases are among the fishers, even said to be the poorest of the poor. The majority of the community is in the coasts and villages.

The low level of social-economic condition is a common characteristic among fishers. Their living condition is as equal as small farmers or labors. Furthermore, in terms of agriculture and maritime sectors we can see that fishers are at the lowest level (Kusnadi 2006:35). The harvesting period does not occur all year long. When the fish are scarce, the deposits from harvesting period does not even suffice to fulfill the daily needs of the fishers labor (Kusnadi 2006:6).

The condition of the fisher or coastline community in many areas in Indonesia is commonly recognized by these characteristics: poverty, low quality of human resources because most of the population is only elementary school graduates, and the lack of the function of business groups, microfinance institutions, or organizational capability of the community. These lacks are potential obstacles for the coastline community to support the development on their area. This leads to the low bargaining position among the

1 Working Group on Harmonization of Data Marine and Fisheries, Maritime and Fisheries Affairs in Figures. (Jakarta: Ministry of Marine and Fisheries, 2011).

coastline community with other parties outside the coastline which also means lack of self-development or organizational and/or institutional development as the means for actualization for the development of the area.3

The poor condition of the fisher community can be identified by observing the education level of their children, daily consumption pattern, and income. It would make sense if the low income of the fishers would affect the education level of their children. Many children have to drop out of school before they graduated because of financial problem. Furthermore, what is considered as the primary needs for the community with low financial condition is how to feed their family. Other needs such as a safe home and clothings are considered secondary needs. Food needs are the main concern so that the family can survive.4

One of the common characteristics among coastline community is low funding, whereas funding is essential to raise the production and to support the prosperity of the coastline community. Low funding greatly affects the coastline community activities which aims to increase the welfare through the raise of the income.5

The poverty problems of the coastline community are rooted in the limited access to higher funding and low knowledge of entrepreneurship. The consequences are that the funding needs will be fulfilled by illegal moneylenders that factually cannot help much and can even worsen the condition because of the big debt that cannot be repaid by the fishers.6

Banyuwangi is the most eastern district of East Java province which has an area of 5,782.50 km2 with a coastline of 291.5 km and holds quite large and varied coastal resources. Banyuwangi fishery potentials are also in a state of saturation, which means that they have a great chance to be optimized. This opportunity can be seen from the increase in catches of recent years. In 2004 Banyuwangi has accounted for 27,489,772 kg or equal to IDR 59.3 billion, then two years later in 2006 soared so 62,294,281 kg, equivalent to IDR 93.2 billion.7

Based on observations and descriptions on the locations, most of the fishermen in Grajagan are involved with middlemen. Grajagan fishers do not have enough funds to buy a boat and its equipment. They can not get funds from Koperasi Unit Desa (KUD) in the local area due to lack of funds in KUD. They can not obtain loans from banks because they have no insurance item that can be used for borrowing, and lending process to bank capital is also difficult. Fishermen in Grajagan also experience difficulty in accessing bank due to difficulty to access the bank. Islamic microfinance institutions have not existed around Grajagan yet. These conditions have put Grajagan fishermen to get some loan from the middlemen.

Middleman or moneylenders in Grajagan act one-sidedly against local fishermen by setting prices unilaterally, mismatching the money value of the fish with the weight, taking illegal taxes from the fishermen which should actually be paid for the Department of Marine and Fisheries, and many more that are not in accordance with Islamic business ethics. Business ethics plays an important role in shaping the pattern and system of business transactions which ultimately determine the fate of the businesses. One

5 Kasryno, Prospek Pembangunan Ekonomi Pedesaan Indonesia (Jakarta: Yayasan Obor Indonesia, 1984).
business ethics the Prophet had exemplified is an awareness of the social significance of business activity. Businesspersons according to Islam does not only aim to gain profit as much as possible, but also oriented to ta’awun (helping) as the social implications of business activities. Strictly speaking, business’ aim is not for material profit alone, but based on the awareness to make it easy for others to sell goods. However, in the case of middlemen in Grajagan, business activities were not in accordance with business ethics exemplified by the Prophet, which leads to suffering by the fishermen.

The relationship between traditional fishermen and middlemen cause dependency and will eventually create strong dependent relationship for years. As a result, fishing gets lower bargaining position. Fishermen will not have a strong bargaining position for even determining the sale price of their catch themselves. This is why fishermen’s income tends to be lower than it should be obtained (Listianingsih, 2008: 3). Fishermen in Grajagan also did not have power to determine the price because it is the middlemen role to name the price.

The role of the middlemen greatly affects the welfare of fishermen who are in lower middle economical position, and as we know, welfare is one of the ultimate goal of all human beings. Welfare can be achieved if the needs of human life are fulfilled as whole and balanced so as to create maslahah. Maslahah means any kind of circumstances, both material and non material that is able to improve the position of mankind as the noblest being. Al-Ghazali explained welfare (maslahah) of a society depends on the search and maintenance of five basic objectives: (1) religion (al-deen), (2) life or soul (nafs), (3) family or descendants (nasl), (4) property or assets (maal), (5) the intellect or reason (aql). According to Al-Ghazali, prosperity in the economic aspects of a hierarchical framework of individual and social utility that includes: basic needs (darury), comfort or pleasure (hajjiyi) and luxury (tahsiniy). Key to the maintenance of the five basic purpose of this lies in the provision of basic needs on the first level, which needs such as food, clothing, and housing.

**LITERATURE REVIEW**

Previous research has been conducted by Darojat (2012). The research is about the role of the baitul maal wat tamwil (BMT) against the welfare of the farmers. The results showed that the baitul maal wat tamwil (BMT) Muawanah Madiun has been able to improve the social welfare of farmers, however some formers social welfare are not improve based on maqashid syariah perspective that are taken only in terms of soul (nafs) and property (maal).

Previous research also carried out by Yafiz (2011). Research conducted by Yafiz concluded that the level of welfare of fishermen in the Rokan Hilir is still classified as low based on indicators of welfare of BPS in 1991. The indicators being measured is the fisherman’s household income, household consumption, the difficulty accessing health services, the difficulty of getting a job, a decent alternative and low sense of security due to the interference of crime, and the difficulty of doing sports.

Previous research conducted by the Diola (2011) is about the role of the baitul maal wat tamwil (BMT) in improving the welfare of its members. Baitul maal wat tamwil (BMT) in the operation has been able to improve the welfare of its members that are seen from the fulfillment of the indicator, i.e., income, food, clothing, housing, health, education, recreation, the ability to pay zakat, infaq, and shadaqoh.

**Prosperity in Islam**

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Prosperity can be achieved if the needs of human life are fulfilled as whole and balanced so as to create maslahah. Maslahah means any kind of circumstances, both material and non-material that is able to improve the position of mankind as the noblest being.\(^{11}\)

Al-Shatibi has stated that basic maslahah in human life consists of maintenance of five things, which are religion (deen), soul (nafs), intelligence ('aql), family (nasl), and material (mal). Five basics of maslahah can be considered as measurement for prosperity based on Islam which is the scope of basic human needs that is to be fulfilled so human can live well in the world and the afterlife.\(^{12}\)

According to Al-Ghazali, prosperity or maslahah in the society consists of maintaining five basic purpose of life, which are (1) religion (al-deen); (2) life or soul (nafs); (3) family or generation (nasl), (4) property or material (maal), (5) intelligence or mind (aql). Furthermore he explained that the maintaining has to be based on the guidance from the revelation “prosperity in the world and afterlife (maslahat al-din wa al-dunya) is the main purpose”.\(^{13}\)

Al-Ghazali explained that prosperity in terms of economical aspect is in the form of hierarchy of individual and social utility which consists of: basic needs (darury), comfort or happiness (hajjiyyah) and luxury (tahsiniyyah). Basic key of maintaining the five basic needs is located as the lowest level of basic needs fulfillment, which consists of food, clothing and housing. Al-Ghazali also stated that these basic needs tend to change depends on the time and the place of the society or the community.\(^{14}\)

Al-Shatibi encapsulates human needs be darury, hajjiyyah, and tahsiniyyah.\(^{15}\) Al-Shatibi explained that maintaining group dhururiyyah means maintaining essential needs for human life. The essential needs are to maintain the religion, soul, mind, generation, and properties but in the scope that these needs are not scarce in its existence. Had these needs are not fulfilled; the existence of the five basic needs will be threaten.\(^{16}\)

Needs in group hajjiyyah is not included as essential needs, but it is included in the needs that can dismiss difficulties in human life. If these needs are not maintained, the existence of five basic needs are not threaten, but will only be difficult to maintained. Meanwhile, needs in group tahsiniyyah are to be fulfilled to raise the value of someone in the society and before Allah.\(^{17}\)

Basically, these three groups are needed to maintain or to fulfill five basics which are religion (deen), soul (nafs), mind (aql), family (nasl), and material (mal), but in the sense that the urgency is different in each other.

The needs in the first group can be said as the primary needs which means if the five basic needs are ignored it will lead to scarcity of existence of these five basic needs. Meanwhile, the needs in second group can be said as the secondary needs which means if the needs are ignored it will not threaten the existence of the five basic needs but will still complicate human life.

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The needs in last group can be said as complementary. This is because if the needs are not fulfilled it will not threaten the existence of the basics nor it will make life difficult. The complementary needs are related to how to maintain your ethics as it fits.¹⁸

1. Maintaining the religion (Hifzuddeen)
   Religion is the collection of aqidah, liturgy, law and rules appointed by Allah SWT to regulate the relation between humans and God and to themselves¹⁹. Maintaining the religion or belief (Hifzuddeen) can be implemented in the fulfillment of the pillars of Islam (shahadah, prayer, alms, fasting, and hajj). Alms in economic system can be utilized to classify society into two groups, which are prosperous groups and impoverished groups.²⁰

   The implementation of Islam gives a complete and comprehensible guides on how to live this life, as prescribed by Allah, so that maintaining religion (deen) is one of the most important needs which will guide life as means to worship and to shape human morality.²¹

2. Maintenance of the soul (Hifzu An-nafs)
   Life, body and soul (an-nafs) is important in Islam because what will be retrieved in the afterlife will be closely related to the current life so that humans are intended to live their life as best as possible for the preparation of the afterlife.²² Maintaining the soul (Hifzu An-nafs) can be implemented in food, clothing, housing, health, and common public facilities. If these needs are ignored, it will threaten the existence of life.²³ the implementation in maintaining the life can be seen at provision about human rights to live, to maintain life for prosperity, safety and security physically or mentally.²⁴

3. Maintenance on Intelligence (Hifzu ‘al-aql)
   Knowledge is a necessity for human being to perceive the sign of whole universe (kauniyah verses) and the taught of Islam in Al-Quran os Hadist (qauliyah verses). Thus, human being could not perceive their purpose in this life without grasp the knowledge, otherwise they could manage to through the miserable life. In fact, Islam had a command for mukmin to firmly obtain and enlarge their knowledge (thalabul ilmi).²⁵

   One of the case for protecting knowledge for mukmin is not to drink over beer, alcohol or wine. Islam had the firm law for those who drink khamr and everything which contained alcohol.²⁶

²⁰ Muhammad Nafik Hadi Ryandono, Ekonomi ZISWAQ (Zakat, Infaq, Shadaqah dan Waqaf), (Surabaya: IFDI dan Centoris, 2009), p. 45.
In protecting knowledge, it was very recommended to gather and enlarge our knowledge for instance, through formal education, exercises, research development and media information.27

4. Maintenance of the Descendants (Hifzu ‘an-nasl)

To maintain the human lineage and his family (nasl), a human being need to keep their continuity of life. Although a Mukmin believes that a whole time of life includes not only the world but also lives up to the afterlife, indeed, the sustainability of the world is very important.28 In addition, men should keep the balance between life in this world and in the hereafter. Therefore, the sustainability of our descendants from over generations must be considered. It is the requirement that very vital for human existence. To maintain toward the descendants, Islam had taught the recommendation about marriage and prohibition to fornicate. Islam has the rigid and firm penalties for both men and women who commit fornication.29

5. Maintenance of the Wealth (Hifzu ‘I-Maal)

Wealth (maal) would be necessarily used both for life and worship. Humans need to use it for the needs of food, drink, clothing, houses, vehicles, jewelry and other necessary to maintain their viability. Moreover, the requirement for worshipping is obtained from the wealth, for example, charity, donation, sadaqah, Hajj, studying, build the mosque and others. Thus, without having an adequate wealth, humans will have difficulties whether to fulfill their live in the world or to do worship.30

To be realistic, humans do not have anything, because everything belongs to Allah. Men are on loan and trustworthy for their God. Humans duty is only to manage and utilize the welfare (Falah) for their physic and mental. Islam acknowledges the right of individuals to own their welfare as long as it was obtained in shariah (halal). The ownership of the welfare should be based on the benefit of the people, so the emergence of wealth will lead to mutual respect.31 The wealth include a decent income and fair, business opportunities, and thoyiban in halal sustenance, as well as healthy competition.32

Fisherman’s Welfare

The welfare of the people have an aspect which could not present the exact data of prosperity in all level and how to measure it. Thus, it was very complex. The indicators which used in this study is adjusted with the same household welfare indicators that have been modified. Modifications are needed to adapt to the conditions that occurred in the study area. The indicator consists of:
1. Household income
2. Household consumption
3. The state of residence
4. Healthy family members

________________________________________________________________________

5. Ease of health and medical/paramedical services, include *KB (family program) and drugs.
6. Ease of Education for child
7. Ease of transportation facilities
8. Safety from crime action.

There is another indicator which could be used to measure the welfare of fishermen, called Fishermens Index Ratio (Nilai Tukar Nelayan). It used as an approach to determine the development level of the welfare of fishermen. Nilai Tukar Nelayan (NTN) considered all the income and expenditure from the fishermen family. Nilai Tukar Nelayan (NTN) is the ratio of total income to total household expenditure fishermen for a certain period of time. The truly income is the gross income or receipts which also termed as fishermen household. Coastal communities which is always categorized as the poor society, nowadays, this society have had the size of the exchange rate more accurately. Nilai Tukar Nelayan (NTN) could determine more clearly to the conditions of fishermen every month, either in the lean or the harvest season. Nilai Tukar Nelayan (NTN) is also used to measure the prosperity level of the coastal families and how they able fulfill their daily life.

RESEARCH METHODOLOGY

This section discusses methods as well as procedures followed by the researchers to carry out the study in order to collect data. Primary data in the study was obtained from interviews and participatory observation to Grajagan and fishermen a head of associations of fishermen in the region.

The type of methodology of this research is descriptive qualitative with expalanatory of case study. Methods of qualitative research is the research methods used to study natural objects on the conditions in which the researcher as a key instrument, sampling the data source are executed purposive and snowball, the inductive nature of data analysis, and research results more emphasis on meaning of generalization.33

Descriptive Research describes the state of the above facts really happened so that researchers are expected to understand the phenomenon that made problems in his research can be defined as problem-solving procedure investigated by illustrating the subject/objects (person, institution, society, and more) at the time are now based on the facts that seem or as is.

There are five component of the research design of case studies:
1. Research question. Case studies is the right strategy for research question that use “how” and “why”.
2. Proposition. Proposition is needed to direct researcher attention to anything that should be investigated within the large scope of the research, so its findings are expected to be clear and specific. Proposition in this study are the middlemen with the financial function which provide loans to fishermen as capital will improve the welfare of fishermen.
3. This component deals with the problem of determining what is the “case” in the research that has been under discussion at the start of the case studies. This study has several unit of analysis is the middleman as the party providing capital loans and the welfare of the fishermen.
4. The logic that associates the data with the proposition. One of the ways namely “pairing pattern” linking some information with theoretical propositions.
5. The criteria for interpreting the findings. This research use maqashid syariah as the standart to interpreting the data that will be the findings. The researcher choose the method of expalanatory of case study as explained by Yin 34 that the research question using the

question “how” and the case study method can make research more focused because it leads to a just society.

The validity of the data was conducted to find out the validity of the data. One way to demonstrate the validity of data is through the measurement of the credibility that is by way of observation conducted continuously and extend the participation of researchers in the process of collecting data in the field (Bungin, 2003:60). Primary data obtained from interviews and observation. Researchers have conducted research in early February 2011. On the research of the year 2011 researchers conduct interviews with some fishermen in Grajagan to know the condition of their economy.

Reliability showed that the implementation of a study can be interpreted with the same results. Protocol in the case studies is a way to improve the reliability study. Protocols can remind the researcher about what is actually the case is being investigated. Protocol encourages researchers to anticipate some of the problems that maybe will occur during the study. Protocol in this study consisted of:

1. An overview of the case study projects, include the background information about issues, substantive issues that will be investigated, and the relevant literature to the issue.
2. Procedure to the area of study.
3. List of questions to collect the primary data.

RESULT AND DISCUSSION

Fisherman financial functions are associating with the fulfillment of all the financial needs for fishermen to implement the activities of fishing effort without any specific requirements. It is different from another financial institutions such as banks.

Ideally, this financial assistance could simplify the fishermen in the form of capital borrowing, furthermore fishermen’s welfare would be increased because the problem dealing with capital is resolved. Based on interviews, fishermen in Grajagan are in a trade with middlemen since they became a fisherman. The role of middlemen in this case is as a lender of capital because most of the fisherman do not have enough capital to jukung (small boat) and fishing equipment.

Another role of middlemen is to provide loans to fishermen when the fishing is famine. Therefore, they borrowed money from middlemen to fulfill their daily life because at that time the income of fishermen is highly decreased. The are various type of fishing nets for fishing due the type of fish. Mostly, fishing net costs about Rp 2,000,000.00 per nets. When the nets damaged, it could not be repaired. Thus, the fishermen have to buy new nets and they will borrow much money from middlemen. They also have to do it again, to repair the machine, if however the boat is damaged. The middlemen has such dominant role as the financial lender since there is no Village Cooperatives Unit (KUD) in the area of Grajagan. KUD have been closed because unable to help fishermen due to the lack of funds.

The fishermen have some difficulties in obtaining bank loans because they are not bankable. Most of them do not had sufficient collateral and the bank had difficulty in measuring the unexact income of the fishermen. Thus, the banks would very consideredly rethink to lend money. The fishermen had a thought that it is very complex and long to wait procedure to borrow money in the banks. It also took miles away to reach the bank which is located in Purwoharjo, too far from Grajagan. Banks also still have to surveyed the conditions of the fishermen who would get the loan funds. Time would cost money to wait for the survey but they need it very urgent and as soon as possible. Those are some of the motives that made fishermen would prefer to borrow it from middlemen.

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34 Robert Yin, Studi Kasus Desain dan Metode (Jakarta: PT. Raja Grafindo Persada, 2013), p. 82.
The role of middlemen in running the financial function is expected to make an impact on the welfare of fishermen who are middle-income people. Welfare is one of the ultimate goal of all human beings. Al-Ghazal stated that welfare in the economic aspects is a hierarchical framework of individual and social utility which covered the basic needs (darury), comfort or pleasure (hajiiyi) and luxury (tahsiniyi). Based on the importance to keep and maintain the religious order, there are three ranks of it, namely dharuriyyah, hajiyah, and tahsiniyyah. Here is an analysis of the fulfillment of the entire informant ranked by dharuriyyah, hajiyah, and tahsiniyyah.

The results of the study showed that all of the informants were prosperous for all the needs of religion (din), soul (nafs), intellect (aql), descent (nasl), and property (mal) ranked in dharuriyya. Based on the indicators of religion (din), all of informants had met the needs of the religion that is able to do obligatory prayers five time routine. There is an informant who did Friday prayers in a timely manner. The data is obtained when the authors conducted interviews, and the informant excused himself to perform Friday prayers. Based on observation, the family is seen to do Dhuhr prayer alternately took a bath before leaving to Dhuhr prayers to the nearest mosque.

The needs of the soul (nafs) has also been fulfilled. The whole informant obtaines fulfill the primary needs (clothes, building, foods). The whole informants also could access the health services (puskesmas) easily. They also able to reach medical bills because the cost of treatment in the clinic (puskesmas) is affordable for the fishing communities in Grajagan. The whole informants were also owning their own place. The case is about the differences of the conditions whether it was livable or not. Five of the informants did not have the livable house, they lived in the conditions of ground floor, unwalled wall, and unceiling roof.

Intelligence (aql) and descent (nasl) indicators had been fulfilled by the informants. Indicators intellect (aql) had been fulfilled due to the ability all of informant express their thought through association of fishermen. For descent indicator (nasl), the children of fishermen are obtained their education needs since the BOS program (charity fund for schools) of the government. Elementary education and Junior high school could be reached by the citizens in Grajagan, but they are still difficult to reach to high school education because of its location which is far from the Grajagan. To get to the high school, they have to provide much money for extra transportation cost, while they still have to fulfill their daily needs in a less way properly. There are two informant that able to send their child to senior high school. One of them because their economy condition get better from year to year. The second informant could send his first son to senior high school in Probolinggo because his son received a scholarship from the school. Based on the interview, all of informant got married and have stable family life.

The following is the description of fulfillment the needs of fishermen in dharuriyyah levels in the figure 1.1.

![DHARURIYYAH](image)

Source: Results of Primary Data Processing, 2012 (modified)

The following explanation is the conditions of ideal fishermen if their needs had fulfilled in the level of dharuriyyah, hajiyah, and tahsiniyyah in the row on table 1 and 2. The ideal condition based on maqashid syariah that adapted from four source of literature (various sources). The first is Chapra (2008), second is Amin, et al.
Table 1 is the ideal condition fishermen's fulfillment in dharuriyat level. The results of the study showed that all of the informants were prosperous for all the needs of religion (din), soul (nafs), intellect (aql), descent (nasl), and property (mal) ranked in dharuriyya.

Table 2
Ideal Conditions of Fishermen’s Fulfillment in Dharuriyat Level

<table>
<thead>
<tr>
<th>Dharuriyyah Level</th>
<th>Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religion (din)</td>
<td>Do the obligatory prayer routinely</td>
</tr>
<tr>
<td>Soul</td>
<td>Fulfill the primary needs (clothes, building, foods)</td>
</tr>
<tr>
<td></td>
<td>Ease to acces health and medical services in the health services</td>
</tr>
<tr>
<td></td>
<td>(The protection of human life from nonhuman threats such as diseases</td>
</tr>
<tr>
<td></td>
<td>through medical treatments, preventive medicine and disease control</td>
</tr>
<tr>
<td></td>
<td>mechanisms such as vaccinations)</td>
</tr>
<tr>
<td>Intelligence</td>
<td>Freedom of thought and expression</td>
</tr>
<tr>
<td>Descents</td>
<td>Marriage and stable family life</td>
</tr>
<tr>
<td></td>
<td>Able to acces formal education for children (basic education)</td>
</tr>
<tr>
<td>Wealth</td>
<td>Employment and selfemployment opportunities</td>
</tr>
</tbody>
</table>

Source: Adapted from various sources

Table 2 is the ideal condition fishermen's fulfillment in hajiyat level. In the level of hajiyah, all of informant could fulfilled their religion needs. In the level of hajiyah, all of informant could fulfilled their religion needs. Only one informant which is able to fulfill his needs of soul (nafs). He could go to private doctors while cost is higher than in the health services (puskesmas). In the fulfillment of intellect (aql) and of informant could not fulfilled their needs. In the indicators of descents (nasl), all of informant have lived in the village which the environment is not clean and healthy. The rubbish is everywhere (not in the right place) and so many puddles. There are two informants that their child in senior high school grade. In the indicators of wealth (mal), eight of them could not make a saving, only one informant can make saving from their income.

Table 3
Ideal Conditions of Fishermen Fulfillments in Hajiyat Level

<table>
<thead>
<tr>
<th>Hajiyah Level</th>
<th>Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religion</td>
<td>Do the obligatory prayer in jamaah in the mosque</td>
</tr>
<tr>
<td></td>
<td>Do the jama’ or qasar shortening prayer while in a work or trip</td>
</tr>
<tr>
<td>Soul</td>
<td>Fulfill the primary needs (clothes, building, foods) more properly</td>
</tr>
<tr>
<td></td>
<td>such eat the halal and delicious food.</td>
</tr>
<tr>
<td></td>
<td>Able to acces a private doctor (cost higher than in the health service)</td>
</tr>
<tr>
<td></td>
<td>Fulfillment of social needs through the achievement of brotherhood</td>
</tr>
<tr>
<td>Intelligence</td>
<td>High quality of religious and science education at affordable prices</td>
</tr>
<tr>
<td>Descents</td>
<td>Clean and healthy environment</td>
</tr>
<tr>
<td></td>
<td>Able to fulfill child’s education into senior high school (SMA)</td>
</tr>
<tr>
<td>Wealth</td>
<td>Be able to make saving from income</td>
</tr>
</tbody>
</table>

In tahsiniyyah level, the informants almost have not fulfill their needs. Only one informant who already able to fulfill the needs of his religion (din) at the level of tahsiniyyah. Mr. Nipan able to pay infak, while the other eight informants have not able to fulfill their needs in tahsiniyyah level.
since their hajiyah needs level are yet to conducted.

Based on National Coordinating Agency for Family Planning (BKKBN) (1996), the welfare of families of fishermen in Grajagan is on the level of prosperous family in the phase-2 (S-2). It is a family that has been able to fulfill the basic and social psychological needs, but has not been able to fulfill the overall development needs such as saving and obtaining some information. The psychological needs include the education, interaction within the family, the environment, and housing and transportation needs. The fulfillment of education needs of fishermen families in Grajagan is assisted by other governmental association which provide BOS, while the embodiment of social interaction of fishermen is provided by the participation of them in the event in their culture.

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**Other Findings**

This research was investigated to measure the impacts of middlemen's presence toward the livelihood of fishermen in Grajagan Village. Through several interviews the researcher discovered other findings beyond the intended scope of the project, i.e.:

1) Fishermen of Grajagan basically required a microeconomic entity with much simpler procedures and methods of payment. To this point, they might find syariah-based microeconomic entity most useful because of its mudharabah system where each concerned party (the entity and the people) receives predetermined shares in cases of profit. In cases of losses, however, an evaluation shall be instigated; should it occur because of the entity, the people shall not be required to re-compensate, and vice versa.

2) Middlemen in Grajagan serve as moneylenders for the people as well as the determiner of fish selling-prices, which are often below the market price. The only way of figuring out whether the prices determined by middlemen are compatible with market price or not, was whether any of the Grajagan fishermen had incurred a debt of Rp3,000,000 in which case they would be free to sell at the common market at the risk of rises in distribution and storing costs. Therefore the introduction of TPI (Fishery Auction Spots) to ensure that their fish sales are compatible with market prices might further aid the Grajagan people.

3) Grajagan villagers had experienced one governmental aid in the form of two boats by the DKP (Dinas Kelautan dan Perikanan), but the DKP ended up procuring those mentioned boats for their own use. Another governmental aid that could get through and is still in use to the present is beras miskin at Rp3,000 per kilogram whereas other financial aids such as PNPM (Program Nasional Pemberdayaan Masyarakat) from Mandiri bank and KIK (Kredit Investasi Kecil) have yet to reach them.

4) For the duration of six months (December-May), fishermen of Grajagan would be discouraged to put to sea because of natural hindrances; therefore income diversification is needed to help sustain villagers during this time. Entrepreneurship trainings could fulfill such role in the forms of fish-breeding, the creation of sea-based handicrafts (as in seashells), etc sponsored by DKP or any other
upcoming syariah-based institutions in helping to fulfill their economic as well as social functions. To have any hope that such functions might succeed, first of all the middlemen’s grip on Grajagan society would have to be loosened that the villagers are free to deal with the distribution of their own products.

5) The researcher had also had the opportunity to interview fishermen from another area in Banyuwangi, which was in Muncar, to be able to deduce some of the difference in middlemen’s activity and influence in both areas. Whereas middlemen in Grajagan had almost total practical control over the society due to their possessing the money and equipment needed for villagers’ economic sustenance (often threatening to strip them off those should the middlemen’s demands are not met), fishermen in Muncar relied more on ship-owners (juragan) for profit-sharing and protection. There is also a system of profit-sharing among the crew (pandhiga) once the juragan had received his/her 5 shares due to the knowledge of locations for potential large fish schools; 2 shares for the helmsman, 1.5 for the machine-controller, and 1 share for common pandhiga.

**Middlemen’s Deviations from Islamic Business Etiquette**

Business etiquette is fundamental in shaping further patterns of transaction and any other aspects of concerned business, determining its prospect (Hidayat, 2010:51). The dominant aspects of Prophet Muhammad Saw’s business etiquette were spiritual, humanistic, honesty, fairness, and the spirit to satisfy any business partner (Hidayat, 2010:55).

The ways of how middlemen in Grajagan have been doing their business had so far simply transgressed Islamic values; an example of that is they require fishermen to sell their catches only to the middlemen who in turn bought those catches with prices far below the market price. One extreme instance of this, based on one interview with one of the fisherman, is that his middlemen agreed to buy his lemuru catch for only Rp1,500 per kilogram when the common market place was Rp10,000 per kilogram.

In addition the fishermen would still have to pay entres (the official compulsory tax rate from the DKP) set at 4%, with 2% for the villagers and 2% for the middlemen. In practice the fishermen pooled the money used to pay their share of the tax to the middlemens—and shamefully the money often did not enter DKP funds.

When buying the fishermen’s catches, middlemen also drafted notes detailing the supposed entres payment as well as ‘savings’ of 10% value of the catch. In reality the fishermen cannot simply collect their ‘savings’ due to the costs incurred for paying the manol, or people who will ensure that the catches will reach the middlemen. For each of these people, the villagers usually paid 2-3 kilograms of fish. The TPI (Fishery Auction Spots) that was supposed to protect the fishermen also could not function as they should be, because the middlemen practically controlled it. One informer even went so far as to say that they have been cheated during the scaling process. Furthermore, the costs to repair any damages incurred such as net breaks, boats’ malfunctions, etc would still have to be borne by the fishermen themselves.

One fisherman said there is cheating that is not equal with the actual weight, i.e. the actual weight i.e. 50 kg on average will only be 35 kg. Whereas a measure, sizes, and weights in the sale and purchase must be true. This is described in the Qur’an Al-Muthaffiffin: 1-3:


“Woe unto the defrauders. Those who when they take the measure from mankind demand it full. But if they measure unto them or weight for them, they cause them loss.”
In some occasions the middlemen would supply the aforementioned things anew, only to be counted as fresh debts, failing to repay which would lead to the stripping-off of the fishermen’s equipment, rendering them unable to work. In Islam, businessmen are not encouraged merely to gain maximum material profit, but also to develop the attitude of ta’awun (helping others) as social implication of the business; a contrast to the circumstances which were experienced by Grajagan villagers.

CONCLUSION

Middlemen and fishermen are the two parties that always interact. Middlemen often commit fraud, whereas as Muslims should do Islamic business ethics. The middleman with the financial functions are expected to help fishermen financially, due to the ultimate goal is the independence of the economy of fishermen to manifest prosperity. Fishermen’s welfare are in dharuriyyah level, but the fulfillment of welfare was not purely on the role of middlemen. There are others party who help fulfilling the basic needs of fishermen. So far the fishermen had managed to sustain themselves only because of governmental aids in forms of BOS (Bantuan Operasional Sekolah) program and the distribution of beras miskin.

Furthermore, middlemen are often prone to using various other avaricious methods to enhance their own interests. Instead, what is expected of middlemen is that they serve as patrons, fulfilling the villagers’ financial functions by being buyers of fish products from the villagers at reasonable prices, that they might in turn increase their own livelihood.

The government, via DKP (Dinas Kelautan dan Perikanan) and UKM departments, ought to provide further financial aids, that some of Grajagan villagers’ debts to middlemen might in some way be alleviated. The establishments of syariah-based KUD (Koperasi Unit Desa) and BMT (Baitul Mal Wattamwil) might also provide further and easier access to obtain credit at much lighter interests. In addition, the mentioned institutions are welcome to provide workshops of entrepreneurship skills, that the villagers might develop a way to diversify their products and increase their level of sustainability. Another step that could be taken would be the re-activation of TPI (Fishery Auction Spots) to enable villagers to sell their catch at reasonable prices.

BIBLIOGRAPHY


