

CHAPTER I INTRODUCTION

A. Background

Modern times or it is well known as the globalization era, where life is filled with information and development of technology rapidly. Almost all walks of life, whether it is among the top, middle or bottom could feel the existing developments. In this era, the alteration in the line of human life happens, both positive and negative.

The Development of science and technology has made this Earth increasingly narrows, as if the boundary of interregional and transnational no longer make the barrier to communicate and access information very quickly. Now, the ancient human who do not know about knowledge of outer space, unfolds in width with the help of technology created by their own selves.¹

It has brought major changes in human behavior becoming moral competence areas. Related to moral and human behavior, it does not get much anyway with ethical issues. Those three words are interconnected each other in the terms of teaching goodness. As a system of values, ethics means values and moral norms into handling person or group in organizing their act.²

As a science discussing about moral behavior, the subject matter of ethics is human action itself.³ Ethics is not a new problem in daily life in the community. The position of ethics in human life occupies a very important place, both individually and as members of society.⁴

Concerned with human action in daily life, human being cannot be separated from their activity. One such activity is doing business. As people see it now, many people trying to look for profit through business. With open a small industry or a major industry, the entrepreneur tries to meet the needs of consumers. As in the Djakfars book, he was quoted the definition of business according to Hughes and Kapoor, "Business is organized effort of

¹ Muhammad Djakfar, *Etika Bisnis Menangkap Spirit Ajaran Langit Dan Pesan Moral Ajaran Bumi*, Penebar Plus, Jakarta, 2012, p. 10.

² Tafsir, dkk, *Moralitas Al-Quran Dan Tantangan Modernitas*, Gama Media Offset, Yogyakarta, 2002, p. 15.

³ Tafsir, dkk, *Moralitas Al-Quran...*, p. 18.

⁴ M. Yatimin Abdullah, *Pengantar Studi Etika*, PT. RajaGrafindo Persada, Jakarta, 2006, p.

individuals to produce and sell for a profit, the goods and services that satisfy societies needs. The general term business refers to all such efforts within a society or within an industry”.⁵

In addition, in the present business reality, there is a tendency of business ignoring ethics. Competition in the business world is the competition power of capital. Businessman with large capital trying to extend the reach of its business so that small entrepreneurs (small investors) become more dragged.⁶ However, the small investors not to be outdone, then many of them justify all process, as in the case of snack vending in the schools, especially in Elementary School. The seller's cheating, using a dye that should not be used for food, in order to attract the attention of children and get profits, they have willing to forego it. They do not think about the consequences that will occur in the consumer as well as their selves.

For the sake of attracting attention of consumers, producers or the owners of capital always try to trap the consumers prospective in order to be interested and they will buy its products. Through different ways producer introduce their products. Through advertisement, either on television or other media, producers tries to persuade them with an interesting communication and good packaging. Sometimes, consumer received his order not as advertised. For example, in business online it is very vigorous and majority of people do it. It is considered more economical, practical and efficient, many people who are interested to buy the product, but many others felt disappointed and cheated because they get its product not as advertised.

In a business, the information about product promoted is the important thing, it is about the process of production, the ingredients, as well as the procedures of the using, it must be written clearly, because the ability of consumers to understand the information is different. It often happen, the information contained in a product are only the symbols, for example in electronic products. And then in a small production like snacks vending at school, people don't know how the process and what are the materials used in

⁵ Muhammad Djakfar, *Anatomi Perilaku Bisnis Dialektika Etika Dengan Realitas*, UIN-Malang Press, Malang, 2009, p. 59. Taken from: H. Buchari Alma, *Pengantar Bisnis*, Alfabeta, Bandung, 2001, p. 21

⁶ Muhammad and R. Lukman Fauroni, *Visi Al-Quran Tentang Etika Dan Bisnis*, Salemba Diniyah, Jakarta, 2002, p. 2.

the production. So in this case, the balance of the information related to a product is important distributed to prospective consumers.

In addition, each product has an attraction, so the consumers they immediately bought it without their consideration. In this case, sometimes it makes the consumer cannot be separated from the product, because they fit in with its product and finally claimed to always buy it. If they stopped wearing the product, then the consumer feels there is something less. This is become the causing of the dependence of a consumer. Many such incidents occur on beauty products, drugs, smoking, and the other.

Finally, that dependence brings the positive or negative impacts. The impacts are not only on the consumers, but also influential toward others, the environment and the universe. As for the impact that occurs in the consumer's own influence on several aspects, one of it is health, which is urgent in this life.

In the life of this world, human is given freedom. However, at the fact, freedom is limited, because human being is social creation meaning that man must live together with another human in the same space and time, and using the limited natural as the basis to meet their needs.⁷ From the restrictions of freedom that human have a responsibility, which the restrictions must be interpreted by honesty and accountability.⁸

The responsibility means trust from a person to the others that must be done. In the terms of Islam the responsibility is trust (*amānah*). It was widely interpreted as a responsibility of human endeavor to perform the trust carefully, think about the consequences both good and bad, profit and loss and all the things associated with such a feat in a transparent cause people to believe and trust, so that this act will get good reward and praise from others.⁹

Look at the statements, the responsibility as ethics no longer applied in business. The producers or owners of capital prefer profit rather than things associated with the consumer. When viewing the medicinal products, it looks well, but the impact is only temporary. It is also happened on the small traders

⁷ Franz Magnis-Suseno, *Etika Dasar Masalah-masalah Pokok Filsafat Moral*, Kanisius, Yogyakarta, 1987, p.34.

⁸ Franz Magnis-Suseno, *Etika Dasar...*, p.37.

⁹ M. Yatimin Abdullah, *Pengantar Studi Etika..*, p. 271.

selling in the vicinity of schools, they make children who buy feel satisfy but it is also just a momentary satisfaction.

Business on the fact of the matter is the human endeavor to seek means to God. Business does not have aim for short-term, individual and solely profit based on mathematical calculations, but for the short term aim while long term, i.e. personal and social responsibility before society, country and God.¹⁰ Not only to human beings that producers or investors became responsibility, but also the ultimate goal is to become their responsibility towards Almighty God. In business we must follow ethical rules that ignore the interests of themselves that appear in the short term and designed to develop our real self interest in the long term as well as the interests of others who has affected by our actions.¹¹

Business is the activity of human, because human is the goal and the means in the business.¹² So in this respect man and humanity factors is the main element. With regard to humanity, the producer or seller in a business must provide a good means for consumers. For the sake of convenience and satisfaction of human beings as consumers, producers should not justify all means that ultimately harms to consumers and him.

The principle of accountability for the perpetrators of a business should be able to account for all its business activities, both to God Almighty, as well as to the parties concerned to meet the demands of Justice.¹³ Those principles apply for producers or owners of capital in major industry or small industry, who pay taxes or not, that responsibility applies to all over the actions performed. In a business cannot be separated from the ethics, the ethical is to uphold the principle of responsibility toward ourselves, our fellow creatures and God Almighty.

Buying and selling or business in the religion of Islam is a worship of the existing laws and rules. In the ethics of selling is related to the profit and loss statement, humanity and Divinity as explained in the descriptions above. The profit is the main target of producers, it should be weighed and matched

¹⁰ Muhammad and R. Lukman Fauroni, *Visi Al-Quran..*, p.88.

¹¹ Henry Hazlitt, *Dasar-dasar Moralitas*, Pustaka Pelajar, Yogyakarta, 2003, p. 68.

¹² Yusuf Qardhawi, *Norma dan Etika Ekonomi Islam (Daurul Qiyam wa Akhlaq fil Iqtishadil Islami)* terj. Zainal Arifin and Dahlia Husin, Gema Insani, Jakarta, 1997, p.57.

¹³ Johan Arifin, *Etika Bisnis Islami*, Walisongo Press, Semarang, 2008, p.146.

with materials, tools and processes in production. The producer is not lightly decides the price later raised the price of the product. In this regard, Islam do not teach it, as well as taught by Muhammad (PBUH), he would never trade in the slightest to take advantage. Then he is always honest and trustful nature applied in trade. Trusteeship is a trust and relate with the responsibility.

Whereas in the Islamic religion was clearly taught how the ethics in business is responsibility, not only social but also individual, fellow creature (human, animals, plants) or the universe, and the most important is responsibility to God Almighty. However, in a business happening right now, the producers do not think about the responsibility on the horizontal and vertical relationships in this life. Thus, the writer will lift the title "**The Construction of Responsibility Concept in Business Ethics (The Analysis of Relations between Producer and Consumer in Islamic Business Ethics)**".

B. Research Question

1. What is a limitation of responsibility in the relationship between production and the consumer?
2. How is the construction of responsibility according to Islamic business ethics view?

C. Aim Of Research

The aims of writing this thesis are:

- a. To know the limitation of responsibility in the relationship between production and the consumer.
- b. To know the construction of responsibility in Islamic business ethics view.

D. Significance Of Research

While the benefits of writing this thesis are:

- a. To give a contribution to the producers or owners of capital as well as the prospective entrepreneur about the limitations and scope of responsibility in the Islamic business ethics.
- b. To give a contribution to the reader about the construction of business responsibility in the perspective of business ethics of Islam.

E. Prior Research

1. An article entitled "Corporate Social Responsibility In An Islamic Perspective", written by Setiawan bin Lahuri, he is Lecturer in Study

Institute of Darussalam Gontor. In this article he discusses about Islam which has the principle of accountability balanced in all shapes and spaces in scope, between body and soul, among individuals, between individuals and the family, social and, between a community with other communities. Social responsibility refers to the obligations of a company to protect and contribute to the community where the company is located. A corporate social responsibility in three domains: a.) the perpetrators organizations, including: the relationship of the company with the Workers, the workers relations with the company, the relationship of the company and other businessmen; distributors, consumers, competitors, b.) Environment or the universe, and c.) Social Welfare Society. Some Islamic principles in running the business with regard to CSR: safeguarding the environment and preserve it, efforts to remove poverty, give precedence to something immoral cleaner than something morally filthy, though bringing larger profits, as well as honest and trustful.¹⁴

2. *“Analisis Penerapan Teori Tanggung Jawab Produk Dalam Kegiatan Keantariksaan”* by Mardianis in a Jurnal Analisis dan Informasi Kedirgantaraan Vol. 3 No. 1 Juni Tahun 2006. This research explained about The terms of product liability which had been known since 1935, it is actually in business insurance in United States. Product liability can be based on three theories those are: 1) negligence theory, 2) strict liability theory, and 3) breach of warranty theory. According to theory of product liability and consumer protection Act, 1999, it should be analyzed on application product liability based on Indonesia regulation. In application, that theory has been different if its applies in space field. Only two of the theory applied, the other applied waiver liability theory. In application of waiver liability theory, both of parties on a reciprocal basis shall waive any claim for liability.¹⁵
3. *“Tanggung Jawab Pelaku Usaha Relevansinya Dengan Etika Bisnis Islam (Studi Analisis Pasal Undang-undang No. 8 Tahun 1999*

¹⁴ <https://ejournal.unida.gontor.ac.id/index.php/ijtihad/article/view/85/0>, date: June 12, 2016, at 5:00 PM

¹⁵ http://jurnal.lapan.go.id/index.php/jurnal_ansi/article/view/531, date: June 12, 2016, at. 4:52 PM

Tentang Perlindungan Konsumen)” is a thesis by Sa'adah Lutfi Nur'aini (NIM 2199188), from Syariah Faculty in State Islamic University (UIN) Walisongo. In this research the writer described the scope of responsibility of the offender's efforts including the manufacturer's responsibility in maintaining product quality by limiting the risk of losses inflicted on consumers. In terms of consumers suffer losses due to defective products, UUPK entitled consumers to sue manufacturers. They also described the Islamic principles in business activities, namely the principle of honesty, truth and justice, equilibrium, openness, readiness among the parties concerned. The application of the responsibility of businessmen according to UUPK is not incompatible with the values of the Islamic business ethics aims to provide protection to consumers because of no party harmed.¹⁶

4. “*Rekonstruksi Etika Bisnis: Perspektif Al-Qur’an*” by Lukman Fauroni in *Iqtisad Journal of Islamic Economics* Vol. 4, No. 1, Muharram 1424 H/March 2003. This research explain about that research chose the field of business ethics, focusing problems; How does the Qur'an views about business and business ethics, principles of business ethics and the principles informing the practice of numerous businesses, and how its relevance in establishing an Islamic business. This research basing on the interpretation of the Qur'an verses using the hermeneutical approach supported method semantics. Business in the Qur'an is called as a material activity at once inside there are immaterial values of business ethics. Business is worth, when you have met the material and spiritual needs in a balanced way. In fact the business must be free from deposits of falsehood, damage and terrors. Otherwise filled with a value of unity, of free will, questioned, equilibrium and justice and truth (virtue and honesty). With this view of business ethics can be implemented by anyone, anytime, anywhere and is not constrained by the development of the media business. Basically any type of business is allowed, unless it is contrary to the values of business ethics or prohibited by the *Sharī'ah*.

¹⁶ <http://library.walisongo.ac.id/digilib/gdl.php?mod=browse&op=read&id=jtptiain-gdl-s1-2004-saadahlutf-1483&q=Tahun>, date: November 24, 2016

Business is good and true except that contain falsehood, damage or tyranny.¹⁷

By analyzing the previous studies that the writer mentioned above, the writer can conclude that previous studies more scope to discuss business ethics related to product liability and corporate social responsibility to consumer in the law, not to a limitation of liability. Therefore, in this study the writer tried to describe how a limitation and construction of responsibility associated with the Qur'an verses and Hadiths of Islamic business ethics.

F. Research Methods

1. Types of Research

Basically, this type of research is the type of library research, it is a research activities with collecting data from variety of literature residing in the library or elsewhere.¹⁸ Literature used is not only books, but also including documentation, magazines, newspapers, and other sources related to the subject matter of the research problem.¹⁹

Therefore, this research is included in qualitative research because the type of data presented in the form of verbal data is not arranged in the figures. Described by Lexy a. Moleong this research is qualitative research that intends to understand the phenomenon about the behavior, views, motivation, action in holistic manner the description in the form of words and language in a special natural context by utilizing a variety of natural methods.²⁰

2. The Method of Data Collection

In this method the writer uses primary data and secondary data as follows:

a. Primary Data

Primary data are the data subject in writing this thesis research related to the case of this theme. The writer uses the

¹⁷ <http://journal.uui.ac.id/index.php/Iqtisad/article/download/367/283>, date: January 1, 2017

¹⁸ Hadari Nawawi, *Metode Penelitian Bidang Sosial*, Gajah Mada Press, Yogyakarta, 1998, p. 30

¹⁹ Winarno Surahmat, *Dasar dan Teknik Research*, C.V. Tarsito, Bandung, 1983, p. 139

²⁰ Lexy J. Moleong, *Metode Penelitian Kualitatif*, Remaja Rosdakarya, Bandung, 2000, p.

Qur'an verses and *Hadiths* related to the object of research, such as Qur'an An-Nisā' verse 29,123-124, *Al-Qaṣaṣ* verse 77 and Hadith narrated by Ibn Majjah about honesty, narrated by Al-Bukhari about tolerant in *mu'amalāt*, etc.

b. Secondary Data

Secondary data are data used by the writer as a supporter of the primary data. The secondary data of this research is taken from many literatures such as books, journal, paper, newspaper, website that distinctly discuss about business ethics in Islam. Those books are: *Visi Al-Quran tentang Etika dan Bisnis, Islamic Principles of Business Organisation and Management*, and *Etika Bisnis Tuntutan dan Relevansinya, Anatomi Perilaku Bisnis Dialektika Etika Dengan Realitas, Pengantar Studi Etika, Etika Dasar Masalah-masalah Pokok Filsafat Moral, Moralitas Al-Quran Dan Tantangan Modernitas*, etc.

c. The Method of Data Analysis

Data analysis is the process of organizing and sorting the data into patterns, categories and basic description unit so that it can formulate themes and can be formulated the working hypothesis as suggested by data.²¹

In such cases, what happened in the passages separate information then collect it become one to form a unified analytical basis. This is to develop a logical relationship among the factors that can lead to be success. Build a series of evidence must be more careful and conscientious in every Stride and more demanding docking logical between variables.²²

In this research, the writer use data analysis according to Miles and Huberman. His analysis included all activities carried out continuously. There are three steps in data analysis, namely: *First*, reduction of data, it means to

²¹ Andi Prastowo, *Metode Penelitian dalam Perspektif Rancangan Penelitian*, Ar-Ruz Media, Yogyakarta, 2012, p.238

²² Matthew B. Miles and A. Michael Huberman, *Analisis Data Kualitatif*, terj. Tjetjep Rohendi Rohidi, Universitas Indonesia Press, Jakarta, 1992, p. 418-419

summarize, and focus on the important things, look for the theme and pattern; *Second*, presentation of data in the form of short description that is narrative text; *Third*, drawing the conclusion and data verification.²³

G. Writing Order

The writer will arrange this thesis with compiling from data and materials in based on the order; it will become systematic arrangement of the thesis. This writing order of this thesis is entirety into five parts, as follows:

CHAPTER I: This chapter is an introduction, which describes about the background and the problem of the construction of responsibility concept in business according to Islamic business ethics view. In this chapter also mentions the review of literature (prior research), aims and significance of the research, then the methods used in this thesis, as well as the systematic writing of thesis.

CHAPTER II: in the second chapter, containing about business ethics in Islam. Discussion includes the definition of construction, epistemology of business in Islam, business ethics in Islam, and the responsibility concept of business in Islam. The results obtained will be used as a complement in the discussion of the next chapters.

CHAPTER III: the third chapter will discuss about production and consumer relations in business. This subsection describes some aspects which related to the production and the consumer, the role of production in Islamic business view, the role of consumer in Islamic business view, and the impacts of relation between production and consumer.

CHAPTER IV: the fourth chapter will be contained the analysis. This chapter is the core of the discussion of the thesis discusses about the construction of responsibility concept in Islamic business ethics that includes a limitation of responsibility in the relation between production and consumer and the construction of responsibility in Islamic business ethics.

²³ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif dan R&D*, Alfabeta, Bandung, 2012, p. 246

CHAPTER V: this chapter is closing. This writing is put in fifth chapter. On the closing section, the writer will list the conclusions of previous chapters and the expected suggestions useful for further research.