

ABSTRAK

Penelitian ini dilatarbelakangi oleh praktik perjanjian dengan syarat tangguh antara petani kopi dan tengkulak di Kampung Burni Pase, Kabupaten Bener Meriah yang telah berlangsung secara turun-temurun. Praktik tersebut muncul karena keterbatasan akses petani terhadap lembaga keuangan formal, sehingga petani meminjam modal kepada tengkulak dengan kesepakatan bahwa hasil panen kopi dijual kepada tengkulak sebagai bentuk pelunasan utang. Rumusan masalah penelitian ini meliputi: (1) bagaimana mekanisme pelaksanaan perjanjian dengan syarat tangguh antara petani kopi dan tengkulak di Kampung Burni Pase Kabupaten Bener Meriah. dan (2) bagaimana analisis perjanjian tersebut berdasarkan perspektif KUHPerdara dan Hukum Ekonomi Syariah. Penelitian ini menggunakan jenis penelitian yuridis empiris dengan pendekatan sosiologis. Data diperoleh melalui observasi, wawancara, dan dokumentasi. Sumber data terdiri atas data primer yang diperoleh dari petani kopi dan tengkulak serta data sekunder berupa peraturan perundang-undangan, buku, jurnal ilmiah, dan literatur terkait. Data dianalisis secara kualitatif melalui tahapan reduksi data, penyajian data, dan penarikan kesimpulan. Hasil penelitian menunjukkan bahwa perjanjian dilakukan secara lisan atas dasar saling percaya, di mana tengkulak memberikan pinjaman modal dan petani melunasi utang setelah panen dengan menjual hasil panen kepada tengkulak. Ditinjau dari KUHPerdara, perjanjian tersebut memenuhi syarat sah perjanjian dan termasuk perikatan dengan syarat tangguh, tetapi belum memberikan kepastian hukum optimal karena tidak dibuat secara tertulis. Sementara itu, menurut Hukum Ekonomi Syariah, praktik tersebut diperbolehkan karena mengandung prinsip tolong-menolong (ta'awun), tetapi harus menghindari riba, gharar, dan ketidakadilan agar sesuai dengan prinsip syariah. Kondisi ini menunjukkan perlunya kejelasan hak dan kewajiban pihak agar perjanjian berjalan adil, transparan, serta memberikan perlindungan hukum bagi petani dan tengkulak.

Kata Kunci: Perjanjian dengan Syarat Tangguh, Petani Kopi, Tengkulak, KUHPerdara, Hukum Ekonomi Syariah.

ABSTRACT

This research is motivated by the practice of conditional agreements between coffee farmers and middlemen in Burni Pase Village, Bener Meriah Regency, which has been carried out for generations. This practice arises due to farmers' limited access to formal financial institutions, leading them to borrow capital from middlemen under an agreement that the harvested coffee must be sold to the middleman as a form of debt repayment. The research problems are: (1) how is the mechanism for implementing conditional agreements between coffee farmers and middlemen in Burni Pase Village, Bener Meriah Regency; and (2) how is the agreement analyzed from the perspectives of the Indonesian Civil Code (KUHPerdata) and Islamic Economic Law? This research employs an empirical juridical method with a sociological approach. Data were obtained through observation, interviews, and documentation. The data sources consisted of primary data obtained from coffee farmers and middlemen, as well as secondary data in the form of laws and regulations, books, scientific journals, and relevant literature. The data were analyzed qualitatively through data reduction, data presentation, and conclusion drawing. The results show that the agreements are made orally on the basis of mutual trust, whereby middlemen provide capital loans and farmers repay their debts after harvest by selling their coffee to the middlemen. From the perspective of the Indonesian Civil Code, the agreement fulfills the requirements for a valid agreement and constitutes a conditional obligation; however, it does not provide optimal legal certainty because it is not made in writing. Meanwhile, under Islamic Economic Law, the practice is permissible because it embodies the principle of mutual assistance (*ta'awun*), but must avoid *riba*, *gharar*, and injustice to comply with Islamic principles. This condition demonstrates the need for clarity regarding the rights and obligations of the parties so that the agreement can be implemented fairly and transparently while providing legal protection for both farmers and middlemen.

Keywords: Conditional Agreement, Coffee Farmers, Middlemen, Indonesian Civil Code, Islamic Economic Law.