

The Review of Islamic Economics about The Daily Need Selling with The Under Market Price for The People Who Are Affected by Covid 19

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Abstract

The purpose of this research is to find out some problems that will be analyzed in Islamic economics perspective, that is giving the low prices or the determined prices under the market price, is it justified in Islam? Is giving the low prices during the covid 19 pandemic is included in fair pricing and justified by Islamic Economics law? and how is the Islamic economics point of view toward the role of the government in interfering the market?. The type of the research is library research, the process in analysing the data uses content analysis, through some steps, they are : theory classification, describing the correlation of the theory and the theme of the research and describing the result of the research, the result of the research is described as: giving the low price or to determine the price under the market price during the covid 19 pandemics is justified in Islamic Economics, this is based on the scholars agreement, that is Al maslahah Al Mursalah, or for the benefit of the people. That giving the low prices during the covid 19 pandemics is included in the fair prices determination and justified by Islamic Economics law. Islam sees that during the difficult situations of covid 19 pandemics, the government is allowed to interfere the market in determining the prices, as long as for the benefit of the people.

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Introduction

Indonesia is one of the countries that affected by Covid-19 since March 2020. Many ways done by the government to cut the spreading of the virus, one of them is the socialization of the importance to stay healthy by washing the hand, wearing mask, morning sun bathing, consuming healthy food, consuming vitamin C, doing exercise, and avoiding the crowd. This condition asks the government to close the public facilities such as school, worship places and offices. The citizen asked to do their activities from home, the students have to school from home, the employments have to work from home. However, the government still allow the activities to fulfill the daily needs, such as the vegetables sellers, the groceries in traditional market, yet they still have to follow the health protocol.

The permission of traditional markets to continue its activity is in accordance with the result of the Ministry of Trade's policy to maintain the sustainability of the distribution of agricultural products, fishery and livestock products. Ensuring the availability of basic needs that is followed by the affordable prices and also ensuring the smooth distribution of goods. It is of course, there must be strict supervision and control from the provincial and local city government regarding the operation of traditional markets during the Covid-19 pandemic, moreover the health protocols must be strictly implemented during the transaction process (<https://ekonomi.bisnis.com/read/>).

The period of Covid-19 pandemic gave the impact toward the rising prices for several basic needs, this condition felt by the small and medium traders, as quoted by warta ekonomi.co.id, IKM or Small and Medium Industries need the supply of raw materials so that the Small and Medium Industries could still operate in the midst of Covid-19 pandemic, but the fact was the supply of raw materials were getting difficult and this led to the increase of the basic necessities prices such as sugar, the normal price of sugar was Rp. 12.500,- and during the pandemic increased to Rp. 18.000,- to Rp. 21.000,-. In some stores there was even a shortage, the price of fruit increased 20%, the price of raw milk increased from Rp.6.500,- per liter to Rp. 8.500,- per liter. This condition causes restlessness among the society especially the low class society. On the other hand, since the pandemic period was announced, several societies took action to buy up or supply the huge amount for the foodstuffs because of the fear of covid 19 pandemic, which was known as Panic Buying.

The restlessness condition of the society regarding to the increase of the basic food prices has been responded by several provincial governments as has been initiated by East Java Provincial Government through the cheap groceries program in East Java Food Barn that was held approaching the Ramdhan on April 20, 2020 to July 20, 2020 in Jatim Expo by selling the cheap groceries and providing the shopping convenience for the public, that they didn't have to come directly to the location, by online shopping or through the drive thru with the pre order system (<https://surabaya.kompas.com/>). The East Java Department of Industry and Commerce also held PAMOR (Pasar Murah Online, Online Cheap Market) by selling commodities such as sugar Rp. 12.500,-/Kg, cooking oil Rp 11.500,-/Liter, Garlic Rp.15.000/80-900 gr. However, there were the limitations of buying the products, such as sugar for maximum 4kg and when buying the product must show the ID card.

The increased prices or the abnormal prices also occurred during the Rasulullah SAW era. The market distortion was caused by several factors, they are due to constraints on the supply of the raw materials. If this condition occurs due to acts of holiness such as Ikhtikar or hoarding of goods, then in the Islamic economic system it does not justify this kind of condition that is caused by the Zhulm acts. Islam really places the market in an important position in the economic field, the Rabbani-based economy places great importance on fair pricing as in previous research (Nasution, 2018, Amalia, 2013) and in certain conditions such as market distortions, the Islamic economic system provides the opportunities for the government to

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intervening the price either due to natural factor or there is the indication of irregularities committed by the market players. (Parakkasi, 2018)

The condition if Covid-19 pandemic is the natural emergency condition, if it is found that there are people who abuse this pandemic condition then of course it is not justified in Islamic law and state law, the existence of price game, fraud, hoarding, monopoly and speculation in determining the price are really contradicting with the characteristics of Islamic economics, in Al Quran explained "O mankind! Eat of that which is lawful and clean on earth, and do not follow the footsteps of Shaitan (Satan) Verily, he is to you an open enemy" - QS Al-Baqarah (2): 168. It is clear that Allah commands all people to pay attention to halal and haram when dealing with any kind of transactions, and all mankind are strongly commanded not to follow Satan's persuasion when dealing with this temporary world affairs. The importance of determining the fair prices in economic transactions is the main term for the success in muamalah hablun minnas and every muamalah must be intended to worship to Allah SWT. Thus, even in this hard condition such as during the covid-19 pandemic, humans are able to be wise, patient and remain in sharia regulations. To find out more about the concept of price, several studies will be carried out, they are, is giving the low prices or fixing the prices below the market prices justified in Islamic economics? Does the action of giving the low prices to the community during the Covid-19 pandemic be included in fair pricing and justified by Islamic economic law? How does the Islamic economics view the role of the government in market intervention? Hoped that the result of this research gives the contribution to the market players and the government officials in order not to justify any means and there will be no party is harmed

Literature Review

Prices in Islamic Economics

Price is something that is agreed when a selling and purchasing transaction occurs, or an agreement between the seller and the buyer as something that is equivalent to the goods. Price laws are (Az-Zuhaili, 2011): in salam buying and selling, the payment must not be postponed, the price submission fee is borne by the buyer, buying and selling transaction which is not mentioning the price is invalid transaction, the price breakdown after being received may be the reasons to cancel the transaction, the price breakdown before being delivered is not canceling the transaction, a seller may do anything to the price before he receives it, and a buyer must submit the price first in order he is entitled to receive the goods.

If the price is brokedown at the place of selling and purchasing transaction before accepted by the seller, according to Hanafi, several things must be considered: 1) if the price is in the form of a similar item, the transaction remains valid because that price can be replaced with another price that is the same. 2) the price is in the form of something that sometimes runs out and the stock is there when the transaction is made and then disappears shortly before the goods are delivered, the transaction is canceled.

Islam is really concerned with the fair price concept, as Allah said in some verses in Qur'an that describe the importance of fairness in every aspect of life, QS An-Nahl:90 *"Indeed, Allah commands justice, grace, as well as courtesy to close relatives. He forbids indecency, wickedness, and aggression. He instructs you so perhaps you will be mindful"* QS. An-Nisa; 58 *"..... and when you judge between people, judge with fairness....."* QS.Al-Maidah:8 *"O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people*

lead you to injustice. Be just! That is closer to righteousness. And be mindful of Allah. Surely Allah is All-Aware of what you do". Looking through several verses of Holy Qur'an as the main law source, it is proper if the fairness should be manifested in every market activities, especially in price determination.

The main purpose of having the fair price is as the guide for the rulers to protect the society from the tyranny acts, in Ibnu Taimiyah's view (one of the classical and medieval Muslim scholars) fairness for the traders means that the traded merchandise is not forced to sell the goods on the price level which can eliminate the normal profit, and Ibnu Taymiyah reminded the buyers not to reject the fair price as the result of interactions between the naturally demand and supply. (Karim,2014)

The price increased had occurred during the Rasullah SAW era. As revealed by Anas bin Malik, in a hadith narrated by Tirmidhi, Abu Dawud and Ibn Majah *"O Rasulallah, set a price for us. Then, Prophet Muhammad replied: "Trully, Allah is the one who sets the price, limits and provides abundance and sufficient food, and I really hope that I will meet my Lord without any of you will hold me responsible, both for the blood and wealth matters"*. Although Rasulallah did not directly interfere in fixing the price, yet several policies were taken such as, eliminating *Ikhtikar*, abolishing monopoly and speculation, so that the price will not increase unnaturally. (Chaudry, 2012).

Welfare in Islamic economics perspective

The term of welfare in Islam is known as *Falah* or the happiness of humans in the world and in the hereafter. As in QS. Al-Baqarah verse 201: *"Our Lord! Grant us the good of this world and the hereafter, and protect us from the torment of the fire."*

The welfare in Islam includes two main things, those are physical and spiritual welfare, moral and socio-economic happiness in the world and success in the hereafter. In the economic aspect, *falah* refers to material welfare which is fairly achieved. Therefore, the Islamic economics system aims to achieve the economic prosperity and the good society through an even distribution of material resources and through the enforcement of social justice (Chaudry, 2012)

In order to achieve benefit in the world and in the hereafter, there are five main elements, they are religion, soul, mind, descent and the property, in which the determination is based on Al-Qur'an and Hadith, and these main elements can be described below:

1. Maintaining the Religion. Humans absolutely need religion. Without religion our life is useless, indeed religion becomes the prior need from all the basic need. To protect the honor of the religion, Shariah prescribes severe penalties for religious crime. Religious takes the first place, because the whole shariah teaching directs humans to act according to His will and God's pleasure. Therefore, in Alqur'an and Hadith humans are encouraged to believe in Allah, and this is especially the foundation of Islamic economics. While the relations between economics and aspect of *aqidah* allows economics activity in Islam become a worship.
2. Nurturing the soul. Nurturing the soul means to maintain the right to live in respectful manner and to protect the soul in order to avoid the persecution action in the form of murdering, cutting off the limbs, or injuring action including consuming the food that may damage the body or excessive consumption (*Israf*).
3. Maintain the minds. Shariah views that human minds as the most important gift from Allah SWT. With his minds, human can distinguish which is good and what is bad. With his mind, human is assigned to worship Allah. People without minds are not burden with the duties of the shariah. Therefore, minds should be preserved and protected. For these reasons, Shariah prohibits *khamr* and all the things that can kill the creativities and human

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passion. So that in Islamic economics, *khamr* and all the like are seen as something has no value, starting from the producing, distributing until consuming.

4. Keeping the offspring. The benefits of the world and the hereafter are meant by God to continue from generation to generation. The implementation of Shariah in only one generation is meaningless due to the extinction of human generation. Here, Islam regulates marriage and prohibits adultery, determines who can be married, the procedure of marriage and its term and condition. All of them are the way to continue the healthy and clean offspring in a calm and peaceful atmosphere. Thus, there will be more and more and strong and create the unity and integrity in the community where they live.
5. Maintain the property. Eventhough all the properties are belonged to Allah SWT, but Islam recognizes the personal rights. Islam regulates muamalah such as selling and purchasing, renting, borrowing, pawning and so on and prohibits fraud and the practice of usury. Maintaining the property is understood by regulating the muamalah system based on the justice and willingness, trying to expand the wealth and giving to those who are able to protect it properly. Because the assets that owned by the individual become the power for the whole people as long as well shared.

Shariah is revealed, one of which is in order to maintain the property, because the property is a mandate from Allah SWT. It is temporary that they will be asked for the responsibility related with the use of these assets, are they really fair and honest in spending the assets so that they are free from all the forbidden things.

Methodology

The type of this research is Library Research, this research examines several references related with the research theme, namely examining several books of muamalah fiqh, the basic principles of Islamics economics, and the history of Islamic economics thinking. The method of data collection is through the documentation method.

The data analysis process in this research, the researchers apply content analysis, namely the scientific analysis of the content data (message) of a communication or phenomenon. With the following research steps:

1. Material classification
2. Describe the relationship between the material and the research theme
3. Describe the research result.

Results and Discussion

Analysis of low pricing or specified pricing under the market price in Islamic economics perspective

The common problems that often arise in muamalah or economics, one of them is the upward and downward trends or known as the price fluctuation, in economic perspective this can be said as the price normality as long as within the limits of the perfect market competition condition which is based on the law of demand and supply. The general economic law sees the price fluctuation as the normal thing in the market, as long as it is not violate the norms and business ethics, there is no manipulation that causes the price fluctuation both done by the producers, distributors and consumers which means that the fluctuation is really occurs without any crime but due to the normal market conditions that cause the price fluctuation.

In Islamic economics law, there are two terms namely: 1) *Al-tsaman* : the marking price for the unit of goods. 2) *Al-tas'ir*: the actual price in the market. In connection with the price fluctuation, the Fiqh scholars agreed to fall in the *al-tas'ir*. (Utomo,2003) *Tas'ir* is emphasized in hadith of Rasulullah SAW. *“Indeed, Allah is the one who determines the price, the most narrowing, the most expanding and the most giving of Rizky. Indeed, I hope I meet Allah in a situation where none of you sue me about injustice for the blood and property”* (Narrated by Abu Dawud).

Basically, the law is not regulated in detail in Holy Qur'an. However, in some hadith mention that price determination is allowed in a certain condition. As in the pandemic situation that requires the provision of low prices or price fixing below the market price, according to the agreement of the scholars it is permissible on the basis of *al-maslahah al-mursalah* or the benefits. The permission to set the price below the market place is because of the emergency situation and it is not intended to destroy the market place.

Hadith Rasulullah SAW regarding to the price fixing when there is a surge in market price, from Anas bin Malik” during Rasulullah SAW era, there was a price hike in the market, then a group of people meet Rasulullah SAW and said, O Rasulullah, the prices in the market are soaring, please fix the prices, Rasulullah SAW replied *“Indeed, Allah is the one who determines the price, lowers it, narrowing and most expanding Rizky. Do not someone among you sue me to do wrong in matters of property and life”* (Narrated by Bukhari, Muslim, Abu dawud, Tirmidzi, Ibnu majah, Ahmad dan Ibnu Hibban).

The increase of price during the era of Rasulullah SAW was not due to the arbitrary actions by the traders, but because of the limited commodities conditions. The element of speculation in increasing the price is clearly not allowed. Such as deliberately hoarding the goods until scarcity occurs. Or lowering the price under the market price for the reason to damage the market price is clearly prohibited in shariah.

There are several causes of the price breakdown, they are: 1)fraud, conspiracy between the producers and the distributors in fixing the prices, the consumers ignorance and the abuse of power, 2)Gharar: the uncertainty in selling and purchasing transaction, both in the term of price or the trading products, 3) Ghaban, selling above the market price, due to the consumers ignorance of the market price. In Al-qur'an affirmed in Surah Asy-Syuara verse 183: *and do not defraud people of their property. Nor go about spreading corruption in the land.* It is clear that shariah strictly prohibits the harmful and destructive acts.

The price breakdown is also caused by the act of hoarding goods or Ikhtikar in Fathul Mu'in it is explained that Ikhtikar (hoarding) is holding the groceries from the purchases when the price is high, not when the price is cheap to be resold with the price above it when people really need it. This action is Haram as it is mentioned in hadith narrated by Muslim and Turmudzi, *"people who do ikhtikar means doing mistakes"* (Mardani, 2012). Ikhtikar is haram if people are deliberately hoarding the goods or the basic necessities, if someone deliberately hoarding the goods for his own and his family need or intended to sell it at the commensurate price as it is purchased, so this is not Ikhtikar.

Description of fair pricing in Islamic economics perspective by giving the low prices for the citizen during the Covid-19 pandemics

The fair behaviour is one of shariah that should be practiced as Allah SWT said in Al-Quran Surah an-Nahl verse 90: *"Indeed, Allah commands justice, grace, as well as courtesy to close relatives. He forbids indecency, wickedness and aggression. He instructs you so perhaps you will be mindful"*, Rasulullah SAW gives the example of how to behave fairly in all things, as said by Rasulullah SAW. *"who cheated us, then he is not belong to our group"* (HR. Muslim). Rasulullah succeeded in building a business by put forward the honesty and fairness. The importance of fairness in business can guarantee that the benefits obtained is blessed, in a Hadith narrated by Imam Bukhari, Prophet Muhammad SAW said *"by taking perjury, the goods were sold, but it is not blessed"*.

The problem of price fixing according to the muslim scholars, Ibnu Qudamah, Ibnu Taimiyah, and Ibnul Qoyyim categorize price fixing that is unjust and fair price, the unjust pricing is the price set by the government not in accordance with the market condition due to the limited commodities supply and the scarce of goods, on the other hand the demand is increase. According to the scholars, the permitted price fixing as the price hike is occurred due to the action of speculators and traders should still be carried out within the fair limits by taking into accounts the production cost, distribution, transportation, capital and profit margins for the producers and the traders. (Utomo, 2003).

It was Ibnu Taimiyah a muslim scholar of the classical and medieval ages, who first paid attention on the importance of fair pricing. It is natural that fairness in market activities especially prices, Rasulullah SAW classified usury as an overpriced sale that exceeds the consumers' trust. The problem of fair price arises when dealing with the actual prices, purchase and the goods exchange, Ibnu Taymiyyah defines *"the equivalent price is the prevailing standard price when people sell their merchandise and it is generally accepted as something equivalent to those goods. He also emphasized that the equivalent price is the price formed by the market force that run freely between the forces of demand and supply."*

The market power becomes the determination of the change of the market prices, if in an emergency situation as happened in classical era, when the people sell the goods normally without the unfair ways, and then the price has increased due to the scarcity or the increase of the population, in shariah point of views, the rising price is as the will of Allah SWT. This means that the normal transaction without using the unfair ways describe that the equivalent price must be a competitive price without any fraud (Karim, 2016).

The problem of fair price determination by giving the cheap price in covid-19 pandemic condition is also related to the profit obtained during the transaction, fair and wise in determining the percentage has been alluded to by hujjatul Islam Al-Ghazali in (Karim, 2016) that Al-Ghazali was really critical to the market players who are excessive in seeking the profit,

in term of fixing profit or normal profit is between 5 to 10 percent from the goods' price, Al-Ghazali really motivated the market players to seek the "true profit", that is blessing in the hereafter, this can be used as the reference of the importance to pay attention on the economic condition of the people, in an emergency situation not to carry out the speculation in trading. The term of blessing in Shariah economics theory is the main goal in every transaction that is the welfare in the world and in the hereafter, by establishing the paradigm that the wealth is a mandate given by Allah SWT to be spent in accordance with Islamic Shariah.

Rasulullah SAW gives the role model in economic sector by promoting honest and fairness in every transaction related with the human relations. Fairness in Fiqh Muamalah principle : *"Al-Adl (fairness) is obligatory for everything. "the origin of muamalah is fair and prohibit the tyranny and also pay attention on the benefit of both sides and eliminate harm."* Adil takes the importance position in all conditions, especially in emergency situation or pandemic, by applying a fair attitude will avoid the bad attitude because shariah prohibits the transaction which harms one of the parties. The suggestion of the importance of fairness in trading transaction in order to avoid the wrongdoing is mentioned in AL-Qur'an Surah Al-Baqarah verse 188, 279 and Surah An-Nias' verse 29 and 58.

The Islamic economics analysis toward the government role in market intervention

The government has an important role in the country's economy, especially in unstable market condition, then the government has its full power to interfere the economy for the sake of people's welfare. The scholars want the fair, honest and democratic government market intervention, where in making a decision is suited to the public interest.

The important role of the government in market intervention also occurred during Rasulullah SAW era as an effort to guarantee the perfect market mechanism. *Al hibah* or the market supervisor has a role to observe the market, the business practice to avoid the fraudulent action that may injure the market mechanism, as in Hakim's research result (2015).

The government role in market intervention is not only notice on the operational mechanism but also on the implementation of Islamic morals and values. The government should ensure that market applies the values of honesty and fairness, market must guarantee that all the merchandises are halal and thayyib, ensure the market only provides the primary needs. If the marketers are able to apply Islamic morals and values, the healthy competition is realized. The government must also be able to make a policy to create the fair prices.

Among the scholars of Fiqh there were differences point of view regarding to the price fixing carried out by the government, (Az-Zuhaili, 2011) the madzhab of Imam Syafi'i and the madzhab of Imam Hambali prohibited price fixing, since it would limit and complicate the traders, traders were given the freedom to determine the prices although in condition the price of goods is rising. Meanwhile, according to madzhab of Imam Hanafi and Imam Maliki allow the government to interfere in price fixing with the purpose to reject the harm and to maintain the benefit of society and prohibit traders to rise the prices, this condition is in accordance with the principle of Fiqh *"refusing damage takes precedence over getting benefit"* (Washil, 2015)

If the government allows the fix prices, according to the Fiqh scholars must meet the following requirements: (Utomo, 2003)

- 1) Commodities or services needed by the people
- 2) The evidences that producers, traders and speculators do the deviant actions such as manipulation, speculation, hoarding and price manipulation
- 3) The government is proven as a fair government
- 4) The government should do a price feasibility study, market study and consult with the experts

- 5) The government should always control and supervise the market activities continuously
- 6) Discuss with the economists

Referring to the Fiqh experts' opinion, that in an emergency condition during the Covid-19 pandemic; the government is allowed to interfere in fixing the price only for the benefit of the community, as the opinion of *hujjatul Islam* Imam al-ghazali, that the government intervention toward the price fixing is equalized as the permission of the government to take the wealth from the rich people to meet the needs of the armed forces, since the armed forces are very meritorious in maintaining the nation and the citizen security.

Conclusion

Giving the low prices or the price fixing below the market prices is justified in Islamic economics in a certain condition, such as during the pandemic situation that requires the provision of low prices or price fixing below the market price, according to the scholars' agreement is permitted based on the al-maslahah al-mursalah or the benefits. The price fixing below the market price permission is due to an emergency situation and not intend to break the market price.

The act of giving the low prices for the people during the covid 19 pandemic including the fair price fixing and justified by the Islamic economic law. The fair price determination by providing the low prices during covid 19 pandemic condition also related to the profit or the obtained profit during the trading transaction that done fairly and wisely in determining the percentage.

Islam views that during the emergency situation such as covid-19 pandemic, the government is permitted to interfere the market in determining the prices with the conditions for the benefit for the people.

Declaration of Competing Interest

There is no conflict of interest among the authors

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