THE PROFIT OF JOCKEY PRAKERJA IN THE PERSPECTVE OF ISLAMIC ECONOMIC LAW

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Abstract

Pre-employment card jockey is an agent who seeks a job for the community and obtains a fee from the services. The practice of preemployment jockey is particularly carried out related to the preemployment card program launched by the government in 2020. This research aims to describe the practise of pre-employment jockey and to analyze sharia economic law review on the profit obtained. This research utilized qualitative research and primary data was obtained through interview, observation and documentation, while data analysis was conducted descriptively, research found the practise of pre-employment jockey has assisted the people to register preemployment card program in 2020. The assistance consisted of the account sign-up, training and filling survey. The people approved accept incentive Rp 3.550.000, but the transparency about the exact number of incentives is not precisely informed to the account owner. It can be more or the jockey receives more incentive than the account owner. According to sharia economic law, this such a service practice is not suitable with ijarah principle (service) because there is no transparency, the willingness of account owner and justice and this service contained ghulul (corruption), gharar (scam) done by a preemployment jockey and the action of pre-employment jockeys include treason

Joki prakerja merupakan agen yang mencarikan pekerjaan untuk masyarakat dan mendapatkan bayaran dari jasanya itu. Secara khusus praktek perjokian ini dilakukan terkait dengan program kartu pakerja yang diluncurkan pemerintah tahun 2020. Tujuan penelitian ini adalah untuk mendeskripsikan praktek joki prakerja dan menganalisis tinjauan hukum ekonomi syariah terhadap profit yang mereka dapatkan. Penelitian ini menggunakan pendekatan kualitatif dan

dokumentasi, sedangkan analisis data dilakukan secara deskriptif. Hasil penelitian menunjukkan bahwa praktek joki prakerja telah membantu masyarakat mengikuti pendaftaran program kartu prakerja tahun 2020. Bantuan itu dimulai dari membuatkan akun prakerja, melakukan pelatihan, dan mengisi survey. Bagi masyarakat yang lulus mendapatkan insentif sebesar Rp. 3.550.000, namun transparansi jumlah yang sebenarnya tidak diketahui secara persis oleh oleh pemilik akun dan bisa saja lebih besar dari itu atau joki prakerja justru mendapatkan jasa yang lebih banyak dari pemilik akun. Menurut hukum ekonomi syariah praktek jasa seperti ini tidak sesuai dengan prinsip ijarah (jasa) karena tidak ada transparansi, kerelaan dari pemilik akun, keadilan, ghulul (korupsi), dan adanya gharar (penipuan) yang dilakukan oleh joki prakerja dan perbuatan joki prakerja termasuk kepada pengkhianatan

Keywords: profit; pre-imployment jockey; islamic economic law

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Introduction

According to data of National Development Planning Agency, until 2021 the number of unemployment reaches 12 million people caused of COVID-19 pandemic()(Adhitya et al., 2021,1666) To anticipate this condition, government has formulated several policies including (Cash Transfer) program. CT program is administratively regulated by Minister of Village, Development of Disadvantaged Regions and Transmigration of Republic of Indonesia No 6 of 2020 by targeting poor families non ICCTP (Indonesian Conditional Cash Transfer Programme) who lost their job during covid using data collection mechanism based on village with the amount of assistance 600.000 rupiah for 3 months (Consuello, 2020, 94). In order to make the distribution is right on the target, government corporates with post office so, the approved people can directly come to the nearest post office (cannot be represented) by bringing indentity card and family card (Putra and Prakerja 2021, 553)

Furthermore, MSME program is given by government to the MSME entrepreneurs who perceived the impact of covid which aims to stimulate the economic. Legally, the program of MSME assistance is regulated by the minister regulation of Cooperative and SME no 6 of 2020 (Kopertis et al.2005,1397). If the people fulfill the criteria and stated as recipient, government involves certain parties to distribute funds such as BRI Bank or BNI Bank by coming there bringing the requirements such as family card, identity card, business cercertificate, statement letter about not receiving financing with the amount of assistance 2.400.000 rupiah/MSME unit for a year (Putra and Prakerja 2021, 554)

Moreover, there is pre-employment card program. It is slightly different with others. It is given to the people who lost their job due to layoffs during pandemic. To follow this program, administratively participant must sign up by registering account on the website of pre-employment card. This registration process needs skill, facilities and infrastructure such as cell phone or utilizing internet via computer. Then, account registration of pre-employment card program requires active phone number, email, indentity card, and family card (Permata 2021, 6))

Based on the registration process which requires facilities and IT skill, not all of people understands the process and having facilities and infrastructure to register and follow pre-employment program. Along with this, pre-employment jockey emerges. The existence of pre-employment jockey provides benefit by giving service for registration process (Muhyiddin 2022,1)

However, writer's observation on the existence of pre-employment jockey found it assisted people in one side, but it was detrimental to the community. It is illustrated when a pre-employment jockey helps the people to register pre-employment card program. There are pre-employment jockeys who practice duties to help people. They help people to pass registration process which requires personal data such as identity card, family card by accepting money as wages. When the participant is stated as the recipient of pre-employment card program, pre-employment jockey assists to cash out the incentive funds for pre-employment card program by accepting wages for the service given (Muhyiddin 2022, 3)

Besides, it found pre-employment jockey who helps the community by offering services for sign up, registration until the incentive funds disbursement

for pre-employment card program. However, it does not run properly. When the participant is registered as the recipient of pre-employment card program, a jockey will not inform the participant and take the advantage of pre-employment card program. It is caused by different incentive funds disbursement than the other programs. Participant who have right to accept CT and MSME assistance must directly come to predetermined place by bringing requirements and cannot be represented. However, the disbursement of incentive funds for preemployment card program is carried out indirectly. Incentive fund of preemployment program is paid through account which accepts pre-employment program. In this step, jockey benefits by not informing the people who is assisted for registration, as result the person who knows registered account is only preemployment jockey. In this condition, pre-employment jockey is indicated to be cheating because the benefit taken from the program. This fraud is happened because pre-employment program is administratively having weakness on mechanism and registration process, verification and other processes (Aufari 2022, 5)

Next there is an article about reviewing the governmenst's efforts through the pre-employments card program in empowerment prespective during the covid-19 pandemic with findings The presence of the Kartu Prakerja program's in the midst of the COVID-19 pandemic seems to have indeed left several new kinds of problems which in essence ara related to the fate and needs of small society especially those affected by layoffs, economic difficulties, declining income, etc. In principle. The true of Kartu Prakerja is a bridge that is able to connect the society with a variety of new skills training. Beside of that, the government also expects the creation of a more capable and empowered society to simultaneously reduce excessive dependence on others. The access facilities to various training video tutorials, as well as the form of cash assistance provided by Kartu Prakerja program, actually quite spoil the society. But the problem is that not all small society can feel the opportunity, because the quota limitations per wave and the system is also implemented through the selection stage. Coupled with lawsuits from several public observers who essentially lamented the effectiveness of trillions of funds to be applied to the Kartu Prakerja program, because it's not efficient. This study seeks to assess the effectiveness of the Kartu Prakeria program in the perspective of empowerment, as well as impacts found in the field so far (Predianto and Khoirurrosyidin 2020, 117).

From several previous studies, there has been nothing related to profit as a pre-employment jockey. Moreover, it is synchronous to the interview result with one of pre-employment jockey user, call In".joskey used preemployment jockey cause of busy, not understand IT, so that he gave his personal data (identity card, family card). When he used jockey service, they agreed that if he is approved to accept assistance, every incentive will be divided equally. After his approval as one of recipient, he was asked to create electronic money account because he is promised to accept incentive when electronic money account done but he does not receive any cent. Jockey user cannot do nothing, because pre-employment account is controlled by jockey. (Hermawan et al. 2021,4)und disbursement in his name does not go directly to his account but it goes to pre-employment jockey account. As result, it will be noted in jockey account. Moreover, the existence of pre-employment jockey emerges pro and cont. There is opinion that legally, pre-employment jockey is criminal act because it is an effort to take over and take advantages of people's identity (identity card, family card to be registered for pre-employment card program). However, there is statement that it is not criminal act because pre-employment jockey help the community but there is still criticism from people.

Based on phenomena above, there are two problems which will be discussed in this research. First, how does work practice, right and duties and agreement on pre-employment jockey. Second, how is profit obtained by pre-employment jockey in Shariah Economic Law.

Research Method

For researchers, this research is to find out the practices and profits carried out by pre-employment jockeys then this research include field research by observing pre-employment jockey practice. The characteristics of this research is inductive which specially obtained to construct general insight(Daipon, Dahyul 2021,118). The source of primary data was direct from the service user of pre-employment jockey totally 15 persons and 10 pre-employment jockey because it includes key informants who can provide information related to the practice of pre-employment jockeys. Data was direct from research subject, interview with the interviewees who were the service user of pre-employment jockey and pre-employment jockey in West Sumatera. The sources of secondary data were journals and scientific articles related to pre-employment jockey. Furthermore, the population of this research was *muajjir*, the person who give service and *musta'jir*, the service user of pre-employment jockey. Research sample utilized

purposive technique sampling that is pre-employment jockey and the user of pre-employment jockey by applying several data collection method including interview (Rosmanidar et al. 2022, 4), documentation, and observation (Yana 2021, 15) about service of pre-employment jockey. Data analysis used by writers was qualitative descriptive analysis which aims to discover the practice of pre-employment jockey, fee and profit obtained by pre-employment jockey by taking 100 tes, analyzing and deducing.

Results and Discussion

The Program of Pre-employment Card and Pre-employment Jockey

Pre-employment card is identity card given to the beneficiary of pre-employment card program. Pre-employment card program is carried out through the giving pre-employment card to job seekers, workers/laborers who lost their job and workers/laborers who need to enhance competency such as workers/laborers who are fired and not accepting monthly salary, including the MSME businessman (Predianto and Khoirurrosyidin 2020, 118)

Pre-employment card program aims to develop workforce competency, enhance profitivity and workforce competitiveness and develop entrepreneurship. Pre-employment card program is the name of a government program issued by President Joko Widodo to stimulate community welfare (Hermawan et al. 2021,4)

There are several steps to register pre-employment card program. *First*, visit pre-employment card website by accessing www.prakerja.go.id *Second*, preparing active email. *Third*, input password. After filling email and inputing password, the confirmation of pre-employment ard will be sent to email. Confirmation aims to continue registration in the application of pre-employment card program. In the registration steps, the future participant of pre-employment card must prepare identity card, family card, and active phone number and participant face portrait.(Nindry Sulistya Widiastian 2021, 45)

If future participant of pre-employment card is approved, he will accept amount of money which can be changed to Rupiah. There are several forms of fund which can be accepted by pre-employment card beneficiary. First, monthly incentive fund. The amount of monthly incentive is Rp. 2.400.000 which can be

taken in four months, as result pre-employment card beneficiary will get Rp.600.000/month (Firnanda, Fitri, and Ardianto 2021,171)

Second, training fund. The beneficiary of pre-employment card program will get Rp. 500.000 for training fund. Third, test fund. The amount of money on test phase is Rp. 50.000 which can be taken 3 times. As result, the amount of fund or incentive obtained from pre-employment card program is very big and can assist the community (Raesalat et al. 2020, 28)

 $\begin{tabular}{l} Table 1 \\ The amount of assistance accepted by the beneficiary of Pre-employment card program \\ \end{tabular}$

No	Incentive	Amount	V	Total
1	Monthly incentive	600.000	4	2.400.000
2	Survey incentive	50.000	3	150.000
3	Training incentive	500.000	2	1.000.000
Tota	3.550.000			

The amount of incentive accepted by someone who is approved to be beneficiary of pre-employment card program that is Rp. 31550.000 (*Three Million Five Hundreds Fivety Thousands Rupiah*) Disbursement of Pre-employment Card Program. Pre-employment card program can be utilized for training fee and incentive which can be used as follow (Yana 2021, 14): Paying training fee

Pre-employment card beneficiary has right to obtain assistance in form of non cash balance on digital platforms determined by committee used by pre-employment card beneficiary to pay training fee. Training assistance can be used with the provisions:

First, Must be used in current fiscal year. If pre-employment card beneficiary does not utilize the training assistance in current figal year, it will be returned to State general treasury account. Second, Cannot be changed into cash. Third, Can be used for more than one training

Payment of training fee can be carried out based on agreement between executive management and digital platforms. Related to payment, digital platforms proposed training fee invoice to Proxy of Budget User State General Treasurer (PBU SGT) (Rafitrandi 2020, 3)

Then, training fee payment is done before practicing training activities, proposing the invoice also attachs the statement letter about the ability to finish the training from the digital platforms (Qadariyah 2022,, 121)

Payment of training fee applies Cash Management System (CSM), which is application and information system which provides balance information, transfer between account, payment of State revenue and utilities, or other facilities in the implementation of real-time online banking transactions. To conduct billing data recording activities in CMS, an officer called *Maker* is assigned. During payment process, Maker accepts invoice and supported document then, recorded it to CMS. After that, invoice is verified by *Checker* (official/employee who has authority to do checking/observing activities on the bill done by *Maker*), verification on training fee invoice is applied based on several provisions (Tim JDIH Badan Pemeriksan Keuangan 2020, 3)

Pre-employment Jockeys

The etymology of the word jockey is derived from English that is "Jockey. In Indonesian Big Dictionary, the word jockey means someone who is paid without paying attention to the amount of money accepted for a match, work, piece of money in wallet. In this case, the word Jockey has four meaning (Ali et al. 2021,164). There is the word of jockey which has a noun meaning so it can state the name of someone, place, or all things. There is the word of jockey classified as homonym which means having similar spelling and pronunciation but it has diffirent meaning. There is the word of jockey included into variety of spoken language. And there is the word of jockey which is used as slang or nonstandard language applied by kiddy (ela wahyu novianti dan wahyu wibowondemi 2022, 137) Based on several meaning above, it can be comprehended that Jockey is the person who take an exam for another person by disguising as the actual examinee and accepting money reward in college entrance examination or the person who provides services to driver who is not public transportation to fulfill the provision about the number of passengers when passes certain area (Royani Hamzah and Khusnia 2021,23)

Jockey is a service offered by someone to others to complete a work or duty. Then, in Arabic reward on a job is called *ujrāh*, which means reward accepted by a worker or service bureau which has been done, like important letter service, or architecture bureau which provides building plan drawing service. The reward on all service can be given in a certain nominal aamount or certain ratio (Putri 2020, 3)

The Emergence of Pre-employment Jockeys

There are several reason on the emerging of Pre-employment card jockey. First, along the launching of pre-employment card program by government. Besides, the registration and creating an account for pre-employment card program is very easy as long as understanding the procedure and having skill to operate cell phone or computer which has Internet connections, registration can be done by anyone and it must not possess identity card or family card (Suryadi et al. 2021,347)

Second, easy requirement. The requirements to register preemployment card program is very easy that is identity card, family card, having an active email, and phone number. Third, there is advantages that can be obtained. If pre-employment jockey got one identity which will be registered to follow pre-employment card program, he will gain the a known amount of profit, Rp. 3.5550.000 .)(Habsari 2022, 227)

Furthermore, the people who want to register pre-employment card program can easily access the service of pre-employment card jockey. They can contact jockey via social media or phone cell, if they want to. Pre-employment card jockey offers several services in media social such as Facebook, Instagram. Based on writer's interview via WhatsApp, the average pre-employment card jockey can provides services to 7 up to 10 user. Costumer who uses jockey to register pre-employment card program is not only come from local area but also the other regions (Joni 2021, 1)

Moreover, writer's interview with one of pre-employment card beneficiary group 15, call "i", revealed he recognized pre-employment card jockey from his friend and social media. He was offered by a a WhatsApp user to enroll pre-employment card by asking his identity card and family card. Then, he was promised amount of money which did not stated how much the money was. He did not think long, he directly gave his identity card and family card to be registered in pre-employment card program. He also said the existence of pre-employment card jockey is very helpful to register pre-employment card program cause of his busyness as businessman(Nindry Sulistya Widiastian 2021, 40)

There is also "J" who is private company employee which affected by layoffs due to Covid-19. He said he does not have a skill and android phone so, he was registered by jockey to follow pre-employment card program. After registration process, he often asks jockey if he is approved or not to be pre-employment beneficiary, but until the end of 2021 he does not get information about his identity which has been registered by jockey (Joni 2021, 1)

Then, there is "D" who is agreed as pre-employment card beneficiary group 14 in 2021. When he registered pre-employment card program, he used jockey which is known from his friend who is the recipient of pre-employment card program group 13. Then, he is agreed to be registered as the participant of pre-employment card program and he is approved as recipient. However, he does not get incentive because he does not know username and password which was registered by jockey (Dani 2021, 1)

Modus and how does pre-employment jockey work

In the beginning, pre-employment card jockey asks several requirements to register pre-employment card such as identity card, family card, and selfie with ID card. Fee set by jockey varies depended on the agreement between participants and jockey. In fact, there is jockey who claims that he is able to buy a house from being pre-employment card program(Weli 2021, 1).

There are several pre-employment card jockey modes. First, pre-employment jockey helps registration process by creating pre-employment account using identity card, family card according to identity, but email address and phone number is set using jockey's address and phone number. Then, if the participant is approved, electronic money account uses jockey's email and phone number (Weli 2021, 1)

Second, pre-employment jockey helps registration using ID, family card and account owner email. Then, electronic money account is connected to jockey's phone number. As result, there will be notifications to jockey's phone number about if a participant is approved as a beneficiary or not as well as, the fund from pre-employment card program (Yanti 2021, 1)

Jockey practice on pre-employment card program is perceived by the people who has limited knowledge on technology and having low legal awareness. It is easy for jockey to register someone because there are many lower middle class people. Besides, the admin of pre-employment card program provides easy requirement and easy to be obtained(Raesalat et al. 2020, 26)

Moreover, jockey does not only provide service during registration process but also he assists pre-employment participant until incentive disbursement. It illustrates how low the level of society digital literacy. "because incentive disbursement is more complex. First, they must create an account, register e-wallet or account. Then, if e-wallet does not connect yet, it must be connected which means there will be more complicated. Because they must upload ID card, selfie, others," use jockey said (Andre 2021, 1).

The agreement model of pre-employment jockey user

In practice, Pre-employment card jockey usually have an agreement. It based on interview with one of people who uses jockey service, there is people who have agreement with jockey and some people are not. The agreement is usually begun with administrative fees to create an account, it is only for resistration. Then, agreement regarding to approval as the beneficiary of pre-employment card program. If the user of pre-employment card program has already registered, there will be several agreements like what jockey stated (Yanto 2021, 1)

First If someone is approved, any kind of incentive both incentive for training, survey and monthly incentive obtained from pre-employment

card program is divided 50% for account owner, and 50% for jockey (Yanto 2021)

Second, If someone is approved, incentive which is divided is only monthly incentive under the condition 50% for jockey and 50% for account owner. Meanwhile, all of incentive for training and survey are taken by jockey without informing account owner

Third, If someone is approved, pre-employment card jockey will not inform anything to account owner, but jockey only give small part of fund obtained from monthly incentive.

Fourth, there is no agreement between pre-employment card jockey and account owner, the crucial thing is registration. If the user is approved, the amount of money accepted by participant is not stated but account owner receive small portion of money. However, if it is compared the amount of money accepted by these two parties, jockey receive more than account owner.

Based on agreement modes above, it will be identified the amount of money obtained by pre-employment jockey and account owner who is approved as pre-employment card beneficiary illustrated on the following table:

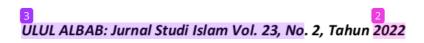
Table 2
Agreement about monthly incentive allocation of pre-employment card and amount of money received

No	Agreement	Monthly incenti	ive
		Jockey	Account owner
1	Divided 50%	1.200.000	1.200.000
2	70% for jockey and 30%	1.680.000	720.000
	for account owner		

The amount of money accepted by pre-employment card jockey from monthly incentive based on agreement that is Rp 1.680.000 for jockey and Rp. 720.000 for account owner (Suryadi et al. 2021, 346)

Table 3

The agreement about training incentive allocation of pre-employment card and amount of money accepted



No	Agreement	Training incentive		
		Jockey	Account owner	
1	Divided 50%	250.000	250.000	
2	All of money for jockey	500.000	0	

The amount of money accepted by pre-employment card jockey from training incentive based on agreement that is jockey got 500.000 and account owner does not accept anything (Matakali and Polewali 2021, 878). Information above illustrate the difference in the amount of incentive obtained by the identity owner of pre-employment card program than pre-employment card jockey. Basically, pre-employment card beneficiary pre-employment card jockey. However, if the participant use pre-employment card jockey, the owner of pre-employment card identity get a half or one third of total incentive which must be obtained depending on agreement or jockey's wish

Pre-employment jockey's duties and work

In general, pre-employment card jockey provides services to users. There are two types of pre-employment jockey. First, pre-employment card jockey who provide registration service. Second, registration services until training fund disbursement. In this types of service, jockey usually set the pay rate. There is also pre-employment jockey who offers guarantee to the potential participant to be 100 % approved. There is jockey who offers 100 % approved as pre-employment card beneficiary as strategies to attract the costumer (Yana 2021, 17)

Furthermore, pre-employment card jockey have to follow training. Training phase in pre-employment card program consisted of training according to pre-employment beneficiary field and interests. After that, Pre-employment card jockey must follow the test. This test step is followed by filling up the questionnaire and answering questions (Rafitrandi 2020, 7)

Besides, the other duties of pre-employment card jockey is fund disbursement to beneficiary. In this step, jockey is required to cash out the fund by connecting the data of pre-employment card beneficiary like linking beneficiary account.

People reasons use a pre-employment jockey

Based on interview and observation, in general, there are several people's reason to use a pre-employment card jockey. First, the people is technologically backward. Second, they do not have free time to register pre-employment card program. Third, saving internet data (Putra and Prakerja 2021, 555)

Advantages and weakness to use the service of pre-employment card program. The people who use the service of pre-employment card jockey will gain several advantages. First, assisting the family members who are technologically backward so, they can get the benefit of pre-employment card program. Second, saving internet data.

Then, there are several weakness perceived by pre-employment card beneficiary if they use jockey. First, they have to pay amount of money to pre-employment jockey. Fund obtained from the pre-employment card program is not full. Second, they do not gain knowledge given during the training of pre-employment card program. The knowledge is taken by jockey.

Income (*Profit*) of a pre-employment jockey

The amount of profit obtained by pre-employment card jockey. In this life, every activity will provide the benefit both material and non-material. In his job, jockey will accept profit from what he has done. The profit obtained by jockey are registration service or creating pre-employment card account. In registration service, jockey set the pay rate Rp. 50.000 until 300.000 which is only for creating an account, registration, and follow the selection group(anwar syarif 2022, 175)

Second, the profit from following training phase. In this step, the amount of incentive fund which is provided by government for pre-employment card beneficiary is Rp. 500.000. Based on writer's interview, jockey usually does not inform the amount of incentive to pre-employment card beneficiary. All of fund is usually taken by pre-employment jockey (Andina 2022, 37)

The amount of incentive obtained by pre-employment card beneficiary who have followed training is Rp. 500.000 which must be used for coaching fund. Dani, "Structured Interview with the Beneficiary of Pre-employment Card Program in 2021." Then, if one pre-employment account is approved, one pre-employment jockey will get total money 3.550.000(Suryadi et al. 2021, 346)

Discussion on the practice of pre-employment jockey

At the beginning of its emergence, the existence of pre-employment jockey provides services for the community who are not understand information and technology to register pre-employment card program. However, in one side pre-employment card jockey give an impact on the community who passes the selection as pre-employment card beneficiary. As result, the existence of pre-employment card jockey offers the advantages for common people who will register the program and it is *maslahah* (a things consideredas good deed) who is suitable with the *ta`āwum* (helping each other) principles(Khoiruddin 2018, 83). In Islam Allah ask his servant who is believed on his over to help each other in good deed which is instructed in Q.S. al-Maidah (;;;):2

but help ye one another unto righteousness and pious duty. Help not one another unto sin and transgression, but keep your duty to Allah. Lo! Allah is severe in punishment.)

Furthermore, Hadits also suggests to do good deed and helping others who are abused and do good deed and piety as stated hadits:

: Rasulullah stated: help your brother while doing the wrong thing or being abused." Anas said: "Rasulullah, we will help the people who are abused. How do we help the people who do the wrong thing?" he answered: "by preventing him to do the wrong thing. And that is your help."

Based on description above, there is jockey's work system which commit an agreement when asking people's identity which will be registered to follow pre-employment program. Besides, pre-employment jockey also informs the amount of money which will be accepted by the participant if they are approved as pre-employment and jockey absolutely entitled to a share of incentive obtained from the benefit of pre-employment card program. In Islam, a share obtained by pre-employment jockey on his assistance and service given to community is called wages. Incentive accepted by pre-employment jockey is included into *ijārah bi al-'amāl* because wage or incentive obtained from pre-employment program utilizes people's identity which has been agreed consciously at the beginning. Regarding to *ijarāh bil al-'amāl*, wage must be

something valuable both money and things whose quantity and form must be known. On agreement between pre-employment jockey and identity owner have fulfilled those requirements so, the profit in the practice of pre-employment jockey is allowed.

However, in one side it is also detrimental for community. In this case, the existence of pre-employment card jockey is *mafsadah* because in reality the practice of pre-employment card jockey is different from what has been negotiated for example pre-employment jockey asks the identity of someone who does not know information about pre-employment card program, then jockey offers them to be registered. When offering registration, pre-employment card jockey does not inform about the amount of money which will be accepted by the owner of ID and family card which has been registered. In this case, there will be different benefits which will be obtained if the participant is approved as pre-employment card beneficiary. The difference on the amount of money received by pre-employment card jockey and account owner (registered people) could be 80% and 20%. 80% for pre-employment card jockey and 20% for account owner (the people who hasID and family card) and it is possible when all of incentive is fully taken by jockey.

Based on discussion above, it clearly understands the pre-employment card jockey works by asking someone's identity to be registered in pre-employment card program. Then, there is fraud indication which can be seen from factors and work processes. It is indicated when pre-employment jockey helps registration process. Then, if participant is approved, pre-employment jockey connects his phone number and electronic money account so that incentive fund which has been cashed out will be accepted by jockey. Then, this deed indicated jockey commits fraud to fool the people who have low economy factor like pre-employment card participant. The fraud committed by pre-employment jockey makes people trust on him so, they gave their identity easily. Besides, there is indication of corruption or *ghulül* which means taking the property out of share which has been determined (Arifin 2019, 65). It is suitable with hadits delivered by abu daud

Confirmed in hadits which is narrated by Buraidah Radhiyallahu 'anhu, Rasululah Shallallahu 'alaihi wasallam stated : "Whoever we assign a job,

then we determine the salary for him, so the things which are taken outside of it is qhulul property (corruption)".)

Moreover, ghulül is also banned by al-Quran which stated consuming people's property in an evil way which is forbitted (Rasyidi 2020) by Allah Subhanahu wata'ala.

And eat not up your property among yourselves in vanity, nor seek by it to gain the hearing of the judges that ye may knowingly devour a portion of the property of others wrongfully.

Next, if you look closely at how the pre-employment jockey carries out his duties from stage to stage, the this includes committing treason. This can be seen in : first, when they betrayed the identity owner (KTP and Family Card) by betraying the amount of incentives that must be accepted by the identity owner mmunity. The second is to betray the state, which initially the state provided assistance to the community (in the form of money) for the community but with the intelligence and skill of importing jockeys funds betrayed the state by taking the money or funds that should be for the community. Three betrayals with pre-employmens jockey as brokers, if the pre-employment jockeys order a group of people to look for data (accomplices of brokers) from the community trusts the accomplices of the brokers and the jockeys betray the accomplices and the general public

This is in accordance with the opinion of wahbāh al-Zuhaili that treason is everything (action or efforts that are vilating the promises and beliefs that have been required in or have been in effect according to customs, this is also reinforced by menstruating sourced from Yusuf bin mahaq al-Makkì who said: I wrote a list of income for the orphans for Fulan (Samud 2020, 5). This fulan is the guardian of the orphans. Once, they miscalculated a thousand dirhams. The fulan gave a thousand dirham to them (orphans). Howeverm later I found out that their property was two thousand dirhams. I said, take your thousand dirhams which they have brought? Then he replied: my father tolod me that he heard the messanger of Rasulullāh SAW , finish the trust to the one who gave

you the trust. However, do not betray the person who betrayed you? (HR. Abu Dawud)

Furthermore, in contract side the practice of pre-employment card jockey has fulfilled the requirement of contract or agreement. In this case, there are parties who commit on agreement in the registration of pre-employment card program. There is account owner (people who possess identity). Then, the agreed object is registration of pre-employment card program. After that, the second requirement is mutual respect between two parties. It means the parties have agreed on contract content. It is illustrated on identity given by account owner (ID and family card). Then, there is party who accepts the job that is pre-employment card jockey. However, in practice, Pre-employment card jockey only states general agreement content. Then, jockey sometimes does not provide detail explanation about incentive allocation if participant is approved as pre-employment card beneficiary. As result, people only accept the amount of money given by jockey because of their ignorance on pre-employment card program (Handayani and Rachman 2020, 117)

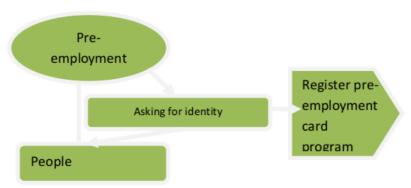
The thard requirements, *sighat*. In practice, a pre-employment card jockey sometimes states the amount of incentive which will be obtained by identity owner from the incentive of pre-employment card program and there is jockey who does not explain it. If it seen from sighat side, there is obscurity on the work practice of pre-employment card jockey which does not clearly state the allocation given to identity owner If they are approved as pre-employment card beneficiary. It is similar to what pre-employment card jockey said "I ask participant's identity to be registered to pre-employment card program. If user is approved, I will you incentive (Hermawan et al. 2021, 3)

In Islam, there is obscurity on the implementation of contract between pre-employment card jockey and identity owner. Pre-employment jockey does not state or inform the amount of incentive which will be accepted by identity owner who is approved as beneficiary both monthly incentive, survey incentive, and training incentive. Then, the obscurity lead to phenomena which identity owner who is approved as pre-employment card beneficiary got a half/ or little share of total incentive which must be obtained. The total amount of money which must be accepted by one account is Rp. 3.550.000 but they only get Rp.

1.500.000 or even Rp. 1.000.000. Therefore, pre-employment card jockey is absolutely detrimental by taking incentive secretly without informing the people who own the identity (Royani Hamzah and Khusnia, 2021, 23)

Based on description above, basically pre-employment card jockey is basically a service which can be offered by jockey or can be interested by people who will follow or register pre-employment card program. Jockey provides services started from registration. Then, if participant is approved as beneficiary, jockey takes training, survey, and creating e-wallet account. Besides, there are several people's reasons to utilize a pre-employment card jockey that is public ignorance on how to register pre-employment card, complicated, technologically backward, then saving internet data(Andriani, Fitriani, and Andriani 2021).

Moreover, the existence of pre-employment card jockey has generally fulfilled the contract requirements. First, there is *aqidain* who is the actor (pre-employment card jockey and identity owner). After that, there is *mu`jir* who is the service owner, pre-employment jockey. Then, there is *musta`jir* (user jockey) offered to be registered the identity to pre-employment card program. In general, all of parties involved is exist and fulfill the requirements; service provider and service user or consumer who has been baligh (old enough), rational, and competent to do tasaruf (control property). The target of jockey is low family Most of jockey target is low class society who is low educated



The diagram 1 above explained pre-employment jockey asks people's identity to be registered as participant of pre-employment card program. It is consistent with the interview with "D", at the beginning he asks people's identity (ID and Family card) to be registered in pre-employment card program by

coming directly to public or sharing famplet and brosure on social media. Then, jockey also offers the easiness and incentive given to participant if they pass the selection of pre-employment card program like *fivety*: *fivety* or 60%:40%. In contrast, jockey mostly does not tell the amount of money that will be received later. As result, pre-employment jockey indirectly commits fraud by utilizing people's identity to take state money through pre-employment card program

Based on discussion above, the share quantity of jockey and the identity owner is not clearly declared or stated even though there is agreement. However, there is obscurity about the share which will be gain if participant passes the selection of pre-employment program. Therefore, there is no disclosure on contract related to share quantity so, there is law violation related to share allocation and it is potential to violate muamalah principles.

Moreover, according to Islamic law, income gained by pre-employment jockey by utilizing people's identity who passes pre-employment program with various number of incentive obtained is included into fraud, because there is *gharar* element. Incentive which must be accepted by beneficiary is taken by pre-employment jockey. This deed is dispotic committed by pre-employment jockey because taking a half or more fund which must be received by the people who own identity. Pre-employment jockey takes some funds secretly without informing the share quantity to the identity owner(Taufiq 2018, 249). It is suitably with surah an-Nisa verse 29 stated:

O ye who believe! Squander not your wealth among yourselves in vanity, except it be a trade by mutual consent, and kill not one another. Lo! Allah is ever Merciful unto you

In Islam, every transaction must be based on willingness and openness principles between two parties. Even in the beginning, the existence of preemployment jockey helps the public so that jockey assists the people to gain assistance in form of incentive. However, helping others must fulfill the openness principles even less the assistance during pandemic (Ulum 2020, 56) Then, fiqh muamalah always prioritize principles, justice values, and avoiding the violence elements in taking chances according to fiqh muamalah principles as stated in al-quran surah al-Baqarah verse 279:

And if ye do not, then be warned of war (against you) from Allah and His messenger. And if ye repent, then ye have your principal (without interest). Wrong not, and ye shall not be wronged

Conclusion

The existence of pre-employment jockey is very helpful for people who is technologically backward because they can register pre-employment card program launched by government for the people who is impacted by covid 19. As result, pre-employment jockey who provides services for public has right to accept reward on service given. Moreover, in practice the pre-employment jockey commits duties and responsibilities by asking identity (ID and family card) to be registered but there is no explanation about the share which will be accepted by the participant if they pass the selection of pre-employment card program. Besides, the jockey practice is indirectly included into Besides, the jockey practice is indirectly included into fraud or corruption categories because it utilizes the people's identity to be registered as pre-employment card beneficiary which is a government program for people who are impacted by Covid-19 by not giving the proper incentive to the beneficiary. Therefore, it is included into corruption or recognized as ghulül which is synchronous to hadits abu dawud. As result, in Shariah Economic Law reward or profit obtained by pre-employment jockey is included into fraud or confirmed as ghulül property because there is violence on muamalah principles, justice values and preventing mistreatment in taking chances.

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