

E-COMMERCE TRANSACTIONS IN SHARIA ECONOMICS

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Abstract

Advances in telecommunications, information and computer technology have caused changes in culture and the demands of daily life, thus giving birth to new relationship patterns, including in the business world. One of the mainstay media is through e-commerce (electronic commerce). There is growing concern about e-commerce transactions, especially among Islamic communities in Indonesia, both from a security perspective and a sharia perspective. This paper aims to analyze e-commerce transactions in sharia economics. The results of the analysis concluded that technically the transaction, whether in the form of buying and selling services or goods, if the goods are delivered securely because they are non-digital, then e-commerce transactions can be analogous to buying and selling al-salam, which has been prescribed since the beginning of Islam. through the Sunnah of the Prophet Saw. The use of e-commerce in Indonesia is permitted as long as both parties understand each other. This article is also to provide general guidance for e-commerce users in running their business.

Keywords: *Bai'as-salam, E-Commerce, Sharia Economics.*

INTRODUCTION

In the current era of globalization, mastery of technology has become a prestige and indicator of a country's progress. A country is said to be advanced if it has a high level of technological mastery, while countries that cannot adapt to technological advances are often referred to as failed countries (Iswandi, 2021).

Advances in IT indirectly change a person's way of thinking, especially Islamic communities, in using online media (Fauzi et al., 2020). These online services spur new ways of carrying out daily activities, this kind of life is known as e-life, meaning that the needs in this world have been influenced by electronic needs, and nowadays there are many letters starting with "e", such as e-commerce, e-library, e-government, e-medicine, e-biodiversity, e-laboratory, and many more types electronics (Andrini & Sasmita, 2022).

The impact of technological developments has spread to Indonesia. This is marked by the increasingly mushrooming e-commerce business. E-commerce has revolutionized the behavior of sellers and consumers in transactions, starting from offering goods, marketing to transactions. Everything is done without time and distance limits and is done without the need to meet face to face (Afdila & Ferdinan, 2020). Moreover, currently there are many e-commerce websites on offer, not only paid websites but also many non-premium (free) ones, so there is no reason for business people not to participate in doing business through e-commerce media (Rahman, 2022).

In accordance with the times, thanks to advances in modern science and technology, many forms of transactions have emerged that have not yet been discussed in classical jurisprudence (Muhammad, 2020). There are many human businesses related to goods and services. In transactions alone, the scholars mention no less than 25 types, including: buying and selling *inah* (transactions where payment is made in advance), buying and selling *urban* (buying and selling with a down payment), buying and selling *ahlul-hadhar* (city people) with *al-badi* (village people), *khiyar*, buying and selling, *ushur* and *tsamar* (fruit), *salam* (orders), *istishna* (orders to make goods), *rahn* (pawn), *kafalah* (guarantee), *wakalah* (representative), *syirkah* (association), *ijarah* (rental), *wadi'ah* (entrusted goods) and others (Iswandi, 2021).

Islam is a universal religion that is timeless to regulate Comprehensive *aqidah*, *sharia* and morals are present as a guide for every Muslim to carry out e-commerce business transaction activities. Because one of the important aspects related to human relations is economics (Kurnia et al., 2018).

Economy is the basis for meeting a person's needs and welfare. If in conventional economics welfare is defined as the fulfillment of needs to achieve personal satisfaction, then Islamic economics views welfare from a broader perspective. Social welfare in Islamic economics originates from the concept of socio-economic thought initiated by Al-Ghazali (Apriani et al., 2022). Imam Al-Ghazali in his book, *Ihyā 'Ulūm al-Dīn*, revealed that the welfare of society will be realized when the five basic human goals are fulfilled, namely religion, soul, reason, wealth and offspring. Departing from this background, the author is interested in further analyzing e-commerce transactions in the *sharia* economy (Putri et al., 2023).

RESEARCH METHODS

This research was conducted based on a literature study with various journal and book references as well as some of the best and most updated articles (Raco, 2018). Library research, namely research carried out by collecting data and theoretical foundations by studying books, scientific works, results of previous research, related journals, related articles and sources related to research in accordance with the research being studied (Suhery et al., 2020). After all the data has been obtained, it has been successfully collected during the research process, both primary data and secondary data are analyzed qualitatively and then presented descriptively, namely explaining, describing, illustrating problems related to e-commerce transactions in the sharia economy (Panorama & Muhajirin, 2017).

RESULTS AND DISCUSSION

A. E-commerce in Sharia Economics

E-Commerce is a process of buying and selling products electronically by consumers and from company to company with computers as intermediaries for business transactions. The media that can be used in e-commerce activities is the world wide web internet. E-Commerce is the purchase, sale and marketing of goods and services through electronic systems. Such as radio, television and computer networks or the internet (Irawan & Karlinda, 2023).

E-Commerce is the use of communications and computer networks to carry out business processes. The popular view of e-commerce is the use of the internet and computers with Web browsers to buy and sell products. E-commerce or short for electronic commerce (electronic commerce), is a business transaction that occurs on an electronic network, such as the internet. Anyone who can access a computer, has a connection to the internet, and has a way to pay for the goods or services they purchase can participate in e-commerce (Shafitri et al., 2023).

In accordance with the definitions of several experts above, it can be concluded that the definition of e-commerce is the process of buying and selling transactions carried out via the internet where the website is used as a forum for carrying out this process. E-commerce can be divided into several types which have different characteristics. The classification of e-commerce is differentiated as follows: 1). Business to Consumer, 2). Business to business . 3). Consumer to Consumer . 4). Peer-to-peer . 5). Mobile Commerce.

The e-commerce referred to in this article is included in the Business to Consumer (B2C) category, which includes selling, buying and marketing transactions to individual buyers using the internet through e-commerce service providers, such as Shoope, Lazada and JD.ID. In the e-commerce transaction process, both B2B and

B2C, banking institutions are involved as institutions that handle transaction payment transfers (Mujahidin & Susilo, 2023).

An e-commerce company can survive not only by relying on product strength, but by having a reliable management team, on-time delivery, good service, good business organizational structure, network infrastructure and security, good website design, several factors. which includes: 1). Provide competitive prices 2). Providing responsive, fast and friendly purchasing services. 3). Provide the complete and clear information about product and service. 4). Provide many bonuses such as coupons, special offers, and discounts. 5). Give special attention to purchase proposals. 6). Provides a sense of community for discussion, customer input, and more. 7). Make trading activities easier (Andrini & Sasmita, 2022).

E-commerce provides benefits including: 1) Getting new customers. 2) Attract consumers to stay. 3) Improve service quality. With e-commerce, companies can improve their services by providing more personal interactions so they can provide information according to what consumers want. 4) Serve consumers without time limits.

E-commerce provides producers with choices regarding the type of business and scale of business to be developed. By implementing e-commerce information technology, producers can choose to expand their target market to the global market or only focus on certain market segments. By using e-commerce, producers can change price lists or customize the products or services offered and be informed quickly via the website. Something that usually takes a long time to implement or integrate, with e-commerce becomes faster (Ferizka et al., 2023).

A buying and selling concept in *muamalah* jurisprudence that is very commensurate with the e-commerce concept is al-salam buying and selling, if the goods are in the form of orders, namely non-digital ones, and general buying and selling (*buyu'*) for digital types of goods. This last type of buying and selling will not be explained further, because it can be understood as buying and selling which is commonly done by many people today.

The evidence for buying and selling al-salam can be found in the words of the Prophet Muhammad, as narrated by Bukhari and Muslim from Ibn Abbas:

من أسلف في شيء فليسلف في كيل معلوم ووزن معلوم إلى أجل معلوم. متفق عليه

"Anyone who buys and sells goods using a salam or salaf scheme (prepayment in full while the handover of the goods is delayed), it should be done with clear measurements, clear scales and a clear time of handover." (Muttafaqun 'alaih)

Based on the above hadith, the ulama agree on the permissibility of buying and selling *al-salam*, as long as it is in accordance with the line of the Prophet

Muhammad Saw. Even though the object of the transaction referred to in the *hadith* is an agricultural issue in accordance with the conditions existing at that time, currently it is certainly not enough to just limit it to agricultural issues. This means that it can be developed in other aspects and forms of transaction objects (Handayani & Arafah, 2023).

With the explanation of buying and selling *al-salam* above, it can be concluded that in principle the form of buying and selling transactions between *al-salam* and e-commerce is the same, namely that they both take the form of orders where the delivery of goods is deferred, while the payment is both in cash. Although in *al-salam* the payment is conventional, namely directly in the form of cash, in accordance with the conditions of civilization that existed at that time, while "cash" in the e-commerce payment system uses e-mail and credit cards (credit cards) as on line (Hanif, 2024).

In general, e-commerce and *bai' as-salam* have very basic similarities and differences. Based on the description above, there are at least several things that researchers can formulate regarding this matter; Both *bai'as-salam* and commerce are buying and selling activities. So, just like buying and selling transactions, at least 4 things must be fulfilled; namely buyers, sellers, means of exchange (money), and goods being bought and sold or objects of transactions (Mawarni, 2023).

However, in e-commerce transactions as well as in *bai' as-salam*, delivery of the transaction object is suspended even though a sale and purchase agreement has been entered into between the seller and the buyer. At least this is the basic similarity between e-commerce and *bai' as-salam*. Several specific differences are also found between the two concepts, especially in terms of offering models, payment, and sending and receiving. These differences do not automatically mean that e-commerce is invalid. Unless it is in clear conflict with the principles and values of Islamic teachings in the field of muamalah, namely that it contains elements of *maisir* (gambling), *gharar* (fraud), usury and the products or services offered are those that are prohibited by Islamic teachings.

B. Analysis of the Application of E-Commerce in Sharia Economics

Trade is one part of Islam, even the Messenger of Allah was a successful trader, carrying out his trading activities to countries far from their homeland, namely the countries of Syria and Syria. Not only did business reach various countries, it turned out that it spread Islam to various parts of the world also through business activities.

Islamic principles in business are based on freedom, in economic activities humans are free to implement Islamic rules, because economic matters are included in the aspect of muamalah, not worship. So general rules apply to them,

الأصل في الشروط في المعاملة الحل والاباحة الا بدليل

“The original law of muamalah is halal and permissible except for arguments that prohibit it”

What Islam does not allow is usury and injustice. In this aspect, human freedom is actually not absolute, but freedom that is just and responsible (Darussalam et al., 2023).

The normative foundation for sharia economic business ethics comes from the Qur'an and Hadith. In this context it can be divided into four groups: 1) the foundation of monotheism, 2) the foundation of balance, 3) the foundation of free will, and 4) the foundation of accountability. Business in sharia economics aims to achieve four groups: 1) target results: profit-material and non-material benefits, 2) growth, 3) sustainability, and 4) blessings.

The Qur'an not only explains behavior, marriage and divorce, hygiene, but also explains detailed rules about trade, interest, debt, contracts, wills, politics, and the financial industry. Islam has permitted and encouraged business activities, Islam also explains the basic principles of economic behavior as consumers, producers and owners of wealth (Sahrullah, 2023).

Islam allows buying and selling transactions to be carried out in accordance with Islamic law as well as in accordance with sharia economics. General principles of economics Sharia is a business characteristic that really determines the success or failure of a business which must be owned by business people, especially Muslim business people or Muslim women who want success in business. In accordance with the theory in sharia economic principles, namely: The principle of honesty (*al-shidq*) is the nature (state) of honesty, sincerity (heart), straightness (heart). The Principle of Justice (*al-'adhilah*) is an issue that is very difficult to implement, easy to say but difficult to do. The concept of economic justice in Islam requires that everyone get their rights and not take other people's rights or shares. The Principle of Responsibility is a dynamic principle related to human behavior (Putri et al., 2023).

Activities in the world of work and business, Islam requires doing justice, no except for parties you don't like. This is in accordance with the word of Allah SWT in QS Al-Maidah: 8,

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا إِعْدِلُوا هُوَ
أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ

O you who believe, let you be those who always uphold (the truth) for the sake of Allah, be witnesses fairly. And let your hatred of a people never encourage you to act unfairly. Be fair, because justice is closer to piety. And fear Allah, verily Allah is All-Knowing of what you do.

Based on the paragraph above, it provides an understanding that the form of transaction implementing e-commerce is a legitimate business system, and there is an element of injustice in transactions in accordance with sharia economic principles. Sharia Economics provides provisions that business people must know, understand and also implement sharia economic principles, such as honesty, justice and responsibility so that all business activities run well and receive blessings from Allah SWT (Sari, 2022).

CONCLUSION

Based on the discussion above, it can be concluded as follows:

- 1) Viewed from the technical side of the transaction, whether in the form of buying and selling services or goods, if the goods are delivered in a reliable manner because they are non-digital, then e-commerce transactions can be analogous to buying and selling *al-salam*, which has been prescribed since the beginning of Islam through the Sunnah of the Prophet Saw. It is different if the object of the goods being transacted is in digital form which can be immediately received by the buyer after payment is made, then this type of buying and selling is categorized as general/ordinary buying and selling, which is termed in the book of jurisprudence as *buyu'*.
- 2) The article above has answered the concerns of Muslims regarding the laws relating to e-commerce businesses, which are rumored to contain gharar, usury and issues related to sharia economics, especially in Indonesia. The use of e-commerce in Indonesia is permitted as long as both parties understand each other. This article is also to provide general guidance for e-commerce users in running their business.

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