

Literature Study on Fiqh Muamalah Digital Business Transactions (*e-commerce*)

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ABSTRACT

The Digital Era or also known as the "Web 4.0" era where everything is converted into digital form. The muamalah sector is the single largest area of digitization (buying and selling transactions). Advances in information technology have a positive impact on business innovation.transactions *E-commerce* have a positive impact on the widespread use of information technology and the internet today. *E-commerce* is the single most innovative aspect of Indonesian business. Currently, Indonesia is being hit by the Corona virus (Covid-19), and the government urges the public to adopt a healthy lifestyle by doing activities at home as a way to protect themselves. This condition will provide access to online buying and selling transactions, both through various digital platforms and those specifically related. The formal legality of digital/e-commerce business transactions has been regulated in Law Number 11 of 2008, Law Number 7 of 2014 concerning trade and Law Number 8 of 1999 concerning consumer protection and the MUI DSN with its Fatwa Number: 05/DSN- MUI/IV/2000 regarding the sale and purchase of Salam. The purpose of this study is to analyze the practice of *e-commerce* from the perspective of Fiqh Muamalat. The analytical method used is literature with qualitative approach analysis. Current studies show that *e-commerce* is a form of commerce that is synonymous with trading with as-salam. The practice of *e-commerce* in this way can also be considered to meet the requirements of *as-salaam*.

Keywords: Digital Business (e-commerce), Fiqh Muamallah

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INTRODUCTION

Digital economy is a new term. Previously there was an accurate definition of this style. Adapted from the statement of the Committee for the Acceleration of Priority Infrastructure Provision or KPPIP (2018), the two words refer to economic activities that use telecommunications and the internet as infrastructure that cannot be used by the general public. The ASEAN Investment Report 2018 defines the digital economy as the application of technology that involves the use of the Internet for the production and exchange of goods and services. On the other hand, the IMF noted in a publication entitled “Measuring the Digital Economy” that the term “digital economy” is often used to indicate that digitization has spread to all sectors of the economy, from agriculture to warehousing (National Committee on Sharia Finance, 2018:1-443).

The overview of information from recent years about the digital era's global economy has emphasized the importance of e-commerce and financial platforms as industry-specific digital infrastructure for goods and services such as food, IT products, travel, and lodging. The digital economy cannot be separated from other sectors of the economy because its applications can be used in many different industries, including finance, transportation, logistics, education, health care, agriculture, and other fields. Even cross-sectoral Currently there is no globally agreed definition in relation to the Islamic digital economy. Based on online transactions carried out by Muslims and digital billboard advertisements, Thomson Reuters and Dinar Standard (2015) analyzed the state of the Islamic economy in 2015. However, in relation to the Master Plan of Islamic Economics, defining the Islamic digital economy as a branch of Islamic economics that puts forward the halal industry using a platform digital technology that can increase productivity (National Committee for Islamic Finance, 2018: 294)

Islamic teachings strongly encourage business activities. The Prophet himself has stated that nine out of ten doors of sustenance are carried out by trading doors. The doors of sustenance will be opened through the relevant trade routes. Buying and selling is something that is permitted, provided that it has been done correctly in accordance with the guidance of Islamic teachings (Fatriansyah, 2020: 57-68). In several hadiths, the Prophet emphasized that some goods can only be traded (sold) at a common point of balance or measure and cash. If this is not the case, then the practice of the exchange mentioned above will result in usury (Fathoni, 2013: 51-82). Islam views economics as one of the most important aspects of religion. Current technological advances do not conflict with the Islamic perspective on economic development (Aisyah & Achiria, 2019: 187-200).

A person can obtain the goods needed to improve the quality of his life by buying and selling goods. Not only that, through this buying and selling transaction, other people can also get money or other resources to improve their quality of life and livelihood. Because, according to conventional wisdom, selling is a process of allocating profits based on supply and demand, in which the buyer weighs the benefits of using a certain item in exchange for paying the current price, while the seller weighs the benefits of selling the item at a price higher than the price the buyer wants (Sulaiman, M. and Zakaria, 2010).

In the context of Islamic thought, buying and selling goods is one of the discussions that gets serious attention. Islam provides excellent guidance in dealing with disputes or buying and selling. As stated by Allah in QS al-Baqarah verse 275, where Islam highly upholds the principles of fair trade (rida) and respects human rights (riba). The Qur'an is very inspiring

and provides motivation for Muslims to carry out their daily obligations. At the same time, the Qur'an also provides support and legitimacy for commerce and offers basic rules that serve as formulas for buying and selling. Among other things, the Qur'an states that individuals and groups have the right to own wealth without hindrance, have the right to own legally delegated assets, have the right to carry out certain transactions in accordance with statutory regulations, laws that have been stipulated by the Shari'ah, and The Qur'an emphasizes that wealth is something that cannot be used by others for bad purposes (Rivai, V., Veithzal, AP, Fawzi, 2011)

The National Committee for Islamic Finance in the Islamic Economy Masterplan 2019-2024 (2018) explained that the growth of the digital economy is reflected in the growth of two sub-sectors, e-commerce and fintech. Both have shown promising developments in recent times. Bank Indonesia defines fintech as the result of a combination of financial services and technology, which ultimately changes the business model from conventional to moderate, which initially has to be paid directly and carries certain coins, now allows for remote transactions in seconds. The Organization for Economic Co-operation and Development(OECD) defines e-commerce as the buying and selling of goods and services, between businesses, households, individuals, governments and other public or private entities, that occurs via the Internet. Orders for goods are made via the internet, but payment and final delivery of goods and services can be made online or offline (cash on delivery). The sharing economy or marketplace is also included in the e-commerce.

From the emergence of websites for online commerce, or what is more commonly known as e-commerce, such as Amazon, Alibaba, e-Bay, and other big names, it is increasingly clear that the use of the internet for economic transactions is a certain necessity. But recently, especially in Indonesia, well-known retailers such as Matahari Mall have started using the internet as a means of doing business by creating a website Mataharimall.com. Not only that, several banking institutions in Indonesia also use the internet as a means to expand and optimize their business.

Islamic-based online stores are slowly developing over time. e-commerce is growing with an increasing number of distinctives. There are only three categories of Islamic online shopping. First, there are websites like Hijup.com, Saqina.com, and Hijabenka.com that identify themselves as Islamic e-commerce by making Muslims their focus and main market. Second, e-commerce that offers services related to Islamic rituals and activities, such as Hajj, Umrah, and other similar practices, such as Ihram.asia. Third, e-commerce that emphasizes Islamic identity as a business, such as the muslimarket.com website (Ulum, 2020, p. 51).

METHOD

This research uses qualitative research methods, namely content analysis of papers from the Google Scholar database and interviews using the Focus Group Discussion technique. The content of the analysis paper is used to get the mapping and main themes discussed in the Google Scholar database at a certain time for further analysis of the contents (content analysis). Focus group discussions are used to gain the perspectives of academics in the field of Economics regarding their understanding of the themes discussed in this review paper.

Article retrieval is done with the Publish or Perish (PoP) application from Google Scholar. The keywords used are Fiqh Muamallah and "Digital Business" or e-commerce in the period 2017 to 2022. In the first stage the author conducted a paper search in the Google Scholar database with the keyword "Digital Business" found 41 papers that matched the

search keywords. After going through the process of reading the titles, abstracts, and keywords of the papers that are still relevant, there are 18. Furthermore, in the final stage, the authors obtained 11 papers as reviewed papers in this research. The articles used are sourced from 4 articles published in accredited national journals and 7 articles from theses. Furthermore, the author also conducted an interview technique using the FGD method to understand the opinions of economic academics on the themes discussed.

RESULTS AND DISCUSSION

The results of the content analysis of the selected articles according to the criteria, as shown in Table 4 below:

Table 1. Content Analysis

No	Authors and Year	Title
1	(Firdaus et al., 2021)	Jual Beli Akun Driver Di Pt Grab Kota Jambi Perspektif Hukum Bisnis Syariah
2	(Dewantara & Rizka, 2022)	Tinjauan Hukum Transaksi Jual Beli Diamond pada Situs Itemku dalam Game Mobile Legends Menurut Perspektif Masalah (Studi Kasus di Surakarta)
3	(Nurfatah & Diana, 2022)	Penerapan Ba'i As-Salam Dalam Transaksi Jual Online Dalam Perspektif Ekonomi Islam
4	(Oktafiani, 2021)	Analisis Penerapan Kepatuhan Syariah (Syariah Compliance) Dalam Praktek Jual Beli Online Pada Toko Duo Sister Hijab Kota Bengkulu
5	(Rizki, 2021)	Penerapan E-Commerce Dalam Penguatan Daya Saing Usaha Melalui Startup (Studi Kasus Perusahaan GPS Medan)
6	(Nobiansyah, n.d.)	Implementasi Bisnis Ecommerce Dalam Perspektif Syariah Pada Pt Galaksi Dunia Halal
7	(Janah, 2021)	Tinjauan Fiqh Muamalah dan Hukum Perlindungan Konsumen Terhadap Jual Beli di Toko Online pada Masa Pandemi Covid-19
8	(Ulum, 2020b)	Prinsip-Prinsip Jual Beli Online Dalam Islam Dan Penerapannya Pada e-Commerce Islam Di Indonesia
9	(Indriani, 2020)	Analisis hukum Islam dan PP no. 82 tahun 2012 terhadap transaksi pembelian makanan yang dilakukan driver GOJEK menggunakan OVO di PIZZA HUT Mulyosari
10	(Nurizzah, 2021)	Optimalisasi E-Commerce bagi Mompreneur dalam meningkatkan ekonomi keluarga di masa pandemi Covid-19 dalam perspektif ekonomi Islam: studi kasus Komunitas Tangan di Atas (TDA) Lamongan
11	(Ruslang et al., 2020)	Etika Bisnis E-Commerce Shopee Berdasarkan Maqashid Syariah Dalam Mewujudkan Keberlangsungan Bisnis

From the selected articles in Table 1 above, it is explained that all of the articles above use qualitative research methods

Then the articles selected according to the criteria are sorted according to the topic/theme of the article with a composition as shown in Table 2 below:

Table 2. Topic of the article with a composition

No	Article Composition by Topic		Number of Articles by Year Published			
	Topics	Amount	%	2020	2021	2022
1	The principles and methods of digital business transactions (e-commerce) in the Sharia perspective	5	45,45%	3	1	1
2	Implementation and implementation of digital business transactions (e-commerce) in the perspective of Sharia	5	45,45%	1	3	1
3	Encouraging people to develop digital business transactions (e-commerce)	1	9,10%		1	
Total		11	100%	4 36,36%	5 45,45%	2 18,19%

Table 2 explains that, the selected articles are grouped into 3 topics or themes, namely:

1. The principles and methods of digital business transactions (e-commerce) in the perspective of Sharia
2. Implementation and implementation of digital business transactions (e-commerce) in the perspective of Sharia
3. Encouraging people to develop digital business transactions (e-commerce)

Topics related to the principles and methods of digital business transactions (e-commerce) in the Sharia perspective and the implementation and application of digital business transactions (e-commerce) in the Sharia perspective are as much discussed and published the most in 2020 and 2021. While the least related topics by encouraging the public to develop digital business transactions (e-commerce).

The principles and methods of digital business transactions (e-commerce) in the Sharia perspective

- 1) Legal Review of Diamond Sale and Purchase Transactions on the Itemku Site in the Mobile Legends Game According to Maslahah's Perspective (Case Study in Surakarta) (Dewantara & Rizka, 2022)
- 2) Overview of Fiqh Muamalah and Consumer Protection Laws Against Buying and Selling in Online Stores during the Covid-19 Pandemic Period (Janah, 2021)
- 3) The Principles of Buying and Selling Online in Islam and Its Application in Islamic e-Commerce in Indonesia. (Ulum, 2020b)
- 4) Analysis of Islamic law and PP no. 82 of 2012 on food purchase transactions made by GOJEK drivers using OVO at PIZZA HUT Mulyosari. (Indriani, 2020)
- 5) Shopee's E-Commerce Business Ethics Based on Maqashid Syariah in Realizing Business Continuity. (Ruslang et al., 2020)

From the article explains buying and selling transactions both offline and online if the pillars and conditions are met then the law is permissible/halal according to sharia rules and while avoiding things that cancel it. the practice of buying and selling transactions that occur in digital or e-commerce has shown the existence of buying and selling principles in Islam which are facilitated through various policies and purchase protocols on digital business sites as well as complying with Islamic law and the related DSN-MUI Fatwa. The implementation of business ethics in accordance with maqashid sharia brings good implications for business continuity so that buyers have increased trust and are loyal to continue shopping.

Implementation and implementation of digital business transactions (e-commerce) in the perspective of Sharia.

- 1) Buying and Selling Driver Accounts at Pt Grab Jambi City Sharia Business Law Perspective. (Firdaus et al., 2021)
- 2) Application of Ba'i As-Salam in Online Selling Transactions in the Islamic Economic Perspective. (Nurfatah & Diana, 2022)
- 3) Application of E-Commerce in Strengthening Business Competitiveness Through Startups (Case Study of Medan GPS Company). (Rizki, 2021)
- 4) Implementation of E-commerce Business in Sharia Perspective at Pt Galaksi Dunia Halal. (Nobiansyah, nd) 2020
- 5) Analysis of the Implementation of Sharia Compliance (Syariah Compliance) in the Practice of Buying and Selling Online at the Duo Sister Hijab Store in Bengkulu City. (Oktafiani, 2021)

This article explains how to run an e-commerce by wrapping it in a trade that offers halal content in it. The application of sharia compliance (sharia compliance) in the online buying and selling system must be in accordance with sharia compliance, namely avoiding usury, maysir and gharar. Buying and selling practices that contain elements of gharar are not allowed according to the Qur'an (An-Nisa verse 29) and hadith (Muslim). The application of as-salam in Islamic economics is allowed as long as it fulfills the principles and provisions, and does not contain elements that can cause harm, such as usury, injustice and fraud. Before transacting, make sure the product information is clear, such as price, condition of goods and delivery system. The implementation of e-commerce through startups has a good impact on companies. The perceived impacts include getting more customers or consumers, being able to increase sales and business income, being able to create jobs, and creating business opportunities where the company can add business services such as making applications, websites, and even creating programming schools.

Encouraging people to develop digital business transactions (e-commerce)

Optimizing E-Commerce for Mompreneurs in improving the family economy during the Covid-19 pandemic in an Islamic economic perspective: a case study of the Lamongan Hands Above Community (TDA). (Ruslang et al., 2020)

From the article explains the desire of entrepreneurs to increase sales, profits and income as well as minimize operational costs and improve content quality with promotions to grow customer relationships until trust arises so that they become loyal customers and goals are achieved.

Discussion

Review of fiqh muamalah

Sale and purchase is a transaction that occurs between two parties using certain methods with the aim of ownership. The basis of the law of sale and purchase is one of them in QS Al-Baqarah (2) verse 275:

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقْوَمُونَ إِلَّا كَمَا يَقْضَىٰ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ
ذَٰلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ
مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَىٰ فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَٰئِكَ أَصْحَابُ النَّارِ
هُمْ فِيهَا خَالِدُونَ

Meaning That is because they say that trading is the same as usury. God has made trading lawful and forbidden usury. Those to whom a prohibition from their Lord has come to them, and they cease, then for them is what they used to take. and the affair (is up) to Allah. Those who return (usury), then those are the inmates of the Fire; they will abide therein forever. "(Al-Muyassar Al-Quran Translation, 2006)

Islam always discusses every aspect of human life, including economic issues, especially trade issues. As a religion that Rahmatan Lil Alamin, Islam only allows transactions that are beneficial or not harmful, or other unpleasant consequences. Humans are intelligent beings and also have lust; however, in order for things related to injustice to not happen, rules must exist and be implemented.

Whenever conducting a transaction, business actors must understand all the terms and conditions that have been written in the jurisprudence of muamalah. The terms and conditions must be understood in conducting online purchase transactions, regardless of whether the transaction involves law or not. Sale and purchase according to the jurisprudence of muamalah is a transaction that contains the pillars and conditions that have been agreed; if there is an injury to the terms or conditions, the law governing the transaction changes.

The meaning of sale and purchase (al-Bay ') etymologically (lughawy) is referred to as mutual exchange. Based on terminology or based on sharia, this requires exchanging property (existing and useful) on the basis of mutual consent or transferring property in exchange (not a grant or grant) that can be allowed (not an unreliable agreement) (Sabiq, 1971). Sale and purchase where an agreement to exchange things or goods that have voluntarily between the two parties, one gives the things and the other party accepts it as the agreement and the terms agreed (Wahyudi, 2012: 88). According to Fiqh Sunnah, buying and selling is the act of giving or accepting the voluntary transfer of property rights to another person in return for money or other benefits. This can be done as long as it occurs within the limits of sharia law. For example, the goods sold are halal, not from a forbidden place or in a forbidden way (Hidayah, 2019).

According to Kurniawati, (2019: 107) explains the types of buying and selling, namely:

- 1) Bai 'as-salam, is a sale and purchase contract with payment in advance while the goods are sent later. As-salam or also called as-salaf is a sale and purchase with hasty payment while the delivery of goods is delayed, further explained that as-salam contains the meaning of delivery.
- 2) Bai 'al-istisna, is an agreement where the buyer gives an order or order to the buyer and will pay wages or the price of the goods if the order has been placed. Judging from the availability of goods at the time of the transaction, the form of bai 'al-istisna has similarities with bai' as-salam, that is, the goods are not yet available in concrete. However, in the case of payment there is a difference between the two types of contracts, bai 'as-salam wants the payment to be expedited, while bai' al-istisna can be delayed or expedited according to the agreement of the seller and buyer.
- 3) Bai 'muajjal, is an agreement where the buyer and seller agree to defer payment.

In the case of transactions, Islam prohibits trading that contains elements of *riba*, *gharar*, fraud, coercion and *maisir*, as well as *haram*. namely:

- 1) *Riba* ' is defined as setting interest rates or exaggerating the amount of return that does not correspond to the re-price. Allah SWT says in the Qur'an Ali Imran (3: 130), which means: O you who believe! Do not consume usury by multiplying and fear Allah that you may prosper"(Al-Muyassar Al-Quran Translation, 2006)
- 2) *Gharar* is a situation full of uncertainty that arises for the parties to the transaction. This uncertainty is related to the quality, quantity, price, and timing of the transaction.
- 3) Fraud is defined as a situation where one of the parties enters into an agreement in the hope of making a profit, but in reality the opposite happens.
- 4) Coercion is defined as an act of dissatisfaction with something that the person does not approve of.
- 5) *Maisir* is the activity of betting (money and goods) or literally defined as *Maisir* getting something or making a profit very easily without hard work. According to the Word of Allah SWT in the letter QS. Al-Baqarah (2: 129): "They ask you (Muhammad) about intoxicants and gambling. Say: "In both are great sins and some benefits for mankind. But the sins outweigh the benefits." And they ask thee (about) what they spend. Say: "Excess (of what is needed)." Thus does Allah make clear to you His verses that you may reflect " (Al-Muyassar Al-Quran Translation, 2006)

1) *Haram* is defined as something that is forbidden. Everything that is prohibited, whether in the form of activities or goods, cannot be transacted in Islam.

Abduroman et al., 2020: 35) stated that the requirements and pillars of buying and selling are three, namely: a) seller and buyer ('Aqidani), b) barter and goods sold (Ma'qud' Alaih), and, c. handover (*shigat*). The parties who conduct the sale and purchase transaction must be the seller and the buyer. The seller is the performer of the transaction who conducts the transaction of buying and selling the goods. While the buyer is the perpetrator of the transaction who conducts a transaction by purchasing goods/products provided by the seller. In addition to the obligation to be fair, the seller also has rights in sale and purchase transactions. The seller has the right to receive money when the buyer has received the goods, the seller also has the right to "force" the buyer to pay if indeed the seller has agreed to all agreements. And *sighat* (statement of will from the parties to the transaction) is a must in a sale and purchase transaction.

Digital Business (e-commerce)

Digital business or e-commerce is a series of business processes conducted using electronic technology that connects companies, consumers, and society in the form of electronic transactions and the exchange/sale of goods, services, and information electronically (Ulum, 2020). Digital business is a type of service business that utilizes the sophistication of technology when creating a product or marketing it. Contrary to what we have previously understood, digital business is not only related to the sale of intangible products, such as computer software. Digital business is also not just about physical products that are packaged in digital form such as ebooks (electronic books).

In formal legality according to AT Kearney in Effendi, (2020:, 21-32) businesses with digital/E-commerce platforms have been regulated in Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law). Article 1 number 2 defines electronic transactions or ecommerce as legal acts performed using computers, computer networks, and/or other electronic media. Then (Syamsuddin, 2021) explains the regulatory reference for business actors in business transactions and trade both conventional and online trade via e-commerce is Law Number 7 of 2014 on trade and Law Number 8 of 1999 on consumer protection. The National Sharia Council of the Indonesian Ulema Council in its Fatwa Number: 05/DSN-MUI/IV/2000 that the sale and purchase of goods by ordering and payment of prices in advance with certain conditions, referred to as greetings, has now involved the banking sector.

Electronic commerce, also known as e-commerce, is the use of communication networks and computers to conduct business processes. A popular view of e-commerce is the use of the internet and computers with web browsers to buy and sell products (Aco & Endang, 2017: 3).

According to Qin (Ulum, 2020: 56) defines that e-commerce is a variety of online commercial activities that focus on the exchange of commodities electronically, both conducted by companies, factories, industries, and other commercial enterprises, using computers and internet networks. The process of purchasing, selling, transferring or exchanging products, services or information through a computer network via the internet (Kozinets et al., 2010: 71-89). Meanwhile (Nugroho, 2006, p. 294) defines e-commerce (electronic commerce) as the sale and purchase of goods and services through the internet.

The rapid development of e-commerce, according to Sula, (2006, p. 157) is due to the following factors: 1) E-commerce can reach more customers and at any time customers can access all the information that is up-to-date and continuous . . 2) E-commerce can encourage creativity from sellers quickly and accurately as well as the dissemination of information delivered takes place periodically. 3) E-commerce can create high efficiency, cheapness, and information. 4) E-commerce can increase customer satisfaction with fast, easy, secure, and accurate service.

Muhammad, (2020, p. 76) explains that e-commerce provides benefits, among others 1) Getting new customers. 2) Attract consumers to survive 3) Improve the quality of service. With e-commerce, companies can improve service by conducting more personal interactions so that they can provide information in accordance with what consumers want. 4) Serve customers indefinitely.

Richard Sandhusen in Mahir, (2015:, 36) explains that in an online (in this case is e-commerce), there are 3 important roles, namely consumers (C) as users of goods or services, manufacturers or companies (B) as actors business and the last is the government (G) as the policyholder. The interactions performed by the business actors are shown in table 1 below:

Table 3. Interactions performed by the business actors

No	Name	Explanation
1	B2B (<i>Business to Business</i>)	This type of interaction is carried out between producers/companies/business actors, usually in the form of an agreement for the smooth running of the business of both parties
2	B2C (<i>Business to Consumer</i>)	In this interaction, there is direct activity between producers or actors business with consumers
	C2C (<i>Consumer to Consumer</i>)	This type of interaction involves consumers as individuals with other consumers
3	C2B (<i>Consumer to Business</i>)	This type of interaction occurs when individual consumers form or create a value that will be used in business processes
4	B2G (<i>Business to Government</i>)	This type of interaction has similarities with the type of B2B, only in the type of B2G there is interaction between government agencies and business people

5 G2C (*Government to Consumer*)

Is a relationship or interaction between the government and the community. Consumers, in this case the community, can easily reach the government so that they get convenience in daily services.

Source: Sandhausen, 2008

The proliferation of online buying has changed the structure of the industry. E-commerce has developed methods of transacting with various businesses, including bookstores and travel agencies. Usually, large businesses can use economies of scale to provide higher prices. Every individual or business owner involved in e-commerce, whether buyer or seller, uses internet-based technology to carry out transactions. E-commerce has the ability to allow transactions wherever and whenever needed. The geophysical barriers disappear can be done with e-commerce.

(Mahir, 2015: 38) explains that if you relate the characteristics of Indonesia to business interactions (see Table 1), more or less variations of e-commerce in Indonesia can be classified as shown in Table 4 below:

Table 4. Variations of e-commerce in Indonesia

No	Type of e-commerce website	Example in Indonesia	Interaction Group
1	<i>Listing/ classified ads.</i> Its function is as a platform, where individuals can post goods and sell them for free. Earnings are earned from premium advertising. This type of classified ad is suitable for the sole seller who wants to sell goods in small quantities.	Olx, berniaga.com	B2C C2C
2	<i>Marketplace.</i> website that promotes merchandise and facilitates online money transactions.	Tokopedia.com Bukalapak.com	C2C
3	<i>Shoppingmall</i> The business model is like a marketplace, only the seller here must be a seller or a well-known brand, because the verification process is very strict	Bibli.com Zalora.com	B2B B2C
4	<i>Online shop</i> A business with website and the seller has stock of goods sold to buyers via online	Lazada.com Bhinneka.com Shopee.com	B2C
5	<i>Online shop on social media</i> Sellers who use sites such as Facebook, Twitter, Instagram and the like to promote their wares.	Everyone who uses this media	C2C

6	Types of crowdsourcing & crowdfunding websites. Website used as a platform to gather people with equivalent skills or to raise funds online	Kitabisa.com Wujudkan.com	C2B
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Source: <http://id.techinasia.com>, with some adjustments

The use *electronic commerce* and its interactions in Indonesia, from the results of searching variations of e-commerce in Indonesia as in table 5 below:

Table 5. Variations of e-commerce in Indonesia

No	Interaction	Article
1	B2B	(Mawardah et al., 2022:67-78), (Dwivedi et al., 2021:), (Anggraini, 2020:,63-69); (Prasetya et al., 2018:,109-114),
2	B2C	(Kuswanto, 2022:,1-11), (Et.al, Jacinda Sukendia, 2021:,3170-3184), (Ivasty & Fanani, 2020: ,109-118), (Hayu, 2019:, 61-69), (Prasetya et al., 2018:, 109-114), (Erpiyana et al., 2018:, 52-59), (Sari, 2012: ,129-149)
3	C2C	(Indah Sundari, 2022:,330-341), (Purwandari et al., 2022:,136-150) (Zahara et al., 2021:,422-438), (Buana et al. , 2019:,44-55), (Purwianti, 2019:,237-252), (Sonata, 2019:,22-32), (Rintasari & Farida, 2018:,539-547), (Rohandi, 2017: ,177-197)
4	C2B	(He, 2021:,1-9), (Raziei, 2020:,13-24), (Qdwdold & Jpdlo, 2018:,1816-1828)
5	G2C	(Raziei, 2020:,13 -24), (Qdwdold & Jpdlo, 2018:,1816-1828), (He, 2021:,1-9)

Source: self-processed from several source

Payment methods for *e-commerce*, consisting of: 1) *Online credit card processing*. This method is used for a very wide range of retail products spanning the globe. Payment can be made directly or in the field. 2) *Money transfers*. Payments made this way are more secure, but there are fees for the money transfer service provider to send money to other countries. 3) *Cash on delivery*. On-site payments can only be made if the consumer comes directly to the store that sells the product or is in the same area as the service provider.

Payment mechanism *e-commerce* is a phase that needs to be considered in terms of security before buying and selling. payments *E-commerce* basically all digital and electronic only (no invoices, coins, or checks signed with a pen). Payment method: magnetic card (magnetic stripe card). Magnetic cards are small plastic cards with magnetic tape on the surface. Magnetic cards are widely used in applications such as debit cards, credit cards, telephone cards, ATM cards (automated teller

machines), and credit cards. In the world of credit/debit cards, transactions involve many parties. This cardholder is usually referred to as the cardholder's bank (issuer). Examples of these cards are Visa and Mastercard/Maestro. and electronic checks.

The added value of using *e-commerce* for shoppers is that they are free to trade, especially when selecting and comparing the products and services they wish to purchase. This gives the buyer the right product and price, but the downside is buyer safety and knowledge. The advantage for sellers is that they can complete transactions more efficiently, reach customers and help increase customer numbers. Sellers on the other hand, must be experienced in *e-commerce* so that the disadvantages of using *e-commerce* can be minimized (Sugiarto, 2013)

Compatibility of Fiqh Muamalah and Digital Business Transactions (E-Commerce)

The concept of buying and selling in fiqh muamalah which is commensurate with this *e-commerce* concept is buying and selling *al-salam*, the goods are in the form of orders, namely non-digital, and general buying and selling (*buyu'*) for types of digital goods. In principle, the form of buying and selling transactions between *al-salam* and *e-commerce* is the same, namely both in the form of orders whose delivery of goods is suspended, while both payments are in cash. Although in *al-salam* the payment was conventional, namely in cash directly, following the conditions of civilization that existed at that time, while "cash" in the payment system in *e-commerce* used e-mail media and online credit cards. In *e-commerce* and *bai' as-salam* transactions, the object of the transaction is suspended even though there has been a sale and purchase agreement between the seller and the buyer.

There are also some specific differences between the two concepts, especially in terms of the offer, payment, delivery and receiving models. This distinction does not automatically imply that *e-commerce* is illegitimate. Unless it is completely against the principles and values of Islamic teachings in the field of *muamalah*, which contains elements of *maisir* (gambling), *gharar* (fraud), usury and the products or services offered include those prohibited by Islamic teachings.

Like conventional transactions, *e-commerce* and *bai' as-salam* have elements or pillars that cause transactions to occur. According to Kurniawati, (2019:, 109) broadly speaking, there are 3 elements in a transaction, namely: 1) the parties who transact, 2) *sighat* of the transaction, and 3) the object of the transaction.

The parties who transact in buying and selling are definitely sellers and buyers. The seller is a transaction actor who carries out trade transactions on his merchandise/products which are then (in the *e-commerce*) marketed via the internet. While the buyer is a transaction actor who makes transactions by buying goods/products offered by the seller.

When making buying and selling transactions, Islam advises the seller to always apply the trust, as Allah says in QS An-Nisa (4:58): "*Indeed, Allah has ordered you to convey the mandate to those who are entitled to receive it, and if you determine the law between humans, you should set it fairly. Indeed, Allah is the best who teaches you. Indeed, Allah is All-Hearing, All-Seeing.*" (Al-Muyassar Al-Quran Translation, 2006).

Sighat (statement of will of the parties to the transaction). It is a must in a buying and selling transaction. If *sighat* in *bai' as-salam* is done verbally or in writing where both parties have a meeting, then it is different from *sighat* which is done in *e-commerce*. In *e-commerce*, the will of both parties is carried out through internet facilities. Usually, sellers make product offerings by providing a catalog on their *website*, stall or commercial site. Products sold are usually also equipped with information about product specifications, so that buyers can be sure of the product they are going to buy. This product offering process has been implemented in several types of *e-commerce websites*, one example is at tokopedia.com. The next process

is that the buyer can communicate with the seller through the *chat* provided. Buyers can ask everything about the goods to be purchased, about the availability of goods and variations of goods. After it happened.

The object of the transaction is an important part of buying and selling transactions. The object of the transaction can be in the form of goods or services whose existence must be accepted by the buyer when the agreement of the parties to the transaction has been carried out. As previously described, after an agreement has been reached between the parties, the buyer will make payments according to the nominal value of the goods purchased. This payment process in *e-commerce* can be done through a *transfer bank cash on delivery (COD)*, or using a credit card facility. However, the thing that needs to be considered in the use of credit cards is the element of *usury* so that the payment process via credit cards is not recommended in Islam.

CONCLUSION

Online buying and selling in Indonesia from various types of digital platforms and others. Basically using the same concept, which provides specifications about the quality of goods, types of goods and the price of the goods themselves. In addition, in online transactions, the seller has determined the method of payment and claims if there are defects or damage to the goods received. Payment can be used in two ways, namely via transfer and COD (Cash On Delivery) or commonly known as pay on the spot. However, online transactions are generally done by transfer.

Transactions E-commerce are buying and selling transactions that actually have basic similarities with *bai' as-salam* (buying and selling in *fiqh muamalah*), among others regarding the suspension of goods and the elements of the transaction.

In formal legality, digital/e-commerce business transactions have been regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE). Article 1 number 2 defines electronic transactions or e-commerce as legal acts carried out using computers, computer networks, and/or other electronic media. Then the reference regulations used by business people in business and trade transactions, both conventional and online trading via e-commerce, are Law Number 7 of 2014 concerning trade and Law Number 8 of 1999 concerning consumer protection. Regarding online buying and selling (e-commerce), the National Sharia Council of the Indonesian Ulema Council issued its Fatwa Number: 05/DSN-MUI/IV/2000.

In e-commerce and *bai' as-salam* transactions, there are elements of the transacting parties, namely the seller and the buyer, the object being transacted and *sighat* of the transaction. However, there is a fundamental difference between the two, namely in e-commerce there is no direct meeting (face to face) between the seller and the buyer. The two communicate only through the internet. transactions e-commerce is allowed in Islam as long as the implementation is in accordance with Islamic principles, namely avoiding usury, *gharar*, *maisir*, etc. Regarding the payment system in e-commerce, it is advisable not to use the credit card system, this is because it will make the transaction contain elements of usury'.

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