



Sharia Economic Law: Analysis of Online Transactions Practices

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Abstract

The development of digital technology has encouraged the rise of online buying and selling practices through marketplaces and social media, including among the general public. This convenience is inseparable from legal and ethical issues, such as goods that do not match their description, fraud, and the weak position of consumers compared to business actors. This study aims to determine how Sharia Economic Law analyzes online buying and selling practices (e-commerce). This study uses a normative method with a qualitative approach through literature study and regulatory analysis. The theoretical study shows that Law Number 8 of 1999 concerning Consumer Protection (UUPK) affirms consumers' rights to safety, comfort, accurate information, and compensation, although its implementation is still hampered by low legal awareness. Meanwhile, fiqh muamalah emphasizes the validity of sales contracts if they fulfill the pillars and requirements, as well as uphold the values of honesty (ʃidq), justice (ʃadl), trustworthiness, and the prohibition of gharar and tahlis. The results of this study can be used as preliminary data for further research in examining this issue in different contexts and issues.

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INTRODUCTION

Buying and selling is an activity that has long been carried out by humans to fulfill all their needs in life. The sale and purchase of goods is the most powerful transaction in the world of commerce (business) and is even generally the most important part of business activities (Kinanty & Salsabila, 2023). In primitive societies, buying and selling was carried out through a barter system or the exchange of goods for goods. With the development of culture and technology, buying and selling changed with the introduction of money as a means of transaction, so buying and selling transactions began to be carried out by exchanging goods for money. Meanwhile, in the modern era and the current technological era, buying and selling does not have to be done face-to-face but can be done via the internet and telephone, or through debit cards and payments by check/giro (N. I. Putri et al., 2021).

The development of information technology in the digital age has brought significant changes to trading systems, one of which is through online buying and selling (e-commerce) (Adi, 2021).

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Transactions that were once conducted in person can now take place virtually through various digital platforms such as marketplaces and social media. This phenomenon makes it easier for consumers to obtain goods and services, including for students. However, behind this convenience, there are also various legal and ethical issues, especially those related to consumer rights violations (O. A. Putri et al., 2022).

Buying and selling activities are generally carried out by meeting directly between sellers and buyers in a place such as a market. However, in today's digital era, buying and selling activities can be done more easily using an online system from devices connected to the internet. When talking about online business, we should not only talk about the market share in Indonesia, but also the world. Because through the internet, everyone in the world can connect and interact with each other regardless of time and place (Priyono et al., 2020).

Buying and selling is the exchange of goods for something of equal value through certain means. Buying and selling has been practiced since primitive times through a barter system. With the development of culture and technology, buying and selling, which used to be only barter, i.e., the exchange of goods for goods, changed with the introduction of money as a means of transaction, so that buying and selling transactions began to be carried out through the exchange of goods for money. Meanwhile, in the modern era and the current technological era, buying and selling does not have to be done face-to-face but can be done via the internet and telephone, or through debit cards and payments via checks/giros (Rehatalanit, 2021).

Social media is an online medium where users can easily participate, share, and create content, including blogs, social networks, and virtual worlds. These are the most common forms of social media used by people around the world. The largest social media platforms include Instagram, Facebook, Myspace, and Twitter. As such, many people use social media, especially Facebook, as a marketing medium for online buying and selling and business promotion (Nurdin et al., 2022).

In online buying and selling, sellers must have a good attitude, which includes keeping their promises, being punctual, improving weaknesses and shortcomings, improving the quality of goods, and not deceiving or lying. Therefore, sellers must always be trustworthy, open, honest, provide optimal service, and do good to everyone, especially buyers and customers. With these characteristics, business people must be responsible in carrying out their duties (Abdelsalam et al., 2021).

Islamic economic law has legalized buying and selling, with the aim of giving humans the freedom to fulfill their needs. Given that human needs are unlimited, all of these needs cannot be fulfilled without exchange or buying and selling. In fact, trading is one of the activities that is highly recommended in Islamic teachings. The Prophet Muhammad SAW said in one of his hadiths that nine out of ten doors of sustenance are through the door of trading. This means that it is through trade that the doors of sustenance will be opened so that the blessings of Allah SWT will shine through (Abdullah & others, 2022).

The rapid development of online buying and selling has attracted researchers to examine the laws of buying and selling from an Islamic legal perspective. Several studies, such as , attempt to explain the laws of online buying and selling from an Islamic perspective. Using a literature review approach, these studies conclude that online businesses do not violate Islamic law as long as they do not involve usury, injustice, monopoly, or fraud. Thus, online commerce can be deemed halal based on mutual consent (Antaradhin). Nawawi & Rosyadi (2019) conclude that any transaction and any product, as long as it does not contain elements that cause harm to either party in the transaction and the goods traded are not prohibited and forbidden by religious law (Islamic law) as well as goods or objects that are unclean

and prohibited such as drugs and/or by state law as well as stolen goods, corruption, money laundering, then it is permissible (Ahmed & others, 2020).

The problems that occur in online buying and selling clearly violate the provisions of Law Number 8 of 1999 concerning Consumer Protection (UUPK), which stipulates that business actors are obliged to provide accurate, clear, and honest information about the condition of the goods or services offered. The UUPK gives consumers the right to obtain accurate, clear, and honest information about the condition of goods or services, and prohibits business actors from making misleading statements. This provision is highly relevant to online sales transactions, where violations such as goods not matching their description, fraud, late delivery, or hidden defects often occur (Alamsyah & Hasibuan, 2024).

However, there are challenges related to the effectiveness of the UUPK in the context of digital transactions. Research by Rosida & Sulistyowati (2021; 2493-2500) shows that the implementation of the UUPK is often hampered by a lack of legal awareness among consumers, weak transparency on the part of business actors, and a lack of legal certainty in digital transactions (Andreas et al., 2024). Based on the perspective of Islamic law, particularly in the study of *fiqh muamalah*, this type of sale and purchase practice is also not justified. The principles of sale and purchase in Islam must fulfill the elements of contract (*ijab qabul*), clarity of the object (*ma'qud 'alaih*), and the willingness of both parties (*taradhi*). When one party deliberately conceals defects in the goods, provides misleading information, or commits fraud (*gharar* and *tadlis*), the transaction is considered *fasid* (corrupt) or even *batil*, because it does not comply with the principles of honesty and justice that form the basis of *muamalah*.

E-commerce transactions can only be categorized as *halal* if they fulfill the elements of a clear contract, honesty of information, and do not contain elements of *gharar* or *riba* (Mubarok, 2022; 2493-2500). Ethical violations in online buying and selling reflect the weak application of the principles of honesty and responsibility in digital business according to Islamic law. It also emphasizes that consumer protection in the perspective of Islamic economic law aims to achieve justice and benefit (*maslahah*) for all parties involved in the transaction. This shows a common ground between the UUPK and *fiqh muamalah*, where both emphasize the importance of honesty, fairness, and responsibility in economic transactions (Aulia et al., 2020).

This article aims to develop studies focusing on the analysis of Sharia economic law on buying and selling through online media. This issue is based on facts in the field which show that online shopping is enjoyed by most people and has become part of the current lifestyle. Technological advances have changed the way people buy and sell. People prefer to transact online, which is easier and has no time or place restrictions. In addition, this study is expected to be useful in confirming online business activities from the perspective of Islamic law, as well as serving as a reference for future studies on similar issues.

METHODS

According to Sarwono this study uses a qualitative method with a literature research approach (Efendi et al., 2023). Literature research is a research approach conducted by examining data from various reference books and previous research results relevant to the study to obtain a theoretical basis for the problem to be studied (Fauzi et al., 2023). In searching for data, researchers will collect as much information as possible from literature relevant to the research topic. Literature

sources can be obtained from books, journals, magazines, research results, and various other appropriate sources (Arzam et al., 2023).

In this study, literature review involves identifying, selecting, and reviewing written sources such as journal articles, books, research reports, and other documents related to the research subject (Efendi, Erlanda, et al., 2024). The use of literature studies in this research aims to understand the development of findings and theories related to Islamic economic law on buying and selling through online media.



The results of this study are expected to not only contribute to academic literature, but also to be useful in confirming online business activities from an Islamic law perspective, as well as serving as a reference for future research on similar issues (Dzuhriyan et al., 2024).

RESULT AND DISCUSSION

The Concept of Buying and Selling

Sulaiman Al-Faifi (2017; 595) states that linguistically, al-ba'i means exchange in an absolute sense. The words al-bai' (sell) and al-syira' (buy) are used interchangeably. In terms of Sharia law, buying and selling is the exchange of property for property based on mutual consent between the two parties or the transfer of ownership of goods with compensation (exchange) based on methods permitted by Sharia law. Hanafi scholars define buying and selling as follows: "Exchanging property through certain means" or "Exchanging something desired for something equivalent through certain beneficial means." Shafi'i scholars define buying and selling as follows: "Buying and selling according to Sharia is an agreement that involves the exchange of property for property with conditions that will be explained later in order to obtain ownership of an object or benefit for an indefinite period of time" (Farkas & Alexandridis, 2020).

The current era is developing rapidly and becoming increasingly complex, which affects people's needs. Advances in communication technology have made it easy for people to communicate even over long distances, such as for buying and selling. Nowadays, buying and selling can be done remotely without having to see or even know each other beforehand. The emergence of websites on the internet that provide a space for buying and selling has made transactions easier, even without having to physically see the object being purchased. These websites offer a variety of goods, ranging from electronics, clothing, food, and others, with the concepts of convenience, safety, trust, and of course, low prices (Fidhayanti et al., 2024).

Online business is also known as e-business or e-commerce. E-business or e-commerce refers to all forms of commercial transactions involving the organization and transmission of data in the form of text, sound, and images. Online buying and selling, or e-commerce in Indonesian, is known as electronic commerce. In the Compilation of Sharia Economic Law Article 20 paragraph (3), e-commerce is defined as a commercial activity similar to general commerce, except that the parties involved in the transaction do not meet physically but communicate electronically via the internet (Khuan et al., 2025).

In today's modern era, where technology is everywhere, people prefer to do everything easily and instantly. Buying and selling, which has been a part of society since long ago, is a priority for meeting daily needs. Nowadays, this can be done easily through the internet. Although only a few people like to transact this way and some may not even know how, most people, especially those in companies, prefer to transact online because it is considered faster, easier, more practical, and also more secure. Online transactions are order transactions in a global business model that do not require face-to-face contact, with only data transfer via the internet (data interchange) between the two parties, namely the seller and the buyer. In online buying and selling transactions, buyers can see the goods or services offered on the monitor screen, but the items cannot be obtained immediately because they have to wait for them to be delivered by the seller. The duration of the delivery period depends on the buyer's location (residence or office) and the choice of courier service for delivery. Additionally, buyers cannot immediately inspect the condition of the goods they intend to purchase, such as whether they match the specifications listed on the online store or if there are any defects (Najib, 2024).

Sharia Economic Law Analysis of Online Transactions Practices

The provisions regarding online sales and purchases through electronic media have been stipulated in the National Sharia Council Fatwa No: 05/DSNMUI/IV/2000 concerning salam sales and purchases, which was enacted in Jakarta on 29 Dhu al-Hijjah 1420 AH/4 April 2000 AD. regarding payment provisions, provisions on goods, provisions on salam, on the delivery of goods before or on time, on contract cancellation, on disputes in salam transactions in online buying and selling (Ningsih et al., 2025).

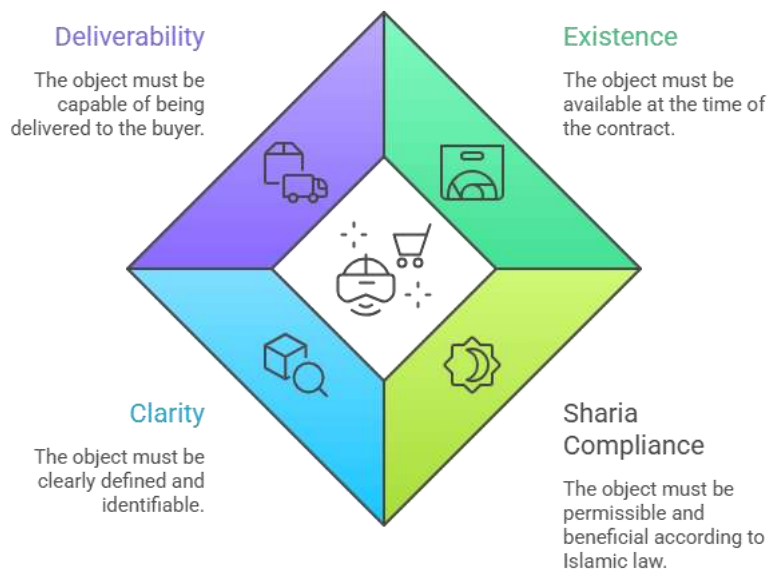
According to Al-Fauzan in his book on practical daily fiqh, buying and selling through electronic media in fiqh muamalah is related to the bai' as-salam contract. In muamalah, salam is a form of sales contract where the price of the goods is paid in cash, while the goods purchased do not yet exist, only their characteristics, type, and size are specified at the time the agreement is made. It is called salam because the payment of the price occurs at the time of the contract, and it is called salaf because the price is paid in advance. Salam is an advance payment and delivery of goods at a later date, which is defined by the fuqaha as "a sale and purchase contract for something whose criteria are specified in the contract and which is promised to be delivered at a specified time to the buyer, with payment made at the time of the transaction (Kaisupy et al., 2023).

Regarding e-commerce objects, they must meet the requirements of the contract, namely as follows:

In online buying and selling transactions conducted by students, the existence of the object being traded at the time of the contract is an important element that must be fulfilled for the transaction to be considered valid. Although some students who act as sellers do not always store or keep physical stock of goods in their homes, in practice the products being marketed still have a clear existence at the time the

transaction takes place. This can be observed through the activities of sellers who display or promote their products through various social media platforms or online marketplaces (Mardianton & Efendi, 2024). By uploading product photos, providing detailed descriptions, and including information about prices and product availability, sellers offer potential buyers a clear overview of the goods being sold. Therefore, the existence of the goods is not only understood in a strictly physical sense but can also be demonstrated through digital representation, indicating that the products are available or can be provided by the seller. Furthermore, in many cases, students who run online businesses often collaborate with suppliers, distributors, or utilize a dropshipping system that enables product availability even when the goods are not physically possessed by the seller. Such collaborations ensure that once an agreement is reached between the seller and the buyer, the goods can be processed and delivered promptly to the customer. Consequently, even though the seller may not directly hold the stock, the existence of the goods can still be guaranteed through the network of suppliers involved. Thus, in the practice of online buying and selling among students, the requirement that the goods must exist at the time of the contract is generally fulfilled, since the products being marketed do exist or can be made available for delivery to the buyer (Dzuhriyan et al., 2024).

E-commerce Object Requirements



In online buying and selling activities conducted by students, one important principle that must be considered is that the goods traded must be permitted by Sharia, meaning that they are halal and provide benefits to the buyer. In Islamic commercial law, transactions involving goods or services must not only be lawful but also useful and not harmful to individuals or society. Based on observations of student-led online businesses, the products being sold generally fall within the category of permissible and beneficial goods. These items are commonly everyday consumer products that are widely needed and used by students and the broader community (Efendi, Fiqri, et al., 2024). Therefore, such transactions generally comply with the Sharia requirement that the object of trade must be lawful and beneficial (Rehatalanit, 2021).

Most of the products marketed by students through online platforms include clothing, hijabs, shoes, bags, and various gadget accessories. These items serve practical purposes in daily life, especially for students who require appropriate

clothing, personal accessories, and technological support for their academic and social activities. For instance, clothing and hijabs are basic necessities that fulfill both functional and cultural needs, while shoes and bags are essential for mobility and daily campus activities. Similarly, gadget accessories such as phone cases, chargers, and earphones support the use of digital devices that are commonly used for studying, communication, and accessing information.

Furthermore, the sale of such products through online platforms allows buyers to easily obtain items that are useful and relevant to their needs. Since these goods are halal in nature and provide clear benefits to consumers, the transactions carried out by students generally align with the principles of Sharia-compliant trade. Thus, the items sold by students in online marketplaces can be considered permissible, as they meet the criteria of being lawful and beneficial to buyers, including fellow students who frequently act as consumers in these transactions.

In online buying and selling transactions conducted by students, clarity and transparency regarding the goods being sold are essential elements that must be fulfilled to ensure the validity of the transaction. In Islamic commercial principles, the object of sale must be clearly known by both the seller and the buyer in order to avoid uncertainty (*gharar*), misunderstanding, or potential disputes between the parties involved. Therefore, the characteristics of the goods such as their type, form, quality, and other relevant specifications should be explained in a clear and accessible manner before the transaction takes place. This principle is particularly important in online transactions, where buyers cannot physically examine the goods directly.

In practice, students who act as online sellers generally attempt to provide sufficient information about the products they offer through their social media platforms or online marketplaces. They typically upload clear images of the items being sold, allowing potential buyers to visually assess the products before making a purchasing decision. These images often display the model, color, design, and overall appearance of the goods. In addition to photographs, sellers usually include written descriptions that explain important details such as the material used, size, variations, and other relevant product specifications. By presenting both visual and descriptive information, sellers help buyers better understand the characteristics of the items being offered (Andreas et al., 2024).

This practice contributes to greater transparency in online transactions and reduces the likelihood of misunderstanding between sellers and buyers. When the goods are clearly displayed and properly described, buyers are able to make informed decisions based on accurate information. Consequently, the requirement that the object of sale must be clear and known is generally fulfilled in student online businesses, as the products are presented through detailed images and descriptions that provide sufficient clarity for potential buyers.

In online buying and selling transactions conducted by students, another important requirement is that the goods being traded must be capable of being delivered to the buyer. In Islamic commercial law, the object of sale must be something that can be handed over or transferred from the seller to the buyer after the contract is concluded. This requirement ensures that the transaction involves real goods and that the buyer ultimately receives the product that has been agreed upon. If a product cannot be delivered or transferred to the buyer, the transaction may lead to uncertainty or dispute, which is discouraged in Islamic economic principles.

In the context of student-operated online businesses, this requirement is generally fulfilled through the use of modern payment systems and delivery services. After the buyer selects or orders an item through social media or an online marketplace, the buyer usually completes the payment through online payment

methods, such as bank transfers or digital payment platforms. Once the payment has been confirmed, the seller proceeds to prepare the ordered item for shipment. The product is then packaged and sent to the buyer using courier or delivery services, which are widely available and commonly used in online commerce. Through this system, the goods that have been agreed upon in the transaction can be successfully delivered from the seller to the buyer.

However, beyond the fulfillment of the basic contract requirements, there are additional aspects that must also be considered to ensure that online buying and selling activities are permissible, halal, and valid according to Islamic law. These include honesty in product descriptions, transparency in pricing, mutual consent between the parties, and the avoidance of fraud, deception, or uncertainty. By fulfilling these principles, online transactions conducted by students can align with Islamic commercial ethics and provide fair and beneficial exchanges for both sellers and buyers.

Based on the results of a review of various literature, it can be concluded that online sales contracts are valid if they meet the conditions and requirements for sales, including the provision that the goods purchased are halal and have clear specifications. the goods to be purchased are goods that are actually needed so as not to cause wastefulness, the buyer has the right to return or cancel the sale if the goods purchased do not match the order, and online sales must be carried out in accordance with the sales scheme.

However, this does not mean that there are no rules governing it. Online transactions are permitted in Islam as long as they do not contain elements that could damage them, such as usury, injustice, fraud, cheating, and the like, and fulfill the pillars and conditions of buying and selling. Online transactions are permitted in Islam based on the principles of Islamic trade, specifically analogous to the principle of as-salam transactions, except for goods/services that are not permitted to be traded according to Islamic law.

CONCLUSION

Online buying and selling practices that do not comply with the provisions of Law Number 8 of 1999 concerning Consumer Protection (UUPK) have the potential to harm consumers and violate the principles of Islamic law. In positive law, such violations are evident in the actions of business actors who provide false information, deceive, or neglect their obligations to consumers' rights. Meanwhile, from the perspective of fiqh muamalah, such actions are classified as gharar (uncertainty) and tadbis (deception), which can cause sales and purchase agreements to be flawed or invalid.

DECLARATIONS

Author Contribution

Panji Marboro, Anton Akbar, Ilham Supriyadi & Mursal: Writing-Preparation of original manuscript, Conceptualization, **Nuraiman & Nining Rahmadani:** Visualization, Methodology, Improve Language, Investigation.

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The authors declare that this research was conducted without any conflict of interest in the research.

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The place or location studied has agreed to conduct research and is willing if the results of this study are published.

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