

## APPLICATION OF FATWA DSN MUI NUMBER 144 CONCERNING SHARIA MARKETPLACE ON THE SHOPEE APPLICATION

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### Abstract

*technology as part of our lives today. The life that was originally a lot of activities and socializing turned into a digital world. Now the marketplace is one of the commodity giants in buying and selling. Shopee is ranked first as a forum for sellers and buyers. There are so many features that can be used in one transaction, both from the payment system, the retrieval system. This type of research uses literature research that takes data through information by obtaining library materials, data techniques that have been obtained by reviewing and analyzing, both in the form of books, journals, research results. As well as by using descriptive analysis techniques. . researchers concluded that shopee marketplace whether to implement DSN MUI fatwa number 144 about sharia marketplaces became the author's consensual, namely there were four that have not been implemented by the fatwa, the first of which was the sale and purchase of liquor, besides that there was buying and selling pork, both pork crackers, sausages, and pork, thirdly there were loans containing usury, namely shopee paylater, Finally, there are cases related to shipping services and Shopee does not want to be responsible for damage and loss of consumer goods.*

**Keywords:** Fatwa DSN MUI, Sharia Marketplace, Shopee

### 1. INTRODUCTION

The pandemic has made the living system completely change, as if we as humans inevitably have to be able to use technology as part of our lives today. Has it ever occurred to us that we are stuck in a situation where we should not interact socially even though we are social beings? This is now happening significantly. if we look at the current data of internet users used by Indonesians as many as 212 million people. A fantastic amount, this data can be two blades can have an influence that leads to good things and things that are not justified. (Shafina Ade Pratiwi, n.d.)

This change is widely used by technology experts, they are competing to make applications, companies, things related to online, everything becomes digital and we must be ready to learn both from generation X to the millennial generation even now to generation alpha (Kotler, 2022). Life that was originally a lot of activities and socializing turned into a digital world, There are so many applications that make it easier for us in life that can have an impact on being lazy to leave the house, more comfortable and easier when orders only through cellphones and the goods reach home. Buying vegetables is usually directly to the market, now there are applications that can order vegetables and fruits (Maheswara et al., n.d.). Complete package if the meal can be online, male clean up the house there is a cleaner ordered online (Lungsae & Maika, 2021), including it is in one container, namely the marketplace or online place of sale, you can buy anything there, the price is more economical than stores in general, no need to bother going in and out of the store if you want to look around, everything is there.

Now the marketplace is one of the commodity giants in buying and selling. If traced from the meaning of the marketplace, namely as an intermediary related to transactions from sellers to buyers. Explained from Apriadi as quoted from the book *The Art Of Digital Marketing*, that this marketplace is a form of marketing carried out through electronics, which gives space to many sellers and buyers in one transaction (Wahyuni, 2019).

Marketplace is a form of business that is applied by using marketing of a product or service with internet media intermediaries (Ahsyar et al., 2020). The author can conclude that this marketplace is a form of third party which provides an online place to bring together sellers and buyers with complete facilities and ease in the transaction process (Wijaya, 2020).

With the size of this container, it is indeed a concern both for the government and from a religious point of view, whether this system has implemented a system that is in accordance with the Shari'a? Therefore, I am very interested in the discussion where I can see whether the marketplace is based on sharia principles issued by Fatwa DSN MUI numbers related to the Shopee Marketplace based on sharia principles.

## **2. IMPLEMENTATION METHOD**

The type of research used is the type of literature research (Sari & Asmendri, 2020) which retrieves data through information by obtaining library materials in the form of problems to be solved (Muri, 2017). The author's research takes a qualitative research approach (Sugiyono, 2013), Research methods carried out as a form of description of the object under study using data on phenomena. The data collection technique that the author made is using documentation (Ramdhan, 2021) where the data has been obtained by reviewing and analyzing, Both in the form of books, journals, research results. As well as using descriptive analysis techniques (Mamik, 2014).

## **3. RESULTS AND DISCUSSION**

### **3.1 Substance of Buying and Selling on Marketplace**

If we look at the point that currently Indonesian society uses a pattern of consumerism (Santoso, 2006) Where this pattern spends a lot on things that are more towards wants rather than on needs that can actually be used. Looking at the data in 2022, the largest marketplaces used by Indonesians are:

Graph 1. Marketplace Visitors in Indonesia



Referring to the graph described that visitors to the marketplace in Indonesia are dominated by shopee with 191.6 million visitors, followed by Tokopedia with 136.7 million, third Lazada with 83.2 million visitors, and finally Blibli with 36.7 million visitors. How dominating the marketplace in Indonesia is marked by a fantastic number of 191.6 million at the highest with a percentage of 70% of the total population of Indonesia. This is a serious concern both government and we can draw on the religious side because this concerns economic issues, so everyone can enter it can also transaction. If not considered then maybe things could happen that are not in accordance with Islam, especially we have the largest Muslim population in the world with 233,588,000 million inhabitants, followed by Pakistan with 213,625,000.

Viewed from the legal point of view that back to the basis of the system itself, namely buying and selling, it is very clearly explained that Allah justifies buying and selling, followed by the opinion of Wahbah Zuhaily as quoted from the Fiqh of Buying and Selling (Sarwat, 2018) i.e. exchange objects for objects. Another explanation is that buying and selling is exchanged in the form of property using the prescribed method (Aaron, 2017). In another view of Sayyid Sabiq as quoted from the book Fiqh Muamalah, that buying and selling is the sizing of wealth also with property based on voluntary nature (Ghazaly, 2010).

Related to buying and selling is common we hear but what is often a question, there is an additional word behind it, namely online, how about buying and selling online? Online buying and selling is a transaction that is carried out remotely, can be via chat, telephone, web (Isnawati, 2018). In addition, according to urnomo, buying and selling online is an agreement that has been determined through the characteristics of one of them being able to pay the price of everything, partial, after that the goods are handed over in accordance with the agreement (Urnomo, 2000). According to the Shafii school, buying and selling online is allowed on the basis of wakalah, namely there is a representative of the baitu that is a courier or an agreed delivery (Romdhon, 2015).

The author can conclude that if buying and selling online is a transaction carried out on the internet by meeting in one container, then there are transactions, negotiations and agreements in purchasing goods.

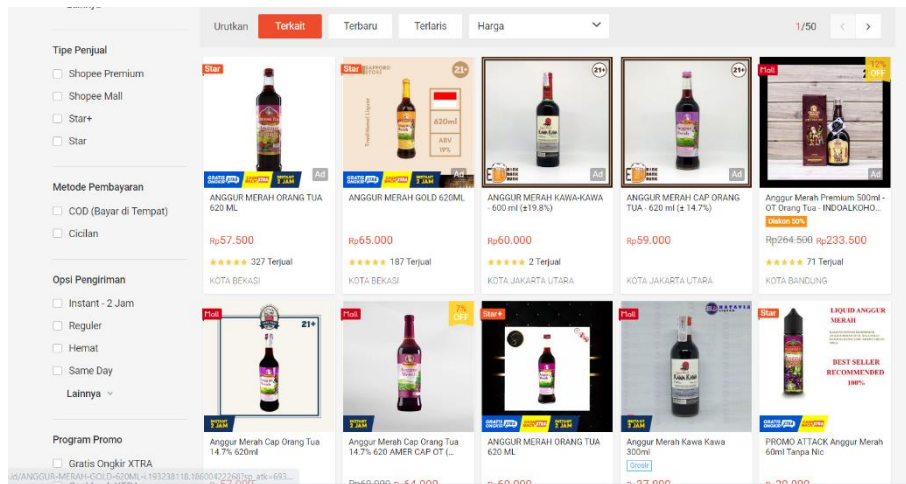
Buying and selling online currently requires a place to sell goods for the seller and for the buyer to facilitate the purchase by opening just one application. From the data that has been described, Shopee is ranked first as a forum for sellers and buyers. Shopee is also fairly successful in general because it entered Indonesia in 2015 and became the first choice for the people of Indonesia (Syaifuddin et al., 2022).

There are so many features that can be used in one transaction both from the payment system, the retrieval system and what you want to discuss is whether the shopee marketplace has followed the regulations made by Fatwa DSN MUI number 144 concerning Marketplace Based on sharia principles? Related to the elaboration of DSN's Fatwa on the sharia marketplace, there are several points emphasized in this discussion, namely:

### **3.2. Buying and Selling Khamr (Liquor)**

Regarding liquor, alcohol already existed in the time of the prophet, the harshness of the warning that was revealed related to this liquor, described in Al-Baqarah verse 219 that the great sin in khamr and gambling, even in An-Nisa verse 43 tells us not to pray when we are drunk (Rahmadona et al., 2017), while waiting for us to realize that we are allowed to pray. In accordance with the order, it is explained in the fatwa of DSN MUI number 144 concerning Marketplace Based on sharia principles. Article Nine paragraph 2 states that goods and services are sold based on sharia and follow applicable regulations.

Figure 2. Buy and Sell Liquor on Shopee

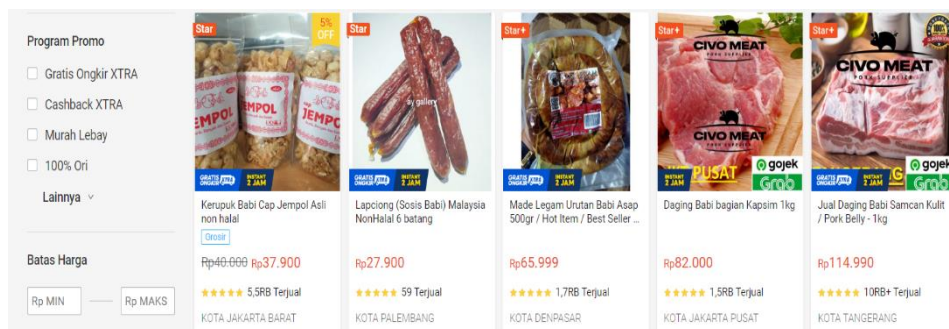


From the picture above it is very clear that the sales products are in the basket window, the marketplace is a container that is very easy to open, even for small children now they are able to order packages, the danger is the rise of stores that sell liquor and easy access to make this product easily accessible to the public, loudly from the Qur'an has been listed. So one of the evaluations related to this shopee marketplace is the sale of liquor circulating on the internet (I Made Krisna Bagus Wisena et al., 2022). Suggest that the sale of liquor should be restricted or should be put in order by closing shops selling goods that are prohibited especially for Muslims.

### 3.3 Buying and selling pigs

Indeed, we often hear that what is haram is delicious, tempting. However, have you ever thought that many animals are halal and why does it cross our minds to eat animals that are certainly prohibited, and there are not many of them? In the Qur'an Al-Baqarah 173 which states that it is forbidden for you carrion, blood, pork. This clear verse should be a warning that this is clearly forbidden, so do not occasionally touch or try even a little. Article Nine paragraph 2 states that goods and services are sold based on sharia and follow applicable regulations.

Figure 3. Pork Products at Shopee



Judging from above that it turns out that pigs have many kinds of products from crackers, sausages, meat which states that products from pigs can circulate in the general public. The concern is that consumers buy goods without reading more clearly the food purchased. According to the author, there must be improvements to the product, for example selling it to non-Muslims by making specific data (Susiawati, 2017).

### 3.4. Damage/Loss During Purchase of Goods

Article 4 Consumer rights are: a. the right to comfort, security, and safety in consuming goods and/or services; The right to obtain compensation, compensation and/or replacement, if the

goods and/or services received are not in accordance with the agreement or are not as they should be (Amanda, n.d.);

In article 9 paragraph 8 of the fatwa DSN MUI number 144 concerning the sharia marketplace that in the delivery there is damage or loss, the sender must be responsible for damage or loss of the goods. Many cases are rife that loss of goods occurs but the sender and from shopee do not want to be responsible for the loss of the item, as in the news Package Worth IDR 2.5 Million Declared Lost and Only Replaced by IDR 90 Thousand!. Package Lost by Anteraja Expedition and Return Claim Fund Not Paid for Goods. Head of Ignorant Warehouse, 3-Month Shopee Express Package Has Not Returned to the Seller. Of the three cases that have occurred. These are only a few surface cases that occur that negligence from the marketplace and shipping services are not responsible for the loss of goods. Even though it is very clear that the fatwa dsn mui states that it must be responsible for the loss of the item (Mahfiroh, 2020).

From the description above, what researchers can conclude is that the shopee marketplace is implementing the MUI DSN fatwa number 144 concerning the sharia marketplace to be the author's concern, namely there are three that have not been implemented by the fatwa, the first is the sale and purchase of liquor, besides that there is buying and selling pork, both pork crackers, sausages, and pork, finally there are cases related to delivery services and shopee does not want to be responsible for damage and loss of goods user.

#### 4.CONCLUSION

technology as part of our lives today. Life that was originally a lot of activities and socializing turned into a digital world. Now the marketplace is one of the commodity giants in buying and selling. Shopee is ranked first as a forum for sellers and buyers. There are so many features that can be used in one transaction both from payment systems, retrieval systems. The researcher concluded that the shopee marketplace whether to implement the MUI DSN fatwa number 144 concerning the sharia marketplace is the author's concern, namely there are four that have not been implemented by the fatwa, the first is the sale and purchase of liquor, besides that there is buying and selling pork, both pork crackers, sausages, and pork, the third is a loan containing usury, namely shopee paylater, Finally, there are cases related to shipping services and Shopee does not want to be responsible for damage and loss of consumer goods.

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