

Islamic Legal Perspective On Business With An Online Deposit Service System In Social Media

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ABSTRACT

Online delivery service is a business that provides buying and selling services to people to buy something, which is then added as a fee which is called entrusted service fee. The problem in this research is how is the perspective of Islamic law towards business with an online entrusted service system through social media. Data collection in this writing uses the method of reviewing several sources of books, journals and sharia economic websites as research libraries. From the results of this study it can be concluded that basically entrusted services are permitted in Islamic law. If the entrusted service has fulfilled the pillars and conditions. Buying and selling entrusted services through social media is not a practice of buying and selling other people's property. The agreement between the entrusted service provider and the seller is made orally.

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INTRODUCTION

Humans are social creatures who cannot live alone. in social life, humans in meeting their needs require interaction, one of the interaction activities carried out by humans is muamalat. Bermuamalat is the exchange of goods or something useful in a specified way, such as buying and selling, leasing, wages, borrowing, farming, association, and other businesses.

The development of the world of information and communication technology in the current era of globalization has had a major impact on the process of changing the order of social life. The rapid development of technology and the dissemination of information has brought various advances and discoveries in various fields. In this modern era, the majority of human activities can be carried out without making active movements, starting from playing social media, playing games, to starting businesses and businesses. Ownership of sophisticated mobile phones has penetrated the community, various supporting facilities have made it easier for people to interact and find something they want. Social media as an attractive vehicle for side business growth,

Recently, the business through social media that is in great demand is Titip Service (jastip) or commonly known as Personal Shopper, the position of an entrusted service is a third party between the seller and the buyer, or commonly called a broker, but the main task in this entrusted service is to be a shopper for customers. entrusted customers or consumers where the workings of the entrusted service profession are only by taking pictures of goods in malls or several large trading areas with certain brands according to the wishes of their customers. The goods sought are not only at the local level, but also for requests for goods from abroad. These delivery service providers generally require online media to publish selling objects, the media used to publish photos of jastip object goods is social media. There are various types of social media chosen by Jastip online businesses, such as Facebook, WhatsApp, and Instagram.

Brokers in Islamic law are referred to as samsarah. The relevance of the concept of samsarah or intermediaries at the time of the Apostle only functioned to sell other people's goods for a fee. At

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that time, wages were not determined and only applied as usual, namely 2.5% of the transaction value, 2.5% of sales and 2.5% of buyers. This is done in order to avoid misuse, then the owner of the goods and samsarah can set certain conditions regarding the amount of profit earned by the samsarah. You can take it in the form of a percentage (commission) or take the excess of the price determined by the owner of the goods, it all depends on the agreement of both parties.

However, what is of concern is that the contracts that occur in today's online buying and selling services are less clear, because when viewed from the meaning of the delivery service itself, the delivery service provider's role is only as a shopper for consumers who need it, not as a seller or in other terms, not owner of the object. Meanwhile, the current practice of delivery services is that delivery service providers often act as the owner of the object of safekeeping, and these service providers often determine the separate price of the goods.

In the case of online entrusted services, usually the owners of these objects do not know that their goods are published by a consignment service. This is contrary to the provisions of fiqh muamalah which states "unlawful sale and purchase except by the owner or representative of the owner". This rule is intended for both sellers and buyers. As for the condition of a seller is obliged to have goods, while the condition of a buyer is obliged to have money. This rule is closely related to the provision of safeguarding the rights of others, meaning that other people's property may not be disturbed or transacted without the permission of the owner.

METHODS

This research uses a type of library research, which relies on studies and text analysis. The information and data sources in this discussion are secondary data where the data obtained is then arranged according to rules and analysis in accordance with writing rules so as to facilitate the discussion of existing problems. In this study, the data sources used were literature data. Library research (library research) is to make library materials as the primary data source. The data related to this discussion were collected through literature study or review, because the study is related to the understanding of verses of the Qur'an. Collecting data at this writing the author uses the method of examining several sources of books, journals, and sharia economic websites as a research library, namely:

RESULTS AND DISCUSSION

The existence of smart phones/smartphones and social media, has presented services to buy the desired item by simply depositing it. One of the unique and profitable new businesses is the online entrusted service business (jastip) or what is commonly referred to as a personal shopper. Entrusted services or better known as (jastip) is a system offered by individuals to buy something which is then added a fee or service fee which is commonly referred to as entrusted service fees.

Titip services, which is a business of providing buying and selling services, offers assistance to people who are in need, who want to buy something, but cannot go where they want it. So that person can take advantage of entrusted services to meet their needs. The delivery service business is very much in demand, because the delivery service is not limited by gender, age or location. The types of products that are often purchased using jastip services are fashion products, make-up, electronics, to food.

The goods sought are not only at the local service level, it is not uncommon for requests for goods from abroad. So the service of buying and selling goods is an online buying and selling transaction in the form of a safekeeping service whose object is goods with a certain brand to be deposited by the seller with the condition that each item is charged for the service. In the past, online

businesses only used online marketplaces or stalls, now this new business opportunity has opened up with the presence of goods purchasing services through third parties.

According to the author, selling services or services to other people is permissible in Islam. As well as buying and selling goods and commodities. Especially in this era of globalization, where human needs are increasingly complex, the need for other people's services is also increasing.

The existence of the Jastip business has provided many benefits for users of the entrusted services and benefits for the entrusted service providers and the owners of the entrusted goods. This jastip business can be run anytime and anywhere. For example, this jastip business is very suitable for travelers who like vacations and traveling, they can do their hobbies and do business at the same time. The benefit of having this jastip business for consumers is that it makes it easier for them to spend on an item they want to buy, but they are someone who is busy or not at the location of the item they want to have, so these consumers can take advantage of this jastip service to buy the item. This online buying and selling service business provides services for entrusting goods to be purchased according to the wishes or orders of the buyer accompanied by a fee or wage for each product, this is where many account providers for online buying and selling services on social media set prices for their services at various prices. namely starting from Rp. 5,000 to even Rp. 25,000.

In practice, entrusted service providers will notify him of going somewhere on his social media. The delivery service provider will post the products contained in the trade center in the area of his departure. For every photo or video posted on social media, the entrusted service provider has been given permission and approved by the owner. If the consumer wants to deposit a product, the consumer is required to fill in an order form that has been determined by the delivery service provider. After that, the consumer must transfer an amount of fees along with the cost of the delivery service to the delivery service provider. After the transaction occurs, the service provider entrusts spending on consumer ordering products.

From several sources that the authors studied, the authors obtained new views about the courier service business, both from the meaning of the courier service itself, the reasons why the courier service business was made a new profession. The author views that the delivery service business has many benefits, both for the delivery service providers, the users of the delivery services, and for the sellers.

It can be concluded that running a delivery service business is very easy, the capital required is also not as big as for running other businesses. To run an online entrusted service business, one does not need to stock up on merchandise as a product that is traded, because this entrusted service business is only run if there are consumers who want to buy a product. Someone who runs an online entrusted service business also doesn't have to pay to rent or buy a shop because everything is done online. After the consumer's item has been purchased, the item will be sent to the consumer's address using a goods delivery service by the delivery service provider. So, entrusted service providers do not need to provide a place to store merchandise.

This deposit service business can be done by anyone. For example, someone who works as a student studying in an area can also do an online entrusted service business. Goods marketed do not always have to be branded goods, students can also market on their social media about a product that is characteristic of an area to attract customers.

Asking someone to help buy something or a delivery service provider is permissible. As Allah SWT says in the Koran:

وَكَذَلِكَ بَعَثْنَاهُمْ لِيَتَسَاءَلُوا بَيْنَهُمْ فَإِن قَابِلٌ مِّنْهُمْ كَم لَيْتَ ثُمَّ قَالُوا لَيْتُنَا يَوْمًا أَوْ بَعْضَ يَوْمٍ قَالُوا رَبُّكُمْ أَعْلَمُ بِمَا لَيْتُنُمْ فَأَبَعَثُوا أَحَدَكُمْ بِوَرِقِكُمْ هَذِهِ إِلَى الْمَدِينَةِ فَلْيَنْظُرْ أَيُّهَا الرِّزْقَى طَعَامًا فَلْيَأْتِكُمْ بِرِزْقٍ مِّنْهُ وَلْيَتَلَطَّفْ وَلَا يُشْعِرَنَّ بِكُمْ أَحَدًا

Meaning: And thus We wake them up, so that they may ask one another. One of them said, "How long have you been (here)?" They replied, "We are (here) a day or half a day." Said (another),

“Your Lord knows better how long you have been (here). So send one of you to go into town with your silver money, and let him see which food is better, and bring some of it for you, and let him be gentle and never tell anyone about you (QS Al-Kahf: 19).

There is an explanation in the verse above regarding the permissibility of asking or ordering someone to represent them to buy food. This event is the same as the current practice of entrusted services, so the law of taking wages from transactions of entrusted services as a service fee is also permissible in Islam as long as it does not conflict with sharia. The practice of deposit services is permissible in Islam because the goods being traded are lawful goods, the wages set have been agreed upon, and there is no interest or additional costs in them, and with the existence of this deposit service it can help the economy for deposit service providers and the seller, and also provide satisfaction for consumers because they get the goods needed.

The legal view on the transaction of online entrusted services can essentially be categorized as an agreement. An engagement is a legal relationship between two people or two parties, in which one party can demand something from the other party, and the other party is obliged to fulfill that obligation.

Online entrusted services like this can be categorized as a mutual help transaction between the parties concerned and to gain profits in a trade.

From the results of this study it can be explained that basically buying and selling with an online entrusted service system is permitted in Islamic law and is not included in prohibited trading. In practice, this entrusted service has fulfilled the pillars and conditions of buying and selling and has avoided the practice of buying and selling al-fuḍuli (other people's property). Basically the practice of entrusted services is carried out on a voluntary basis both between the users of the entrusted services, the entrusted service providers and the owner of the entrusted goods themselves. A binding agreement or contractual agreement between the delivery service provider and the owner of the item being entrusted is made verbally by means of the delivery service provider asking for permission to publish an object for sale and purchase. This can become the legality of buying and selling between the transacting parties, so that in practice online entrusted services become legal.

It can be concluded that delivery service is a service providing a service between the service provider and the buyer, where the buyer wants to buy a product that cannot be reached by distance, therefore the buyer uses the service as an intermediary. After an agreement has been made between the delivery service provider and the buyer, the delivery service provider acts as an intermediary between the buyer and the seller to buy the product for the buyer's deposit, this happens on the basis of the seller's agreement. Because in buying and selling transactions using online entrusted services there are many benefits, both for the buyer, for the entrusted service provider, as well as for the seller himself. Therefore, buying and selling with this online entrusted service system is not a practice of buying and selling other people's property.

CONCLUSION

Based on the studies contained in the explanation regarding the practice of entrusted services in buying and selling online which have been reviewed in this study, the authors conclude that the practice of buying and selling carried out by entrusted services as a whole is a benefit, this is in accordance with the buying and selling principle of helping . Buying and selling online on social media that uses entrusted services is carried out on the basis of an agreement between the consumer and the entrusted service provider. So the practice of entrusted services in buying and selling online is basically permissible, if the sale and purchase has received approval or there has been a binding agreement between the shop and the entrusted service with that making the pillars and conditions of buying and selling fulfilled automatically the rights and obligations can be jointly responsible.

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