

Islamic Economic, Accounting, and Management Journal (Tsarwatica)
Volume 03 Nomor 02 Tahun 2022 (Hal: 58-75)
https://ojs.stiesa.ac.id/index.php/tsarwatica

ISSN 2685-8320(Print)

ISSN 2685-8339 (Online)

SHARIA COMPLIANCE: CONSUMER PERSPECTIVE IN E-COMMERCE PRACTICES

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INFO ARTIKEL

Histori Artikel:

Tgl. Masuk: 15 Juli 2022 Tgl. Diterima: 27 Agustus 2022 Tersedia Online: 14 Oktober 2022

Keywords:

Sharia Compliance, Bai' As-Salam. E-Commerce.

ABSTRAK/ABSTRACT

This research is backed by the rapid development of technology that makes it easier for people to do buying and selling activities. People can easily choose goods and transact only with smartphones that are connected to the Internet. But from the facilities offered, online trading is not separated from violations that are not in accordance with the principles of the rulings in Islam such as fraud, inconsistency of goods, inconsistency of the receipt of goods, and Mismatch between price and quality. The purpose of this study is to know and describe the implementation of sharia compliance in the perspective of consumers among students of the University of Indonesia education. As for the method used in this research is quantitative descriptive, the population is a student of *Indonesian University of Education, research using sample* 100 respondents representing every faculty in the university Indonesian education, with sampling techniques in a nonprobability sampling manner. Based on the research done, it is known that consumer understanding among UPI students belongs to the good category, judging by the online buying and selling literature with the pillars and the terms of buying and selling greetings. This research has important implications for online buying and selling people, because Islam has arranged all human activities and online buying and selling including them. So, in practice online buying and selling is not only profit for the seller and ease of transaction for both parties, but also to get the blessing and reward of buying and selling activities in accordance with the principles of Islamic rules.

1. INTRODUCTION

Internet users in Indonesia have developed from 2016 where in that year the number of internet users in Indonesia was 132.7 million while in 2017 it had grown to 143.26 million. At present the total population of Indonesia is 262 million people and that means that more than half of the people in Indonesia have used the internet, more precisely 54.68% (APJII, 2017). According to APJJI, in 2017 internet users turned out to be dominated by the age range of 19-34 years or 49.52% where most of the internet users are students who are in the undergraduate / diploma, master and doctoral level. One of the reasons for this increase in internet users is the development of infrastructure and easy access to smartphones (Kompas.com, 2016).

This happens because technological developments affect human behavior in various aspects. Utilization of internet technology is not only a medium of communication and to obtain information, but technology also provides convenience in buying and selling transactions. This causes a change in people's behavior in the process of buying and selling, which is usually done directly face-to-face between sellers and buyers, but now people can do it simply by opening a smartphone or other electronic media connected to the internet. buy and sell.

Online buying and selling or buying and selling using the internet is an activity of exchanging goods or services related online or commonly referred to as ecommerce. Abdurahman (2014) Defining ecommerce is commerce through electronic media and can also be defined as all forms of trade transactions (trade) of goods or services (trade of goods and services) using electronic media.

In Indonesia the phenomenon of ecommerce has been known since 1996 with the emergence of the site http://www.sanur.com/ as the first online bookstore. This condition triggered the emergence of various sites that do e-commerce (Hediana & Aly, 2015). The emergence of e-commerce has made internet penetration activities in Indonesia experiencing a rapid development. It was recorded that 63.5% or 84.2 million internet users claimed to have carried out transactions online (APJII, 2017). Content that is often accessed can be seen in the figure below:

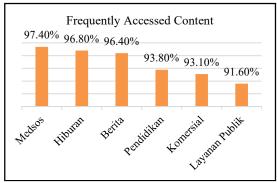


Figure 1
Family Company Contributions to Indonesia's GDP

Sources: www.apjii.or.id

Online buying and selling was chosen because it is more effective and efficient in transactions both in terms of time, effort and cost (Asnawi, 2004). The ease offered by buying and selling *online can* not be separated from risks in it, so that it is needed high alertness in doing *online* buying and selling activities. According to confession the conspirators of fraud are basically all the item never existed. From his actions fraudsters reap profits IDR 10.1 billion (Sasongko, 2016).

Islamic law should be applied in various activities in life, because for a Muslim, religion has a very important role in life, so all activities must be guided by religion, including muamalah or buying and selling problems (Juliana, 2017). In addition, Indonesia is the country with the largest Muslim population in the world according to the Pew Research Center (2015) so the need for awareness in applying the principles of Islamic law in

buying and selling transactions, buying and selling must be based on mutual likes and likes not because there is an element of coercion and may not be from one of the disadvantaged parties. As explained in QS Annisa verse 29:

يَٰآيُهَا ٱلَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمَوْلَكُم بَيْنَكُم بِٱلْبُطِلِ إِلَّا أَن تَكُونَ يَلْبُهُم بَاللَّهُم بِٱلْبُطِلِ إِلَّا أَن تَكُونَ تِجُرَةً عَن تَرَاضٍ مِّنكُمٌّ وَلَا تَقْتُلُواْ أَنفُسَكُمٌّ إِنَّ ٱللَّهَ كَانَ بِكُمْ رَحِيمًا

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"O ye who believe! Squander not your wealth among yourselves in vanity, except it be a trade by mutual consent, and kill not one another. Lo! Allah is ever Merciful unto you."

The verse explains that it is forbidden for Muslims to eat or obtain property of others by vanity, except by buying and selling (trading) and in the process of buying and selling transactions must also be in accordance with Islamic law, besides buying and selling must be based on likes same as or with pleasure from both parties, where there is no injustice, coercive fraud so that no one is harmed, so also in online buying and selling activities must also be based on the provisions of Islamic law.

This sale or purchase in Islam is called muamalah, where the law is legal as long as there is no argument that forbids it. In muamalah transactions, the difference between ordinary transactions is from the terms of the contract. The contract itself has the meaning of the words between ijab qabul in a way justified by syara 'which defines both parties (Shiddiegy, 1999).

Buying and selling online certainly did not exist at the time of the Prophet Muhammad. However, transactions that have never been done in the time of the Prophet does not mean that it should not be done, but the transaction is traced to pre-existing contracts. According to research Fadhli (2016); Lingga, Hidayat and Bayuni (2016); Iwannudin (2014); Al Arif (2013); and Muttaqin (2009), buying and selling online is revealed and akad ba'i as-salam. Although buying and selling greetings, this usually applies to buying and selling whose

object is agribusiness (Mujaitun, 2013). But it has a similarity in that the payment is made at the beginning and the item does not exist at the time of handover of money but only the description is explained and sent later at the agreed time.

Online buying and selling is a of buying mechanism and selling transactions that make it easier for people to meet their needs. However, there are problems that often occur on online buying and selling, including the incompatibility of goods, fraud, failure to pay from the buyer or failed to send from the seller. Problems that often arise are supported by research conducted by Hediana & Aly (2015) stated that the problems that arise in buying and selling activities on OLX.co.id include: the object of the transaction being traded is sometimes not in accordance with the image in the ad.

The above research is in line with the research conducted Muhammad, Yunizar, & Harsanto (2016) stated that e-commerce practices were not in accordance with the sharia compliant model, so respondents were still not sure whether e-commerce would be free from the main prohibitions (usury, maysir, gharar and ikhrah). This is indicated by the low level of e-commerce transactions due to the main prohibition, especially gharar / uncertainty. The obstacles are the mismatch of goods, price and delivery time.

Other research conducted by Arif (2013), which mentions that there are some weaknesses that arise from online sales. First, buyers cannot pay attention to the details of the product and buyers cannot make cash and carry from the products they buy so the problems that might arise from the above weaknesses are first the product quality is uncertain. Second, the potential to cheat by the seller. Third, the potential to cheat by the buyer.

Furthermore, the researchers conducted a pre-study conducted on 30 respondents of the Indonesian Education University students, because Students /

Students were considered as the largest internet where Universitas users. Pendidikan Indonesia is a public college that has a religious motto and the majority of its students are Muslim, should know and understand the importance of sharia. The pre-research results stated that 63.3% of respondents felt that the item they bought did not match the picture and description that the seller listed. In addition, all respondents were still unsure about the practice of buying and selling online whether they were free from fraud or not. So that stated that there were still doubts about conducting online trading activities, one of which was fear of fraudulent practices.

Based on the above phenomenon and the results of a rough pre-study it can be concluded that with the increasing prevalence of online buying and selling, more and more problems are also found caused by these activities. Thus, the authors are interested in researching and elaborating more on online buying and selling which will be reviewed from sharia compliance.

The research questions raised by the authors are as follows:

- 1. What is the general description of e-commerce implementation?
- 2. What is the consumer's perspective on sharia compliance in the practice of e-commerce?

Based on the problems described above, the purpose of this study is to find out an overview of e-commerce practices and also to obtain information about the perspectives of consumers with the scope of the University of Education Indonesia about sharia compliance practices of e-commerce.

With the hope that this research can provide both theoretical benefits and practical benefits, the theoretical benefits obtained can add to the scientific treasures of the ba'i as-salam transaction in ecommerce transaction activities that are in accordance with the Qur'an and Hadiths. In

addition, it is hoped that it can be used as a reference material and reference source for future researchers. The practical benefits are expected to be able to provide information and understanding to the actors of e-commerce transactions to do so in accordance with Islamic law.

2. LITERATURE REVIEW Buy and Sell in Islam

Buying and selling (bai') in etymology means exchanging something with something else. Bai 'is one of the words that has two opposite meanings, namely the meaning of" buying "syira and the opponent" selling "bai' is a characteristic that is indicated for people who carry out purchasing activities (Zuhaili, 2010).

Siswadi (2013) mentions in the book Kifayatul Akhyar by Imam Taqiyuddin Abu Bakr ibn Muhammad al-Husaini explained lafaz Bai 'according to Lughat means: giving something in return for something else. Bai 'according to syara'jual beli means: repaying a property balanced with other property, both of which can be controlled by the qabul according to the way that is permitted by syara. (Taqiyyudin, 1995)

Buying and selling is given by Allah for his servants as a helping activity for fellow human beings for spaciousness and ease. (Syaifullah, 2014). Expressed in the Qur'an and as-Sunnah. Allah SWT said:

وَأَحَلَّ ٱللَّهُ ٱلۡبَيۡعَ وَحَرَّمَ ٱلرّبَوا ١٧٥

"Allah has justified buying and selling and prohibiting riba" (QS. Al-Baqarah : 275)" Rasulullah saw said:

"The best income is the work of a man with his own hands and every business that is mabrur." (HR. Bukhori)

From the verses and hadith above, it can be concluded that Islam teaches to seek halal sustenance and is blessed by Allah SWT, namely by buying and selling / entrepreneurship, Juliana (2017) said entrepreneurship is the noblest proposition taught by the Prophet Muhammad and his companions. Therefore, from the exposure

of the hadith that has been mentioned as well as possible the income is done with his own hands.

Pillars and Terms of Sale and Purchase

Buying and selling has harmony and the conditions that must be fulfilled, harmonious and very important conditions to pay attention to in buying and selling so that buying and selling is done halal and berakah and blessed by Allah SWT. According to the Hanafiyah clerics, there was only one pillar, namely ijab (the phrase bought from the buyer) and qabul (the expression of selling and selling). Because basically the pillars of buying and selling are only the willingness between the seller and the buyer, therefore an indicator is needed that shows the willingness of both parties in the form of words, ijab and qabul or in the form of mutual giving (delivery of goods and receipt of money). According to the number of ulama, there are four pillars, namely: (Salim, 2017)

First, Sighah (ijab and qobul), ijab is a word from the seller and qabul is the greeting from the buyer. Example: "I sell this item to you for such a price" and answer "I bought this item from you for such a price". Where both of them have agreement in the intention of buying and selling (Taqiyyudin, 1995).

Second, people who are mindful (sellers and buyers) are called aqid, that is, people who make a sale and purchase contract. Whether it's the original owner / guardian of the original owner. So that he has full rights and authority to transact it (Djuwaini, 2008).

Third, ma'qud aih alaih (object) to be legitimate buying and selling must have ma'qud 'alaih, which is the object that is the object of buying and selling or which is the reason for the sale and purchase agreement (Pasaribu & Suhwardi, 1996). The object of the contract must also be clear in its form, level and characteristics and clearly known by the seller and the buyer. Vague sale and purchase of goods, which are not seen by the seller and the

buyer or one of the two, are considered invalid (Tagiyyudin, 1995).

Fourth, there is a value of exchange of goods, the exchange value substitutes for the value of goods, namely something that meets the requirements; store of value, unit of account and can be used as a medium of exchange (Shobirin, 2015).

According to (Fathoni, 2013), There are twelve valid conditions for buying and selling, namely as follows:

- 1. Buying and selling fulfills harmony.
- 2. Goods sold are known, to avoid obscurity (jabalah), because they can cause disputes.
- The price is known as the item being traded.
- 4. Valid forever. Time-limited buying and selling is not permitted syara ', because buying and selling requires a perfect transfer of ownership.
- The time of payment is known. This condition is for sale and purchase where the payment is deferred.
- 6. The goods sold can be handed over without causing danger.
- 7. Guaranteed willingness of both parties.
- 8. The price (exchange) is valuable.
- 9. There is no gharar (something that is not clearly defined or the result).
- 10. There is no one that causes the contract to become a facade.
- 11. No defective conditions were found.
- 12. Does not contain riba.

Bai' as-salam Concept

Bai 'as-salam is to sell an item whose delivery is delayed or sell an item whose characteristics are clearly stated and with advance payment of capital, while the goods are delivered in the future (Haroen, 2007). Islam has arranged the sale and purchase of ba'i as-salam and allows the sale and purchase of greetings, the word of Allah SWT which explains ba'i as-salam in QS. Al-Baqarah verse 282:

Meaning: "O ye who believe, if you are not" in cash for the specified time, let you write it down." Salam is one of the types of

buying and selling, so the pillars of greetings are the same as those in buying and selling. The difference is that there are more conditions than buying and selling contracts (Ascarya, 2011). According to Sulaiman Rasjid (2010) the pillars of buying and selling greetings are as follows:

- 1. Muslam (buyer) is the party who needs and orders goods.
- 2. Musil ilaih (seller) is the party that supplies the ordered goods.
- 3. Capital or money. There are also those who call prices (tsaman / ra 'sul mâl).
- 4. Muslan fiih is the item sold is bought.
- 5. Shigat is consent and gabul.

The requirements of Bai 'As-Salam, in general, are the same as the terms of sale and purchase agreement, namely: the goods ordered are wholly owned by the seller, not unclean items and can be handed over (Mustofa, 2012). Whereas according to Mardani (2012) the terms ba'i as-salam are:

- The money should be paid at the contract place. Means payment is made first.
- 2. The goods become debt to the seller.
- 3. Goods can be given according to the promised time. At the time promised, the item must already exist.
- 4. The item must be clear in size, size and scale.
- 5. Know and mention the properties of the goods.

Bai 'As-Salam Transaction is a buying and selling activity in which goods to be sold do not exist when the transaction process is carried out, goods that are the object of buying and selling are only explained in detail, characteristics, characteristics, so that the goods sold are still in the seller's responsibility. whereas the buyer hands over the money first and will get the goods purchased until the agreed time period (Napitupulu, 2015).

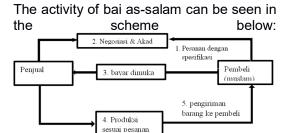


Figure 2
Bai' As-Salam Scheme
Sources: Napitupulu, (2015)

E-commerce

In general, e-commerce is defined as all forms of trade (commerce) of goods or services using electronic media addition, (Abdurrahman, 2014). In according to Suherman (2002: 17), buying and selling via the internet (E-commerce) is a contract of sale and purchase that is carried out using internet facilities in the form of goods or services. Or it can be interpreted as a contract agreed upon by determining certain characteristics by paying the price in advance while the goods are handed over later.

According to (Wariati, 2014), the types of E-commerce consist of:

- 1. Business to business (B2B)
- 2. Business to Consumer (B2C)
- 3. Consumer to Consumer (C2C)

According to Abdurrahman (2014) there is a difference between ordinary buying and selling transactions with ecommerce transactions, where ecommerce has several special characteristics, namely:

- 1. Unlimited transactions: before the internet era, geographic boundaries were a barrier to companies or individuals who wanted to go international. So, only companies or individuals with large capital can market their products abroad.
- 2. Anonymous transactions: sellers and buyers in internet transactions do not have to be face to face.
- 3. Digital and non-digital products: digital products such as computer software,

music and other digital products can be marketed via the internet by electronic downloading. In its development objects offered through the internet also include other necessities.

E-Commerce in Islam Practice

E-Commerce in Islamic Law: In general, e-commerce refers to all forms of business transactions carried out using information and communication technology (ICT). In a more precise definition, Turban, King, Lee, & Liang (2002) defines ecommerce as the process of buying, selling, transferring or exchanging products, services and / or information through computer networks, including the Internet. Although e-commerce is phenomenon of modern times, this shows the same connotation as traditional trade in Islam, because e-commerce also involves contracts to exchange valuable assets or property from one party to another to make a profit.

Therefore, all e-commerce transactions must also be in accordance with the requirements and principles of Islamic treaty law, which primarily aim to protect the interests and eliminate the danger of the parties involved in the transaction, thus promoting the Islamic code of ethics in trade and business.

The scholars also agreed that the transactions required by cash to hand over goods and money were not justified by telephone or the internet (online), such as buying and selling gold and silver because this included riba nasia'ah. Unless the object being traded can be handed over at the same time, such as exchange of money through an ATM, the law is permissible.

Seeing from the opinions above doing business using the internet as a medium is allowed while there are no elements of usury, injustice, monopoly and fraud. Online buying and selling (E-Commerce) in Islam has the same characteristics as traditional trade. Therefore e-commerce must also comply with the rules and obligations stipulated by sharia law. E-

commerce has several parameters that support transactions in Islam: (Mohammed Bashir Ribadu & Rahman, 2017)

- 1. All transactions are permissible until they are clearly not permitted
- 2. All transactions must be ensured to be mutually beneficial and fair to both parties
- 3. Transactions must be free from elements of usury, gharar, maysir and illicit products

Apart from the parameters above, Majma 'Al Figh Al Islami (OIC Figh Division) has issued decree no. 52 (3/6) in 1990, which reads "If a contract occurs two people who are far apart are not in one assembly and the perpetrator of the transaction, one with another does not see each other, does not hear each other's transaction partners, and the media between them is writing or letter or orders, this can be applied to facsimile, telex, and computer screens (internet). Then the contract takes place with the arrival of consent and gabul to each of those who transact. If the transaction takes place at one time while the two parties are in a far distance, this can be applied to transactions by telephone or cell phone, then the consent and gabul that occur is immediately as if both are in one place."

Sharia Compliance

Compliance with Sharia rules is one of the bases on which individual life is based, with a major impact on the lives of Muslim communities in general. Sharia compliance is an obligation that must be fulfilled because ignoring sharia principles in daily life is one of the main reasons that caused the destruction of the Islamic State. This happens because adhering to the principles of Sharia that are carried out in daily life will result in discipline in individual behavior and state behavior (Tahrir, 1965).

Meanwhile, Juliana et al. (2018) explains sharia compliance (sharia compliance) is the fulfillment of all sharia principles in all activities carried out as a manifestation of the characteristics of Islamic financial institutions. In addition,

behavior in daily life to meet needs such as buying and selling must meet sharia rules (Moslem, 2017).

Integrity is the quality of honesty and honesty guided by moral principles (M. A. Suhaimi & Abdullah, 2013). Therefore, this reflects the expectations of e-commerce actors to act in good faith, with absolute honesty and guided by ethical obligations from initiation to fulfillment of e-commerce transactions. compliance from an e-commerce site will positively increase trust in electronic commerce and trust in Sharia Compliace E-Commerce so that the activities carried out create good relations between the two parties (Juliana, et. al., 2017).

Islamic Business Ethics

Ethics in Islam is the fruit of faith, Islam, and devotion based on strong beliefs in the truth of Allah SWT. Islam is a source of values and ethics in all aspects of overall human life, including in business discourse. Islamic business must be born for the sake of worshiping Allah SWT with the intention to fulfill His rules (Harahap, 2010).

Islamic business ethics are ethical norms based on the Koran and Hadiths that must be used as references by anyone in business activities. Islam sees business in its operations as divided into two areas, namely first on the basic principles set by the Qur'an and the Sunnah. This concept will not change at any time, while the second will be in the area of development of science (Shihab, 2011).

Islamic business ethics is defined as a guideline of moral principles that set good or bad standards, or right or wrong behavior. (Schemerhorn, 2008), Islamic business ethics is also defined as a code of moral principles exemplified by the Koran and sunnah. The concept of ethics has been explained extensively in the Qur'an. Terms such as goodness, truth, justice, and actions that reflect piety (Juliana, 2019a).

In Islam the position of ethical values is very high, because basically Islam is revealed as a code of moral and ethical behavior for human life, as mentioned in the hadith: "I was sent to perfect noble character". The closest terminology to the notion of ethics in Islam is morals. In Islam, ethics (moral) as a reflection of Islamic beliefs (faith). Islamic ethics provides strong internal sanctions and implementing authorities in carrying out ethical standards (Juliana et. al., 2019b).

The concept of ethics in Islam is not utilitarian and relative, but absolute and eternal. So, Islam is a source of values and ethics in all aspects of human life as a whole, including in the business world (Nawatmi, 2010).

3. RESEARCH METHOD

The research method used in this research is quantitative descriptive method. Descriptive research concepts according to Survani dan Hendryadi (2015) is describing data, both in graphs and tables, and looking for mean values, median values and others. Whereas, the type of quantitative research in general is that the research compiled will answer the problem through careful measurement techniques for variables, so as to produce conclusions that can be generalized, apart from the context of time and situation and the type of data collected especially quantitative (Arifin, 2011).

Research Design is the framework used to carry out marketing research (Malhotra, 2007). The design of this study is a descriptive study using primary data that uses a type of cross section design, namely the type of design in the form of gathering information from a particular sample which is only done once. This research describes the application of sharia compliance in e-commerce business.

The data used in this study is primary data through questionnaires distributed to students at the Indonesian Education University Bumi Siliwangi as many as 100

people. The criteria sampled in this study are:

- Still active as a student at the Indonesian University of Education and is Muslim,
- Ever conducted an e-commerce transaction.
- Representing each faculty at the Indonesian University of Education and postgraduate, and
- Representing the class of 2014, 2015, 2016, 2017 and 2018.

Data collection techniques used in this study were questionnaire and library study techniques. Questionnaires were used in this study to collect data on the problems previously proposed. In this study, descriptive statistical data analysis techniques were used which provided an overview of the actual state of the data without intending to generalize from the data. In descriptive statistics analysis is carried out in the form of tables, columns, graphs, frequency calculations, measures of central tendency (mean), median value, mode, dispersion size (range, variance, standard deviation) and others (Suryani & Hendryadi, 2015). Data analysis tool used is software Eviews version 9 and Microsoft Excel 2016.

4. RESULTS AND DISCUSSION

The results of the study are part of the answer to the formulation of the problem and in accordance with the objectives of the study based on the results of data processing and analysis. The results of this study will explain in detail the results of data processing based on the findings of data in the field. In the discussion section will analyze the results or field findings which are then compared with the theory and the of previous studies. presentation of the results of research and discussion in this thesis uses thematic patterns, namely by combining the results of research and discussion.

Data was collected by distributing questionnaires to 100 respondents. The collected data is clarified and analyzed with descriptive analysis techniques. The following are the results of each indicator:

Table 1 Decriptive Statistics

Indicat	tor	N	Range	Min	Max	Mean	Variance
Pillar		100	6	4	10	7,75	3,179
Terms		100	10	8	18	13,71	3,380
Pillar Terms	and	100	14	13	27	21,46	8,776
Valid (listwise)	N	100					

Sources: Research Results Data, (2019) In this study, the indicator of buying and selling pillars has 14 items that are used as questions with 10 questions that can be statistically examined because 4 questions must be answered descriptively, where in one question the highest points are 1 (yes). Therefore, if all questions are answered with the highest point, 1, the maximum point is 10. We can see in Table 4.3, that the highest total points for this indicator are perfect, 10 points, while the lowest points are 4 points. In addition, the average respondent obtained a total point of 7.75. This shows that both the highest, lowest and average total points are still high which indicates that the majority of UPI students understand the Pillars of Sale and Purchase Well. Pillars of buying and selling greetings in question is the presence of sellers and buyers, there are goods and money, there are shigat (lafadz akad) (Saprida, 2016).

In this study, the Buy and Sell Terms indicator has 18 items to be asked, where in one question the highest point is 1 (Yes). Therefore, if all questions are answered with the highest point, 1, the maximum points are 18. We can see in table 4.3, that the highest total points for this indicator are perfect, which is 18 points, while the lowest points are 8 points. In addition, the average respondent obtained a total point of 13.71. This shows that both the highest, lowest and average total points are still high which indicates that the majority of UPI students understand the Terms of Sale and

Purchase Well. The terms and conditions of buying and selling greetings in question are goods must be clear, the nature of the goods must be clear, the level or size of the goods must be clear, the period of order must be clear, and the assumption of capital must be known by each party (Saprida, 2016).

In this study, the Pillar indicator and the Buy and Sell Terms have 28 items to be asked, where in one question the highest point is 1 (Yes). Therefore, if all questions are answered with the highest point, 1, the maximum point is 28. However, we can see in table 1, that the highest total points for this indicator are 27 points and the lowest is 13 points. The average respondent obtained a total point of 21.46. This shows that both the highest, lowest and average total points are still high which indicates that the majority of UPI students understand Pillars and Terms of Sale and Purchase Well.

Based on the explanation above, it can be concluded that UPI students assessed that e-commerce he met had obediently carried out harmony and sharia trading terms. This is of course supported by the fact that e-commerce sites require the trust of buyers so that online stores must make more effort in trying to convince potential buyers (Hutauruk, 2018). This can be obtained from the compliance of an ecommerce site, which will positively increase trust in electronic commerce and trust in Sharia Compliace E-Commerce so that the activities carried out create good between the two relations parties (kompas.com, 2016).

Good relations between the two parties can be obtained from a clear model of expression and must be through words or actions, digital signatures or in writing. So that E-Commerce can be free from gharar which refers to uncertainty. So Islamic e-commerce must ensure that business transactions are clean and free of any ambiguity (Agustina, 2018). Logical and intuition engagements also need to be done

to win consumer trust such as maintaining quality on all sides of products and services, as well as site appearance, product photos, color use and others that are well regulated (Hutauruk, 2018).

In addition, compliance with ecommerce sites is supported by the fact that the majority of buyers have become smart buyers, who can access various information to be used as knowledge and tips to buy an item so that they can distinguish between genuine / fake, unclear, and others. This certainly happens because the majority of buyers are people who dominate internet use, namely teenagers. According to APJJI in 2017 internet users turned out to be dominated by the age range of 19-34 years or as big as 49.52% where in this age vulnerable students who were undergraduate / Diploma, S2 and S3 levels (kompas.com, 2016).

Table 2 Percentage of Recapitulation of Pillar Selling Indicators

	indicators				
Indicator	Questions	Percen Categor -tage y			
	 Do you understand harmony and terms of sale? 	59% Enough			
Muslam	 If "Yes" what do you know about harmony and terms of sale and purchase? 	Descriptive Answers			
	3. Do you fulfill the terms and conditions of sale and purchase?	61% Well			
	4. If "Yes" what factors fulfill this?	Descriptive Answers			
Muslam 'Alaih	5. Based on the transactions that have been made, do you think the seller understands harmony and	56% Enough			

Indicator	Questions	Percen Categor -tage y
	terms of sale and purchase?	9
	6. If "Yes Explain?	" Descriptive Answers
	7. Based or transactions that have been carried out. do you think the selle has implemented harmony and terms of sale?	e d u 61% Well r
	8. If "Yes Mention?	" Descriptive Answers
Existenc e Price	9. Is the price of the item listed according to the quality marketed?	f d o 71% Well
	10. Is the object o goods solo halal?	
Existenc e Goods	11. Does the seller have stock before selling it?	e _{qq%} Very
Existenc e Contract	12. Did you fill ou a persona data form?	VARV

Sources: Research Results Data, (2019)

Based on Table 2, which contains an assessment of the score of each indicator. it can be said that the Pillar Implementation of Buying and Selling on e-commerce is good. This was supported by a very good assessment of the existence of shariacompliant price arrangements, goods and contracts. But on the other hand, understanding related to harmony and terms of sale and purchase for buyers and sellers still need to be improved again because based on research only collecting scores in a sufficient range. This indicates that UPI students assess themselves as ecommerce consumers and sellers who are not in the category of both harmonious understanding and terms of sale and purchase.

This can happen because respondents can still doubt whether e-commerce is free

from usury, maysir, gharar and ikhrah. Respondents were also worried about the quality of the items that did not match the description on the website (Muhammad, Yunizar, & Harsanto, 2016). And research carried out by Misbahuddin explained that if a person who is a believer is still mumayyiz, then buying and selling is illegal, even if he gets permission from his guardian. This indicates that the sale and purchase contract can be done by someone who has grown up and has the ability to think, especially understanding harmony and the conditions so as not to cause harm (Misbahuddin, 2012).

In Islam each transaction must be based on the principle of coherence between the two and not on the basis of coercion. Both parties must have the same information so that no party feels cheated or cheated because there is information in which one party does not know the information known to the other party, such as quantity, quality, price and time of delivery.

The statement is supported by Aslianur (2016) who concluded that there were differences in the application of the sale and purchase transaction contract of the clothes merchant in the city of Sampit, of the 7 only 5 traders who applied one of the pillars of the contract, ijab qabul. Even though one pillar is very important in the process of buying and selling transactions. As explained in the following verse translation:

Meaning: "O you who believe, fill the aqad-aqad. It is permissible for you cattle, except those that will be read to you. (That is so) by not justifying hunting when you are doing the Hajj. Lo! Allah has established laws according to His will."

In the verse above Allah SWT instructs humans to fulfill the contract in implementing something completely complete so that there are no shortcomings in it. contract is the fulfillment of promises made between servants and servants as well as servants and Allah SWT, with the

frivolity of its uses in muamalah such as buying and selling or renting a lease.

There are differences in the results of this study with other studies regarding the price mismatch of goods with the quality of goods marketed, it is evident that there is a suitability of goods prices with goods quality, whereas Wulandari's research (2015) states that there is no problem with the difference in the price of goods with quality for atone for the sins of the contract, the defect of the goods as well as those that are less commendable in online buying and selling transactions.

Table 3 Percentage of Terms of Sale and Purchase Indicators Recapitulation

Indikator	Questions	Percen -tage	Categor
The payment instrument must know the number and shape.	1. Does the tool pay and the payment amount is determined at the time of the transaction?	97%	Very good
Payment must be made when the contract is agreed.	2. Are payments made when the contract is agreed upon?	96%	Very good
Goods must be clearly defined and can be recognized as debt.	3. Are the items that are traded and clearly stated?	93%	Very good
Baran must be able to explain the specifications.	4. Is it clearly described the specification s of the item that is the object of sale and purchase?	94%	Very good
It is not permissible to exchange items, except with similar items as agreed.	5. Does the seller accept the exchange of goods and is able to replace items that	57%	Enough

Indikator	Questions	Percen -tage	Categor y
	do not meet	9-	
	the buyer's		
	expectations		
	?		
	6. If the item is		
	not suitable,		
	can the		
	goods be .		
	exchanged		
	for another	71%	Well
	type that is		
	different		
	from the		
	agreement at the		
	beginning?		
	7. Have you ever		
The seller can	received an		
deliver the	ordered item		
items faster	coming	75%	Well
than the	earlier than		
agreed time	the agreed		
	time?		
	8. Have you		
	ever		
	experienced		
	, items not	55%	Enough
	available at		
	the time of		
	delivery?		
	9. Does the		
Not available	seller give		
at the time of	the option to		
delivery, or the	cancel or		
quality is lower	continue the		
and the buyer	contract if	68%	Well
is not willing to	the ordered		
accept it, so	item is not		
he has two	available at		
choices:	the time of		
a. Cancel the	delivery?		
contract and	10. Have you		
request the	ever canceled a		
money back.	canceled a		
b. Wait until	and		
the item is	requested		
available.	a refund		
	because	61%	Well
	the item	0170	* * • • • • •
	received		
	was not in		
	accordanc		
	e with the		
	agreement		
	?		

Based on Table 3 which contains a recapitulation of the score assessment of each question from the buying and selling terms indicator, it can be said that the Implementation of the Terms of Sale and Purchase on e-commerce is Good. This was supported by a very good assessment of the arrangement of agreements, clarity of specifications, time and place of delivery, and payment methods that were in accordance with sharia. However, on the other hand, the implementation of the suitability of goods qualifications and the time of delivery of goods needs to be reenhanced by Shariah compliance because based on research only collecting scores in a sufficient range.

Even though it is unlawful for someone to sell an item that has a defect without explaining it to the buyer. Because, in the implementation of ba'i as-salam (qiyas online buying and selling) requires that if the goods being traded are not presented at the time the sale and purchase transaction is carried out, then the specifications of the goods must be explained in as much detail as possible. Uqbah bin Amir stated that the Prophet Muhammad had said:

"A Muslim is another Muslim brother. It is not lawful for a Muslim to sell something to his brother, while there is a defect in it, unless he explains it" (HR Ahmad, Ibn Majah, ad-Daraquthni, al-Hakim and ath-Thabrani).

If this does not happen, then khiyar 'aib can be carried out, namely the suffrage of both parties who carry out the contract, if there is a defect in the object being traded and the defect is unknown to the owner at the time of the contract. In buying and selling this requires the perfection of the items purchased, like someone said "I bought the car for such a price, if the car has a defect I will return it," as narrated by Ahmad and Abu Dawud from Aisha r.a. that someone bought a slave, then the slave was told to stand near him, he found it in the slave's disability and then told the Apostle,

then the slave was returned to the seller (Zulham, 2013).

Overview of the Buy and Sell Pillar Indicators

The following are the results of categorization of the Buy and Sell Pillar Indicators, which are explained from each question which ends with a summary of the overall indicators:

Table 4 Categorization of Buy and Sell Pillar Indicators

Category	Frequency	Percentage
Very good	47	47,00%
Well	23	23,00%
Enough	29	29,00%
Less good	1	1,00%
Not good	0	0,00%
Average	77,50%	Well

Sources: Research Results Data, (2019)
Based on the results of the research in Table 4, it shows that the Indicators of Sale and Purchase Policy are fairly good. This is indicated by the average answer of 77.50% which is categorized as Good, with an explanation of 47 respondents or 47% understanding the Pillars of Selling very well. As for the remaining 23% understand Pillars of Selling Well, 29% understand Pillars of Selling and Selling Fairly Good, and 1% understand Pillars of Selling and Selling Poorly.

The results of the above research are in line with the results of research conducted by (Muhammad, Yunizar, & Harsanto, 2016) which shows that in terms of harmony, consumers really feel the practice of e-commerce is in accordance with the complian e-commerce sharia model. However, respondents still doubt whether e-commerce is free from usury, maysir, gharar and ikhrah, and the quality of goods that do not match the description on the website.

When viewed from the theory, harmoniously in language is what must be fulfilled for the legitimacy of a job. According to the number of clerics, there are four pillars, namely shigah (ijab qabul), people who are mindful, objects of contract and exchange rates. By obeying it

harmoniously, the sale and purchase is considered to be valid (Misbahuddin, 2012).

As for based on the interpretation of the score based on the answers, the first calculation is carried out as follows:

Maximum Score Value = Max Score x Number of Items Problem x Number of Respondents

Maximum Score = $1 \times 10 \times 100 = 1000$ Percentage = $775/1000 \times 100\% = 77,50\%$

The assessment categories for the criteria for the category of interpretation of total overall scores are as follows:

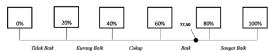


Figure 5 Criteria for Interpretation Category Pillar Buy and Sell Indicators

Sources: Research Results Data, (2019)

In language, harmony is the things that must be fulfilled for the legitimacy of a job. According to the number of clerics, there are four pillars, namely shigah (ijab qabul), people who are mindful, objects of contract and exchange rates. By obeying it harmoniously, the sale and purchase is considered to be valid (Misbahuddin, 2012). In short, harmony is the elements that make up something, so something happens. Pillars are also said to be internal substances that form contracts through consent and qabul (Fadhli, 2016).

Hasil dalam penelitian ini sejalan dengan hasil penelitian yang dilakukan oleh (Muhammad, Yunizar, & Harsanto, 2016) yang menunjukkan bahwa dari segi rukun, konsumen memang merasa praktik ecommerce sesuai dengan model sharia complian e-commerce. Namun responden masih merasa ragu apakah e-commerce bebas dari riba, maysir, gharar dan ikhrah, serta kualitas barang yang tidak sesuai dengan deskripsi di website.

Overview of Indicators Terms of Sale and Purchase

The following are the results of the categorization of the Buy and Sell Terms Indicator, which is explained by each

question which ends with a summary of the overall indicators:

Table 5 Categorization Terms of Sale and Purchase Indicators

Category	Frequency	Percentage
Very	31	31,00%
good	31	31,0070
Well	62	62,00%
Enough	7	7,00%
Less	0	0,00%
good	U	0,00%
Not good	0	0,00%
Average	76,17%	Well

Sources: Research Results Data, (2019)

Based on the results of the research in Table 5, it shows that the Sales and Purchase Terms Indicator is fairly good. This is indicated by the average answer worth 76.17% which is categorized as Good, with an explanation of 31 respondents or 31% understanding the Terms of Sale and Purchase Very Well. The remaining 62% understand the Terms.

As for based on the interpretation of the score based on the answers, the first calculation is carried out as follows:

Maximum Score Value = Max Score x Number of Items Problem x Number of Respondents

Maximum Score = $1 \times 18 \times 100 = 1800$ Percentage = $1371/1800 \times 100\% = 76.17\%$

The assessment categories for the criteria for the category of interpretation of total overall scores are as follows:

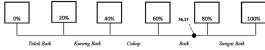


Figure 6 Criteria for Interpretation Category Buying and Selling Terms Indicators

Sources: Research Results Data, (2019)

When viewed from the theory, conditions are conditions that must be acted upon and carried out. These

conditions are useful for avoiding disputes between parties who transact, namely maintaining the rights and benefits of both parties, and avoiding the risk of MAGHRIB (maysir, gharar, and riba) (Misbahuddin, 2012). In addition, the most important thing in muamalah transactions is the terms of the contract. The contract itself has the meaning of the words between ijab qabul in a way justified by syara 'which defines both parties (Shiddieqy, 1999). In general, the terms of the contract discuss the requirements contained in the subject and object of the contract (Fadhli, 2016).

Overview of Pillar Indicators and Terms of Sale and Purchase

The following are the results of the categorization of the overall Indicators namely Pillars and Terms of Sale and Purchase, which are explained from each question which ends with the recapitulation of the overall indicators of the variable in question:

Table 6 Categorization Indicator
Categorization and Terms of Sale and
Purchase

Category	Frequency	Percentage
Very good	40	40,00%
Well	53	53,00%
Enough	7	7,00%
Less good	0	0,00%
Not good	0	0,00%
Average	76,64%	Well

Sources: Research Results Data, (2019)

Based on the results of the research in Table 5, it shows that the majority of UPI students are considered to understand Pillars and Terms of Sale and Purchase Well. This is indicated by the average answer worth 76.17% which is categorized as Good, with an explanation of 40 respondents or 40% understanding the Pillars and Terms of Sale and Purchase Very Well. The remaining 53% understand Pillars and Terms of Sale and Purchase Well, and 7% understand Pillars and Terms of Sale and Purchase Sale and Purchase Fairly Good.

As for based on the interpretation of the score based on the answers, the first calculation is carried out as follows:

Maximum Score Value = Max Score x Number of Items Problem x Number of Respondents

Maximum Score = 1 x 28 x 100 = **2800** Percentage = 2146/2800×100% = **76,64%**

The assessment categories for the criteria for the category of interpretation of total overall scores are as follows:



Figure 7 Criteria for Interpretation of Pillar Indicators and Terms of Sale and Purchase

Sources: Research Results Data, (2019)

Islamic law looks at the essence of a contract that is so strong, where the use of the contract is very possible to cover all objects of the contract and eliminate differences in the origin of the contract as long as the contract does not violate the provisions of Islamic Law (Fadhli, 2016). Therefore harmony and good conditions will reflect the continuity of a legitimate contract in a muamalah (Muttagin, 2009). When viewed, the similarities and differences between e-commerce transactions and bai as-salam are found on the subject of transactions, namely sellers and buyers, except that in practice there are third parties in e-commerce transactions that are considered as witnesses. Goods that become objects of sale and purchase must be suspended until the agreed time limit and the statement of agreement in the online transaction is stated through electronic media (Mawardi, 2008).

Hasil dalam penelitian ini sejalan dengan hasil penelitian yang dilakukan oleh (Muttaqin, 2009) which shows that the contract is a fundamental part of legalizing a transaction. When e-commerce transactions fulfill the requirements in accordance with Islamic law, the transaction is seen as valid (saheeh) or can

be justified by shari'ah. Conversely, if there is obscurity such as existing contract objects but unknown forms, then indirectly the e-commerce transactions cannot be justified.

5. CONCLUSION

Based on the research conducted on the general picture of the implementation of sharia compliance: the perspective of consumers in the practice of e-commerce, the conclusions are as follows:

- 1. Based on the results of the study, it shows that the Indicators of Sale and Purchase Policy are fairly good. This is indicated by the average answer including the Good category. From the Pillar indicator there are 3 question items that fall into the very good category and there are 2 question items that are in the sufficient category. This indicates that UPI students understand pillars of buying and selling well. Based on the results of the study, it was shown that the Sale and Purchase Terms Indicator was good. From the indicator of Terms of sale and purchase, there are 4 statement items entered into categorical very well and 2 items in the category are sufficient. This also indicates that the majority of UPI students understand the Terms of Sale and Purchase Well.
- 2. The consumer perspective of sharia compliance in the practice of ecommerce is judged to have been illustrated by how many scores were obtained from the scores of previous questionnaires. The implementation of sharia compliance, the consumer's perspective in the practice of ecommerce based on the conformity of online buying and selling practices with harmony and the terms of buying and selling greetings based on the results of a questionnaire distributed to Muslim consumers at UPI has fulfilled the harmonious indicators and greetings. This illustrates that the perspective of consumers about sharia compliance practices in e-commerce fall into the

good category. even so there are several indicators that only get enough scores.

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