

ANALYSIS OF SHARIAH COMPLIANT E-COMMERCE MODELS ON THE C2C BUSINESS MODEL AT TOKOPEDIA SALAM

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INFO ARTICLE	ABSTRACT
Filed : 03-11-2022 Accepted : 04-11-2022 Published : 11-11-2022	<p>Tokopedia online store launched a new feature, namely Tokopedia Salam. This feature is the first e-commerce in Indonesia to make it easier for people to fulfill a variety of daily needs with a wide selection of halal products and services that are good, more complete and trustworthy. Tokopedia Salam means Tokopedia Bai As-Salam, which means that transactions that occur at Tokopedia Salam should be in accordance with Shariah compliance. The purpose of this study was to identify and describe the Tokopedia Salam business model with the suitability of the sharia e-commerce compliance model. This study uses a qualitative method, namely research that aims to describe the phenomenon and context in the business transaction model at Tokopedia Salam with a fiqh approach. Data was collected by means of observation, interviews and documentation studies. The results of this study indicate that the business transaction model at Tokopedia Salam is in accordance with the sharia e-commerce compliance model. This can be seen by the presence of: a. The transaction agreement or contract used is in accordance with sharia provisions; b. Transactions between sellers and buyers reach an agreement on a consensual basis c. The object or product has clear information and the transaction price is paid in cooperation with Islamic banks and; d. Free from various transactions that are prohibited in Islam (riba, maysir, gharar, ikrah and haram).</p>

Keywords: economy, e-commerce, business model, sharia compliance.

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Introduction

The development of technology demands effective and efficient trading to meet the satisfaction of sellers and buyers. Sellers must be able to provide fast and safe services for buyers. To meet these needs, internet media has now emerged that connects sellers and buyers. Transactions in internet media are better known as e-commerce. With the existence of e-commerce, competition in the business world has the same opportunities and opportunities.

In general, e-commerce business transactions are very developed, and Indonesia is no exception. In e-commerce transactions have different business models according to market share. E-commerce business people make strategies and model changes to survive in business competition. There are five business models that are widely carried out by e-

commerce business people in Indonesia, namely: Listing / classified ads (B2C, C2C), Online Marketplace (C2C) and Shopping Mall (B2B, B2C).

Many e-commerce companies have sprung up in Indonesia because consumer demand through the internet is very high. These companies compete to improve the quality of service with various business model methods that suit the market share in Indonesia. There are six sites of the most popular e-commerce companies in Indonesia in terms of the number of visitors, referring to alexa.com data, namely Tokopedia.com, Shopee.co.id, Bukalapak.com, Blibli.com, Olx.co.id and Lazada.co.id

Based on the six sites of e-commerce companies, three of these companies use the C2C business model, which means that the majority of the public, both sellers and buyers, use the business model. Competition between e-commerce companies makes various kinds of strategies that suit the situation in Indonesia. This is seen by the emergence of a new feature from Tokopedia.com, namely Tokopedia Salam.

The majority of Indonesia's population is Muslim, so most of the majority of buyers are looking for halal and fashion products according to Muslim fashion. Based on Tokopedia's research, more than 80 percent of users Tokopedia.com have the need to buy food labeled halal. Tokopedia also found that more than 85 percent of users have the need to shop for Muslim fashion.

Buying and selling transactions on the internet or e-commerce are included in economic activities. Economic activities have an important role in human welfare, so in Islam itself regulates and limits economic activities (*mua'malah*) in the form of Islamic economics. In Islamic teachings, it is obligatory for its people to follow the rules to the maximum so that there is no deviation to the detriment of themselves and others.

Tokopedia Salam's new feature has more or less the same goal as the Islamic economic goal of achieving *falah*. The concept of *falah* means that man may obtain the happiness of the world and the hereafter. To achieve this concept, the transaction model in Tokopedia Salam must meet sharia regulations. To measure this, you can use the limitations in sharia compliance.

Research Methods

The method used in this study is with a qualitative descriptive approach, which data collection techniques use literature studies. Literature studies are used to study the results of previous research both journals and in the form of books that match the problems that are meticulous in this study, (Ulfatin, 2015).

Results and Discussion

A. Electronic Commerce

According to Shim, Qureshi and Siegel electronic commerce (e-commerce) is a new concept that is commonly described as the process of buying and selling goods or services on the world wide web of the internet or the process of buying and selling or exchanging products, services and information through information networks including

the internet. Meanwhile, according to Kalakota and Whinston, e-commerce is defined from the following perspectives:

1. Communication perspective: e-commerce is the transmission of information, products/services, or payments through telephone lines, computer networks or other electronic means.
2. Business process perspective: e-commerce is a technological application towards the automation of transactions and the flow of corporate work.
3. Service perspective: e-commerce is one of the tools that meets the wishes of companies, consumers and management in cutting service costs when improving the quality of goods and the speed of service.
4. Online perspective: e-commerce deals with the capacity to buy and sell products and information on the internet and other online services.

The classification of e-commerce that people usually do is based on the nature of the transaction. The following types can be distinguished:

1. Business to business (B2B), adalah model e-commerce dimana pelaku bisnisnya adalah perusahaan, sehingga proses transaksi dan interaksinya adalah antara satu perusahaan dengan perusahaan lainnya. Contoh model e-commerce ini adalah beberapa situs e-banking yang melayani transaksi antar perusahaan.
2. Business to Consumer (B2C), adalah model e-commerce dimana pelaku bisnisnya melibatkan langsung antara penjual (penyedia jasa e-commerce) dengan individual buyers atau pembeli. Contoh model e-commerce ini adalah airasia.com.
3. Consumer to Consumer (C2C), adalah model e-commerce dimana perorangan atau individu sebagai penjual berinteraksi dan bertransaksi langsung dengan individu lain sebagai pembeli. Konsep e-commerce jenis ini banyak digunakan dalam situs online auction atau lelang secara online. Contoh portal e-commerce yang menerapkan konsep C2C adalah e-bay.com.
4. Consumer to Business (C2B), adalah model e-commerce dimana pelaku bisnis perorangan atau individual melakukan transaksi atau interaksi dengan suatu atau beberapa perusahaan. Jenis e-commerce seperti ini sangat jarang dilakukan di Indonesia. Contoh portal e-commerce yang menerapkan model bisnis seperti ini adalah priceline.com

B. The Concept of Business Model in Islam

In the most basic sense, a business model is a method of doing business that is used by a company to be able to maintain its business and be able to generate income. The business model describes how an enterprise makes money by determining where it is in the value chain.

There is a very simple model, such as an enterprise produces a good or service and sells it to customers. If the company is doing well, then its income from sales will exceed operating costs, so that the company makes a profit. The definition of a business model according to Paul Timmers is:

1. Architecture of products/services and information flow, including explanations of various business actors and their respective roles;
2. Explanation of some potential benefits for various business people; and
3. Explanation of sources of revenue

According to Eisenmann, a business model is a hypothesis of how a company makes money in the long run: what the company will sell, and to whom, how the company will collect revenue, what technology it will use, when the company will depend on its business partners, as well as what about biaya anya.

According to Turban, the business model is a method of doing business where the company will get income to survive. This model explains how the company places its position in the value chain.

According to Eisenman, the business model has several functions, namely:

1. Plan for the provision of more value, that is, the value created for users by offering it through the use of technology-based.
2. Identify the market segment, that is, to which users the technology will be useful and for what purpose.
3. Define the structure of the company's existing value chain that is needed to create and distribute offers.
4. Estimating the cost structure and potential profits in making an offer.
5. Describes the company's position in the value network that connects between the material/needs provider company and the customer, including identifying possible complementary companies and competitors.
6. Formulate a competitive strategy where the company will get and hold more advantages than its competitors..

In Islam business can be understood as a series of business activities in its various forms that are not limited to the amount (quantity) of ownership of its property (goods / services) including profits, but are limited in the way of obtaining and utilizing its assets (there are halal and haram rules).

Based on the above understanding, it can be explained that the business model in Islam is a method of doing business that is used by a company to be able to maintain its business and be able to generate income with certain restrictions (there are halal and haram rules).

C. Shariah Compliant E-Commerce Models on Tokopedia Salam

Tokopedia Salam is one of the features in Tokopedia.com aims to make it easier for buyers to find halal products more easily, completely and securely. Such as the need to shop for Muslim fashion. The system mechanism in Tokopedia Salam is the same as Tokopedia in general. There is no significant difference in the payment mechanism at Tokopedia Salam. However, Tokopedia Salam prioritizes payment methods through sharia-based national banks.

When compared in depth, Tokopedia and Tokopedia Salam payment systems have the same payment system, namely the payment system is not limited to Islamic

banks, but conventional bank payments and payment services using credit or *kredivo* are found.

The notion of usury means extra (*az-ziyâdah*). The additional meaning in usury is an addition derived from an illegitimate undertaking that harms one of the parties to a transaction. In the Tokopedia Salam business model transaction, in terms of the price sold, there is no element of interest (usury) or harm to one of the parties. In the system of buying and selling for the exchange of products using non-cash money as a medium of exchange, not using usury goods (gold, silver and basic food *baham*).

In Tokopedia Salam there is gold savings in collaboration with pawnshops. The system used in this product is under the supervision of the Financial Services Authority (OJK). The transaction process is relatively easy, customers only need to fill in the amount of gold purchased in Gram or Rupiah units, and make the payment process that is already available in the Tokopedia application.

According to the MUI DSN fatwa, the MUI decided that the law of saving gold on credit is in the category of *mubah*, aka allowed. However, there are 3 terms and conditions for how to invest in gold that is *halal*.

1. Must be *kontan* (*yadan bi yadin/hulul*)
2. Furthermore, it must be commensurate (finished), it must not be different scales or doses
3. Likewise, we must accept each other (*taqabudl*), must not delay each other's delivery for other goods

Based on the general analysis, there are no gambling transactions in Tokopedia Salam. As for the lottery of coupons with prizes by breaking the egg, this egg-breaking game is provided free of charge by Tokopedia at no additional cost.

Whereas *gharar* is uncertainty. The point of uncertainty in the *muamalah* transaction is that there is something that the other party wants to hide and can only cause a sense of injustice and persecution to the other party.

In general, a *gharar* is any trade that contains vagueness or doubt about the existence of the commodity that is the object of the contract, the vagueness of the consequences, and the danger that threatens between profit and loss. In Islam, *gharar* is a prohibited matter and is illegitimate because it is very detrimental to one of the other parties.

Through research, product information, prices and delivery times are described in the system. There are some products that are sold that do not have complete information and are not yet clear. In the Tokopedia system, a "product discussion" menu is provided between sellers and buyers so that unclear things can be asked. The vagueness of product information by the seller usually reduces the buyer's interest in choosing the product, so the buyer is more interested in the seller who provides complete information.

Coercion is encouraging another person (who is forced) to do an act that he does not like. This coercion is of two kinds. First absolute coercion, that is, coercion with a very heavy threat, such as being killed or having his limbs cut off. Both are relative

coercion, that is, coercion with a milder threat, such as being hit. Both threats have an influence on buying and selling, namely making it a fasid trade.

In tokopedia salam transactions, there is no coercion in online buying and selling transactions. The buyer has full authority over the desired product without any coercion. In the application system, the buyer chooses a product by clicking the "buy" menu as a sign that the buyer chooses the product. The decision to buy is in the hands of the buyer, after choosing the desired product, the buyer is given the choice to choose a payment system, this proves that there is no coercion in buying and selling at Tokopedia Salam.

As for the incident where the product is received by the buyer is not in accordance with the agreement. Buyers can file complaints that are already available in the system, so that buyers do not feel forced to accept the product.

A transaction is prohibited because the object (goods and/or services) transacted is a prohibited object (haram) in Islamic religious law. Such as trading alcohol, drugs, human organs, pork and others. If you use the Tokopedia Salam feature directly, there are no products that are not allowed to buy and sell in Islam. However, when buyers use a search system or called a search engine, the prohibited products will appear in the search menu such as pork. Because the Tokopedia salam feature is still in one system with Tokopedia.com or two features under one roof. So that buyers can still find these products.

In buying and selling online, it prohibits buying and selling alcoholic beverages or liquor, as well as in Tokopedia greetings. Alcoholic liquids are still found in tokopedia products for medical purposes and not for consumption. From the results of the study it was found that some sellers and buyers used special codes in the search for this liquor. This is a loophole in Tokopedia's system because liquor transactions can be carried out by sellers and buyers, for example there is a liquor brand called "box", the system will limit the sale of the brand, but some sellers use unique names to disguise the name for example "kot4k". In general, Tokopedia Salam has tried to limit the transaction of illicit products.

As buying and selling transactions generally in the online business model have two actors, namely buyers and sellers. The seller gives the offer and the buyer gives the request. Through observation, it was found that sellers make offers by creating an online store account and entering the products sold, while buyers choose products by using search engines or using the product category they are looking for until the buyer finds a product that matches the buyer's wishes.

The products to be purchased are entered in the basket by clicking the "basket" menu, finishing collecting the products to be purchased, then the confirmation process of approval of the buyer will buy these products by clicking the "buy" menu as a sign of ijab qabul between the seller and the buyer.

The next process the buyer chooses the appropriate shipping service and sees the total payment to be paid. After making a payment transaction, the next process is for the seller to prepare the product and send it through a shipping service. The transaction is completed when the buyer receives the product according to his wishes without any

drawbacks and the buyer will confirm the Tokopedia system by clicking the "finish" menu. From some of these processes, it proves that in transactions on Tokopedia Salam has carried out the *ijab* and *qabul* processes through the system.

The agreement between the seller and the buyer is seen from the legitimate sale and purchase, it can be seen that the transaction between the seller and the buyer achieves a willingness (*'an tarâdin*) to benefit each other without anyone being harmed.

The form of agreement between the seller and the buyer is generally proof of the purchase. Proof of this exists made by the seller and given to the buyer. The form of agreement is also seen in terms of the ability of sellers and buyers in making transactions so that buying and selling transactions become legal according to law.

Through research, it can be seen that the agreement between the seller and the buyer starts from the buyer clicking the "buy" menu until the buyer completes the payment process. Buyers will get a proof (invoice) from Tokopedia as a sign of making a payment that is automatically entered through the buyer's email. In terms of the skills of sellers and buyers, it is seen from their capacity when opening a bank account as a means of payment and when creating an account on Tokopedia.

The form of agreement by providing invoices and having skills in transactions is in Tokopedia Salam. In this application, invoices are automatically entered in the email, while proficiency in transactions requires a bank account in the transaction or other account. In creating the account, it requires an identification in the form of an ID card (identity card). So that young children who are not capable of making transactions on Tokopedia greetings.

Although the buying and selling system makes transactions easier so that young children can do it. Tokopedia provides restrictions on account usage and payments such as the use of security codes. It not only protects consumers from abuse of the system by young children but also irresponsible adults.

E-commerce as a way of determining the legal skills of the transacting party. Such e-commerce usually occurs between individuals or companies with websites; In the event that the buyer is an individual, therefore determining his legal capacity is not too troublesome because his mode of payment such as through debit or credit card must prove that he has reached the legal age and has authority in carrying out the transaction. Meanwhile, if the buyer or seller is a company, the determination of its legal capacity depends on the certificate of approval from the relevant authorities.

Muslim scholars have different opinions with respect to a corporation or corporation as a legal entity, in which it has the same rights and responsibilities as a living person. Scholars of classical Muslims argue that legal entities do not exist in Islam due to a very simple fact; a company cannot be considered a "person" because only a fictitious and imaginary person, thus, does not have the capacity to engage in commercial transactions Nevertheless, Muhammad noted that some modern jurists such as al-Zarqa and Abu Zuhrah justify the existence of entities other than humans as legal persons based on the *fiqh* known as *al-dhimmah*, which basically means "guarantee" or "accountable".

From the point of view of Shari'a, the subject matter is in the object and price, this must meet several criteria, especially those that are valid, valuable, have goods, can be delivered and determined appropriately in order for a contract to be valid.

In this case, the subject matter must be clearly known by the transacting parties which must be identified and explained appropriately. Lack of knowledge about the product and its characteristics can cancel the transaction.

The mode of payment in e-commerce requires assessment from an Islamic perspective, since there are various electronic payment systems that are widely used in B2B, B2C, C2B and C2C e-commerce including electronic money, online-mediated or in-person mediated credit/debit payments, electronic checks, stored money and electronic bill payments.

Tokopedia Salam like Tokopedia generally provides a variety of payment methods that can be used to make transactions including, payments with OVO, Tokopedia Balance, Bank Transfer, Virtual Account, Klik BCA, BCA KlikPay, Mandiri Clickpay, LinkAja, e-Pay BRI, Installments / Credit Cards, Outlets, JakOne Mobile, Installments without credit cards, Kredivo, COD (cash on delivery), Alfagroup, Indomaret, and Pos Indonesia.

There is a difference of opinion on using a conventional bank as a means of payment provided that it does not take interest in such banks. According to Sheikh Ibn Baz rahimahullah said, "Putting money in a bank without extras is not why because there is a need for it. If it makes it easier to store elsewhere, then it is more careful and better. To practice the words of the Prophet sallallahu alaihi wa sallam: "Leave the doubters of you to something that does not doubt you." And he said sallallahu alaihi wa sallam: "Whoever guards from syubhat, then he has been let go for his religion and honor.

As for payments using credit such as the kredivo payment system and conventional bank credit cards, there are differences of opinion among scholars. Because the purpose of using credit cards as a means of making payments easier. The bank gives a sum of money to the customer which will later be paid first for the purchase of goods and then after maturity, the bank collects the debt from the customer. Credit refunds can be made by paying cash within the lifetime. In general, interest will be charged if the repayment has passed the tough period.

The interest on the payment of this installment, in Islamic law is usury that is forbidden. This is due to the addition of the amount of debt due to the increase in the installment period of payments. According to the mawardi " Any loan that can provide benefits to the lender is usury."

Tokopedia Salam has a payment mode in collaboration with Islamic banks, although it is found in the system of payment methods other than Islamic banks. It would be nice to prioritize payments through Islamic banks to avoid sub-laws, on the other hand, to support the islamic economy.

Based on the discussion above, it takes hard and simultaneous efforts from all parties to improve sharia e-commerce in Indonesia. As an online sale that always tries to

adjust to the times, of course not all transactions on the model on Tokopedia Salam are perfect. But, that doesn't mean that because it's imperfect, everything is also forbidden.

Instead, the shortcomings that exist must continue to be perfected over time. As the rule in fiqh: If you are not able to do all that is commanded, do not leave it all. *ma la yudraku kulluhu la yutraku kulluhu*.

Conclusion

In terms of transactions prohibited in Islam (usury, *maysir*, *gharar*, *ikrah* and *harâm*) there are no found in the business model in Tokopedia Salam, because in general the purpose of the Tokopedia Salam feature is to make it easier for buyers to find halal products, so that haram products cannot enter Tokopedia Salam. As for unclear product information and fraud, this can be avoided by the existence of a third party, namely the Tokopedia Salam system as a supervisor of the transaction. So that the factors that cause loss and injustice can be avoided, although a small chance of fraud and product obscurity or *gharar* remains. It is the same with haram products on Tokopedia which is still one application with Tokopedia Salam. If the buyer searches for products using a search engine, automatically the products that appear are mixed products from Tokopedia and Tokopedia Salam. The form of Transaction Agreement between the seller and the buyer is seen by the existence of written evidence such as invoices and the Buyer has the ability or ability to carry out buying and selling transactions if he has a residence identification card. These two things prove that the Tokopedia Salam model is in accordance with the e-commerce sharia compliance model. The payment method in the Tokopedia Salam business model provides the main option, namely payment using Islamic banks. This is in accordance with the e-commerce compliance model by using Islamic banks. However, other payment method options such as conventional banks and credit are still available in Tokopedia Salam payments.

Bibliography

- Azzam, A A M, *Fiqh Muamalat: Sistem Transaksi Dalam Fiqh Islam* (Jakarta: Amzah, 2010)
- Baaz, Abdul Aziz Bin Abdullah Bin, *Fatawa Syaikh Bin Baaz* (Solo: Pustaka At Tibyan, 2013)
- Eisenmann, T R, R Hallowell, and M Tripsas, *Internet Business Models: Text and Cases* (New York: McGraw-Hill/Irwin, 2002)
- Fauzan, Rahmat, 'Tokopedia Salam, Fitur Baru Untuk Belanja Untuk Belanja Produk Halal', *Teknologi.Bisnis.Com*, 2019
<<https://teknologi.bisnis.com/read/20191104/266/1166505/tokopedia-salam-fitur-baru-untuk-belanja-produk-halal>> [accessed 1 February 2020]
- Hasan, M A, *Berbagai Macam Transaksi Dalam Islam (Fiqh Muamalat)* (Jakarta: RajaGrafindo Persada, 2003)

- Mahir, Pradana, 'Klasifikasi Jenis-Jenis e-Commerce Di Indonesia', *Neo-Bis*, 9 (2015), 36
- Māwardī, A M, A M Mu'awwad, Ā A A Al-Mawjūd, M B Ismā'īl, and A.F.S.S.A. Sinnah, *Al-Hāwī Al-Kabīr: Fī Fiqh Madhhab Al-Imām Al-Shāfī'ī Wa-Huwa Sharh Mukhtaṣar Al-Muzanī* (Dār al-Kutub al-'Ilmīyah, 1994)
- Muhammad, Marjan, and Muhd Rosydi Muhammad, 'Building Trust in E-Commerce: A Proposed Shari'ah Compliant Model', *Journal of Internet Banking and Commerce*, 18 (2013)
- Muslich, H A W, *Fiqh Muamalat* (Jakarta: Amzah, 2010)
- Penggadaian, Staff, 'Pegadaian & Tokopedia Luncurkan Fitur Jual Beli Emas Online', 2019 <<https://www.pegadaian.co.id/berita/detail/75/pegadaian-Tokopedia-luncurkan-fitur-jual-beli-emas-online>> [accessed 10 June 2020]
- Sutedi, A, and R Sikumbang, *Perbankan Syariah: Tinjauan Dan Beberapa Segi Hukum* (Bogor: Ghalia Indonesia, 2009)
- Suyanto, Mohammad, *Strategi Periklanan E-Commerce Perusahaan Top Dunia* (Yogyakarta: Andi, 2003)
- Timmers, Paul, *Electronic Commerce-Strategies & Models for Business to Business Trading* (New Jersey: John Wiley & Sons, Ltd, 2000)
- 'Top Sites Countries', Alexa Internet, Inc, 2019 <<https://www.alexa.com/topsites/countries/ID>> [accessed 28 November 2019]
- Turban, E, D King, and J Lee, *Electronic Commerce 2002: A Managerial Perspective* (New York: Prentice Hall, 2002)
- Yusanto, M I, and M K Widjajakusuma, *Menggagas Bisnis Islami, Kajian Ekonomi* (Jakarta: Gema Insani, 2002)