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BAHTSUL MASAIL'S CRITICAL REVIEW OF FAKE ORDER ONLINE ON THE DIGITAL SHOPEE LIVE PLATFORM

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Abstract

Selling online through various digital platforms is an alternative business. Many successful people have made huge profits from it. However, fraud, deception, the spread of fake accounts, and counterfeit transactions often occur and harm many people. This research explores the practice of buying and selling with bogus and counterfeit accounts on digital platforms. This research is qualitative research with a case study approach. Bahtsul Masail is the highest forum that discusses actual community problems for which no evidence or legal solution has been found. The answer to this problem was sought and taken from Politikul Mu'tabaroh. This research resulted in the finding that the law of asking buyers for postage in the above cases is not permitted because (1) the postage is not used correctly, instead as an additional income; (2) if the buyer knows this reality, it is inevitable that he will not be willing to pay the postage to the seller. It is not permitted because it is fraud. This study provides clarity on deviant buying and selling practices on digital platforms.

Keywords: *Fake online shopping, Shopee, Bahtsul Masail*

A. INTRODUCTION

Trading or buying and selling activities are a type of activity that is often carried out by humans in everyday life and is carried out on a consensual basis. In Islam, business activities are often known as muamalah. Muamalah is the exchange of goods or

something that provides benefits in a determined manner, such as buying and selling, renting, wages, loans, farming, association, and other businesses. Muamalah is a law relating to human actions regarding property and rights and resolving cases between them.¹

¹ I. Putu Hendika Permana, "Business Analysis of Illegal Selling and Copyrights Violation on E-

Commerce (Case Study Shopee)," *Journal of Digital Law and Policy* 1, no. 1 (September 29, 2021): 17–28, <https://doi.org/10.58982/jdlp.v1i1.75>.

This form of buying and selling is often referred to as commercial activity. These activities drive societal developments and social changes. In primitive societies, buying and selling were the exchange of different goods. However, this system was slowly abandoned after they recognized money as a tool for trade.²

According to Article 1457 of the Civil Code, a sale is a contract in which one party promises to deliver the goods and the other party pays the agreed price. A sales contract is a mutual guarantee in which one party (the seller) promises to transfer ownership of the goods. In return, the other party (buyer) promises to pay a price to obtain title to the property. This term encompasses the interaction between the two and is modeled after the Dutch word "openverkoop," meaning that one party takes in (sells) and the other party retains (buys).³

Buying and selling transactions have a critical position in human life. Humans cannot avoid the buying and selling process to fulfill their daily needs. Through buying and selling transactions, humans can obtain the goods they need to support their lives more quickly and efficiently. Also, through buying and selling transactions, people can gain benefits or added value to improve their lives. Buying and selling is a process of making a profit based on supply and demand, namely that the buyer gets the benefit of purchasing a product by paying a specific price. In contrast, the seller makes a profit from the selling price of the buyer's desired outcome.⁴

In fact, in its development, buying and selling transactions are not just a means of fulfilling human life's needs. More than that, buying and selling transactions are also a way to seek economic benefits in various ways. In line with this, current buying and selling transactions no longer focus on the issue of fulfilling basic human needs such as clothing, shelter, and food alone, but also touch on fulfilling other requirements that are not basic (supporting conditions), such as fulfilling needs based on desires, hobbies, or the need for recognition to maintain one's performance.

In the Islamic view, buying and selling also holds a very important position. The Muslim Ummah is strongly encouraged to engage in buying and selling transactions to meet their needs. However, at the same time, Islam provides conditions and limitations that require buying and selling to be conducted with the principle of mutual willingness, which means that the transaction must be carried out with full awareness and a mutually willing attitude between the seller and the buyer, as stated by Allah in QS al-Baqarah verse 275 and QS an-Nisa verse 29."

الَّذِي يَقُولُ كَمَا إِلَّا يَقُولُونَ لَا الرِّبَا بِأَكْلُونَ الَّذِينَ.
 إِنَّمَا قَالُوا بِأَنَّهُمْ ذَلِكَ الْمَسْ مِنْ الشَّيْطَانِ يَتَخَبَّطُهُ
 جَاءَهُ فَمَنْ الرِّبَا وَحَرَّمَ الْبَيْعَ اللَّهُ وَأَحَلَّ الرِّبَا مِثْلُ الْبَيْعِ
 اللَّهُ إِلَى وَأَمْرُهُ سَلَفَتْ مَا قَلَّهَ فَأَنْتَهَى رَبِّيَةٍ مِنْ مَوْعِظَةٍ
 خُلِدُونَ فِيهَا هُمْ فَالنَّارِ أَصْحَابُ فَأُولَئِكَ عَادَ وَمَنْ

It means: People who eat (take) riba cannot stand except like the standing of a person who is possessed by Satan due to (pressure) of insanity. Their situation is because they say (opinion) that buying and

² Rizky Fajar Pakaya, Mardhiyah Hayati, and Siska Yuli Anita, "Decisions at Marketplace Shopee on Islamic Business Ethic Perspective: Determination of Online Consumer Reviews and Rating," *ADVANCES IN BUSINESS RESEARCH INTERNATIONAL JOURNAL* 9, no. 2 (August 15, 2023): 97–103, <https://doi.org/10.24191/abrij.v9i2.23532>.

³ Jarot S. Suroso dkk., "Analysis Of E-Commerce System In Marketplace (Shopee Indonesia)," dalam

2020 8th International Conference on Orange Technology (ICOT), 2020, 1–4, <https://doi.org/10.1109/ICOT51877.2020.9468783>.

⁴ "A Critical Review of Online Consumer Behavior: Empirical Research: Business & Management Journal Article | IGI Global," accessed September 27, 2023, <https://www.igi-global.com/article/critical-review-online-consumer-behavior/3463>.

selling is the same as usury, even though God has made buying and selling lawful and prohibited usury. Those who have received a prohibition from their Lord, then continue to stop (from taking usury), then for him what he had taken before (before the prohibition came); and his affairs are (up to) God. Those who return (to usury), then those people are the inhabitants of hell; they remain in it. (QS al-Baqarah: 275)

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ إِلَّا أَنْ تَكُونَ بِجْرَةٍ عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

It means: O you who believe, do not falsely consume your neighbor's property, slept by the way of business that happens with mutual pleasure between you. And do not kill yourselves; Indeed, God is merciful to you. (QS an-Nisa':29)

Even further, Islam encourages people to work, do business, and avoid begging in search of wealth to fulfill their daily needs. In line with this, there is a very popular hadith that has been used as a basis for the urgency of commerce, namely a hadith which states that 9 out of 10 doors of fortune are commerce. (Hadith narrated by Imam Tirmidhi, in "Sunan al-Tirmidhi", and also mentioned by Imam al-Ghazali in the book "Ihya' Ulumuddin"). Apart from that, in another hadith narrated by al-Bazzar al-Ta}, brain it is said that once the Messenger of Allah was asked about what type of work was the most important, then the Prophet answered that the most important job was good business and one's work with one's own hands.⁵

Several developing countries are now

realizing the urgency of regulating e-commerce to improve a country's economy. Malaysia, for example, in response to the development of e-commerce, the Malaysian Government is building technological infrastructure so that all Malaysian people can enjoy the e-commerce system. Not only that, but the developing country of Bangladesh is also experiencing changes with the involvement of e-commerce in economic activities. Based on research conducted by SM Faridul Islam from Khwaja Yunus Ali University of Enayetpur, it was stated that e-commerce business had had a reasonably broad impact on business dynamics in Bangladesh. Among them, are changes in business models in several areas of life, such as education, transportation, marketing, services, and financial payment services.⁶

Apart from that, the Indonesian people also feel the involvement of the Internet in economic transactions. As a country with a large population supported by increasingly improving internet services, online trading sites in Indonesia are increasing. The number of transactions recorded on the Indonesian online market is quite fantastic. The Ministry of Communication and Information of the Republic of Indonesia recorded the value of online commerce in 2014 at US\$ 12 billion or around IDR 150 trillion, and in 2016, it increased to US\$30 billion or the equivalent of IDR 394 trillion.⁷

In line with this, e-commerce in Indonesia is also experiencing extraordinary rapid development. E-commerce sites with various styles are starting to emerge, starting from marketplace-type e-commerce such as

⁵ Muhammad Rasulullah BLahador dan Hadi BLahador, "A Study of Factors that Influence Customer Satisfaction Towards Online Shopping ULsing Shopee in Malaysia," 5 December 2021.

⁶ Muhammad Lulthfi Haiblan dan Santi Rimadias, "Analysis of Factors Forming Attitudes towards BLrand and Repurchase Intention by ULsing BLrand Ambassadors on the Shopee Online Shopping Platform," *Journal Ilmul Manajemen &*

Ekonomika 15, no. 2 (13 Julli 2023): 41–56, <https://doi.org/10.35384/jime.v15i2.368>.

⁷ Pius Hans Christian dan Ririn Ikana Desanti, "The Comparison of Sentiment Analysis Algorithm for Fake Review Detection of The Leading Online Stores in Indonesia," dalam *2022 Seventh International Conference on Informatics and Computing (ICIC)*, 2022, 01–04, <https://doi.org/10.1109/ICIC56845.2022.10006984>.

Shopee, Tokopedia.com, and Bukalapak.com, B2 B, B2C, C2C e-commerce, to the metamorphosis of offline companies into online ones like the sun which owns Mataharimall.com, Alfamart which has the site Alfacart.com, and Indomaret which has the area Klikindomaret.com. Seeing the enormous development of e-commerce, the Government finally stepped in by giving unique and severe attention to this e-commerce business model. One of them is the Harbolnas program (National Online Shopping Day), which has been routinely held every year in mid-December since 2012, mainly aiming to educate the public about online shopping.⁸

Islam greatly emphasizes the halal aspect, both in terms of obtaining and using it (management and spending). Islam has regulated how to do business correctly and adequately, which are the principles of business ethics according to the Al-Qur'an, namely: Prohibiting business carried out by false means, Business must not contain elements of luxury in it, Business activities have an excellent social function through zakat and alms. Islam prohibits reducing the rights to goods through measures or scales. Businessmen are prohibited from deceiving themselves, other businessmen, or their customers, while adhering to the values of economic and social balance.⁹

In the world of e-commerce, the term fake order is widely known, and many people take advantage of this even though it is

considered not good. Fake orders are fictitious orders sellers place to attract more customers. So, sellers will buy products they sell themselves to increase the number of rankings and reviews. The more orders and judgments, the more confident potential buyers will be that the shop has a good reputation. As a result, they are quick to make transactions.¹⁰

Fake orders are fake orders where purchases are manipulated to increase the reputation of an online store Sellers use methods to ensure that the sold item is noticed by the buyer by inducing the purchase of the item through fake ordering methods This is a method used to increase the reputation of an online shop to increase trust in it This incorrect ordering method makes online shops look convincing.

Buying and selling ba'i najas is defined as a practice where a person pretends to bid for a product being sold with the aim of raising the price so that others are willing to buy the goods at that price. This trade has several forms including:¹¹

- a. a condition where a person raises the price when
- b. condition in which a person raises the price during an auction while he does not intend to buy, whether or not there is a prior agreement between the parties. Whether or not there was a prior agreement between the owner of the goods and that person.
- c. The seller describes product specifications that are not the truth.

⁸ Ariadi Santoso dkk., "The Effect of Security and Trust on Online Purchasing Decisions at Shopee by Kadiri University Students" (3rd International Conference on Social Sciences (ICSS 2020), Atlantis Press, 2020), 799–804, <https://doi.org/10.2991/assehr.k.201014.172>.

⁹ Christian and Desanti, "The Comparison of Sentiment Analysis Algorithm for Fake Review Detection of The Leading Online Stores in Indonesia."

¹⁰ Irma Rahmayani Marpaung, Zuhrinal M. Nawawi, dan Nuri Aslami, "Analysis of The Application of

Business Ethics in Online Buying and Selling Transactions on The Shopee Marketplace," *Journal of Social Research* 1, no. 1 (29 December 2021): 20–26, <https://doi.org/10.55324/josr.v1i1.8>.

¹¹ Moh Zarkasi and Erie Hariyanto, "Cash on Delivery Payment System in Online Buying and Selling Perspective of Sharia Economic Law," *JURNAL ILMIAH MIZANI: Wacana Hukum, Ekonomi, dan Keagamaan* 8, no. 1 (October 14, 2021): 121–32, <https://doi.org/10.29300/mzn.v8i1.4642>.

d. The seller says, "The cost of this item is so much" when he is lying.

Najasy is a form of excessive promotion in which there is an element of deceit by creating false demand as if the product being sold is in great demand and potential customers are interested in buying. The practice can be carried out in various forms, usually, the culprit starts by creating an issue about a product with promotion through social media, billboards, or others and placing an order for goods to create a lure for consumers to buy the goods and the product's image rises in the market even to the selling price of the product also becomes high. The law of buying and selling is haram because it is a form of fraud and does not fulfill the principle of honesty in buying and selling to buyers.¹²

Bahtsul Masail is a method in Islamic law used to deal with contemporary problems or situations that have not been directly regulated in classical sources of Islamic law such as the Qur'an and Hadith. In this theory, scholars consider the principles of Islamic law to produce fatwas or legal decisions related to new issues that arise in modern life.

Bahtsul Masail involves a deep understanding of the principles of Islamic law as well as the evolving social, cultural, and technological context. Discussions and studies are conducted by a group of scholars competent in the science of fiqh (Islamic law) to reach a proper understanding of the issues facing Muslims today.

This method makes it possible to provide Islamic legal guidance that is relevant to the conditions of the times without abandoning the basic principles of the religion. The aim is to provide guidance that is by Islamic religious values while taking into account the dynamics and changes in people's lives.

Bahtsul Masail is important because it allows Islamic law to remain relevant in

responding to the challenges of the times without changing the core principles in religious teachings. Bahtsul Masail is a forum that discusses problems for which no evidence or solution has yet been found. These problems include developing religious, economic, political, cultural, and other issues. The answer to this problem was sought, taken from *Politik Mu'tabaroh*.

Batul Masair works to examine topics of fiqhah that are not discussed in detail in the Qur'an. Because in the Quran there is still an "am (universal)" Arafat, which needs to be explained using means that support al-hadith, which is one of the obligatory means Tools for understanding the Qur'an and al-Hadith, such as *Nafuu Science*, *Kowaid al-Shorofiya*, *Lugot al-Arobiyyah*, *Kowaid al-Fiqhiyyah Barago*, *Asbab al-Nuzul*, *Asbab al-Urd*. This pretty much meets the requirements of mujtahids who have the following needs: strict. Therefore, students and KIAI prefer to use ready-made fiqh books rather than studying laws directly from the Quran or Al-Hadith.

The increasingly widespread digital era means that almost all elements of society are starting to enjoy digital facilities in various aspects. Trading is one business aspect that is now becoming famous, digital or online.

Selling products online through various platforms has become a popular business alternative. Many successful individuals have made significant profits from it. However, fraud, deception, the spread of fake accounts, and counterfeit transactions often occur, causing harm to many people. These actions are done to reap enormous profits by selling products through *Shopee Live*. Therefore, this research focuses on the issue of sales practices on digital platforms that use fake accounts and fraudulent transactions to the detriment of consumers.¹³

¹² Devi Apriyanti et al., "Legal Protection for Online Shopping Business Receiving Fictive Orders With a Payment System on The Site or Cash on Delivery,"

Justitia Jurnal Hukum 6, no. 2 (2022), <https://doi.org/10.30651/justitia.v6i2.17227>.

¹³ Mohammad Arief, "Marketing Analysis: Security and Public Trust Online Shopping at *Shopee*. Co.Id,"

B. RESEARCH METHODS

This study uses a qualitative method. Therefore, the type of data used is qualitative data. If quantitative data is required, the next process is to qualitatively validate the data. The data sources used in this research are primary and secondary. The primary data source used is data from interviews with several representative informants who often use online purchasing services. Meanwhile, secondary data is literature, which can include: journals, results of previous research, documents, interpretations of the Qur'an, Fatwa DSN Shari'ah, and other references that support this research. This research uses a descriptive data analysis method with a qualitative research paradigm, namely a research procedure that produces descriptive data in the form of written or spoken words from people and observed behavior, in the form of critical views on the object under study.

C. RESULTS AND DISCUSSION

Overview of Online Shipping Engineering

In the current technological era, buying and selling transactions are not limited by location or time. Anyone can buy and sell a variety of products anytime, anywhere, giving prospective buyers more opportunities to choose the products they want. Many parties offer their products through information media such as print media, television, and social media, and users consist of various groups and have no age restrictions.¹⁴

However, a good reputation is necessary to increase the credibility of a company. This good reputation in e-commerce is also evidenced by the intensity of buyer orders in the marketplace. Therefore, it is not uncommon for counterfeit order activity to occur that puts market reputation at the forefront. Fake orders are often used to increase the importance of a marketplace to increase credibility when people visit the marketplace to shop.¹⁵

Fake orders are often used to deceive buyers, so they only know that there are a lot of orders in the marketplace. Therefore, buyers can easily conclude that this place is considered very popular. The fake orders themselves can be identified by strange marketplace account activity that features a large number of orders and a small number of product reviewers.¹⁶

Fake orders themselves have people who can manipulate sales data. Fake orders are a way of managing the number of products sold on a marketplace or online shop. Online traders often seek fake orders because they aim to display a large number of sales. This display of many products being sold can attract the attention of potential buyers.

The benefit of fake orders themselves can be a tool to attract the attention of potential buyers. But, it's more than just counterfeit orders that can attract attention. We can feel it when we order a product at an

Enrichment : Journal of Management 11, no. 2 (27 Maret 2021): 345–52, <https://doi.org/10.35335/enrichment.v11i2.101>.

¹⁴ “Full article: The pesantren scholars’ Fatwa on global warming and climate change: An integrative analysis of Islamic law, theology, and environmental sciences on the practice of multidisciplinary Ijtihad,” *diakses* 26 September 2023, <https://www.tandfonline.com/doi/full/10.1080/23311983.2023.2193023>.

¹⁵ Nikita Gabby Riyadini dan Wenti Krisnawati, “Content Marketing, Brand Awareness, and Online

Customer Review on Housewives’ Purchase Intention on Shopee,” *Interdisciplinary Social Studies* 1, no. 6 (20 Maret 2022): 733–41, <https://doi.org/10.55324/iss.v1i6.149>.

¹⁶ *Journal of Business and Management Studies*, “Generation Y and Z Filipino Consumers’ Purchasing Behavior on Electronic Products in Shopee and Lazada | *Journal of Business and Management Studies*,” 19 Maret 2022, <https://www.al-kindipublisher.com/index.php/jbms/article/view/3081>.

online shop; we will look at how many products are being sold and then look at the reviews. When we see that it sells a lot and the reviews can be trusted, we also believe in the product.

The author will discuss how the sales team carries out this manipulation in fake orders. Discussion of what is safe and unsafe for accounts. Fake orders that are safe usually involve making orders in natural stages. Secure fake orders have a large team ready to order client products. However, they collaborated with the courier to negotiate shipping costs, and the client still needed to send the product. This is different from fake order activities, which are not safe. Usually, these counterfeit orders change the product price and then by lots of items for that product. However, this method is very unsafe because the marketplace system is currently stricter.

This act of fake order violates legal regulations because it is considered fraud. Apart from that, it can be seen why fake orders are prohibited in the general rules of trade ethics in online shops as follows:¹⁷

1. Violates Marketplace Rules

Each marketplace sets a strategy that all sellers must follow. When using Shopee, fake order activity violates the rules and increases the risk of your sold items being blocked or removed. Additionally, online shops of sellers who are proven to have placed fake orders will be immediately frozen by providers of online sales on

marketplaces, such as Shopee, TikTok Shop, and Tokopedia. Penalty points are also awarded, so the chances of a seller achieving Star Seller status are very low.¹⁸

2. It would be detrimental to the seller if this action is known to the Director General of Taxes

Utilizing manipulative data to fake marketplace orders will ultimately harm sellers. Selling on online land or marketplaces is subject to tax. Not only taxes, but you will also repeatedly incur costs for processing these fictitious orders. No matter how clever you are at hiding the actual turnover, you will still suffer losses if the Director General of Taxes finds out. Because the higher the sales turnover, the greater the tax percentage.¹⁹

3. Fraudulent Prospective Customers on Poor Quality Goods In accordance.

Although this is not true, hiring a third party to act as a "buyer" is adequate for increasing sales figures. Not only on Shopee, the way Tokopedia and TikTok shop fake order data works is also the same, so unclear comments and images often appear. Genuine buyers often use the review column as material for consideration. Of course, buyers hope to see actual pictures and reviews. Fake order results generally do not display real product photos, so customers are often deceived.²⁰

4. This is an unlawful act and can be

¹⁷ Rakibul Hassan dan Md. Rabiul Islam, "Impact of Sentiment Analysis in Fake Online Review Detection," dalam *2021 International Conference on Information and Communication Technology for Sustainable Development (ICICT4SD)*, 2021, 21–24, <https://doi.org/10.1109/ICICT4SD50815.2021.9396899>.

¹⁸ "Extracting Customer Reviews from Online Shopping and Its Perspective on Product Design | Vietnam Journal of Computer Science," accessed September 27, 2023,

<https://www.worldscientific.com/doi/abs/10.1142/S2196888819500088>.

¹⁹ Justin Malbon, "Taking Fake Online Consumer Reviews Seriously," *Journal of Consumer Policy* 36 (24 Maret 2013), <https://doi.org/10.1007/s10603-012-9216-7>.

²⁰ "A Critical Review of Research on Customer Experience Management: Theoretical, Methodological and Cultural Perspectives | Emerald Insight," accessed September 27, 2023,

prosecuted.

If you are determined to use data used in fake orders in online business to increase profits, then you must be prepared to take legal action. This risk is no joke, so it needs to be avoided. If you, as a seller, choose a fake order, then you have committed fraud and other types of illegal acts that are sufficient to be taken to legal action. Better Plays it safe as a salesperson.

5. Harming Yourself as a Reseller

They are placing fake orders in online businesses, whether as a drop shipper or in other marketplaces, which will harm you as a seller. The risk of big profits is indeed there, but the destructive impacts are still lurking, which will bring down the future online business path.

Fake orders are widespread in several online shopping applications, causing the application to sometimes make errors. Fake orders are not only carried out by marketplaces; blind individuals can also carry out counterfeit orders.²¹

He is known as Cak Malik. Cak Malik owns a Muslim salon and a retail clothing store, as well as his perseverance in the online business world has made his business grow rapidly. In addition to using WA Business, he has also mastered several online business applications such as Shopee, Tokopedia, and Lazada. Not only is he persistent, but he is also very smart in maximizing his business profits. One example is using a fake Shopee account to claim free shipping on some items, including those ordered by others through WA Business. In the process, there is also a

shipping fee for the product purchased. In this way, the profits he earned were multiplied. In addition to profits from sales, he also receives money from shipping fees paid by buyers who transact through other apps.²²

On the other hand, they pretend to use fake accounts to transact with fake products in brick-and-mortar stores or products purchased from friends, send empty packages to addresses specified in the fake accounts, and sell themselves online They often make good comments promoting their products Store expansion evaluation This gives new buyers more confidence that the original store is proven and trustworthy Below is evidence of Telegram communications and fake customer account transactions.²³:

Figure 1. *Conversation via telegram*



Source: telegram

<https://www.emerald.com/insight/content/doi/10.1108/IJCHM-04-2015-0192/full/html>.

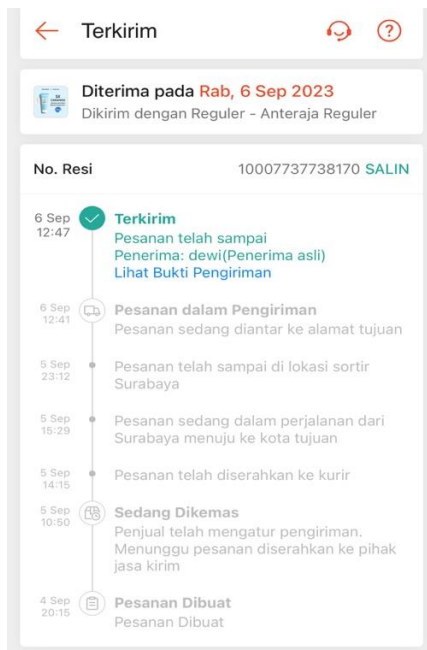
²¹ Zaenudin Mansyur, "Implementasi Prinsip Keadilan dalam Hukum Perjanjian Syari'ah," *Asy-Syari'ah* 22, no. 2 (31 Desember 2020): 159–78, <https://doi.org/10.15575/as.v22i2.8870>.

²² Christian and Desanti, "The Comparison of Sentiment Analysis Algorithm for Fake Review Detection of The Leading Online Stores in Indonesia."

²³ Riyadini and Krisnawati, "Content Marketing, Brand Awareness, and Online Customer Review on Housewives' Purchase Intention on Shopee."

Figure 2. *Fake goods sent*

Source: Shopee

Figure 3. *Delivery history*

Source: Shopee

From the evidence above, customers must check out at the Cak Malik shop 6-7 times

to get the goods they want at an accessible price but with the caveat that they only pay the service fee.

Fake Orders in Online Marketing on Shopee

The rise of online shops, which are of interest to the public, has made shop owners join existing platforms such as Shopee. Shopee is one of the e-commerce sites that are most popular with people because it is considered to have lower prices compared to buying at offline stores. In less than one year, the shop owner can place fake orders 100 times. This data was obtained from April to October. Of all the natural and counterfeit buyers, there are many genuine buyers.

Buyers and the ratings given are a priority in this store to increase purchases. Shop owners use various methods to attract buyers to buy goods sold on Shopee. One way shop owners attract buyers is by providing discounts, free shipping promotions, buy two get one free, or increasing sales ratings. 1 Fake orders made by shop owners in less than one year are 100 fake orders. Fake orders are only a tiny part of the total number of buyers because. This is only basic.

The store owner enlisted close friends and family members to place fake orders using the store owner's shop link Perpetrators who execute counterfeit orders receive compensation not in the form of money, but in the form of cheaper alternatives If her two perpetrators making fake orders use the same account, she will only be allowed to make fake orders once However, if you have multiple accounts, you will be allowed to place fake orders to avoid detection by Shopee. Fake orders made by shop owners have a good aim, namely to increase consumer purchasing power and attract many consumers. The shop owner has absolutely no intention of deceiving consumers who want to buy this product.²⁴

²⁴ Asrizal Saiin dkk., "Islamic Law in Indonesia: Bahtsul Masāil Ijtihad and the Production of

Knowledge" (International Conference on Environmental and Energy Policy (ICEEP 2021),

Online Shopping Engineering Practices from Bahtsul Masail's Perspective

One form of Sharia economic law is contracts and buying and selling. The arrangement used in Shopee buying and selling uses a greeting contract where the buyer makes payment first when making a purchase. In Sharia economic law, buying and selling are permitted as long as it does not contain prohibited things. Things that are forbidden violate the rules contained in the Al-Qur'an and Sunnah. In this case, the fake order violates business ethics because you carry out a phony chat before checking out. Fake orders are prohibited if the aim is to deceive or deceive someone. Fake orders should not be made on Shopee because there is a considerable risk; many will still sell fake order services on social media. Fake orders made by shop owners are an attempt to increase sales, not to commit fraud. If a new customer checks out and the shop owner sends it according to what was ordered. The delivery of products ordered by consumers is, of course, sent by the shop owner according to the description of the effect on Shopee.²⁵

The DSN-MUI Fatwa No 117/DSN-MUI/II/2018 regulates the legal relationships between parties involved in electronic money transactions and the general principles to be followed when carrying out electronic money transactions. The general provisions of Shariah principles applicable to FinTech activities and the various products that may be implemented, including the provision of information technology-based financial services, shall not be inconsistent with Shariah principles. Mai,

table, Darla, haru, haram. The various products that technology-based financial services providers can offer include factoring financing, purchase order financing, product procurement financing for online merchants (online merchants), and online merchants with payments through payment gateway providers product procurement financing, employee financing, and community-based financing.²⁶

In the above case, it is not permissible to charge the buyer for postage because (1) postage is not properly used as supplementary income; (2) Once the buyer knows this reality, it is inevitable that they will not want to pay the shipping fee to the seller. It's a scam and cannot be tolerated.

Compilation of Sharia Economic Law in Article 80, namely: "Additions and reductions in prices, as well as the number of goods sold after the contract, can be completed according to the agreement of the parties." The contract mechanism in the practice of fake buying and selling using Shopee via Shopee Live contains an element of ambiguity. Unclearness of the contract can include aspects of gharar and is not permitted in bahtsul masail or Islamic economic law. Unclear terms and conditions in fake buying and selling transactions from goods to fake shop accounts can also cause misunderstandings and risks or dangers to one party because only one party benefits.²⁷

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي
يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَٰلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ
مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ
مِّن رَّبِّهِ فَآتَنَّهُا فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَٰئِكَ
أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ

Atlantis Press, 2021), 26–30, <https://doi.org/10.2991/assehr.k.211014.007>.

²⁵ Rizwana Jurij dkk., "The Influence of Product Quality: A Case Study of Shoppe in Malaysia," *IJUM Journal of Case Studies in Management* 13, no. 2 (27 September 2022): 12–18, <https://journals.iium.edu.my/ijcsm/index.php/jcsm/article/view/167>.

²⁶ "Islamic Law Review of Discounts Obtained by Having Multiple Accounts on The Shopee Platform

| Journal of Applied Business, Taxation and Economics Research," accessed September 25, 2023, <https://equatorscience.com/index.php/jabter/article/view/232>.

²⁷ Apriyanti et al., "Legal Protection for Online Shopping Business Receiving Fictive Orders With a Payment System on The Site or Cash on Delivery."

This means that those who eat (ingest) *riba* are in no different position than those who are possessed by Satan due to their insanity. Their situation is that even though God has prohibited buying and selling as lawful, they are saying that buying and selling is just like you. Those who receive a ban from the Lord continue to stop taking it (usually from taking it), but then what they had previously taken (before the ban came) becomes his and his affairs are left to God. Those who return (to usury) are the inhabitants of hell; they stay there.

Surah al-Baqarah verse 275 explains that in all transactions, one must avoid usury because Allah forbids it. God legalizes buying and selling because buying and selling result in profit between the seller and the buyer, whereas, in *Riba*, only one of the parties gets the profit. In this transaction, the one who gains profit is the seller, which is the profit from free shipping, the best branch from the shop.

Bahtsul Masail stepped in when the issue of fake orders involved legal uncertainty and required a view from a Sharia perspective. The issue of false orders, which is often not regulated in detail in the Qur'an and Hadith, requires *ijtihad* from scholars through Bahtsul Masail. They discuss this issue to produce fatwas or sharia law decisions that are relevant to the modern situation, including e-commerce transactions. Bahtsul Masail needs to be involved when fraudulent acts, such as fake orders, harm the community and violate the principles of fair and transparent *muamalah* practices.

Before Bahtsul Masail intervened, the problem of fake orders was usually addressed by institutions such as the Directorate General of Taxes, which examined potential tax violations due to the manipulation of sales data, or authorities that oversaw online commerce such as Shopee, Tokopedia, or TikTok Shop. These institutions often provide sanctions for sellers who are found to have violated their market rules, such as blocking

accounts or imposing penalties. However, if the handling of conventional law is inadequate or has not provided legal certainty from an Islamic perspective, Bahtsul Masail will take a role.

Bahtsul Masail overcomes the problem of fake orders by reviewing the problem from the point of view of *fiqh*. In the case of fake orders on digital platforms such as Shopee, Bahtsul Masail concluded that this practice is a form of fraud (*gharar*) which is prohibited in Islam. They assert that fake orders, which were made to fraudulently improve the reputation of the store, are contrary to the principles of transparency and fairness in transactions. Bahtsul Masail also explained that incorrect shipping fees and those used as additional income are a form of fraud, and this kind of transaction is not valid under Sharia law.

Until now, Bahtsul Masail has clarified that the fake orders are not in accordance with the principles of fair and transparent Islamic business. However, a more detailed explanation of the settlement mechanism or sanctions imposed has not been elaborated much in the existing literature.

Bahtsul Masail prohibits the practice of fake online shopping because *Jurisprudence* disapproves of the above shop sales tricks. The first trick is considered invalid for two reasons. First, the allowance is not used as it should be; instead, it is used to increase income. Second, if the buyer knows the transaction that happened, he will not be willing to give a fee to the seller. The second trick, a fake transaction, is also considered invalid. This is because, in *jurisprudence*, the transaction is considered fraud.

D. CONCLUSION

Based on the research results from the discussion above regarding online shopping engineering practices on the digital shop platform, the Bahtsul Masail perspective is based on *Al-Majmu' Syarhul Muhaddzab*, juz 9 page 279; *Tuhfatul Muhtaj*, juz 4 page 418,

Syarhul Kabir, juz 3 page 144; and Hasyiyah Jamal, juz 3 page 174, surah al-bazar 275 and a compilation of Islamic economic law, it can be concluded that postage costs are not appropriately used, in fact as an additional income; If the buyer knows this reality, indeed, he will not be willing to pay shipping costs to the seller. It is not permitted because

it is fraud. Bahtsul Masail emphasized that this practice is contrary to Islamic business ethics and violates sharia, so the law is haram. Therefore, perpetrators are urged to abandon the practice of fake orders, and online trading systems must comply with transparent and fair rules by sharia principles.

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