


IS TOKOPEDIA SALAM HALAL?

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Abstract: The word "halal" is now widely found in various products, including e-commerce platforms, such as Tokopedia Salam. Indonesia is a country with the highest number of e-commerce users in the world, and Tokopedia is the first unicorn platform to have sharia services. This study aimed to determine the perspective of Islamic economic law on Tokopedia Salam. The method used is qualitative-descriptive through a literature review. The results of this study indicate that Tokopedia Salam is not only market products that have been certified halal because there are still many products that have not been certified halal, which can be found on the Tokopedia Salam platform. In addition, the Tokopedia Salam payment system still uses conventional financial institutions, and this shows that Tokopedia Salam has not fully supported the halal industry. The transaction model at Tokopedia Salam is still the same as Tokopedia, not using *salam* and *ijarah* contracts as stipulated in sharia. In conclusion, Tokopedia Salam cannot be categorized as sharia e-commerce in Indonesia, but Tokopedia Salam has sharia services to complement the worship of the Muslim community in Indonesia.

Keywords: *Bai'u Salam; e-Commerce; Tokopedia Salam;*

Abstrak: Penggunaan kata “halal” kini banyak ditemukan diberbagai produk, termasuk platform e-commerce, seperti tokopedia salam. Indonesia merupakan negara dengan pengguna e-commerce tertinggi di dunia dan tokopedia merupakan platform unicorn pertama yang memiliki layanan syariah. Tujuan penelitian ini untuk mengetahui perspektif hukum ekonomi syariah terhadap tokopedia salam. Metode yang digunakan adalah kualitatif-deskriptif melalui kajian pustaka. Hasil penelitian ini menunjukkan bahwa tokopedia salam tidak hanya memasarkan produk-produk yang sudah tersertifikasi halal, karena masih banyak produk yang belum tersertifikasi halal dapat ditemukan di platform tokopedia salam. Selain itu, sistem pembayaran tokopedia salam masih banyak menggunakan lembaga keuangan konvensional, hal ini menunjukkan tokopedia salam belum mendukung industri halal sepenuhnya. Model Transkasi yang dilakukan di tokopedia salam masih sama dengan tokopedia, tidak menggunakan akad salam dan ijarah sebagaimana ketentuan syariah. Kesimpulannya, tokopedia salam belum dapat dikategorikan sebagai e-commerce syariah di Indonesia, namun tokopedia salam memiliki layanan – layanan syariah untuk melengkapi ibadah masyarakat muslim di Indonesia.

Kata - Kata Kunci: *Bay-u Salam; E-Commerce; Tokopedia Salam*

Introduction

Technology and information in the world are evolving very quickly. Today's human lifestyles and mindsets increasingly support the change of life from traditional to modern, from slow to instant. Both developed countries and developing countries such as Indonesia are very aggressively implementing various innovations from the latest technology and information. As a man changes and adapts, life is no longer about maintaining but adjusting to the times and places.

2020 is a particular year for all countries globally because it faces the Covid-19 pandemic. The state of the economy is declining, health is weakening, and human movement is increasingly limited, but innovation and human reason continue to run. Behind the limitations caused by pandemic covid-19, there is an innovation in the form of a marketplace created by entrepreneurs and developers to facilitate the meeting of sellers and consumers online so that sellers and buyers do not need to travel or leave the house, especially in pandemic times. This innovation is a solution for people who avoid shopping activities and crowded areas. People even avoid shopping until they are vaccinated.¹

This online process is called e-commerce, a dynamic set of technologies, applications, and business processes to connect companies, consumers, and communities through electronic transactions and exchanges, services, and information.² E-Commerce is a strategy for rapid growth³ and growing popularity in an emerging economy.⁴ E-commerce results from information technology developing rapidly to exchange goods, services, and information through electronic systems. Through e-commerce, one can use

¹ and Fabio Ricardo Toreh Yoanita Kartika Sari Tahalele, Marini Yunita Tanzil, “The Importance of E-Commerce on The Development of Micro, Small and Medium Enterprises (MSMEs) in The Rural Area During Covid-19,” *International Journal of Economics Business and Accounting Research (IJEBAR)* 5, no. 4 (2021): 34.

² Rie, “E-Commerce,” 2014, <https://bpptik.kominfo.go.id>.

³ A Rizaldy and Z Madany, “Impact of E-Commerce in Industry,” *International Journal of Research and Applied Technology* 1, no. 2 (2021): 283.

⁴ Abdul Gaffar Khan, “Electronic Commerce: A Study on Benefits and Challenges in an Emerging Economy,” *Global Journal of Management and Business Research : B Economics and Commerce* 16, no. 1 (2016): 2.

the internet, television, smartphones, and other computer networks⁵. E-commerce is also part of the e-lifestyle that allows trade transactions to be conducted online from all angles.⁶

E-Commerce has positive effects on customer-based development.⁷ E-commerce is a new technology in the process of buying and selling online⁸ has characteristics:⁹ E-commerce has characteristics:¹⁰ 1) unlimited transactions, where geographical boundaries no longer prevent companies large or small from going international. With the sophistication of the internet, boundaries (space and time) become no longer there. 2) Anonymous transactions in e-commerce sellers and buyers do not have to come face to face and do not require a real identity as long as the verified payment. 3) Digital and Non-Digital Products can be more diverse using e-commerce products. 4) Intangible products such as data, software, or ideas can be sold online.

There are several operating techniques in the business model in E-Commerce, including¹¹ 1) Shipping, which is the process of sending goods from the manufacturer to consumers. 2) Dropshipping where the store owner does not store the goods but the manufacturer of the goods who stores, packages, and sends the goods. 3) Wholesale, i.e., sales are made in large quantities at low prices. 4) Private Labelling, in this model, the seller does not need to produce goods to be sold but can use a manufacturing company that will produce as the seller wants because the seller already has examples of products but does not have the funds to work on them. 5) White Labelling, this model is similar to private labelling. However, the difference is not to make contracts with other manufacturers' packaging and product brands.

E-Commerce has positive effects on customer-based development.¹² Data shows that about 15% of businesses in Indonesia have utilized e-commerce. The figures show that the business world in Indonesia has started to utilize e-commerce and is still in its early stages. Penetration of e-commerce utilization is very likely to increase, impacting the number of transactions through e-commerce. In addition to opening opportunities for

⁵ Romindo, *E-Commerce : Implementasi, Strategi & Inovasinya* (Medan: Yayasan Kita Menulis, 2019).

⁶ Muhammad Aldrin Akbar dan Siti Nur Alam, *E-Commerce Dasar Teori Dalam Bisnis Digital, , 2020*, Hlm. 1 (Medan: Yayasan Kita Menulis, 2020).

⁷ dan Narsen Afatara Nidia Sigi Prameswari, Mohamad Suharto, "Developing for Micro Small Medium Enterprise (MSME) to Cope with Cultural Transformation of Online Shopping," *Jurnal Dinamika Manajemen* 8, no. 2 (2017): 189.

⁸ Feny Wahyuni and Firman Kurniawan Sujono, "Analysis of E-Commerce Communication Strategy in Diffusion of Innovations Process (Case Study in Community SME Belimbing Depok), of The 4th Conference on Communication, Culture and Media Studies, Yogyakarta Proceeding," n.d.

⁹ Rintho Rante Rerung, *E-Commerce, Menciptakan Daya Saing Melalui Teknologi Informasi, E-Commerce, Menciptakan Daya Saing Melalui Teknologi Informasi* (Yogyakarta: DEEPUBLISH, 2018), <https://books.google.co.id/books?id=reFUDwAAQBAJ&pg=PA18&dq=konsep+dasar+e-commerce&hl=id&sa=X&ved=oahUKEwj1k4iAh8XeAhUDEcSKHbhJAIQQ6AEIMjAB#v=onepage&q=konsep dasar e-commerce&f=false>.

¹⁰ Rintho Rante Rerung.

¹¹ Ferdinandus Lidang Witi, *Membangun E-Commerce, Teori Strategi Dan Implementasi* (Banyumas: CV.Amerta Media, 2021).

¹² Nidia Sigi Prameswari, Mohamad Suharto, "Developing for Micro Small Medium Enterprise (MSME) to Cope with Cultural Transformation of Online Shopping."

existing businesses, e-commerce also opens new opportunities for people with specific interests or hobbies and allows the imitation of technology-based products.¹³

Products that utilize e-commerce include many categories, such as clothing, books, accessories, bags, and electronic goods. In addition to opening opportunities for popular products, e-commerce also opens opportunities for a variety of less popular products. This situation is called the Long Tail Effect, a state where products sold through e-commerce are famous products and all less popular products. This effect arises because of the recommendation system. When a prospective buyer evaluates a product and looks for detailed information, the website owner can recommend that visitor.¹⁴

Indonesia is one of the countries also affected by the Covid-19 pandemic. In 2020, Indonesia experienced the slowest growth in the last five years. However, the growth of the e-commerce industry is increasing rapidly. In 2021, according to the report of the 2021 Annual Meeting of Bank Indonesia, Indonesia's e-commerce transactions were projected to touch Rp. 403 trillion. This number grew 51.6% from the previous year, which only amounted to Rp. 266 trillion. Bank Indonesia also projects that by 2022, e-commerce transactions in Indonesia will reach Rp. Five hundred thirty trillion or grow 31.4% (YoY).¹⁵

There are ten e-shops that have the most visitors in Indonesia, including Tokopedia, Shopee, Bukalapak, Lazada, Blibli, Bhinneka, Orami, Ralali, JD.ID, and Zalora.¹⁶ Based on the Q2-2021 report, the e-commerce map in Indonesia places Tokopedia as the e-commerce champion in Indonesia overtaking the other e-commerce. It is noted that Tokopedia has 147 million 790 thousand web visitors per month and beat Shopee, which had ruled e-commerce in 2020.¹⁷

In 2020, Tokopedia launched a special platform called 'Tokopedia Salam'. This platform is the result of collaboration between Tokopedia and the Halal Product Assurance Agency (BPJPH) as the official halal certificate issuing authority from the government and the Indonesian Ulema Council's Food, Medicine, and Cosmetic Assessment Institute (LPPOM MUI) as a Halal Inspection Board (LPH). The purpose of Tokopedia Salam is to meet the needs of the Muslim community in Indonesia, such as food, beverages, fashion, beauty, worship equipment, and various other options.¹⁸

Tokopedia is an Indonesian technology company whose mission is to achieve digital economic equality. Tokopedia is trying to embrace Muslim consumers. However, whether Tokopedia Salam is implementing sharia principles or merely a marketing strategy is needed to be found.

¹³ dkk Adhi Prasetyo, *Konsep Dasar E-Commerce* (Medan: Yayasan Kita Menulis, 2021).

¹⁴ Adhi Prasetyo.

¹⁵ Monavia Ayu Rizaty, "Transaksi E-Commerce Indonesia Diproyeksikan Capai Rp 403 Triliun Pada 2021," 2021, databoks.katadata.co.id.

¹⁶ Adi Wikanto, "E-Commerce Dengan Pengunjung Terbanyak Di Indonesia, Tokopedia Kembali Ke Puncak" *10 e-Commerce Dengan Pengunjung Terbanyak Di Indonesia, Tokopedia Kembali Ke Puncak* Editor: Adi Wikanto | Reporter: Adi Wikanto," *Lifestyle.Kontan.Co.Id*, 2021, <https://lifestyle.kontan.co.id/news/10-e-commerce-dengan-pengunjung-terbanyak-di-indonesia-tokopedia-kembali-ke-puncak#:~:text=Berikut ini 10 marketplace%2F e,Bukalapak%3A 29.460.000.>

¹⁷ CNBC Indonesia, "Tokopedia Juara E-Commerce Di Indonesia," *Cnbcindonesia.Com*, 2021, cnbcindonesia.com.

¹⁸ Tokopedia, "Tokopedia Salam Mudahkan Masyarakat Belanja Produk Halal Dan Ibadah Dari Rumah," *Tokopedia.Com*, 2020, tokopedia.com.

There are several studies related to Tokopedia Salam. Among them: First, the Islamic Economic Review of the Contract in the E-Commerce Study of the Tokopedia Case. The results of this study show that Tokopedia uses *salam* contracts and *ijarah* contracts.¹⁹ Second, Customer Feedback's Influence on Tokopedia Salam's Development of the Sharia Digital Economy. The result is that the development of the Islamic digital economy in Indonesia is developing and customer feedback on Tokopedia Salam on the development of the Islamic digital economy has a positive or significant effect.²⁰ Third, in The E-Marketing Mix Strategy of Tokopedia Salam during the Covid-19 Pandemic, this study shows that e-product, e-price, and e-promotion indirectly significantly affect consumer decisions through e-trust, except for the e-place.²¹

Previous research only discussed the contract used, the influence of customer feedback, and marketing strategies on Tokopedia Salam during the Covid-19 pandemic. Meanwhile, this study focuses on dissecting the Tokopedia Salam platform from various aspects, such as the contract used, available products, and the mechanism for implementing the trade. Thus, the novelty of this research lies in the analysis of sharia economic law on the Tokopedia Salam platform. Tokopedia's claim to be a sharia-based marketplace needs to be proven. To prove it, the author needs to analyze the Tokopedia Salam platform from the perspective of sharia economic law. This analysis is to avoid using sharia labels that are used only for the benefit of marketing strategies.

Method

This study in qualitative – descriptive research scenarios through literature study. The research stage begins with collecting library sources, both primary and secondary. Then the data are classified based on the research formula. Furthermore, data processing and reference citations are carried out to obtain complete information and interpreted to produce knowledge to conclude.²²

The data collection process was carried out through a literature study, namely collecting primary literature sources such as data on the Tokopedia Salam web page and secondary data in the form of DSN-MUI Fatwa, books and journals, and other references. The collected data were analyzed by a descriptive method described and explained naturally, objectively, and as it is (factual).²³ In this study, the author not only collects literature, reads, and records literature or books, but the researcher also pays attention to the use of methods in collecting data, reading, and processing library materials.²⁴

¹⁹ Aprilina Sukmayanti, "Tinjauan Ekonomi Islam Terhadap Akad Pada E-Commerce Study Kasus Tokopedia," *Ar-Ribhu* 3, no. 2 (2020): 107–19, <https://ojs.diniyah.ac.id/index.php/Ar-Ribhu>.

²⁰ Agus Purnomo Gita Indriani, Arie Syantoso, *Pengaruh Customer Feedback Pada Tokopedia Salam Terhadap Pengembangan Ekonomi Digital Syariah (Studi Kasus Di Martapura Dan Banjarbaru)* (Banjarmasin: Universitas Islam Kalimantan Muhammad Arsyad Al-Banjari, 2020).

²¹ Muhammad Mishbakhudin and Muniaty Aisyah, "The E-Marketing Mix Strategy of Tokopedia Salam during the Covid-19 Pandemic," *International Research Journal of Business Studies* 14, no. 3 (2021): 215–27, <https://doi.org/10.21632/irjbs.14.3.215-227>.

²² Wahyudi Darmalaksana, *Metode Penelitian Kualitatif Studi Pustaka Dan Studi Lapangan* (Bandung: Digital Library UIN Sunan Gunung Djati Bandung, 2020).

²³ dan E. Zaenal Arifin Junaiyah H. M., *Lutuhan Wacana* (Jakarta: Grasindo, 2010).

²⁴ Dkk Fitriya Widiyani Roosinda, *Metode Penelitian Kualitatif* (Yogyakarta: ZAHIR PUBLISHING, 2021).

Result and Discussion

Tokopedia Salam

Electronic commerce, commonly called e-commerce, is the result of information technology currently developing rapidly against the exchange of goods, services, and information through electronic systems. The emergence of e-commerce is inseparable from the rapid development of information technology, especially the internet. Trading through such e-commerce can use the internet, television, smartphones, and other computer networks. E-commerce is also part of the e-lifestyle that allows trade transactions to be carried out online from all angles.

There are several operating techniques in the business model in E-Commerce, including Shipping, Wholesale Dropshipping, Private Labeling, and White Labeling. In addition to opening up opportunities for existing business actors, e-commerce also opens up various opportunities for people with specific interests or hobbies and allows the imitation of technology-based products. Products that utilize this e-commerce include many categories, such as clothing, books, accessories, bags, and electronic goods. In addition to opening up opportunities for popular products, e-commerce also opens up opportunities for various less popular products.

In 2019, Tokopedia officially launched an application that provides a variety of daily needs of Muslims, both in terms of products and services. This platform is called 'Tokopedia Salam'. Tokopedia Salam presented based on user research conducted by Tokopedia; the result is that more than 80% of respondents stated that they need to buy halal-certified products. More than 700,000 sellers curate more than 21 million products to make it easier for the Muslim community to meet its needs more fully, quickly, and trusty.

Unlike the regular Tokopedia, Tokopedia Salam has additional feature such as prayer schedules and e-Qur'an. These two features provide convenience for Muslims to perform worship. In addition, Tokopedia Salam also provides charity features, which Muslim consumers can use in distributing zakat, waqf, alms, and other humanitarian donations. Thus, this platform is used to meet worldly and *ukhrawi* needs.

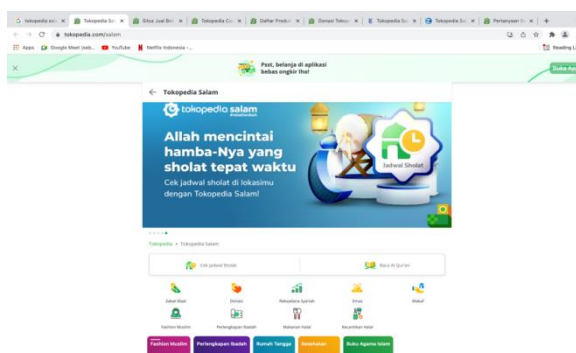


Figure 2. Tokopedia Greetings Home
Source: Tokopedia.com/salam

In this platform, consumers can choose which philanthropy is trusted to channel their charity. For example, through hashtag #HalaldanBaik, Tokopedia Salam provides zakat features, complete with paying and calculating zakat. Donations other than zakat can be directly channelled to various philanthropic institutions that are already available,

including Rumah Zakat, BenihBaik, Human Initiative, Dompot Dhuafa, BAZNAS, NU Care-LAZISNU, LAZ Al-Azhar, WeCare.id, Rumah Yatim, and Kitabisa.com.

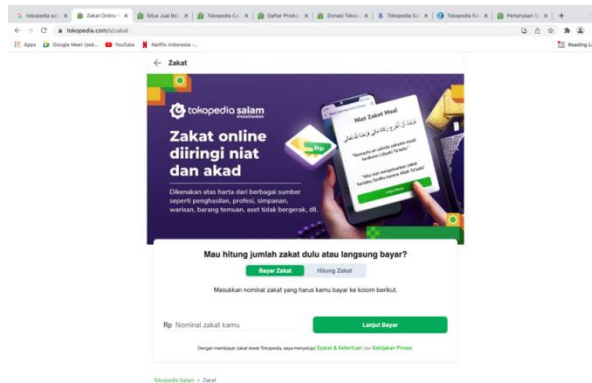


Figure 3. Zakat

Source: [Tokopedia.com/salam](https://tokopedia.com/salam)

Still, in the hashtag #halaldanbaik, Tokopedia Salam also provides *waqf* features for consumers who have completed zakat. This *waqf* is available starting from Rp. 10 thousand rupiahs. In this feature, Tokopedia Salam cooperates with *waqf* management institutions, such as the Indonesian *Waqf* Agency, Dompot Dhuafa, and Rumah Zakat. This feature also explained the ease of action through Tokopedia Salam, the legal basis of *waqf*, and the types of *waqf*. So, before *waqf*, consumers can better understand what *waqf* is and its purpose.

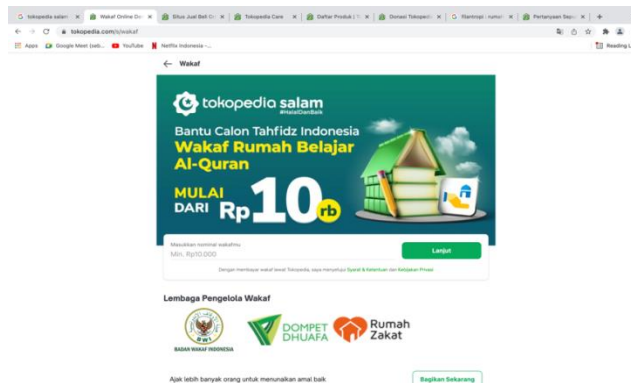


Figure 4. Waqf

Source: [Tokopedia.com/salam](https://tokopedia.com/salam)

Muslim communities can also invest through Tokopedia Salam safely and efficiently. Tokopedia provides investment features and self-proclaim with the tagline "sharia-based trust investment." Investment returns in mutual funds offer up to 5.00% per year, organized by Bareksa under OJK supervision. The disbursement process is instant and without admin fees, and an easy registration process is an advantage of investing in Tokopedia Salam. Customers only need to register mutual funds through a form provided by Tokopedia Salam online.

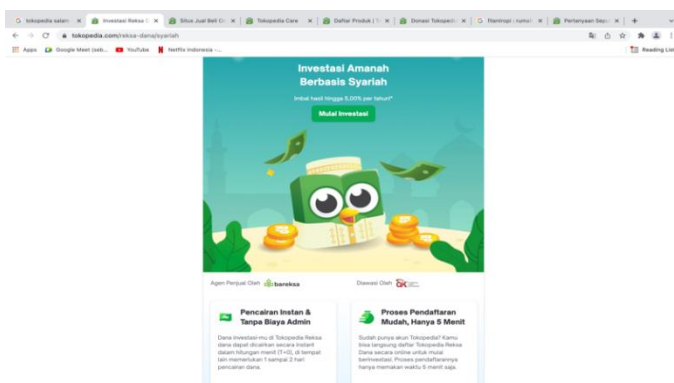


Figure 5. Mutual Funds
Source: Tokopedia.com/salam

Tokopedia consumers can also invest through gold in the available applications. Tokopedia gold in collaboration with Pegadaian, the government-owned pawnshops. This feature has a purchase price and selling price of gold every day. The process of selling and buying gold can be done directly through this feature. There are other services, such as gold gifts and subscriptions. Tokopedia gold carries safe, best investments has many features and is by sharia.

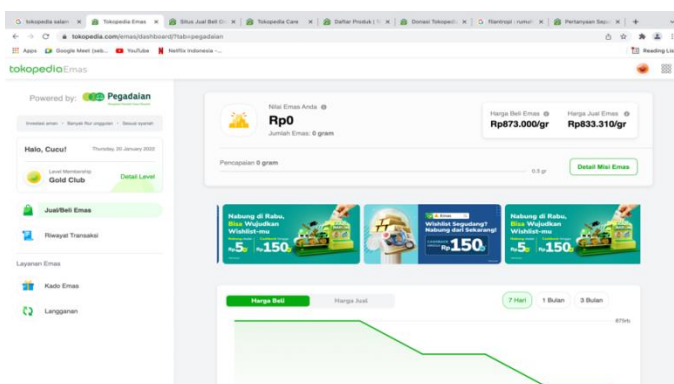


Figure 6. Gold
Source: Tokopedia.com/salam

After various worship features available in Tokopedia Salam, the main features in Tokopedia Salam provide various daily needs of Muslims, such as Muslim fashion, worship equipment, households, health, Islamic religious books, halal beauty, and halal food. There are many options available, of course. Also, various discounts can be obtained at this Tokopedia Salam.

Muslim fashion has always been the most in-demand, especially among millennial Muslims. Muslim fashion today covers the *aurat* and combines it with various contemporary fashions. In Tokopedia Salam, a variety of Muslim clothes from various brands, hijabs, Muslim accessories, to Muslim sports clothes are available, which can also be found in the regular Tokopedia. However, in Tokopedia Salam, in Tokopedia Salam, most of the available Muslim clothing is appropriate to sharia.

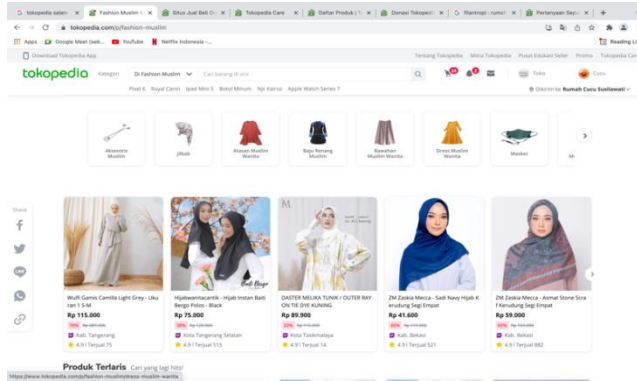


Figure 7. Fashion Muslim
Source: Tokopedia.com/salam

Looking for worship equipment is more appropriate in Tokopedia Salam because all kinds of Muslim worship equipment are available for men, women, and children. There are various options, such as *mukena* (traditional praying robe for women), sarong, prayer mat, *tasbih* (prayer beads), and prayer vests. There is no need to worry anymore mixed with other religions' worship equipment because this feature only provides for Muslim consumers, so they can easily choose and find their needs.

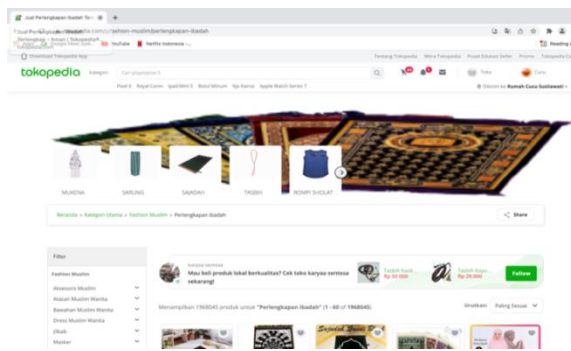


Figure 8. Worship Equipment
Source: Tokopedia.com/salam

Beauty products always attract the attention of women. A Muslims must be careful about the many beauty brands offered in Indonesia. Many cosmetics use harmful ingredients and substances that are prohibited in Islam. This beauty products feature includes facial treatments, facial makeup, unique eye, lip makeup, and makeup cleansers. The brands available in Tokopedia's beauty feature are limited to brands that can be ascertained and do not harm users.

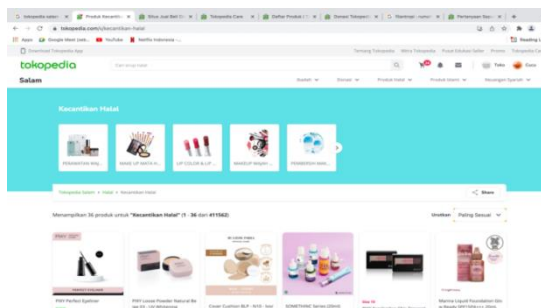


Figure 9. Halal Beauty
Source: Tokopedia.com/salam

The next feature is halal food. Food is always sought after and needed by the Muslim community. Halal food is available in various categories, such as morning spirit containing food for breakfast, then there are protein sources, side dishes, dairy products, and recommendations of other products. Tokopedia Salam only provides food and drinks that are halal-certified which are safe, healthy, and good for the body.

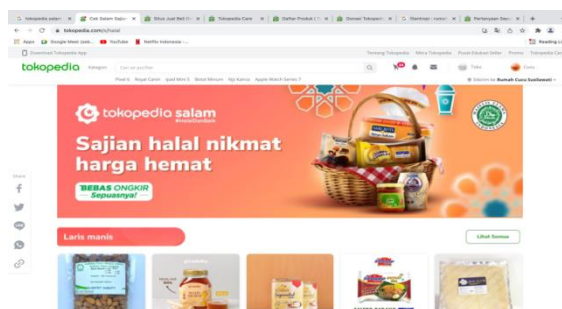


Figure 10. Halal Food
Source: Tokopedia.com/salam

Review of Sharia Economic Law on Tokopedia Salam Platform

Online buying and selling is a transaction by two parties without having to meet in person, to negotiate and buy and sell transactions through electronic communication tools.²⁵ Buying and selling online in Islam is called buying and selling '*salam*'.²⁶ Therefore, the word "*salam*" is embedded in Tokopedia as a differentiator from general Tokopedia. Through Tokopedia Salam, PT. Tokopedia wants to attract Muslim consumers by providing various halal products and other facilities. In this platform, two contracts are used: the *salam* contract, as the name implies, and the *ijarah* contract. An *ijarah* contract is a lease contract. The *ijarah* contract is used in the agreement between PT. Tokopedia and Sellers. PT. Tokopedia is the rental provider, while the seller is the tenant.²⁷

²⁵ Isnawati, *Jual Beli Online Sesuai Syariah* (Jakarta: Rumah Fiqih Publishing, 2018).

²⁶ Ahmad Sarwat, *Fiqh Jual Beli, Journal of Chemical Information and Modeling*, vol. 53 (Jakarta: Rumah Fiqih Publishing, 2018).

²⁷ Apriliana Sukmayanti, "Tinjauan Hukum Ekonomi Islam Terhadap Akad Pada E-Commerce Study Kasus Tokopedia," *Ar-Ribhu* 3, no. 2 (2020): 107–19.

Below will be explained the online buying and selling scheme with a *salam* contract between the seller and the buyer, carried out on the Tokopedia Salam page.

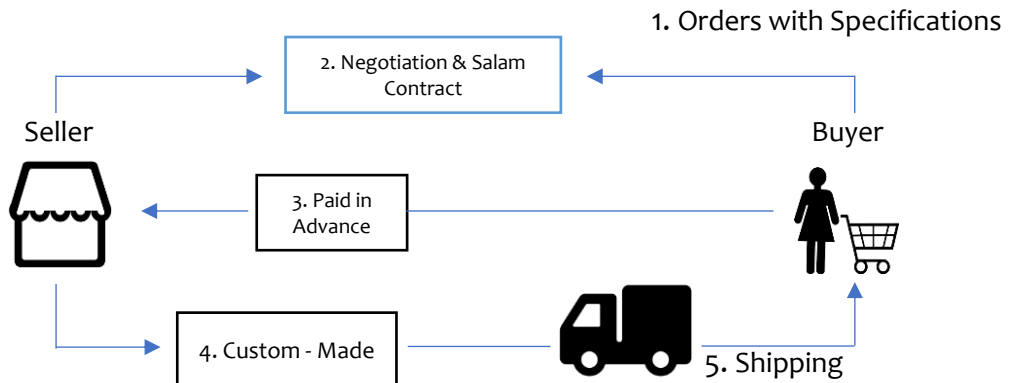


Figure 11. Salam Contract Scheme

Source: Kompasiana.com

Below, the author also describes the *ijarah* contract scheme used between PT. Tokopedia, as the owner of the Tokopedia Salam web page, with sellers who will rent the Tokopedia Salam web page to market their various products to consumers.

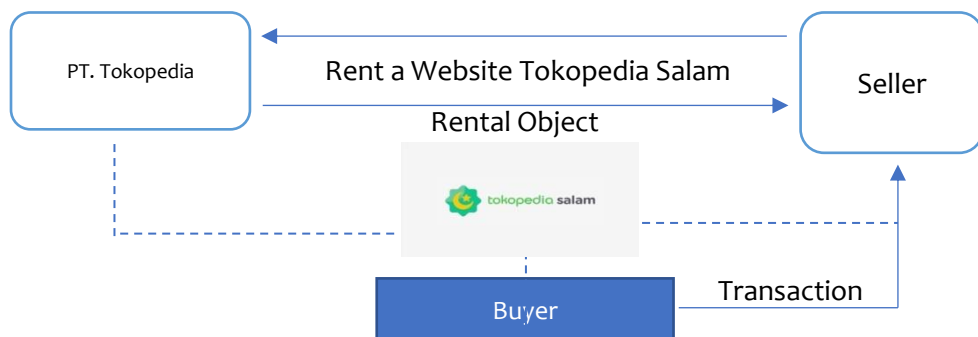


Figure 12. Ijarah Contract Scheme

The contract between the seller and the buyer in Tokopedia Salam uses a *salam* contract. *Salam*, explained by Sheikh Wahbah Az-Zuhaili, is to buy and sell an item strictly on goods mentioned on the contract. Both parties must agree upon the payment and delivery process of the agreed goods during the contract.²⁸ Selling and purchasing like this are not allowed because the goods are not existing during the contract.²⁹ However, the *syara'* allows it by using *as-salam* and *as-salaf* terms. In its implementation, *salam*-based buying and selling can be done online or in-person if the terms and conditions are met and can be done correctly.³⁰

²⁸ Wahbah Az-Zuhaili, *Al-Muamalat Al-Maliyah Al-Mu'ashirah Jilid 1* (Damsyiq: Dar Al-Fikr, 2006).

²⁹ M. Ali Hasan, *Berbagai Macam Transaksi Dalam Islam* (Jakarta: PT. Raja Grafindo Persada, 2004).

³⁰ Nurmalia, *Jual Beli (Pesanan) Secara Online Di Kalangan Mahasiswa UIN-SU Medan* (Medan: UIN Sumatera Utara, 2018).

Fatwa of National Sharia Board – Indonesia Council of Ulama (DSN-MUI) number 05/DSN/MUI/IV/2000³¹ explained that the *salam* sale and purchase process, including online trading, often involves third parties. Online payments are made first through third parties, such as banks or other financial institutions. However, the third party in *salam* implementation should be Islamic financial institutions.

The word "*salam*" is attached to the platform "tokopedia," than buying and selling online on tokopedia *salam* using the *al-bai'u salam* agreement. However, Tokopedia Salam has not fully used the means of payment through Islamic financial institutions. Like the regular tokopedia, among the banks used to assist payments, there are only two Islamic financial institutions found, namely Bank Syariah Indonesia and Bank Muamalat.

In the Fatwa, payment methods follow the *salam* agreement provisions, namely well-known methods, a specific amount and form (e.g., money, cheques), payment is made at the time of the agreement, and payment is not allowed in the form of debt relief.

About the provisions of goods, the fatwa of DSN MUI on the sale and purchase of *salam* explained that: 1) must be evident characteristics; 2) the specifications can be explained; 3) Submission is made later; 4) The time and place of delivery of goods shall be determined by agreement; 5) The buyer may not sell the goods before receiving them; and 6) shall not exchange goods, except with similar goods under the agreement.

Tokopedia claims that establishing the Tokopedia Salam platform is a unique service for the Muslim community to make it easier to find daily needs. Some of the above mentioned provisions can be found in Tokopedia Salam's goods stipulation, but some do not. One of them is halal certification. Muslims are required to consume and use halal products because many products that have not been certified halal appear on the Tokopedia Salam page.

Products that have halal certification are still limited. However, as a consequence of naming Tokopedia Salam, by the provisions of the ordered goods in the Fatwa DSN - MUI, point 2, products that are available but have not been certified halal should be explained in a more detailed manner, that the product is safe and worth consuming or using by Muslim consumers. However, the products in Tokopedia Salam are already clean from non-halal products. The separation between halal and non-halal products will be easier on foods or beverages. However, separating non-consumable products will be more difficult due to a lack of understanding of non-halal ingredients in non-food products.

Related to the cancellation of the order, based on the fatwa DSN-MUI, the *salam* agreement can be cancelled as long as it does not harm both parties. Likewise, the cancellation of orders on Tokopedia Salam transactions can still be made as long as the seller has not sent the ordered goods. If it turns out that the buyer ordered the wrong item, but the seller has already sent it, then the buyer can still exchange the goods, if they are still similar goods by the agreement of both parties.

Online sales and purchases involve many parties, not just sellers and buyers. In terms of payments, there are financial institutions as third parties. Meanwhile, the delivery process includes an expedition company as the third party. The agreement used between the buyer and the expedition party is the *ijarah* contract (akad) based on the DSN-MUI

³¹ DSN-MUI, "Fatwa Dewan Syari'ah Nasional No: 05/DSN-MUI/IV/2000 Tentang Jual Beli Salam," *Himpunan Fatwa DSN MUI*, 2000, 1–4.

Fatwa Number 112/DSN-MUI/IX/2017. The fatwa is explained that meeting the community's needs in obtaining the services of other parties in doing specific work can be done through the *ijarah* agreement with payment of wages/ *ujrah*/fee.

The pillars of *ijarah* consists of *shighat*, the agreement in the delivery of goods, the parties, namely: the buyer and the expedition company, and the object of the contract, namely courier service and shipping costs. Provisions related to the work carried out by *Ajir* (the service provider/expedition) namely: 1) the work done by *ajir* is a work that is allowed according to sharia and applicable laws and regulations; 2) The work carried out by *ajir* must be known the type, specification, size, and period of work; 3) The work done by *Ajir* must follow the objectives of the contract.

Based on point 1, the job that will be charged to the expedition is shipping goods purchased on the Tokopedia Salam page. Moreover, this is allowed according to *syara'* as the sale is allowed. At point 2, the work carried out by the expedition must be known. Undoubtedly, the delivery service will be informed in terms of the type, time, quality, and quantity of the goods, which made this appropriate to the second provision. At point 3, the work done by the expedition by the purpose of the contract is to send goods from the seller to the buyer's place.

Provisions regarding *ujrah*/fee are also based on the fatwa of DSN MUI on *Akad Ijarah*³², including 1) *ujrah* can be money, benefits of goods, services, or goods that can be utilized that appropriate to sharia, applicable laws and regulations; 2) The quantity and quality of the agreement must be precise, whether in the form of nominal numbers, specific percentages, or formulas agreed and known by the parties who perform the agreement; 3) *ujrah* may be paid in cash, instalments, and strong under the agreement appropriate to sharia and applicable laws and regulations; and 4) the agreement may be reviewed for benefits that *musta'jir* has not received as agreed.

Based on the above provisions, at point 1, *ujrah*/fee is given by the buyer to the expedition in the form of money. Then at point 2, fees are determined in the form of nominal numbers during the agreement process. At point 3, fees are paid in cash during the purchase. There is also the cash in delivery (COD) metod, where the buyer pays when the goods arrive. Meanwhile, at point 4, the fee can be adjusted based on delivery time and quality, according to the parties' agreement.

There is no difference in the transaction process between Tokopedia Salam and general Tokopedia. These applications are not entirely separated. It is difficult to say that Tokopedia Salam is sharia e-commerce because the system still follows Tokopedia. Contracts used in Tokopedia, such as ordering, paying, and courier services, could be the same as *salam* and *ijarah akad*/contracts. However, sharia e-commerce should use both contracts, which explains that the contract are the differentiator between conventional and sharia e-commerce. This condition discourages the Muslim community from using the platform.

The fundamental difference between Tokopedia and Tokopedia Salam is its features. As described above, Tokopedia Salam has prayer times and e-Qur'an features. There are also philanthropic features such as zakat, waqf, and other donations. However, zakat payments and other donations still involve conventional financial institutions. There

³² DSN-MUI.

are also investment features in the form of mutual funds and gold. Even though the Tokopedia Salam cooperates with some Islamic financial institutions, at the same time, it also collaborates with conventional banks and pawnshops. This condition shows that Tokopedia salam does not fully support the halal industry in Indonesia and cannot be categorized as Sharia e-Commerce.

Conclusion

From the description above, it can be concluded that Tokopedia Salam is established as one of the marketing strategies applied by the owner to attract Muslim consumers. Positively, Tokopedia Salam eases consumers by providing worship features such as prayer reminders, Qur'an reading applications, zakat, waqf, almsgiving, and other donations. However, it still has a minor role in Halal industry development in Indonesia. To be declared an authentic halal and sharia e-commerce, Tokopedia Salam should further its cooperation with Islamic financial institutions. In addition, they have to guarantee that every merchandise sold on the platform is halal-certified or has detailed information regarding its ingredients and safety use for Muslims to erase doubt between them; and assure that they use the sharia appropriate akad (contract) in every transaction.

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