



## FACEBOOK MARKETPLACE AS AN ALTERNATIVE TO ADVANCE THE ECONOMY OF THE UMAM: PERSPECTIVE OF ISLAMIC ECONOMIC LAW

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### Abstract

*Transaction sell purchase is done using the Facebook marketplace platform is very structured big in use technology information as well as the internet at the moment this. Development method marketing product mature this is not it regardless from pattern sell buy and transaction online make law Islam take very important role in respond in perspective law economy Islam. On the basis Islam allow all form transaction muamalah is what is done, as long as Not yet There is the text forbids it transaction that. Facebook Marketplace give solution in promote product seller to get it reachable by buyers with fast and flexible and legal Islam give limitations to transaction the with exists terms and conditions sell buy in Islam, as long as transaction That fulfil provision terms and conditions so transaction the allowed in Islamic and also legal*

**Keywords:** Facebook marketplace, selling buy it, law Islam

### Abstrak

Penelitian ini bertujuan melihat bagaimana pengaruh transaksi jual beli yang dilakukan melalui *platform marketplace facebook* apakah dapat memberikan pengaruh terhadap kemajuan ekonomi umat, karena dewasa ini penggunaan teknologi informasi serta internet sangat berpengaruh dalam berbagai lini kehidupan. Penelitian menggunakan metode kualitatif dengan menggunakan *Google Scolar* dan *Sinta* untuk mencari jurnal serta website yang memberikan informasi yang berkaitan dengan masalah yang dibahas. Hasil analisa ini menunjukkan bahwa bentuk transaksi dengan menggunakan *marketplace facebook* ini dapat memberikan kemudahan dan efisien karena penjualan secara digital tidak terbatas oleh jarak dan waktu serta bisa mencapai secara global. Dilihat dari total pengguna *facebook* di Indonesia menjadi peluang yang sangat besar dan strategis bagi umat dalam memajukan ekonomi, dengan cara memanfaatkan *marketplace facebook* sebagai tempat untuk memasarkan produk dan bertransaksi jual beli dan selama transaksi jual beli yang dilakukan sesuai dengan syarat dan rukunnya serta dilakukan secara *online* menggunakan *matketplace facebook* maka transaksi jual beli itu akan sah dan sesuai dengan ketentuan hukum Islam.

**Kata Kunci:** hukum islam, jual beli, *marketplace facebook*



## Introduction

The recent progress in the development of digital technology cannot be denied, this also does not escape the development of social media which has also become a scourge of millennial life. An intelligent society is a society that must be able to see the opportunities and opportunities that exist with the aim of participating in changes and developments towards digitalization. Advances in technological development provide flexibility for people in carrying out their daily lives and activities. With this rapid development, it can provide respite to society in the fields of technology and communications. Marketing communication is something that has dominated recently, because marketing communication has become the most important thing in activities. This is because marketing communication is related to fulfilling and serving human needs (Amelia, 2023).

The rapid development of communication technology has made it easier for the public to exchange news (Lestari, 2021);(Amri et al., 2021). In conditions like this, there is increasingly no separation between people, because wherever someone is, they can communicate easily using communication technology media. As an example, when people travel, people still communicate with other people, in the business sector they can still provide the best service even though they are outside the workplace. Currently, the majority of business people are changing their sales trends from traditional systems to the era of digitalization (Barokah et al., 2021). Digital strategies in product marketing are considered more effective nowadays because they will be able to reach target markets globally, because they are not limited by the dimensions of time and distance. Where prospective buyers can easily get information about products and make payments digitally using the internet because the internet can make it easy for people to open and use social media(Tasliman & Suryawibawa, 2019). E-commerce transactions are a modern part of buying and selling that makes it easier for sellers to connect remotely with buyers (Arianti, Yunarti, et al., 2022).

Today's social networks have given rise to tendencies among Indonesians that almost everyone cannot escape from, in fact social networks are a new lifestyle that cannot be separated from human life. Wearesocial publishes data on total social network users in the archipelago in early 2023 showing that there are 167 million users with a percentage of 60.4% of the total population in the country. Therefore, business actors are more interested in marketing their products online. Business people take the opportunity of social networks such as Facebook, Instagram, TikTok and other social networks to promote their merchandise. This social media plays



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a very important role in increasing sales and one of the most popular social media with the most account holders is Facebook (Prasetyo & Rahman, 2023).

The progress of information technology is increasingly rapid so that humans are faced with the choice of whether they want to keep up with the times or not. For those who do not want to keep up with the times, it is certain that they will be out of date and will be behind in technology and this will also have an impact on all aspects of life including in buying and selling which is increasingly using technological developments (Bathni et al., 2022). Data shows that online buying and selling has increased quite high up to 90% so that in the future online buying and selling will always increase rapidly, this indicates that buying and selling done online has a very strong influence (Ardiansari, 2022);(Luth'v et al., 2022). In addition, since the corona virus broke out in early 2020, many business actors have experienced bankruptcy and this fact needs to be addressed wisely and requires business actors to look for alternatives to find ways to market their products and services. One effort is to use a digital strategy by opening a digital shop in the marketplace(Wahyudi et al., 2022).

This situation shows that online sales transactions are very popular among various groups of society and this cannot be avoided anymore with the current state of information technology which is developing rapidly.. Facebook is a social media that is widely used as a medium for communication. Facebook was first launched in 2006 by Mark Zuckerberg, globally the use of Facebook is only for communicating between friends, entertainment media, and increasing knowledge. (Arizal, Rika Apriany Sukmana, Yusrina Ulfah, Syahrial Shaddiq & Zainul, 2021). Facebook, which was originally just a communication medium, has now developed into an online business media, where the Facebook application adds a marketplace function, a place that is used for product promotion so that it can reach consumers widely (Lestari, 2021).

With this marketplace feature on Facebook, it can make it easier for users as a platform to sell their products. Many business people believe that using strategic internet marketing in marketing their products can provide greater convenience and efficiency, and can increase sales volume. When customers visit a marketplace, they can compare brands, quality, and see the benefits and uses of the product and other things that can attract potential buyers' interest in the product (Amelia, 2023).

The advantage of internet marketing is that it creates word of mouth or free publications and advertising in conveying marketing messages that spread by word of mouth. (Gerung, 2021). There is something called the



Facebook marketplace, which is a place provided by Facebook to sell various types of products and services. With this feature, it can make it easier for Facebook users to sell. The marketplace feature can be used as a means of promoting merchandise to other Facebook users. Indirectly, this method can attract consumers and also increase turnover. The sales level is the output of marketing activities (Prasetyo & Rahman, 2023). In measuring the parameters of increasing sales turnover, it can be seen in two ways, including the quantity of sales and the quality of goods sold (Gusrizaldi & Komalasari, 2016). The sales system on the Facebook marketplace can also be seen from the perspective of Islamic economic provisions.

In the view of Islamic law, buying and selling activities must be based on Islamic provisions and law and seek mutual benefit. That the advancement of digital technology provides great opportunities for producers to market their products through digital technology media, one of the media used is the Facebook marketplace. Therefore, this phenomenon makes the author interested in writing further in full with the title *facebook marketplace as an alternative to advance the economy of the umam: perspective of islamic economic law*.

### **Literature Review**

A marketplace is a place for buying and selling transactions where producers and consumers meet virtually on an online platform. The marketplace site becomes a third party in online transactions by providing a place to sell and payment facilities and this marketplace is also often called an online shop (Adam Luthfi, 2020).

Meanwhile, Facebook is an online entertainment that is involved by its users to trade data for different purposes. Seeing the large number of Facebook users in Indonesia, Facebook presents computerized display highlights, especially the presence of marketplaces. The Facebook Marketplace is an improvement on the Facebook group which was created because of the many buying and selling activities in it (Simatupang et al., 2021). This Facebook marketplace feature is a form of an online market that accommodates various buying and selling activities of its users, and when opened, users will be presented with images of the merchandise being marketed by the sellers. The marketplace provided by Facebook has a market reach that can be widely applied to economic activities, such as for business and commerce (Simatupang et al., 2021).

Islam not only regulates issues of faith and worship, but in social issues and muamalah, Islam is no less important in discussing them.



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Contemporary issues are also in the spotlight of Islam in its studies. The development of information technology is bringing the traditional buying and selling system towards digitalization, which is often heard with the name online buying and selling. Islamic economic regulations are regulations that regulate human relations with individuals as arrangements and agreements, relating to goods or financial goods and relating to halal arrangements for objects which are economic goods (Hamid, 2008);(Amri & Gultom, 2022). Islamic economic law is a provision that is based on texts, namely the Koran and the hadith of the Prophet Muhammad in relation to humans to maintain the continuity of life in how humans carry out economic activities. Something that is not regulated clearly and clearly in the text is given an opportunity called *ijtimak* of the ulama in determining a law, as well as in relation to buying and selling carried out online, so the text only determines how buying and selling activities are carried out, but the law is implemented in online transactions. determined by the consensus of the ulama.

### **Methods**

This discussion uses qualitative research methods, as Sugiyono said, qualitative research methods are research methods that are based on reasoning which are used to research logical situations where the researcher is the instrument, while data collection procedures are analyzed by emphasizing meaning. (Sugiyono, 2018). The purpose of this research is to analyze and describe the data and information that the author obtained from the data found and by describing it using words so that it can become a conclusion. The data used in this research is secondary data obtained from 21 scientific journal articles about online buying and selling and e-commerce, as well as websites related to this issue. Meanwhile, other data sourced from the Databoks website in 2023 released that 10% of active Facebook users in Indonesia are Facebook marketplace users. The researcher used Google Scolar and Sinta to search for journals and websites that provide information related to the problem being discussed.

### **Results and Discussion**

#### ***Marketplace Facebook***

A marketplace is a virtual meeting place between traders and consumers where they can carry out commercial transactions on a digital buying and selling platform (Riyanto, 2020). Meanwhile in Indonesia the rules governing marketplaces are contained in article 1 paragraph (4) Minister of Finance Regulation No. 210/PMK.010/2018 which explains that the marketplace is an electronic or digital interaction tool and is used for



agreements with the aim of carrying out digital trade transactions (Peraturan Menteri Keuangan, 2018).

Basically, this marketplace has the same function as traditional markets, where sellers and buyers meet, while the only difference is the place and method of carrying out buying and selling transactions. Where marketplaces carry out transactions through digital systems that use information technology devices and are carried out online without having to meet face to face, while traditional markets between sellers and sellers meet directly face to face at the place where buying and selling transactions are carried out. (Yohannes Kurniawan, 2020). There are advantages online compared to carrying out cash transactions, including convenience, accessibility and flexibility, and all information on buying and selling transactions can be recorded and updated in real time between the seller and the buyer (Yohannes Kurniawan, 2020).

Marketplace progress can significantly stimulate consumer consumption, demand and transactions for goods sold online (Sumual & Muhammad, 2022). Nowadays, competition between marketplaces is getting tighter in developing platforms so that distributors and consumers can carry out transactions happily and calmly. Advances in information technology are not limited to the time dimension so that any information that consumers need is more easily obtained by internet media and for producers it is easier to promote their products in order to try out their goods so that they can be sought after by consumers. (Yohannes Kurniawan, 2020).

Meanwhile, the Facebook platform also provides a marketplace feature for users of the Facebook social network. Facebook, which was originally founded in February 2004 by Mark Zuckerberg, is headquartered in California, United States and continues to develop Facebook features to become more perfect. Marketplace on Facebook includes settings for seller accounts, where there is a menu that can be used to sell merchandise that will be sold according to its classification. (Riyanto, 2020).

In Indonesia alone, active Facebook users in August 2023 were 205.4 million people, compared to the previous year in the same period, there was an increase in the number of users by 5.23%, with the proportion of users being 51.7% male and 48.3% % female users (Mustajab, 2023). Meanwhile, looking at the ages of Facebook users themselves, they are as follows:





**Table1**  
**Facebook Users by Age Group August 2023**

No	User	Aged Group
1	39,1%	18 to 24 year
2	28,7%	25 to 34 year
3	12,3%	35 to 44 year
4	12,2%	13 to 17 year
5	4,9%	45 to 54 year
6	2,8%	54 year to up

Source : <https://dataindonesia.id/> (2023)

Meanwhile, based on a press release from the Ministry of Communication and Information on February 27 2019, it shows that the growth in the value of electronic trade in Indonesia reached 78% and is the highest in the world. (Kemenkominfo, 2019). Meanwhile, data released by Databoks on July 28 2023 shows that the use of the Facebook marketplace is the third most used e-commerce after TikTok Shop and WhatsApp, where 10% of Facebook users actively use the Facebook marketplace as a place to sell (Ahdiat, 2023).

From the information above, it can be seen and compared with the total number of active Facebook users in Indonesia above, which is 205.4 million people, meaning there are 20.5 million people who use Facebook as a place to carry out buying and selling transactions.

The use of Facebook as a place to offer merchandise is not without its advantages and disadvantages. The advantages are (1) it is simple, where everyone can access it without requiring special skills and can be used using all technological devices connected to an internet connection; (2) there is no space separating sellers and buyers, meaning that by using Facebook users are not limited by distance and time; (3) reach globally and widely; (4) cost effective; (5) can increase sales; and (6) if many consumers visit the buying and selling site and provide positive testimonials, then other people can also be influenced to visit it (Syaharullah et al., 2021), (7) competitive price; and (8) the goods offered are varied.(Fitria, 2017) Meanwhile, the disadvantages are (1) the product being sold cannot be felt roughly by the buyer; and (2) product originality cannot be guaranteed (Syaharullah et al., 2021), (3) there is a risk of fraud therein; and (4) shipping costs are relatively expensive (Fitria, 2017). Apart from that, online buying and selling is added, where sellers and buyers must have the same good perception of goods and prices (Arianti, Asmadia, et al., 2022).



Apart from that, transactions carried out on the FB marketplace are also carried out non-cash, this makes transactions easier, because currently people are increasingly accustomed to the use of non-cash transactions which are often called a cashless society. Where cashless society payments no longer use cash or physical cash, but are made via electronic media (Gultom & Safitry, 2021).

### **Buying and Selling in Islamic Law**

Sayyid Sabiq defines buying and selling as exchanging goods for goods and between them mutually agreeing and transferring ownership rights in a justifiable manner. Meanwhile, Hasbi ash-Shiddieqy interprets buying and selling as a clear commitment in transferring ownership of an object to an object, so there is a permanent transfer of ownership. (Sabiq, 1983). In contrast to what Nasrun Haroen said, the meaning of buying and selling in Fiqh studies is known as al-bai' which means selling, changing and exchanging something for something else. With that, the word al-bai' can mean selling, but also means buying (Wati Susiawati, 2017).

So, from the definition above, it can be interpreted that buying and selling is an exchange of marriage or the transfer of ownership rights by means of a transfer in accordance with the provisions justified by sharak or exchanging property for property by relinquishing ownership rights from one person to another and there is sincerity between the two.

Islamic Sharia motivates us to trade as a way to make ends meet and a way to gain wealth. Buying and selling is prescribed in Islam as stated in the Word of Allah SWT in Surah al-Baqorah verse 275 which states that Allah permits buying and selling and prohibits usury. Apart from that, Allah reiterates it in Surah An-Nisa verse 29 which reads:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ

From the explanation of the verse above, it is clear that buying and selling is permitted in matters of muamalat between humans and prohibits usury because it can lead to wrongful actions in consuming other people's wealth because the principle of buying and selling is the principle of helping each other.

For the sake of the validity of the buying and selling transaction, it must not be separated from the harmony and conditions of the buying and selling itself. The conditions and pillars of buying and selling include: First, consent and qibul (ijab is a word that comes from the buyer, while qobul is an expression of agreement that comes from the buyer. In this transaction





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there must be agreement between the seller and the buyer regarding the price and type of goods. Second, there is a party making a contract, meaning that the party making the contract must be clear about the party buying and the party selling, provided they have reason and are able to differentiate and choose the goods being traded. Fourth, there are witnesses to the transaction (Iska, 2010).

As for goods that are objects in trade, they have the following conditions: the goods are clean, can be used, the ownership is clear and belong to the person with whom the contract is made, capable of handing over, the goods are found to be real, and the goods which have been pledged are with the seller. (Sabiq, 1983). In Islamic law, the initial law of muamalah is that it is permissible, as long as there is no text that prohibits it. Meanwhile, in the concept of jurisprudence, especially the issue of buying and selling, this activity is permitted as long as it meets the pillars and conditions of the sale and purchase (Iska, 2010).

Apart from that, based on the DSN-MUI Fatwa Number 146/DSN-MUI/XII/2021 concerning online shops based on Sharia principles, where the DSN fatwa explains that: there is a contract in the transaction carried out, the goods or services transacted must be justified by the Shari'a and regulations in force, payment can be made in accordance with Sharia provisions and applicable rules both in cash and non-cash, the goods sold can be delivered by the seller directly or via an expedition courier, in the case that the seller uses an expedition service then the contract is made between the expedition service provider and the seller or buyers, if the goods sold do not match the description, they may be returned or exchanged, and if damage to the goods occurs due to shipping via expedition, the expedicia provider must replace them (DSN-MUI, 2021), and the transaction when the goods are sold is for damaged goods. borne by the seller(Arianti et al., 2023). In line with this, MUI through DSN Fatwa Number 146/DSN-MUI/XII/2021 explains in detail about marketplaces, starting from general marketplace provisions, legal provisions, legal subjects, marketplace characteristics and other provisions regarding marketplaces.

Judging from the advances in information technology today, it cannot be denied that buying and selling activities can be done online through marketplaces that have been provided by various digital platforms today. In this case, the author is more likely to see opportunities for buying and selling transaction activities carried out by sellers and buyers on the Facebook marketplace platform, as in the data that the author revealed above, that users of the Facebook social network in Indonesia reach 73.69% of the total



population of Indonesia today. This is a great opportunity for the people to improve the economy because the opportunities provided by this technology make it easier to market products globally.

Apart from that, the implementation of digital transactions is also justified in the provisions of Islamic law as long as the product being transacted meets the terms and conditions of buying and selling. The process of buying and selling transactions carried out traditionally and digitally has the same conditions and pillars that must be fulfilled in buying and selling transactions, but the difference is that it is only a market for marketing the goods being bought and sold.

As for the provisions of Islamic law, there are several forms of buying and selling which are legal but are prohibited in the provisions of the Shari'a, including buying and selling such as (Panggabean & Tanjung, 2022):

1. Khiyar, namely giving goods that are being offered by other people;
2. Buying goods from a trader who will bring his merchandise to the market, meaning that the prospective buyer stops the seller in the middle of the road before he reaches the market;
3. Monopolizing the market, where traders pile up their merchandise so they can sell at high prices;
4. There is no honesty from the trader regarding the problem, size, quality, originality of an item;
5. Setting market prices too high.

Judging from the explanation of the 5 provisions above and if it is related to buying and selling carried out on the FB marketplace, then the buying and selling will remain legal as long as the prohibited things are not carried out so that the prospective buyer really knows the merchandise clearly and there are no elements fraud committed by the seller. In the Islamic economic system and the basic principle of mu'amalah is permissible as long as it does not contain elements of usury, maysir and gharar (Arianti, Putri, et al., 2022). Apart from that, in the hadith narrated by Ibn Majah which reads:

المُسْلِمُ أَخُو الْمُسْلِمِ لَا يَحِلُّ لِمُسْلِمٍ بَاعَ مِنْ أَخِيهِ بَيْعًا فِيهِ عَيْبٌ إِلَّا بَيَّنَّهُ لَهُ

This hadith explains that a Muslim is a brother to another Muslim, where it is haram for a Muslim to sell his merchandise which has defects in the merchandise to other Muslims, unless the trader explains the record of his merchandise. (Achmad Zurohman & Eka Rahayu, 2019).

On the FB marketplace, all merchandise products will be displayed by the seller in visual form and the seller will describe the product he is selling in detail and if the buyer does not understand the description of the



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merchandise, the buyer can ask the seller about the merchandise until the buyer really understands the product. Sure and clear about what he will buy, so that buyers can know the shape, type and quality of the product. In this case, it is clear that the pillars of the objects being bought and sold can be fulfilled in this buying and selling transaction, apart from that, the existence of the transitioning party is also fulfilled even though the sellers do not physically meet in person, but they meet virtually. In carrying out buying and selling transactions there will also be fulfilled the pillars of consent and qobul where indirectly the buyer when marketing his merchandise has agreed to sell his product and the buyer when purchasing the merchandise has agreed to buy it.

Sometimes in transactions carried out through this kind of marketplace, what some people doubt is the issue of consent and qobul in buying and selling. However, in the formulation of the qobul agreement in a transaction, it can be done verbally, in writing, or by signs for those who have limited ability to speak. The Qur'an and hadith do not explicitly mention the obligation to use words when carrying out a qobul ijab. (Panggabean & Tanjung, 2022).

From this explanation, it can be understood that the qobul agreement in buying and selling transactions carried out in the FB marketplace can be carried out in accordance with the customs that occur in transactions, where the buyer has the intention and desire to buy and the seller sincerely sells his merchandise without having to directly pronounce the sales contract. buy. Apart from that, the influence of service quality in buying and selling transactions can also influence the buyer's decision to buy a product and the trademark image also plays an important role in attracting buyers, this is directly proportional to the quality of service provided by the goods provider or seller. (Oktaviani & Sunarmo, 2023). In addition, Islamic economic principles do not escape the principles of justice in improving welfare, therefore democracy is upheld in creating justice (Guritno et al., 2023).

### **Conclusion**

From the discussion above, it can be concluded: that the Facebook Marketplace is a market where sellers and buyers meet virtually where they can carry out buying and selling transactions on a digital buying and selling platform, namely Facebook social media. This form of transaction using the Facebook marketplace can provide convenience and efficiency because digital sales are not limited by distance and time and can reach globally. Buying and selling business is carried out using any media as long as the



activity meets the requirements and pillars of buying and selling according to Islamic economic law, then the buying and selling business is legal. Judging from the number of Facebook media users and the convenience provided in buying and selling transactions using the digital buying and selling platform with Facebook media, this economic activity is able to improve the people's economy because using the Facebook online marketplace media can provide benefits, including being simple, having no separating space between sellers and buyers, reaching globally and widely, cost-effectively, can increase sales, and prices are competitive, and the goods offered are diverse.

Meanwhile, there are still limitations to this research which can be used as attention for future researchers related to the same problem. The limitation that the author encountered was that the research object that the author conducted only focused on the social media Facebook, which is only one of the other social media that has buying and selling activities. Apart from that, other limitations are limited time, money and energy, which makes this research less than optimal.

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