

## Online Sales and Purchase Dispute Resolution According to the Perspective of Islamic Economic Law in Talun Village, Ibum District, Bandung Regency

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### ABSTRACT

The development of digital technology has changed the paradigm of economic transactions, including in buying and selling activities. One of the rapidly developing innovations is online buying and selling, which offers convenience and efficiency, but also raises a number of legal problems. This study aims to analyze the resolution of online buying and selling disputes from the perspective of Sharia Economic Law in Talun Village, Ibum District, Bandung Regency, and to identify the factors that influence it. This study uses a qualitative approach with a field study method. Data collection techniques are carried out through participatory observation, semi-structured interviews with online buyers and sellers, and documentation studies. Data analysis is carried out through the stages of data reduction, categorization, and drawing conclusions with triangulation techniques as a test of data validity. The results of the study show that the resolution of online buying and selling disputes from the perspective of Sharia Economic Law prioritizes the principles of deliberation (as-shulh), justice, and blessings of property. In practice, peaceful resolution is preferred over litigation. Factors that influence the effectiveness of dispute resolution include business actors' understanding of sharia law, clarity of contracts, and ethical awareness in transactions. This study concludes that online buying and selling can be carried out according to sharia principles if the conditions and pillars are met and free from gharar and maisyir elements

## **INTRODUCTION**

The development of information and communication technology has brought significant changes to the world of trade. Society is now facilitated by the existence of an online buying and selling system that can be done anytime and anywhere. This phenomenon not only reflects technological advances, but also demands adjustments in the legal system, including in the context of sharia economic law. The digitalization of sharia economics can penetrate various aspects of the economy, both microeconomics and macroeconomics.

Online buying and selling offers easy access, time efficiency, and flexibility. However, on the other hand, this transaction raises the potential for quite large disputes. Disputes can occur due to non-conformity of goods, late delivery, fraud, or failure to fulfill the contract as agreed. In Islam, a contract is a fundamental element in the validity of a transaction. Therefore, any form of deviation from the contract agreement can trigger a dispute that requires resolution according to sharia principles.

The development of online buying and selling requires adjustments in the legal system, including in the context of sharia economic law. This is important to ensure that every transaction is in accordance with sharia principles, so that it not only provides economic benefits, but also blessings for business actors and consumers.

Talun Village, Ibum District, Bandung Regency was chosen as the research location because it has rapidly growing online buying and selling activities among its people. Superior products such as Moring, which is made from starch and produced by local residents, show significant digital economic potential in this village.

This study aims to examine how online buying and selling disputes are resolved from the perspective of sharia economic law, as well as to reveal the ethical principles used by the community in responding to and resolving these disputes. By understanding these dynamics, it is expected to contribute to the development of online trading regulations and practices that are in accordance with sharia values. STIAY Appimakassar Journal.

## **LITERATURE REVIEW**

In Islam, buying and selling is included in the category of muamalah which is basically permitted (*mubah*), as long as it meets the stipulated conditions and pillars. Online buying and selling transactions, as a form of modern muamalah, must meet sharia principles in order to be valid under Islamic law. According to research by Disa Nusia Nisrina, online buying and selling is permitted as long as it does not contain elements of *gharar* (uncertainty), *maisir* (gambling), and *riba* (interest). This shows that digital transactions must be carried out with transparency and honesty to avoid practices that are detrimental to one party.

Contracts are a fundamental element in buying and selling transactions according to Islamic law. In the context of online buying and selling, contracts are carried out through electronic media, such as applications or websites. Research by Ahmad Faruk and Moh Mahmud emphasizes that contracts in online buying and selling must meet valid requirements, such as the existence of

ijab and qabul, clarity of the object of the transaction, and price agreement. Thus, even though it is carried out virtually, transactions must still meet the principles of contracts stipulated in sharia.

Disputes in online buying and selling can arise due to non-conformity of goods, late delivery, or fraud. In Islamic law, dispute resolution is prioritized through deliberation and mediation before taking formal legal action. Research by Ghina Raudatul Jannah and Khairiadi Syukri shows that Islamic religious education can play a role in shaping the character of honest and responsible individuals, so as to minimize the occurrence of disputes in online transactions. This emphasizes the importance of integrating Islamic values into digital economic activities.

Islamic business ethics emphasize honesty, fairness, and responsibility in every transaction. In the context of online buying and selling, business actors must ensure that the product information provided is accurate and not misleading. Research by Renda Syaputri Nur Khasana et al. highlights the importance of implementing the principle of khiyar (right to choose) in online transactions, especially in the Cash on Delivery (COD) payment system, to protect consumer rights. By implementing Islamic business ethics, it is hoped that fair and profitable transactions can be created for all parties.

Talun Village, Ibun District, Bandung Regency was chosen as the research location because it has rapidly growing online buying and selling activities among its people. Leading products such as Moring, which are made from starch and produced by local residents, show significant digital economic potential in this village. This study aims to examine how online sales disputes are resolved according to the perspective of Islamic economic law, as well as to reveal the ethical principles used by the community in responding to and resolving these disputes. By understanding these dynamics, it is hoped that it can contribute to the development of online sales regulations and practices that are in accordance with Islamic values.

#### PREVIOUS RESEARCH

*Fitri Wahyuni (2023) "Resolution of Default in Online Sales with Credit Payment Methods at Vivi Shop Electronic Media WhatsApp"*

The similarity is that these two studies use the Islamic economic law approach and positive law to analyze dispute resolution in online sales. While the difference is that this study focuses on cases of default in online sales with a credit payment system via WhatsApp, while your thesis examines the resolution of online sales disputes in general in Talun Village.

*Arifin Abdullah & Almiftahul Ramadhan (2022) "Legal Certainty of Consumer Rights in the Digital Era in Online Buying and Selling Transactions"*

The similarities between the two studies highlight the importance of consumer protection in online buying and selling transactions and the relevance of sharia principles in ensuring justice. The difference is that this study emphasizes the aspects of legal certainty and protection of consumer rights, while your thesis focuses on the dispute resolution mechanism that occurs in online buying and selling practices in society.

*Tira Nur Fitria (2017) – "Online Buying and Selling in Islamic Law and State Law"*

The similarities between the two studies discuss the legality of online buying and selling from the perspective of Islamic law and state law. While the differences are This study is descriptive and theoretical, discussing legal concepts without specific case studies, while your thesis conducts a field study in Talun Village to understand the practice of dispute resolution directly.

*Fatannio Putra (2021) - "Dispute Resolution in the Implementation of Buying and Selling via the Internet"*

The similarities between the two are that they discuss dispute resolution in online buying and selling transactions and highlight the importance of a fair resolution mechanism. The differences are This study uses a sociological juridical approach with a focus on civil law aspects and dispute resolution mechanisms in general, while your thesis examines dispute resolution from the perspective of Islamic economic law with a case study in Talun Village.

## **METHODOLOGY**

This study uses a qualitative approach with a descriptive method. This approach was chosen to gain an in-depth understanding of the phenomenon of online buying and selling disputes and their resolution approaches from the perspective of Islamic economic law. The qualitative descriptive method allows researchers to systematically and factually describe the characteristics and relationships between the phenomena studied.

Data collection techniques in this study include participant observation, semi-structured interviews, and documentation studies. Participatory observation was conducted by being directly involved in online transaction activities in Talun Village to understand the dynamics and social context behind online buying and selling disputes. Semi-structured interviews were conducted with online business actors, buyers, and local religious figures to gain in-depth information about buying and selling practices and dispute resolution. Documentation studies were conducted by reviewing sales and purchase agreements, transaction agreements, and relevant Islamic law literature.

Data analysis was carried out through several stages, namely data reduction, thematic categorization, narrative interpretation, and validation through source triangulation. Data reduction is the process of simplifying and sorting data obtained from the field to focus on things that are relevant to the research objectives. Thematic categorization is carried out by grouping data based on certain themes that emerge from the results of interviews and observations. Narrative interpretation is used to understand the meaning of the categorized data, while source triangulation is carried out to ensure the validity of the data by comparing information from various sources.

To ensure the validity and reliability of the data, this study used source and method triangulation techniques. Source triangulation was carried out by comparing data obtained from various informants, while method triangulation was carried out using various data collection techniques such as observation, interviews, and documentation. This step is important to increase the credibility and validity of research findings.

In conducting the study, the researcher paid attention to the ethical aspects of the study by maintaining the confidentiality of the informant's identity, asking for approval before conducting interviews, and using data responsibly. This is in accordance with the principles of ethics in qualitative research which emphasize respect for the rights and dignity of participants.

## **RESULTS**

### ***High Frequency of Disputes in Online Transactions***

The results of observations and interviews show that disputes in online buying and selling in Talun Village occur quite often. Common problems encountered include non-conformity of goods, late delivery, and fraud. This indicates the need for an effective dispute resolution mechanism that is in accordance with sharia values.

### ***Dominance of Family Dispute Resolution***

Most people in Talun Village resolve online buying and selling disputes through deliberation and mediation by involving religious figures or community leaders. This approach is considered more effective and in accordance with sharia principles than bringing cases to the formal legal realm.

### ***The Central Role of Religious Figures in Mediation***

Religious figures in Talun Village often act as mediators in resolving online buying and selling disputes. They provide advice based on Islamic teachings and help the parties reach a peaceful agreement. This role shows the importance of integrating Islamic values in the lives of village communities.

### ***Limited Community Knowledge of Sharia Law***

Although the people of Talun Village tend to resolve disputes amicably, there are still limitations in their understanding of the principles of sharia economic law. This can lead to dispute resolution that is not fully in accordance with sharia.

### ***Lack of Sharia-Based Dispute Resolution Institutions***

In Talun Village, there is no formal institution that specifically handles the resolution of online buying and selling disputes based on sharia principles. This is a challenge in ensuring that dispute resolution is carried out in accordance with Islamic law.

## **DISCUSSION**

Talun Village, Ibum District, Bandung Regency, has experienced significant growth in online buying and selling activities. Local people use digital platforms to market local products, such as snacks and handicrafts. However, this increase in transactions is also accompanied by the emergence of various disputes, such as non-conformity of goods, late delivery, and fraud. This shows the need for a deeper understanding of dispute resolution mechanisms in accordance with the principles of Islamic economic law.

In Islamic economic law, buying and selling transactions must meet the pillars and conditions set, such as the existence of *ijab* and *qabul*, clarity of the object of the transaction, and price agreement. Online transactions, even though they are carried out virtually, must still meet these principles. Non-conformity in

the implementation of the contract can cause disputes that require resolution in accordance with Islamic law. Research by Disa Nusia Nisrina emphasizes the importance of transparency and honesty in online transactions to avoid practices that are detrimental to one party.

Dispute resolution in Islamic law prioritizes deliberation and mediation. The principle of *ishlah* (peace) is the basis for resolving conflicts between sellers and buyers. Research by Fitri Wahyuni shows that in cases of online sales default, the *ishlah* approach can maintain good relations between the parties and prevent further losses. This is relevant to the practice in Talun Village, where people tend to resolve disputes amicably.

Religious figures in Talun Village play an important role in resolving online sales disputes. They provide advice based on sharia principles and help mediate between the disputing parties. The involvement of these religious figures shows the integration of Islamic values in the daily lives of village communities. This is in line with the findings of Ghina Raudatul Jannah and Khairiadi Syukri who emphasize the role of religious education in shaping the character of honest and responsible individuals.

Although the principles of sharia economic law are well known, their implementation in online transactions still faces challenges. The lack of public understanding of sharia law and limited access to sharia-based dispute resolution institutions are major obstacles. Therefore, efforts are needed to educate and develop institutions that can facilitate dispute resolution in accordance with sharia principles.

## **CONCLUSIONS AND RECOMMENDATIONS**

The development of digital technology has changed the way people conduct transactions, including in Talun Village, Ibun District, Bandung Regency. Online buying and selling transactions are becoming increasingly common, but are often not fully in accordance with the principles of Islamic economic law. Integration of these principles, such as justice, honesty, and transparency, is very important to ensure that each transaction is not only legally valid, but also brings blessings to all parties involved. This is in line with the view that e-commerce from a sharia economic perspective must meet the requirements and principles set out in sharia law.

In dealing with disputes arising from online buying and selling transactions, the people of Talun Village tend to prioritize deliberation and mediation as the main solution. This approach reflects Islamic values that emphasize the importance of resolving conflicts peacefully and fairly. Deliberation is considered more effective because it involves all parties in the resolution process, allowing a satisfactory agreement to be reached without the need for a long and expensive legal process. This principle is also supported by the view that deliberation is one form of dispute resolution outside the courts that is recommended in Islamic law.

Religious figures in Talun Village play a central role in maintaining social harmony, especially in the context of resolving online sales disputes. They not only provide advice based on Islamic teachings, but also act as mediators trusted by the community. Their presence helps ensure that dispute resolution is carried

out fairly and in accordance with sharia values, as well as strengthening social ties in the community. This role is in line with the importance of religious figures in providing mediation in disputes that occur in the community.

Although the deliberation approach and the role of religious figures have helped in resolving disputes, there are still limitations in the community's understanding of sharia economic law. Lack of education and socialization regarding sharia principles in online transactions can lead to practices that are not in accordance with Islamic teachings. Therefore, systematic efforts are needed to improve sharia legal literacy among the community, such as through training and education tailored to local needs. This is important to ensure that online transactions are carried out in accordance with sharia principles.

Currently, Talun Village does not have a formal institution that specifically handles the resolution of online sales disputes based on sharia principles. The absence of such an institution can make it difficult for the community to find solutions that are in accordance with Islamic values when facing conflicts. The establishment of a sharia-based dispute resolution institution, such as the National Sharia Arbitration Board (BASYARNAS), can be a solution to ensure that dispute resolution is carried out fairly and in accordance with sharia principles. Such an institution can also play a role in providing education and guidance to the community regarding transaction practices that are in accordance with Islamic law.

## **FURTHER STUDY**

### *Improving Sharia Economic Law Education*

The government and educational institutions are expected to organize educational programs to improve public understanding of sharia economic law in the context of online transactions.

### *Establishing a Sharia-Based Mediation Institution*

It is recommended to establish a mediation institution in Talun Village that focuses on resolving online buying and selling disputes based on sharia principles.

### *Training for Religious and Community Leaders*

Religious and community leaders need to receive training on sharia-based dispute resolution mechanisms to increase the effectiveness of mediation.

### *Technology Integration in Dispute Resolution*

The use of digital platforms for mediation and dispute resolution can be considered to simplify the process and reach more people.

### *Further Research on Online Dispute Resolution*

Further research is needed to explore more deeply the mechanisms for resolving online sales disputes in various societal contexts and digital platforms.

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