ACADEMY OF CONTEMPORARY ISLAMIC STUDIES (ACIS), MACHANG, KELANTAN

FIQH MUAMALAT (IMU451)
GROUP: 2 (D1IC2102B)

ASSESSMENT: CASE STUDY

ONLINE SHOPPING: ISSUE AND SYARIAH PERSPECTIVE (SHOPEE)

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List of Content

Case Study Objective

This case study contains three main objectives mainly about what to consider when shopping using the online shopping, Shopee as the online platform to be one platform here to discuss.

1. To clarify the payment issue using online shopping
2. The syariah perspective about delivery issue
3. How the syariah perspective answer to the product quality issue

Introduction

Online shopping is the activity or action of buying products or services over the Internet. It means going online, landing on a seller's website, selecting something, and arranging for its delivery. The buyer either pays for the good or service online with a credit or debit card or upon delivery. The term does not only include buying things online but also searching for them online. In other words, I may have been engaged in online shopping but did not buy anything. Online shopping has been around for about twenty-five years. It has grown in popularity significantly.

Today, we can purchase nearly anything online. In fact, retail experts say that online shopping will soon overtake traditional shopping in monetary terms. Online Shopping occurs when a customer buys through a digital platform. An example of such a platform is Bikerringshop.com, online biker ring store from Thailand. You don't have to live in this country to get one of the products this store sells. Global coverage is one of the major benefits of online shopping.

If the purchase is of a specific item, such as buying from someone who is selling his a own laptop, motorcycle, house chair, refrigerator, or cell phone etc, then there is nothing wrong with selling it on the website for a price to be paid immediately or to be paid later on, because selling a specific item that is not present is permissible according to the correct view, even if it is not described, and the purchaser has the option to cancel when he sees it. Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said: With regard to selling items that are not present, three reports have been narrated from Ahmad.

The first report says that it is not valid to sell it at all, which is also the view of ash-Shaafi'i in his later madhhab. The second report says that it is valid, even if that item is not described, and the purchaser has the option to cancel when he sees it, which is also the view of Abu Haneefah. It was also narrated from Ahmad that he does not have the option to cancel. The third report – which is the well-known view – is that it is valid if a description is given, but it is not valid without a description. This is also the view of Maalik. [See: Majmoo` al-Fataawa (vol. 29, p.25)]. This applies if the item is not described.

When an online store is set up to enable businesses to buy from another businesses, the process is call business to business online shopping. A typical online store enables the customer to browse the firm's range of products and services, view photos or images of the products, along with information about the product specifications, features and prices.

2

Facts and Discussion

Issue 1: Payment issue

Shopee is the leading e-commerce platform in Southeast Asia and Taiwan. Launched in 2015, it is a platform tailored for the region, providing customers with an easy, secure and fast online shopping experience through strong payment and fulfilment support. Shopee believe that their online shopping platform should be accessible, easy and enjoyable. This is the vision Shopee aspires to deliver on the platform, every single day. (admin, 2017) In Malaysia, Shopee has been one of the favourite e-commerce platforms for the people to use together with other several platforms including Lazada, Zalora and other else.

Whether a customer is paying by credit/debit card, net banking, or one of the several digital wallets that exist today, the failure of digital payments always looms overhead while making online transactions. A faltering internet connection or a technical glitch often results in the payable amount being debited from a customer's account without being credited to the selling party. And retrieving this amount is anything but a quick process; one has to inform the site and then wait around 7-10 days before the amount is refunded to their bank accounts. But this situation is steadily improving as the sector is focusing more on cashless transactions and customers are getting more informed about making payments online. (Mittal, 2017)

Performing payment using the online transaction never been a perfect experience among the end users. Although this payment option keeps improving time to time, but there are still several issue that happened to users that have an uncertainty within the shariah law. Shopee is not excluded from this kind of issue when there is a feedback or report from user that there are few problems to make payment when purchasing online items. We will discuss more about a few big problems that contains uncertainty and scepticism among the user and how is this issue fit in within the Shariah framework.

Is Shopee Pay Later Halal

SPayLater is a buy now pay later payment system provided by Shopee. Users can make a purchase immediately and pay for it in the next month at once or through an installment payment plan (installment plan) for several months either 2 months, 3 months or 6 months. Shopee has appointed SeaMoney Capital Malaysia Sdn Bhd to manage this Shopee installment payment operation (Admin, n.d.). There are two payment method that we have to look into when talking about this system.