

Analysis of the As-Salam Contract in Zalora Ecommerce

Annisa Paramitha Rachman Putri^{1*}, Jumiatus Khasanah², Kartika Nur Alfiyyah³, Dian Hakip Nurdiansyah⁴

^{1,2,3,4}Faculty of Economics, Universitas Singaperbangsa Karawang

*Corresponding Author: 1910631030155@student.unsika.ac.id

Article history

Received : 2022-12-06

Accepted : 2023-03-14

Published : 2023-04-12

Keywords:

Hardship,
sea shipping, port
closure.

Abstract: The times have brought the economy especially sharia, to adapt technological advances. One of these advances is the online buying and selling sector. Especially since the Covid-19 pandemic the use of e-commerce has increased. Ordering goods in online buying and selling has similarities with the as-salam contract, so it is very important to know whether the online buying and selling system is in accordance with the pillars and terms of the as-salam contract which has been determined by law. This study uses qualitative research methods with descriptive analysis based on literature studies. The researcher also uses a normative (juridical) approach and the analysis used is by using a deductive method. The results of this study are the online as-salam system on Zalora.co.id is allowed because it meets the established pillars and requirements of as-salam, it's just that it can be imperfect because sometimes there are discrepancies in the specifications, accordance with the offer or delivery of goods outside the expected agreement. After knowing the permitted as-salam system, it is better to improve the e-commerce sales mechanism, in order to minimize doubts and imperfections in the as-salam contract in online buying and selling.

Abstrak: Perkembangan zaman membawa perekonomian khususnya di bidang syariah untuk menyesuaikan dengan kemajuan teknologi yang ada. Salah satu kemajuan tersebut adalah dari sektor jual beli yang dilakukan secara online. Terlebih semenjak adanya Pandemi Covid-19 penggunaan *e-commerce* semakin meningkat. Pemesanan barang pada jual beli online memiliki kesamaan dengan akad as-salam, sehingga penting sekali mengetahui apakah sistem jual beli online tersebut sudah sesuai dengan rukun dan syarat akad as-salam yang disyariatkan. Penelitian ini menggunakan metode penelitian kualitatif dengan analisis deskriptif berdasarkan kajian pustaka. Peneliti juga menggunakan pendekatan normatif (yuridis normatif) dan analisis yang digunakan adalah dengan menggunakan metode deduktif. Hasil dari penelitian ini yaitu sistem as-salam secara online di Zalora.co.id terbilang sah karena memenuhi rukun dan syarat as-salam yang telah ditetapkan, hanya saja dapat menjadi kurang sempurna dikarenakan terkadang masih ditemui spesifikasi barang yang tidak sesuai dengan ditawarkan ataupun pengiriman barang di luar estimasi kesepakatan. Setelah mengetahui diperbolehkannya sistem as-salam, hendaknya mekanisme penjualan *e-commerce* semakin ditingkatkan, agar meminimalisir keraguan dan ketidaksempurnaan akad as-salam pada jual beli online.



Available online at
<http://jurnal.unsyiah.ac.id/riwayat/>

INTRODUCTION

In terms of theory and practice, Islamic economics is growing rapidly, especially in Indonesia today, although many other countries are also studying and implementing it. The growth of Islamic banking in Indonesia has established itself as a benchmark for the success of Islamic economics. The initial consideration of the Islamic economic system as an alternative to the Indonesian system was driven by this. Islamic economics will be able to make Indonesia a strong country based on the people's economy, even if it is implemented optimally and supported by financial instruments and legal products that surround it.(Septiarni, 2013)

The country's economy, society, culture, tourism and health were all impacted by the Covid-19 pandemic, which struck almost worldwide in early 2020. Areas of exchange are particularly affected by the presence of the Coronavirus which undermines the quality and amount of trade, particularly within the framework of customary trade or commerce. Because the government has urged people to stay indoors and keep their distance to stop the spread of Covid-19 and break the chain of transmission.

Many people have turned to online buying and selling systems that use the pre-order e-commerce system due to the inability of people to meet directly with other people, especially traders. where customers place orders in advance (some require an advance payment, some require full payment, depending on the agreement). This is because the implementation of the online sale and purchase agreement uses the salam contract framework. Salam buying and selling is also known as "order buying and selling". In this type of transaction, the buyer makes an advance payment to purchase goods based on certain criteria,

and the goods will be delivered to the buyer at a predetermined time after payment.(Rozalinda,2016)

Research that discusses buying and selling where the goods are not yet available at the time of the contract is the work of Trisna Taufik and Miko Polidin with the title "Akad As-Salam in the Online Buying and Selling System (Case Study of Online Shopping at Lazada.co.id)" and Taufiq Akbar, et al with the title "Implementation of Salam Accounting in the Shopee Application" The authors discuss the concept of buying and selling As-Salam online (Darmawansyah et al, 2020). With the existence of previous research, the authors will conduct research on the analysis of the salam contract at Zalora Ecommerce.

RESEARCH METHODS

In this research, researchers used qualitative research methods with descriptive analysis based on literature review. To systematically describe the sale and purchase of greetings in E-commerce, one of which is the Zalora application, descriptive qualitative research is chosen to investigate, construct, or explain the meaning of the topic under study (Fadli, 2021).

The theories found are used to analyze the collected data and relevant literature for this research. In conducting legal research using library materials, researchers also use a normative approach (normative juridical). The documentation data collection method in the form of collecting library materials containing information related to the topic being discussed was used by researchers to collect data. The researchers in this study conducted their analysis using the deductive method, which first draws general conclusions and then specific conclusions (Arifin, 2020).

RESULTS AND DISCUSSION

Zalora Online System

Many online stores have sprung up in the modern era as a result of rapid technological advancements and ever-increasing customer demands. This phenomenon started in 2012 and continues today at Zalora. Global Fashion Group, the world's leading fashion group, including ZALORA, devoted to the development of global online fashion brands, was founded in 2011. Global Fashion Group currently operates in 27 countries. The Middle East, South America, Russia, and India are all represented by Global Fashion Group. Global Fashion Group has access to the Southeast Asian market through ZALORA, and ZALORA wants to become the fashion destination in Southeast Asia.

Zalora, also known as Zalora.com (International Version) or Zalora.co.id (Zalora Indonesia) is an online store that has long been present in the Indonesian e-commerce market. Zalora is a shopping website that offers items from various local and international brands for all your fashion needs. Catherine Sutjahyo founded Zalora in 2012; it is a member of the Zalora Group in Asia, which also includes Zalora Singapore, Malaysia, Vietnam, Taiwan, Thailand, and the Philippines. E-retailer Zalora.co.id is a partner of Zalora (Rizal, 2015).

The fastest growing online fashion retailer in Asia is ZALORA Indonesia. Fashion products are made to suit each country's tastes and preferences through sites in each country. Zalora takes fashion to a new level by offering a selection of over 500 international and domestic brands. Shoes, accessories, sporting goods, Muslim fashion and much more are available from us! This makes us the fundamental destination for online design in Indonesia. Zalora has transformed the fashion scene in Asia in just a few years, changing everything from the way people shop to the way people dress. Zalora aims high and will continue to

grow, with over 30,000 products available online and hundreds of new products added every week. The good news is that Zalora provides many options to stay stylish. Zalora aims to give people an unrivaled online shopping experience by balancing high-quality fashion with cutting-edge technology.

Zalora.co.id is a shopping website that provides fashion apparel needs including clothes, shoes, bags and accessories. Zalora.co.id itself is located at the Zalora.co.id office Menara Bidakara I, 17th floor Jl. Jendral, Gatot Subroto Kav. 71- 73, Menteng Dalam, Tebet, South Jakarta, 12870 (PT. Fashion Eservices Indonesia).

Advantages of Zalora

Zalora has advantages that make it the reason many people like to shop here, here are some of the advantages of Zalora:

1. Easy to Use Display

Zalora has a very easy to use site, an application that makes it easy for customers to choose and buy products, view, and even when they want to see the existing menu. The products displayed by Zalora in its display have also used sophisticated image models so that the details of the images in Zalora can be developed and remain clear.

2. Free Shipping Service Available

Usually, customers will get free shipping for purchases above Rp200,000. Buyers love this because it has the potential to make them more frugal. In addition, Zalora itself offers a free 30-day return policy if the item delivered does not match the order. After that, shoppers can return the delivered items and exchange them for products that match the order without adding additional shipping costs. Zalora will refund your money in full if the item you want to exchange turns out to be out of stock at a later date.

3. All Products are Original Branded
All products at Zalora are guaranteed to be 100% original, and Zalora never sells counterfeit goods. In addition to internationally renowned brands, Zalora offers local brands that are of high quality. Of course, the quality of these local brands is also very competitive with foreign brands.
4. Shopping Voucher Feature Available
With discounts of up to 15%, Zalora's voucher feature allows customers to shop more effectively.

Zalora.co.id offers the widest selection of fashion product brands and the widest delivery range for various demographics. Items presented by Zalora.co.id range from clothing, shoes, accessories, beauty and body care products, to home décor supplies, and offer leading brands both local and international (<http://www.zalora.co.id/>).

The Zalora Terms and Conditions:

- a) Site Usage
In accessing the Zalora application, customers must be at least 18 years old. Under this age to access must be accompanied and under parental supervision.
- b) User Submissions
- c) Customers' inquiries, reviews, comments and suggestions that they post on the website or provide to Zalora become the sole and exclusive property of Zalora and will not be returned to them. When customers post a review or comment on the website, they give Zalora permission to use the customer's name in connection with the review, comment or other content, in addition to the rights applicable to any Submissions. It is unlawful for customers to use a false email address, pretend to be someone else, or otherwise deceive Zalora or a third party as to the source of any

Submission. However, Zalora may delete or modify all Submissions.

- d) Order Acceptance
Orders may be canceled or rejected by the website at any time for any reason. Before accepting an order, customers may be required to provide additional information, such as address and phone number, for verification.
- e) Payment System
There are several payment methods in the Zalora app:
 - Cash on delivery
 - Transfer to bank account
 - Credit card

A review of the Online Salam Akad Applied at Zalora

Salam contracts must be implemented in accordance with a number of pillars and conditions. The salam contract becomes invalid or void if the pillars and conditions are not met (Ardi, 2016). Sellers must own the goods they sell or be paid for them, and they must be in good health (Wardiana et al, 2022). Zalora.co.id's sales system is B2C (Business to Customer), and its sales target is individuals. They also store the goods they sell in advance. Zalora is in accordance with the pillars of salam.

Buyers can act in the sense that they are not mentally ill or are not minors who are not authorized to buy. In Zalora, the online salam contract that has been implemented, the buyer is not visible, it could be a minor because the salam transaction is in virtual form. However, there are conditions that must be met by buyers. When applying the online as-salam transaction in Zalora, it states that a buyer can determine the item according to the product, shape, color, model, quality as well as by clicking the select button and buying it. To ensure that the buyer is sane and has common sense. Making payment via bank transfer shows that a buyer has an account number and has

the right to buy. So for the second pillar, Zalora fulfills the pillar of salam.

The goods sold must be clean, registered, delivered to the buyer, and the buyer can only identify them by their characteristics. In a salam transaction, an item with quality or quantity specifications is an obligation. It can be said that the merchandise traded as-salam online at Zalora is in accordance with the pillars of salam. Zalora has implemented online delivery and acceptance which can be done by contacting the call center or using the online chat facility that is available. You can use the available facilities to ask for items that lack complete descriptions. This is in accordance with the pillars of salam, so there is no problem with it. It can be said that Zalora's system offers suggestions for as-salam, making it easier for distant sellers and buyers to continue as-salam by meeting on the internet.

Qiyas is the legal basis of as-salam, which means that one side of human needs leads to buying and selling. As a result, humans need what others have, whether it is a price or something valued, and cannot be obtained without replacing it with something else. Therefore, as-salam must be allowed to achieve its purpose because wisdom demands it. It is this assertion that underlies the web-based framework at Zalora for the purpose of as-salam that works by running agreements separated by distance and time to achieve the ideal goal in as-salam.

From some of the analysis that has been revealed by Zalora's online as-salam. There are several things that must be seen first the limitations in carrying out as-salam activities and it is necessary for clarity about the goods being traded. This clarity must at least fulfill four things (in this case the requirements of the goods in the contract), including : (Darmawansyah et al, 2020)

1. Lawfulness, meaning that Islamic law makes this item permissible. It must be

lawful and away from components that are forbidden by Allah. Selling illegal and destructive goods and services is unlawful. As the Prophet said:

حَدَّثَنَا قُتَيْبَةُ حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ
عَطَاءِ بْنِ أَبِي رَاحٍ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ
اللَّهُ عَنْهُمَا أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
يَقُولُ غَامُ الْفَتَحِ وَهُوَ بِمَكَّةَ إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ
بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالْأَصْنَامِ فَقِيلَ يَا
رَسُولَ اللَّهِ أَرَأَيْتَ شُحُومَ الْمَيْتَةِ فَإِنَّهَا يُطْلَى بِهَا
السُّفُنُ وَيُذْهَبُ بِهَا الْجُلُودُ وَيَسْتَصْنَعُ بِهَا النَّاسُ
فَقَالَ لَا هُوَ حَرَامٌ ثُمَّ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
وَسَلَّمَ عَنِ النَّبِيِّ قَاتَلَ اللَّهُ الْيَهُودَ إِنَّ اللَّهَ لَمَّا حَرَّمَ
شُحُومَهَا جَمَلُوهُ ثُمَّ بَاعُوهُ فَأَكَلُوا ثَمَنَهُ

Qutaibah narrated to us Al Laits from Yazid ibn Abi Habib from 'Atha' ibn Abi Rabah from Jabir ibn 'Abdullah (may Allah be pleased with him) that he heard the Messenger of Allah (blessings and peace of Allah be upon him) say on the Day of Conquest when he was in Makkah: "Allah and His Messenger have forbidden alcohol, carrion, pigs and statues". Someone asked: "O Messenger of Allah, what about the fat from carcasses (cows and goats) because it can be used to polish the scabbard of a sword or to oil leather and as oil for lighting for people?". He said: "No, it is still haram". Then the Messenger of Allah (blessings and peace of Allah be upon him) said: May Allah curse the Jews, because when Allah forbade animal fat (cattle and goats) they melted it and sold it and ate the money from the sale". (H.R. Bukhari 2082).

2. Existence issues, meaning that the item itself must be real and not made up. With a fixed appearance, this item is very useful.
3. Delivery, meaning that correct distribution and delivery must be guaranteed. Here, timing is everything.
4. Precise determination, i.e. Specifically, the quality and value of the goods traded must be appropriate and attached to them. it is not allowed to sell products that are contrary to what is stated in the advertisement or promotion.

With these four things, it is necessary to know whether Zalora already includes these criteria. According to the author's analysis, among others:

1. Regarding Lawfulness, Items presented by Zalora.co.id range from dresses, shoes, extras, excellence and body care items to home style gear, as well as driving brands both local and universal. These items are allowed for human consumption under Islamic law.
2. Regarding Existence, although sometimes in practice there are still goods that do not meet specifications due to the online buying and selling system which results in not being able to see real online directly the goods offered, the goods or products offered by Zalora are in accordance with the original images that have been presented on the Zalora.co.id website.
3. Regarding Delivery, Customers should pay attention to the delivery time if they want to know when the product they ordered will arrive, so that every time they want to buy something, they can know how many days it will take to get there. When customers place an order for a product on Monday through Friday between 07.00 and 19.00, the item will be delivered on the day of the order, with an estimated delivery time of 1-3 business days for Jakarta and 2-6 business days for locations outside Jakarta. In addition, Zalora.co.id still accepts product orders outside business hours and on Saturdays; however, the delivery fee will be determined on the next business day. Items shipped by Zalora will almost certainly arrive on time. Unforeseen circumstances in transit or other delivery processes may cause receipts to arrive after the estimated time.
4. Regarding Precise Determination, Zalora Company offers discounts in the form of vouchers that can be obtained if

customers register their email address to receive monthly newsletters about the latest catalog or discounts related to certain events. Zalora has displayed all available promotions for specific products. Initially, the Zalora business offered a discount of Rp. 50,000.00. The company continues to use this discount to increase the amount to attract more customers. R 75.000,00. With more and more customers shopping at the online shopping site Zalora.co.id across Indonesia, this strategy has successfully attracted the attention of the public.

CONCLUSION

The conclusions that the author can get from this research are: (1) The online buying and selling system carried out by Zalora.co.id includes an as-salam system using an internet contract, where the as-salam contract is carried out by both parties who are not located in the same place and is implemented through product images and other descriptions through Zalora.co.id. Both are implemented on the internet website. The online as-salam system at Zalora.co.id is valid because it fulfills the pillars and conditions of as-salam that have been determined. (2) In the review of Islamic law on the as-salam contract in the online system at Zalora.co.id in the transaction process, ordering goods to delivery of goods in accordance with Islamic law, it can only be less perfect because sometimes there are still specifications of goods that are not in accordance with the offered or delivery of goods outside the estimated agreement.

REFERENCES

- Arifin, Mohammad Jauharul. (2020). Keabsahan Akad Transaksi Jual Beli Dengan Sistem Dropshipping Dalam Perspektif Ekonomi Islam. *Lisyabab : Jurnal Studi Islam dan Sosial* 1, no. 2: 279–290.

- Darmawansyah, Trisna Taufik, and Miko Polindi. (2020). Akad As-Salam Dalam Sistem Jual Beli Online (Studi Kasus Online Shopping Di Lazada.Co.Id).” *Jurnal Aghinya Stiesnu Bengkulu* 3, no. : 20–39.
- Fadli, Muhammad Rijal. (2021). Memahami Desain Metode Penelitian Kualitatif.” *Humanika* 21, no. 1: 33–54.
- Muhammad Ardi. (2016). Asas-Asas Perjanjian (Akad), Hukum Kontrak Syariah Dalam Penerapan Salam Dan Istisna. *Jurnal Hukum Diktum* 14, no. 2 : 265–279.
- Rizal, Sahrul. (2015). Analisis Tingkat Kepuasan Konsumen Pada ZALORA.CO.ID. *Universitas Islam Indonesia*, 2015.
- Rozalinda. (2016). *Prinsip Dan Implementasinya Pada Sektor Keuangan Syariah*. Jakarta: PT Raja Grafindo Persada.
- Septiarini, Dina Fitrisia. (2013). Akutansi Keperilakuan, Landasan Akutansi Keperilakuan Dalam Perspektif Islam. *AKRUAL Jurnal Akuntansi* 5, no. 1: 45–58.
- undip. “Gambaran Umum Zalora Indonesia Dan Profil RESPONDEN” 12870 (2012): 82–120.
http://eprints.undip.ac.id/75643/3/BAB_II.pdf.
- Wardiana, Taufiq Akbar, Nunung Nurhayati, and Nandang Ihwanudin. (2021). Implementasi Akutansi Salam Dalam Aplikasi Shopee. *Fair Value: Jurnal Ilmiah Akuntansi dan Keuangan* 5, no. : 523–532.
- “Tentang ZALORA Indonesia Destinasi Fashion Indonesia.” *Zalora.Co.Id*. Accessed November 1, 2022.
<https://www.zalora.co.id/>.