

THE LEGALITY OF ONLINE TRANSACTIONS IN MOSQUES AN ISLAMIC LAW PERSPECTIVE BASED ON AL-JAZIRI'S AL-FIQH 'ALA AL-MAZAH IB AL-ARBA'AH

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Abstract

Generally, purchase and sale is carried out at a certain place and time, but in today's era purchase and sale transactions are no longer limited by place and time, this is due to technological advances that make purchase and sale activities can be done via the internet or better known as online shopping, so that people can make purchase and sale transactions whenever and wherever, there are even people who make online shopping transactions in mosques. Therefore, researchers are interested in conducting research on the law of online shopping transactions in mosques from the perspective of Islamic law (the study of the book of al-Fiqh 'Ala Mazahib al-Arba'ah by Shaykh Abdurrahman Al-Jaziri) by using the library research method. This method was chosen because it is considered suitable for the topic under study, this method is able to examine in depth about the topic of discussion. The results of the study explain that according to the Mazhab Hanafi, online shopping transactions in mosques are makruh, according to the Mazhab Maliki, the law of purchase and sale transactions in mosques is permissible if you don't bring merchandise into the mosque, but if the merchandise is present, it's makruh, so it can be concluded that the law of Online shopping transactions in mosques according to the Mazhab Maliki are permissible, according to the Mazhab Syafi'iah if the online shopping transactions can cause the mosque's honor collapse or disturb people who are worshipping then it is haram, but if not, then the law is makruh, while according to the Mazhab Hambaliah online shopping transactions in mosques is haram. According to the Mazhab Hanafi, Malikiyah, and Syafi'iah, online shopping transactions in mosques are legal, but according to the Mazhab Hambaliah, the law is invalid and those who have already done are required to cancel the transaction.

Keywords: Online Buying and Selling, Islamic Law, Mosque

Abstrak

Pada umumnya jual beli dilaksanakan pada tempat dan waktu tertentu, namun di zaman sekarang ini transaksi jual beli tidak lagi dibatasi oleh tempat dan waktu, hal ini disebabkan oleh kemajuan teknologi yang membuat kegiatan jual beli bisa dilakukan melalui internet atau lebih dikenal dengan jual beli online, sehingga membuat masyarakat bisa melakukan transaksi jual beli kapanpun dan dimanapun, Bahkan ada orang yang melakukan transaksi jual beli online di dalam masjid. Maka dari itu peneliti tertarik untuk melakukan penelitian tentang hukum transaksi jual beli online di masjid perspektif hukum islam (studi kitab al-Fiqh 'Ala Mazahib al-Arba'ah karya Syaikh Abdurrahman Al-jaziri) dengan menggunakan metode kajian pustaka (library research). Metode ini dipilih karena dirasa cocok dengan topik yang diteliti, metode ini mampu mengkaji secara mendalam tentang topik pembahasan. Hasil penelitian menjelaskan bahwa menurut mazhab Hanafiah transaksi jual beli online di dalam masjid hukumnya makruh, menurut mazhab Malikiyah hukum transaksi jual beli di dalam masjid hukumnya mubah jika tidak menghadirkan barang dagangan kedalam masjid, namun bila menghadirkan barang dagangannya maka hukumnya makruh, maka dapat disimpulkan hukum transaksi jual beli online di dalam masjid menurut mazhab Malikiyah hukumnya mubah, menurut mazhab Syafi'iah apabila transaksi jual beli online tersebut bisa membuat runtuhnya kehormatan masjid atau mengganggu orang yang sedang beribadah maka hukumnya haram, namun jika tidak, maka hukum makruh, sedangkan menurut mazhab Hambaliah transaksi jual beli online di dalam masjid hukumnya haram. Menurut mazhab Hanafiah, Malikiyah, dan Syafi'iah transaksi jual beli online di dalam masjid dihukumi sah, tapi menurut mazhab Hambaliah hukumnya tidak sah dan bagi yang sudah terlanjur melakukannya di haruskan untuk membatalkan transaksi tersebut.

Katakunci: Jual Beli Online, Hukum Islam, Masjid

A. INTRODUCTION

Buying and selling is a human economic activity and is highly recommended in Islamic teachings. Buying and selling are very diverse and extensive in Islamic jurisprudence. Allah SWT established the general principles, and Prophet Muhammad provided guidance regarding buying and selling. In essence, religion does not want people to consume the rights of others in a wrongful manner, as stated by Allah SWT in An-Nisa 29:

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

Meaning: "O you who have believed, do not consume one another's wealth unjustly or by unlawful means, nor give your wealth to judges in order that they might aid you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful]."

Based on the verse, it can be understood that buying and selling is a very important activity in daily life to prevent deviations from religious law. Buying and selling is permitted in Islam, as stated in Allah's word in Al-Baqarah 275:

...وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا...

Meaning: "Allah has permitted trade and prohibited usury."

Based on this verse, it can be explained that trade is an action that has been legislated and has clear laws in Islam. Allah SWT permits buying and selling (trade) and prohibits usury. Basically, buying and selling is permitted to prevent humans from difficulties in dealing with their wealth. For example, if someone has wealth in their possession but does not need it, on the contrary, they need some wealth that is in the hands of someone else, then an exchange or what is commonly called a sale and purchase can take place. If buying and selling were not permitted, then humans would face difficulties in their lives. (Syarifuddin, 2010)

Online buying and selling is included in the aspects of muamalah that are fundamentally permissible (allowed), unless there is evidence that prohibits it. In addition, the pillars and conditions of online buying and selling do not contradict Islamic law. What is prohibited in online transactions is the presence of haram elements, such as usury, gharar (deception), danger, ambiguity, harming others' rights, and coercion. In Islamic jurisprudence, scholars agree that transactions through intermediaries are permissible as long as they meet the conditions, so online buying and selling can be analogized as transactions through intermediaries as long as they are conducted based on the principles of honesty and consent.

Although online buying and selling is permissible, we should still pay attention to its rules and guidelines, one of which is the prohibition of transactions in the mosque. From Abu Hurairah, the Messenger of Allah (SAW) said:

حَدَّثَنَا الْحَسَنُ بْنُ عَلِيٍّ الْحَلَّالُ حَدَّثَنَا عَارِمٌ حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ أَخْبَرَنَا يَزِيدُ بْنُ حُصَيْفَةَ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ ثَوْبَانَ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِذَا رَأَيْتُمْ مَنْ يَبِيعُ أَوْ يَبْتَاعُ فِي الْمَسْجِدِ فَقُولُوا: لَا أَرْبَحَ اللَّهُ بِتِجَارَتِكَ وَإِذَا رَأَيْتُمْ مَنْ يُنْشِدُ فِيهِ ضَالَّةً فَقُولُوا: لَا رَدَّ اللَّهُ عَلَيْكَ (رواه الترمذي)

Al Hasan bin Ali Al Khallal narrated to us, 'Arim narrated to us, Abdul Aziz bin Muhammad narrated to us, Yazid bin Khushaifah narrated to us from Muhammad bin Abdurrahman bin Tsauban from Abu Hurairah, that the Messenger of Allah (SAW) said: "If you see someone selling or buying in the mosque, then say, 'May Allah not give you profit in your trade.'" And if you see someone announcing a lost item in the mosque, then say, "May Allah not return that item to you." (Riwayat Tirmizi). (Albani, 2006)

The scholars have differing opinions on the issue of buying and selling in the mosque; some permit it while others prohibit it. In the book *Al-Fiqh 'ala al-mazahibil al-arba'ah* by Sheikh Abdurrahman Al-Jaziri, which discusses fiqh issues from the perspective of the four schools of thought. Scholars differ in their opinions regarding the prohibition of buying and selling in mosques; according to the Hanafi and Maliki schools, it is considered makruh, while according to the Shafi'i and Hanbali schools, it is considered haram.

From the differing opinions regarding the law of buying and selling in mosques, the author wishes to conduct research on the law of online buying and selling transactions in mosques from the perspective of the book *Al-Fiqh 'ala al-mazahibil al-arba'ah* by Sheikh Abdurrahman Al-Jaziri, because this book elaborates based on the views of each school of thought regarding the issue to be studied. The book *Al-Fiqh 'ala al-mazahibil al-arba'ah* is one of the comparative fiqh books that is often referenced by scholars and Muslims today. In other books, such as *Fathul Mu'in*, the discussions are not elaborated based on the views of the schools of thought, and in the book *Fiqh Sunnah*, it only briefly summarizes the sale and purchase in mosques based on the schools of thought, but does not explain each school's opinion. Therefore, the researcher is interested in studying the issue with the title "The Law of Online Buying and Selling Transactions in Mosques from an Islamic Law Perspective (A Study of the Book *Al-Fiqh 'Ala Al-Mazahib Al-Arba'ah* by Sheikh Abdurrahman Al-Jaziri)."

B. METHOD

The method used in this research is the library research approach, which can be defined as a study aimed at collecting data and information with the help of materials found in the library. (Damanuri, 2010). In library research, there are at least four main characteristics that authors need to pay attention to, including: First, that the author or researcher directly engages with the text (nash) or numerical data, not with firsthand knowledge from the field. Second, library data is "ready-to-use," meaning that researchers do not go directly to the field because they engage directly with data sources available in the library. Third, library data is generally a secondary source, meaning that researchers obtain materials or data from a second-hand source and not original data from the first-hand source in the field. Fourth, that the condition of library data is not limited by space and time. (Zed, 2003)

The data collection method used in this research is the documentation method. The documentation method is a data collection method that involves gathering and analyzing documents, whether written documents, images, works, or electronic documents. Or also document materials such as books, notes, and other library materials that are coherent with the researcher's subject of discussion. The documents that have been obtained are then analyzed, compared, and integrated to form a systematic, coherent, and comprehensive study result. (Gunawan, 2014). Based on the aforementioned, data collection in the research is conducted by reviewing and/or exploring the book al-Fiqh 'ala al-Mazahib al-Arba,ah as primary data and several journals and books deemed relevant to the research or study as secondary data.

C. RESULT AND DISCUSION

Online Buying and Selling

Online buying and selling is a binding agreement for a product through the internet between the seller and the buyer. The online buying and selling system does not involve direct contact between the seller and the buyer; instead, the transaction is conducted through a network using devices such as smartphones, computers, or other devices.

According to Malahayati (2010), In conducting online buying and selling activities, there are ethics that must be upheld to ensure that the online transactions are blessed. The Prophet Muhammad (peace be upon him) taught several ethics in buying and selling according to Islamic law, including: First, honesty in explaining the product. Second, mutual consent. Third, do not deceive in measurements, sizes, and weights. Fourth, do not speak ill of others' goods. Fifth, free from elements of usury. Sixth, do not hoard goods. (ikhtikar). Seventh, do not engage in monopolies. Eighth, prioritize customer satisfaction. Ninth, pay employee wages. Tenth, steadfastly uphold trust. Eleventh, be tolerant.

Advantages and Disadvantages of Online Shopping

Purkon (2014), In conducting online transactions, there are certainly advantages and disadvantages for both entrepreneurs and consumers. The advantages of online buying and selling for entrepreneurs include: it can be used as a platform to generate income, transactions can be conducted without spatial and temporal limitations, the initial capital required is relatively small, it can operate automatically, it provides access to a wider market, customers (consumers) can easily obtain information, and it increases time efficiency and savings in various operational costs. As for the disadvantages of online buying and selling for entrepreneurs, among them are: the lack of public trust, limited knowledge about information technology, the potential for unauthorized access, technical disruptions, loss of business opportunities due to server disruptions, and the rapid spread of reputation in the online world, whether good or bad.

According to Roihanah (2016), The advantages of online shopping for customers (consumers) include: home shopping, ease of purchasing

something, a wide range of choices for buyers to compare products or services they want to buy, no time restrictions, and the ability for buyers to search for products that are not available or difficult to obtain in outlets or traditional markets. As for the disadvantages, they are: consumers cannot directly identify, see, or touch the items they are ordering, unclear information about the offered goods, the unclear legal status of the business entity, no guarantee of transaction security and privacy, as well as explanations regarding the risks associated with the system used, and the unbalanced risk burden.

Buying and Selling in the Mosque According to the Four Schools of Thought in the Book of Jurisprudence According to the Four Schools of Thought

The imams of the schools of thought have differing opinions on the ruling of transactions that occur in the mosque. According to the Hanafi and Maliki schools, transactions in the mosque are considered makruh, while according to the Shafi'i and Hanbali schools, they are considered haram.

First, according to the Hanafi school, transactions that occur within the mosque are considered makruh. The same ruling also applies to ijarah contracts or rental agreements. Although the sale and purchase transactions that occur in the mosque are considered valid. Abu Hanifah said:

(Al-jaziri, tt) يُفْرَهُ إِيقَاعُ عُقُودِ الْمُبَادَلَةِ بِالْمَسْجِدِ كَالْبَيْعِ وَالشِّرَاءِ وَالْإِجَارَةِ

Meaning: "It is discouraged for anyone to conduct transactions inside the mosque, such as buying and selling or renting." (Al-Jaziri, 2015)

The Hanafite scholars state that it is makruh tahriman (strongly discouraged) for someone to bring their merchandise into the mosque because the mosque is a zone free from human rights; the mosque should not be treated like a store. And it is also considered makruh for people to conduct buying and selling transactions in the mosque, because the mosque is a place for people to engage in matters of the hereafter, not a place to occupy themselves with worldly affairs. (Az-Zuhaili, 2011). As for the evidence that underpins the prohibition of buying and selling transactions in the mosque, it is the hadith of the Prophet Muhammad (peace be upon him) who said:

حَدَّثَنَا الْحَسَنُ بْنُ عَلِيٍّ الْخَلَّالُ حَدَّثَنَا عَارِمٌ حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ أَخْبَرَنَا يَزِيدُ بْنُ حُصَيْفَةَ عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ ثَوْبَانَ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِذَا رَأَيْتُمْ مَنْ يَبِيعُ أَوْ يَبْتَاعُ فِي الْمَسْجِدِ فقولوا: لَا أَرْبِحَ اللَّهُ بِتِجَارَتِكَ وَإِذَا رَأَيْتُمْ مَنْ يُنْشِدُ فِيهِ ضَالَّةً فقولوا: لَا رَدَّ اللَّهُ عَلَيْكَ (رواه الترمذي) (Abi 'Isa, 2003)

Meaning: "Al Hasan bin Ali Al Khallal narrated to us, 'Arim narrated to us, Abdul Aziz bin Muhammad narrated to us, Yazid bin Khushaifah narrated to us from Muhammad bin Abdurrahman bin Tsauban from Abu Hurairah, that

the Messenger of Allah (SAW) said: 'If you see someone selling or buying in the mosque, then say, 'May Allah not grant you success in your trade.'" And if you see someone announcing a lost item in the mosque, then say, "May Allah not return that item to you." (Riwayat Tirmizi) (Albani, 2006)

أَخْبَرَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ قَالَ: أَخْبَرَنِي يَحْيَى بْنُ سَعِيدٍ عَنْ ابْنِ عُجْلَانَ عَنْ عُمَرَ بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ : أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ التَّحَلُّقِ يَوْمَ الْجُمُعَةِ قَبْلَ الصَّلَاةِ وَعَنِ الشِّرَاءِ وَالْبَيْعِ فِي الْمَسْجِدِ (Al-Sayyuti, 2005)

Meaning: "Musaddad narrated to us, Yahya narrated to us from Ibn 'Ajlan from Amru bin Syu'aib from his father from his grandfather, he said: that the Prophet (SAW) prohibited us from sitting in groups in the mosque before the Friday prayer and he prohibited us from trading in the mosque" (HR. Nasa'i). (An-Nasa'i, 1992)

Scholars differ in interpreting this hadith; according to the majority of scholars, the prohibition in the two mentioned hadiths is interpreted as makruh. However, according to some scholars, the prohibition is essentially a prohibition, as al-Mawardi stated that interpreting the prohibition as makruh requires a qarinah (evidence) that can shift the literal meaning of the prohibition to be a prohibition. However, according to Al-Iraqy, the consensus of scholars states that transactions that have already been conducted in the mosque do not need to be canceled.

Regarding the consensus of scholars on the necessity of not canceling a sale contract that has already been conducted, there is no indication that there is a contradiction between this and the prohibition. Therefore, this cannot be used as a basis to interpret the prohibition as being merely disliked (makruh). According to the Hanafi school, the sale and purchase that is considered makruh is the one that is done in large quantities, while the sale and purchase in small quantities is not considered makruh. However, this opinion lacks any supporting evidence.. (Asy-Syaukani, 1994) From Asy-Syaukani's explanation, it can be concluded that the consensus of scholars judges that transactions conducted in the mosque are valid, but they are considered makruh, and some even hold the opinion that they are haram.

Secondly, according to the Maliki school of thought, it is makruh (discouraged) if the item is brought into the mosque and can be seen during the transaction, but if the item is not in the mosque, then it is not makruh. As for buying and selling transactions in the mosque using a broker, it is haram. Imam Malik said:

يُكْرَهُ الْبَيْعُ وَالشِّرَاءُ وَنَحْوَهُمَا بِالْمَسْجِدِ بِشَرْطِ أَنْ يَكُونَ فِي ذَلِكَ تَقْلِيْبٌ وَنَظَرٌ لِلْبَيْعِ وَإِلَّا فَلَا كَرَاهَةَ، وَأَمَّا الْبَيْعُ فِي الْمَسْجِدِ بِالسَّمْسَرَةِ فَيَحْرُمُ (Al-jaziri, tt)

Meaning: "It is discouraged for anyone to conduct buying and selling

transactions in the mosque, provided that the goods being sold are present there; otherwise, it is not discouraged. On the other hand, buying and selling through a broker in the mosque is prohibited." (Al-Jaziri, 2015)

Third, the Shafi'i school of thought judges that transactions occurring inside the mosque are haram if they can diminish the mosque's honor and disturb those who are worshipping inside it. However, if the transaction does not reach the level of diminishing the mosque's honor, then it is considered makruh. Imam Syafi'i said:

يُحْرَمُ اتِّخَاذُ الْمَسْجِدِ مَحَلًّا لِلْبَيْعِ وَالشِّرَاءِ إِذَا أَرَى بِالْمَسْجِدِ - أَضَاعَ حُرْمَتِهِ - فَإِنَّ لَمْ يَزِرْ كَرِهَ إِلَّا لِلْحَاجَةِ
مَا لَمْ يَضِيقَ عَلَى مُصَلٍّ فَيُحْرَمُ (Al-jaziri, tt)

Meaning: "It is forbidden for anyone to make the mosque a place for buying and selling if it tarnishes the dignity and honor of the mosque, except in cases of urgent necessity where one must do so there, but without disturbing those who are worshipping, and if it does disturb them, then it is also forbidden.". (Al-Jaziri, 2015)

In the book *Subulu al-Salam*, a commentary on the book *Bulugh al-Maram*, it is explained that the legal basis for the prohibition of transactions in the mosque according to the Shafi'i school is the hadith of the Prophet Muhammad (PBUH) who said:

حَدَّثَنَا الْحَسَنُ بْنُ عَلِيٍّ الْخَلَّالُ حَدَّثَنَا عَارِمٌ حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ أَخْبَرَنَا يَزِيدُ بْنُ خُصَيْفَةَ عَنْ
مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ ثَوْبَانَ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِذَا رَأَيْتُمْ مَنْ
يَبِيعُ أَوْ يَبْتَاعُ فِي الْمَسْجِدِ فَقولُوا: لَا أَرْبَحَ اللَّهُ بِحَارَتِكَ وَإِذَا رَأَيْتُمْ مَنْ يُنْشِدُ فِيهِ ضَالَّةً فَقولُوا: لَا رَدَّ اللَّهُ
عَلَيْكَ

Meaning: "Al Hasan bin Ali Al Khallal narrated to us, 'Arim narrated to us, Abdul Aziz bin Muhammad narrated to us, Yazid bin Khushaifah narrated to us from Muhammad bin Abdurrahman bin Tsauban from Abu Hurairah, that the Messenger of Allah (SAW) said: 'If you see someone selling or buying in the mosque, then say, 'May Allah not grant you success in your trade.'" And if you see someone announcing a lost item in the mosque, then say, "May Allah not return that item to you." (Riwayat Tirmizi) (Albani, 2006)

From this hadith, it can be understood that the Prophet Muhammad prohibited his followers from engaging in trade activities in the mosque and searching for lost items. The Shafi'i scholars interpret the meaning of the prohibition in that hadith as haram (forbidden). This law is reinforced by the command to prevent and pray against the intentions of those who engage in such activities. This is because the mosque is the marketplace of the hereafter. Among the manners and etiquette in the mosque is to cleanse oneself from worldly affairs and anything unrelated to the hereafter. (Al-

Hilali, 2012)

Fourth, according to the Hanbali school of thought, the law regarding buying and selling transactions or renting that occur in a mosque is haram, even if the transaction occurs with mutual consent between the seller and the buyer, then the transaction must be canceled. Imam Hambali said:

يُحْرَمُ الْبَيْعُ وَالشَّرَاءُ وَالْإِجَارَةُ فِي الْمَسْجِدِ، وَإِنَّ وَقَعَ فَهُوَ بَاطِلٌ (Al-jaziri, tt)

Meaning: "It is forbidden for anyone to engage in buying, selling, or renting transactions within the mosque; if such transactions occur, they must be canceled."

The legal basis for this is the hadith of the Prophet Muhammad (peace be upon him) who said:

حَدَّثَنَا عَلِيُّ بْنُ إِسْحَاقَ أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ حَدَّثَنِي أُسَامَةُ بْنُ زَيْدٍ حَدَّثَنِي عَمْرُو بْنُ شُعَيْبٍ، عَنْ أَبِيهِ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْبَيْعِ وَالشَّرَاءِ فِي الْمَسْجِدِ (Sulaiman, 1999)

Meaning: "Ali bin Ishaq has narrated to us, Abdullah has informed us, Ibnul Mubarak has narrated to me, Usamah bin Zaid has narrated to me, 'Amru bin Syu'aib from his father from his grandfather, he said; 'The Messenger of Allah (SAW) prohibited transactions conducted in the mosque.'" (HR. Ahmad bin Hanbal).

From that hadith, the Prophet Muhammad (PBUH) explicitly prohibited conducting buying and selling transactions in the mosque, so Imam Hanbali interpreted that the ruling on conducting buying and selling in the mosque is haram and invalid, and if it has already occurred, it must be canceled.

The Law of Online Buying and Selling in the Mosque from the Perspective of the Book of Fiqh 'ala al-Mazahib al-Arba'ah

Online buying and selling is permitted in Islam as long as there are no elements of usury, injustice, monopoly, and deception. This is in accordance with the Hadith of the Prophet Muhammad (peace be upon him) who said, "From Abu Hurairah (may Allah be pleased with him) that the Prophet Muhammad (peace be upon him) prohibited sales involving gharar (deception)." Online buying and selling has a positive impact because it is considered practical, fast, and easy. The Prophet Muhammad (peace be upon him) indicated that transactions based on mutual consent (Antaradhin) are valid, as long as they do not contain elements that render them unlawful. Sheikh Abdurrahman al-Jaziri explains in his book that, in principle, the ruling on buying and selling is permissible, as stated in the words of Allah SWT:

...وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا...

Meaning: "Allah has made trade lawful and has forbidden usury."

From this verse, it can be understood that Allah SWT has made trade lawful and forbidden usury. The word al-bai' (trade) in this verse also includes trade conducted online.

Generally, buying and selling are conducted at specific places and times, but in today's era, buying and selling transactions are no longer limited by place and time. This is due to technological advancements that allow buying and selling activities to be conducted over the internet, commonly known as online shopping, enabling people to conduct transactions anytime and anywhere. In fact, there are people who conduct online shopping transactions inside mosques. Sheikh Abdurrahman in his book al-Fiqh 'Ala al-Mazahib al-Arba'ah explains that according to the Hanafi school of thought, any form of transaction conducted inside a mosque is considered makruh, including buying and selling and renting. Although the sales transaction conducted in the mosque is deemed valid, it is better to avoid it.

According to the Maliki school, online buying and selling transactions in the mosque are permissible because, according to the Malikis, buying and selling in the mosque is only considered discouraged if the goods are brought in at the time of the contract. If the goods are not present, then it is not discouraged, in accordance with the words of Imam Malik:

يُكْرَهُ الْبَيْعُ وَالشِّرَاءُ وَنَحْوَهُمَا بِالْمَسْجِدِ بِشَرْطِ أَنْ يَكُونَ فِي ذَلِكَ تَقْلِيْبٌ وَنَظْرٌ لِلْبَيْعِ وَإِلَّا فَلَا كِرَاهَةَ، وَأَمَّا

الْبَيْعُ فِي الْمَسْجِدِ بِالسَّمْسَرَةِ فَيَحْرُمُ (Al-jaziri, tt)

Meaning: "It is discouraged for anyone to conduct buying and selling transactions in the mosque, provided that the goods being sold are present there; otherwise, it is not discouraged. However, buying and selling through a broker in the mosque is prohibited." (Al-Jaziri, 2015)

According to the Shafi'i school of thought, online transactions that occur in a mosque are considered haram if they can diminish the mosque's honor and disturb those who are worshipping. They are considered makruh if they do not diminish the mosque's honor. Meanwhile, according to the Hanbali school of thought, online transactions that occur in a mosque are considered haram. If it has already occurred, then the parties involved must cancel it even if it is based on mutual consent.

As for transactions conducted in the mosque courtyard, they are permissible, but they must still consider the situation and conditions. Regarding the boundaries of the mosque where buying and selling is prohibited, it is the place used for performing worship. Therefore, the area around the mosque can be used for conducting business activities, such as parking lots, gardens, mosque courtyards, halls, and multipurpose rooms that are not part of the mosque. The buying and selling in this context of Islamic law is permitted (mubah), based on the principles of Fiqh:

الْأَصْلُ فِي الْمُعْمَلَةِ الْإِبَاحَةُ إِلَّا أَنْ يَدُلَّ دَلِيلٌ عَلَى تَحْرِيمِهِ

"The original ruling in all forms of transactions is that they are permissible unless there is evidence that prohibits them." (Al-Jaziri, 2015)

From this principle, it can be concluded that all muamalah activities are basically permissible as long as there is no evidence prohibiting them or they do not contradict Islamic law.

Buying and selling conducted in the mosque courtyard without considering the situation and conditions, for example, continuing transactions when prayer time arrives or transactions that disturb people who are worshipping in the mosque. Therefore, such transactions are forbidden by law. Based on the words of Allah SWT in Surah An-Nur, verses 36 to 38

فِي بُيُوتِ الَّذِينَ اللَّهُ أَنْ تُرْفَعَ وَيُذْكَرَ فِيهَا اسْمُهُ يُسَبِّحُ لَهُ فِيهَا بِالْغُدُوِّ وَالْآصَالِ {36} رِجَالٌ لَا تُلْهِيهِمْ
تِجَارَةٌ وَلَا بَيْعٌ عَن ذِكْرِ اللَّهِ وَإِقَامِ الصَّلَاةِ وَإِيتَاءِ الزَّكَاةِ يَخَافُونَ يَوْمًا تَتَقَلَّبُ فِيهِ الْقُلُوبُ وَالْأَبْصَارُ
{37} لِيَجْزِيَ اللَّهُ أَحْسَنَ مَا عَمِلُوا وَيَزِيدَهُمْ مِّن فَضْلِهِ وَاللَّهُ يَرْزُقُ مَن يَشَاءُ بِغَيْرِ حِسَابٍ {38}

Meaning: "In the houses which Allah has permitted to be raised and His name to be mentioned therein, His name is glorified (sanctified) therein in the mornings and the evenings." People who are not distracted by trade and commerce from remembering Allah, performing prayers, and giving zakat. They fear the day when hearts and eyes will tremble. (hari kiamat). (They do that) so that Allah rewards them with something better than what they have done, and so that He increases His grace upon them. And Allah provides sustenance to whom He wills without account."

From the aforementioned verse, it can be understood that Allah SWT commands His servants to always worship Him, whether by remembering Him or glorifying Him, when they are at home (in the mosque), because the mosque is a place of high status. Therefore, it is appropriate that business and trade should not cause the practitioners to neglect their worship to Him. So even though the mosque courtyard is not part of the mosque used for worship, if online trading activities can hinder someone from worshipping or disturb those who are worshipping, then it is forbidden, as it can cause harm to others.

D. CONCLUSION

Online buying and selling transactions are binding agreements for a product through the internet between the seller and the buyer. The online buying and selling system does not involve direct contact between the seller and the buyer; instead, the transaction is conducted through a network using devices such as smartphones, computers, or other devices. The law of online buying and selling according to Islam is permissible as long as there are no elements of usury, oppression, monopoly, and fraud. Online buying and selling has a positive impact because it is considered practical, fast, and

easy. The Prophet Muhammad (peace be upon him) indicated that a transaction based on mutual consent (Antaradhin) is valid, as long as it does not contain elements that render it unlawful.

Sheikh Abdurrahman Abdurrahman al-Jaziri in his book *al-Fiqh 'ala al-Mazahib al-Arba'ah* explains that according to the Hanafi school, transactions conducted in a mosque are considered makruh, including online transactions. According to the Maliki school, transactions conducted inside the mosque are permissible if no goods are physically present, and discouraged if goods are present. Therefore, online transactions conducted inside the mosque are permissible according to the Maliki school because no goods are brought into the mosque. According to the Shafi'i school, transactions/online transactions conducted inside the mosque are forbidden if they can undermine the mosque's dignity and disturb those who are worshipping. If they do not undermine the mosque's dignity and do not disturb those who are worshipping, they are discouraged. According to the Hanbali school, transactions conducted inside the mosque are forbidden. According to the Hanafi, Maliki, and Shafi'i schools, transactions/online transactions conducted inside the mosque are valid, but according to the Hanbali school, they are invalid and must be canceled by those who have already done them. Transactions conducted in the mosque courtyard are valid but must still consider the situation and conditions to avoid undermining the mosque's dignity and disturbing those who are worshipping.

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