



The law of making Transaksi false transactions to increase the sales of the perspective of the Mufti of the Federal Territory Fatwa number 590 (Carousell Malaysia Case Study Malaysia)

Abdul Rabbani Bin Abdul Razak², Cahaya Permata²

Universitas Islam Negeri Sumatera

Email: rabbanirazak700@gmail.com

cahayapermata@uinsu.ac.id

Abstract - Carousell as one of the online buying and selling sites that attracts customers to make more transactions through the site. Carousell is one of the mobile classified's applications or classified ad-based applications. Established in 2012, Carousell is one of the online shopping places headquartered in Singapore and has grown in 13 countries including Indonesia, including Singapore, Malaysia, Indonesia, Taiwan, Hong Kong and the United States. Although Carousell is applications that get welcome good in Malaysia, application This No escape from lack. The problems he faced is the seller who does transaction false with buy the goods alone, then give evaluation and comment Alone For get trust buyer. Study This done for know the legal status action This based on runway Sharia along with the conditions that limit it in accordance with the fatwa of the Mufti of the Federal Territory. Study This use approach case based on method writing data analysis for to describe related issues with action buy products sold alone, then upload review and comment as part from strategy marketing business in Islamic perspective. Material law in study This obtained with to browse primary sources and secondary from Federal Territory Fatwa No. 590 and related matters with issue study This Results study This show that action the seller who does fraud the is haram. Although action This aiming for get good rating use increase sales, business increase sale the must be in harmony with what is allowed by Sharia.

Keywords: Legal, Fake, Transaction.

I. INTRODUCTION

The use of modern technology today as an intermediary tool in dealing with human affairs is one of the most effective alternatives in buying and selling transactions. In the dynamic development of the business world as it is today, the benefits of technology play a very important role in ensuring smoothness and efficiency to improve the performance of a company. The use of increasingly sophisticated technology makes the transaction process between service providers and customers very fast, ranging from promotions that can be done through media to the buying and selling of goods or services which can be conducted quickly and efficiently. In addition to simplifying and accelerating the process of communication and information, Information Technology is also used in business activities. Online shopping has become the choice of many parties to obtain goods.

Trade through electronic media or e-commerce is the exchange of goods, services, and information through electronic systems such as the internet, television, and other networks. The virtual world has unique characteristics compared to the real world, where one can easily exchange information, goods, and services without being hindered by distance or time. The ease and efficiency of time make many business people switch from direct (offline) trade to trade through digital media. (al, 2019). An online store is one of the facilities provided by the internet that benefits users in shopping. Online marketing or e-commerce is the marketing of

products or services over the internet. The development of e-commerce today is able to direct people to switch from conventional transaction systems to online transactions. (Martini, 2022) The following are the benefits of the internet as an e-commerce medium, which is a business model where products are sold directly to consumers, buyers to customers, or to other businesses. Online shopping affects the effectiveness of marketing activities for a product. Many online media site developers provide space for sellers to advertise and market their products on the app or site.

Carousell is one of the online buying and selling sites that attracts customers to make more transactions through the site. Carousell is a mobile application-based classified ads application. Founded in 2012, Carousell is an online shopping site headquartered in Singapore and has grown in 13 countries including Indonesia, Singapore, Malaysia, Indonesia, Taiwan, Hong Kong, and the United States. This application uses the buying and selling method with the concept of social networking. Users of this application can be buyers or sellers and view the list of products sold by other users, and buy them to the point of negotiating prices with sellers directly, without the need to exit the application. The chat facility provided makes it easy to make offers and chat without exchanging phone numbers or other social media. The entire buying and selling process from start to finish can be completed on Carousell. The company's mission continues as described by its tagline, which is "SNAP to SELL". Advertising in Indonesia with the tagline "honey bought, fix so money" is able to attract consumers, and there are thousands of individual sellers who use Carousell to gain buyer confidence in the quality of products sold.

This is one of the goals in marketing strategies both virtually and physically. The reason is, buyers want products that can meet their purchasing goals optimally so that the price paid is really worth it. The use of statements or testimonials, the number of buyers and customers indicating the level of sales of the product and its effectiveness become a measure of quality, which in turn drives the attraction to buy or subscribe to the product. Among the efforts made by sellers to raise ratings as part of a marketing strategy aimed at attracting buyers is to make fake transactions, that is, to buy goods themselves and then provide their own ratings and comments. In Islam, every transaction and human behavior is governed by religious provisions, which are called Sharia. This rule was created to bring benefits to all. Islam itself means submission and surrender of a servant to his Lord, in line with its main purpose of worship to God Almighty. Islamic law serves as a guideline based on the word of Allah and the Sunnah of the Prophet, governing all human actions. This reflects the existence of Islam that brings peace and submission, both in relation to God (vertical) and with fellow human beings (horizontal). (Rohidin, 2016)

Islam sets a boundary between right and wrong with the aim of bringing benefits in economic activities between people. Prophet Muhammad also always applied certain limits and ethics in the practice of buying and selling. The purpose of this activity, in addition to obtaining benefits, is to achieve the pleasure of Allah SWT. Therefore, business people must adhere to the principles of Business Ethics in Islam, such as fairness, honesty, and kindness or generosity. But in fact, the practice of manipulation carried out by sellers in online stores has been widely practiced, useful to increase the traffic of visitors to their online stores and to buy the goods they sell. Therefore, this study was conducted in order to examine the legality of the seller's actions. The problem of this study lies in the issue of the legal status of this practice based on Sharia law and the conditions that limit it in accordance with the fatwa of the Federal Territory.

II. METHOD

Methodology is an important element in scientific research so that the work produced is of high quality. This study is an empirical juridical research using a case approach. This study is based on data analysis to describe problems related to the act of buying products sold by oneself, then uploading reviews and comments as part of a business marketing strategy from an Islamic perspective. Legal material in this study was obtained by tracing primary and secondary sources of Federal Territory fatwa No. 590 and related to the issue of this study. In

addition, this study also uses the deductive method through the understanding of the postulates of Sharia and the opinions of scholars. The collected data will then be analyzed in a descriptive qualitative manner to answer questions and explain the law of conducting fraudulent transactions to increase sales according to the perspective of the Federal Territory Mufti Fatwa No. 590.

III. RESULT AND DISCUSSION

1. Ranking in Online Trading

The position and function of ratings in online buying and selling are very important because ratings play a significant role in shaping consumer perceptions and influencing purchasing decisions. (Ningsih, 2019) Here is an explanation of its position and function: Ratings serve as an indicator of the trust that consumers place in a product or seller. (Ramadani, 2021) The higher the rating a product or store has, the more likely potential buyers will trust the quality of the product or service offered. In the e-commerce ecosystem, ranking serves as a measure of the quality of a product or service based on previous user experience. This provides a general idea of whether the product is as advertised, whether the customer service is satisfactory, and how quickly delivery is carried out. Many e-commerce platforms use algorithms that place highly ranked products at the top of search results. This gives greater exposure to the product or store, increasing sales opportunities.

A good rating is often used as a promotional tool by sellers. High rankings can be utilized in advertising or promotional campaigns to attract more buyers. High ratings and positive reviews can attract new consumers who have never transacted with a seller before. Ratings also serve as feedback for sellers to evaluate their shortcomings. A detailed review can provide valuable insight into the aspects that need to be improved. Ranking in online buying and selling holds an important position as an indicator of trust and quality, guiding purchasing decisions, encouraging healthy competition, and serving as a promotional tool. For sellers, maintaining high ratings is key to success in the e-commerce world, while for consumers, ratings serve as a compass to help navigate the wide selection of products and sellers available.

Improving rankings in online buying and selling is an important strategy that can be analyzed through various economic theories. The first is the Customer Value Theory. This theory states that consumers will judge a product or service based on the comparison between the benefits received and the costs incurred. If the benefits (quality, service, experience) outweigh the costs (price, time, effort), consumers will feel satisfied and tend to give a high rating. To improve ratings, sellers need to ensure that the product or service they offer provides higher value than expected. This can be achieved by improving product quality, offering responsive customer service, and providing a pleasant shopping experience. By increasing the value received by consumers, sellers can encourage consumers to give a high rating.

The second theory is Perfect Competition Theory. In a perfect competition market, all market participants offer similar products, and perfect information is available to all parties. Sellers compete by offering high-quality products and excellent services to attract consumers. To increase the rating in conditions of fierce competition, the seller must focus on differentiating their product or service. While the product may be similar to a competitor's, the seller can improve their ranking by offering additional features, superior after-sales service, or a loyalty program. For example, fast shipping, easy return policies, or added bonuses can be differentiating factors that lead consumers to give higher ratings.

The third theory is the Information Economy Theory. This theory emphasizes the importance of information in economic decision-making. In the context of online buying and selling, information about product quality, customer experience, and seller reputation is very important to consumers. To improve the rating, the seller must be proactive in providing clear, accurate, and complete information about their product. Additionally, the seller can request direct feedback from the customer after the transaction is completed to understand areas that

need improvement. This information can be used to improve the product or service, thereby increasing satisfaction and ratings in the future.

The fourth is Reputation Management Theory. This theory emphasizes the importance of reputation in the economy, especially in markets where information is not symmetrical or consumers do not have complete information about the quality of products or services. A good reputation can be a very valuable asset for a company. To improve rankings, sellers need to actively manage their reputation on e-commerce platforms. This can include responding quickly and appropriately to negative reviews, addressing problems consumers face, and building good relationships with customers. A good reputation will encourage more customers to give high ratings and recommend the seller to others.

The fifth theory is Customer Satisfaction Theory. This theory states that customer satisfaction is the result of a comparison between consumer expectations and the actual experience they receive. High satisfaction is usually directly proportional to a high rating. Sellers can improve ratings by focusing on exceeding consumer expectations. This can be done by providing better-than-expected service, such as faster-than-expected delivery or higher quality products than advertised. Satisfied consumers tend to give higher ratings because of the positive experiences they have had. Ranking improvement in online buying and selling can be achieved by understanding and applying various economic theories such as customer value, perfect competition, information economics, reputation management, and customer satisfaction. By optimizing the value provided to consumers, managing reputation, providing accurate information, and offering appropriate incentives, sellers can improve their ratings, which in turn will increase consumer confidence and sales volume.

Ranking in online shopping refers to the rating system used by consumers to rate a product, service, or overall shopping experience on an e-commerce platform. Ratings are usually given in the form of stars or scores (e.g., from 1 to 5), with higher numbers indicating higher levels of satisfaction. Ranking in online buying and selling is not just a number but also a representation of satisfaction, trust, and perceived risk. Through various theories such as social validation, customer satisfaction, risk perception, consumer decision-making, and information asymmetry, ratings can be seen as an important tool that influences how consumers interact with products and services in the e-commerce world. Ratings help consumers make better decisions and encourage sellers to maintain high quality standards.

The urgency of high rankings in online buying and selling is significant because it directly impacts consumer confidence, sales volume, and long-term business success on e-commerce platforms. Here are some reasons why high rankings are so important. A high rating indicates that a product or service has met or exceeded previous customer expectations. This is a signal to potential buyers that the product or seller can be trusted. In the world of online commerce, where buyers cannot physically inspect a product before purchasing, high ratings reduce uncertainty and risk. Buyers tend to be more comfortable and confident buying from sellers with high ratings. High rankings are very important in online shopping because they not only increase buyer trust and conversion but also strengthen product visibility, competitiveness, and seller reputation. Sellers who manage to retain and improve their ranking tend to be more successful in attracting and retaining customers, as well as increasing overall sales.

2. The Practice of Creating Fake Orders to Increase Sales

Online buying and selling are defined as buying and selling goods and services through electronic media, especially through the internet or online. (Wahyudi, 2000) One example is selling products online through the internet. Buying and selling via the internet involves a purchase and sale contract that is carried out using electronic means (internet), either in the form of goods or services. Online buying and selling involve a contract concluded by specifying certain characteristics, paying a price first, while the goods are handed over later.

Based on the above understanding, it can be concluded that online buying and selling occur in electronic media, where transactions do not require sellers and buyers to meet face to face, by determining the characteristics, types of transactions, and goods, with the price paid first and then the goods handed over. The characteristics of online business include

transactions between two parties, which involve the exchange of goods, services, or information. The internet is the main media in the process or mechanism of the contract.

Buying and selling is an economic activity that cannot be separated from social life. In addition to making a profit, this practice aims to be a helpful activity. Transactions must be based on mutual agreement between the two parties so that no party feels disadvantaged due to the transaction. The development of increasingly advanced technology makes transactions easier. These facilities include easy access to information and communication via the internet, so business actors use it to develop their businesses through online media. (Hotimah, 2020)

The phenomenon of fake orders in online buying and selling refers to the practice of sellers who deliberately place fake orders or transactions to increase the reputation or popularity of their products or stores on e-commerce platforms. This practice aims to attract more genuine buyers in a dishonest way. The purpose of making a fake booking is to increase the rating. High ratings can increase consumer confidence, as ratings and reviews are determining factors for consumers in making purchasing decisions. Consumers cannot check goods directly, so high ratings and positive reviews play an important role for sellers and buyers.

In practice, it often happens that the seller makes an order for the product themselves or asks someone else to do it. This order does not reflect the actual purchase because the product was not actually shipped or received by the buyer. After the fake transaction is completed, the seller or the party involved in the fake order will provide a positive review and rating of the product. These reviews usually praise the quality of the store's products and services. Most e-commerce platforms use algorithms that display products with high sales, good ratings, and positive reviews at the top of search results or recommendations. Fake orders aim to manipulate these algorithms to make the product or store more visible to potential buyers. Potential buyers tend to trust products with high ratings and positive reviews. With fake orders, sellers try to create the illusion that their product is more popular and reliable, thereby attracting more real buyers.

The practice of fake orders in online buying and selling involves fake transactions by sellers to increase the ranking and reputation of their stores. This is usually done by sellers who buy their own products or ask others to do so, then give positive reviews and high ratings. The purpose of this action is to make the store or product look more popular and trustworthy to potential buyers, thus increasing actual sales. Based on information obtained from a seller's account owner who does not want to mention their store/account, the e-commerce platform explains that:

"The practice of fake orders is purely for branding and also to get good store reviews so"

3. Fatwa of the Mufti of the Federal Territory of Malaya on the Law of False Reservations

Based on the research conducted by the Mufti of the Federal Territory regarding the law of false reservations, the 590th fatwa on the practice of sellers making their own purchases and fake reviews was found. The Mufti's fatwa number 590 elaborates as follows: The ecosystem of buying and selling on this e-commerce platform heavily relies on ratings, the number of items sold, and reviews given by customers. When a store or seller receives a good rating and positive reviews, it becomes one of the factors that attract potential customers to make a purchase. Thus, this factor encourages sellers who have not yet received customers to buy the item themselves (by creating another account) and then leave a review on the item to show that it has been purchased and that the customer is satisfied with the item, even though the buyer is actually the seller himself.

Such actions are equivalent to fraudulent activities because the seller manipulates the e-commerce platform system by making their own purchases and providing reviews of the goods they sell, while potential customers remain unaware of this. Cheating is wrong in the eyes of Islam and does not reflect the morals of a true Muslim. (Rasid, 2021)

Abu Hurairah (r.a.) narrated that the Prophet (SAW) said:

مَنْ غَشَدْنَا فَلَيْسَ مِنَّا

"Whoever deceives us is not one of us (Muslims)." (Muslim HR number 101).

Fraud in buying and selling can take many forms, including schemes planned by the seller to list their product or attract the attention of potential buyers. The Fuqaha' refer to such fraudulent acts as al-tadlis. Among the similarities of deceptive methods is the element of planning by the seller to deceive the customer and create the perception that the merchandise is good and of high quality.

Al-Jamal stated that al-Ghishy is al-Tadlis, which involves hiding defects in goods and decorating them so that customers are interested in the merchandise.

الْغِشُّ تَدْلِيسٌ يَرْجِعُ إِلَى ذَاتِ الْمُبِيعِ كَأَنْ يُجَعِّدَ شَعْرَ الْجَارِيَةِ وَيُحَمِّرَ وَجْهَهَا

"Al-Ghishy is a deception that involves curling the hair of a maid and coloring her face (to beautify and conceal defects)." (See Hasyiah al-Jamal 5/3).

Imam Nawawi in al-Majmu' defines al-tadlis as the act of concealing the defects of merchandise from the buyer's knowledge. This means that the seller is aware of the defect but hides it so that the goods are sold.

التدليس كتم البائع عيب السلعة من المشتري وإخفائه

"Al-Tadlis is when the seller hides the defects of the goods from the buyer's knowledge." (See al-Majmu' Sharh al-Muhazzab 27/13).

Therefore, it can be seen that making false purchases and fake reviews is equivalent to cheating, as it involves hiding flaws or defects in the goods. This is akin to the forbidden and haram acts of al-ghishy and is prohibited. This is in line with the word of Allah SWT, which prohibits believers from consuming others' property unjustly, except through consensual business transactions where buyers and sellers negotiate with each other. Such fraudulent actions will make buyers feel deceived because they purchase goods that do not match the promised quality and size. This type of action is forbidden by Allah as mentioned in the Quran:

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

"O you who believe! Do not consume each other's property unjustly, except that it be through trade by mutual consent." (Quran 4:29).

Additionally, Allah SWT has also said in Surah Al-Baqarah 275:

وَاحْلَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا.....

"Allah has made trade lawful and prohibited usury." (Quran 2:275).

Imam Shafi'i said in al-Umm that the original ruling on buying and selling is that it is permissible as long as it complies with what is allowed by Shariah. However, if there are elements that are prohibited by the Messenger of Allah, then buying and selling becomes haram. (See article 3/3).

The view expressed by Imam Shafi'i aligns with the well-known rule of jurisprudence:

الْأَصْلُ فِي الْأَشْيَاءِ الْإِبَاحَةُ، وَأَنَّ الْحُرْمَةَ بِالنَّهْيِ عَنْهَا شَرْعًا

"The original ruling for a matter is permissibility, and what is prohibited is due to Shariah prohibition on it." (Referring to al-Mabsut 77/24).

Thus, the law of buying and selling can become unlawful if there are elements that are prohibited or haram. In this context, there is an element of fraud designed by the seller to deceive potential customers, which is what the Prophet Muhammad prohibited in the Hadith mentioned above. We have also published other articles related to fraud in marketing activities in Irsyad Al-Fatwa Series 263: the law of fraud for marketing purposes. Fraud in buying and selling can occur in various forms, and therefore jurists use various terms for these forms of fraud, such as al-Ghishy (concealing defects), al-Tadlis (deception), al-Najsy (false offers), and others.

The Prophet (peace be upon him) said that honest and trustworthy traders will be in the company of the prophets, the righteous, and the martyrs in the hereafter. Therefore, it is very important for a trader to practice honesty in their work while making a profit through the business they run.

التَّاجِرُ الصَّدُوقُ الْأَمِينُ مَعَ الذُّبِّيِّينَ وَالصَّدِيقِيِّينَ وَالشُّهَدَاءِ

"A truthful and trustworthy trader will be with the prophets, the righteous, and the martyrs." (Narrated by Al-Tirmidhi 1208).

Regarding transactions for the sale and purchase that occur between the seller and the buyer, this is a separate matter. The sale and purchase transaction is valid if the conditions and pillars of the sale and purchase are met:

1. Two contracting parties** (seller and buyer)
2. Sighah (Ijab and Kabul)** (offer and acceptance)
3. Things bought and sold** (goods and prices). (Referring to al-Mu'tamad fi fiqh al-Shafie 15/3).

Buying and selling occurs legally if the conditions and principles of buying and selling are met. However, the act of the seller committing fraud is prohibited, and the seller must repent and stop such actions as it leads to lasting sins. Although the aim might be to get a good rating to increase sales, efforts to increase sales must align with Shariah demands. Sellers may conduct marketing campaigns, promotions, or advertisements in other media and then invite potential buyers to make a purchase through an e-commerce website.

Based on the review of the 590th Mufti fatwa of the Federal Territory of Malaya above, it can be seen that making false orders and fake reviews is haram and constitutes fraud. In fiqh literature, making false orders is similar to ****BA'I' najasy****. According to Ibn Qudamah, the practice of false orders is haram according to the law, and the perpetrator is guilty, including in the sale and purchase of najasy, but the sale and purchase contract remains valid. Haram najasy is because there are elements of ****tagrir**** (obscurity) and ****khadi'ah**** (deception) in it. (Ardiansyah, 2023). Additionally, according to him, in buying and selling najasy, there are negative aspects that cannot be known, so Ibn Qudamah argues that whether or not there is a conspiracy between unclean people (who conspire with sellers), if there is an element of ambiguity in the contract, then the law is haram.

Haram buying and selling najasy according to Ibn Qudamah is based on the Hadith of the Prophet narrated by Imam Al-Bukhari: "Ibn Abi Aufa said: The person who engages in najasy is a usury eater as well as a traitor. This is an absurd and untrue lie." The Prophet (peace and blessings of Allah be upon him) said: "Whoever deceives his place in the fire and whoever does a deed for which I have not been guided, then it is rejected." Based on the author's analysis of the practice of buying and selling in online stores that place false orders, there is an element of ****gharar****, which is a situation where the transaction contains elements of ambiguity, vagueness, and fraud that harms one of the parties and may damage the contract or its validity. Gharar can be in the form of a gimmick about quality and quantity that is claimed to be good but does not match the actual facts. (El-Qori, 2020)

The element of Gharar in transactions generally cannot be entirely avoided or eliminated. There is tolerance when the element of Gharar is minimal and does not result in significant losses or risks. Considering that trade in the modern era can occur without

physically presenting the items bought and sold and only explaining the specifications of the products, all types of trade can potentially involve dishonesty or ambiguity. (Hidayatullah, 2019)

Gharar in buying and selling occurs due to the practice of fake orders made by sellers who provide vague reviews and assessments, which may not align with existing reviews or the actual quality of the goods received. Fake orders fall under the category of najasy in buying and selling, which involves manipulating the buying and selling process through false requests, often in collaboration with others, with the goal of encouraging buyers to purchase the goods at a higher price.

****BA'I najasy**** in fake orders is a form of contemporary najasy conducted through visual media, where product assessments are exaggerated through fake reviews created by store owners. Another lesson from this prohibition is that our property should not be diminished by the practice of Gharar. As good Muslims, individuals must avoid such practices by adhering to Islamic Sharia values to resist and avoid such prohibitions.

There are several impacts caused by fake orders and sellers in online trading, namely:

1. Consumer Fraud Consumers who trust reviews and ratings from fake orders can be deceived into buying products that may not meet their expectations or are of low quality.
2. Violation of Business Ethics In Islam and general business ethics, false orders are considered dishonest and fraudulent acts. This violates the principles of fairness, honesty, and transparency in trade.
3. Unfair Competition Fake orders create unfair competition among sellers. Honest sellers who rely on genuine reviews may lose out to those who use fake orders to manipulate the system.
4. Risk of Punishment In some countries, this practice may violate consumer protection laws. E-commerce platforms can impose sanctions such as suspension or deletion of accounts for sellers proven to have placed false orders.
5. Long-term Losses Although fake orders can increase sales in the short term, if exposed, the sellers' reputations can be destroyed, leading to a permanent loss of consumer trust.

IV. CONCLUSION

Online business can, on one hand, provide convenience and benefits to the community. However, if these conveniences and benefits are not accompanied by strict ethical and legal standards, it is easy to fall into fraud, deception, and mutual exploitation. Islam aims to protect humanity by establishing rules for buying and selling in accordance with Sharia. According to the fatwa of the Mufti of the Federal Territory of Malaysia, making false orders is haram. False orders in fiqh are equivalent to illegal najasy in buying and selling.

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