

Islamic Law Review of Discounts Obtained by Having Multiple Accounts on The Shopee Platform

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Keywords: *Shopee, Discount, Multiple Accounts, Tadlis*

Abstract: *The implementation of online buying and selling transactions through the shopee marketplace is included in the buying and selling category that is currently in vogue, because indeed the convenience offered is also the various discounts provided, including tempting discount promos including: price discount discounts, cashback, postage discounts and so on. Various methods have been used by some Shopee account users to get these discounts; one way is to have more than one Shopee platform account. The formulation of the problem in this study is how is the practice of having multiple accounts by certain users to get discount promos and what is the review of Islamic law on discounts that are obtained by having multiple accounts on the Shopee platform. The purpose of this study is to find out the practice of having multiple accounts by certain users in order to get discount promos and to find out an overview of Islamic law on discounts that are obtained by having multiple accounts on the shopee platform. The research method used in this study is a qualitative method. The main type of data source taken is in the form of primary data, namely interviews with Shopee account users, and secondary as supporting data obtained from literature studies such as the Al-Qur'an, hadits, books of fiqh, books, previous research, journals and others. Data collection techniques include interviews, observation and documentation. The data analysis technique in this study is a descriptive way of explaining the research problems by describing the events that occurred and using the legal basis to discuss the problems of the study in this research, namely Islamic law. The results of this study are that buying and selling through the shopee platform as well as the discounts provided are permissible in Islam, but the practice of using multiple accounts on the shopee platform is a sharia violation because this practice is included in the tadlis category and also violates the ethics of honesty in buying and selling.*

Introduction

As a social being, humans have the nature to live in the society to meet their daily needs. Therefore, it is necessary to have mutual relations with each other in order to create good social relations as in muamalah. One of the muamalah phenomena is buying and selling transactions using electronic media or online buying and selling. The concept of buying and selling in Fiqh Muamalah that is similar to online buying and selling is bai' As-salam. Bai' As-salam or as known as online purchasing and vending is an activity where both goods are suspended at first, as well as buying and selling transaction, it is required that there are at least 4 things that must be fulfilled; specifically, buyers, sellers, medium of exchange (money), and goods to trade (Muhimah, 2017).

Buying and selling online has similarities with bai' As-salam, except that at bai' As-salam a face-to-face meeting is held, while buying and selling online occurred via online chat (Kurniawati, 2019). The argument for the permissibility of buying and selling online or ba'i As-salam:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا تَدَايَنْتُمْ بِدَيْنٍ إِلَىٰ أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ

“O you who believe, if you carry out debts that are paid at a certain time, let it be recorded”. (QS. Al Baqarah verse 282).

According to the verse, in the book of commentary on Ibn Kathir it is explained that qiradh and silm (payment in advance and goods later) in addition of that, there are buying and selling of something as well as debts should be recorded so that there are no misunderstandings. Furthermore witnesses are added to strengthen the debt agreement contract to avoid mistakes and to maintain caution from recording some errors, this also makes it easier to collect if later difficulties are found in paying debts (Al-Sheikh, 1994).

Nowadays, Technological developments with the help of the Internet facilitate people's activities, one of the activities happens to be shopping via internet, marketing media that used to be carried out with a meeting system between sellers and buyers such as for example markets and shops, now can be carried out without having to meet face to face, specifically through the internet. Large number of people use the internet to make it a way of convenience in fulfilling their daily life expences namely by shopping on marketplaces or to make it as a side job by creating an online shop with all the strategies to get more profit (Fitriani, 2020).

One of the online buying and selling applications that is currently in vogue is Shopee. Shopee is included in the marketplace-based mobile commerce application. This application offers various promos including free shipping, cashback vouchers and price discounts, top-up vouchers, Shopee coin games that can be used for shopping and many more Shopee discount promotions offered (Noviantri, 2019).

According to the previous paragraph, this cause many Shopee account users tempted to create multiple accounts to get this promo. Meanwhile, in the code of ethics, the provisions for the use of vouchers are written in the Shopee application, including that one Shopee

account user is only entitled to a promo for one account, which is one voucher for each type of voucher per account, so Shopee does not justify it if there is a Shopee account user who has more than one account. (S&K hopee).

To be able to take benefit from Shopee vouchers is very straightforward, the method only needs to download and install the application then register for an account verification. However, there is an unclear contract used between the seller and the application as well as the buyer in this transaction, in view of the fact that in the account verification method, the seller is only asked to fill out the register which must be filled in the form of email and telephone number. As a matter of course, this still cannot fulfill the requirements in a sale and purchase contract, for the reason that in the account verification process there is no information about the clear identity of the seller or the identity of the buyer if we have multiple accounts. Unclear contracts in the Shopee account verification process also have other impacts, such as creating a desire for irresponsible people to increase the number of accounts according to their desire to get discount promos on the Shopee application. The increasing desire of the public to shop online gave rise to ideas from some users of the online shopping application feature to get discount promos on the marketplace (Umami, 2019).

Discount promotions carried out in the context of marketplace marketing effectuate the consumers to buy these promotion items, whereas promotions are considerably aiming to increase the sales of an item, as well as discount promotions, price discounts are one of the things that are engrossing to consumers, in other words is to get a lower price than the normal price (Primadhany, 2012).

With various discount promo offers on the Shopee application, it invites some people to take advantage of technology by increasing the number of accounts in order to get discount promos on the Shopee platform. Miscellaneous methods have been used so that Shopee does not detect that users have more than one account because in the Shopee code of ethics, one user is only allowed to have one account. (S&K shopee).

This is a very compelling topic to discuss because there are cases of buying and selling through the Shopee platform by creating multiple accounts to get discount opportunities from the Shopee application. On the other hands, Shopee itself does not justify or allow one person to have multiple accounts. Therefore, the researcher wants to find out the legal status of the discount obtained by the user, whether it is in accordance with the Shari'a or not, considering that the user gets a discount by manipulating the account he has, which should only have one account, However, because of the convenience offered by Shopee, it makes some people have several accounts just to pursue Shopee discounts. From the background mentioned before, this study will examine this issue with a title of "Islamic Law Review of Discount Obtained by Having Multiple Accounts on The Shopee Platform".

Research Method

This study uses a qualitative research method, because this research will produce existing facts, namely when the research is carried out using data in the form of action events or surrounding behavior which are observed carefully in order to produce a conclusion and is

expected to get a clear picture of the object under study. This research will use data sources that are appropriate or necessary for research in examining study problems. This study will use primary data sources, such as interviews, observations, distribution of questionnaires and secondary focused discussions, namely the Qur'an, Hadith, Ijma', books, journals, reports, scientific papers and others, because the two sources in this study are suitable to use in this study. This study will analyze descriptively, namely by explaining the research problems by describing the events that occurred and using the legal basis to discuss the problems studied in this research, namely Islamic law.

Result and Discussion

Based on the explanation regarding the findings in the discussion of part B, 2 things were found, the first point is that there are many online buying and selling practices that occur where buyers try to have more than one Shopee account to make buying and selling transactions, whereas in the terms of the Shopee itself that one account is only entitled to be owned by one person. Secondly, these plenty of people who use Shopee account took advantage of Shopee itself by using more than one Shopee account to shop in order to get bigger discounts, even though this is contrary to the Shopee regulation procedure whereby Shopee limits one person to have only one account so that they can fully enjoy the features at Shopee, the discussion of these two matters will be described in the following section.

Online purchases can be made without having to meet face to face between the seller and the buyer, in Islam buying and selling is similar to buying and selling, namely buying and selling orders or as-salam, because the goods for the goods are equally suspended and this is permissible by the word of God (Putri, 2022):

يٰۤاَيُّهَا الَّذِيْنَ ءَامَنُوْا اِذَا تَدٰىتُمْ بِدِيْنٍ اِلَىٰ اَجَلٍ مُّسَمًّى فَاكْتُبُوْهُ

“O you who believe, if you carry out debts that are paid at a certain time, let it be recorded”. (QS. Al Baqarah verse 282).

Buying and selling at Shopee platform is the same as buying and selling as-salam, namely buying and selling orders where the goods will be sent after payment, it's just that buying and selling online is done online. In online buying and selling transactions, various kinds of images are provided by sellers to promote their wares, these transactions are carried out through the marketplace feature, and one of the marketplaces used in this period, namely Shopee because of the ease of use of transactions as well as the many discount promos offered which can invite public interest to shop at the Shopee Platform (Fitriani, 2020).

Among the reasons why people choose Shopee to be their favorite place to buy and sell marketplace users is because the discount advertisements that are served include the types of discounts that these users really interested in. (Interview, Istiqomah, January 25th 2023), including discounts, cashback vouchers, credit vouchers, shop vouchers and other types of discounts. People who already get used to the convenience provided to get discounts are

addictive and willing to repeat purchases in order to get a similar discount, namely by tricking them into creating a new account again to get another discount (Sukiman, 2017).

Basically, discount is allowed in Islam, because discount is similar to grant a gift. Granting gifts is actually not a burdensome and is permissible because gifts from the seller are the right of the seller to be given to consumers (Octavia, 2020), nonetheless consumers need to pay attention to how to get these discounts so that they are in accordance with Islamic law and do not violate ethics in buying and selling, including namely (Nisrina, 2015):

1. Honest in muamalah, as in the hadith

عَنْ أَبِي سَعِيدٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: التَّاجِرُ الصَّدُوقُ الْأَمِينُ مَعَ النَّبِيِّينَ وَالصِّدِّيقِينَ وَالشُّهَدَاءِ – رواه الترمذی

From Abi Sa'id, from the Prophet Muhammad SAW said: "Honest and trusted traders with the Prophets, honest people and martyrs," (Tirmidzi) (AL-Asqalani, 1996).

In the practice of having multiple accounts by some of the Shopee account users who have been interviewed it turns out that what they are using is dishonest because they hide their real identities to make transactions to get discounts (Interview, Wahyudi, January 12th 2023). This is certainly contrary to Islamic rules that Islam teaches to be honest in buying and selling.

2. Both agree in muamalah, especially buying and selling, all parties involved must pay attention to mutual likes and avoid fraudulent attitudes such as *tadlis* because to create pleasure and blessings in the transaction.
3. Do not cheat the measure, the size of the scales or cheat, as stated in QS al-Muthaffifin 1-3:

وَيْلٌ لِّلْمُطَفِّفِينَ

"Woe to those who cheat (in measuring the scales)".

الَّذِينَ إِذَا اكْتَالُوا عَلَى النَّاسِ يَسْتَوْفُونَ

"(That is) people who, when they receive a measure from another person, they ask for it to be fulfilled,".

وَإِذَا كَالُوهُمْ أَوْ وَّزَنُوهُمْ يُخْسِرُونَ

"And when they measure or weigh (for others), they reduce".

Islam has regulated how to do transactions properly and correctly, while the way for Shopee account users to get discounts by hiding their real identities, namely by tricking them with fake accounts, is not in accordance with Islamic recommendations, that Islam forbids its adherents to choose a vanity path just to get a discount based on the word of Allah (Aditama et al., 2018):

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ ۖ وَلَا تَقْتُلُوا أَنْفُسَكُمْ ۚ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

“O you who believe, do not eat each other's wealth in a vanity way, except by way of commerce that applies with mutual consent between you. and do not kill yourselves; Verily Allah is Most Merciful to you”. (QS. An-Nisa' verse 29).

Described in previous research by Fitranasia Tri Palupi (2021) in her research "Cashback, Discounts, and Vouchers for E-commerce Shopee Users in the Perspective of Islamic Law" revealed that the discounts provided by Shopee for account users are actually lawful in accordance with Islamic teachings and are permissible because discounts include gifts, does not violate the Shari'a and is in accordance with the following explanation that, (Palupi, 2021):

From Aisyah radhiyallahu 'anha, she said:

كان رسول الله صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقْبَلُ الْهَدِيَّةَ وَيُثِيبُ عَلَيْهَا

“The Prophet sallallahu 'alaihi wasallam used to receive gifts and repay them “. (Al Bukhari: 2585).

From Abu Hurairah radhiyallahu 'anhu, Rasulullah shallallahu 'alaihi wasallam said:

تَهَادُوا تَحَابُّوا

" give one another gifts; surely you will love each other." -HASAN- (Shahih Al Adab Al Mufrad, 462) HR. Al Bukhari (Al Adab, 594) dan Abu Ya'la (6148).

Basically, buying and selling on the marketplace, in this case the Shopee platform, is permissible as long as the pillars and conditions for buying and selling are met and there are no violations or types of buying and selling practices that lead to prohibited buying and selling. The pillars and conditions of sale and purchase must be fulfilled so that the sale and purchase become valid, among the pillars of sale and purchase discussed in Chapter II, namely the seller and the buyer, consent qabul, goods being traded and the exchange rate for goods or money. Meanwhile, among the terms of sale and purchase, namely that the person making the sale and purchase transaction must be intelligent, the goods being traded can be clearly identified, are their own and delivered in accordance with a predetermined time.

Based on the legal review of online buying and selling in terms of the terms and pillars of buying and selling that have been described above, it is clear that buying and selling on the marketplace fulfills the requirements and pillars of buying and selling because there is no element of violation in the pillars and legal terms of buying and selling, so that the law of buying and selling online in the marketplace is permitted as well as buying and selling on the Shopee platform because in practice such buying and selling is included in the as-salam buying and selling category, then buying and selling is legally permissible (Octavia, 2020).

Apart from having to fulfill the pillars and conditions of buying and selling, buying and selling may also not lead to prohibited transactions, in this case buying and selling which is prohibited in Islam include: buying and selling of people who do not have reason then the buying and selling of crazy people is invalid, buying and selling which is not in accordance with the consent qabul then it is not legal to buy and sell that is different between the order and the goods received when the goods are not in accordance, gharar buying and selling, namely buying and selling that has defects causing loss to one of the parties, buying and selling of unclean and unclean goods such as khamr, pork and other illegal animals, buying and selling containing usury such as interest on debt, buying and selling talaqqi rukban namely buying and selling by intercepting street traders in the hope of buying it at a cheap price and then selling it again in the market at a higher price because the trader does not know the original price. The next prohibited sale and purchase is the sale and purchase of tadlis or fraud, namely buying and selling by covering up and not explaining the defects of the goods being traded, whether defects arise from the seller or the buyer, it can happen by tricking buyers by hiding defects in the goods being sold or vice versa as in today's digital era, namely by manipulating accounts to trick a particular platform in online buying and selling transaction contracts. There are 4 types of tadlis trading, namely: First, tadlis in quality (ghisy) is like a seller who hides defects in his merchandise. Secondly, tadlis in quantity is like a trader who reduces the contents of the measure in the scales. Third, tadlis in price can be divine as a seller who takes advantage of the buyer's ignorance of market prices by raising product prices above the average price. Last but not least, the tadlis of the time of delivery, namely buying and selling in which the time of delivery is not in accordance with the agreed contract. The last prohibited sale and purchase is the sale and purchase of najasy, namely market engineering in demand such as creating fake purchases as if there are many buyers so that they can raise prices higher than the real price.

After examining the practice of having multiple accounts in buying and selling transactions, it may not make the terms and pillars defective, but there are indications that it leads to a sale and purchase violation, namely tadlis that are also dishonest. As it is known that buying and selling can be said as buying and selling which is prohibited if it contains elements of fraud, and in practice using multiple Shopee accounts to get discounts is included in the category of cheating agreements abetween sellers and buyers through the Shopee applications and is dishonest in terms of account ownership, because in Shopee terms and conditions stated that it prohibits users from having and using more than one Shopee account (S&K Shopee).

This practice identifies it as included in the tadlis or fraud category because the practice that has been carried out contains elements of fraud, known by manipulating accounts by having more than one account and then using the fake account to shop and gets discount. The rukes in the terms and conditions Shopee stated that one person is only entitled to have one account and if one person has more than one account then it is included in the category of violating the terms and conditions of using a Shopee account, and if Shopee knows about this certain thing and a violation occurs, Shopee has the right to impose sanctions such as

termination of the account, if there are indications that a fraud case is greater, Shopee has the right to also impose large sanctions such as fines or being taken to the court. (Umami, 2019).

In Islam, *tadlis* trading is considered invalid because there is concern that the transaction contract carried out contains an element of fraud, whereas in Islam itself has arranged in such a way that one or both parties felt disadvantaged in a sale and purchase transaction, because it is feared that if one of the parties, both the seller and the buyer, feels lied to and causes disapproval. It will damage the sale and purchase contract, even though one sale and purchase are said to be valid if there is a sense of mutual pleasure as in the hadith:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ عَنِ النَّبِيِّ ﷺ قَالَ لَا يَخْتَرَقَنَّ اثْنَانِ إِلَّا رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ (عَنْ تَرَاوِضِ)

“From Abi Hurairah R.A from the Prophet SAW said: do not let two people who are buying and selling separate, before they please each other”. (Narrated by Abu Daud dan Tirmidzi) (AL-Asqalani, 1996).

According to *fuqoha* experts, *tadlis* trading has the meaning of covering the disgrace of goods, in this case it can apply to sellers and buyers, because in buying and selling fraud can occur not only on the seller's side, however, the buyer can also be indicated as committing fraud if the buyer violates the terms of the sale and purchase contract or if there is an unclear transaction made by the buyer, especially in the current online conditions. The seller can be said to have committed fraud (*tadlis*) if the sale contains elements of fraud such as hiding defects in the goods being sold and not explaining clearly the defects or deficiencies in the merchandise, on the other hands the buyer is included in the fraud category (*tadlis*) if the buyer is detected to have made a purchase by manipulating payments or hiding the means of payment from the seller, in this case the buyer hides several of his Shopee accounts, either hiding them from the seller or hiding ownership of these accounts on the Shopee platform (Mukri et al., 2019), the sale and purchase made is legal, but the account owner commits a sin because the perpetrator has committed *tadlis* or fraud.

Basically, online buying and selling through the Shopee marketplace is allowed because there is a legal basis and legal conditions for buying and selling have been fulfilled as has been researched by Umul Muhimah (2017) who researched "A-Salam Contracts in Online Buying and Selling from an Islamic Economic Perspective", explaining that buying and selling Shopee is included in the *as-Salam* buying and selling category, so it is permissible. However, the practice of using multiple accounts that occurs is categorized as a *tadlis* sale and purchase and is included in the prohibited sale and purchase category because in the practice of using it the buyer uses a fake account which, if the Shopee knows about it, will be subject to sanctions, both sanctions such as account deletion or fines, even in a bigger case it can result in the case being taken into the realm of court and can get a heavy penalty because the terms and conditions of the Shopee have been violated, namely by manipulating the account. This practice identifies *tadlis* because the user uses an account with a status that should not be owned and is used as a double account that has the same function, namely to shop at the

Shopee marketplace to get more benefits, namely in the form of discounts, even though this action is prohibited by Shopee.

Previous research that has examined discounts is about cases of getting discounts such as the research "Cashback, Discounts, and Vouchers for E-commerce Shopee Users in the Perspective of Islamic Law" which was researched by Fitranasia Tri Palupi (2021) in this study the discounts on Shopee are included in the Qard and Wadi'ah contracts where according to the fatwa of the scholars 'Qard is a loan given to a customer, including gifts or voluntary gifts, then the law is permissible and permissible (Palupi, 2021).

Furthermore, the discount researched by Lili Octavia (2020) in her research "Review of Islamic Law on the Promo System on Buying and Selling Online Shopee", states that discount promos such as: postage discounts, price discounts, discounts, cashback and others, according to Islam, this is included in the category of safekeeping or wadi'ah and can be said to be illegal if it contains profits because it includes usury, however, the research found also states that discount promos on the Shopee marketplace include gifts and gifts are permissible according to Islamic law (Umami, 2019).

Multi-account transaction contracts discussed in Alvina Khoirul Umami's research (2019) namely "Legal Analysis of Buying and Selling Through Shopee Application Intermediaries Perspective of Electronic Transaction Regulations and Syari'ah Agreement Law" explains that in fact the process of buying and selling transactions on the Shopee application still contains irregularities due to the ambiguity of the contract used between the seller and the buyer as well as the application itself so that it makes it easier for users to manipulate accounts due to the account verification process which is considered incomplete, However, Shopee already has its own safeguards to protect against fraud, which is proven by blocking by Shopee if an account is detected as cheating, in this case there will be an account blocking by Shopee which will cancel the sale and purchase agreement that has been made, then the sale and purchase will be canceled automatically (Umami, 2019). However, if the user makes a transaction using the new gadget, Shopee will not know that the user is the same person and the transaction is still successful without any account blocking (interview, Wahyudi, January 12th 2023).

Islam has regulated all human needs so that they are neatly arranged without any party feeling cheated including in terms of buying and selling, it also allows giving gifts to anyone and has the right to be received by anyone, However, it should be noted that the prize money is not allowed by coercion, such as cheating or by violating the terms and conditions set by the gift giver, so that he does it in such a way as to obtain the prize.

Conclusion

The increasingly widespread online business competition that provides massive discounts to increase buyer interest, has forced some marketplace users to take steps to achieve ownership of discounted goods offered on the marketplace, then a number of groups emerged from the community by creating multiple accounts on the Shopee marketplace in order to get lots of discounts, whereas in Shopee's own T&C they don't justify this.

Basically buying and selling online is allowed because it is closely related to buying and selling As-salam, as long as online buying and selling fulfills the conditions and pillars of buying and selling such as: consent granted, seller and buyer, the object of the goods being traded is thereon a consensual basis is also not included in the category of buying and selling which is prohibited, while discounts provided by the Shopee platform itself are included in prizes, and gifts are permissible in Islam.

From the results of this study it can be concluded that the ownership of multiple accounts on the Shopee platform is a sharia violation, this is proven because there are fraudulent practices by committing violations in the form of having multiple accounts and included in the prohibited trading category, namely *tadlis* or fraud as well as violations of buying and selling ethics by not being honest, but in principle this sale and purchase is legal because the conditions and pillars of buying and selling are fulfilled, it's just that the perpetrators who do the *tadlis* get sin for committing fraud which is included in the category of prohibited buying and selling.

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