

Conformity Of Shopee Paylater And Shopee Borrowing With Sharis Economic Principles In Digital Transactions Practices

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Abstract:

This research discusses the Shopee PayLater and Shopee Pinjam services on the Shopee e-commerce platform, viewed from the perspective of Islamic economic law. The main focus of this study is to identify the elements of usury in the payment and loan system offered by Shopee, and to assess the suitability of the view of these services with sharia principles, especially related to the qardh contract. This study uses a qualitative approach, which is a research method used to examine a phenomenon in natural conditions without intervention or manipulation from the researcher. The results of the analysis show that the existence of interest, administration fees, and late fees in both services contain elements of usury nasi'ah which is forbidden in Islam. Therefore, sharia-based solutions such as the use of interest-free qardh contracts, transparent murabaha, and the utilization of Islamic social funds such as zakat, infaq, and waqf (ZISWAF) are more suitable alternatives. In addition, increasing Islamic financial literacy is very important to educate the public so that they better understand the impact of usury and can switch to a financial system that complies with sharia.

Keywords:

Shopee PayLater, Shopee Pinjam,
Sharia Economic Law, Digital
Transactions

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1. INTRODUCTION

In the Islamic economic view, riba, especially riba nasi'ah, refers to the additional value imposed on a loan due to a delay in repayment. Various classical sources in fiqh literature, both from the main schools and the hadiths of the Prophet Muhammad ﷺ, affirm that any form of addition imposed on the principal amount of the debt, whether required from the beginning or at maturity, is classified as riba and the law is haram. This ban reflects Islam's commitment to protecting society from exploitative economic practices and maintaining a balance between individual and social interests. As the fintech industry develops in this digital era, financial convenience through the "buy now pay later" service is expanding, and one of the pioneers is Shopee PayLater (SPayLater/Spinjam). The platform offers installments with interest and additional fees such as late penalties, for example 2.95% interest per month and penalties of up to 5%. Although Shopee said that the contract used is qardh (interest-free loan), in reality there are additional costs that many academics and MUI fatwa categorize as riba nasi'ah. (Nurlaesa & Ulfah, 2024)

Furthermore, survey studies and interviews conducted on Muslim students revealed that most of them considered SPayLater to contain riba nasi'ah, because they were not only subject to interest but also administrative fees and penalties. On the other hand, there are a few who argue that the fee is a service fee even though this perspective is less consistent when looking at the principle of qardh contract in sharia jurisprudence.

From the perspective of *maqāṣid al-syārī'ah* (sharia goals), especially *hifz al-māl* (property protection), the presence of usury elements in fintech like this has the potential to damage user welfare, trigger consumptive attitudes, and deviate from the purpose of social justice distribution. (Rasulong et al., 2024)

Based on this background, this research aims to answer two main problems. First, how the mechanism and practices of Shopee PayLater and Spinjam are reviewed from the principles of Islamic economics, especially related to the elements of riba nasi'ah and the suitability of the contract used in the service. Second, what are the implications of the use of SPayLater and Spinjam services on the behavior and economic conditions of Muslim consumers, as well as how Islamic economic principles can provide solutions to potential deviations that arise, such as financial dependence and violations of the values of *maqāṣid al-syārī'ah*

2. RESEARCH METHODS

This research uses a qualitative approach, which is a research method used to study a phenomenon in natural conditions without intervention or manipulation from the researcher. In this study, the researcher plays the role of the main instrument in data collection, which is carried out by triangulation technique, which is a combination of various data collection methods to obtain more accurate results. Data analysis in qualitative research is inductive, which means that research findings are developed based on patterns and relationships that emerge from the data collected, rather than on predetermined initial hypotheses. Therefore, the results of this study place more emphasis on deep meaning and understanding than simply producing conclusions that can be generalized to a wider population.

According to Creswell (2017), qualitative research is a type of research that aims to explore and understand the meaning constructed by individuals or groups related to a social problem. In this study, the object studied is natural setting, which means that the condition of the research object does not change due to the presence of the researcher. Therefore, this method is often referred to as the naturalistic method, as it examines phenomena as they are without any particular manipulation or regulation. Thus, from the time the researcher entered the research environment until the data was collected, the condition of the object remained in its original state without any significant changes.

Furthermore, according to Sugiyono (2014), data in qualitative research must have the characteristics of certainty, which means that the data collected really describes the reality that occurs in the field. The data collected is not only what is seen or heard directly, but it must also be able to capture the hidden meaning behind the respondents' statements or behaviors. Therefore, qualitative research seeks to dig into information in depth and is not only limited to the answer "yes" or "no", as expressed by Moleong (2011).

This research aims to gain a deeper understanding of a phenomenon by collecting extensive and detailed data. The research process is carried out by asking respondents to express their views, experiences, or opinions on a topic without being given strict directions or restrictions in answering. The main focus of qualitative research is not on the large number of samples, but on the depth of information obtained. Therefore, although the sample used in this study is limited, as long as the data collected is in-depth enough and able to explain the phenomenon being studied, no additional samples are needed. With this approach, qualitative research is expected to produce richer and more comprehensive insights into the problems studied.

3. RESULTS AND DISCUSSION

Conceptually, riba is any additional form or excess obtained from a financial transaction that is carried out without any basis of justice or justification for sharia. This additional can be in the form of loan interest, penalties for late payments, or other hidden costs that are imposed unilaterally and burden one of the parties in the contract. In the perspective of Islamic economics, this kind of practice is seen as a form of exploitation and injustice that is very contrary to the basic principles of muamalah, such as justice ('adl), equality, and willingness between parties (taradhi). Islam regulates the financial system with the aim of creating balance and protection for all transaction actors, so that all forms of inequality that can harm one party, such as usury, are strictly prohibited in the sharia. (Nur et al., 2023a)

This prohibition is affirmed by Allah in the Qur'an:

It's a matter of time that's not known for you, i'm going to be a liar, i'm going to be a liar, i'm going to do so. It's a matter of fact that the prophet (peace and blessings of Allaah be upon him) said, "I'm the one who's gone, i'm the one who's going to be a blessing." The Prophet (peace and blessings of Allaah be upon him)

(QS. Al-Baqarah: 275)

Meaning: *"Those who eat usury cannot stand unless they stand like those who are entered by Satan because of the (pressure) of madness. Their condition is because they say (opinions), indeed buying and selling is the same as usury, whereas Allah has legalized buying and selling and forbidding usury. Those who have come to him with a prohibition from his Lord, then he ceases (from taking usury), then for him what he has taken before (before the prohibition came). and his affairs (are up) to Allah. The one who repeats (takes usury), then that person is the inhabitants of Hell; they remain in it"* (QS. Al-Baqarah: 275)

This verse clearly shows that usury is not only a violation of economic law in Islam, but also a form of moral deviation and spiritual violation. The image of a person who eats usury like a madman possessed by a demon is a form of strong condemnation of this practice, because usury is not only materially harmful, but also destroys moral values and social justice. (Serendipity & Laily Nisa, 2024)

The majority of jurisprudence, both classical and contemporary, agree that any additional form of unilateral benefit to one party in debt-receivables transactions, whether in the form of conventional interest, late penalties, or disguised service charges, constitutes riba that is prohibited in Islam. Riba is considered a form of tyranny that weakens social solidarity, because the weak party (borrowers) are increasingly burdened, while the strong party (creditors) gain benefits without risk.

In the contemporary reality, such forms of usury are still prevalent in the conventional financial system, particularly in the practice of online banking and lending that charges interest or additional fees beyond the principal of the loan. Therefore, the Islamic economic system offers solutions through usury-free transaction mechanisms, such as murabahah, ijarah, mudharabah, musyarakah, and qardhul hasan, which emphasize the principles of transparency, justice, and mutual benefit.

Recent studies have also reinforced the view that the practice of usury contributes greatly to economic inequality and social instability. In the long run, usury widens the gap between the rich and poor, creates the accumulation of wealth in a handful of economic elites, and leads to poor people's dependence on suffocating interest-bearing debt (Saragih et al., 2023)

One of the most well-known forms of riba is riba nasi'ah, which is an additional charge imposed on the principal of the debt solely due to the delay in payment. This is the most basic and classic form of usury, which is compensation for time alone without any real effort contribution or added value. (Rahmi et al., 2024)

In a sahih hadith it is stated:

"La riba illa fi an-nasi'ah."

Meaning: *"There is no riba except in riba nasi'ah"* (HR. Muslim from Ibn Abbas)

As a basic illustration, if someone borrows funds of Rp100,000, then because he is late in paying, he is charged an additional Rp10,000 and has to return Rp110,000, then the additional is riba nasi'ah—because it is not based on merit, risk, or effort, but solely because of late payment.

However, the point of discussion this time is regarding the shopee application, Shopee is a mobile platform that is a pioneer in online business transactions in Southeast Asia, including Indonesia, the Philippines, Malaysia, Singapore, Thailand, Vietnam, and Taiwan (Fauziah, 2019). With a wide selection of products, ranging from electronics and accessories, household supplies, health products, beauty tools, mother and baby supplies, fashion, to sports equipment. As a mobile-based marketplace, Shopee allows users to transact online without the need to access the website.

Shopee officially entered Indonesia in December 2015 under the leadership of Chris Feng. This application allows users to buy and sell products or services through the platform available on iOS and Android devices, which can be downloaded through the Play Store. Various features in this application, such as live chat, make it easier to interact directly between sellers and buyers, making the transaction process faster and more efficient.

According to Komara and Daimah (2019), Shopee is one of the largest e-commerce platforms in Indonesia. Every day, thousands of transactions take place between sellers and buyers without the need to meet in person. With the increasing popularity of online businesses, this trend has become an attractive alternative for people to run a business without having to have a certain physical location. (Ruslang et al., 2020)

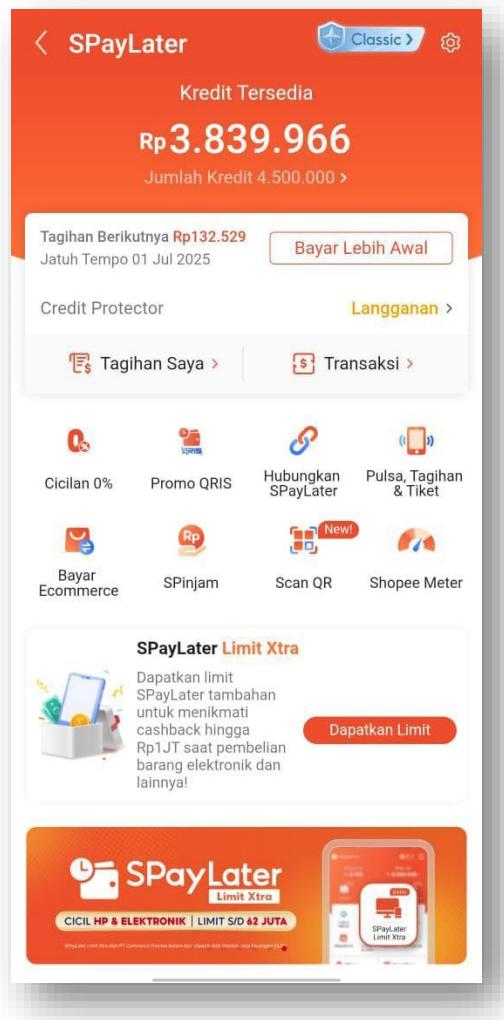
Shopee became the e-commerce platform with the highest number of monthly visits in Indonesia, reaching 71.5 million visits during the first quarter of 2020 according to data from iPrice (Jayani, 2020). The changing lifestyle of people who increasingly rely on digital technology has encouraged the emergence of various fintech services, which allow individuals to meet their needs without having to wait to have the necessary funds. As a result, many people have started applying for online loans to meet their living needs even though they do not have enough funds. (Princess & Irish, 2020)

Currently, various applications have presented an innovative feature that makes it easier for consumers to shop first and pay later, known as the Paylater service, this feature allows people to buy goods with a delayed or loan-based payment system. One of the services that adopts this concept is Shopee Paylater, which is designed to increase transactions on Shopee by providing an e-money-based loan system in buying and selling activities. (Leonita & Wulandari, 2024) (Ananda & Yasin, 2022)

However, not all financial features on Shopee are in accordance with the principles of Islamic economics. For example, Shopee Paylater which is a Shopee product that allows users to obtain non-cash funds to transact first and make payments later and Shopee Pinjam which is a platform-based cash loan offered by Shopee in collaboration with financial institutions

A. Fintech Features on Shopee

Here are some fintech features on shopee that are not in accordance with Islamic economic principles:



1. Shopee Paylater (Spaylater)

Shopee Paylater is an online loan feature available in the Shopee application, designed to provide convenience in shopping with a pay later system. The application process is simple and the initial limit reaches Rp. 750. 000 makes it even more interesting. Users can make payments within one month without incurring interest, or choose installment options for 2, 3, or 6 months at an additional cost.

The limit available to users will continue to increase along with the frequency of using Shopee Paylater. However, keep in mind that this limit cannot be cashed out; users can only use it to shop on the Shopee application. This installment payment system also includes a number of additional fees or interest. For one-month installments, there will be no interest charged. However, for 3, 6, 12 month installments, interest will be charged at 2.95% and a handling fee of 1%. In addition, users are required to make payments before maturity to avoid a fine of 5%. (Ananda & Yasin, 2022)

The payment system with ShopeepayLater in the Shopee app shows that this method is still contrary to the principles of Islamic law. In practice, payments with ShopeepayLater contain an element of usury, characterized by a handling fee of 1% for each transaction and a fine of 5% if there is a delay

in paying bills. In addition, users who choose a loan term between two to three months must also pay an interest of 2.95%. (Liana et al., 2024)

Islamic law clearly explains that any additional payment of debt, in any form, constitutes usury. The practice of usury is strictly forbidden in Islam, and the Prophet PBUH himself condemned those involved in usury, including usury-eaters, usury-givers, recorders, and two witnesses in the transaction.

Going through the payment practice through ShopeepayLater, we can see that this loan system is not in line with Islamic law, because there is an element of riba in it. In Islam, the process of debts and receivables should be carried out without involving usury and things that are detrimental to any party. (Asriyanti , 2021)

2. Shopee Loan (SPinjam)

Shopee Pinjam, often abbreviated as "SPinjam", is a loan feature from the Shopee marketplace in collaboration with fintech company Lentera Dana Nusantara (LDN). This feature

has significant differences compared to other Shopee features, such as Shopee PayLater, which offers loans in the form of electronic money that cannot be disbursed and can only be used to shop at Shopee. With SPinjam, users can apply for a loan whose funds will be directly transferred to their personal bank account, so that it can be used for various purposes as needed

To get loan services through SPinjam, there are two main steps that must be followed:

1. Enable the SPinj feature.
2. Follow the loan application procedure available in the SPinjam feature.

Unfortunately, this service is only accessible to selected Shopee users, meaning that not all users can feel the benefits. If the "Me" menu in the user's Shopee application has the SPinjam feature, then the user has the right to activate it. This feature is only available to users who are active in shopping or selling on Shopee, and have used Shopee PayLater without any records of problems with installments or bills (Ludfi, Interview, 2021).

The activation and application process for SPinjam is fairly easy; Users can do it

anywhere without being bound by time and location. Users only need to download the Shopee application on Android-based smartphone devices through the Play Store and follow the guidelines

provided. After that, users can easily activate SPinjam and fill in some of the required data and documents in the application.

Terms and conditions to activate the SPinjam feature can be seen on the official Shopee website and on their mobile application. Some of the general requirements set by Shopee and PT. Lentera Dana Nusantara (LDN) as a loan provider includes: (1) Indonesian citizens. (2) Have a valid ID card. (3) Be 21 years of age or older, or married, and not under guardianship. (4) Fill in personal data correctly and accurately and can be accounted for. (5) Perform facial verification. (6) Have a bank account in one's own name to receive loan fund transfers. (7) Prepare emergency contact data; and (8) Using the latest version of the Shopee application that can be downloaded through the Play Store (Choki, Chat Online, 2021).

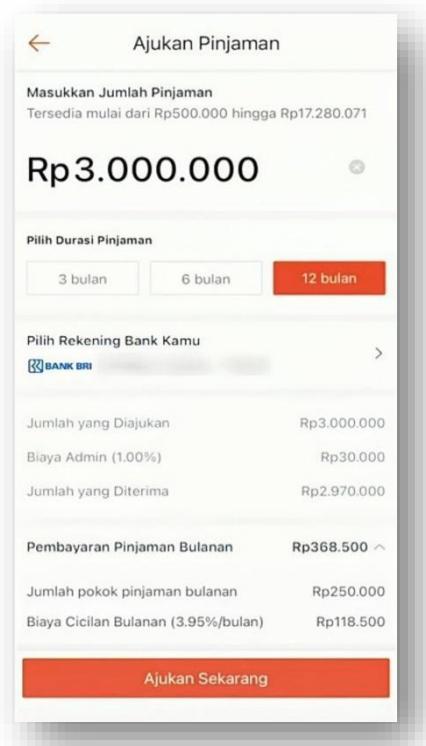


In the SPinjam feature, the lowest interest rate is set at 2.45% per month that must be paid by users of this online loan service. In addition, there is an administration fee of up to 3% per transaction. In the event of a delay in installment payments, the user will be subject to a fine of around 5% of the remaining principal of the loan, plus loan interest and late interest from the previous months if the delay lasts long enough. For ease of payment, users of the SPinjam feature can choose from various payment methods, such as through Indomaret outlets, Alfamart, bank transfers, and others.

The SPinjam feature does have somewhat confusing characteristics related to the amount of interest rates that tend to fluctuate. In the FAQ section, it is only mentioned that the lowest interest rate is 2.45%, with no limit to its maximum interest rate. When users ask questions about interest rate changes to Shopee customer service, generally the answers provided are related to risk analysis by Shopee, which considers factors such as additional loan limits, loan nominals, and loan tenor. This means that the larger the loan limit, the loan nominal, and the tenor duration, the higher the interest rate applied.

For example, if someone applies for a loan of IDR 500.000 with a tenor of 2 months, there is a 1% administration fee charged, which is IDR 5.000, which is immediately cut off upon defrosting. Thus, users only receive money of IDR 495.000 which can be directly disbursed to the personal account entered during application. When making monthly loan payments, users must pay IDR 269.741. If calculated manually, the total that must be paid by the user becomes Rp 539.482, which indicates the existence of additional funds to be paid. Unfortunately, at the beginning of the application there is no explanation regarding the additional percentage of interest rates that must be paid by users, while the lowest interest rate that has been set for this SPinjam feature is 2.45%.

Looking at the total number that user have to pay is IDR 539.482, it can be seen that the applied interest rate is more than 2.45%, even more precisely around 3.94%. This simulation was carried out with a relatively small loan amount in the SPinjam application. Of course, if users take a larger amount of loans with a longer duration, the interest rate charged by the Shopee marketplace will be higher, considering the risks that may arise in the future.



B. Islamic Economic Views on Riba Nasi'ah in the Shopeepay Feature

The Islamic economic view expressly prohibits riba nasi'ah, which is additional or profit taken from the delay in debt payments or credit buying and selling transactions.

:The Messenger of Allaah (peace and blessings of Allaah be upon him) said

"The Prophet cursed the person who eats usury, who gives usury, the author of the usury transaction and the two witnesses of the usury transaction. They are all the same." (HR Muslim)

In the context of the Shopeepay feature and similar services such as Shopee PayLater, the practice of withdrawing interest or fines for late payments is considered a form of riba nasi'ah because there is an addition to the principal of the loan as compensation for the deferred repayment time. (Nur et al., 2023b)

Riba nasi'ah is prohibited in the Quran and hadith, riba nasi'ah is also referred to as riba jahiliyah. This is related to the tradition of the people during the jahiliyah period who practiced lending money to someone and when the time for repayment came, they offered to extend the loan, so that the interest

on the loan increased. In modern practice, this is often found in electronic loan or paylater systems, where users are charged interest or fines if they miss the payment due. (Rahmi et al., 2024)

Scholars and sharia authorities emphasized that features such as shopee paylater which charge interest or fines for late payments are not in accordance with sharia principles and include riba nasi'ah so that the law is haram in Islam. Meanwhile, other shopeepay features that only function as a means of payment without additional elements or interest, are still considered mubah or allowed as long as there are no elements of riba and gharar in it. (Ar - São Paulo , 2021)

C. Sharia Economic Principles in Overcoming Spaylater and Spinjam

Interest and riba can both arise from the practice of debts and receivables or borrowing and borrowing. This suggests that both can arise from the same origin. In addition, both interest and usury are both profits for capital owners, which are obtained without requiring significant effort, simply by lending the money. In this case, it can be said that interest is usually determined based on the percentage of the principal of the loan, not on the profits generated. Therefore, borrowing and borrowing money or debts and receivables can be considered as the basis for the emergence of interest and usury. Bank riba or bank interest is included in the category of riba nasi'ah, both in small and large amounts, because the main function of banks is to provide loans. () Concept and Dialectics Kontemporer By Shaykhu et al. (2020)

In the Islamic economy, financial transactions must be based on justice, transparency, and free from riba (interest). However, services such as SPayLater and SPinjam offered by Shopee contain interest in its payment system. In Islam, interest falls into the category of usury, which is forbidden because it can harm one of the parties. Therefore, it is important to find alternatives that are more in accordance with sharia principles so that they can still meet their needs without violating Islamic rules. Here are some alternative solutions:

1. Using Sharia Financing

Alternatively, sharia-based financing systems such as qardh (interest-free loans) or murabahah (buying and selling with profits agreed upon in advance) can be applied. In this scheme, users are not charged interest, but only pay the price of goods that have been agreed upon from the beginning.

Several sharia fintech platforms such as Ammana and Alami already provide interest-free financing services with a profit-sharing system or murabahah contract, which is more in line with the Islamic economy.

2. Utilization of Sharia Social Funds

In addition, zakat, infaq, and waqf (ZISWAF) can be a solution in providing interest-free loans for people in need. If applied in e-commerce, then services such as SPinjam Syariah can be present to provide interest-free loans, so that people are not burdened with usury-based debts.

For example, in some countries such as Malaysia, zakat institutions have provided interest-free loan programs for MSMEs, which help them grow without having to use interest-based loans.

3. Sharia Finance Education

Many people use SPayLater or SPinjam because they lack a better understanding of the risks of usury and the available sharia financing alternatives. Therefore, education about Islamic finance is very important so that people are more aware and can choose financial options that are more in accordance with Islamic teachings. (Kamil & Indrawati , 2023)

Many Islamic finance influencers in Indonesia are actively discussing halal investment and finance on social media. They help people understand how to manage money and shop without being entangled in usury.

4. Conclusion

Based on the results of the research, it can be concluded that the Shopee PayLater and Shopee Pinjam services are not fully in accordance with the principles of sharia economics. Both of these services contain elements of riba nasi'ah, which are characterized by interest, late fines, and administrative fees in the payment or loan system. Although it is claimed to use the qardh contract, the practice applied does not reflect the legal provisions of qardh according to Islamic law. Therefore, this service is considered contrary to the values of justice, transparency, and helpfulness that are at the core of the sharia economy.

As a solution, it is necessary to implement alternative financing systems that are compliant with sharia, such as qardh contracts, murabahah, and the use of Islamic social funds (zakat, infaq, and waqf/ZISWAFA). In addition, the importance of Islamic finance education must be emphasized so that the public better understands the dangers of usury and is able to choose halal and fair financial services. That way, e-commerce and digital financial services can grow more fairly, sustainably, and provide wider benefits for the people.

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