

## Practice of Buying and Selling Services Using the Instagram Application

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**Abstract:** This study aims to review fiqh on the practice of buying and selling transactions using deposit services on the Instagram application according to contemporary scholars, namely Erwandi Tarmizi, and Oni Sahroni. This research uses the descriptive analysis method. Collecting data through interviews and literature study. The results of this study indicate that buying and selling transactions using deposit services on the Instagram application are viewed from the view of contemporary cleric Dr. Erwandi Tarmizi, MA, and Dr. Oni Sahroni, MA is allowed if the custodian pays first and then delivers the goods later.

**Keywords:** *Buying and selling, Delivery Service, Instagram Application.*

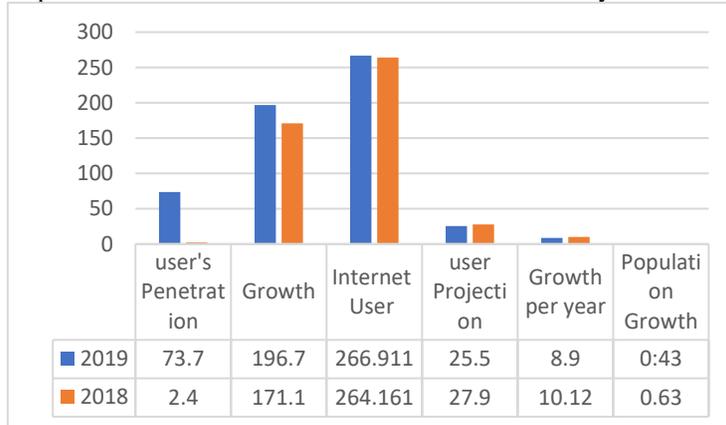
### 1. INTRODUCTION

*Muamallah* is an activity that makes it easier for people to meet their daily needs, foster a sense of mutual help and help each other to ease the burden of others in terms of goodness. Judging from various aspects of business transaction activities, the practice of muamalah has undergone many developments, especially in this millennial digital era. Starting from transactions to get goods by exchanging goods or bartering, then developing into buying and selling activities in the market with an exchange rate of money.

The development of the times and rapid technological advances currently make the development of buying and selling practices no longer through a face-to-face process but can be done through the internet and social media or what is called Online Buying and Selling which only uses applications in smartphones that can meet needs. Not only primary needs such as clothing and food, other secondary needs such as household appliances, children's games, and other necessities can be easily obtained.

Based on the results of a survey conducted by the Association of Indonesian Internet Service Providers (APJII), information was obtained that the number of internet users in Indonesia in 2019-2020 reached 1s96.7 million users with a penetration of 73.7% of Indonesia's total population of around 266.9 million. The number of internet users increased very significantly compared to the survey results in 2018 which was 171.17 million people from the total population of 264.14 million people in 2018. Internet users in Indonesia experienced an increase of 8.9% or 25.5 million users compared to the results survey in 2018.

Graph 1. 1Results of the Internet User Penetration Survey in Indonesia



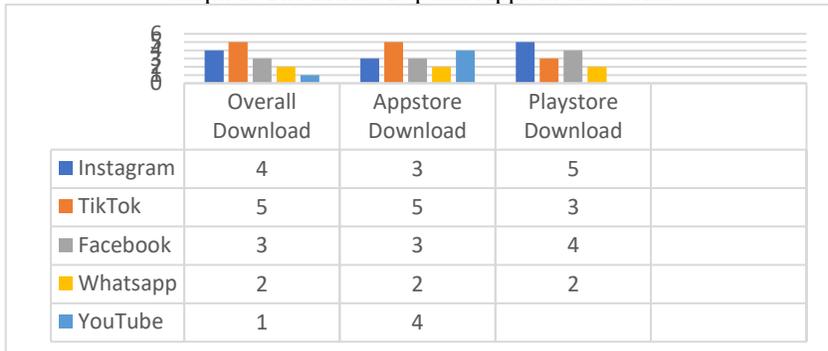
Source: Association of Indonesian Internet Service Providers (APJII)

Social media is an online media where users can easily share, participate, and create information through blogs, Wikipedia, and the virtual world (Cahyono, 2017, hal. 156). Social media is a very important need for human life today, apart from being a place to interact, social media is also a place to expand social networks. According (Thamwika Bergstrom & Lisa Backman, 2013, hal. 9) in the Marketing and PR in Social Media journal, it is stated that social media is not only used to create and disseminate content but is also to maintain kinship or connections. This social media can help a person to always be in touch and keep in touch with friends and family.

On March 2, 2020, the first COVID-19 cases were reported in Indonesia in two cases (Organization, 2020). This virus is highly contagious and can be passed from person to person through droplets released when coughing or sneezing. The Covid-19 outbreak in Indonesia has caused the economy in Indonesia to be very disturbed by the government's Large-Scale Social Restrictions (PSBB) policy which causes routine activities of the economic community such as buying and selling in markets, malls, and other tourism sectors such as hotels, tourist attractions, restaurants, etc. are very limited.

The case of Covid-19 pandemic not only had a negative impact but also had a positive impact on the Indonesian economy, one of which was the effort to open an online business on the internet and social media which became a forum for offering traded products. One of the online media that is widely used to offer business products is the Instagram application. Instagram is one of the social media users to share photos and videos of their daily activities. Like their habits and preferences, lifestyle, and others (Ali J. Al-Kandari, Ahmed A. Al-Hunaiyyan, Rana Al-Hajri, 2016, hal. 1). Now Instagram is one of the applications that is developing as a medium for business people to promote their business through promotional activities on the Instagram application.

Graph 1. The 2Most Popular Apps in the World



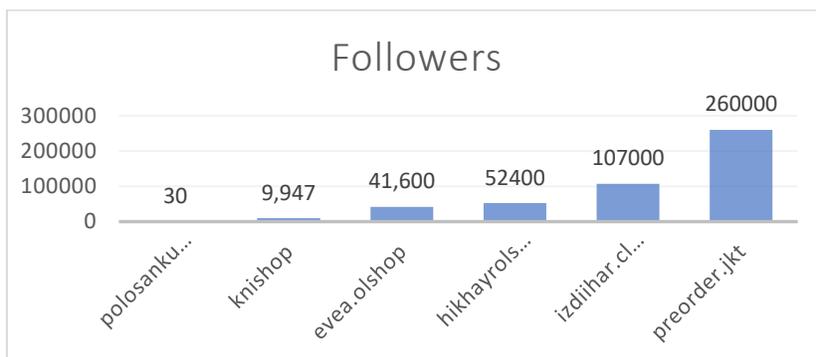
Source: Sensor Tower

Based on the data above, Sensor Tower reports that in October 2021 the Instagram application was mentioned as the second most downloaded, so the author assumes it is at number 4. For IOS users on the App Store Downloads application, the Instagram application places the top third position and is assumed by the author at number 3. As for Android users on the Google Play Downloads or Google PlayStore applications, the Instagram application puts the top position at number one, also assumed by the author at number 5. This is proven again by Sensor Tower that the Instagram application in November 2021 reached 36 M users.

With the Instagram application as a medium for online business and promoting their current business products, people have a habit that in general if a friend, relative, or relative travels to a country or city, especially during the current pandemic with all activities limited by regulations. the government will usually entrust certain goods to be purchased. This tradition is being developed more widely by the community as a form of new business opportunity through social media, especially the Instagram application. With the Smartphone and Instagram application, now there are services to buy the desired item by depositing it. The activity of entrusting an item is known as Online Deposit Services or more often called Jastip (Parlina, 2018).

Deposit services are also known as Personal Shoppers, whose jobs are going in and out of shops, malls, or wholesalers with certain brands following the wishes of customers who trust in their services. The goods that are in demand are not only at the local level, it is not uncommon for there to be demand for goods from abroad (Cakti, 2018). So it can be concluded, online buying and selling services are online transactions in the form of deposit services whose objects are goods with certain brands to be entrusted and bought by the seller on the condition that each item is subject to a fee for the service. The online buying service itself on the Instagram application has many enthusiasts as several accounts provide online buying and selling services.

Graph 1. 3 Accounts that Provide Online Buying Service



Even though delivery services have become one of the options, it does not mean that there are no unsatisfactory experiences. Is it sufficient to comply with the procedure for using the proper deposit service? Can buying and selling using this deposit service be applied in muamalah transactions? Based on the description above, the author will raise the theme related to the law of online deposit services through the Instagram application, starting from the mechanism of deposit services, the law of entrusting services, and the similarities and differences in the law of entrusting services according to contemporary scholars. This discussion is limited to the opinions of Erwandi Tarmizi and Oni Sahroni about buying and selling online using a courier service.

## 2. LITERATURE REVIEW

### 2.1 Understanding Buying and Selling in Islam

Buying and selling according to language are exchanging something for something. Meanwhile, according to the term, Imam Nawawi in the book *Islamic Fiqh Wa Adillatuhu* (Az-Zuhaili, *Fiqh Islam Wa Adillatuhu*, 2011, hal. 25) mentions buying and selling is the process of exchanging goods with other goods and aims to transfer property rights or give ownership. Then the understanding of buying and selling was also conveyed by several scholars, according to Sheikh Muhammad ibn Qasim al-Ghazzi, the most appropriate understanding of buying and selling is to have something property or money by replacing something based on syara permission, just having the benefits that are allowed by syara forever which Thus it must be through payment in the form of money (Al-Ghazzi, hal. 153).

The legal basis of buying and selling in Islam has been mentioned in the Qur'an and hadith. In QS. Al-Baqarah verse 275 reads:

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلَ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ٢٧٥

Meaning: "Those who eat (take) usury cannot stand but like the establishment of people who are possessed by Satan because of (pressure) madness, their condition is like that, it is because they say (opinion), in fact buying and selling is the same as usury, even though Allah has permitted buying and selling and

*forbade usury. Those who have reached the prohibition of their Lord, then continue to stop (from taking usury), then for him is what he had taken first (before the prohibition came); and its affairs (up to) to Allah. People who return (take usury), then that person is the inhabitants of hell; they abide in it." (KEMENAG, 2006)*

The meaning of the verse is that Allah has permitted trading to His servants properly and forbade the practice of buying and selling that contains usury.

According to the majority of scholars, besides Hanafi, there are three pillars of buying and selling, first, the seller and the buyer as the perpetrators of the transaction. Buying and selling transactions will not occur if no one does it. Second, goods and prices as the object of the transaction, and the third contract or qabul consent is a sign of the question of the occurrence of buying and selling transactions (Az-Zuhaili, Fiqih Islam Wa Adillatuhu, 2011, hal. 29). While the conditions that must be met to make a sale and purchase transaction are first, be reasonable. The point is that someone who will make a sale and purchase transaction must be in a healthy state of mind, not someone who is crazy or stressed.

Second, baligh. A person who is going to make a transaction is required by a person who is already baligh, because if the sale and purchase are carried out by a minor who is not yet mature, the sale and purchase are considered invalid. Third, it doesn't have to be Muslim. The scholars agree that the legal conditions for conducting this buying and selling transaction do not influence religion and faith. So, whoever the person and whatever the religion, can make buying and selling transactions.

## **2.2 Type of Transsaction**

### **2.2.1 Based on Profit and Loss**

#### **a. Bai Murabahah or Profit Buying and Selling**

Murabahah Buying and selling is a transaction that is allowed in Islam. Murabaha is selling goods at a fixed price so that they can be practiced in buying and selling transactions. In the (Az-Zuhaili, Fiqih Islam Wa Adillatuhu Jilid 5, 2011, hal. 358)sample book, a Murabaha transaction is when someone sells an item for one hundred dirhams and a buyer says that he wants to buy the item for one hundred and ten dirhams. So in this transaction, the profit taken is very clear, namely ten dirhams.

#### **b. Bai Wadliyah or Buying and Selling Loss**

Wadli'ah buying and selling is an exchange transaction with a price according to the initial price by reducing a little with a certain loss. For example, if someone buys an item for thirty thousand but when the item is resold, the selling price of the item becomes twenty-five thousand (Az-Zuhaili, Fiqih Islam Wa Adillatuhu Jilid 5, 2011, hal. 239).

#### **c. Bai Tauliyah or Break-even Buying and Selling**

The transaction of tauliyyah (Az-Zuhaili, Fiqih Islam Wa Adillatuhu Jilid 5, 2011, hal. 239)is an exchange at a price according to the initial price or capital without any additions or deductions. The point is to sell goods

following the capital issued without taking the slightest profit. Let's just say the seller just wants to transfer the goods he has bought to someone else.

### **2.2.2 By Place**

#### **a. Offline Transaction**

Offline transaction is buying and selling that is carried out directly in a place or shop face to face. Offline stores can be seen directly by our eyes, which is where prospective consumers can find out the condition of the object of goods or services they want and need. In addition, the payment method is also carried out directly on the spot. Doing buying and selling transactions at offline stores usually has a large and complete variety of products because there are fewer stocks of each type of product (Hamzah, Arif, & Nisa, 2019, hal. 8).

#### **b. Online Transaction**

According to Dr. Erwandi Tarmizi (Tarmizi U. D., 2012) online transactions are buying and selling through electronic media do not require the sellers and the buyers to meet face-to-face, only by mentioning the characteristics and types of goods, then the seller who sells the goods through E-Commerce will understand them. Then, in the book *Buying and Selling Online following Sharia*, it is explained that buying and selling online is a transaction carried out by two people or two parties without face-to-face or face-to-face meetings. The bargaining process in online buying and selling is done through long-distance communication by sending text messages such as Whatsapp, SMS, Direct Message, and other messaging applications (Isnawati, 2018, hal. 8).

### **2.2.3 By Payment Method**

#### **a. Cash**

Cash payments are payments and delivery of goods that are carried out directly and simultaneously. This type of buying and selling is the most common buying and selling, when the buyer pays or hands over money to the seller, the seller also gives the goods that have been paid to the buyer. This is often referred to as buying and selling cash or buying and selling cash (Ahmad Sarwat, 2018, hal. 37).

#### **b. Credit Payment**

Credit is the division of something into separate parts. According to Doctor Al-Amin Al-Hajj in the book (Ahmad Sarwat Lc, 2018, hal. 38), credit is selling something with delayed payment, by giving installments in a certain amount for a certain time, and is more expensive than the cash price. So, it can be concluded that credit payments are buying and selling in which the payment method is carried out in stages with a certain amount and time.

#### **c. Installment Payment**

This transaction is allowed because in essence, buying and selling installments is different from usury. The difference is that Allah allows buying and selling because of needs and prohibits usury because of additional factors

that are really due to late payments (Az-Zuhaili, *Fiqh Islam Wa Adillatuhu* Jilid 5, 2011).

#### **2.2.4 Buying and Selling are Forbidden in Islam**

##### **1. Buying and Selling because of Contract Actors**

The transaction will be considered invalid, if it is done by:

- a. Crazy people, if buying and selling are carried out by crazy people, the buying and selling are invalid because based on the agreement of the scholars, this crazy person does not have the ability and is equated with drunk people, fainted, and drugged.
- b. Small children, buying and selling transactions are not valid if the perpetrator of the contract is a small child who has not been *mumayyiz* except in small cases.
- c. Blind people, buying and selling carried out by a blind person will be considered invalid because he does not know whether the object being sold is good or not.

##### **2. Buying and Selling in Gharar (Unclear state)**

In the book (Kushendar, 2010, hal. 111), buying and selling in *gharar* are all forms of buying and selling in which there is an element of obscurity. Based on the hadith narrated by Muslims, Abu Hurairah RA said, "The Prophet *sallallahu 'alaihi wa sallam* forbade the buying and selling of *gharar* (unclear state)". Ibn Ar-Rusyd Al-Maliki (Kushendar, 2010, hal. 301) explained in more detail that among the forbidden buying and selling contracts are various types of buying and selling contracts that have the potential to cause harm to one party due to unclear status, including:

- a. Uncertainty in determining the goods to be traded
- b. Contract uncertainty
- c. Price uncertainty
- d. Uncertainty about payment or delivery of goods
- e. Uncertainty whether or not the goods
- f. Uncertainty whether the goods being traded are intact or not

##### **3. Buying and Selling in *Inah***

*Inah* buying and selling is a transaction made to another person at a period of price, then the goods are handed over to the buyer and the seller buys back the previous goods at a lower price than the price previously sold. (Kushendar, 2010, hal. 114)

#### **2.3 Online Delivery Service**

Deposit services are also known as Personal Shoppers, whose jobs are to go in and out of shops, malls, or wholesalers with certain brands following the wishes of customers who believe in their services. The goods that are in demand are not only at the local level, there is often a demand for goods from abroad (Cakti, 2018). So it can be concluded, online buying and selling services are online buying and selling transactions in the form of deposit services whose objects are goods with certain brands to be entrusted and

bought by the seller on the condition that each item is subject to a fee for the service.

#### **2.4 Instagram app**

Instagram is one of the social media applications that are currently popular among the public, both young people and parents (Ghazali, 2016, hal. 8). According to Bambang Dwi Atmoko, quoted in the journal *Marketing Strategy Through Social Media Instagram*, Instagram is one of the special applications on smartphones whose use is similar to Twitter. However, the Instagram application is different from Twitter in the image-taking feature in the form or place to disseminate information to Instagram users (Dewi Untari, Dewi Endah Fajariana, 2018, hal. 274). So it can be concluded, Instagram is an application that is used to quickly share information in the form of photos or videos accompanied by captions below.

Instagram was founded by two people, Kevin Systrom and Mike Krieger. This application is growing very rapidly because the advantages of the features offered are always interesting and keep up with the times. An example is an ease of posting photos and videos. Photos and videos that are posted can also be obtained directly through the camera or already stored in the cellphone album. Instagram also provides an effective feature to adjust the brightness level of the light, the effect of giving color, location, time, and moving stickers (gifts) to the newest feature that recently appeared is the feature of giving music to post photos or videos.

### **3. RESEARCH METHODOLOGY**

This type of research is descriptive qualitative analysis. Descriptive analysis is analyzing data by describing or describing the collected data as it is without intending to make generally accepted conclusions or generalizations (Sugiyono, *Memahami Penelitian Kualitatif*, 2012).

The types of data used in this study are primary and secondary. Primary data is data obtained or obtained and collected by the author directly from the source concerned. Primary data is also called original whose properties are always up-to-date. To obtain primary data, the author must obtain and collect it directly. The techniques used by the author in obtaining primary data by conducting observations, interviews, group discussions, and distributing questionnaires. (Siyoto & Sodik, 2015, hal. 57)

The primary data in this study include observations and interviews with consumers who have made buying and selling online buying and selling services on the Instagram application. Then secondary data in this study are the results obtained from the study of books, scientific journals, and other sources of information related to research.

Data collection techniques were carried out by the author by conducting interviews and a literature study. A literature study is a method of collecting data obtained through documents or books as well as writings that are related to this problem (Arikunto, 2006, hal. 158). In this study, the authors examine literature studies through several books including, *Fiqh of Buying and Selling* by Ahmad Sarwat, Lc, *Islamic Fiqh of Wa Adilatuhu* by Prof. Dr.

Wahbah Zuhaili, Contemporary Muamalat Harta Haram by Dr. Erwandi Tarmizi, MA, Muamalah Fiqh; The Dynamics of Contract Theory and Its Implementation in Islamic Economics by Dr. Oni Sahroni, Contemporary Muamalah Fiqh Volume 4 by Dr. Oni Sahroni, MA.

After collecting data through interviews and literature study, then the data was analyzed again by reducing the data. According to Sandu Siyoto, reducing data means summarizing, choosing the main things, focusing on the important things, and discarding the unnecessary. In other words, this data reduction is carried out by researchers when conducting research to produce core notes from the data obtained from the results of data mining. In addition, the purpose of data reduction is to simplify the data obtained during data mining (Siyoto & Sodik, 2015, hal. 99).

The next stage after reducing the data is data presentation, Miles and Huberman expressed the opinion that data presentation is a structured collection of information that gives the possibility of concluding. This step is done by providing structured information and giving the possibility of concluding. The presentation of this data aims to be able to see the overall picture or certain parts of the overall picture. (Siyoto & Sodik, 2015, hal. 100)

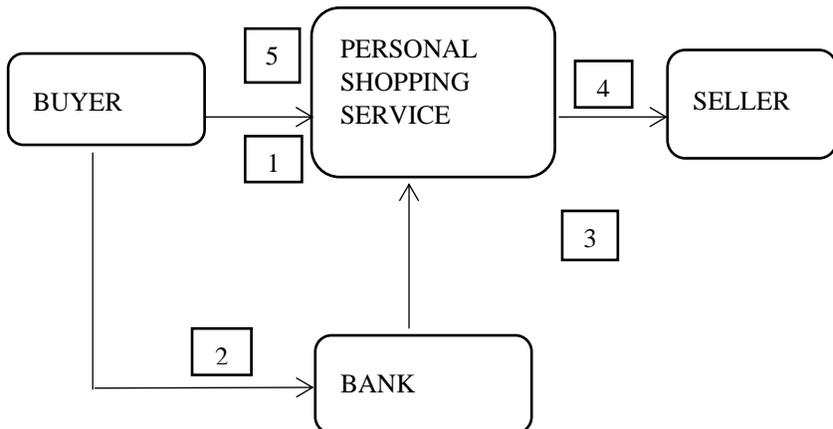
Entering the third stage in data analysis, namely giving conclusions which is the final stage in the data analysis process. In this section, the researcher expresses conclusions from the data that has been obtained. This conclusion aims to find the meaning of the data collected by looking for relationships, similarities, or differences. Conclusions can also be drawn by comparing the suitability of statements from research subjects with the meanings contained in the basic concepts of the research (Siyoto & Sodik, 2015, hal. 100).

## 4. RESULTS AND DISCUSSION

### 4.1 Deposit Service Mechanism

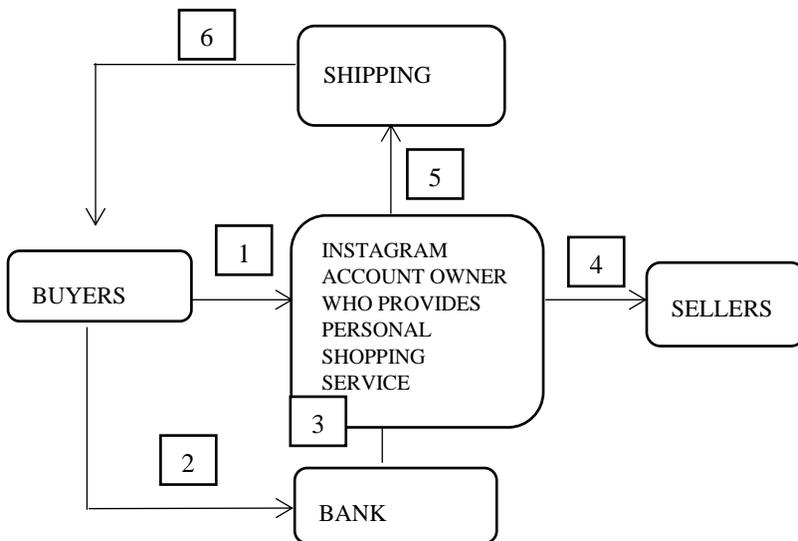
Deposit services are transactions through services that are provided to users of deposit services to get convenience for the needs they want. In general, the mechanism for the deposit service is as follows:

Chart 4. 1Online Buying and Selling Transactions in General



The flow of deposit services carried out in general is, the buyer places an order with the service provider of the deposit service. Then after the buyer places an order, the buyer pays for the order via bank transfer. After the bank receives payment from the buyer, the bank will distribute the payment to the deposit service provider. After being received by the courier service provider, he will send the order to the seller directly and send the order directly to the buyer when he gets the ordered item without going through an expedition. Then, the scheme for entrusting services through the Instagram application is as follows:

Chart 4. 2 Online Buying and Selling Transactions on the Deposit Service Account



The flow of transactions carried out at the time of purchase is, the buyer places an order with the courier service provider by filling in the order form via direct message (Direct Message) and WhatsApp. Then after the buyer places an order, the buyer pays for the order via bank transfer. After the bank receives payment from the buyer, the bank will distribute the payment to the deposit service provider. After being received by the courier service provider, he will spend the order directly to the seller and send the order on H+1 after shopping with an estimated 2-3 working days using an expedition directly to the buyer.

**4.2 The Legal View of the Service According to Contemporary Ulama**

In the process of entrusting the Instagram application, buyers usually order in advance from the courier service provider by looking at the picture posts that are ready to be traded. After the buyer places an order for goods from the seller, the buyer immediately makes a payment transaction via bank

transfer to the courier service provider. If the deposit service provider has received the payment paid by the buyer, the deposit service provider can directly send the ordered goods to the seller. Then, if the ordered goods have been obtained by the courier service provider, the goods will be sent back to the buyer via an expedition.

According to Erwandi Tarmizi, in this deposit service transaction, there are two ways to make payments, first by sending money first and buying goods later. This transaction is included in the fiqh muamalah review using the Wakalah bil Ujrah contract, which is a contract that represents buying goods for services or rewards. The law of the Wakalah bil Ujrah contract is allowed.

Then in a hadith narrated by Bukhari,

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا سُوَيْبَانُ بْنُ شَيْبَةَ عَنْ شَيْبَةَ بْنِ عُرْفَةَ عَنْ عُرْوَةَ الْبَارِقِيِّ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَعْطَاهُ دِينَارًا يَسْتُرِي لَهُ شَاةً فَأَشْتَرَى لَهُ شَاتَيْنِ فَبَاعَ إِحْدَاهُمَا بِدِينَارٍ فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِدِينَارٍ وَشَاةٍ فَدَعَا لَهُ رَسُولُ اللَّهِ لِي اللَّهُ لِيهِ لَمْ الْبَرَكَةِ إِنْ لَوْ اشْتَرَى الثَّرَابَ لَرَبِحَ

Meaning: "Has told us Abu Bakr bin Abu Syaibah, told us Sufyan bin Uyainah from Syabib bin Gharqadah from Urwah Al Bariqi that the Prophet sallallaahu 'alaihi wasallam once gave him one dinar to buy a goat. Then he gave two goats, then sold one of them for one dinar. After that, he came to the Prophet sallallaahu 'alaihi wasallam with one dinar and a goat. The Prophet sallallaahu 'alaihi wasallam then prayed with blessings. He said, 'Indeed if he had bought the land, he would have made a fortune.

Then for the second method of payment, namely by buying goods first and then sending money along with service fees later. If using this method means the same as making a loan first and then replacing it later, then the law of fiqh muamalat is a Qardh contract, namely, the custodian borrows money from the deposited person to buy the deposited goods. The law of this Qardh contract is (permissible) or it is permissible if there is no usury from the additional loan of money.

Meanwhile, according to Oni Sahroni, deposit service transactions have several alternative ways. First, buying and selling services. There are two contracts used in the sale and purchase of services, namely the Wakalah bil Ujrah contract and the Ijarah contract. The second is non-cash buying and selling by buying goods in advance and handing over the money when the goods have been received, or in simple sentences, namely buying and selling, paying later, and using a murabahah contract.

The last is buying and selling orders or buying and selling greetings, which is when the custodian gives cash at the beginning, then the recipient of the deposit buys the goods according to the order. As already written in the Fatwa of DSN MUI NO. 05/DSN-MUI/IV/2000 that the total and form of payment instrument must be known in the form of goods, money, or benefits, payment must be made following the agreement that has been made, and the goods ordered must have clear specifications. (Sahroni, 2020, hal. 146).

### 4.3 Similarities and Differences in the Legal Views of Contemporary Ulama

ANALYZED ITEMS	SAME VIEWS	DIFFERENT VIEWS
Contract	Both of them allow transactions using deposit services using the Wakalah bil Ujrah contract.	According to Erwandi Tarmizi, the sale and purchase transaction for entrusting services uses a sale and purchase contract and cannot combine two contracts in one transaction, namely the Qardh contract and the Wakalah bil Ujrah contract.
Source of law	Both come from sources of Islamic law.	Erwandi Tarmizi's view on this deposit service transaction is reviewed through the Qur'an and Hadith. Meanwhile, Oni Sahroni used the MUI DSN Fatwa review.
Payment System at the End of the Contract	-	Oni Sahroni allows the payment system at the end of the agreement using a Murabaha contract. Meanwhile, Erwandi Tarmizi does not allow the payment system at the end of the contract because it is the same as combining two contracts and there is usury in it.

## 5. CONCLUSION

The conclusion that can be drawn from this research is that *first*, the mechanism for the delivery service carried out on the Instagram application is to fill in the order form through the contact provided. The buyer will then make a payment via bank transfer. After making payment, the seller will buy the ordered goods and when the ordered goods have been obtained, the courier service provider will send them to the buyer via expedition. *Second*, the law on the service of entrusting the Instagram application. Deposit services on the Instagram application are allowed according to the two contemporary scholars Erwandi Tarmizi and Oni Sahroni by making payments at the beginning of the agreement using the Wakalah bil Ujrah contract. However, if you are going to make a deposit service transaction with payment at the end of the agreement, according to Erwandi Tarmizi's explanation it is allowed to change the contract into a sale and purchase agreement. *Third*, the similarities and differences in the legal views of entrusting services. The legal equation for entrusting services, according to the two contemporary scholars, is that they both allow the practice of buying and selling deposit services with an initial payment. Meanwhile, the difference between the two views is that according to Erwandi Tarmizi, a custodial service cannot make payments at the end of the agreement because it is the same as combining two contracts in one transaction and there is usury.

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