

The Concept of Mashlahah al-Mursalah Technology in Salesreseller Droshipping

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Abstract: Today's technological facilities are not only a means of communication, but are also used as a means to carry out buying and selling transactions. Buying and selling online in Islamic law is allowed, as long as it fulfills the requirements of buying and selling according to Islamic law. While the use of technology as a means of sales transactions in Islamic law, utilization is known as *Maslahah Al-Mursalah*. Likewise, what happened in the Bukit Asri housing complex, Ponorogo, East Java, some housewives run online sales/businesses or known as droshipping by using digital application. So that the formulation of the problem to be studied is; 1) How is the concept *Maslahah al-mursalah* in using technology? 2) What is the concept of reseller droshipping sales in Islamic law? This article is written by the author using field research (field research), the method used in this study using a qualitative approach / field research, namely by socio-legal research approach. Through this research, it produces descriptive data in the form of narratives about the observed phenomena. The author observes directly by joining the buyers of products sold by mothers in the Bukit Asri housing estate, Ponorogo. The purpose of this research is for the government to pay attention to and encourage the products of Small Medium Enterprises (UMKM) to develop even more. So that the formulation of the problem to be studied is; Research results are 1) The concept of *mashlahah al-mursalah* in Islamic law online sales by housewives in Bukit Asri housing, Ponorogo included in the second level is *al-hajiyah* (secondary). 2) Online sales transactions by housewives in Bukit Asri housing, Ponorogo from the perspective of Islamic law using *Shirkah 'Ina* and *Syirkah 'Amal/abdan*. *Syirkah 'Abdan* is often called *Syirkah abdan* or *shana'iy*.

Keywords: Business Woman, Technology, Droshipping

INTRODUCTION

According to the language, the word *maslahah* comes from Arabic and has been standardized into Indonesian to become the word *maslahat*, which means bringing good or bringing benefit (*manfa'ah*) and resisting damage (*mafsadah*) (Munawar, 2018). Because in essence *shari'ah* was revealed in this world only for the benefit of humans (*innama unzilat shari'atu lithaqqi mashalihil anam*) (Abdul, 2019). According to the original language, the word *maslahah* comes from the words *Salaha*, *Yasluhu*, *Salahan*, (*صالحا, لحي*) which means something that is good, appropriate, and useful. While the word

mursalah means to be free, not bound by the religious propositions of the Qur'an and al-Hadith) which allow or forbid it (Yunus, 2020). Based on the definition of *maslahah mursalah* above, when viewed from the editorial point of view, there are differences, but in terms of content, in essence, there is one fundamental similarity, namely establishing the law in matters that are not mentioned in the Qur'an or as-Sunnah at all. with consideration for the benefit or interest.

In this study the author will examine the use or known as *Maslahah al-mursalah* associated with *sales reseller dropshipping*. The author will explain the meaning *reseller* According to Wirjono Prodjodikoro, R that reseller is a person who sells goods without capital by offering goods from sellers, namely agents or brokers by getting a profit on the difference in the goods sold. Resellers have the characteristics and advantages of brokers and agents. The advantage of resellers is that they do not receive wages from agents, but resellers can get more money from agents or brokers (Prodjodikoro, 2015). While dropshipping is selling products without having to own a product, the system used by dropshipping only provides and offers products through social media applications. When an item is offered someone buys a new dropshipping will take the item from the selling agent by differentiating the sales results (Khasanah, 2019). Thus, selling through reseller dropshipping is very easy for anyone to do, without the need for large capital. Only sales with an application via cellphone, as well as what happened in the Bukit Asri Ponorogo housing estate where the author lives. The author will explain the analysis of online sales / dropshipping in the perspective of Islamic law in terms of sales by working together where one party does not have the capital only to help sales by getting a commission / profit called *Syirkah*.

Today's technological facilities are not only a means of communication, but are also used as a means to carry out buying and selling transactions. Buying and selling online in Islamic law is allowed, as long as it fulfills the requirements of buying and selling according to Islamic law. While the use of technology as a means of sales transactions in Islamic law, utilization is known as *Maslahah Al-Mursalah* Likewise, what happened in the bukt asri housing complex, Ponorogo, East Java, where the author lives, some housewives run online sales/businesses or known as dropshipping by using digital application. The author means housewives are married women, whether the woman is purely a housewife or a married woman who has an office job. Not all of the housewives who sell are pure housewives, there are some who work as teachers, school administration administrators, civil servants. *Maslahah al-mursalah* technology in *sales reseller dropshipping* by housewives selling products from their own neighbors which are sold through *wa* status, *wa* group, facebook. some of which are sold by e-commerce, sales made between neighbors and purchased by neighbors themselves are interesting for the author to study further according to the concept *Maslahah al-mursalah* and *sales reseller dropshipping* perspective of Islamic law So that the formulation of the problem to be studied is; 1) How is the concept *Maslahah al-mursalah* in using technology? 2) What is the concept of reseller dropshipping sales in Islamic law? Research result.

METHOD

This article is written by the author using field research (field research), the method used in this study using a qualitative approach / field research, namely by socio-legal research approach. Through this research, it produces descriptive data in the

form of narratives about the observed phenomena (Raharjo, 2020). The author observes directly by joining the buyers of products sold by mothers in the Bukit Asri housing estate, Ponorogo. The purpose of this research is for the government to pay attention to and encourage the products of Small Medium Enterprises (UMKM) to develop even more.

RESULTS AND DISCUSSION

1. Draft *Maslahah Al-Mursalah* In Utilizing Technology

In terms of *mashlahah al-mursalah* is a benefit that is not stipulated by the *syara'* or any law to make it happen and there is also no *syara'* argument that orders to pay attention to it or ignore it. According to Yasser Auda, *maqasid* is another expression of "human interests" or *masalih*. For example, al-Juwaini sometimes uses the word *maqasid* and at other times calls it *masalih* (Auda, 2018) (Hilmiyah & Shafiai, 2019). While al-Qarafi always connects *maqasid* with *maslahah* by explaining that "the goal (*maqshid*) will not be true (valid) unless it is able to provide benefits (*maslahah*) and avoid harm (*mafsadah*). While ash-Syatibi expressed it with "Indeed, the Shari'ah aims to realize the benefit of humans in the world and in the hereafter" and "the laws are prescribed for the benefit of the servant". Draft *Maslahah Al-Mursalah* have levels.

Usul scholars divide levels *Maslahah Al-Mursalah* it is in three classification, namely: *First*, the *ad-dharûriyah* (primary) level is benefit related to the basic needs of mankind in the world and in hereafter. Category *dharûriyah* includes five things, namely: *khifzu ad-dîn* (maintaining religion), *khifzu an-nafs* (maintaining the soul), *khifzu al-'aql* (maintaining reason), *khifzu an-nasl* (maintaining offspring), and *khifzu al-mâl* (maintaining property). Fifth This benefit is called *al-mashlahat al-khamsah* which has been accepted by scholars universally (Ar-Raysûni, 2016). In the sense of its absence (the existence of this benefit) will cause harm in this world and in the hereafter.

Second, the level of *al-hajiyah* (secondary), namely the benefit that is needed in perfecting the previous primary benefit in the form of relief to maintain and maintain basic human needs, as well as giving freedom to them to expand the goal (*tawassu' al-maqâshid*). So if *ajiyah* not considered together with *dharûriyah* then, humans as a whole will face difficulties (Ar-Raysûni, 2016). However, with the destruction of *ajiyah* isn't it means that the universality of benefit is also damaged. In other words, if this secondary level of benefit is not achieved, then humans will have difficulty in maintaining religion, soul, mind, lineage, and their property. This benefit group is closely related to *lightening (rukhsah)* in jurisprudence.

Third, the level of *at-tahsîniyah* (tertiary), namely maintaining the five the main elements by reaching and determining what is appropriate and worthy of good habits of life and avoid something that common sense views otherwise. It is covered in understanding of noble character (*makârim al-akhlâq*) (As-Syâtibi, 2013). If the benefit tertiary is not achieved, then humans do not experience difficulties in maintaining the five basic elements, but they are seen as violates the values of propriety and does not reach a standard of living dignified.

From the characteristics above, it can be seen that what distinguishes online business from offline business is the transaction process (contract) and the main media in the process. Contract is an important element in a business. In general, business in Islam explains the existence of transactions that are physical in nature, by presenting the object at the time of the transaction, or without presenting the object ordered, but with the condition that the nature of the object must be stated concretely, either

delivered directly or delivered later until a certain time limit, as in transactions *as-salam* and transactions *al-istishna* (Hediana & Aly, 2019). The principle agreed upon by most followers of the schools of jurisprudence in *fiqh*.

The research that the author did directly or in the field at the Bukit Asri Housing Ponorogo where the author resides, there are interesting things for the author to study through research. Where women who live in Bukit Asri housing are already married, apart from being housewives in Bukit Asri housing, some of them run businesses by utilizing cellphone or laptop technology using certain applications. The women who run the business have different backgrounds, some are purely housewives, some work in offices, some are educators, some are health professionals, some are purely business people.

Draft *Maslahah Al-Mursalah* Housewives in the beautiful hills of Ponorogo are both agents and producers selling online by utilizing digital internet technology. The author divides the categories of sellers as agents and sellers as producers as follows: Sellers as agents that is; Henty's mother, Eviana's mother, Alfiah Romainsah's mother, Yulis' mother, Anik's mother, Nuraini, Susimiyati's mother, Mei's mother, Yayuk's mother, Firman, Wima's mother, Yulis' mother. Offering their products by posting a status on Wa, offering their products in the wa group with direct payments. Seller as producer; Mrs. Sabirna Teduh Alami, Mrs. Wuni Punjung, Mrs. Yuyun. Yana's mother. Offering its products by posting wa status, on facebook, IG online sales / dropshipping / e commers application. With direct and online payments / e-commers.

Author's analysis the concept of *mashlahah al-mursalah* technology for selling online, including The second level is *al-hajiyah* (secondary). Where *Maslahah Al-Mursalah* obtained from the seller can increase the income of his family. from the buyer, namely by buying the neighbor's own products can help the economy of the neighboring family, meet household needs without having to leave the house, by utilizing *Maslahah al-mursalah* technology as a means of promotion. Besides that *Maslahah al-mursalah* which is widely obtained with the existence of technology can facilitate business business networks, without requiring a lot of capital, determine the price of the goods themselves, without stocking the goods but after receiving the goods orders,

The goods offered through the Wa status application are; Mrs. Wima, Mrs. Yulis, Mrs. Yana, Mrs. Punjung, Mrs. Sabrina are naturally calm, Mrs. Firman. While the goods offered are not yet available at home. Instead, they have to go through a seller intermediary that will be ordered by the agent if there are consumers who buy, namely Mrs. Nuraini, Mrs. Yayuk, Mrs. Anik, Mrs. Henty. For electronic orders and household appliances that have been ordered cannot be exchanged and returned, if the goods do not match. But usually the goods offered are in accordance with the products offered. While goods in the form of vegetables and basic necessities, if there are rotten goods, they can be exchanged.

Profits are obtained from the price difference between wholesale and retail prices, there is no registration fee and there is no minimum purchase limit. Promoting through online stores by posting photos and criteria for goods and prices, goods obtained from collaboration with other parties who have real goods (Sulianta, 2014). provide facilities through websites or social media such as Facebook, Instagram or others for marketing products or services that will be offered by uploading images or

photos of products being sold by mentioning some conditions and some specifications of the goods offered such as price, size, material, scales and so on.

2. Islamic Law Reseller Droshipping Sales Concept

The concept of selling according to Islamic law is called *syirkah*. Etymologically, *syirkah* means *ikhtilath* (mixing), namely the mixing of one property with another, so that it cannot be distinguished between the two. Furthermore, the word *Syirkah* is used by Muslims for a joint venture transaction in the business world (Ath-Thayyar, 2020). The contracts used are cooperation contracts or *Syirkah* and *simsarah* contracts according to Islamic law in *muamalah*, either through *Simsarah* in the form of wages (*ujroh*) or bonuses, commissions (*ji'alah*) in completing a transaction. *Simsarah* is a term for people who work for other people as intermediaries with compensation (wages or bonuses), both for selling and buying. So *Simsarah* is an intermediary between consumers and those who need their services, namely producers or owners of goods. This aims to facilitate the occurrence of buying and selling transactions with wages agreed upon prior to the occurrence of the cooperation agreement. *Syirkah in syar'i*, by the scholars have various types of *syirkah* to facilitate the type of sales contract.

Shirkah in terms of type, can be distinguished into several kinds, namely: *Syirkah Amla'*; i.e. two or more people own the object/wealth, which is not due to a *Shirkah* contract. This ownership sharing is created due to inheritance, will, joint purchase, joint giving, or other conditions that result in the ownership of one asset by two or more people. *Syirkah amlak* is further divided into two types, namely *Syirkah ikhtiyariyah* and *Syirkah ijbariyah*. *Syirkah ikhtiyariyah*, namely *Syirkah* that occurs by the actions of two people who work together, such as when both buy, are given or bequeathed and then both receive, so that something becomes common property for both. *Syirkah ijbariyah*, namely *Syirkah* that occurs not by the actions of two or more parties as *Syirkah ikhtiyar* above, but they have it automatically, forced and cannot avoid (*jabari*), like two people who inherit something, so that both people have the same right to the inheritance. *Syirkah 'Ukud*, namely transactions carried out by two or more people to associate in capital and profit (Az-Zuhaili, 2018). Every type of transaction in running a business should pay attention to the type of ownership of goods between the seller and the buyer according to the type of *syirkah*.

Shirkah Wujuh Is a business contract between two or more people who have a good reputation and prestige, where they are trusted to develop a business without any capital. For example, they are trusted to carry merchandise without cash payment. This means that they are trusted to buy the goods in installments and then trade the goods for profit. They share in the profits and losses based on the supplier's guarantee to each of them. Because this business does not require capital, this contract is commonly referred to as *Syirkah receivables*. *Simsarah* (*simsarah*) is a trade intermediary (people who sell goods or find buyers), or intermediaries between sellers and buyers to facilitate buying and selling. According to Sayid Sabiq, an intermediary (*simsarah*) is a person who acts as an intermediary between the seller and the buyer in order to launch a buying and selling transaction. With the intermediary, it will be easier for sellers and buyers to transact, whether transactions are in the form of services or in the form of goods (Hasan, 2019) According to Rafiq al Mishry that *simsarah* (broker) is an intermediary trader where he sells other people's goods by taking wages for the business carried out without taking risks., both for the purpose of selling or buying goods (al Mishry, 2019). Thus *simsarah* (broker) is an intermediary between the seller and the buyer to facilitate buying and selling

Furthermore, the author makes observations as well as being consumers of online sales made by housewives in Bukit Asri housing, while the data for mothers who sell are as follows: Mrs. Hentty aged 35 years, work of housewives. Products sold; Tupperwar brand household appliances, hydroponic vegetables as resellers by taking goods from other people and then reselling them. Sales are made by offering through a personal network (japri) wassah up (wa) to the author with the payment method being direct cash. Ms. Alfia Roimansah, 39 years old, works as a civil servant as an Administration of the Ministry of Religion of Ponorogo Regency. Products sold; frozen food / frozen food, cooked food, seasoning, frozen drink / frozen drink, crackers. As a reseller by taking goods from other people and then reselling them. Sales are made through wa status. Payments are made directly in cash. Mrs. Eviana, 39 years old, works as a housewife. Products sold; frozen meat / frozen meat. As an agent by taking goods from other people and then reselling them. Sales are made through wa status. Payment is made in cash (Hety & Alfia, 2022).

Yayuk's mother is 36 years old, working as a nurse. Products sold; spices, fresh fish. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Mrs. Yulis, 37 years old, works as a teacher at SMK Bakti Ponorogo. Products sold; honey, children's clothes, dry food. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Mrs. Nuraini is 40 years old, working as a housewife. Products sold; groceries, household items. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller (Yayuk, Yulis, Nuraini, 2022).

Mrs. Firman is 45 years old, working as a housewife. Products sold; chicken eggs. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Anik Oktavia's mother is 30 years old, working as a housewife. Products that sell women's bags and shoes. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Mrs. Susimiyati is 42 years old, working as a midwife. Products sold; hand sanitizer, mask, fruit. As an agent by taking goods from other people and then reselling them (Firman, Anik, Susi, 2022).

Mrs. Meiana is 33 years old, working as a housewife. Products sold; herbal medicine, cosmetic treatment. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Mrs. Wina is 42 years old, working as a housewife. Products sold; basic necessities, clothing, palm sugar, perhutani eucalyptus oil. As an agent by taking goods from other people and then reselling them. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Mrs. Yana is 40 years old, working as a housewife. Products sold; rental of children's toys. Sales are made directly in the wa group and wa status of the seller. Payment is made in cash (Mei, Wina, Yanu, 2022).

Mrs. Sabrina Teduh Alami, 34 years old, working as a housewife. The products that are sold are children's mukena and women's mukena, clothing. Sales are made directly in the wa group and wa status of the seller, facebook, online applications. Payments are made directly in cash, online transfers / e-commerce. Ms. Yuyun is 38 years old, working as a housewife. Products sold; various breads, food, food photographers / food photographers. As a producer who produces their own at home

and resells. Sales are made directly in the wa group and wa status of the seller. Payment is made directly in cash. Mrs. Wuni Punjung is 44 years old, working as a civil servant nutritionist. Products sold; frozen food, frozen drinks, cooking spices. As a producer who produces their own at home and resells. Sales are made directly in the wa group and wa status of the seller, facebook, online applications. Payment is made directly in cash, online transfer / e-commers (Sabrina, Yuyun, ibu Wuni, 2022).

From the author's observation that there are 15 housewives in the Bukit Asri housing estate in Ponorogo. 12 sellers make direct cash payment transactions. 4 sellers make payment transactions by cash and e-commers / online payments. The author explains the difference as follows: Payment transactions by cash directly. that is ; Henty's mother, Eviana's mother, Alfiah Romainsah's mother, Yulis' mother, Anik's mother, Nuraini's mother, Susimiyati's mother, Mei's mother, Yayuk's mother, Firman, Wima's mother, Yulis' mother

The author's analysis of housewives who sell make payments directly using the Syirkah wajah contract, which is equated with the contract known as simsarrah. Offering products without much capital, manufacturers entrust their merchandise to agents. The agent then offers to consumers, if the product is purchased by the consumer, the agent gets the profit from the product he sells. Consumers who are interested in the agent's product will deliver it directly to their home and make payment transactions directly. Producers and agents must have trust in each other, producers trust the custody of merchandise without acute agents will cheat or cheat, agents maintain the trust of producers.

Likewise, sales transactions with direct payments at the Bukit Asri housing estate in Ponorogo, sellers offer their products, consumers order the desired goods. If the order is available, the seller immediately sends it to the house. However, if the order is not available, the seller will place an order to the manufacturer first, then the seller will deliver the goods according to the consumer's order and payment is made directly at home, then the order can be sent directly. Payment transactions by cash and e-commers are Mrs. Wuni Punjung, Mrs. Yuyun, Mrs. Sabrina Teduh Alami, Mrs. Yana. The author's analysis that mothers who sell as producers according to the author use Syirkah 'Ina and Syirkah 'Amal/abdan Syirkah is often called Syirkah abdan or shana'iy. Sales with many agents / resellers and directly to consumers. Producers who cooperate with many agents / resellers will share the profits and losses equally between many agents who cooperate with producers in accordance with the mutual agreement. While sales are made directly by consumers, consumers will not bear the losses and profits on these sales. Direct payments mean that consumers who buy their products are still in the Bukit Asri residential environment, as well as consumers who come directly to buy their products at home. Payment transactions are made in cash. But if consumers will resell their products, consumers as agents. consumers as agents who live in the Bukit Asri environment, make payments by means of the goods being deposited, if the goods are sold, the agent will get a share of the sales proceeds.

If the consumer as an agent does not live in the Bukit Asri residential area, payment for the product is made in cash online / droshipping via e-commerce. As an example ; Alfiah's mother sells frozen food products, Alfiah's mother orders the product to Wuni's mother and Sabrina's mother. Mrs. Alfiah sells her products in her office environment, her family, friends and relatives. Alfiah's mother also sells her goods in a beautiful hill environment. The same example Yulis' mother sells palm sugar, the palm sugar was obtained from Wina's mother. Mrs. Yulis sells her products in the Bukit Asri residential area and her work environment, office, family and relatives. Mrs.

Yulis and Mrs. Alfiah sell products at the same price as those sold by Mrs. Wina and Mrs. Sabrina. Products that are resold will get profit / profit sharing commissions.

This dropshipping sale and purchase, in addition to using the Syirkah wujud contract, can also be equated with a contract known as *simsarah*, namely a sale and purchase contract by means of an intermediary / intermediary between the seller and the buyer or the owner of the goods with the buyer to launch a transaction in exchange for wages (*ujroh*), bonus or commission (*ji'alah*) (Hadi, 2019). Dropshipping buying and selling using a Syirkah contract is classified as a Syirkah wujud contract, which is a business contract between two or more people who have a good reputation and prestige, where they are trusted to develop a business without any capital. For example, they are trusted to carry merchandise without cash payment (Ismail, 2022). This means that they are trusted to buy the goods in installments and then trade the goods for profit. They share in the profits and losses based on the supplier's guarantee to each of them. Because this business does not require capital, it is commonly referred to as Syirkah receivables

CONCLUSION

The concept of *mashlahah al-mursalah* in Islamic law online sales by housewives in Bukit Asri housing, Ponorogo included in The second level is *al-hajiyah* (secondary). Where is the concept *Maslahah Al-Mursalah* obtained from the seller can increase the income of his family. Draft *Maslahah Al-Mursalah* from buyers, namely by buying neighbor's own products, it can help the economy of neighboring families, meet household needs without having to leave the house. Selling online is also known as dropshipping, with *Maslahah Al-Mursalah* technology as a means of promotion. Suggestions from the author the concept of *mashlahah al-mursalah* / the use of technology must be balanced by the ability of the seller by participating in e commers training, online sales training / dropshipping, web training, core training / product images offered.

Online sales transactions by housewives in Bukit Asri housing, Ponorogo from the perspective of Islamic law using *Shirkah'Ina* and *Syirkah 'Amal/abdan* *Syirkah* is often called *Syirkah abdan* or *shana'iy*. Sales with many agents / resellers and directly to consumers. Manufacturers who cooperate with many agents / resellers will share the same profits and losses between many agents who cooperate with producers in accordance with the mutual agreement. Suggestions from the author should be based on honesty between the two parties, both from the seller who sells the goods according to what is offered

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