

THE LAW OF EXCHANGING PULSA INTO MONEY USING THE IBN HAZM PERSPECTIVE RATE SYSTEM (CASE STUDY ON TWITTER SOCIAL MEDIA USERS IN MEDAN CITY)

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Abstract. Convert or conversion in Indonesian means changing. This means that the service for converting credit to electronic money using a rate or exchange rate system means changing or exchanging credit for money using a rate system that has been determined and mutually agreed between the provider and the recipient of the credit to money conversion service. The results from converting credit into money are more often in the form of electronic money (e-money) than cash because in practice this transaction is more often carried out online on social media. The large number of people who use the service of converting credit to electronic money using a rate system has attracted the attention of the author to study this topic more deeply and also to find out how Islamic law views the practice of using services to convert credit to electronic money. The data sources used are primary and secondary data sources. The author uses field research techniques, interviews and documentation. The case study was conducted on social media Twitter (now X) in Medan City. The conclusion that the author can draw from using the service to convert credit to electronic money with a rate or exchange rate system is as follows: Those who have a lot of credit can convert it into money which can be reused as a transaction tool in buying and selling or other muamalah activities. The view of Islamic law regarding the use of credit conversion services into electronic money with a rate system is in accordance with Islamic provisions and sharia. Credit conversion services are permissible as long as there are no elements that make them haram.

Keywords: exchange law; exchange rates; social media

I. INTRODUCTION

Muamalah is everything created by Allah to regulate human relations with humans in life and existence. (Madjid, 1986, p. 1) In living life, humans need each other in order to complete social life. Muamalah can also be understood as the rules of God's law that must be followed with the aim of maintaining balance and interests in social life in worldly affairs. It is hoped that with these rules humans can live side by side without violating anything that could bring harm to themselves or others. Remembering that everything has been clearly regulated, whatever activity you do, you must always carry out what you are told and stay away from all forms of His prohibitions. Muamalah fiqh in a special sense focuses on two things, namely: al-muamalat al madiyah (material law), namely sharia law relating to property as an object of transaction and al-muamalat adabiyah (law of circulation of property through consent/transaction), namely the rules-Sharia rules relating to humans as the subject of transactions. (Syafei, 2006, hal. 17) Along with the development of time, science and technology, human needs are also increasingly diverse, all of which must be met both individually and with the help of other people. (Rasyid, 1996, p. 278) As technology develops, payment tools also develop so that the system of tools Payments that were initially cash

(cash based) are slowly switching to a non-cash based payment system.

Balanced with increasingly sophisticated technology, the way humans can carry out transactions with other humans is increasingly sophisticated, even remotely. Nowadays people can buy and sell online via social media. There is no need to leave the house to carry out buying and selling activities like before. One example of technological progress is transactions using credit. Credit can replace the role of money in buying and selling on social media. In the past, credit could only be used for making telephone calls and sending long-distance messages, but in today's digital era, the use of credit is no longer limited to just calling and sending messages but can also be used as an alternative means of payment other than money. Due to the very large penetration of cellular technology in Indonesia, Cell Phone Credit is finally being used as a means of payment. August 2017, the use of registered cellular telephones in Indonesia reached 147% of the total population of Indonesia. And Indonesia is the fourth largest country in the world with a population of more than 200,000,000 people. The history of the development of cellular telephone technology in Indonesia began in 1994 when PT. Palapa Indonesia Satellite (Satelindo) launched cellular telephone services. In 1995, PT. Telekomunikasi Selular (Telkomsel) entered the market for cellular telecommunications service providers and was followed by

PT. Excelindo Pratama (XL) was founded in 1996. In the management structure of the three companies there is cross ownership due to regulations that require cooperation between Telecommunications Organizing Bodies (Telkom and Indosat) and other bodies (Telkomsel, Satelindo and XL), in particular Law Number 3 of 1989 concerning Telecommunications. Human need for credit is getting bigger and bigger. This encourages many people to open businesses either for their main job or just as a side job. Buying and selling credit is buying and selling where the goods are not there, cannot be held, cannot be seen, but the buyer can feel the benefits of buying credit, namely as a unit in calculating telephone costs. Apart from being used as a unit of telephone costs such as SMS and telephone calls, in today's digital era, credit can also be used as a digital means of payment like money. For example, in the Play Store application, we can buy applications or books using credit payments, buy coins to access digital comics and also buy and sell other things. Credit can also be converted into internet data packages. Cell phone users can buy internet packages with credit. Apart from what is mentioned above, credit can also be converted into money.

There are various reasons why people who have excess credit want to exchange their credit into money. They have a lot of credit that exceeds their usual needs, instead of sitting on their cell phone for too long and also not feeling the need to use it in the near future, a solution was born for those who have excess credit, namely by exchanging their credit into money. Or on social media it is better known as a service for converting credit to electronic money (e-money) with a rate system. As time progresses, people's ways of carrying out multi-faceted transactions also develop and one of them is the service of converting credit into money with a rate/exchange system. Convert can be interpreted as changing. So, credit conversion services are services provided by several people to convert credit into money using a rate system. Credit conversion service providers have different rates or exchange rates from each other, so it is important to know the credit rate or exchange rate before exchanging it into money. This exchange of credit into a digital wallet balance account can raise new questions. If correlated with Islamic law, there are many interesting things to discuss. What contract is used in credit conversion practice? What is the mechanism for converting credit into money? Is there an element of deception (gharar), does it contain usury because it uses an exchange rate system? And is it in accordance with the Shari'a and provisions in Islamic law?

From this background, the author is interested in raising this issue with the title "The Law of Exchanging Credit to Money with the Rate System from Ibn Hazm's Perspective (Case Study of Twitter Social Media Users in Medan City).

1. There have been many discussions on the topic of muamalah transactions, but the author has difficulty finding research that discusses the legal topic of credit to electronic money conversion services considering that this transaction has not been around for long in society. However, even though there are not many authors, they still find previous research related to the topic that the author raises. As follows:

2. Previous research on the topic of credit conversion really helped the author in the formulation of this research. Aisyah and Irvan Iswandi's scientific work with the title, "A Review of Islamic Law and Positive Law on the Practice of Credit to Money Conversion Services" at the Indonesian Az-Zaytun Islamic Institute (IAI AL-AZIS) Indramayu.
3. In a scientific work written by Aisyah and Irvan Iswandi, it is said that converting credit into money can be categorized as a form of muamalah. Conceptually, the original law of muamalah is that it is permissible as long as there is no argument that forbids it. The practice of converting credit into money is permitted according to Islamic law as long as it does not conflict with the Shari'a. The contract used in this practice can be equated with the ijarah contract. The rate conversion results in the difference between the amount of credit and the money resulting from the conversion being an ability and not usury. However, if the practice is carried out with a clear intention and is clearly prohibited by the Shari'a and the origin of the credit to be converted comes from things that are prohibited by Islam, then the law is haram and the practice is not permitted. (Iswandi, 2022)
4. Continuing previous research discussing credit conversion, this is a journal from Muhammad Andriansyah, Tri Winarsih, Arif Fikri with the title, "Practice of Converting Credit to Money from Islamic Legal Views (Study on Instagram Master Voucher)" at UIN Raden Intan Lampung. This research discusses the use of credit-to-money conversion services on the Instagram Master Voucher Social Media. Using credit exchange services into money is a sought after solution, especially for those who have excess credit. Credit itself is an important need that is used by all groups, from young to old. According to Islamic Law, the use of credit to money conversion services is carried out in accordance with the terms and conditions of Islamic law. Because the use of this credit conversion service meets the legal basis and pillars of the contract in Islam. Apart from that, converting credit into money has proven to be easy and can be done by all groups of people. (Andriansyah, 2022)

II. RESEARCH METHODS

This research uses qualitative research. In taking research samples using Sample Random Sampling. The population taken for this research was 6 people, namely 2 people from the credit to money conversion service and 4 people who used the credit conversion service. Samples were taken from sellers who provide credit exchange services for electronic money on Twitter social media (now X) with the usernames @possiblve and @***lla_store and samples from 4 buyers. The data sources used are secondary and primary data sources. Researchers used Field Research, Interview and Documentation techniques.

III. RESULTS AND DISCUSSION

Understanding credit to money conversion services

According to the Big Indonesian Dictionary (KBBI) Convert or conversion is "change" or "change" from one form (appearance, etc.) to another form (appearance, etc.). Meanwhile, according to the KBBI, credit is the unit in calculating telephone costs. If translated into English, 'pulse' has the same meaning as pulse. Converting credit to money is changing excess credit into money, either cash or electronic money. Ultimately, the credit that has been converted into money can be used again for various transactions such as buying and selling, borrowing and borrowing, and so on. According to the Big Indonesian Dictionary, money is a legal medium of exchange or standard for measuring value (unit of account), issued by the government of a country in the form of paper, gold, silver or other metal printed with certain shapes and images. The main function of money is as a medium of exchange. This is the main function of money. From this main function, other functions are derived such as money as a standard of value (standardization of value), store of value (store of wealth), unit of account (unit of calculation) and standard of differentiated payment (standardization of deferred payments). (Mustafa Edwin Nasution, 2006, p. 248)

Exchanging credit for money into a balance account can be seen on a trusted legal site, namely byPulsa. Meanwhile, byPulsa is one of the most trusted credit exchange services in Indonesia which is a legal entity under the auspices of Pt. Bypulsa Digital Indonesia. So, the overall meaning of converting credit to money with a rate/exchange system is to exchange credit into money in the form of cash or electronic money by adding up the credit at a predetermined rate.

The exchange system uses credit with a rate/exchange system

In the practice of converting credit to money, there are differences between one service provider and another. What makes it different is the credit conversion rate and also which credit provider you want to exchange from. The Credit Convert Rate is a certain number between 0% – 100%, which is a reference in determining the money that will be received from the credit conversion results. The credit rate or credit exchange rate is what will determine the amount of money received, usually coming from market prices or certain applications. It is very important to know the amount of the conversion rate before exchanging credit for money. Each provider has its own nominal rate and of course there are provisions based on the value of services and profits for each provider. Based on the results of interviews the author conducted with credit conversion service providers on Twitter, on average, conversion service providers use special applications to exchange credit for money. And the rates or exchange rates they offer vary every day depending on the application they use. So this service provider on Twitter is like an intermediary between the application and people who need to convert credit. Next, how do you calculate credit into money using a rate system? The first thing you need to know is the rate from which provider you want to exchange and how many credits you want to exchange. It is very important to pay

attention to the rate value before exchanging credit for money, the higher the rate or exchange rate offered, the smaller the ratio of credit and money you will receive. After knowing the credit provider's rate or exchange rate, you can then calculate it using the formula, (number of credit) x (rate value) = money to be received.

For example, someone has Telkomsel credit totaling 100,000. The rate offered by the service provider is 0.85. So (credit 100,000)x(rate 0.85) is 85,000. So the amount of money we will receive from exchanging 100,000 credit for money is 85,000. There is not a single service provider that offers a 1:1 comparison between credit and the amount of money received, therefore we need to be smart in looking for a high rate so that the difference in conversion is not too big. Another example is if we exchange 100,000 credit at a rate of 0.90, the money we receive is 90,000. The condition of the difference between the amount of credit converted and the amount of money received is what can cause differences of opinion between whether or not this transaction can be carried out.

Views of Islamic Law on the Practice of Converting Credit to Money Services

Islam as a guide to life (nizham al-hayat) which regulates every aspect of human life, offers various ways and tips for living life correctly in accordance with the norms and rules of Allah SWT. Islam teaches that humans live their lives correctly, as has been regulated by Allah SWT, that the effort to live correctly is what makes a person's life high, the measure of good and bad in life is not actually measured from other indicators, but rather the extent to which a person adheres to steadfast in the truth. (Muhammad, 2002, p. 299) In the Islamic religion, the first principle is established, namely that the origin of everything and its benefits are created by Allah SWT. is halal and permissible, and nothing is haram except what is stated in authentic and firm texts from the creators of the Shari'ah which prohibit it. If there is no text that indicates what is haram then something remains in its original law, namely permissible. (Qardhawi, 2005, p. 20) The basic concept that is the reference for muamalah legal sources apart from the Al-Qur'an and Al-Hadith as well as Ijma' and Qiyas is the benefit side, because basically all forms of interaction and engagement carried out by humans are permissible (Khaerudin, 2019, p. 10) Various types of mumalah and various kinds of trade, the original law is permissible and halal. So there is nothing that can prevent and prohibit it except something that has been explained by the syara' regarding prevention and prohibition. (as-Sa'di, 2008, p. 265)

As stated in the rules:

والأصل في العقود والمعاملات الصحة حتى يتبين مدي لعلنا لبطالوا التحريم

The original law in various agreements and muamalat is valid until there are arguments that show its falsehood and haraam. (I'lamul Muwaqi'in 1/344)

Based on these rules, the first principle of all forms of muamalah activities is permissible (allowed) as long as there are no arguments that forbid it. In connection with the topic that the author discussed above, the question is, is the law of

using credit conversion services with a rate/exchange system in Islamic law also considered permissible?

Differences of opinion regarding the permissibility of the practice of converting credit into money are also outlined in the book *Harta Haram Muamalat Kontemporer*. In the sub-chapter on Cell Phone Top-up Cards, it is explained that the opinion that does not allow this conversion practice is that the price of buying and selling and credit conversion must be the same. Meanwhile, the opinion that allows this conversion practice dominates with the consideration that credit is not money so there is no usury when the transaction carried out does not have the same value between the credit and the money resulting from the conversion. Apart from that, credit is defined as a nominal service amount that can be used to enjoy the provider's services so that if it is exchanged for money, even if the value is not the same, it is not usury. This consideration then becomes the permissibility of credit conversion transactions with money in the view of Islamic law. (Iswandi, 2022, p. 752) Credit can be categorized as beneficial assets (services). This is similar to the characteristics of beneficial assets, which include the occurrence of contracts (muddah), functional (charity), or both simultaneously. Each person's credit has a different contract duration depending on the active period determined by each provider. Even if you still have credit but the active period has expired, the credit can no longer be used. This is of course relevant to the duration of the contract (easy). As for credit, which has various uses, it is certainly functionally relevant (charity). The fulfillment of this ease and charity means that credit can be categorized as a beneficial asset. These useful assets then make it possible for credit to be transacted, one of which is converted. As the opinion of the fuqaha is as follows:

واتفقا لفقهاء علمنا المنفعة في الإجارة فيحصل العلم بها أو احتمنا من المدة أو العمل

"The jurists agree that actually services in a rental contract can be determined in one of two ways, namely through the duration of the contract and through 'amal (functional)". (Fiqh al-Mu'amalat, Juz 1).

Considering that credit is a legal beneficial asset, the contract used in the practice of converting credit into money is an ijarah (service rental) contract. Moreover, credit has a beneficial aspect which is one of the permissible elements of an ijarah contract. This is in the opinion of the fuqaha as follows:

إن الأصل لذئيسار عليها لفقهاء وهو أن المستحق بعد الإجارة إنما هو المنفعة للأعيان

"Indeed, the main basis of the jurists is that the main objective of a service rental contract is the benefit of something and not the physical thing.." (Fiqh al-Mu'amalat, Juz 1).

In interviews the author conducted with 4 people who needed conversion services on Twitter, they said they were helped by this conversion service even though they used a rate system. The reasons are varied, some say that if they are not exchanged the credit will be forfeited, there are also those who argue that it would be more profitable if exchanged for money. It should also be noted that the excess credit that customers

have does not come from buying credit directly, but there are those who get it from winning giveaways or credit quotas from the agencies where they work or study. One of them said it was more useful to exchange it for money even though there was a nominal difference due to the rate. It is clear that both the customer and the service provider know the credit rate and both are willing to accept the credit conversion transaction. The difference in the value of the credit and balance received is because the rate is considered a wage for the service provider who has helped exchange the credit into money on a particular application.

The willingness and permissibility of credit to electronic money conversion transactions in Islam is also based on the Al-Qur'an Surah an-Nisa verse 29:

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

O you who believe, do not consume each other's wealth in a false way, except by means of commerce that is carried out with mutual consent between you. (an-Nisa ayat 29) (Departemen Agama RI, 2015)

Ibn Hazm in his book *Al Muhalla* explains that it is not halal to sell something with more or less of the same if the seller and buyer require safety, unless the seller and buyer both know the level of fraud in it and if one of them requires mutual approval. (Hazm, 2015, hal. 602). Islam condemns excessive profits, dishonest trade, unfair treatment, and all forms of discrimination and oppression. (Buhari, 2009, p. 96) Islam condemns unreasonable profits so it is obligatory for us to avoid all forms of deception, extortion, monopoly, gharar, or other acts that are not prescribed by Islam. It is also clear that credit conversion transactions must not be covered up to avoid falsehoods that can lead to unlawfulness. So, it can be concluded that the practice of converting credit into money in Islamic law has fulfilled the pillars of transactions, namely, the person who needs the conversion service, the credit conversion service provider, the credit as an object and the terms and conditions are as a shighah of consent and qabul. Because this transaction meets all the Shari'a in muamalah, the service of converting credit into electronic money is permitted in the Shari'a.

IV. CONCLUSION

As time progresses, ways to transact and use services also develop. One of them is the practice of credit conversion services. Credit itself is a necessity that can be used by all groups to communicate long distances. Apart from communicating, credit can also be used for transactions on social media. This conversion service practice is useful for helping those who have excess credit and want to exchange it into cash, either cash or electronically, at a predetermined exchange rate. The practice of using conversion services or exchanging credit and money using a rate system is in accordance with Islamic provisions and sharia. The difference in the value of credit and money is because the rate is not included in usage but is equated with service wages. The contract used is the ijarah contract. So the view of Islamic law

regarding the practice of converting services is permissible as long as there are no elements that prohibit it.

REFERENCES

- [1] as-Sa'di, A. (2008). *Fiqh al-Bay wa asy-Syira'*. Jakarta Selatan: Senayan Publishing.
- [2] Buchari, V. R. (2009). *ISLAMIC ECONOMICS Ekonomi Syariah Bukan Opsi, Tetapi Solusi!* Jakarta: Bumi Aksara.
- [3] Departemen Agama RI. (2015). *Al-Quran dan Terjemahannya*. Jakarta: PT. Tigas Serangkai Mandiri.
- [4] Hazm, A. M. (2015). *Al-Muhalla Jilid 10*. Jakarta Selatan: Pustaka Azzam.
- [5] Iswandi, A. d. (2022). *Tinjauan Hukum Islam dan Hukum Positif Terhadap Praktik Jasa Konversi Pulsa Menjadi Uang*. Indramayu: Institut Agama Islam Az-Zaytun Indonesia (IAI AL-AZIS).
- [6] Khaerudin, H. S. (2019). *Fiqh Muamalah Teori dan Implementasi*. Bandung: PT Remaja Rosdakarya.
- [7] Madjid, A. (1986). *Pokok-Pokok Fiqh Muamalah dan Hukum Kebendaan dalam Islam*. Bandung: IAIN Sunan Gunung Jati.
- [8] Muhammad. (2002). *Visit Al-Quran Tentang Etika Bisnis*. Jakarta: Salemba Diniyyah.
- [9] Mustafa Edwin Nasution, B. S. (2006). *Pengenalan Eksklusif Ekonomi Islam*. Jakarta: Kencana.
- [10] Qardhawi, Y. (2005). *Halal dan Haram*. Jakarta: Robbani Press.
- [11] Rasyid, S. (1996). *Fiqh Islami*. Bandung: Sinar Baru Al Gensindo.
- [12] Syafei, R. (2006). *Fiqh Muamalah*. Bandung: Pustaka Setia.
- [13] Bank Indonesia, 'Sistem Pembayaran di Indonesia' (Bank Indonesia 2017) <<https://www.bi.go.id/id/sistem-pembayaran/di-indonesia/>>Diakses pada 19 September 2023
- [14] Bank Indonesia, 'Daftar Penyelenggara Kartu Kredit yang Telah Memperoleh Izin dari Bank Indonesia Per 24 Oktober 2018' (Bank Indonesia 2018) <<https://www.bi.go.id/id/sistem-pembayaran/informasi-perizinan/kartukredit/penyelenggara-berizin/Pages/default.aspx>> Diakses pada 19 September 2023.