

Critical Review of *Spaylater* Practices of LPI Educators. Darul Ulum Banyuanyar Putri *Maqasid Dain* Jasser Auda Perspective

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Abstract

Along with the rapid development of the times, buying and selling practices are increasingly easy to do through fintech (Financial Technology) in the form of shopee. Shopee is an application that serves buying and selling and also accounts payable online. Debt and credit services using Shopee in the form of Shopee payLater (SpayLater) or pay at a later date which is currently in great demand by all groups including educators because it can help buy the desired item at any time without thinking about financial conditions. This study aims to analyze the practice of debt carried out by LPI teachers. Darul Ulum Banyuanyar daughters on the Shopee application through SpayLater in terms of *maqasid shari'ah* thought of Jasser Auda. This research uses *field research* with a comparative descriptive approach to *maqasid shari'ah* Jasser Auda. The research results that, First, *Maqashid dain* in QS. Al-Baqarah: 282 *maqashid syariah'ah* Jasser Auda's perspective gave birth to the concept of recording (*faktubuu*) and testimony (*fasytasyhiduu*), Second, Spaylater Practices Among LPI Educators. Darul Ulum Banyuanyar Putri Based on *Maqashid Dain* Jasser Auda uses 6 system features, namely: cognitive nature, wholeness, openness, interrelated hierarchy, multidimensionality, and purposefulness, as well as the maintenance of human rights (*hifdz al-huquq al-insan*), maintenance of human dignity (*hifdz al-'ird*), and maintenance of property (*hifdz al-mal*).

Keywords: *Dain*, Shopee Paylater, *Maqashis al-Syariah* Jasser Auda.

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INTRODUCTION

Along with the rapid development of the times, buying and selling practices are increasingly easy to do through *fintech* (Financial Technology) in the form of *shopee*. *Shopee* is an application that serves *online* buying and selling where many features are offered not only buying and selling, but also accounts payable can be done digitally. Debt and credit services using *Shopee* are in the form of *Shopee payLater* (*SpayLater*) which is easily accessible via the internet using a *smartphone*. *SpayLater* or paying at a later date is a feature in the *shopee* application which is currently in great demand by all circles, because it can help buy the desired item at any time without thinking about financial conditions. The way *SpayLater* works, users can *buy* goods in the *Shopee* application with payment at a later date, namely *buy now*, *pay later*. However, in *SpayLater* there are several additional costs which are more expensive than *cash* payments (Fathul, 2023). *SpayLater* also includes transactions that do not provide facilities that are contrary to sharia, namely goods sold by *halal* and *legal merchants*. It

also emphasizes that spending is not excessive by setting a maximum spending limit. Meanwhile, the customer is financially capable of paying off according to the specified time limit (Oni, 2020).

With the various conveniences provided by *SpayLater*, it is a special attraction for all circles, not only in demand by young people, but also in great demand by educators / teachers who in fact have a fixed income. So that they never hesitate to use *SpayLater* payments in meeting their daily needs. The educators referred to in this study consist of teachers who teach at LPI. Darul Ulum Banyuanyar daughters who have received certification and usually use the *Shopee* application.

The results of temporary observations of researchers, found that there are 35 certification / civil servant teachers who actively teach at LPI. Darul Ulum Banyuanyar Putri, including; 5 teachers from Madrasah Ibtidaiyah level, 20 teachers from Madrasah Tsanawiyah level, and 10 teachers from Madrasah Aliyah level.

Therefore it is necessary to analyze the practice of debt carried out by LPI teachers. Darul Ulum Banyuanyar daughters on the *Shopee* application with the formulation of *maqashid dain* problems in *Al-Baqarah: 282 maqashid shari'ah* perspective according to Jasser Auda and *SpayLater* practices among LPI educators. Darul Ulum Banyuanyar Putri based on *maqashid dain* Jasser Auda.

This is very interesting because, *First, the SpayLater* payment platform is a trend used in all circles of society. *Second, Maqashid Shari'ah* is a form of benefit, because *maslahah* is an *urgent* concept in *sharia*, even *maslahah* is placed in the second position after the principle of *tawhid*. *Third, as a representative of Maqasid Shariah* today, Jasser Auda bases his philosophy of thought on Maqasid Shariah and uses a systems approach as an instrument of analysis and thinking style. This is a new strategy that has never been considered for use in discussions of *Ushul al-Fiqh* and Islamic law.

The problem raised in this study is about *maqashid dain* in *Al-Baqarah: 282 maqashid shari'ah* perspective according to Jasser Auda and the practice of *SpayLater* among LPI educators. Darul Ulum Banyuanyar Putri based on *maqashid dain* Jasser Auda.

METHODOLOGY

This kind of research is known as field research, because the data used is related to the practice of *Spaylater* among LPI educators. Darul Ulum Banyuanyar Putri. The method used is a qualitative approach in which this research examines social phenomena about the practice of *Spaylater*. Comparative descriptive research is used in this kind of research, which includes educators who have been certified as many as 35 (thirty-five) populations. The focus of the researcher analyzes the practice of *Spaylater* using Jasser Auda's *maqashid shari'ah* approach based on field research to collect the latest Islamic legal perspectives on problems that are developing in society. The research location was conducted at LPI. Darul Ulum Banyuanyar Putri.

The data sources used are primary data and secondary data. Primary data uses direct interviews with informants who practice *Spaylater* directly consisting of: Mr. Khoirul Anam, Mr. Musthofa, Mr. Abdurrahman, and Mrs. Siti Aminah. While secondary data in this study in the form of books as references or other sources obtained such as journals, etc. or references related to online accounts payable or *SpayLater* and *maqashid al-Syari'ah* Jasser Auda.

The data analysis used, namely: data reduction, data presentation, conclusions and data verification. Researchers in this case conducted data reduction in the form of collecting data at LPI. Darul Ulum Banyuanyar Putri and the manager of Baitul Māl Pesantren (BMP) through observation, interviews, and documentation, and presents the data clearly and systematically in the form of descriptions so that conclusions and verification are drawn after the research results are carried out.

RESULTS AND DISCUSSION

Dain Concept

Dain in the book *Addurar assaniyah fil mausu'ah alfiqhiyah* is: Everything that is included in the lien is a debt, whether it comes from a loan or sale price, unpaid rent from the tenant, or other sources.

الدَّيْنُ هُوَ كُلُّ مَا ثَبَّتَ فِي الدِّمَّةِ، سَوَاءً كَانَ قَرْضًا أَوْ تَمَنَّ مَبِيعٍ، أَوْ كَانَ أَجْرًا لَمْ يُسَلِّمْهَا الْمُسْتَأْجِرُ، أَوْ غَيْرَ ذَلِكَ.

Dain basically refers to any kind of transaction where one party makes a cash payment and the other party assumes responsibility for the payment. Therefore, *Dain* is property that is beyond the reach of a person (Abdullah Muhammad bin. Ahmad al-anshari al-Qurthubi, Tafsir al-jami' Li Ahkam al-Qur'an).

حقيقة الدين عبارة عن كل معاملة كان أحد العوضين فيها نقدا والآخر في الذمة نسيئة، والدين ما كان غائبا.

The deferred asset of the pledged collateral asset is known as debt (Sayyid sabiq, 2018).

هو المؤجل من الأموال المضمونة في الذمة والدين "

So *dain* covers any debt incurred as a result of a contract, including a contract for the sale of goods on credit, a lease contract that ends with a salary, and so on. Spending money or damaging someone else's property can also have bad consequences. *Dain* also includes salam, qardl contracts, and other exchanges where one party is still disclaiming responsibility.

According to the Big Indonesian Dictionary, "debt" means money lent by another party, and "receivables" means money lent and recoverable from another party. In accordance with Article 1754 of the Civil Code, debts and receivables are equated with lending and borrowing agreements. An agreement called borrowing and lending occurs when one party offers the other party a certain amount of used goods with the understanding that the other party will return the same goods in the same amount. (KUHP, Article 1754).

In Indonesian, "utang" refers to any kind of loan or debt. The Arabic words *dain* and *qardh*, which both mean debt when translated into Indonesian, have different meanings in fiqh muamalah. *Qardh*, which means "share", is a portion of wealth that is given to another person. The Shafi'iyah scholars define *qardh* as the transfer of ownership of a property on the condition that it is returned. Since *dain* is used more often than *qardh*, the terms have different meanings in fiqh muamalah. *Dain* is the term for a debt incurred by a person as a result of a loan, contract, or loss of someone else's property.

According to the earlier description, the scope of *dain* is all debts that result from the use or destruction of someone else's property; for example, if we accidentally break

the glass of someone else's house, then we are responsible or liable for the damage. What is meant by "debts and receivables" also refers to obligations arising from *qardh* contracts. Since *qardh* is a debt arising from a loan agreement or other debt, whereas *dain* includes any form of debt for any reason, *dain* is considered more general than *qardh*.

Based on the above definition, *dain* is defined as a transaction in which a person transfers or lends some assets that have a special value that is used to meet his living expenses, meaning that the property borrowed by the party is owed and will be returned according to the value of the property.

Terms and Conditions of *Dain*

- a) **Al- Dain (Debtor):** The party who gives a loan to another party. The debtor must have the legal capacity (*ahliyyah*) to conduct the transaction, meaning that he must be of sound mind, an adult, and free from coercion.
- b) **Al-Madin (Debt Recipient):** must also have the legal capacity to enter into the transaction.
- c) **Goods to be Loaned:** It must be useful and lawful. It can be similar assets, such as money, goods that are measured or weighed and the amount owed must be known.
- d) **Shighat:** A statement of agreement between the giver and receiver of the debt. This statement can be oral or written, as long as it is clear, firm, and mutually understood. This clarity is very important to avoid disputes in the future. (*Addurar assaniyah fil mausu'ah alfiqhiyah*)

In any contract, including in a *dain* contract, usury is not allowed, either *usury fadhl* or *usury nasi'ah*.

- 1) **Fadhl Usury:** Usury that occurs due to the exchange of similar goods with an unbalanced or unequal amount. For example, exchanging 1 kg of rice for 1.1 kg of rice.
- 2) **Nasi'ah Usury:** Usury that occurs because of additional payments charged on the basis of the difference in time of payment or because of overdue. This often occurs in money loans with interest. (Samirah, 1989)

SHOPEE PAYLATER

Shopee App and ShopeePaylater Feature

Forrest Li launched the online marketplace Shopee in 2009. SEA Group, formerly known as Garena, is the parent company of Shopee, which was first introduced in Singapore in 2015 and is also headquartered there. In addition to Malaysia, Thailand, Taiwan, Vietnam, the Philippines, and even Indonesia, Shopee has been expanding its market reach since 2015. Shopee became the first Shopee in South America and outside Asia in 2019 after successfully penetrating the Brazilian market. (Abraham, 2025).

With the approval of PT Shopee International Indonesia, Shopee Indonesia was officially launched in Indonesia at the end of 2015, in December to be exact. When first launched, Shopee Indonesia grew rapidly; to date, more than millions of users have installed the *Shopee* app (Shopee history, 2025). In addition to having the most visitors, Shopee also had the largest social media search record in 2020, making it the top marketplace in Indonesia. Today, many teenagers and even adults use Shopee because

of its ease and speed of use when doing online shopping through the website or mobile application on smartphones.

Shopee sells a wide range of goods, from electronics, clothing, cosmetics, gadgets, cars, and daily necessities. Due to its convenience, users do not have to queue to pay or shop. Online shopping is becoming increasingly popular. The convenience provided by Shopee offers a number of advantages, such as the location feature that allows buyers to find sellers with the closest location for faster delivery of goods and a number of special offers and discounts that customers love so much. Thanks to Shopee's free shipping vouchers with appropriate criteria, customers can purchase goods both domestically and overseas even if they are far away. In addition, Shopee also provides a live chat feature that makes it easy for buyers and sellers to communicate and ask questions about the products they are selling. Sellers can use the advertising feature to promote their products to the top of the market, and they can sell any product, which obviously helps them.

A lot of people want to try using the Shopee marketplace because of its interesting features. A number of features that Shopee presents, such as flash sales are all Rp 99, cashback and vouchers, free shipping (shipping costs), Shopee games, and monthly flash sales that correspond to certain dates and numbers of the month, such as 11.11 which is a massive sale on November 11 at a certain time. Shopee also offers an easy way to pay with shopee pay, and its latest feature is shopee paylater.

Shopee Pay later (Spaylater) is one of the payment facilities using *fiancial technology* used in the Shopee application. *Spaylater* is a payment method arranged for people who work on installment activities on an item. One of the requirements for using *Spaylater* is by uploading photos (self and ID card) and other information regarding the identity of the *Spaylater* user needed. The implementation of the contract on *Spaylater* is evidenced by the contract agreement between the buyer and the seller, at the time of carrying out the contract activity, the additional price when the credit transaction is approved and *Shopee PayLater* is considered a deferral price (Agisni, 2022).

Shopee Paylater is a product from Shopee that offers a system designed to channel non-cash funds to the community, so that people can use these funds initially when making business transactions "shop now, pay later". (Ananda, 2022).

One of the factors that can influence *Spaylater* user interest is the results of comments. Where from the results of comments that occur after making *online* purchases can increase consumer confidence to continue shopping. Comments become a separate experience for consumers to continue using *Spaylater* payments.

Mechanism and Procedure for Paylater Activation on the Shopee App

a. Shopee PayLater E-Money Loan Mechanism

1) Terms and Conditions of Shopee Paylater feature activation on Shopee

Both the shopee app and shopee customer support website provide instructions on how to activate shopee paylater. Shopee Paylater activation is subject to terms and limitations. The terms and conditions of Shopee Paylater include the following:

- a) Shopee Paylater can be used by users based on their loan limit.
- b) Users must have an ID card or be an Indonesian citizen who is 17 years old.

- c) Users cannot change their payment method or cancel their order when applying for a higher limit.
- d) You cannot use Shopee Paylater to purchase anything with coupons.
- e) Digital goods cannot be purchased with Shopee Paylater.

b. Shopee Account Activation

To access Shopee's features, users must first register or create an account. Previously, users must download the Shopee app from the Play Store on Android or the App Store on iOS, both of which can be accessed easily and quickly using a smartphone with an internet connection. Download the shopee app and create a shopee account on your device. Here's how to download the app:

- a) Install the Shopee app from the Play Store for Android devices or the App Store for iOS users.
- b) Launch the Shopee app, select Start, and the Shopee home screen will appear.
- c) After that, register by clicking on me in the bottom right corner of the shopee main page. The image below will then appear; click register.
- d) Create an account on the registration page using your phone number, email address, Facebook account, LINE, or, for iOS users, your Apple ID.
- e) Upon registration, you will immediately be added as a Shopee user...

c. Shopee Paylater Activation Submission

The shopee app is the only way to activate shopee paylater, and the activation app is reviewed twice every 24 hours. Users can choose various due dates, namely the fifth and eleventh of the month, after successfully activating Shopee Paylater. Use these steps to activate Shopee Paylater:

- a) Select the Shopee Paylater menu after clicking the My tab.
- b) Select "Activate Now."
- c) Type in the OTP code (verification code) sent to you by Shopee, then click "Continue".
- d) Provide proof of identity, such as a photo of yourself and your ID card.
- e) Activation will be processed first if you have provided your personal information, and this will take approximately two 24-hour periods.
- f) If Shopee Paylater activation is accepted,

d. How to Shop Using Shopee Paylater

Only the shopee app allows its users to use the *shopee paylater* payment method function. Make sure that *Shopee Paylater* bills are paid on time. Usually, the billing information is sent on the 25th of every month, and the bill is due on the day that the user chooses, which is the 5th or 11th of the following month. When making payments, customers have three alternative Shopee Paylater payment method features. There are three ways to pay: one month without interest, two installments over two months with 2.95% interest, or three installments over three months with 2.95% interest. Each Shopee Paylater payment option specifies a minimum monthly payment amount. The steps to use Shopee Paylater for shopping are as follows:

- a) Select Shopee Paylater as the payment method and then confirm after checking out the selected item. Users have the option to pay in full or in two or three payments.
- b) Shopee speeds up order delivery by automatically verifying payments to sellers.

e. How to Pay or Settle Shopee Paylater Bills

In the event that the user does not pay the Shopee Paylater payment bill on time, an additional fee or fine of five percent of the total amount to be paid will be charged. In addition, their shopee account will be frozen and they will not be able to shop using the shopee payment method paylater. Once the bill is paid, users can continue using Shopee Paylater.

OJK's SLIK (Financial Information Service System) records Shopee Paylater bills. If the previous user failed to pay the bill, a field collector or field billing will be used. To pay a Shopee Paylater bill, follow these steps:

- a) Click on the Me tab, then select the Shopee Paylater menu;
- b) Click Pay Now, which will display the bill details;
- c) Choose the payment method you want to use, such as ShopeePay, Indomaret, bank transfer, or virtual account.

MAQASID SHARI'AH JASSER AUDA

Definition of Maqasid Shari'ah and Profile of Jasser Auda

In English *maqasid* is *ends*, the term "*maqsid*" (plural: *Maqasid*) means "purpose, goal, principle, concern, or goal", while in Greek it means "*telos*", in French it means "*finalité*", and in German it means "*zweck*".

On the other hand, various scholars equate *al-Maqasid* with *al-Masalih* (benefit) such as Abd al-Malik al-Juwaini, Fakhruddin al-Razi, and al-Amidi using this terminology. Furthermore, Najmudin al-Tufi articulated *maslahah* as that which realizes the intention of the legislator (the goal that leads to the purpose of *al-Syari*). At the same time, Al-Qarafi (d: 1285 AH/ 1868 CE) linked *maslahah* and *maqasid* as fundamental principles by stating, "a component of Islamic law that is based on Shari'ah cannot be said to be *al-maqasid* unless it is related to it in some way. "a legitimate aim that can bring benefit or prevent harm".

Regarding Islamic law, Imam Ibn al-Qayyim states that "the basic elements of law are based on wisdom and the welfare of people, both in this world and in the hereafter. Islamic law as a whole reflects justice, wisdom, compassion and kindness. If there is a ruling (in the name of Shari'ah) that substitutes justice for falsehood, mercy for its equivalent, public good for harm, or wisdom for impossibility, then that ruling is not part of Shari'ah, regardless of whether it is affirmed to be so according to various interpretations.

The different definitions and terms mentioned above mark the beginning of the exploration of *al-Maqasid* theory. Based on the various descriptions and interconnected definitions given earlier, *Maqasid Al-Syari'ah* can be interpreted as the purpose of the collection of Islamic laws whose aim is to achieve justice and serve human interests, not as a set of rules that cause harm to the social order. The legal choices made by a leader should also reflect the principle articulated in one of the *fiqhiyah* rules which states, "*Tasharruf Al-Imam Manuthun Bi Al-Maslahah*," meaning that the actions of a leader (should be) oriented towards the welfare of his constituents (the people). Nonetheless, achieving justice and benefit from the legal framework in society is a challenging endeavor that requires the involvement of interconnected elements. (Retna, 2018).

According to traditional Islamic legal studies, there are three categories of *Maqasid*: First, *ad-daruriyat*, Second, *al-hajiyat*, and Third, *at-tahsiniyat*. *Hifz ad-din* (protection of religion), *Hifz an-nafs* (protection of the soul), protection of property

(Hifz al-mal), protection of reason (Hifz al-aql), protection of children (*Hifz an-nasl*), and protection of honor (*Hifz al-'ird*) are other definitions of *Daruriyat*.

In addition, Jasser Auda developed the study of *Maqasid al-shari'ah* in his work *Maqasid al-shari'ah* as a *system approach*, which aims to dismantle the old idea of the closed door of *ijtihad*. This remarkable work seeks to address the difficulties Muslims face with regard to current issues and takes a modern approach that arises from the nature of modernity.

Cairo is where Jasser Auda was born in 1966. From 1983 to 1992, he spent his teenage years studying religious studies at Cairo's Al Azhar Mosque. Although Jasser never attended a formal religious school like Al-Azhar University while he was in Egypt, he went to Al-Azhar Mosque for halaqah and recitation. During his active academic career, he majored in Communication Sciences at Cairo University, graduating in 1988 with a bachelor's degree and in 1993 a master's degree. Jasser continued his doctoral studies in systems analysis at the University of Waterloo in Canada after obtaining his MSc (*Master of Science*) degree from Cairo University. He successfully obtained his Ph.D. from Waterloo in 1996.

Then he went back to school at the Islamic University of America, where he focused on studying Islamic law. Three years later, in 1999, he earned his second Bachelor of Arts (BA) degree in Islamic studies. He completed his Master's degree in 2004 with a focus on Islamic law at the same university. He then went on to the University of Wales in the UK to complete his doctorate. He successfully earned his Doctorate in Islamic law in 2008 (Hengki, 2018).

In addition to being the founder and director of the Maqashid and Philosophy of Islamic Law Research Center in London, UK, he has also given guest lectures abroad. In addition, he is the recipient of nine awards, including the 2009 *Global Leader in Law* certificate from *Qatar Law Forum*. 2) *Cape Medal, Muslim Student Association, South Africa*, 2008. 3) *Kuwait, 2008, International Center for Moderation Award*. 4) *Cairo University Medal* in 2006. 5) *International Institute of Advanced Systems Research (IIAS) Innovation Award, Germany*, 2002. 6) *Province of Ontario, Canada*, 1994-1996. 7) *Province of Saskatchewan, Canada*, 1993-1994. 8) *First Prize for Qur'an Memorization, Cairo*, 1991. 9) *Research Grant Awards* (from many universities, including the *American University of Sharia UAE* 2003-2004), as well as other prominent awards (Arfan, 2012).

Jasser Auda's Proposed System Features

Six (6) aspects of Islamic legal epistemology using a systems philosophy approach, according to Jaser Auda's ideas. The six characteristics are intended to measure and answer how *Maqasid al-Syariah* is actually implemented in the process of *ijtihad* and legislation in the modern era. Here, Auda uses two perspectives of Islamic theology and systems theory to explain each of the six characteristics. The six characteristics are: *multidimensionality* (encompassing many dimensions), *purpose* (goal-focused), *interrelated hierarchy*, *openness*, *comprehensiveness*, and *system cognition*. (Jasser Auda, 2007).

a) Cognition (Cognitive Nature Of System)

Islamic theology argues that *fiqh* or Islamic law is the result of reasoning and introspection (*ijtihad*) over the writings (*nash*) to reveal the various meanings hidden in them and their application. Since nothing is hidden from God, Islamic jurists known

as Fiqh scholars and theologians known as Mutakallimun agree that God cannot be called a faqih (jurist or lawyer) (Jasser Auda, 2007). Because fiqh is based on human cognition (reason), it does not rule out the possibility that there are still flaws and shortcomings. Meanwhile, scholars categorize the opinions produced by reason in the field of law into three parts: definitely right, definitely wrong, and contains the possibility of being right and wrong. Those that are clearly wrong are those that contradict the texts of the Quran and Sunnah; these must be rejected. Although it contains many possibilities, many scholars are justified in using it in times of urgency, which shows that religious law is flexible and suitable for every location, time, and circumstance (Quraish Shihab, 2005).

b) Wholeness

Jasser Auda asserts that every cause-and-effect relationship needs to be viewed as a component of a holistic perspective (whole picture), which is based on systems theory. In a system, relationships between components have a specific purpose. Relationships are not just a static collection of components; they are constructed as a whole and are dynamic. According to Jasser Auda, the framework of Ushul Fiqh is in dire need of comprehensive thinking and methods because it can be applied to current problems and become a timeless guide to Islamic law.

With this system, in order to make Maqasid al-Shari'ah acceptable to the general public, Auda seeks to expand and bring it from the individual dimension to the universal dimension (Maqasid al-'Ammah), such as the concern for freedom and justice. Thematic interpretation (maudhu'i), which is a method of interpretation that guides one's view towards a particular theme, is another tool available to those who think holistically. It involves collecting all the verses that deal with a particular theme, analyzing and understanding them verse by verse, then mentally putting together general verses that are connected to specific verses, e.g. muthlaq combined with muqayyad, and so on, while supplementing the description with relevant traditions. Finally, the article concludes with an overall and comprehensive view of the theme discussed. Example: The Prophet (SAW) explains that "*dhulmun*" refers to Shirk when reciting Allah's words in QS. Luqman (31): 13 when defining the meaning of the term in QS. al-An'am (6): 82 (Quraysh Shihab, 2013).

c) Openness

According to systems theory, living systems must be open. Essentially, a system remains open even if it appears to be dead. The degree of openness of a system is determined by its capacity to achieve goals in various situations. These circumstances affect the system's ability to achieve a goal. A system that is in constant contact with external circumstances and the environment is said to be open.

Despite the fact that *ijtihad* is a pressing issue in the topic of fiqh, Islamic legal scholars were able to create specific procedures and approaches to address modern issues. This is because the Islamic legal system is open, and it upholds the principle of openness. The claim that the door to *ijtihad* is closed will only make Islamic law stagnant because it is always open (Jasser Auda, 2015). The *Ijtihad* movement that aims to recreate Islamic legal thought is referred to as *tajdid* in some places. The expression "*tajdid*" most likely comes from the Prophet's words several centuries ago which stated:

ان الله يبعث لهذه الأمة على رأس كل مئة سنة من يجد لهم دينهم

Allah will send Muslims to renew their faith every hundred years (HR. Abu Daud through the Prophet's companion Abu Hurairah) In addition, tajdid can mean reviving the memories of those who have forgotten the true teachings of Islam by providing fresh explanations and arguments to convince those who have doubts and correct mistakes and misunderstandings. It should be noted that tajdid does not mean changing the basic principles of religion, or changing the text or message of the text, but rather offering a new interpretation of the text without changing or abandoning the text; in this case, what is meant is diversity of meaning and interpretation, not change (Quraissy Shihab, 2005).

d) *Interconnectedness (Interralated Hierarchy)*

The hierarchical structure of the system, consisting of a main system with smaller subsystems below it, is the fourth feature. The goals and roles to be fulfilled are determined by relationships. Sorting out the similarities and differences among the various components that make up a system as a whole is the process of breaking it down into smaller parts. Large parts are represented by smaller parts, and vice versa.

Auda argues that classical Maqasid occurs for several reasons. The *first* is that it focuses on the whole of Islamic law in general and is unable to explain the purpose of certain parts of fiqh. *Second*, it is the human being who is the main emphasis of classical Maqasid, not the family, society, or humanity in general. *Third*, the most universal fundamental principles, including justice and freedom, are absent from classical Maqasid. *Fourth*, instead of being sourced from the original sources of reality, classical Maqasid is sourced from the literary sources of fiqh. (Jasser Auda, 2015). However, the classical Maqasid classification needs to be reviewed according to the current context which is then used as a methodological basis in the Hierarchy of Needs system.

According to Jasser, the Maqasid hierarchy can be divided into three categories. The first is Maqasid al-'Ammah (General Maqasid), which includes all universal maslahah contained in Tashri' behavior, including justice, equality, tolerance, convenience, and Dharuriyyat elements in Classical Maqasid. Second, Maqasid Khassah (Special Maqasid) is Maqasid related to maslahah in a particular field, such as the prohibition of harming women in the house and the prohibition of all forms of fraud in trade. Third, the most fundamental Maqasid in a legal process is Maqasid Juz-iyyah, or Partial Maqasid. Another name for this maslahah is knowledge or mystery. The need for honesty and clear recollection of evidence is an illustration of the Maqasid. As long as the individual concerned can demonstrate honesty and the information is reliable, one fair witness may be sufficient in today's criminal prosecutions, two witnesses are not always necessary.

e) *Involves multiple dimensions (Multi-dimensionality)*

A system consists of several parts that are interrelated and not a single entity. Because a system consists of many complex components with a range of dimensions that are not uniform, it has a coherent structure. This is also true of Islamic law. The Islamic legal system is multifaceted. Jasser Auda criticizes the origin of binary opposition thinking in Islamic law using the above idea. The expressions Qat'i al-Dilalah, Qat'i al-Tsubut, and Qat'i al-Mantiq occur because of the strong dominance of the qat'iy vs zanny dichotomy in the process of determining Islamic law. To avoid methodological reduction and reconcile several contradictory statements by prioritizing the Maqasid element (the purpose of Islamic law), the binary opposition paradigm must be abandoned. The disparity of hadith relating to 'urf should be

viewed from the Maqasid perspective of the universality of the law, and the existence of Nasakh should be viewed as progressive law enforcement, just as the variation of Sunnah propositions on worship arises from Maqasid Taysir. (Jasser Auda, 2015).

f) Purposefulness

Every system has a goal, or output. Goals are separated into goals (al-hayah) and objectives (al-Hadf) in systems theory. If a system is mechanical, can only produce one goal, and only produces goals in a consistent setting, then the system will produce goals. Meanwhile, if a system can produce goals in different ways and in the same scenario, or produce different goals under different conditions, then the system will produce a goal (al-ghayah). Maqasid al-Shari'ah in this context refers to the concept of purpose (al-ghayah), which is not static and mechanical but changes according to circumstances.

The main and essential foundation of the Islamic legal system is the fulfillment of Maqasid al-Syari'ah. To study Maqasid al-Syari'ah must return to its main sources, namely the Qur'an and Hadith, not only relying on the opinions and ideas of the Faqih. Thus, without linking it to the tendency of a particular school, the achievement of Maqasid al-Syari'ah becomes the benchmark for the validity of every ijtiha. Islamic law must be enforced by considering the interests of the local community (Jasser Auda, 2015).

Maqashid Dain in Al-Baqarah: 282 Jasser Auda's Maqashid Shari'ah Perspective

QS. Al-Baqarah: 282 is the longest verse in the Qur'an that explains about debt (*al-Mudayanah*). This verse is a continuation of the previous verse which discusses the virtues of shadaqah and infusing their wealth in the way of Allah, then continued with a discussion of the prohibition of usury transactions (Ali Al-Sayis, Tafsir Al-Ayat Al-Ahkam). in al-baqarah: 282 explains that to carry out debt and credit transactions, recording or writing is the first step فَاَكْتُبُوهُ بِأَيْهَا. The rule of recording is that the writer must be fair, i.e. neither add nor subtract. Or the debtor should declare everything related to his debt and be based on piety to Allah by not hiding any of his debts. And if the debtor is a person who is not sufficiently qualified in transactions either because of *safih* or *dha'if* then there must be a guardian who replaces his position (Ibn Kathir, 2009).

Ibn Kathir states that the command to write is only asking the debtor to keep the amount and time of the transaction and to provide additional witnesses. The second step in al-baqarah : 282 is to present witnesses with two men, if there are no men and two women instead. شَهِيدَيْنِ مِنْ رَجَالِكُمْ فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتَانِ مِمَّنْ تَرْضَوْنَ مِنَ الشُّهَدَاءِ وَاسْتَشْهِدُوا. أَنْ تَضِلَّ إِحْدَاهُمَا فَتُذَكِّرَ إِحْدَاهُمَا الْأُخْرَى. The command to give testimony in writing to enhance authenticity and avoid disputes. And the person who bears witness must be fair and favorable.

Then there is also a command to write truthfully, both small and large matters, this is to prevent conflict between people and society in general لَا تَكْتُبُوهُ صَغِيرًا وَلَا كَبِيرًا إِلَى أَجَلِهِ. Verse 282 of surah al-Baqarah is abrogated by the next verse, which explains that if both parties trust each other, the transaction does not require written evidence. If the transaction is in the form of buying and selling, then it is allowed without recording or writing. According to Ibn Kathir, in the matter of testimony, the ruling on being a witness is fardlu kifayah or not obligatory for the person concerned but if there is no other person who can take his place.

Dain provisions in al-Baqarah: 282 which requires 2 things, namely; *Faktubuu* and *Fasytasyhiduu*, Six (six) features of the cognitive trait system, wholeness, openness, connected hierarchy, multidimensionality, and purpose are used by Jasser Auda as the basis for analysis...

a. Cognition (Cognitive Nature Of System)

Humans use aspects of cognition or reasoning to understand the problematic realities that exist in society. This problematic reality can then become the basis for making laws or policies. The issue of *dain* is clearly stated in the text, namely *Faktubuu* (recording) and *Fasytasyhiduu* (witnessing) and described in detail how to put it into practice to become the legal basis of *dain*, so that fiqh as a reinforcement and harmonization with the diversity of transactions in this era.

b. Wholeness

Systems theory always takes a comprehensive approach to problems. According to Auda, this method is far superior to atomistic methods that only examine a problem partially. This partial/atomistic viewpoint sees things from a cause-and-effect perspective. The method of recording debts in *dain* in relation to the themes of principles is based on the assumption that the *text* is a unified whole due to the cause of transparency (*Faktubuu* in documentation and *Fasytasyhiduu* in visualization), resulting in the creation of justice.

c. Openness

The Islamic legal system, according to Jasser Auda, is an open system. For Islamic law, the principle of openness is very important. The belief that *ijtihad* is no longer possible will only lead to the stagnation of Islamic law. The principle of openness offers 2 ways, *First*, a change of perspective; *second*, open-minded legal reform. Religion, self-identity, geography and environment, politics, culture, society, economy, and language are all factors that contribute to the construction of a worldview, or "worldview". *Tajdid* on the concept of *dain* is relevant to minimize the occurrence of disputes between people.

d. Interrelated Hierarchy,

According to Auda, categorization theory in cognitive science is an attempt to investigate general categorization techniques that work for the topic under study. The *maqashid of dain* must be fair so that the recorder does not favor one of them, avoid forgetfulness so that witnesses are needed, and be kept away from elements of fraud in particular. The wisdom or secret of the permissibility of *dain*: *First*, to help others, which is to ease the affairs of others and eliminate their difficulties, and to provide benefits to others to fulfill their needs. *Secondly*, orderly administration, which is the transparency of the contract agreement so that it can be used as an application in the *dain* transaction.

e. Multi-dimensionality,

Level indicates how many levels or proportional levels may exist in a dimension. A system consists of several parts that are interrelated and not a single entity. Islamic law is a multi-faceted legal system. The *dain* verse does not only discuss the mechanism of *dain*, but also the concepts of buying and selling, *salam* (buying and selling by order), *wakalah* (handing over power to a guardian for those who are unable to manage property), testimony (*shahidain*), justice, and piety.

f. Purposefulness

The principles of morality (morals) and reason, expediency, and justice are fundamental norms of important notions that are contradicted by the doctrine of Maqasid al-Syari'ah. The concept of *dain* in QS. Al-Baqarah: 282 is able to solve urgent problems for environmental needs while developing a successful business. This is in accordance with what the Prophet Muhammad SAW said as narrated by Imam Muslim, that helping others relieve difficulties in world affairs will be helped by Allah to be free from the difficulties of the Day of Judgment, and vice versa if you make it easy for other people's difficulties, Allah will ease all the affairs of the world and the hereafter.

Spaylater Practices Among LPI Educators. Darul Ulum Banyuanyar Putri Based on Maqashid Dain Jasser Auda.

a. Cognition (Cognitive Nature Of System)

From the perspective of Islamic theology, fiqh (*Islamic law*) is the result of reasoning and reflection (*ijtihad*) on the text (*nash*) to reveal its hidden meanings and practical implications. The interpretation of the book is in line with the worldview of the interpreter or jurist, even though the text itself is divine, according to Jasser Auda. *Dain* in the practice of *Spaylater* fulfills the requirements of *dain*, where the debtor (*al-daiin*) is *Shopee*, the recipient of the debt (*Al-Madiin*) is the *shopee* user (educators of LPI. Darul Ulum Banyuanyar putri), the goods owed have been described in *Spaylater*, and the statement of agreement from both parties (*shighat*), the agreement occurs after the educators agree to all the conditions offered by the *shopee* company. *Dain* is included in credit that contains additional if the repayment is not made on time, in fiqh science it is called *riba nasi'ah*. While usury is clear in the Qur'an and has been explained in the previous verse (Al-Baqarah: 275). However, the practice carried out by LPI educators. Darul Ulum Banyuanyar does not reach usury *nasi'ah* because they are on time in paying and do not spend the limit provided so that they are not subject to additional / late fees. So for them using *Spaylater* is very helpful, easy, and fast.

b. Wholeness

In order for Maqasid al-Shari'ah to be accepted by the general public, Auda seeks to expand and bring it from the individual dimension to the universal dimension (Maqasid al-'Ammah), such as concern for freedom and justice. Justice is illustrated in determining the tempo (*ajalin musamma*), in writing (*Faktubuu*) both the amount of debt, the place of repayment, the method of repayment, and 2 witnesses (*Syahidain*), where OJK as the supervisor of the *Islamic Fintech* application is a witness in the use of *Spaylater*. While the freedom is included in *khiyar majlis* where *Spaylater* users can choose to agree or not with the provisions in *Spaylater*.

In practice, educators who activate *Spaylater* really understand exactly every provision issued by *Spaylater*, so they are free to agree or reject it, even they feel very effective and efficient. Because commerce in Islam is regulated in Sharia, namely: transactions must be based on the consent of both parties, both *Spaylater* users and *shopee* companies.

c. Openness

Jasser Auda provides two methods to achieve openness in accordance with the idea of openness (Openness). First, a change of perspective; second, open-minded legal reform. Everything in the environment, including religion, self-identity, geography and environment, politics, culture, society, economy, and language, contributes to the

development of a worldview, or "worldview". So in the practice of *Spaylater* among educators, it cannot be separated from the development of technology that is currently developing by considering the social conditions of the community at LPI. Darul Ulum Banyuanyar Putri.

Legal reform means offering a new reading of the text without changing or deviating from it, not changing the text or the message of the text or the basic religious beliefs. Here, there is a series of meanings and interpretations, not changes. *Dain* in *Spaylater* includes reform in buying and selling transactions, where in *Spaylater* transactions are explained in detail about the specifications of the goods sold and how the payment process, which can be now, next month or next year. Openness in *Spaylater* is also seen in goods that are not suitable can be returned so as not to harm either party, both users and *shopee*. The 4 educators admitted that making loans to humans tends to trigger disputes so using *Spaylater* is an alternative in reducing disputes between humans.

d. Interrelatedness (Interralated Hierarchy)

In his attempt to categorize the Maqasid hierarchy, Jasser *first* identified three: Maqasid al-'Ammah (General Maqasid) is Maqasid that includes all *maslahah* contained in the behavior of *tashri'* which is universal such as justice, equality, tolerance, convenience, including aspects of *dharuriyyat* in Classical Maqasid. In *Spaylater*, users can be from all walks of life, whether male or female, teenagers or adults, and rich or poor, even *Spaylater* users can be done by Muslims and non-Muslims. So that the use of *Spaylater* is very easy to do anytime and anywhere. LPI educators. Darul Ulum Banyuanyar Putri feel very helped by the *spaylater* because in addition to their profession as teachers, they can also be traders without having to change places to shop for their business needs, so that the *spaylater* is very easy.

Second, Maqasid Khassah (Special Maqasid) is Maqasid that is associated with a particular condition, such as the impermissibility of cheating in trade in any way. In *Spaylater* there are provisions and mechanisms that users need to understand, so that information about *Spaylater* has been conveyed clearly and in detail. Before the educators of LPI. Darul Ulum Banyuanyar Putri activates the *spaylater*, they already understand and agree to every requirement provided by the *spaylater*, so they use it as best as possible, not only on the amount of the limit provided but considering according to their needs. The manifestation of the preservation of *dain* here is realized in the preservation of property (*hifdz al-mal*).

Third, the most basic Maqasid in a legal process is Maqasid Juz'iyah, or Partial Maqasid. The need for honesty and clear memory of evidence is a picture of Maqasid. Where the use of *Spaylater* has very clear legal rules, even legal under the auspices of PT Shopee International. PT Shopee International is under the supervision of the OJK which witnesses every transaction made by *shopee*. The form of manifestation of maintaining *dain* on *Spaylater* is manifested in the maintenance of human rights (*hifdz al-huquq al-insan*) and the maintenance of human dignity (*hifdz al-'ird*).

e. Involves multiple dimensions (Multi-dimensionality)

In *qat'iy* the practice of *spaylater* is included in the concept of *dain* in al-Baqarah: 282 which includes 2 things, namely: *Faktubuu* and *Fasytasyhidu*. Then the *spaylater* transaction contains elements of a *wakalah bil ujah* contract between the *shopee* company and the goods provider provided that there is an agreement between the *shopee* executor (*representative*) and the goods provider (*muwakkil*). Furthermore, the

spaylater is also included in the *dhaman* (guarantee) or *kafalah* contract, so it is not permissible to take a fee and if the *wakalah* contract is valid to take a fee because it is permissible to take a fee for the *wakalah* contract (Samsuddin, 2006).

Thus, when looking at the practice of *spaylater* carried out by educators, it has made personal identity during registration as a form of *dhaman* (guarantee) for *shopee* companies in using *spaylater*. And also *shopee* as a *representative* who cooperates with the goods provider (*muwakkil*) in fulfilling the requests of educators as *spaylater* users.

f. Purposefulness

Jasser Auda deliberately covers every aspect of Maqasid al-Shari'ah. The fundamental norms of important notions, such as the principles of morality (*akhlak*) and logic, utility, and justice, are contrasted with Maqasid al-Syari'ah. The local community must be the main beneficiary of the establishment of Islamic law, so the purpose of the *Spaylater* on the *shopee* application can provide welfare to the community and can also reduce horizontal disputes between communities. *Dain* on the *spaylater* carried out by LPI educators. Darul Ulum Banyuanyar Putri is very potential in overcoming horizontal problems, both *dharuriyat* and *hajiyyat* in nature for consumptive and productive benefits in improving their economy. Furthermore, LPI. Darul Ulum Banyuanyar Putri is a form of implementation of *da'wah bi al-hal* in responding to *sharia fintech* intelligently and consistently in applying *dain* using the *Spaylater* platform. Because with the advancement of technology, educational institutions should be at the forefront of using it for positive things so that they can become *role models* in educating creative and innovative generations.

CONCLUSION

Based on the data exposure that has been obtained in the discussion and answers to the formulation of the problem under study, it can be concluded:

1. *Maqashid dain* in QS. Al-Baqarah: 282 *maqashid syaria'ah* perspective Jasser Auda gave birth to the concept of *faktubuu* and *fasytasyhiduu*, which will be analyzed using 6 system features, namely: *cognitive nature* that is clear and detailed in the *text* of the Qur'an and reinforced by contemporary fiqh studies, *wholeness* that the *text* is a unified whole as a form of justice and transparency (*Faktubuu* in documentation and *Fasytasyhiduu* in visualization), *openness* that Tajdid on the concept of *dain* is relevant to minimize the occurrence of disputes between people, *interrelated hierarchy* that the permissibility of *dain* in order to help and orderly administration..., *multidimensionality* that *dain* not only discusses the mechanism of *dain*, but there is also the concept of buying and selling, *salam* (buying and selling by order), *wakalah* (handing over power to the guardian for those who are unable to manage property), testimony (*shahidain*), justice, and piety, and *purposefulness* that *dain* in QS. Albaqarah: 282 aims to be a resource to overcome pressing problems faced by the surrounding environment and has the potential to develop successful businesses.
2. *Spaylater* Practices Among LPI Educators. Darul Ulum Banyuanyar Putri Based on *Maqashid Dain* Jasser Auda is analyzed using 6 system features, namely;
 - a. **Cognitive Nature Of System**, *dain* in the practice carried out by LPI educators. Darul Ulum Banyuanyar does not reach usury *nasi'ah* because they are on time in paying and do not spend the limit provided so that they are not subject to

additional / late fees. So for them using *Spaylater* is very helpful, easy, and fast.

- b. **Wholeness**, In practice, educators who activate the *Spaylater* really understand exactly every provision issued by the *Spaylater*, so they are free to agree or reject it, even they feel very effective and efficient.
- c. **Openness**, in the practice of *Spaylater* among educators cannot be separated from the development of technology that is currently developing by considering the social conditions of the community at LPI. Darul Ulum Banyuanyar Putri. While the *dain* in *Spaylater* is included in the renewal of a detailed sale and purchase transaction, where openness is seen in goods that are not suitable can be returned.
- d. **Interrelated Hierarchy**, using *Spaylater* makes it very easy to do it anytime and anywhere. Educators LPI. Darul Ulum Banyuanyar Putri feels greatly helped by the *spaylater* because in addition to their profession as teachers, they can also be traders without having to change places to shop for their business needs, so that the *spaylater* is very easy. The manifestation of *dain* preservation in the *Spaylater* is manifested in the maintenance of human rights (*hifdz al-huquq al-insan*), maintenance of human dignity (*hifdz al-'ird*), and maintenance of property (*hifdz al-mal*).
- e. **Involving various dimensions (Multi-dimensionality)**, the practice of *spaylater* carried out by educators has made personal identity during registration as a form of *dhaman* (guarantee) for *shopee* companies in using *spaylater*. And also *shopee* as a *representative* who cooperates with the goods provider (*muwakkil*) in fulfilling the requests of educators as *spaylater* users.
- f. **Focused on purposefulness**, *dain* on the *spaylater* carried out by LPI educators. Darul Ulum Banyuanyar Putri is very potential in overcoming horizontal problems and being a form of implementation of *da'wah bi al-hal* in responding to *sharia fintech* intelligently and consistency in applying *dain* using the *Spaylater* platform.

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