



THE OPINION OF MUI CLERICS IN BANJARMASIN CITY ON THE SALE AND PURCHASE OF VIRTUAL PROPERTY IN THE ONLINE GAME GROWTOPIA

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ABSTRACT

This research is motivated by the rampant buying and selling of virtual property in the online game Growtopia and considering the virtual property that is traded comes from online games. Of course, it can be said that the goods are not clear from the form that is not real, and there is no form or not physical, but only a virtual form, so that this is a problem among the community, especially for sellers and buyers. From the description of the problem above, the researcher conducted a study by asking the opinion of the ulama MUI Banjarmasin City with the intention of obtaining legal clarity regarding whether or not buying and selling virtual property in the online game Growtopia if done. This type of research is field research using qualitative research approach, this is because the researcher conducts research directly to the field, by asking some questions to find out the opinion of MUI Ulama of Banjarmasin City regarding the sale and purchase of virtual property in Growtopia online game and the ulama referred to here are ulama who are included in the field of fatwa, fatwa commission and economic empowerment commission of the people. The result of this research is first, from five opinions of MUI scholars in Banjarmasin City, it is known that four of the scholars allow buying and selling virtual property, because it has fulfilled all the pillars and conditions of buying and selling in Islam. One scholar does not allow the sale and purchase of virtual property, because it does not fulfill one of the requirements regarding the object in Islamic buying and selling. Second, the legal reasons that underlie the opinion of the MUI of Banjarmasin City include: because the original law of buying and selling is permissible, and basically all *muamalah* can be done, unless there is evidence that forbids it, then Allah SWT has legalized buying and selling and forbade usury. Furthermore, this sale and purchase has been based on mutual consent or mutual consent between the two parties. Such buying and selling must also not cause harm to oneself and must not cause harm to others. And basically everything that is beneficial is halal (permissible), as well as mutual harm is prohibited by Sharia guidance.

Keywords: MUI Ulama Opinion, Sale and Purchase, Virtual Property, Online Games.

ABSTRAK

Penelitian ini dilatarbelakangi oleh maraknya jual beli virtual property dalam game online growtopia dan mengingat virtual property yang diperjualbelikan berasal dari game online. Tentunya dapat dikatakan barang tersebut tidak jelas wujudnya yang tidak nyata, dan tidak ada wujudnya atau tidak berbentuk fisik, melainkan hanya berbentuk virtual, sehingga hal ini menjadi permasalahan dikalangan masyarakat khususnya bagi penjual dan pembeli. Dari uraian permasalahan di atas, maka peneliti melakukan penelitian dengan meminta pendapat ulama MUI Kota Banjarmasin dengan maksud untuk mendapatkan kejelasan hukum mengenai boleh atau tidaknya jual beli virtual property dalam game online growtopia jika dilakukan. Jenis penelitian ini adalah penelitian lapangan (field research) dengan menggunakan pendekatan penelitian kualitatif, hal ini dikarenakan peneliti melakukan penelitian secara langsung ke lapangan, dengan mengajukan beberapa pertanyaan untuk mengetahui pendapat ulama MUI Kota Banjarmasin mengenai jual beli virtual property dalam game online growtopia dan ulama yang dimaksud di sini adalah ulama yang masuk dalam bidang fatwa, komisi fatwa dan komisi pemberdayaan ekonomi umat. Hasil dari penelitian ini adalah pertama, dari lima pendapat ulama MUI Kota Banjarmasin, diketahui bahwa empat ulama membolehkan jual beli virtual property, karena telah memenuhi semua rukun dan syarat jual beli dalam Islam. Satu ulama tidak memperbolehkan jual beli virtual property, karena tidak memenuhi salah satu syarat mengenai objek dalam jual beli Islam. Kedua, alasan hukum yang mendasari pendapat MUI Kota Banjarmasin tersebut antara lain: karena hukum asal jual beli adalah mubah, dan pada dasarnya semua muamalah boleh dilakukan, kecuali ada dalil yang mengharamkannya, maka Allah SWT telah menghalalkan jual beli dan mengharamkan riba. Selanjutnya, jual beli tersebut telah dilandasi dengan suka sama suka atau saling merelakan antara kedua belah pihak. Jual beli tersebut juga tidak boleh menimbulkan kemudharatan bagi diri sendiri dan tidak boleh menimbulkan kemudharatan bagi orang lain. Dan pada dasarnya segala sesuatu yang bermanfaat itu halal, begitu juga yang saling merugikan (membahayakan) dilarang oleh tuntunan syariah.

Kata Kunci: Pendapat Ulama MUI, Jual Beli, Properti Virtual, Game Online.

1. INTRODUCTION

Basically, the current buying and selling applied by the community today has a difference with the buying and selling carried out by the community in ancient times. This is because along with the changing times that are increasingly advanced, causing buying and selling transactions to be in a very strategic position, because transactions can now be said to be a world without limits, both distance, space, and time, so that it has an impact on increasing productivity and efficiency.¹ Of course, this causes the nature of buying and selling transactions or trade today to be divided into two types, namely: physical transactions (offline) and non-physical transactions (online).

Given the increasingly sophisticated modern internet technology, it will certainly provide considerable changes in the world of trade (business). It turns out that now these changes have been felt by the wider community, this is characterized by the ease and comfort in making buying and selling transactions. For example, nowadays with only a gadget and a connected internet connection, people can now make transactions at any time without the need to queue or go around in shopping places to get something they want.²

¹ Siswanto Sunarso, *Hukum Informasi dan Transaksi Elektronik* (Jakarta: Rineka Cipta, 2009), hlm 39.

² M. Umer Chapra, *Islam dan Tantangan Ekonomi*, (Surabaya: Rilah Gusti, 2000), hlm 8.

With regard to the ease of transactions today, it turns out that there are other things that can be enjoyed from the development of this internet. Namely, we can freely explore the virtual world, especially now that many social media have sprung up, and it can be said that now the benefits of the internet are mostly intended as a means of entertainment. This can be seen from the increasing number of high-tech entertainment, one of which is developing games (games) both offline and online.³ For online games themselves, usually each player must first connect an internet connection to his gadget in order to play the game. While for offline games gamers can usually directly play the game without the need to connect to the internet connection, but along with the development of internet technology, online games are also experiencing rapid development.

Nowadays, it can be said that online games are very popular in various countries, especially in Indonesia, not only in big cities but also in rural areas. This is because online games are widely enjoyed because online games are now available with various categories ranging from adventure games, strategy games, sports games, puzzle games, racing games, simulation games and various other categories. Another advantage is that online games can now be played anywhere, anytime and by anyone, in everyday life, so online games are in great demand by various groups such as students, teachers, doctors, artists and even officials also play them.⁴

The existence of this growing online game certainly provides new nuances, especially for children, teenagers and adults, because only by using gadgets or smartphones, they can interact socially with others intensively and excitingly in a game. Of course, in online games there are many things that can be done together with friends, according to the category of the game being played, this also causes a sense of excitement in playing games and feels at home to play it for a long time. Therefore, it can be understood that gamers apparently play games only for their own pleasure and inner satisfaction, even making it an entertainment to relieve stress after a day of activities.⁵

Given this, of course Islam recognizes human nature and thinking as creatures created by Allah SWT with love, fun, joy and playfulness, as created by humans in terms of eating and drinking. It should also be noted that in essence Islam itself does not prohibit each of its people from carrying out various activities, one of which is like playing this online game.

Of course, there are conditions that need to be considered in every online game and of course the games that are allowed are games that do not contain things that can violate the norms or rules of sharia (Islamic law). As for if the game causes the players to be addicted so that they can leave their prayer obligations, or the game contains elements of gambling. Then this kind of game is prohibited and not justified in Islamic law, because

³ Mochtar Indra Efendi Siregar, "Analisa Hukum Islam Tentang Jual Beli Senjata Pada Game Online Jenis Player Unknow's Battleground Mobile (PUBG) Di Kota Padang sidimpuan", Skripsi, (Fakultas Syariah Dan Ilmu Hukum IAIN Padang sidimpuan, 2019), hlm 5.

⁴ Muhammad Yasir Nasution, dan Zainuddin, "Tinjauan Fikih Ekonomi Terhadap Praktik Joki Game Online Player Unknown Battle Ground (Studi Kasus Di Desa Panyabungan Iii Kecamatan Panyabungan Kabupaten Mandailing Natal)", (EKSYA) Jurnal Program Studi Ekonomi Syariah STAIN Madina, Vol 3, No. 1, Juni 2022, hlm 57.

⁵ Sinta Saniyyah Masghulah, "Keabsahan Jual Beli Game Judi Online "higgs Domino Island" Menurut Undang-undang Republik Indonesia Nomor 19 Tahun 2016 Tentang Informasi Dan Transaksi Elektronik", Skripsi, (Malang: Fakultas Syariah UIN Maulana Malik Ibrahim Malang, 2022), hlm 1.

if the game is still played it will certainly have a big bad impact because it will bring a lot of harm, rather than benefits.⁶

Furthermore, it is necessary to know the purpose of gamers playing online games at first only as entertainment. It turns out that lately this goal has changed, namely they play online games not only for entertainment, but the purpose of playing games now is to make money and get big profits by selling accounts or items contained in these online games. This can happen, because online games today are not just limited to ordinary games, but in them there are economic activities in the form of buying and selling objects that are virtual. As is the case with one of the games that is currently booming in Indonesia, namely the growtopia game.

The growtopia game itself is a free MMO (Massively Multiplayer Online) game with Sandbox, Simulation and Adventure genres. Given that the growtopia game is a sandbox genre game, of course there are various kinds of activities that players can do in the game to have fun with their friends. The players can also enjoy thousands of unique items, challenges and events that are supported with some interesting features that have been provided by the game developers.⁷ With regard to the many features of this game, causing some players to utilize the media and features of the online game to earn money in various ways such as farming (running a farm), trading (trading between players), building (building the world), and crafting (making various items) contained in the game. This is certainly done by players so that they can collect as many items as possible, such as Diamond Lock and Blue Diamond Lock items.

It should be noted that Diamond Lo”k and blue diamond lock themselves are very important items in this growtopia game because these items have been considered the second currency in this game. Given this, it turns out that based on the results of initial observations that researchers have made, it was found that growtopia game items, namely diamond locks and blue diamond locks, have indeed been frequently traded online. Then the researcher also found the fact that the buying and selling of growtopia virtual property occurs through Facebook, Instagram, Discord, Bukalapak, and the Itemku.com website.⁸

Given this, there will certainly be problems arising from the sale and purchase of virtual property. Although the game players believe that buying and selling virtual property provides uses and benefits for players who need these items, especially new players, but still the objects being traded come from online games. Regarding this, it can be said that the goods or items are not clear from the form, which is not real, does not exist or is not physical, but only has a virtual form so that this is very vulnerable to fraud whether done intentionally or not, that’s why this is a problem.

Likewise, in terms of clarity on the virtual property ownership of the online game item, because at this time it can be said that the item does not belong to the game player himself, but the game creator. Meanwhile, buying and selling virtual property can cause losses for players who buy the goods or items. If later the virtual property in the form of items in the game is deleted or the game goes bankrupt until the game is forced to close.

⁶ Dimas Hakamsyah, *Fikih Hiburan, terjemahan Fiqh Al-Ihwi wa At-Taruih*, (Jakarta: Pustaka Al Kautsar, 2005), hlm 9.

⁷ <https://www.growtopiagame.com/>, diakses pada tanggal 27 Februari 2023.

⁸ Initial observations through facebook, instagram, discord, bukalapak, and the itemku.com website, on December 24, 2022.

Therefore, in order not to cause losses to one of the parties, the goods to be traded must have permanent benefits, because if the benefits are only temporary, it can be said that this is not included in the sale and purchase.

Furthermore, if this is still considered a sale and purchase, of course in the future there will be a problem and it might even cause losses for the buyers of the game items. Because the goods they buy cannot be used or fully utilized. Whereas in Islam when making a sale and purchase transaction there must be goods when the transaction takes place in the sense that the goods exist physically or in form, and the goods can be used in full, so that both parties can take advantage of the transactions they make. Furthermore, it is also necessary to know that every item to be traded must belong to the seller himself and not belong to someone else, this is as the Hadith of the Prophet Muhammad SAW which reads:

عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ سَلْفٍ وَبَيْعٍ وَعَنْ شَرْطَيْنِ فِي بَيْعٍ وَاحِدٍ وَعَنْ بَيْعٍ مَالَيْسَ عِنْدَكَ وَعَنْ رِنْحٍ مَالٍ يُضْمَنُ

'Amr ibn Shu'aib reported from his father and grandfather: "The Messenger of Allah (peace and blessings of Allaah be upon him) forbade lending money by way of selling goods, he forbade two prices in one sale, or selling something that is not yours or reselling something that you have bought while it has not come into your hands".⁹

With regard to the description above, of course, all of that can be used as a benchmark when buying and selling in Islam, but apart from that there is something that needs to be considered as well, for example after the virtual property sale and purchase transaction is carried out. Certainly between the seller and the buyer will get their respective rights in the form of items or goods for the buyer and property in the form of money for the seller. Apart from that, of course, matters regarding the rights of the two parties must be fulfilled if carrying out a sale and purchase transaction.

Departing from these rights, it can be said that the money obtained from the sale of virtual property must have a major influence on the life of a Muslim. This can be understood, if the virtual property sale and purchase transaction is said to be an invalid transaction then of course the property or money obtained can be considered as non-halal or haram property, because the transaction is not valid. Then if the money is used, of course, it will have a bad impact, such as it will bring harm not only to yourself but to the surrounding people who also use the money, not only that, there is even a huge impact on us as Muslims if we continue to use this non-halal money, namely that the money could be a source of Allah's wrath both in this world and in the hereafter and of course from this incident it could cause all our good deeds not to be accepted by Allah.

It is different if the sale and purchase of virtual property is considered legal and allowed, then it can be said that it is okay because transactions like this do not violate Islamic rules. Considering that the phenomenon of selling virtual property in the form of online game items that are carried out online is increasingly widespread in practice, researchers want to conduct research related to buying and selling virtual property in this growtopia online game, in order to get clarity and certainty both in terms of its law, position, and procedures for its transfer, because if something like this is left unchecked,

⁹ Bey Arifin, Yunus Ali Al-Muhdhor, Ummu Maslamah Rayes, Terjemah Sunan An Nasa'iy Jilid IV, (Semarang: CV Asy Syifa, 1992), hlm 479.

it is feared that this will continue to cause various kinds of disputes in the future and it is feared that it will harm various parties.

Furthermore, with the facts above, researchers tried to conduct interviews with several MUI Ulama in Banjarmasin city with the intention of obtaining legal clarity based on the views of scholars on buying and selling virtual property in this growtopia online game. The first opinion was delivered by Ustaz Muhlidi Sulaiman, he argued that buying and selling such as selling virtual property is permissible, as long as in practice there is no element of fraud and deceit then the sale is valid, but if in the transaction the seller or the buyer has the intention to deceive and harm one of the parties then it can be said that the sale is invalid so it is haram.

In essence, according to him, this kind of sale and purchase must refer to three things, namely the first between the buyer and seller like each other with the goods to be traded, secondly there is no element of fraud in the transaction carried out and finally between the seller and the buyer believe that the goods to be traded are useful, so if all of these things are fulfilled then the sale and purchase is valid, even though other people consider the goods not useful, so things like this are returned back to the agreement of the two parties to the transaction.¹⁰

As for Ustaz Muhammad Arabi, he argues that basically in Islam, buying and selling has rules, namely the pillars and conditions of buying and selling, and with regard to buying and selling like this, when viewed from the first pillars and conditions, namely there must be a seller and buyer. Of course, this has been fulfilled, but there is a note that both the seller and the buyer must be capable in the sense that they understand and understand the procedures for buying and selling.

Then the next pillar is the existence of a contract and *ijab kabul*. For example, I sell this book to you at such a price, the *ijab kabul* is I buy this item at the price mentioned earlier, if this is done by the seller and buyer, then the statement can be said to be *ijab kabul*. However, not all scholars require that there must be *ijab kabul* in buying and selling. Some of the majority of scholars, even among the Shafi'iyah scholars themselves, allow buying and selling without using this *ijab kabul* and it is called *mu'athah*, meaning that there does not have to be *ijab kabul*.

Ijab kabul is usually shown or interpreted as willingness, and if seen in buying and selling in online games it is usually rare to use a contract, even so the sale is still valid because it can be categorized into this *mu'athah*. Then the other pillars and conditions are that the goods being traded are beneficial in Shara.

As for when viewed in the sale and purchase of virtual property in this growtopia online game, it can be said that the goods are not beneficial in Shara, and because the goods are not beneficial in Shara, the sale and purchase is defective or injured, so it is not allowed to sell it. Even though according to the gamers it is useful, if this sale and purchase is still carried out, the sale and purchase will be invalid, this is because the sale and purchase has led to something that is invalid and *fasid*, which does not fulfill one of the conditions in buying and selling.¹¹

¹⁰ Muhlidi Sulaiman, General Secretary of MUI Banjarmasin City, Personal Interview, Banjarmasin, December 8, 2022.

¹¹ Muhammad Arabi, Member of the Fatwa Commission of the MUI of Banjarmasin City, Personal Interview, Banjarmasin, December 20, 2022.

Considering that there are ikhtilaf (differences) of opinion among scholars, the researcher is interested in studying further and conducting in-depth research on the clarity of the law on buying and selling virtual property, with the hope that it can add insight so that it is easier to understand transactions like this in the future, with the title “The Opinion Of Mui Clerics In Banjarmasin City On The Sale And Purchase Of Virtual Property In The Online Game Growtopia”

2. LITERATURE REVIEW

Research conducted by Mukhlis Abidin (2017) with the title “Opinion of Banjarmasin City Ulama on the Sale and Purchase of Virtual Objects in Online Games”.¹² From this research, three conclusions are obtained regarding the sale and purchase of virtual objects in online games, namely first, the law is permissible because it can be said that virtual objects are the same as purchasing balances or pulses and electricity that cannot be touched by their form with the aim of benefiting the buyer and as long as it is based on mutual consent. Second, the law is makruh because buying and selling virtual objects in online games can cause an element of doubt, it would be better to abandon it, but if both parties make transactions it is fine as long as they are happy with each other and not oppressing each other. Third, the law is haram or not allowed because the sale and purchase of virtual objects here is the sale and purchase of objects that are sold not clear objects and transactions must be in one assembly, even this sale and purchase often occurs the element of deception and many harm than the benefits.

Research conducted by Fajar Aulia (2022) with the title “Opinion of Barito Kuala Regency Ulama on the Practice of Buying and Selling Free Fire Online Game Accounts through Facebook Groups”.¹³ In this study, researchers get three different conclusions, namely first, the law is haram if the sale and purchase is not carried out in one assembly or one place, and still contains elements of gharar and fraud, this is based on the Al-Qur’an surah An-Nisa’/4: 29 and the fiqh rules of harm must be eliminated. The second ruling is makruh if the object leads to things that are harmful to the user because in terms of the practice of buying and selling it is permissible based on the Qur’an surah Al-Baqarah/2: 275.

Third, the law is permissible if the transaction uses admin services to avoid fraud and elements of gharar because in terms of benefits it does not harm others where the object of sale and purchase in the free fire online game actually exists virtually, this sale and purchase may be carried out on condition that it pays attention to the contract which can be done by telephone or text message, this third law is based on the Al-Qur’an Surah Al-Baqarah/2: 275 and An-Nisa’/4: 29.

3. RESEARCH METHODOLOGY

The type of research that researchers use in this study is field research (Field Research) this is because researchers conduct research directly into the field, to find data related to their research and of course this will involve participants or informants. It is also

¹² Mukhlis Abidin, “The Opinion of Banjarmasin City Ulama on the Sale and Purchase of Maya Objects in Online Games”. Thesis. (Banjarmasin: Faculty of Sharia and Islamic Economics, UIN Antasari Banjarmasin, 2017).

¹³ Fajar Aulia, “The opinion of Barito Kuala Regency scholars on the practice of buying and selling free fire online game accounts through Facebook groups”. Thesis. (Banjarmasin: Faculty of Sharia UIN Antasari Banjarmasin, 2022).

intended that researchers get a more comprehensive picture of the phenomenon being studied. Then later the data that has been obtained in the field will be collected and then reviewed and examined to find the right answers and solutions to solve the problem being studied.¹⁴ Furthermore, when viewed from the existence of data to be analyzed, this research is included in descriptive research, namely research that is explanatory in nature, and aims to obtain a complete picture (description) of the state of the law that applies in a particular place, or regarding existing juridical symptoms, or a certain legal event that occurs in society.¹⁵

3.1. Research Design

This research uses a qualitative research approach, which can be said, as an approach in conducting research that is oriented towards natural phenomena or symptoms. Because of its basic and naturalistic nature, this research cannot be done in a laboratory.¹⁶

3.2. Participants of the Study

Considering that this research is conducted directly by going to the field, of course the researcher has its own intention, namely to be able to understand, to find the meaning behind the data and to find the truth or clarity of the law regarding the sale and purchase of virtual property by directly asking questions related to the sale and purchase to the scholars of MUI Banjarmasin City, especially scholars who are included in the field of fatwa, fatwa commission and community empowerment commission.

3.3. Instruments

This research is expected to provide an overview and understanding of the sale and purchase of virtual property, so as to provide legal clarity regarding the sale and purchase of these online games. This research is also expected to be a contribution of thought and input for Islamic law experts to conduct *ijtihad* on similar incidents and of course the status of Islamic law is not yet known. In addition, this research is intended so that the government can make better regulations so as to provide legal certainty for online buying and selling transactions, especially about buying and selling virtual property in online games, so that in the future it can become a basis for whether or not this model of transaction is safe. Likewise, the parties involved and the public in general can better understand this, so that in the future it will not violate the rules and Islamic law.

3.4. Data Analysis Techniques

In this study, researchers used inductive qualitative data analysis, which can be interpreted as an analysis based on data obtained or starting from empirical facts. Furthermore, the data is studied, analyzed, interpreted and developed to draw final conclusions from the phenomena in the field in order to then find meaning which turns out to be the result of the research.

¹⁴ J.R. Raco, *Metode Penelitian Kualitatif, Jenis, Karakteristik, dan Keunggulannya*, (Jakarta: PT Gramedia Widiasarana Indonesia, 2010), hlm 9.

¹⁵ Muhaimin, *Metode Penelitian Hukum*, (Mataram: Mataram University Press, 2020), hlm 26.

¹⁶ Zuchri Abdussamad, *Metode Penelitian Kualitatif*, (Makasar: Syakir Media Press, 2021), hlm 30.

Of course, this is intended to make it easier for researchers to explain and communicate to others what researchers have found in their research. So that later the resulting findings are able to make a meaningful contribution to problem solving as well as these results can be a contribution to science so that it can benefit many people.¹⁷

4. RESULTS

According to ustaz Muhlidi Sulaiman, the sale and purchase of virtual property must refer to three things, namely the first between the buyer and seller like each other with the goods to be traded. Second, there is no element of fraud in the transaction. Third, there is no coercion between the two of them to buy and sell virtual property in this growtopia online game and finally between the seller and the buyer believe that the goods to be traded are useful. If all of these things are fulfilled, then buying and selling virtual property is valid. Other scholars, namely ustaz Ismail Sani, ustaz Ahmad and ustaz H. M. Syarif Fahriyadi added that of course the sale and purchase of virtual property must also fulfill the pillars and conditions of buying and selling in Islam such as there are goods being sold, there are sellers and buyers, there is *ijab kabul* and there is a price.¹⁸

With regard to the opinion of the scholars above regarding the pillars and conditions of buying and selling, it can be said that the sale and purchase of virtual property has fulfilled all these provisions, this can be described as follows:

a. The contracting parties (seller and buyer)

Buying and selling virtual property in this growtopia online game, of course there are parties who act as sellers and buyers. These two parties can also be said to have fulfilled the valid conditions of buying and selling in Islam relating to the subject of buying and selling, this is because the sale and purchase of virtual property is carried out online, which is certainly the parties who do it are adults who are reasonable because it is known that the average gamers are 15 years old, which of course at that age can already be said to be pubescent. Then it can also be understood that the parties to the sale and purchase of virtual property are of course of the will of both of them in the sense that they do it in a state not forced by the other party, therefore, related to this requirement can be said to have been fulfilled.¹⁹

However, considering that buying and selling virtual property is online buying and selling, of course, if we as sellers will definitely not know the identity of the prospective buyer whether he is a child or an adult and for example, those who buy are small children, such buying and selling is still permissible and valid, because to the knowledge of researchers as long as the goods purchased by small children are still within reasonable limits in the sense that they are not expensive goods, the sale and purchase is valid and because virtual property is not an item that is included in the expensive category, such buying and selling is certainly permissible for small children as long as there are adults watching them.

¹⁷ Samsu, *Metode Penelitian: (Teori dan Aplikasi Penelitian Kualitatif, Kuantitatif, Mixed Methods, serta Research & Development)*, (Jambi Pusaka Jambi, 2017), hlm 104.

¹⁸ Rahmat Hidayat, *Pengantar Fikih Muamalah*, (Medan: Fakultas Syariah Dan Hukum UIN Sumatera Utara, 2020), hlm 33.

¹⁹ H. Syaikh, Ariyadi, Norwili, *Fikih Muamalah Memahami Konsep dan Dialektika Kontemporer*, (Yogyakarta: K-Media, 2020), hlm 52.

b. Exchange value of goods (money) and goods purchased (ma'qud alaih)

Surely every sale and purchase will cause an exchange, this is as stated by Sayyid Sabiq in his book "Fiqh al-Sunnah" that buying and selling is "Exchanging objects for other objects by way of mutual willingness or transferring property rights with a replacement accompanied by a permissible way".²⁰

In the sale and purchase of virtual property, of course there is also an exchange value of goods, namely cash and non-cash payments in the form of M-Banking balances, or Funds. As for the goods purchased, it is certain that there is virtual property itself, it's just that the object being traded this time is not real, and there is no physical form but only a virtual form in the form of items found in the growtopia online game commonly referred to as Diamond Lock and Blue Diamond Lock.

With regard to the object of sale and purchase, namely this virtual property, it can be said that it also meets the legal requirements in Islamic buying and selling, this is because the diamond lock in the growtopia online game is a sacred item in the sense that this virtual property is not an item that is qualified as an unclean item, or classified as a prohibited item. Then this virtual property is also the property of the person doing the contract, this is known because the item is already in the control of the seller so that it can certainly also be delivered quickly or slowly by the seller to the buyer.

Furthermore, this virtual property can also be said to have its own benefits in addition to entertainment, which is beneficial for buyers because they can save it to invest in the short term, because virtual property can be developed in the growtopia game itself so that the results can later be resold to other parties.²¹

c. Shigat (Ijab Kabul)

Basically, this ijab kabul shigat is intended to show willingness or agreement by both parties in the transactions they carry out. Considering that the sale and purchase of virtual property in the growtopia game is not carried out face-to-face, of course the pronouncement of ijab kabul is rarely practiced and is only replaced by saying thank you when the transaction is complete, even though this virtual property sale and purchase is still valid, because basically thank you is considered a sign of willingness from each party.

With regard to this ijab kabul, ustaz Muhammad Arabi expressed his opinion that buying and selling virtual property can also use the mu'athah system, which means that there is no need to pronounce the ijab kabul memorization for the parties to the transaction, and they only need to give each other goods and money accompanied by actions according to their agreement, so that from the reciprocal actions, both of them are considered to be mutually satisfied and like to like the muamalah they do, of course the sale is also considered valid because of the reciprocal action.²²

Actually the mu'athah system can be done but there are conditions, namely the goods being traded are not expensive goods. Expensive items referred to here such as houses, cars, land and other expensive items. So considering that this virtual

²⁰ Sayyid Sabiq, *Fiqh al-Sunnah*, Juz III (Berit: Daar al-Fikr, n.d), hlm 126.

²¹ H. Syaikh, Ariyadi, Norwili, *Fikih Muamalah Memahami Konsep dan Dialektika Kontemporer*, (Yogyakarta: K-Media, 2020), hlm 53.

²² Rusdiyah, Zainal Muttaqin, dan Sa'adah, "Sighat Ijab Kabul Transaksi Jual Beli : Perspektif Ulama Kalimantan Selatan (Analisis Praktik Bermazhab di Kalimantan Selatan)", *Al-Banjari: Jurnal Ilmiah Ilmu-Ilmu Keislaman*, Vol. 14, No. 2, Tahun 2015, hlm 201.

property is an item that still has a reasonable price in the sense that it is not expensive, of course the parties can make the sale and purchase with this mu'athah system. In addition, they can also choose whether to continue to say *ijab kabul* in the transaction or not to pronounce *ijab kabul* at all. If they choose not to pronounce *ijab kabul* then each party must be able to show their willingness to the other party, so that the transaction they do is considered valid and does not violate Islamic rules.²³

Furthermore, ustaz H. M Syarif Fahriyadi also believes that buying and selling virtual property is not much different from buying credit, where credit is not an item and cannot be seen, but by buying credit, we can communicate by telephone or send messages. Likewise, exchanging quotas does not have goods only in the form of nominal or numbers, but with these numbers we get various kinds of benefits both for communication and for accessing the internet.

Based on the description above, it can be said that the sale and purchase of virtual property in the form of *growtopia* game items is included in the sale and purchase of benefits, because it is known that this virtual property has uses both for pleasure, providing enthusiasm for those who play it and other benefits such as being a means of interaction between game players and can even benefit from making this trade, of course, if the benefits are as mentioned, of course it can be understood that the sale and purchase of virtual property is the same as buying and selling credit or quota, but only the object is different.

With regard to the benefits of online games, it cannot be denied that online games can have a bad impact on their players and can even cause them to be negligent and addicted to playing games, but according to scholars who allow the sale and purchase of virtual property, consider that the nature of online games that can neglect it is not the main problem in this virtual property sale and purchase transaction. It's just that because it is related to online games, it can be said that *muamalah* like this can be punished *makruh*, *makruh* here does not lie in the sale and purchase, but in the situation after the sale and purchase is made. In essence, buying and selling virtual property is allowed because the contract is not damaged so that what results from the sale and purchase is still *halal* and valid, so it does not cause the sale and purchase to be canceled.

Given the above, of course, so that the sale and purchase of virtual property does not turn into a *muamalah* that is punishable by *makruh*, then for the parties acting as sellers, they must have a strong suspicion of prospective buyers with the suspicion that they, the buyers, will use virtual property reasonably. Because if it turns out that after the implementation of the virtual property transaction and it is known that the buyer becomes addicted to playing *growtopia* games, moreover it causes him to leave his obligations and leads to things that can lead to sin. So the scholars agree that such a sale and purchase should not be done and it is better to

²³ Rusdiyah, Zainal Muttaqin, dan Sa'adah, "Sighat Ijab Kabul Transaksi Jual Beli : Perspektif Ulama Kalimantan Selatan (Analisis Praktik Bermazhab di Kalimantan Selatan)", hlm 203.

abandon it, because if it is still done, it is feared that the online game will have a worse impact which is certainly not good for its users in the future.

Furthermore, scholars who allow the sale and purchase of virtual property, namely ustaz H. M Syarif Fahriyadi, also added his opinion that buying and selling, actually there are valid and halal, but there are also fasid and invalid buying and selling. Of course, buying and selling that is fasid and also invalid is one hundred percent haram because it is already invalid from the start, due to the prohibition of the substance and the object of the sale and purchase. For example, buying and selling that is also invalid is like buying and selling substances that are haram again unclean, buying and selling gharar, buying and selling muhaqalah, buying and selling mukhadharah, buying and selling mulamasah, buying and selling munabadzah, buying and selling muzabanah, selling tsunaya, buying and selling asb al-fahl, buying and selling urban, buying and selling musharrah and buying and selling shubrah.²⁴

With regard to the sale and purchase of virtual property, it can be said that the transaction does not include fasid or invalid sale and purchase. This is because from the facts that exist, the sale and purchase of virtual property has met the criteria for buying and selling in Islam, namely the fulfillment of the pillars and conditions of buying and selling, therefore it is valid to buy and sell virtual property and the income is halal but not thayyib. That is because there are still external factors that can harm muamalah as such, of course, if the pillars and conditions of buying and selling in Islam are not all fulfilled, then this virtual property sale and purchase can be said to be an invalid and prohibited sale and purchase, such as conditional sale and purchase and the like.²⁵

Then according to the Ulama who do not allow the sale and purchase of virtual property, namely ustaz Muhammad Arabi, he argues that the sale and purchase has not fulfilled the conditions that the goods being traded are beneficial according to Shara, for example, they can be consumed, such as rice, fruits, side dishes, can also be enjoyed for their beauty such as home furnishings, decorative flowers, and can be enjoyed for their sound such as radios, TVs, birds, and can be used for other useful purposes such as vehicles, and sniffer dogs. With regard to this, it is forbidden to sell things that cannot be benefited from according to sharee'ah, such as selling pigs, kala, geckos, and so on.²⁶

As for considering Virtual property itself is an item that comes from online games, it can be said that objects like this will be considered to have no benefit for the wider community, and certainly cannot be utilized in Shara. This is inseparable from the nature of the online game itself which is only intended as entertainment, even if we play the online game too often, it could make negligent for its users and if that happens there may be further impacts that will lead to things that are

²⁴ Hariman Surya Siregar, Koko Khoerudin, Fikih Muamalah Teori dan Implementasi, (Bandung: PT REMAJA ROSDAKARYA, 2019), hlm 130-131.

²⁵ Sri Sudiarti, Fiqh Muamalah Kontemporer, (Medan: FEBI UIN-SU Press, 2018), hlm 85.

²⁶ H. Syaikh, Ariyadi, Norwili, Fikih Muamalah Memahami Konsep dan Dialektika Kontemporer, (Yogyakarta: K-Media, 2020), hlm 53.

prohibited by Islam such as leaving worship obligations. Scholars who do not allow this sale and purchase, also argue that virtual property can bring more harm than benefit, therefore the sale and purchase of virtual property is deemed invalid and the sale and purchase is prohibited and better abandoned.

In connection with the opinion of scholars who do not allow the above, it can be understood that if the goods being traded are not beneficial in Shara, such as this virtual property, then it can be said that one of the pillars and conditions for the validity of buying and selling in Islam has not been fulfilled, thus causing such a sale and purchase to be considered defective or injured. Of course, if the sale and purchase of virtual property is still carried out, the sale and purchase will be invalid so that it is in vain, therefore it is better to just abandon this kind of sale and purchase.

In addition to virtual property that comes from a game and because this sale and purchase is carried out online, of course the possibility of fraud is very large, either carried out by sellers who deliberately do not send goods to buyers who have made payments or caused by buyers who deliberately send false proof of payment to the seller, all of these things are certainly not justified in Islam. So to avoid this, this kind of buying and selling is better not to do.

With regard to the above, of course, if we refer to Islamic law, we will be safe because of a rule that can guarantee the safety of online buying and selling like this and the rule is known as khiyar rights. Of course, this rule exists to provide convenience for both parties, especially for prospective buyers because they will be guaranteed security and satisfaction in buying and selling online, because usually they will be given the freedom to choose whether to continue or cancel this online sale.²⁷ Given the khiyar policy, usually the seller does not immediately send the goods to the buyer, but he is also given the right to choose whether to process the sale or not and if he continues the process then he will send the goods on the condition that the buyer has made payment to him online as well either using the transfer method or other methods.²⁸

It should be noted that as long as this khiyar right is exercised, the welfare of each party, both sellers and buyers, will be realized, because basically khiyar itself is designed to maintain balance in online transactions and of course with the existence of khiyar, it can be said that this rule is a precautionary measure that can protect the parties for incompatibility of goods purchased, either due to damage during delivery or due to lack of information about the quality of the product.

Related to this, for the parties who will continue or carry out the sale and purchase of virtual property, it would be nice to be more careful and careful because however crimes can occur at any time without us realizing it. Therefore, of

²⁷ Muhammad Erfan, Mazmur, dan ST. Rahmah, *Khiyar dalam Jual Beli Online (Eksistensi, Implementasi & Syariah Compliance)*, (Yogyakarta: Diandra, 2022), hlm 24.

²⁸ Irfan Alfarizi, "Trend Jual Beli Online Melalui Situs Resmi Menurut Tinjauan Etika Bisnis Islam", Skripsi. (Bengkulu: Fakultas Ekonomi dan Bisnis Islam IAIN Bengkulu, 2019), hlm 34.

course, every seller is encouraged to always be honest about the quality of the goods they sell and for buyers must also be more open by confirming the condition of the item in the customer review column so that other prospective buyers get information that this seller is a trustworthy person.

Based on the opinions and explanations expressed by the five MUI scholars of Banjarmasin city above, the researcher draws a conclusion that as long as the sale and purchase of virtual property in the form of growtopia game items, has fulfilled the pillars and conditions of valid sale and purchase in Islam, then of course this virtual property sale and purchase is allowed, but considering the object of this virtual property sale and purchase comes from online games and the vulnerability of fraud. So such buying and selling is better avoided, because it is certain that this online game can make people who buy it addicted and neglect their obligations as well as if fraud occurs, it will certainly cause losses to other parties.

In essence, buying and selling virtual property in this growtopia online game will be allowed and considered valid, as long as the pillars and conditions of buying and selling are all fulfilled and of course with the condition that the two parties who buy and sell virtual property like each other with the goods to be traded, both of them also have no intention of committing fraud and even harming one of the other parties, and the goods must also be handed over even though they are virtual. On the other hand, if in the sale and purchase of virtual property in the online game growtopia there are elements of fraud and coercion, especially if it turns out that there are pillars and conditions of sale and purchase that are not fulfilled, of course, such sale and purchase will be considered invalid and legally void.

Table: 1 *The Opinion Of Mui Clerics In Banjarmasin City On The Sale And Purchase Of Virtual Property In The Online Game Growtopia*

NUMBER	NAME	OPINION	LEGAL REASON
1.	Ustaz Muhlidi Sulaiman	Can	1. This trade is permissible. As long as in practice the buyer and seller both trust and both have no intention of deceiving. 2. Buying and selling, no matter what form it takes, is fine. As long as the practice does not lead to things that are prohibited by religion, such as eating other people's wealth by false means. 3. This kind of sale and purchase must refer to three things, namely the first between the buyer and the seller like the goods to be traded. Second, there is no element of fraud in the transaction. Third, the seller and buyer believe that the goods to be traded are useful.
2.	Ustaz Muhammad Arabi	Not allowed	1. The sale and purchase of virtual property is not allowed because the sale and purchase has not fulfilled the requirement that the goods must be beneficial in shara, because the goods or online game items are

			<p>considered to have no benefit and cannot be utilized in a shari'i manner because the nature of online games is only as entertainment.</p> <p>2. The sale has been deemed defective or injured, because the goods being traded are not beneficial in Shara's eyes, so if this sale is still carried out then the sale is not valid, because the sale leads to something that is invalid and fasid.</p> <p>3. The sale and purchase of virtual property is not valid, this is because in practice there is one of the pillars and conditions that cannot be fulfilled so therefore the sale and purchase is prohibited and must be abandoned.</p>
3.	Ustaz H. Ismail Sani	Can	<p>1. Buying and selling virtual property is allowed because basically the original law of buying and selling is permissible.</p> <p>2. This kind of sale and purchase is permissible, provided that the conditions of sale and purchase are met, such as the goods being sold, the seller and the buyer, the consent and the price.</p> <p>3. The sale and purchase of virtual property is valid, if based on sincerity and willingness, between the two parties. But on the contrary, it is not justified if the sale and purchase has elements, fraud, coercion and is even strictly prohibited, if the sale and purchase can cause harm and harm to one of the parties.</p> <p>4. This kind of buying and selling must be seen from the side that is utilized by the parties concerned, if in practice it is intended for a side job in order to get profit from online games then there is nothing wrong, because if from the profit he intends to give alms or give charity, of course this is something good and good, because his actions are not in vain, because they bring benefits and are worth the reward.</p>
4.	Ustaz Ahmad	Can	<p>1. The sale and purchase of virtual property is valid. As long as the online game item has been believed and considered as something useful and valuable in the community, it is halal to be traded, even though the item does not have a physical form.</p> <p>2. The sale and purchase of virtual property is syar'i valid, if the pillars and conditions of buying and selling in Islam are fulfilled. So as long as the pillars and conditions are fulfilled, the sale is valid, but if one of the pillars and conditions of the sale is not fulfilled, then this kind of sale will be invalid.</p> <p>3. If you want to buy and sell virtual property, you must first know the status, quality and quantity of the goods to be traded. Of course, the goods must be able to be handed over when the transaction takes place.</p>
5.	Ustaz H. M. Syarif Fahriyadi	Can	<p>1. The sale and purchase of virtual property online game items can be said to be included in the sale and purchase of benefits, if what is traded can really be enjoyed.</p>

		<p>2. The sale and purchase of virtual property is basically allowed, as for the nature of online games that can neglect it is not a major problem at the time of the sale and purchase transaction.</p> <p>3. The sale and purchase of virtual property is valid, but because it is related to online games, it can be said that this kind of muamalah is haram, but the haram here is not haram in the sale and purchase, but in the situation after the sale and purchase is made.</p> <p>4. The sale and purchase of virtual property is allowed, as long as it meets the criteria of buying and selling in Islam, namely the fulfillment of the pillars and conditions of buying and selling, then the sale and purchase of virtual property is valid, and the income is halal but not thayyib.</p> <p>5. If the pillars and conditions of buying and selling in Islam are not fulfilled, it can be said that this virtual property sale and purchase is invalid and prohibited.</p>
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5. DISCUSSION

According to scholars who allow buying and selling virtual property, it is basically permissible, this is as follows qaidah fihiyyah;

أَلَا صَلُّ فِي الْمُعَامَلَةِ إِلَّا بِأَحْوَالِهَا أَنْ يَدُلُّ دَلِيلٌ عَلَى تَحْرِيمِهَا

"Basically, all muamalah is permissible, unless there is evidence that forbids it".²⁹

In relation to the fihiyyah rule above, scholars who allow it believe that buying and selling virtual property is a contemporary sale and because this sale and purchase is relatively new, it is not permissible for us to prohibit it, unless there is an argument that shows a prohibition against this kind of sale and purchase.

In addition, Allah SWT also says in Q.S. Al-Baqarah/2: 275, which reads;

..... وَأَخْلَى اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا.....

In fact, Allah has justified buying and selling and forbidden usury.³⁰

Given the words of Allah, it can be said that all buying and selling is a good thing again halal, because as we know buying and selling itself is a means of getting sustenance and a means of helping between human beings. Then if it is related to the sale of virtual property, then of course as long as it does not violate Islamic law, such buying and selling is valid and may be done, the most important thing is that both parties like each other to the goods being traded, namely the virtual property itself.

The scholars who allow the sale and purchase of virtual property also require that such a sale and purchase must be based on the existence of willingness between the parties, both the seller and the buyer, because in the hadith of the Prophet Muhammad

²⁹ Fathurrahman Azhari, Qawaid Fiqhiyyah Muamalah, (Banjarmasin: Lembaga Pemberdayaan Kualitas Ummat (LPKU), 2015), hlm 135.

³⁰ Lajnah Pentashihan Mushaf Al-qur'an, Al-Qur'an dan Terjemahannya, (Jakarta: Badan Litbang dan Diklat Kementerian Agama RI, 2019), hlm 61.

SAW, it is stated: “Innama al-bai’u ‘an taradhin.” So buying and selling must be based on mutual pleasure or mutual consent.

This is emphasized by Allah SWT in His word Q.S. An-Nisa/4: 29:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ ۗ

“Hi you who believe, do not eat of your neighbor’s wealth by false means, except in the form of consensual trade between you. Do not kill yourselves. Verily, Allah is Most Merciful to you”.³¹

With regard to the words of Allah SWT above, then certainly every sale and purchase should not contain elements such as fraud and coercion, because these elements are prohibited because they violate the religion of Islam which is known as rahmatan lil ‘alamin. So if one of the elements above is present in a sale and purchase, it can be said that such a sale and purchase is not allowed or even prohibited to be carried out.

In essence, buying and selling virtual property is permissible, but considering that this virtual property is an item contained in an online game, there must be a negative side, such as it can lead to addiction. In this case there is one appropriate qaidah fiqhiyyah, which reads:

لا ضرر ولا ضرار

It is not permissible to cause harm to oneself and it is not permissible to cause harm to others.³²

If understood at a glance, then of course everything that can bring harm should be avoided. As for the sale and purchase of virtual property of this online game, it should be abandoned, because according to the scholars who allow this online game, it can at any time have a bad impact on the brain. However, if in this sale and purchase the parties can utilize the virtual property properly and allow them to benefit from such a sale and purchase, then this is not a problem. In essence, this kind of sale and purchase will be returned to the parties involved and as long as he can use it within reasonable limits and not harm himself and others, it is valid if the sale and purchase of virtual property is carried out.

Furthermore, according to scholars who do not allow the sale and purchase of virtual property, the reason is that every sale and purchase must fulfill the conditions of sale and purchase in Islam, namely that the goods being traded must be beneficial in shara. This is as contained in the following muamalah qaidah:

الأصل في المنافع الحِلُّ، والمضار الحُرْمَةُ بِإِدْلَةِ شَرْعِيَّةٍ

“Basically, everything that is beneficial is permissible, and everything that is harmful is forbidden according to the instructions of sharee’ah”.³³

6. CONCLUSION

³¹ Lajnah Pentashihan Mushaf Al-qur’an, Al-Qur’an dan Terjemahannya, hlm 112.

³² Fathurrahman Azhari, Qawaid Fiqhiyyah Muamalah, (Banjarmasin: Lembaga Pemberdayaan Kualitas Ummat (LPKU), 2015), hlm 28.

³³ Fathurrahman Azhari, Qawaid Fiqhiyyah Muamalah, hlm 165.

The opinion of MUI scholars of Banjarmasin City regarding the sale and purchase of virtual property in this growtopia online game, is divided into two opinions, namely, first four scholars allow it on the grounds that the sale and purchase of virtual property has fulfilled all the pillars and conditions of buying and selling in Islam, namely the existence of people who have an agreement, namely the seller and the buyer who are pubescent, then the goods being traded, namely the virtual property itself, and the existence of *ijab and kabul* in the form of willingness or agreement from both parties in the form of thanks. The two scholars do not allow such transactions, and these scholars reason that the sale and purchase of virtual property has not fulfilled one of the conditions regarding the object of sale and purchase in Islam, namely that the goods being traded are goods that can be utilized in Shara.

The legal reasons underlying the opinion of the MUI of Banjarmasin City regarding the sale and purchase of virtual property in the online game growtopia, are divided into six namely, first because the original law of buying and selling is permissible, and basically all *muamalah* can be done, unless there is evidence that forbids it. Second, Allah SWT has legalized buying and selling and forbidden usury. Third, such buying and selling must be based on mutual consent or mutual consent between the two parties. Fourth, such buying and selling must not cause harm to oneself and must not cause harm to others. Sixth, basically everything that is beneficial is *halal* (permissible), as well as mutual harm (harm) is prohibited by Sharia guidance.

With regard to this *qaidah*, according to scholars who do not allow it, buying and selling virtual property in the online game growtopia has not fulfilled the conditions of buying and selling in Islam, because online game items are considered not beneficial in shara, even though according to gamers it is useful, still the goods are considered to have no benefit and cannot be utilized in sharia because the nature of online games is only as entertainment and can even harm the brain, if the players are addicted to playing games.

In view of the above, such a trade can be said to be defective or injured, because the goods being traded are not beneficial according to Shara. So if this sale is still carried out, the sale will be invalid, because the sale leads to something that is invalid and *fasid*. Of course, the results of the sale and purchase are also not *halal* because the property is obtained from a method that is not justified by Islamic law and is certainly *haram* if used. Because one of the conditions of buying and selling in Islam is not fulfilled, these scholars firmly do not allow buying and selling virtual property in this growtopia online game.

With the legal reasons explained above, it is known that the majority of the opinions of the MUI of Banjarmasin City are more permissible to buy and sell virtual property in this Growtopia online game, because basically this sale and purchase is allowed on the grounds that the law of buying and selling is *mubah*, then another reason is that in terms of benefits this sale and purchase does not harm other people where virtual property in this growtopia online game can actually be utilized and developed so that later profits can be taken from the results of reselling the virtual property to other parties. Of course, this sale and purchase must be based on the willingness between the seller and the buyer and must also be carried out without any element of coercion and intention to deceive.

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