بسم الله الرحمن الرحيم

E-COMMERCE IN ISLAMIC TRANSACTIONS: PERSPECTIVES AND ISSUES IN BRUNEI DARUSSALAM

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DECLARATION

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I hereby declare that the work in this academic exercise is my own except for quotations and summaries which have been duly acknowledged.

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E-COMMERCE IN ISLAMIC TRANSACTIONS: PERSPECTIVES AND ISSUES IN BRUNEI DARUSSALAM

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ABSTRACT

E-COMMERCE IN ISLAMIC TRANSACTIONS: PERSPECTIVES AND ISSUES IN BRUNEI DARUSSALAM

This study aimed to identifying the views of E-commerce in Islamic transaction and to understanding how Islamic contract be used in the E-commerce transactions. Instead of that, to examine the concept of E-commerce in Islamic perspective on the perspectives and issues occurs in Brunei Darussalam. The study also aims to identify and analyze the extent of people's knowledge among Bruneian people especially the Muslims, practice E-commerce in Islamic perspective and *Shari'a* law. The research use inductive approach and analysis to achieve the objectives of this study. Survey method used as a method of study. A total of 850 out of 1000 respondents from Brunei Darussalam's population living in four districts namely Brunei-Muara District, Tutong, Belait and Temburong districts participated in this study. Data were collected using a questionnaire. Data were analyzed using SPSS for Windows 16.0. The items are related to the background of the respondents would use the percentage and frequency analysis. While the value mean and standard deviation analysis were used to analyze the items related to E-commerce, Islamic transactions and relationships between E-commerce and Islamic transaction. The analysis of the respondents about E-commerce is 2.83, which shows the level is low and the value mean of the respondents about Islamic transaction is 2.22, which shows the value mean in the medium level. While the analysis of the respondents about the relationships between E-commerce and Islamic transaction is 2.51, which shows the level of value mean is low.

ABSTRAK

E-DAGANG DI DALAM TRANSAKSI ISLAM: PERSPEKTIF DAN ISU DI NEGARA BRUNEI DARUSSALAM

Kajian ini bertujuan untuk mengenal pasti pandangan E-dagang di dalam transaksi Islam dan untuk memahami bagaimana kontrak jual beli Islam dijalankan di dalam transaksi E-dagang. Di samping itu juga memahami konsep E-dagang di dalam perspektif Islam mengikut perspektif dan isu-isu yang berlaku di negara Brunei Darussalam. Kajian ini juga bertujuan mengenal pasti pengetahuan orang ramai di Brunei Darussalam terutama sekali yang berugama Islam menggunakan E-dagang di dalam perspektif Islam dan undang-undang Shari'a. Penyelidik meggunakan pendekatan induktif dan analisis untuk mencapai objektif kajian ini. Kaedah tinjauan digunakan sebagai kaedah kajian. Seramai 850 dari 1000 responden yang terdiri daripada penduduk Negara Brunei Darussalam yang tinggal di empat daerah iaitu daerah Brunei dan Muara, daerah Tutong, daerah Belait dan daerah Temburong mengambil bahagian di dalam kajian ini. Data dikumpul dengan menggunakan soal selidik. Data di analisis dengan menggunakan SPSS Windows 16.0. Perkara yang berkaitan dengan latar belakang responden akan menggunakan peratusan dan analisis frekuensi. Manakala analisis nilai min dan piawai digunakan untuk menganalisis perkara-perkara yang berkaitan dengan E-dagang, transaksi Islam dan hubungan antara E-dagang dan transaksi Islam. Adapun analisis bagi responden tentang E-dagang ialah 2.83 yang mana menunjukkan tahap mean value adalah rendah dan analisis responden tentang transaksi Islam ialah 2.22 yang menunjukkan mean value di dalam level sederhana. Manakala analisis bagi responden tentang hubungkait E-dagang dan transaksi Islam ialah 2.51 yang menunjukkan tahap mean value ialah rendah.

الملخص

التجارة الإلكترونية في المعاملات الإسلامية: الذويات والقضايا في بروناي دارالسلام

تهدف هذه الدراسة إلى التعرف على وجهات النظر عن معاملات التجارة الإلكترونية في الإسلام وفهم كيف يستخدم العقد الإسلامي في معاملات التجارة الإلكترونية. في نفس الوقت نفهم التجارة الإلكترونية في المنظور الإسلامي، والقضايا التي حدثت في بروناي دار السلام. كما تهدف الدراسة إلى التعرف على فهم المجتمع في بروناي دار السلام ولا سيما استخدام المسلمين في التجارة الإلكترونية من منظور الإسلام. تستخدم الباحثة المنهج الاستقرائي لتحقيق أهداف هذه الدراسة. وكذلك تستخدم طريقة الاستبانة حيث شارك فيها 850 من 1000 شخصا من السكان الذين يعيشون في أربع مقاطعات وهي بروناي موارا ، وتوتوغ ، وبلايت والمنطق تمبروغ في هذه الدراسة. وقد تم جمع البيانات باستخدام الاستبيان. وقد تم تحليل البيانات باستخدام SPSS ويندوز 16.0. أن المسائل المتعلقة الخلفية من المستطلعين استخدام نسبة وتردد التحليل. في حين يتم استخدام القيمة المتوسطة والتحليل القياسي لتحليل المسائل المتعلقة بالتجارة الإلكترونية، العلاقة التبادلية بين الإسلام والتجارة الإلكترونية والمعاملات الإسلام. تحليل العينة حول التجارة الإلكترونية هو 2.83، مما يدل على مستوى منخفض ومتوسط قيمة من المستطلعين عن الصفقة الإسلام هو 2:22، مما يدل على القيمة المتوسطة في المستوى المتوسط. في حين أن تحليل العينة حول العلاقة بين التجارة الإلكترونية والمعاملات الإسلام هو 2:51، مما يدل على مستوى القيمة متوسط منخفض.

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TRANSLITERATION

Transliteration Table:

Arabic / الحروف العربية	Roman / الكتابة بالحروف الرومانية	Example / الأمثلة	Transliteration / الكتابة الحرفية
ء	ʾ	فقهاء	fuqahāʾ
ب	B	البخاري	al-**B**ukhārī
ت	T	الترمذي	al-**T**irmidhī
ث	Th	الحارث	al-Hāri**th**
ج	J	الجرجاني	al-**J**urjānī
ح	H / h	حبان	**H**ibbān
خ	Kh	خلدون	**Kh**aldūn
د	D	الدارقطني	al-**D**āruqutnī
ذ	Dh	الذهبي	al-**Dh**ahabī
ر	R	الرافعي	al-**R**āfiʾī
ز	Z	الزبير	al-**Z**ubayr
س	U	السرخسي	al-**S**arakh**s**ī
ش	Sh	الشافعي	al-**Sh**afīʾī
ص	Ş / ş	الصابوني	al-**S**ābūnī
ض	D / d	ضابط	**D**ābit
ط	T / t	الطبري	al-**T**abarī
ظ	Ż / ż	ظاهر	**Z**āhir
ع	ʿ	العبادي	al-ʿ**A**bbādī
غ	Gh	الغزالي	al-**Gh**azālī
ف	F	الفارسي	al-**F**ārisī
ق	Q	القاسم	al-**Q**āsim
ك	K	الكرخي	al-**K**arkhī
ل	L	لقمان	**L**uqmān
م	M	مالك	**M**ālik
ن	N	ناصر	**N**āsir
ه / ة	H	هارون / أسامة	**H**ārun / Usāma**h**
و	W	الوليد	al-**W**alīd
ي	Y	يحي	**Y**ah**y**ā

Short Vowel:

Arabic	Roman	Example	Transliteration
◌َ	A	كتب	Kutib**a**
◌ِ	I	علم	ʿal**i**ma
◌ُ	U	غلب	Gh**u**liba

Long Vowel:

Arabic	Latin	Example	Transliteration
ا / ـَ ـ ى	Ā	باب / كبرى	bāb / kubrā
ـ ي	Ī	وكيل	Wakīl
ـُ ـ و	Ū	علوم	ʿulūm

Diphthong:

Arabic	Latin	Example	Transliteration
◌َ ـ و	Aw	قول	Qawl
◌َ ـ ي	Ay	ليل	Layl
ي	Iyy	شافعية	Shāfiʾiyyah
و	Uww	قوة	Quwwah

ABBREVATION

AITI	Authority of Info-communications Technology
ATM	Automated Teller Machine
BIBD	Bank Islam Brunei Darussalam
BIT Council	Brunei Information of Technology Council
B.Mobile	Brunei Mobile
CA	Certification Authorities
Dec	December
Dept.	Department
Dr.	Doctor
DST	Data Stream Technology
GCE A Level	General Certificate of Educations Ordinary Level
GCE O Level	General Certificate of Educations Advanced Level
EBPEC	E-Business Programmed Executive Committee
EFT	Electronic Funds Transfer
ed.	Editor
e.g	Example
E-bay	Electronic Bay
E-commerce	Electronic Commerce
E-mail	Electronic Mail
Est.	establish
FTP	File Transfer Protocol
HSBC	Hong Kong Shanghai
ICT	Information and Communications Technology
IT	Information Technology
JPKE	Jabatan Perancangan Kemajuan dan Ekonomi
Mar	March
MOF	Ministry of Finance
min	Mean
NBB	National Broadband Blueprint
no.	Number
n.d.	no date
PC	Personal Computer
p.	Page
RFID	Radio Frequency Identification
R&D	Research and Development
SME	Small Medium Enterprise
SMS	Short Message Services
SP	Standard Deviation
SPSS	Statistics Package for Social Sciences
TelBru	Telcom Brunei
TVs	Televisions
USA	United State of America
vol.	Volume

CHAPTER 1:

INTRODUCTION

1.1 Introduction:

In this chapter explained all about the introduction of research, which contains problem of statements, research questions, research objectives, significance of research, research limitations and structure or online of thesis.

1.2 Problem Statements:

One of the most popular activities that have done by a human in this world is business activity. The business was existed on the creation of Prophet Adam Alayhissallam. At that time, the business is conducted by changing the commodity with the commodity. Then it is continuing with the change of the commodity with the money. Even our Prophet Muhammad Sallallahu 'Alayhi Wa sallam also involved in this business since he was young. It shows that the business is a noble work. Allãh Subhãnahu Wa Ta'ala also asked His servants to looking for a good and clean sustenance.

As Allãh Subhãnahu Wa Ta'ala mentioned in *al-Quran*:

$$﴿ وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا ۚ ﴾$$

Means: *"But Allãh has permitted trade and forbidden usury."*[1]

From that legislation of the *al-Quran*, the people especially the Muslims people encourage to make sure the income comes from the *halal* source, clean, safety and free from gambling, *riba* and so on. Allãh Subhãnahu Wa Ta'ala forbids His servants who use the money without knowing where there come from, especially

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[1] Al-Baqarah. 2:275.

when given to his wife, children, family and relatives. Instead of that, Allāh Subhãnahu Wa Ta'ala also forbids His servants from asking money from other people, whereas he still able to do any job and earn for their families. That's why Allāh Subhãnahu Wa Ta'ala encourages His servants to do a business even just a small business as long as *halal*.

Day by day we can see the business is growing fast and developed over the worldwide. All the countries in this world were racing to develop their business. The business is not just among the people in the country, but also implemented over foreign country. With involved in business, people will have each other to earn living in daily life instead to develop their country. The business also plays an important role in the country to stable the economy. A country will collapse or fall if the economy of that country unstable and inconsistent.

Meanwhile in 2012, with the global economic situation continues to be uncertain, Brunei Darussalam able to record positive economic growth of about 1.6%. With this growth, couples with effort to strengthen the fiscal position of Allāh Subhãnahu Wa Ta'ala willing, our country will continue to be able to continue this development in the future.

During the year 2012 and earlier, many efforts are focused on strengthening our institutions, especially those directly related to the generation of economic activity. From this show, the government are very welcomed the individuals and organizations to participate in different business. Instead of that, the people of Brunei Darussalam are not to depend on Brunei's source output, oil and gas. There are many different types businesses that the Bruneian people involved such as in clothes factory, restaurants, hardware factory, gadgets stores and many more. It was making proud to see that Bruneian people can develop their business and compete with other race and country.

In the last two decades, the business activity has been change in this world. This is because the advances of the information technology, or better known as IT. We can see the use of information technology in the business world growing rapidly.

The Internet revolution was influenced almost all aspects in the business's world. In a short time, the use of the Internet as a media has conducted transactions and various commercial activities, taken over the economics activities traditionally.

The most popular business that conducted by the Internet is E-commerce. E-commerce is when the seller and the buyer doing the business by using the media digitally electronic. The use of E-commerce it has been growing rapidly in the world business nowadays.

We can see the E-commerce is the most important to the world business nowadays. The main reasons why many people use the E-commerce is because it is easy and faster doing the business compare to traditional business. The traditional business is when the seller and the buyer met each other in one place and doing the business on the spot and changes the commodity and money on that time.

The Internet and social media offer windows of opportunities to explore businesses easily and without the hassle of setting-up the traditional business system requiring a big capital. We can see many people even in Brunei Darussalam are now turning to social media networks to market their products. The most popular social media network nowadays is *Facebook*. It does not surprise if we realize in the world or just focused on Brunei Darussalam, many people can afford to buy computer or laptop and even mobile phone. The mobile phone can also make the business when the services are setting already.

Our Brunei Darussalam also doesn't fall behind to participate in this business type. It is glad some of the Bruneian people use their creativity through information and communications technology or ICT in their business. They began to making ideas, be brave and try to do this business with a new way.

But what the point problem is either the E-commerce is based on Islamic transactions or not. Are the Muslim people especially Bruneian people discovering the use of E-commerce based on Islamic transaction very well? Do the formations of E-commerce contract can be related to the traditional business's

contract? Do the methods of E-commerce same as the traditional business method? Or should the Muslim people especially Bruneian people know all everything about this?

The aimed why the researcher chooses this topic is to understand Bruneian people especially the Muslim what exactly the E-commerce is, how E-commerce conducted based on Islamic perspective and *Shari'a* law. Even though the use of E-commerce grows rapidly, the Muslim people still don't know or still don't understanding in the knowledge of E-commerce transactions according the *Shari'a* law. It is too sad when the Muslim people joined the business through internet or called *online shops* didn't know how this transaction used based on Islamic perspectives. As Muslims people, we should practice lawful, and does not contradict with the principles of Islam and avoid from *riba, khiyar* and so on.

It is important to ensure all Muslim people to understand the meaning of using E-commerce based on Islamic perspectives based on *Shari'a* law. Instead of basing on *Shari'a* law, we also should follow the country law regarding on the use of E-commerce. Even our country, Brunei Darussalam has a rule and practices two law, country law and *Shari'a* law.

According with that the economy of Brunei Darussalam will be more developed if the transaction used based on E-commerce instead focus on oil and gas. As we know oil and gas is the main source to develop Brunei's economy. With creating different transactions, Brunei Darussalam will be stable economy and can stand with other develop countries. So that, it can encourage Bruneian people to involve in E-commerce based on Islamic perspectives. Instead of that, with to involve in this business (E-commerce) can be reducing the unemployed among the Bruneian people especially the youths.

With the background above, the observations and monitoring will be research and analyze how the E-commerce conducted based on Islamic perspective.

1.3 Research Questions:

From the problem statement above, arises some questions as following below:

1. What is the meaning of the E-commerce transaction?

2. How the E-commerce contract conducted in Islamic transaction?

3. How Bruneian people, especially the Muslims people practice E-commerce in Islamic perspective and *Shari'a* law?

4. How Bruneian people examine the concept of E-commerce?

5. What are the perspectives of E-commerce in Islamic transaction occurs in Brunei Darussalam?

6. What are the issues of E-commerce in Islamic transaction occurs in Brunei Darussalam.

1.4 Research Objectives:

This study aims to achieve the objectives as following below:

1. To explain the meaning of E-commerce transaction in the view Islam.

2. To examine E-commerce contract conducted in Islamic transaction.

3. To identify and analyze the extent of people's knowledge in Bruneian people especially the Muslims, practice E-commerce in Islamic perspective and *Shari'a* law.

4. To examine the concept of E-commerce in Islamic perspective according the perspectives and issues that occur in Brunei Darussalam.

1.5 Significance of Research:

The results from the research will be improving the Brunei Darussalam's economy. The significance of the research will be:

1. To improve Bruneian people, especially the Muslims people understand and knowledge by the meaning of E-commerce.

2. To improve Bruneian people, especially the Muslims people understand of the E-commerce contract that based on Islamic transaction and *Shari'a* law.

3. The Bruneian people, especially the Muslims people will be careful on doing the E-commerce activity.

Instead of that, the results from the research also can be used by others governments, such as Ministry of Finance Brunei (MOF) and Department of Economic Planning and Development (JPKE) to observe and supervise the economy's Brunei Darussalam especially in *online shop*.

1.6 Research Limitations:

In this research, there are many limitations of this study. Firstly, lack of knowledge about E-commerce among people, who are not really considered as expert in the field of E-commerce transactions. Next is due to limited time and low response rate. The researcher acknowledges that these limitations may have affected the validity of the result reported.

Undoubtedly further limitations may be discovered during the research process, however it must be noted that some clear limitations currently apply:

1. The timing of the study and the questionnaire in particular would influence the outcome.

2. The ongoing thing about the secret of the Royals and its government continues to exist to a certain extent that it might be somewhat difficult to extract essential information about the officials, especially in expressing their perceptions and opinions on particular issues.

Instead of that, this kind of research used survey research and questionnaires as research instrument that given to the respondents. The respondents will be

choosing from four districts in Brunei Darussalam country, there are Brunei and Muara district, Tutong district, Belait district and Temburong district. The research also focused on the *Facebook* due to there is the most popular in Brunei Darussalam and some of them involve in online shops in *Facebook*.

1.7 Structure/Online of Thesis:

The thesis is organized as follows. Chapter 1 presents introduction to the thesis. Chapter 2 describes the literature reviews of the previous studies from different researchers and different sources.

Chapter 3 introduces background literature of this research. It contains the literature on Internet, E-commerce and Islamic Transaction.

Chapter 4 describes the E-commerce in Brunei Darussalam. It explained to develop of IT in this country, the legislation of *fatwa* and law regarding on E-commerce and the society organizations involved in business IT.

Chapter 5 describes the E-commerce in Islamic Transaction; Perspectives and Issues that occurred in Brunei Darussalam. It contains *fatwa* on E-commerce, Islamic Business ethics in E-commerce, formation contract in E-commerce, E-commerce contract, types of contracts with Islam, validity of E-commerce from Islam view and Payment for E-commerce transaction.

Chapter 6 describes the research methodology of this study. This is followed by detailing the research design, population and sample research, instrument research and pilot study. The description of research process includes data collection and analysis procedures.

Chapter 7 elaborates and explained the survey and data analysis. This is explained the feedback on the respondents by using the SPSS.

Chapter 8 summaries this studies, discusses the research limitations, suggests future research directions and implication research.

1.8 Summary:

The topic of E-commerce has not been well explored for researchers and Jurists scholars in empirical way. The brief literature review has supported the idea that E-commerce would be affected by business in Brunei Darussalam.

CHAPTER 2:

LITERATURE REVIEW

The literature reviews deals with some previous studies which have been done and studied by other previous researchers related with this topic.

a) Mohammad Amirul Islam. (2004). *E-commerce and E-payments: Islamic Perspective*. Lecturer, Department of Computer Sciences and Engineering, IIUC Bangladesh. IIUC Studies.

This study mentions there is nothing wrong in E-commerce if the people can avoid interest or any unjust transaction. This is because the legislation from the *al-Quran* and *Hadith* shows the trade and commerce is allowed but *riba* (usury) or any unjust transaction is *haram* (illegal). The writer also discussed about the E-commerce and E-payments in both conventional and Islamic viewpoints. The writer said the Islamic banks and financial institutions in most countries in the world are not issues in cards because there are limited for scope and usability. So with the modern technology nowadays, Islamic banks and financial institutions have to move on, due to compete with the conventional system and to establish free interest in terms of usage E-commerce and E-payments. Instead of that, Islamic banks and financial institutions have to prove it to all over the world that they can provide credit card free interest (which mean free from *riba* or usury). He added usually the method of payments in E-commerce is using the debit card or credit card. As a Muslims people, we know Islamic banks and financial banks do not use debit card or credit cards due to the interest. But in terms of concessions, the accepting of debit card or credit card is permissible. As long as the user of debit cards or credit cards are able to purchase and settle within the grace period and not withdraw cash. The study did not describe details in part benefits and disadvantages of E-commerce. Well according E-payments, the writer did not mention the benefits and disadvantages of E-payments. The readers will be confused both E-commerce and E-payments are the same or not.

b) Norazlina Zainul, Fauziah Osman and Siti Hartini Mazlan. (2004). *E-commerce from an Islamic perspective*. Department of Information System, Faculty of Information and Communication Technology, International Islamic University Malaysia.

This study highlights E-commerce has a similar definition with the conventional transaction, but the difference is E-commerce using through via computer and Internet. So it can say that the E-commerce also has some rules and obligations from Islamic views. So in their view Islam encourages E-commerce as a new way of doing business, but the rules of E-commerce must be followed and aligned with the Islamic principles and permissible by Islam and *Shari'a* law. Islam encouraged E-commerce as another way or method of business or transactions due to Islam encouraged Muslims people to involve in business. In this study also, the writer explained everything from E-commerce in Islamic perspective which cover the legality of E-commerce, Islamic business ethics in E-commerce, legitimacy of E-commerce contract, types of contract in Islam, the validity of E-commerce from Islamic view and payment of E-commerce transaction. Instead of that, the use of debit cards and credit card as a payments method in E-commerce transaction is permissible or *hala*l to avoid the interest or *riba* (usury). In this case, *Murabahah* system can be used as a payments method replacing the credit card. In their paper also mentioned E-commerce in Islamic perspective which contains the legality of E-commerce, Islamic business ethics in E-commerce, legitimacy of E-commerce contract and many others. This is to let Muslims people know exactly what mean by E-commerce in Islamic perspective. The researcher didn't find any lack of this study.

c) Rafiza binti Misbun. (2010). *E-dagang: Kajian Analisis Model Perniagaan E-dagang dan Kekangan dalam Perlaksanaan E-dagang Menurut Persepsi dan Penerimaan Syariah Islam*. Kuala Lumpur International University College.

The study presents the research or analysis of the business model on-line (E-commerce) and E-commerce implementation according to perception and acceptance of Islamic *Shari'a*. The purpose of this study was made to explore the

issues of E-commerce in fulfilling Islamic *Shari'a* whether this type of business can be used or not. The purpose of this study also is to provide understanding and beneficial to all people, especially in Malaysia. The implication from this study divided into two parts. In part one is about education and research sectors. From the results of the study, it can give new disclosures that related to Islamic law and can be refer for the future research. It also contributed references and facts for organizations to conduct the depth study in this topic. This is because the study that related to this topic is limited to the world especially in Muslim countries. According in practical and implementation sector in part two, the results from the study can open the people eyes especially the Muslim businessmen or businesswomen to understand the transaction concept in E-commerce. Due to that, it can help the Muslim businessmen or businesswomen more creative in create the business with *halal*, sincere and clean. This study also explained the methodology of research. The methodologies of research that are used were methods of the survey, methods of questionnaires and interviews and methods of data collection. The researcher found that this study didn't tell in detail.

d) Azhar Muttaqin, S.Ag. M.Ag. (2009). *Transaksi E-commerce dalam Tinjauan Hukum Islam*, Kepala Laboratorium Syari'ah Fakultas/Jurusan Agama Islam/Syari'ah, Hukum Islam Lembaga Penilitian Universitas Muhammadiyah Malang.

Azhar Muttaqin, S.Ag. M.Ag. (2009) in his studied explains the opinion of Islamic law on E-commerce and how E-commerce conducts in *Fiqh* method. He also studied that the method of E-commerce is similar with *Bai' as-Salam*. While the method survey just focusing Indonesian people. This is due that Indonesia is a potential market for E-commerce transactions and it was amplified by the fact that the ranking of free hosting users mostly is people of Indonesia.[2] *Bai' as-Salam* is selling the goods things that are not there on that spots or in one place while both parties the seller (the offer) and the buyer (the acceptance) met face to face with

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[2] Azhar Muttaqin, S.Ag. M.Ag. (2009). *Transaksi E-commerce dalam Tinjauan Hukum Islam*, Kepala Laboratorium Syari'ah Fakultas/Jurusan Agama Islam/Syari'ah, Hukum Islam Lembaga Penilitian Universitas Muhammadiyah Malang.

immediate or urgent payments. This study gives the good example that related to the *Bai' as-Salam*.

e) Nor Adila Mohd Noor and Nor Azlina Mohd Noor (2003). *E-commerce from an Islamic Perspective*. Department of Information System, Faculty of Information and Communicatin Technology, International Islamic University Malaysia.

According this study describes a comparison between E-commerce and sales and purchase in contacts based by Islamic transaction. The purpose of this study is to understanding and confidence to the public especially Muslims people of the importance sale and purchase contract in E-commerce. In this study also there is the definition of contracts for conventional or Islamic *Shari'a*, the pillars of contracts in Islam and the concept of E-commerce. The writers also describe the comparison theory of E-commerce from the perspective of Islam. Even the contract with E-commerce is not from Islamic transaction, the concept and theory based on sales and purchase contracts. This is because E-commerce is a new word of the Islamic transaction, which the method of this transaction conducted through Internet. This kind of business is easy and quickly. Due to that, E-commerce is a *muamalah* or activity that doesn't conflict with the trading system in Islam and it also interprets as a modern transaction which made people needs nowadays. This study did not have any examples to explains to other people. The purpose of giving any examples to this study, the readers can understand much better.

Overall, previous studies related to E-commerce in Islamic perspectives can be divided into several aspects. Such as the implementation E-commerce based on perception and acceptance *Shari'a* law, comparison between Islamic transaction and modern transaction and so on. According the previous study has not mentioned the people especially the Muslims people learn and know about E-commerce in Islamic based. The most important are from the previous studies, there is no study about perspectives and issues in E-commerce in Brunei Darussalam, which nowadays some Bruneian people involve in online shops.

Instead of that, in the previous studies, there is no one from the researchers mentioned about the *Facebook* as the study or reference. As we know, *Facebook* is the most popular with all people all over world nowadays. So from this, it makes confident to the researcher to study this topic to let people especially the Muslims people in Brunei Darussalam.

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