

Human Security Identification in Maqasid Sharia Concept as Implementation in Debt Trap of Digital Finance

DOI: <https://doi.org/10.18196/afkaruna.v19i1.17136>

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ARTICLE HISTORY

Received: 13 December 2022, Revised: 15 February 2023, Accepted: 24 June 2023, Published: 30 June 2023

ABSTRACT

The research aims to identify the relationship between the phenomenon of digital finance on the debt trap with the study of human security in the Islamic concept. Cybercrime harms many people by misusing personal data that can be accessed online illegally, such as loan applications, digital shopping, or digital wallet. The debt trap resulted in the application then best analyzed through human security of international relations. The study focused on human security, such as personal and economic security. The study concluded that the awareness of digital financial literacy would greatly help from debt traps by means of the loan application. Accordingly, Islamic studies became very relevant to the phenomenon in the Maqasid Sharia law, such as Hifdz al Maal, which also discussed economic security from an Islamic view. The correlation between the phenomenon would be best analyzed with both concepts to reduce harm to economic security, structurally and religiously. On the other hand, the lack of socialization in digital economy transactions threatens the security of people nowadays. The research used mix method approach with secondary and primary data. The primary data were obtained from the questionnaire from 61 samples from 17 years old Indonesian, then delivered in descriptive statistics to see the fact for real, while the secondary data was obtained from journals, books, and articles. The analysis determined the correlation between digital financial phenomena in the Maqasid Sharia Concept and human security.

Keywords: cybercrime, digital finance, hifdz al maal, human security, Maqasid Sharia

INTRODUCTION

The era of globalization is identified as the era of transactions without boundaries. Currently, we are in the era of disruption of 4.0, identified by the use of the Internet of Things (IoT) system to run the industry. In this era, industrial shifts from production, distribution, and consumption processes occur

with more technological devices. In this advanced civilization, people are forced to be more familiar with technological devices. Then, the shift also creates some paradigm shifts in values and lifestyles among the people.¹ However, problems arise from people exposed too fast to the technology acceleration but do not know the impact after exposure to this technology. It also does happen in Indonesia, which is in a period of being able to enjoy the freedom of transactions without face-to-face, but by online transaction. The ease of shopping in digital transactions has its own challenges. One is the problem of misusing personal data uploaded through the on-line system to conduct digital transactions.²

In this case, the freedom of economic access can no longer be minimized by the government. Adam Smith, the liberalization in economy exists by means of no government control to increase economic activity at the most basic level, namely society or what is more often called (*laissez faire*).³ Indonesia is one of the countries in the world involved in digitalizing financial platforms, for example, the circulation of online loans, digital wallets, and digital shopping. It is Indonesia's strategy to compete globally and one of the efforts to improve the economy of the Indonesian people.⁴

At the same time, challenges come from the development of digital financial access, including the lack of public knowledge about the potential dangers of misused personal data from digital financial access such as online loans, lack of governance that strictly regulates regulations and rules for using digital financial applications to prevent the recurrence of cases of misuse of personal data in all aspects, all over the world.⁵ Several cases also occur in Indonesia, such as misusing personal data for certain purposes. This accident happened to Indonesian since the lack of knowledge about financial transactions. Then, they are trapped in what so-called a debt trap in the online applications.

This research discusses the phenomenon of the increasing number of Indonesian people interested in using online loan applications, digital shopping applications, to digital wallet applications which open up greater opportunities for misuse of personal data.⁶ Practically, people about to use online financial services will be asked to upload their personal data online, such as digital shopping platforms or wallets. Then, the challenge can actually be managed very well if those who are interested in online shopping are clear about the consequences before uploading the data online. Problems arise after there is access to the OTP code, which should only be accessed by the person concerned, as well as the password, which can be easily accessed by other people, thus allowing the opportunity to do harm by misusing the personal data (False Bills and Vulnerability to Misuse of Personal Data - Technology Bisnis.Com, nd).

In online loan applications, the mechanism is by asking to upload personal data in the form of an identity card and a photo with the position of holding an ID card. In fact, in the application, it turns out to expose the personal data then forwarded to other loan applications.

The case of misused personal data through online loan applications was also experienced by the Indian community in the city of Mumbai.⁷ This case began to be investigated when a 27-year-old man named Deepak Dubey reported acts of terror to relatives on his contact list. The victim admitted that this started when he borrowed money from an online loan application. Then, the fraudster forced victims to make transactions. Online fraud loan applications use the victim's personal data to hack it. The victims explained that they never thought about the consequences of being the victims based on the online application by misusing uploaded data to register for loan applications.

Just like reported in BBC Indonesia newspapers, a 36-year-old man named Arief realized that to send money with a nominal value of eight hundred thousand rupiahs to his account, and continued to an email containing an order to return the money along with interest from an unknown online loan company. In Indonesia, the victim of a debt trap from loan applications reached 1.2 million. In March 2021, the victim also received a bill from the same email address from different companies called Tunai

Gesit, showing that they had borrowed money from one of the online loan applications but were sure they had completely paid it off. Unfortunately, the date recorded that they had another loan from other illegal loan applications. Fraud by selling online data registered in previous online loans, which can be easily misused by related companies, also is called a debt trap⁸ in Digital Finance. The previous research already stated the risk of misusing personal data in digital finance. The abuse of primary data by doing some interviews from Indonesia is important in the research.

METHODOLOGY

This qualitative study applied a mixed method approach and used primary and secondary data. Primary data was obtained from interviews with 61 citizens over 17 years old. At the same time, the secondary data was obtained from journals, articles, and books. Then, data was analyzed and categorized to identify the factors on how people are easily attracted to digital financial applications. The mixed method approach effectively sees the correlation between reality and the value of digital phenomena. Citizens have mostly understood the digital phenomenon, such as digital wallets, loan applications, and digital shopping. The elements of Human Security in the Islamic view is *Hifz Maal*. This human security theory in international relations study eased researcher to identify the obtained data.

The *Maqasid* Sharia Overview

In fact, the procedures to run life properly have been told in the Islamic view. However, people sometimes neglect what Islam mentions about the importance of controlling finances to minimize the occurrence of economic and social inequality among them, as been told by Syamil in comprehensive nature, matters relating to the rule of law, both individual and general, and there is *ijtihad* in it.⁹ According to Imam Syathibi in the book *Al-Muwaffaqot*, the law or the Shari'a that Allah sent down solely for humans themselves to avoid harm or calamity/badness. In other words, the Shari'a that God sent down in the form of these laws for the good of humans.¹⁰

The level of law or Sharia that is the goal (*maqasid*) in life is *Dharuriyat* (principal), *Hajiyyat* (secondary), and *Tahsiniyyat* (tertiary). The fulfillment of *Dharuriyat* includes five things: the fulfillment of *hifdz ad-din* (maintaining religion), *hifdz an-nafs* (maintaining the soul), *hifdz al-aql* (maintaining reason), *hifdz al-mal* (maintaining property) and *hifdz al-irdl* (maintaining property, honor).¹¹ In its implementation, some activities should include fulfilling these five things.

In this case, we can consider several things that need to be done by considering aspects of fulfilling one of the *Dharuriyat* needs. Islam has also regulated how humans should protect and maintain financial needs, but often crimes occur from outside. For example, there are attempts by cybercriminals that expose them to traps in digital finance. The majority of people currently use digital platforms in finance, and that is where the possibility of crime occurs. So here, the effort to minimize the occurrence of digital finance-related crimes is one of the implementations of *Hifdz al Maal*. The concept of *hifdz al-maal* seeks to maintain property from threats that occur outside. The concept of *Maqasid* Sharia explains that Islam also mentions the importance of financial institutions to overcome economic inequality in the community. This can also be interpreted by how humans get something in proper law. So, if humans do not implement the *Hifz maal* well, they may bring harm or do harm in vice versa. As a result, the life will be surrounded by illicit treasure that may impact bad quality of life, since the illicit treasure flowing in the blood will result in bad habits, bad attitudes, or bad luck. The misconception of good and bad treasure will greatly impact human life. The more they do not realize the bad impact of the debt trap, the more they are threatened by it.

1. *Hifdzul Maal* as the application of *Maqasid Sharia*

In the concept of *maqasid* Sharia, one concept is related to the protection of assets (*hifdzul al maal*). This concept also reflects the protection of assets, for the sake of financial balance in a country. As also can be heard from Al- Syatibi, that *maqasid* Sharia is seen from the point of view of its importance, and in terms of maintaining property, it can be divided into three levels:¹² First, maintaining the property in the *dharuriyyat* level, which is about the procedures for ownership of property and the prohibition of taking other people's property in an improper way. If the rule is violated, then the result is the existence of property can be threatened. Second, maintaining the property at the *Hajjiyyat* level, namely the Sharia of buying and selling in a good way. If this method is ignored, it will not threaten the existence of property but will make it difficult for people who need capital. At last, maintaining the property at the *tahsiniyyat* level, namely the provisions on avoiding deception or fraud. This is closely related to business ethics.

The third stage is used by researchers in analyzing this digital financial phenomenon. In *tahsiniyyat*, we are required to avoid fraud, or at least minimize it with vigilance, to maximize profit. For instance, in internet usage, people use the internet more to shop online. The Islamic concept also has talked about this: online shopping has nothing wrong, as long as what is spent is necessary. But in fact, most of the people in Indonesia in the survey used a lot of online shopping sites for lifestyle.

In the study of *Maqasid* Sharia, this is more of a futile thing. Through digital wallets, people who use their wealth for vain things, God gives a stern warning when it comes to the use of wealth. Thus, the misuse of digital data in *Maqasid* Sharia as a result of the wasteful use of the property is explained that the *Maslahat Hajjiyat* should exist to carry it out freely and avoid difficulties. If this something does not exist, then it will not cause damage or death, but it will have implications for the existence of *masyaqqah* and narrowness.¹³ In the concept of *Maqasid* Sharia, online spending carried out by the community is related to the existence of government governance that does not provide security to guarantee citizen economic transactions.¹⁴ Therefore, *maslahat daruriyyat* must exist/be implemented to realize the benefits associated with the worldly and *ukhrawi* dimensions. If this does not exist, it will cause damage in life. In terms of *muamalat*, Asy-Syathibi exemplifies the transfer of transactions.

2. The Development of Revolution Industry Impacted Financial Transaction

Industry development today must be seen from the history of the industrial revolution, where humans have moved significantly in the development of technology and computer science to meet market demands. Long before the existence of industries with digital mechanization like today, humans have an important role from production and distribution to consumption. Increasingly, the role of production and distribution reduces the role of humans in it. Thus, this has an impact on the focus on achieving human intelligence and processing natural resources through artificial intelligence. The following is the history of industrial development in the world.¹⁵ The history and development of the era of disruption 1.0 to 4.0:

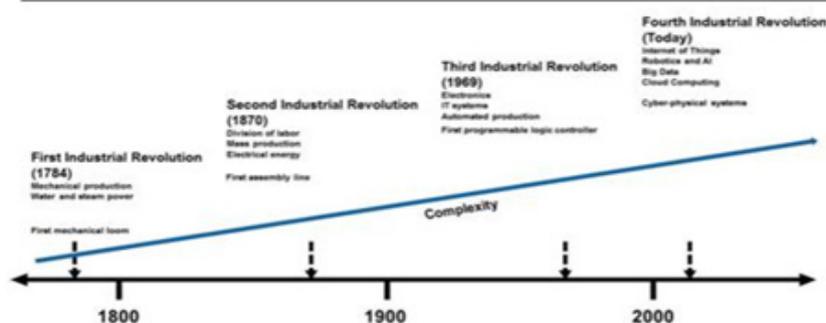
Flow Chart with diagrammatic Representation:-

Fig: Time Line Chart Industrial Revolution Period [19]

- The Industrial Revolution 1.0 (1784) was the era of the first Industrial Revolution. In this era, people focus on water production and power system
- Industrial Revolution 2.0 (1870): the era of mass production of electric power sources through factories that employed many workers.
- Industrial Revolution 3.0 (1969): the first era to use an electric production system (with electrical sophistication) and Information Systems and Technology
- Industrial Revolution 4.0: Internet of Things (IoT) Big Data, Closed Computing, Cyber-physical systems, namely the era of industrial operation through the use of artificial intelligence and computing.¹⁶

Recently, we have been in the era of disruption 4.0, where people are more exposed to online transactions. Some industries use more technology than human resources, and some internet features have done more people's jobs through applications. The acceleration of technology means a lot for economic interest. On the other hand, the less man resource job in the industry then creates more criminals. The Islamic view should balance the speed of technology because it may help people not to be attracted to do some harm or be safe from fraud by means of technology.

Maqasid Sharia, in the Islamic view, has already spoken about the importance of using property very well, how to get the property in a good way, how to use the property for good purpose only, and how to see the property we demand so much, will be no longer use to the afterlife. So, they need to consider the means of sufficient property for life, not just for fun or only to fulfill their social needs.

3. Human Security Studies and Its correlation to Maqasid Sharia

The following is a table of security areas in the study of human security:¹⁷

Type of Security	Examples of Main Threats
Economic security	Persistent poverty, unemployment
Food security	Hunger, famine
Health security	Deadly infectious diseases, unsafe food, malnutrition, lack of access to basic health care
Environmental security	Environmental degradation, resource depletion, natural disasters, pollution
Personal security	Physical violence, crime, terrorism, domestic violence, child labor
Community security	Inter-ethnic, religious and other identity based tensions
Political security	Political repression, human rights abuses

In Human Security Studies, personal and economic security are the main factors influencing people's social behavior. Personal security emphasizes more on cases of physical violence, crime, terrorism, violence from the environment, to child labor. This research focused on personal security analyzed from cases of physical violence, threats, crime, or violence from fraud.

The digital era, better known as disruption 4.0, put more risk of misused personal data that cannot be avoided. The digital financial transaction can be easily detected by the system and manipulated at the same time. The problems are raised when people do not know the impact after uploading data online. For instance, the risk of data leakage in the digital era is serious.

On the other hand, according to UNDP, there are 3 principles of human security: Freedom from fear, Freedom from want, and Freedom to live in dignity.¹⁸ The freedom to live in dignity then becomes the legalization for people in this era to consume too much or to fulfill the needs of social life, such as for entertainment more than basic needs. The debt on online applications then becomes a threat to some fragile people whose data is being manipulated to commit fraud.

In Indonesia 2021, the Ministry of Communications and Informatics received 115,756 online transaction fraud reports. Compared with the number of online fraud reports from 2020, which amounted to 167,675 reports, there was a decrease in the number of reports in 2021," said Kominfo Spokesperson Dedy Permadi to CNNIndonesia.com via text message. They intentionally uploaded it when registering for financial and online shopping sites. Cases of misuse of personal data caused by digital financial applications around the world have occurred a lot.¹⁹ In Indonesia, the illegal use of digital personal data is becoming more common after the Covid-19 pandemic.

On the other hand, the public is also aware that the use of digital shopping and financial platforms should be under government control. The problem is the increasing number of economic problems that befall the community, especially during the Covid-19 pandemic (Deloitte, 2020). As a result, more and more people's jobs are being laid off, but the fulfillment of needs must still be ongoing. One way is to seek financial assistance, for example, through an online loan application, where people only need a matter of minutes to disburse assistance by simply uploading their personal data online and photos.

The gap between technological advances in the era of globalization and the people's unpreparedness to accept these advances become the challenge in this disruption era 4.0. There should be a role for the government to increase people's awareness online or even the debt trap contained in the application. The needs of human is a very subjective field that then best analyzed by using the diagram of Maslow:²⁰



Picture 2: The Diagram of Maslow

The diagram describes how people in the globalization era need to fulfill the need for self-actualization more than older people. Then, it pushes a person to appear superior to others, even with economic deprivation. Meanwhile, online social media advertisements target people with more money and a lot of activities to do extra fast transactions by online shopping more and more. They want simplicity in life. However, it becomes a trap from the financial digital transaction in the digital era. The ads on online media also attract people to spend their money more on entertainment (pleasure), rather than primary needs, for example, flexing in social media.

In another case, the pay later (debt or loan) application then requires personal data to be uploaded on the shopping platform also puts people at more risk, intentionally, to people with a lack of understanding of online crime. Ironically, the dilemma occurs when the government tries to increase online transactions since the lack of quick digital finance transformation becomes a trap for fragile people who do not know the digital transaction impact.

Next is the need for affection and belonging, such as love and affection. In online loan applications and digital finance widely advertised on television, the need for affection for other humans can be demonstrated by giving goods as a form of affection. As a result, ordinary people having trouble fulfilling their basic needs will be easily trapped on debt by loan applications.

Then, the need for safety. This need for safety is an impact on victims who have used loan platforms or online shopping. Some people feel that online shopping will be safe than physical transactions. In fact, the result is vice versa. There are more traps on online shopping applications, which result in people being hacked, harmed, or fraud. This will not happen if the community has good knowledge of digital literacy. The impact of lack of knowledge about digital financial literacy is one of the main driving factors that people can become victims.

For the perpetrators or victims, the needs for self-actualization and self-esteem are fulfilled by means of debt traps and fraud. Abusing online data for both victims and perpetrators can increase the economic level. The more property they have, whether bad or good, the more self-esteem will be achieved. In reality, the actualization of fraud increases the economy's online transactions, which is good for economic purposes, but then impacts the trap on human security. The last is psychological needs. In terms of lifestyle, such as clothes, branded bags, and expensive vehicles, for some people, are a form of need that must be met. Those social needs sometimes become a trap for themselves. The bigger the social need, the least financial capability meets, resulting in a bigger risk of fraud or debt trap by loan or digital shopping.

4. How *Maqasid* Sharia Views Cyber Crime

As seen in a survey by the Association of Indonesian Internet Service Providers, Internet use continued to increase until 2017. This opportunity is good for reaping greater profits by using digital media. The most use of cyber is the intention of lifestyle and entertainment.

In Indonesia, the risk of vulnerability to data misused is high, thus raising the risk of repeated technology traps (hack cases). Indonesia is one of 165 countries that became a research target of the 2017 Global Cybersecurity Index (CGI). The five categories are legal, technical and procedure, organizational, capacity building, and international cooperation. At rank 70, Indonesia is considered a mature stage (preparatory stage), meaning it does not yet have a high commitment to cyber security. Indonesia is far behind Singapore (ranked 0.925) and Malaysia (ranked 0.893) (Academic, n.d.). It was due to the existence of Indonesia's cyber security cycle, which is still considered inconsistent in protecting the use of cyber data.

In the Islamic concept, *Maqasid Sharia* explains that the governance has custody of property that the government should carry out. Then, each individual carries out his obligations as a citizen by making transactions in accordance with the provisions of Islamic rules.

Governance creates the regulation of the use of digital applications (Fintech) in Indonesia. But, the cycle of public records still allows the practice of illegal misuse of digital data by irresponsible parties. The concept of *Maqasid Sharia* has regulated property management properly so that every community can enjoy halal property properly in accordance with Islamic rules. In *Maqasid Sharia*, it is referred to as the *maslahat* criterion, which consists of two parts: first, the *maslahat* is absolute, meaning that it is not relative or subjective, which will make it subject to lust. Secondly, the *maslahat* is universal (*kulliyah*), and this universality does not contradict others (*juziyyat*). Related to this, Asy-Syathibi stated that in order for man to obtain benefits and prevent emergencies, he must carry out Sharia, or in terms that he is amused as stated *Qashduhu fi Dukhul al-Mukallaf tahta Hukmiha* (Allah intention is why individuals should practice Sharia). If the individual has performed Sharia, they will be freed from the bonds of lust and become a servant, which in Asy-Syathibi terms, is endeavor and not-*idhtiraran*.

CONCLUSION

In this study, the analysis focused on how the elements of human security in International Relations intersect with case studies of misuse of personal data derived from online loan applications, which are then analyzed using the concept of *Maqasid Sharia*. The theory of Human Security, which focuses on personal and economic security, identifies all human needs in life. Then, based on those needs, people will manage and identify the basic needs in life based on the Islamic view to reach the proper property in life. Thus, using digital loans can be controlled by them, not vice versa. Then, the risk of misusing personal data through online applications can also be minimalized. On the other hand, by analyzing the phenomenon using *Maqasid Sharia*, people can still choose whether or not to use a digital wallet or loan application. Based on *Hifs Maal*, basic needs should be the priority in life, not social or luxury needs. Entertainment needs should not be prioritized. People should also see that all property is obtained and used in a good way.

However, the main element in using online loan applications is mostly contrary to Islamic rules. Consequently, the misuse of personal data through online loan applications is a violation of Islamic law, called fraud. Online loan applications should be one of the solutions to achieve equality in economic welfare in Indonesia. Instead, misusing personal data from illegal online loan applications has become a serious issue in Indonesia.

Last but not least, this study may reflect on today's phenomenon, where people are easily trapped by debt on online applications, such as digital wallets, digital loans, or digital markets. Therefore, good governance and management of fraud records are necessary for individuals who misuse private data illegally online through clear, strict, and binding sanctions.

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