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CONSUMER PROTECTION IN DIGITAL MARKETPLACES: ISLAMIC ETHICS AND POSITIVE LAW FOR URBAN MUSLIM COMMUNITIES

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ABSTRACT: The rapid development of digital marketplaces expands public access to goods and services, yet simultaneously escalates transactional risks, including misleading information, personal data misuse, unverified merchant identities, promotional manipulation, ambiguous halal certification statuses, and inadequate post-transaction dispute remedies. This study aims to analyze consumer protection in digital marketplaces through the integration of Islamic ethics and Indonesian positive law, focusing on urban Muslim communities as the primary contextual domain. Utilizing a normative legal research methodology, this study employs statutory, conceptual, and normative comparative approaches. Primary sources encompass Law Number 8 of 1999 on Consumer Protection, Law Number 1 of 2024 on the Second Amendment to the ITE Law, Law Number 27 of 2022 on Personal Data Protection, Government Regulation Number 80 of 2019, Government Regulation Number 71 of 2019, Regulation of the Minister of Trade Number 19 of 2026, alongside DSN-MUI Fatwas Number 144 and 146 of 2021. The Islamic ethical analysis grounds itself in the foundational principles of *ṣidq* (truthfulness), *amānah* (accountability), *'adl* (justice), *tarāḍī* (mutual consent), the prohibitions of *tadlīs* (deception) and *gharar* (uncertainty), and *ḥifẓ al-māl* (preservation of wealth). Findings demonstrate a strong convergence between positive law and Islamic ethics regarding information accuracy, transactional fairness, data security, platform accountability, and accessibility to legal remedies. This study offers a four-layered

protection model comprising pre-transaction transparency, transaction integrity, data and halal guarantees, and post-transaction remedy. This model asserts that consumer protection for urban Muslim communities must operate as both a preventive and remedial framework.
Keywords: Consumer protection; digital marketplace; Islamic ethics; positive law; urban Muslim community

ABSTRAK: *Perkembangan marketplace digital memperluas akses masyarakat terhadap barang dan jasa, tetapi sekaligus meningkatkan risiko informasi menyesatkan, penyalahgunaan data pribadi, ketidakjelasan identitas pelaku usaha, manipulasi promosi, ketidakpastian status halal, serta lemahnya pemulihan pascatransaksi. Penelitian ini bertujuan menganalisis perlindungan konsumen di marketplace digital melalui integrasi etika Islam dan hukum positif Indonesia, dengan menempatkan masyarakat Muslim perkotaan sebagai konteks penerapan. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, dan perbandingan normatif. Sumber utama meliputi Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, Undang-Undang Nomor 1 Tahun 2024 tentang Perubahan Kedua atas UU ITE, Undang-Undang Nomor 27 Tahun 2022 tentang Perlindungan Data Pribadi, Peraturan Pemerintah Nomor 80 Tahun 2019, Peraturan Pemerintah Nomor 71 Tahun 2019, Peraturan Menteri Perdagangan Nomor 19 Tahun 2026, serta Fatwa DSN-MUI Nomor 144 dan 146 Tahun 2021. Analisis etika Islam bertumpu pada prinsip sidq, amanah, 'adl, taradi, larangan tadlis dan gharar, serta hifz al-mal. Hasil penelitian menunjukkan bahwa hukum positif dan etika Islam memiliki titik temu yang kuat dalam tuntutan kebenaran informasi, keadilan transaksi, keamanan data, akuntabilitas platform, serta akses pemulihan hak. Penelitian ini menawarkan model perlindungan empat lapis yang mencakup transparansi pratransaksi, integritas transaksi, jaminan data dan halal, serta pemulihan pascatransaksi. Model tersebut menegaskan bahwa perlindungan konsumen Muslim perkotaan harus bersifat preventif dan remedial sekaligus.*
Kata Kunci: *perlindungan konsumen; marketplace digital; etika Islam; hukum positif; masyarakat Muslim perkotaan*

INTRODUCTION

Digital marketplaces have become an essential component of urban consumption. The 2024 APJII survey recorded 221.56 million internet users in Indonesia with a penetration rate of 79.5 percent, with urban areas accounting for 69.5 percent of these users.[1] This condition positions urban Muslim consumers as a highly relevant context, given that their digital marketplace transactions intersect demands for competitive pricing, convenience, data security, contract clarity, halal status, and access to dispute remedies in instances of financial loss.[2]

[1] Asosiasi Penyelenggara Jasa Internet Indonesia, "APJII: Number of Internet Users in Indonesia Reaches 221 Million," *Indonesian Internet Service Providers Association*, 7 Februari 2024, https://apjii.or.id/berita/d/apjii-jumlah-pengguna-internet-indonesia-tembus-221-juta-orang.
[2] Yessy Kusumadewi dan Grace Sharon, *Perlindungan Konsumen* (Jakarta: Lembaga Fatimah Azzahrah, 2022).

The rapid growth of marketplaces has also induced vulnerabilities, such as inaccurate product descriptions,[3] unverified seller identities,[4] manipulative reviews,[5] phishing, misleading promotions,[6] non-transparent data utilization,[7] and cumbersome complaint mechanisms.[8] Because platforms exert control over user interfaces, search rankings, advertisements, payment gateways, transaction records, user data, and dispute channels, consumer protection can no longer be conceptualized merely as a bilateral buyer-seller relationship.[9] Indeed, the scope of platform liability was explicitly raised during judicial review proceedings of the Consumer Protection Law at the Constitutional Court in 2026.[10]

The regulatory framework has evolved through the Regulation of the Minister of Trade Number 19 of 2026 Concerning the Implementation of Electronic System-Based Trading Business, which superseded Minister of Trade Regulation Number 31 of 2023.[11] This regulation strengthens e-commerce governance, merchant and platform obligations, electronic advertising, oversight, and consumer protection.[12] From an Islamic normative perspective, Surah al-Nisa' [4]:29, Surah al-Baqarah [2]:188, Surah al-Mutaffifin [83]:1–3, and Surah al-Nahl [16]:90 provide the foundational imperative for *ṣidq* (truthfulness), *amānah* (accountability), *'adl* (justice), *tarāḍī* (mutual consent), the prohibition of *tadlīs* (deception) and *gharar*

[3] Leonardo Ardita, *A Model for Resolving Cases Involving Online Purchases of Goods That Arrive Not as Described via the Shopee Marketplace*, 9, no. 1 (2026).
[4] yulia shadrina, "Legal Consequences Of Not Including The Identity Of Business Actors In The Marketplace And The Role Of The Marketplace Related To Fulfilling Consumer Rights," *Syiah Kuala Law Journal*, no. Vol 7, No 1: April 2023 (2023).
[5] Adis Nur Hayati, Al Araf Assadallah Marzuki, dan Nurangga Firmanditya, "Fake Reviews On Digital Platforms: Legal Protection For Consumers And Business Operators," *Masyarakat Indonesia: Jurnal Ilmu-Ilmu Sosial Indonesia* 49, no. 1 (t.t.): 123–34.
[6] Ministry of Trade of the Republic of Indonesia, "In a working meeting with Committee III of the DPD RI, Trade Minister Budi Santoso proposed an update to the Consumer Protection Law.," *Ministry of Trade of the Republic of Indonesia*, 8 April 2026, [https://www.kemendag.go.id/berita/siaran-pers/raker-dengan-komite-iii-dpd-ri-mendag-busan-usulkan-pembaruan-uu-perlindungan-konsumen].
[7] Tegar Islami Putra dkk., "Risks of Consumer Personal Data Protection at the Personal Data Processing Stage of E-Commerce Websites," *Journal of Private and Commercial Law* 8, no. 2 (April 2025): 110–28, https://doi.org/10.15294/jpcl.v8i2.20081.
[8] Jessica Hermawan, Liliana Inggrit Wijaya, dan Andri Rianawati, "Enhancing E-Commerce Complaint Management with Digitalization for Sustainable Economic Growth and SDGs 8 Alignment: A Case Study from Indonesia," *Journal of Information Technology Teaching Cases*, 18 April 2025, 20438869251335684, https://doi.org/10.1177/20438869251335684.
[9] Ahmadi Miru dan Sutarman Yodo, *Hukum Perlindungan Konsumen* (Jakarta: Raja Grafindo Persada, 2017).
[10] Mahkamah Konstitusi Republik Indonesia, *The Need for Regulations on Digital Platform Liability in Electronic Transactions* (2026).
[11] Regulation of the Minister of Trade Number 19 of 2026, Permendag No. 19 Tahun 2026 Konsiderans huruf a (2026).
[12] Zulham Zulham, *Hukum Perlindungan Konsumen* (Jakarta: Prenada Media, 2013).

(uncertainty), and the preservation of *ḥifẓ al-māl* (protection of wealth) within digital transactions.[13]

Existing literature reveals three main domains in digital marketplace consumer protection. First, Islamic business ethics in e-commerce: Misnawati and Setiawan demonstrate that principles of truthfulness, responsibility, balance, and freedom remain pivotal in digital marketing[14] while Ilham, Andriansyah, and Sobirov emphasize their intersection with platform security, privacy, fraud prevention, and system reliability.[15]

Second, Muslim consumer protection regarding halal assurance: Humam and colleagues underscore the urgency of digital halal certificate transparency, whereas Khasanah and Salleh highlight discrepancies between mandatory halal certification compliance and online claim verification practices. Third, digital data and identity protection: Atikah, Hadiat, and Febriyani show that identity and data falsification lead to fictitious transactions and consumer rights violations,[16] while Malasari, Darwis, and Said reinforce the necessity of an integrative reading of positive law and Islamic ethical principles.[17]

Previous studies continue to examine consumer protection in digital marketplaces in a fragmented manner—focusing separately on Islamic business ethics, halal guarantees, data protection, or positive law.[18] Limited research integrates these dimensions into a unified protection framework tailored for urban Muslim consumers using digital marketplaces. Furthermore, consumer protection is rarely analyzed as a comprehensive process spanning pre-transaction, transaction, and post-transaction stages. This study addresses this gap by proposing a four-layered protection model that integrates positive law and Islamic ethics, encompassing pre-transaction transparency, transaction integrity, data and halal guarantees, and post-transaction remedy.[19]

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[13] Wahbah Az-Zuḥailī, *Al-Tafsir al-Munir fi al-Aqidah wa-al-Shari ah wa-al-Manhaj*, 2 ed., vol. 3–4 (Beirut: Dar Al-Fikr Al-Mouaser, 1991).

[14] Misnawati Misnawati dan Firman Setiawan, "Implementation of Islamic Business Ethics in E-Commerce Marketing in the Shopee Marketplace," *I-Finance: A Research Journal on Islamic Finance* 10, no. 1 (2024): 51–69.

[15] Walhaarik Ilham S, Yuli Andriansyah, dan Bobur Sobirov, "Application of Islamic Business Ethics in Online Marketplace: A Study among Bukalapak Users in Yogyakarta, Indonesia," *Journal of Islamic Economics Lariba* 10, no. 1 (2024): 593–622.

[16] Ika Atikah, Hadiat Hadiat, dan Dian Febriyani, "Data Forgery in Indonesian E-Commerce: Harmonizing Sharia Principles and Positive Law for Consumer Protection," *Al-Mustashfa* 10, no. 2 (2025): 490–510.

[17] Ris Malasari, Muhammad Darwis, dan Zainal Said, "Consumer Protections in Digital Transactions: A Study of Indonesian E-Commerce through Positive and Islamic Law," *Milkiyah* 5, no. 1 (2026): 13–22.

[18] Engeli Yuliana Lumaing, Indrasatya Octavianus Nasirun, dan Novita Marven Mongdong, "Perlindungan Hukum Terhadap Konsumen Dalam Transaksi E-Commerce," *Jurnal Paradigma* 6, no. 1 (2024): 12–14.

[19] Yanci Libria Fista, Aris Machmud, dan Suartini Suartini, "Perlindungan Hukum Konsumen Dalam Transaksi E-commerce Ditinjau dari Perspektif Undang-Undang Perlindungan Konsumen," *Binamulia Hukum* 12, no. 1 (Agustus 2023): 177–89, https://doi.org/10.37893/jbh.v12i1.599.

Based on this research gap, this study addresses three research questions: (1) how does Indonesian positive law regulate consumer rights, merchant obligations, and platform liabilities in digital marketplaces? (2) which Islamic ethical principles are most relevant to the digital transaction risks faced by urban Muslim consumers? And (3) how can positive law and Islamic ethics be integrated into a preventive, accountable, and practical consumer protection model?

In alignment with these questions, this study aims to: (1) analyze the regulation of digital marketplace consumer protection within Indonesian positive law; (2) identify relevant Islamic ethical principles, specifically *ṣidq*, *amānah*, *'adl*, *tarāḍī*, the prohibitions of *tadlīs* and *gharar*, and *ḥifẓ al-māl*; and (3) formulate an ethical-juridical consumer protection model for urban Muslim consumers navigating digital marketplaces. The novelty of this study lies in its four-layered protection model, which incorporates pre-transaction transparency, transaction integrity, data and halal guarantees, and post-transaction remedy.

METHOD

This study is a conceptual article utilizing a normative legal research methodology. The approaches employed include the statutory approach and the conceptual approach. The statutory approach is used to examine consumer protection regulations across various legal instruments, including Law Number 8 of 1999 on Consumer Protection, Law Number 1 of 2024 on the Second Amendment to the ITE Law, Law Number 27 of 2022 on Personal Data Protection, Government Regulation Number 71 of 2019, Government Regulation Number 80 of 2019, and Regulation of the Minister of Trade Number 19 of 2026. The conceptual approach is applied to analyze Islamic ethical principles in marketplace transactions, specifically focusing on *ṣidq*, *amānah*, *'adl*, *tarāḍī*, the prohibitions of *tadlīs* and *gharar*, and *ḥifẓ al-māl*.

The data sources for this study consist of primary and secondary legal materials. Primary legal materials encompass statutory laws and regulations, relevant Quranic verses, as well as DSN-MUI Fatwa Number 144/DSN-MUI/XII/2021 Concerning Digital Marketplaces Based on Sharia Principles and Fatwa Number 146/DSN-MUI/XII/2021 Concerning Online Shops Based on Sharia Principles. Secondary legal materials comprise peer-reviewed, indexed journal articles addressing digital consumer protection, platform liability, Islamic business ethics, personal data protection, phishing, halal guarantees, and dispute resolution. Official government sources are selectively utilized to contextualize policy developments.[20]

Materials were collected through document studies, selecting sources based on their relevance to the research questions, publisher authority, currency, and publication traceability. Data analysis was conducted qualitatively through content analysis and normative analysis. Content analysis was employed to identify themes,

[20] Amiruddin Amiruddin dan Zainal Asikin, *Pengantar Metode Penelitian Hukum* (Jakarta: Raja Grafindo Persada, 2018).

concepts, and argumentative patterns within the literature on digital consumer protection and Islamic ethics. Normative analysis was used to evaluate the structural relationship among consumer rights, merchant obligations, platform liabilities, and Islamic ethical principles. For the Quranic verses, a thematic analysis (*tafsīr maudū'ī*) was conducted to link values of honesty, mutual consent, justice, protection of wealth, and the prohibition of harm to contemporary marketplace transaction practices.[21]

The analytical process proceeded through four distinct stages: first, mapping positive legal norms governing consumer rights, merchant obligations, platform responsibilities, and remedy mechanisms; second, identifying relevant Islamic ethical principles; third, comparing intersections and functional differences between the two normative frameworks; and fourth, synthesizing the findings into a four-layered protection model, comprising pre-transaction transparency, transaction integrity, data and halal guarantees, and post-transaction remedy. Urban Muslim consumers are positioned as the contextual application for this conceptual model rather than as an empirical sample; thus, the findings aim to construct a normative framework that can serve as a foundation for digital *mu'āmalah* literacy, platform governance, and subsequent empirical research.[22]

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RESULTS AND DISCUSSION

Consumer Risks in the Digital Marketplace Ecosystem

The digital marketplace ecosystem creates a multi-party network involving consumers, merchants, platform operators, payment service providers, logistics companies, advertisers, data processors, and other supporting intermediaries. While this structure offers substantial benefits in terms of efficiency and convenience, it also generates significant information and power asymmetries. Consumers generally possess access only to information displayed on the user interface, whereas merchants and platform operators maintain far greater visibility into account histories, promotional designs, transaction records, ranking algorithms, and dispute resolution logs.

This structural asymmetry positions information accuracy as the primary threshold of consumer protection. Inaccurate product descriptions, digitally manipulated images, deceptive discount claims, fake reviews, misleading seller status indicators, or non-transparent shipping costs directly impair informed consent. From a consumer law perspective, these practices violate the fundamental right to correct, clear, and honest information. Within Islamic ethics, the exact same issue violates *ṣidq* (truthfulness) and contravenes the prohibition of *tadlīs* (deception). Consequently, a single deceptive act constitutes both a statutory violation and a moral defect.

A subsequent risk involves identity manipulation and phishing. Digital transactions allow deceptive actors to utilize accounts, hyperlinks, or

[21] Amiruddin dan Asikin, *Pengantar Metode Penelitian Hukum*.
[22] Soejono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 2014).

communication channels mimicking official platforms, thereby misleading consumers into transferring funds or credentials to unauthorized parties. In their study on vehicle e-commerce, Gunawan and Nugroho demonstrate that phishing schemes effectively exploit the baseline trust established through platform interactions. Such vulnerabilities prove that transactional security cannot rely solely on consumer vigilance; system architecture and platform verification mechanisms play a decisive role.[23]

Beyond direct financial losses, digital marketplaces process vast volumes of personal data. Names, phone numbers, addresses, real-time locations, payment methods, search histories, and purchasing patterns collectively form economically valuable consumer profiles. When personal data is processed without a lawful basis, utilized beyond its declared purpose, or breached due to inadequate security measures, consumers suffer privacy violations and potential financial losses. Thus, personal data protection constitutes an indispensable component of digital consumer protection.

For Muslim consumers, additional risks stem from unverified or ambiguous halal claims. When halal information relies entirely on unverified seller self-declarations without adequate platform validation, consumers bear an evidentiary burden that should ideally be mitigated through platform architecture. This dynamic introduces a distinct religious dimension to consumer protection: purchasing decisions are tied not only to product quality and utility, but also to religious compliance and spiritual integrity.

Consumer Protection in Indonesian Positive Law

Law Number 8 of 1999 on Consumer Protection serves as the foundational general framework. Article 4 outlines consumer rights, including the rights to comfort, security, safety, accurate information, as well as the rights to be heard regarding complaints and to receive compensation. Article 7 obligates business actors to act in good faith and provide clear, accurate, and honest information. Article 19 regulates compensation liability, while Article 45 provides mechanisms for dispute resolution. These statutory norms remain highly relevant within digital marketplaces, as changes in the medium of transaction do not negate the substantive obligations of merchants and suppliers.[24]

Law Number 1 of 2024 reinforces legal protection within electronic transactions. Article 28 Paragraph (1) prohibits the dissemination of electronic information containing false statements or misleading information that results in material losses for consumers in electronic transactions, while Article 45A Paragraph (1) stipulates the corresponding criminal penalties. These provisions are directly applicable to deceptive advertising, misleading product claims, fictitious

[23] Rafy Akmal Gunawan dan Andriyanto Adhi Nugroho, "Legal Protection for Victims of Phishing Schemes for Buying & Selling Vehicles On OLX," *Law Development Journal* 7, no. 2 (Juni 2025): 162, https://doi.org/10.30659/ldj.7.2.162-171.
[24] Zulham, *Hukum Perlindungan Konsumen*.

payment communications, and information manipulation designed to induce consumer transactions.[25]

Government Regulation Number 80 of 2019 establishes a more specific framework for Electronic Commerce (PMSE). This regulation embeds honesty, good faith, balance, and consumer protection into e-commerce governance. Within a marketplace ecosystem, legal liabilities must be interpreted proportionally based on the distinct functions and control exercised by each party. Platforms that manage merchant identities, product listings, payment processing, transaction records, and complaint channels occupy a structural position distinct from mere passive intermediaries.

Regulation of the Minister of Trade Number 19 of 2026 introduces critical updates by specifically regulating PMSE business models, licensing requirements, electronic advertising, domestic product prioritization, the deployment of artificial intelligence, regulatory supervision, monitoring, and sanctions. This regulation supersedes Minister of Trade Regulation Number 31 of 2023, which was deemed no longer aligned with legal developments and societal needs. In its official socialization, the Ministry of Trade explained that this regulation strengthens complaint mechanisms, product and cost information transparency, merchant compliance, and consumer protection.[26]

Personal data protection adds a critical legal layer to digital transactions. Law Number 27 of 2022 regulates data subject rights, lawful bases for processing, data controller and processor obligations, processing security, data transfers, sanctions, and dispute resolution mechanisms. In digital marketplaces, consumer data must be processed proportionally and for explicit, lawful purposes. Misusing personal data for behavioral manipulation, unauthorized promotional targeting, or excessive user profiling gives rise to simultaneous consumer protection and data privacy violations.[27]

The paramount challenge lies not merely in a scarcity of legal norms, but in fragmented enforcement and ambiguous allocations of liability. A single consumer may simultaneously act as a buyer, an electronic system user, a data subject, and a halal product consumer within one transaction. Yet, available remedy mechanisms remain dispersed across platform dispute systems, the Consumer Dispute Settlement Board (BPSK), civil litigation, criminal reports, data protection enforcement, or sectoral authorities. This fragmentation underscores the imperative for a more simplified and integrated pathway for legal remedy.

[25] Undang-Undang Nomor 1 Tahun 2024 tentang Perubahan Kedua atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik [Law Number 1 of 2024 Concerning the Second Amendment to Law Number 11 of 2008 on Information and Electronic Transactions], Legis. No. UU No. 1 / 2024, Pasal 28 ayat (1) dan Pasal 45A ayat (1) (2024).
[26] Regulation of the Minister of Trade Number 19 of 2026, Permendag No. 19 Tahun 2026.
[27] Almira Putri Aryani dan Liana Endah Susanti, "Pentingnya Perlindungan Data Pribadi Konsumen dalam Transaksi Online pada Marketplace terhadap Kepuasan Konsumen," *Ahmad Dahlan Legal Perspective* 2, no. 1 (Desember 2022): 20–29, https://doi.org/10.12928/adlp.v2i1.5610.

Islamic Ethics as a Preventive Framework and Transactional Integrity

Islamic ethics functions not merely as a post-dispute mechanism, but primarily as a preventive framework against detrimental transactions. Surah al-Nisa' [4]:29 links the prohibition of wrongfully consuming another's wealth to commerce conducted through mutual consent (*tarāḍī*). In a digital context, mutual consent must be conceptualized as informed consent based on adequate and accurate disclosure. Consent obtained through deceptive product descriptions, hidden terms, price manipulation, or coercive user interface designs fails to satisfy the substantive threshold of *tarāḍī*.[28]

The principle of *ṣidq* (truthfulness) mandates truthful disclosure regarding seller identity, product specifications, pricing, shipping costs, delivery timelines, stock availability, promotional claims, and halal status. *Amānah* (accountability) requires sellers and platforms to responsibly manage goods, payments, personal data, transaction records, and complaint channels. *'Adl* (justice) demands a balanced distribution of rights, obligations, transactional risks, and access to dispute remedies. *Ḥifẓ al-māl* (preservation of wealth) directs the transactional system to safeguard property against loss stemming from fraud, manipulation, or unfair procedures.[29]

The prohibitions of *tadlīs* (deception) and *gharar* (uncertainty) hold distinct relevance within digital marketplaces. *Tadlīs* encompasses the concealment or falsification of information that alters another party's decision, whereas *gharar* pertains to excessive uncertainty that undermines contractual clarity. Hidayah and Parhi demonstrate that digital commerce is highly vulnerable to *gharar* when product details, payment methods, and shipping parameters remain ambiguous; they emphasize the critical necessity of transparency, contractual clarity, and trust in consumer protection.[30]

DSN-MUI Fatwa Number 144/DSN-MUI/XII/2021 Concerning Digital Marketplaces Based on Sharia Principles and Fatwa Number 146/DSN-MUI/XII/2021 Concerning Online Shops Based on Sharia Principles operationalize these ethical tenets. These fatwas emphasize contractual clarity (*'aqd*), product specifications, pricing, payment mechanisms, delivery arrangements, and explicit prohibitions against *tadlīs*, *najsh* (bidding manipulation), and *ghish* (fraudulent concealment). The existence of these fatwas demonstrates that the digital medium does not alter the foundational requirements of *mu'āmalah*: transactions must remain transparent, voluntary, and free from deception.

Recent peer-reviewed research reinforces this argument. Misnawati and Setiawan show that Islamic ethics serves as an evaluative benchmark against

[28] Adiwarman A. Karim, *Ekonomi Mikro Islam* (Jakarta: Raja Grafindo Persada, 2015).
[29] Rohmatul Jannah dkk., "Perlindungan Konsumen dalam Transaksi Syariah: Prespektif Hukum Islam," bag. 1, *Jurnal Riset Rumpun Ilmu Pendidikan* 4 (2025).
[30] Ahdiyatul Hidayah dan Nurmu'izzatin Zaharatul Parhi, "Towards Sharia E-Commerce Regulation: Analysis of Gharar and Consumer Protection in Indonesia," *Saqifah: Jurnal Hukum Ekonomi Syariah* 10, no. 1 (2025): 39–52.

marketplace marketing practices, particularly in preventing buyer manipulation.[31] Ilham, Andriansyah, and Sobirov position security, privacy, non-deception, and platform reliability as operational dimensions intrinsically linked to truthfulness, responsibility, and free will.[32] Atikah, Hadiat, and Febriyani demonstrate that *ṣidq* and *amānah* are highly relevant in mitigating data and identity falsification.[33] Collectively, these findings indicate that Islamic ethics functions as a behavioral standard transcending mere formal compliance.

Halal information represents a domain illustrating the direct convergence between ethical principles and legal protection. The accuracy of halal claims constitutes a direct expression of *ṣidq* and *amānah*, as it directly impacts consumers' religious obligations. Research by Khasanah and Salleh reveals that marketplaces do not consistently ensure adequate verification of halal claims,[34] while Humam and colleagues underscore the urgency of digital halal certificate transparency. These insights indicate that Muslim consumer protection requires structural verification mechanisms rather than merely providing unverified spaces for seller self-declarations.

Table 1. Integration of Positive Law and Islamic Ethics in Marketplace Consumer Protection

Risk Domain	Positive Law Foundations	Islamic Ethical Principles	Marketplace Obligations	Protection Objectives
Misleading Information	Consumer Protection Law (UUPK); ITE Law	*Ṣidq* (truthfulness); Prohibition of *tadlīs* (deception)	Identity verification, authentic claims, promotions, and transactional proof	Informed consent and trust
Transactional Ambiguity	Government Regulation No. 80/2019; Minister of Trade Regulation No. 19/2026	*Tarāḍī* (mutual consent); Prohibition of *gharar* (uncertainty)	Clear pricing, fee structures, shipping terms, return policies, and contract terms	Reduction of information asymmetry and dispute mitigation

[31] Misnawati dan Setiawan, "Implementation of Islamic Business Ethics in E-Commerce Marketing in the Shopee Marketplace."
[32] Ilham S, Andriansyah, dan Sobirov, "Application of Islamic Business Ethics in Online Marketplace: A Study among Bukalapak Users in Yogyakarta, Indonesia."
[33] Atikah, Hadiat, dan Febriyani, "Data Forgery in Indonesian E-Commerce: Harmonizing Sharia Principles and Positive Law for Consumer Protection."
[34] Karimatul Khasanah dan Mohd Mahyeddin Mohd Salleh, "Ensuring Legal Protection for Halal Product Consumers in Indonesia's Marketplaces: Shariah Compliance and Regulatory Gaps," *Hikmatuna* 11, no. 1 (2025): 39–42.

Personal Data Misuse	Personal Data Protection Law (Law No. 27/2022)	*Amānah* (trust); *Lā ḍarara wa lā ḍirāra* (no harm)	Secure data processing, purpose limitation, and transparency	Privacy and economic security
Halal Certification Ambiguity	Halal Product Assurance Law; Consumer Protection Law (UUPK)	*Ṣidq* (truthfulness); *Amānah* (trust)	Verified halal information accessible for easy verification	Protection of religious choices and dietary integrity
Post-Transaction Loss	Consumer Protection Law (UUPK); Government Regulation No. 80/2019; Minister of Trade Regulation No. 19/2026	*'Adl* (justice); *Ḥifẓ al-māl* (preservation of wealth)	Complaint handling, refunds, compensation, evidence retention, and dispute escalation pathways	Effective legal recourse and remedy of rights

Source: Authors' synthesis based on statutory regulations, DSN-MUI fatwas, and scholarly literature.

To clarify the differences between this research and previous studies, the following table presents a comparison of research focus, key findings, scope limitations, and the position of the author's manuscript in addressing existing research gaps.

Table 2. A comparison of previous research on consumer protection in digital marketplaces

No.	Researcher(s) and Year	Research Focus	Main Findings	Research Position and Gap
1	Misnawati dan Setiawan (2024)	Application of Islamic business ethics in marketing via Shopee	Principles of truth, responsibility, balance, and freedom form the basis of digital marketing ethics.	Focuses on marketing ethics. The author's manuscript can expand the analysis to the application of these principles in marketplace governance and consumer rights redress.
2	Ilham, Andriansyah,	Islamic business ethics and	Examines the relationship between	Focuses on users and platform reliability. The

	dan Sobirov (2024)	Bukalapak user perceptions	Islamic business ethics principles and security, privacy, fraud-free practices, and platform reliabilit.	author's manuscript can examine broader platform responsibilities, including information transparency, complaints, and dispute resolution.
3	Humam et al. (2025)	Transparency of digital halal certificates on Shopee	Emphasizes the importance of information transparency and consumer access to proof of product halalness.	Focuses on Muslim consumer protection regarding halal guarantees. The author's manuscript can integrate the halal issue with other digital consumer protection aspects.
4	Khasanah dan Salleh (2025)	Legal protection of halal product consumers on marketplaces	Examines the gap between halal product guarantee provisions and halal claim verification practices on marketplaces.	Focuses on Sharia compliance and halal regulation. The author's manuscript can expand the discussion on platform accountability regarding general product information.
5	Atikah, Hadiat, dan Febriyani (2025)	Data falsification and identity fraud in e-commerce	Discusses the risks of data falsification, identity manipulation, and fictitious transactions, along with their relevance to Sharia principles and positive law.	Focuses on data and identity integrity. The author's manuscript can connect these aspects with seller verification, data transparency, and consumer rights redress mechanisms.
6	Malasari, Darwis, dan Said (2026)	Consumer protection in digital transactions based on positive law and Islamic law	Examines consumer protection through an integrated approach between positive law and Islamic principles.	Provides a basis for normative integration. The author's manuscript needs to clarify its additional contribution through problem focus, object of analysis, or a more specific platform liability framework.

Based on this comparison, existing research encompasses three primary domains. The first domain addresses Islamic business ethics within the context of

marketing and marketplace governance. The second domain examines the protection of Muslim consumers through information transparency and the verification of halal guarantees. The third domain explores data integrity and digital identity, as well as the relationship between positive law and Sharia principles.

These three domains provide a conceptual foundation for understanding consumer protection in digital commerce. However, the focus of each area of research differs: studies on Islamic business ethics emphasize moral principles and marketing conduct; studies on halal guarantees focus on the validity of product information; and studies on data and identity protection highlight the risks of manipulation and the need for legal certainty.

The contribution of this research lies in the integration of Islamic business ethics, consumer protection, and the responsibilities of marketplace platforms. This framework connects principles such *as ṣidq* (truthfulness), *amānah* (trust and responsibility), justice, and *ḥifẓ al-māl* (protection of wealth) with concrete mechanisms—such as the verification of seller identities, the accuracy of product descriptions, transparency in data processing, and the resolution of consumer complaints.

The operationalization of the principle of *ḥifẓ al-māl* within digital marketplaces can be analyzed through several key aspects that reflect the protection of wealth, transactional fairness, and the economic security of users, viewed through the perspective of *maqāṣid al-sharī'ah* (the objectives of Sharia):

1. Transactional security: Marketplaces must safeguard the funds of both consumers and sellers through secure payment systems, fraud prevention, and protection against illicit transactions.
2. Transparency: Platforms must clearly present information regarding pricing, service fees, product specifications, and terms of transaction, ensuring that users can make decisions free from manipulation.
3. Economic justice: Marketplaces must prevent practices that disadvantage specific parties, such as the manipulation of reviews, unfair competition, and the abuse of a dominant market position.
4. Consumer protection aspect: Mechanisms for refunds, complaints, and dispute resolution must function effectively to redress losses incurred by users.
5. Financial data governance aspect: Marketplaces must safeguard the confidentiality of payment data and prevent the misuse of financial information that could lead to economic loss.

Thus, the principle of *ḥifẓ al-māl* (preservation of wealth) can be operationalized through indicators of security, transparency, fairness, loss redress, and financial data protection. These five aspects demonstrate that the protection of wealth within digital marketplaces concerns not only the security of funds, but also the assurance of fair, secure, and responsible transactions, in alignment with the objectives of Sharia.

The Four-Layered Protection Model for Urban Muslim Communities

The synthesis of findings indicates that consumer protection must be designed as a continuous process spanning the entire transaction lifecycle. The proposed four-layered protection model integrates positive legal norms and Islamic ethics, transforming consumer protection from a merely reactive post-loss mechanism into a preventive framework operating from the outset.[35]

The first layer is pre-transaction transparency. Prior to consumer payment execution, platforms and merchants must provide truthful, complete, verifiable, and easily understandable information. This information includes merchant identities, product specifications, item conditions, total pricing, itemized additional fees, estimated delivery timelines, promotional terms, return policies, and halal certification status where applicable. Positive law treats this as a fundamental right to information, whereas Islamic ethics grounds it in *ṣidq* (truthfulness), *amānah* (accountability), and the prohibition of *tadlīs* (deception).

The second layer is transaction integrity. Consumer consent must reflect a genuine and informed decision rather than the product of digital manipulation. A checkout click or payment button does not inherently demonstrate mutual consent (*tarāḍī*) if critical material information was concealed or if the interface was deceptively designed. The principle of *tarāḍī* requires substantive consent quality, while the prohibition of *gharar* (uncertainty) demands clarity regarding transaction objects, pricing, timelines, and legal consequences. At this stage, platforms must provide secure payment gateways, accessible transaction records, clear notifications, and mechanisms to curtail risky off-platform transactions.

The third layer comprises data and halal guarantees. While personal data protection and halal assurance appear distinct, they share a similar trust structure. Consumers rely on platforms to safeguard personal data and to ensure that religiously significant product claims remain trustworthy. *Amānah* serves as the shared ethical foundation for both dimensions. Regarding data protection, platforms must restrict processing to explicit, lawful purposes, maintain technical security, and prevent manipulative data utilization. Regarding halal assurance, marketplaces must link halal claims with verifiable certification data and prevent misleading labeling.

The fourth layer is post-transaction remedy. Consumer rights are effective only to the extent that they are enforceable. Refund mechanisms, product replacements, financial compensation, complaint escalation channels, mediation, digital evidence retention, and regulatory authority access must remain accessible to everyday consumers. From the perspectives of *'adl* (justice) and *ḥifẓ al-māl* (preservation of wealth), dispute resolution processes must not be rendered so complex that the required cost or effort outweighs the actual loss incurred.

[35] Erwin Asida, Mala Vinuzia, dan Muhammad Yusril, "Analisis Etika Bisnis Online Melalui Perspektif Penjual, Pembeli, Dan Penyedia Layanan Online Marketplace Di Indonesia," *JOURNAL of APPLIED BUSINESS and BANKING (JABB)* 3, no. 2 (November 2022): 116, https://doi.org/10.31764/jabb.v3i2.11931.

Consequently, platform governance must embed dispute resolution as an integral component of service architecture.

For urban Muslim consumers, the operationalization of this model depends on consumer capacity to comprehend information, identify digital risks, and exercise statutory rights. Digital literacy, legal literacy, and *mu'āmalah* literacy therefore serve as prerequisite conditions for model implementation; specific capacity-building strategies at the family and community levels are further detailed in the implications section.

These three forms of literacy are mutually reinforcing: digital literacy enables consumers to evaluate platform technical security; legal literacy clarifies statutory rights and dispute resolution pathways; and *mu'āmalah* literacy provides an ethical benchmark to assess truthfulness, contractual clarity, mutual consent, and transactional fairness.

Platform Liability and the Trajectory of Digital Governance

Platform liability must be evaluated on the basis of functional control. Digital marketplaces that control merchant registration, product listings, advertising systems, ranking algorithms, payment processing, transaction records, and complaint mechanisms cannot be treated identically to entities that merely provide basic communication infrastructure. As a platform's degree of control over the transaction process increases, its obligation to prevent foreseeable harms scales accordingly.[36]

Regulation of the Minister of Trade Number 19 of 2026 provides a contemporary legal foundation for this trajectory. This regulation establishes requirements for merchant licensing, platform business models, electronic advertising, information transparency, the deployment of artificial intelligence, and regulatory oversight. Furthermore, government authorities emphasize dispute and complaint resolution mechanisms alongside fee transparency as core elements of e-commerce (PMSE) governance. This policy direction directly aligns with the Islamic principle of *amānah* (accountability), as liability is assigned to the party possessing systemic operational control.[37]

The imperative for integrated governance is further heightened by the cross-sectoral nature of digital regulation. A single deceptive advertisement may simultaneously intersect the Consumer Protection Law, the ITE Law, the Personal Data Protection Law, e-commerce regulations, and halal compliance standards. Institutional fragmentation poses a significant barrier to consumers if they must decipher the precise legal classification of a loss prior to obtaining remedy. Consequently, stronger inter-institutional coordination is required among the

[36] Jaelani Elan, Utang Rosidin, dan N. Santi Novia, "Keabsahan Transaksi Jual Beli Daring Oleh Anak Dibawah Umur Dihubungkan Dengan KUHPerdata Dan UU ITE," *Transparansi Hukum* 5, no. 1 (2022).
[37] Regulation of the Minister of Trade Number 19 of 2026, Permendag No. 19 Tahun 2026.

Ministry of Trade, the personal data protection authority, consumer protection bodies, law enforcement agencies, and halal product assurance authorities.[38]

Official communications from the Ministry of Trade following the enactment of Minister of Trade Regulation Number 19 of 2026 demonstrate an increasing policy emphasis on business legality, transparency, consumer protection, and the prioritization of domestic products within e-commerce governance. Concurrently, ongoing judicial review proceedings at the Constitutional Court regarding platform liability underscore the continuous necessity to clarify the legal status of platform operators in safeguarding consumers. Both developments indicate that platform liability will remain a pivotal issue in digital consumer law.[39]

From an Islamic ethical standpoint, platform responsibility extends beyond minimal regulatory compliance. *Amānah* mandates system operators to mitigate foreseeable transactional risks, while '*adl* (justice) requires an equitable distribution of risk. Platforms ought not to unilaterally transfer all operational risks to consumers through standardized adhesion clauses when they possess the technical capacity to prevent such losses. This ethical framework reinforces modern legal logic, which directly links liability to the degree of functional control and risk-prevention capability.

The following implications are derived from a normative synthesis rather than an empirical generalization of the behavior of all urban Muslim consumers. Within this context, "community" is conceptualized as a social environment wherein digital literacy, transactional habits, and support for legal remedy mechanisms can be systematically reinforced.

At the individual and household levels, the primary implication is establishing pre-purchase verification habits: matching product descriptions with actual needs, verifying seller identity and track records, calculating total costs inclusive of itemized fees, reviewing promotional and return terms, and utilizing official payment gateways. For relevant consumable products, halal claims should be verified through authenticated digital certification databases. These routine practices operationalize the ethical imperatives of *ṣidq* (truthfulness), *amānah* (accountability), *tarāḍī* (mutual consent), the prohibitions of *tadlīs* (deception) and *gharar* (uncertainty), and *ḥifẓ al-māl* (preservation of wealth) within everyday consumption decisions.

At the community level, mosques, Islamic study circles (*majelis taklim*), civil society organizations, educational institutions, and neighborhood associations can organize case-based digital consumer education programs. Curricula should incorporate practical simulations on identifying phishing links, distinguishing official accounts from fraudulent imitations, evaluating promotional offers,

[38] Afifah Nuranti Putri Afifah dkk., "Legal Liability of Marketplace Platform Operators for Product Description Violations Under Indonesian Consumer Protection Law," *Jurnal Cakrawala Hukum* 16, no. 2 (Agustus 2025): 82–96, https://doi.org/10.26905/idjch.v16i2.15604.

[39] Regulation of the Minister of Trade Number 19 of 2026 Concerning the Implementation of Electronic System-Based Trading Business, Legis. No. 19 Tahun 2026, Permendag No. 19/2026 (2026).

safeguarding personal data, and navigating formal complaint protocols. In this manner, *mu'āmalah* education transcends theoretical normative understanding, empowering community members to execute appropriate risk-mitigation measures during digital transactions.

To enhance collective trust, communities ought to establish protocols for responsible risk reporting. Members should be encouraged to report suspected deceptive accounts, advertisements, or product claims through official platform channels, while refraining from disseminating unverified allegations or screenshots containing personally identifiable information. This practice facilitates constructive social control while preserving data privacy and curbing the dissemination of misinformation.[40]

Communities can also provide advocacy support to aggrieved consumers by assisting in drafting transaction chronologies, archiving digital evidence, and lodging formal complaints via available pathways. When internal platform dispute systems prove inadequate, consumers should receive guidance regarding potential escalation to relevant regulatory authorities. Such advocacy must maintain victim confidentiality and avoid guaranteeing specific resolution outcomes.

More broadly, these collective practices can foster a more accountable marketplace ecosystem. Consumer preference for transparent merchants, combined with the strategic utilization of formal complaint channels, signals expected service standards to both sellers and platform operators. Thus, the community's contribution lies in shaping shared normative habits and providing responsible feedback, rather than replacing the statutory liabilities of merchants or platforms.

CONCLUSION

This study concludes that consumer protection in digital marketplaces in Indonesia requires an integrated approach combining positive law and Islamic transactional ethics. First, within Indonesian positive law—through the Consumer Protection Law, the Information and Electronic Transactions (ITE) Law, the Personal Data Protection Law, and Electronic Commerce (PMSE) regulations—the foundational rights and obligations of parties are established; however, the boundaries of platform liability and enforcement instruments remain largely reactive and fragmented based on the technical control of each entity. Second, regarding the digital transaction risks faced by urban Muslim communities, the most relevant Islamic ethical principles encompass ṣidq (truthfulness), amānah (accountability), 'adl (justice), and tarāḍī (mutual consent), alongside strict prohibitions against tadlīs (deception) and gharar (uncertainty) to safeguard ḥifẓ al-māl (protection of wealth). Third, the integration of both normative frameworks is realized through a Four-Layered Protection Model comprising pre-transaction transparency, transaction integrity, data and halal guarantees, and post-transaction

[40] Martha Hasanah Rustam dkk., "Peran Dan Tanggung Jawab Konsumen Untuk Mencegah Praktik Penipuan Dalam Transaksi Online Dari Perspektif Hukum Perlindungan Konsumen," *Riau Law Journal* 7, no. 1 (Mei 2023): 1, https://doi.org/10.30652/rlj.v7i1.8050.

remedy, thereby linking preventive risk mitigation with accountable rights recovery.

Practically, these findings and the four-layered model offer significant implications for urban Muslim communities and marketplace operators. For Muslim consumers, this model serves as a practical framework for enhancing sharia-digital literacy, enabling them to independently identify normative rights and recognize transactional infractions. For platform providers and digital vendors, this framework can be adopted as operational guidance for designing service standards, product disclosure transparency, and ethical, responsive online dispute resolution mechanisms.

Given that this study relies on normative research and conceptual synthesis, the proposed model has not been empirically tested within live transactional ecosystems. Consequently, future research should prioritize empirical evaluation of the model's effectiveness and acceptability using quantitative and qualitative methodologies, such as consumer behavior surveys, in-depth interviews with merchants and regulators, or digital ethnographies within urban Muslim communities. Furthermore, future research agendas could extend the analytical scope to include digital law enforcement dynamics, sharia compliance audits of marketplace recommendation algorithms, and AI-driven consumer protection tools designed to mitigate tadlīs and gharar in real time.

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