



## **Ethics and Responsibility of Sellers in Online Buying and Selling: An Analysis of Fiqh Muamalah Muasiroh**

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### **Abstract**

This study delves into sellers' ethical considerations and responsibilities in online transactions through the lens of contemporary fiqh muamalah. It addresses discrepancies between goods ordered and received, a common catalyst for disputes between sellers and buyers. The research aims to lay a robust groundwork for users of online trading platforms to conduct transactions with integrity. This qualitative research methodology seeks to enrich the understanding of pertinent issues by analyzing relevant texts and leveraging the firsthand experiences of online market participants. The anticipated outcome of this research is to furnish online business operators, consumers, and policymakers with fresh perspectives that enhance the ethicality and accountability of online buying and selling practices. By elevating awareness of their actions' social and moral ramifications, the study aspires to bolster the reputation of online businesses and foster a more integral and sustainable trading milieu. An expansive comprehension of contemporary fiqh muamalah is expected to mitigate misunderstandings and conflicts between sellers and buyers, augmenting trust and equity in online transactions.

Keywords: Ethics; Responsibility; Online Trading; Contemporary Muamalah

### **Abstrak**

Penelitian ini mempelajari pertimbangan etika dan tanggung jawab penjual dalam transaksi online melalui prisma fiqh muamalah kontemporer. Penelitian ini mengatasi perbedaan antara barang yang diorder dan yang diterima, yang sering menjadi penyebab konflik antara penjual dan pembeli. Tujuan penelitian adalah untuk menetapkan dasar yang kuat bagi pengguna platform perdagangan online untuk melakukan transaksi dengan integritas. Metodologi penelitian kualitatif ini bertujuan untuk memperkaya pemahaman tentang isu-isu penting dengan menganalisis teks relevan dan menggunakan pengalaman langsung dari peserta pasar online. Hasil yang diharapkan dari penelitian ini adalah memberikan perspektif baru bagi operator bisnis online, konsumen, dan pembuat kebijakan yang meningkatkan etika dan bertanggung jawab dari praktik pembelian dan penjualan online. Dengan meningkatkan kesadaran terhadap dampak sosial dan moral dari tindakan mereka, penelitian ini berharap untuk meningkatkan reputasi bisnis online dan mendukung lingkungan perdagangan yang lebih integral dan berkelanjutan. Dengan memperluas pemahaman tentang fiqh muamalah kontemporer, diharapkan dapat mengurangi ketidakpahaman dan konflik antara penjual dan pembeli, meningkatkan kepercayaan dan keadilan dalam transaksi online.

Kata Kunci: Etika, Tanggung Jawab, Perdagangan Online, Muamalah Kontemporer

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## **INTRODUCTION**

In everyday life, buying and selling transactions are an inseparable part of human activity conducted between individuals. The purpose of these transactions is to fulfill life's necessities,<sup>1</sup> prosper families and those close to us, and assist those in need in terms of clothing, food, and

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<sup>1</sup> Yuriy Bilan dkk., "Impact of Income Distribution on Social and Economic Well-Being of the State," *Sustainability (Switzerland)* 12, no. 1 (1 Januari 2020), <https://doi.org/10.3390/su12010429>.

shelter.<sup>2</sup> These three aspects are the primary reasons one engages in buying and selling transactions. If any of these reasons are not met, then the validity of the online transaction needs to be questioned and may be considered incorrect according to Islamic teachings. This teaches us to be balanced in following the commands of Allah SWT, both in worship (*hablum minallah*) and in social interactions (*hablum minannas*), where worship relates to the relationship between humans and God, and social interactions relate to the relationships among people in terms of actions, deeds, or charity involving the transfer of ownership.<sup>3</sup>

A proper understanding and implementation of Islamic jurisprudence (fiqh) ensures the enforcement of laws regarding the rights of every individual and society.<sup>4</sup> In its study, fiqh also instills ethics and moral values within the community.<sup>5</sup> Fiqh teaches honesty, trust, and responsibility, encouraging the behavior of integrity and goodness among Muslims.<sup>6</sup> Therefore, fiqh is not only a legal instrument but also a moral guide that shapes the character of individuals and communities according to Islamic principles. Contemporary jurisprudence, often referred to as fikih mu'ashirah, plays a vital role in regulating ethics and responsibilities in transactions,<sup>7</sup> especially in the context of the rapidly growing online buying and selling in this digital era.<sup>8</sup> With the advancement of technology and changes in societal interactions, new challenges arise that require adaptation and adjustment of Islamic law to remain relevant and effectively applicable. In this regard, contemporary jurisprudence bridges the gap between the principles of classical Islamic law and the modern dynamics Muslims face today.<sup>9</sup> Fundamental principles such as honesty, justice, trustworthiness, and the prohibition against deception and usury remain the core foundation, yet must be applied in a different context considering the evolution of the times.<sup>10</sup>

A common phenomenon in online transactions in the digital era is the frequent mismatch between the goods purchased and those received by the buyer.<sup>11</sup> Such discrepancies can lead to

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<sup>2</sup> Ghina Sakinah, Rahmatina A Kasri, dan Nurkholis Nurkholis, "Islamic Finance and Indonesia's Economy: An Empirical Analysis," *Jurnal Ekonomi & Keuangan Islam*, 1 Februari 2022, 47-59, <https://doi.org/10.20885/jeki.vol8.iss1.art4>.

<sup>3</sup> Miza Syahmeena Mohammad dan Muhamad Abduh, "The Role of Islamic Finance in Achieving the SDG Number 9: Build Resilient Infrastructure, Promote Sustainable Industrialization and Foster Innovation," *IQTISHADIA* 15, no. 1 (28 Juni 2022): 89, <https://doi.org/10.21043/iqtishadia.v15i1.13747>.

<sup>4</sup> Venny Fraya Hartin, M. Yasir Nasution, dan Sugianto Sugianto, "Relationship ushul Fiqh, Qowa'id Fiqh dan Maqashid Al- Syariah With Islamic Economy," *Jurnal Ilmiah Ekonomi Islam* 10, no. 1 (24 Maret 2024): 1017, <https://doi.org/10.29040/jiei.v10i1.12787>.

<sup>5</sup> Haithem Kader, "Human well-being, morality and the economy: an Islamic perspective," *Islamic Economic Studies* 28, no. 2 (3 Agustus 2021): 102-23, <https://doi.org/10.1108/ies-07-2020-0026>.

<sup>6</sup> Hasnah Haron, Nurul Nazlia Jamil, dan Nathasa Mazna Ramli, "WESTERN AND ISLAMIC VALUES AND ETHICS: ARE THEY DIFFERENT?," *Journal of Governance and Integrity* 4, no. 1 (27 November 2020): 12-28, <https://doi.org/10.15282/jgi.4.1.2020.5609>.

<sup>7</sup> M S Ghazala dan Ghalib Khan, "Methodological Approach of Fiqh Academies towards Contemporary Islamic Financial Issues," t.t.

<sup>8</sup> Ahmed Fathi Ramadan Abdelgayed dkk., "THE IMPORTANCE OF COMPARATIVE FIQH FOR UNDERSTANDING CONTEMPORARY ISSUES AND EMERGENT QUESTIONS," *PALARCH'S JOURNAL OF ARCHAEOLOGY OF EGYPT/EGYPTOLOGY* 18, no. 4 (2021).

<sup>9</sup> M Yusron Sholikhin dan R Nurul Fitri Amijaya, "E-Commerce Based on the Law of Buying and Selling in Islam," *KnE Social Sciences* 3, no. 13 (31 Maret 2019): 1360, <https://doi.org/10.18502/kss.v3i13.4290>.

<sup>10</sup> Kader, "Human well-being, morality and the economy: an Islamic perspective."

<sup>11</sup> Rini Setyaningsih dan Doddy Setiawan, "Recent Development of Islamic Corporate Social Responsibility," *ETIKONOMI* 18, no. 2 (22 September 2019): 287-302, <https://doi.org/10.15408/etk.v18i2.10807>.

tension and conflict between the seller and the buyer.<sup>12</sup> Allah has clearly and firmly established His rules that one must follow proper and correct procedures in transactions. As stated in Surah An-Nisa' (4), verse 29:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا  
O you who believe, do not consume one another's wealth unjustly, but only in lawful business by mutual consent. And do not kill yourselves (or others). Indeed, Allah is to you Most Merciful.

This verse provides a strict prohibition against seeking sustenance through unjust means, which contradicts the commands of Allah that have been formulated into Islamic law. The verse also states that sincerity is required, without deception, lies, or harming anyone in buying and selling transactions. By this verse, the existing Indonesian legislation has regulated transactions between individuals. An example is the Consumer Protection Act No. 8 of 1999. Additionally, Law No. 11 of 2008 on Electronic Information and Transactions "*Informasi dan Transaksi Elektronik*" (ITE) regulates online buying and selling transactions in more detail. The existence of laws regulating electronic transactions indicates that technology in the era of Industry 4.0 is becoming increasingly crucial in daily life.<sup>13</sup> Many activities previously conducted conventionally have now transformed into more modern ones with technology support, including advanced machinery. This also applies to buying and selling transactions, which now often occur online through digital platforms such as Instagram, Shopee, Tokopedia, and other.<sup>14</sup> This change has occurred because conventional transactions are considered obsolete and no longer relevant to the changing behaviors of modern society.<sup>15</sup> Conventional transactions often face challenges due to distance and time. Meanwhile, online transactions have overcome these barriers, allowing buyers and sellers to interact in the same dimension, the digital space, where distance and time are no longer issues.<sup>16</sup>

In offline buying and selling transactions, risks come from physical contact and payment instruments such as paper and metal money. Internet-supported online shopping allows buying and selling interactions without being limited by distance and time.<sup>17</sup> Therefore, online transactions are becoming increasingly important. However, online transactions are not without shortcomings. The vast cyberspace means buyers and sellers never meet or know each other.

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<sup>12</sup> Ahmad Azmy, "The Roles of Organizational Commitment, Emotional Intelligence, and Job Satisfaction for Improving Employee Performance at a Construction Company," *Binus Business Review* 14, no. 3 (17 Oktober 2023): 307–19, <https://doi.org/10.21512/bbr.v14i3.9809>.

<sup>13</sup> Wardatun Nabilah dkk., "Implikasi Undang-Undang Informasi dan Transaksi Elektronik (UU-ITE) terhadap Kerukunan Kehidupan Beragama di Ruang Digital," *Dialog* 45, no. 1 (29 Juni 2022): 69–80, <https://doi.org/10.47655/dialog.v45i1.527>.

<sup>14</sup> Nofrizal Nofrizal dkk., "Can Product Quality Improve Purchase Decisions in E-Commerce and Social Media through Customer Loyalty and Trust?," *Binus Business Review* 14, no. 2 (9 Juni 2023): 147–61, <https://doi.org/10.21512/bbr.v14i2.8800>.

<sup>15</sup> N R Pratiwi, N K Indrawati, dan R Wijayanti, "Biased behavior in borrowing from loan sharks," *Jurnal Ekonomi & Keuangan Islam* 2023, no. 1 (2023): 31–44, <https://doi.org/10.20885/JEKI>.

<sup>16</sup> Burhan Ul Islam Khan dkk., "A Compendious Study of Online Payment Systems: Past Developments, Present Impact, and Future Considerations," *IJACSA International Journal of Advanced Computer Science and Applications* 8, no. 5 (2017): 256–71.

<sup>17</sup> Exval Mahendra Saputro dan Rahayu Hijrah Hati, "The antecedents of Muslim customers' behavioral intention towards Islamic mobile payment," *Jurnal Ekonomi dan Keuangan Islam* 7, no. 2 (2021): 123–38, <https://doi.org/10.20885/JEKI.vol7.is>.

Buyers cannot verify the authenticity of goods, and sellers do not know their buyers, who may be fraudsters.<sup>18</sup> From this description, it is clear that there needs to be a study on online transactions in the context of Islamic law, referred to as fiqh muamalah mu'ashirah.<sup>19</sup> Although online transactions are an evolution from conventional transactions that no longer fit with the times, this study remains important due to its negative impact on human life.

This research examines the ethical issues and seller responsibilities in online transactions by applying contemporary fiqh muamalah analysis. Fiqh muamalah encompasses Islamic laws regulating worldly human activities, including buying and selling, debt transactions, business partnerships, joint ventures, land management cooperation, and leasing. In this study, we will consider Islamic ethical principles and the social responsibilities of sellers in online business.<sup>20</sup> Dissatisfaction and loss of trust in online transactions often arise from ethical violations and dishonesty. Therefore, this research will explore the ethical principles sellers should adhere to to ensure transaction honesty and fairness.<sup>21</sup> The study goes beyond legal and technical aspects, examining moral and social values impacting the relationship between sellers and buyers (Nadeem et al., 2020). Building relationships based on trust and fairness is expected to enhance customer satisfaction and strengthen market integrity.<sup>22</sup>

The research investigates relevant texts related to fiqh muamalah muasiroh and studies on online transactions. It also collects firsthand experiences from online sellers and buyers to understand seller ethics and responsibilities.<sup>23</sup> Through a qualitative approach, this research seeks to comprehend the complexities of online transactions within Islamic ethics, providing deep insights into online business practices and their ethical challenges. The primary goal is to educate users of online marketplace platforms about the concept of muamalah in the modern context, enabling online business practitioners to improve their ethical behavior and responsibility.<sup>24</sup> Practically, this research is relevant for shaping online business behavior and decisions to stimulate positive changes in business practices. Hopefully, this study will reduce misunderstandings and conflicts between sellers and buyers, enhance trust and fairness in online transactions, and create a more ethical and responsible trading environment. The research

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<sup>18</sup> Enas Binth Helal, Khadiza Afroz Raisa, dan Tania Akter, "Online and Offline Shopping Decision-Making Process of Generation Y Customers," *Journal of International Business and Management*, 26 November 2022, <https://doi.org/10.37227/jibm-2022-11-5587>.

<sup>19</sup> Saputro dan Hati, "The antecedents of Muslim customers' behavioral intention towards Islamic mobile payment."

<sup>20</sup> Azwar Iskandar dkk., "Islamic Philanthropy and Poverty Reduction in Indonesia: The Role of Integrated Islamic Social and Commercial Finance Institutions," *Jurnal Hukum dan Pranata Sosial* 16, no. 2 (2021): 274–301, <https://doi.org/10.19105/al-ihkam.v16i2.5026>.

<sup>21</sup> Haron, Jamil, dan Ramli, "WESTERN AND ISLAMIC VALUES AND ETHICS: ARE THEY DIFFERENT?"

<sup>22</sup> Sandra Castro-González, Belén Bande, dan Pilar Fernández-Ferrín, "Influence of companies' credibility and trust in corporate social responsibility aspects of consumer food products: The moderating intervention of consumer integrity," *Sustainable Production and Consumption* 28 (1 Oktober 2021): 129–41, <https://doi.org/10.1016/j.spc.2021.03.032>.

<sup>23</sup> Waqar Nadeem dkk., "The Role of Ethical Perceptions in Consumers' Participation and Value Co-creation on Sharing Economy Platforms," *Journal of Business Ethics* 169, no. 3 (1 Maret 2021): 421–41, <https://doi.org/10.1007/s10551-019-04314-5>.

<sup>24</sup> Muhammad Affandi, Suherman Suherman, dan Shandy Aditya, "Efek Mediasi Brand Trust dalam Pengaruh Brand Image dan E-Service Quality Terhadap Customer Loyalty Bukalapak," *SINOMIKA Journal: Publikasi Ilmiah Bidang Ekonomi dan Akuntansi* 1, no. 6 (22 Maret 2023): 1499–1516, <https://doi.org/10.54443/sinomika.v1i6.731>.

findings have the potential to assist business practitioners in enhancing ethical practices and social responsibility, instilling greater consumer confidence, and supporting policymakers in creating fair and secure regulations for all parties involved.

## RESEARCH METHOD

This study uses qualitative field research. It applies a normative approach, namely analyzing issues based on Islamic law, including the Qur'an, hadith, principles of ushul fiqh, and scholars' views on issues of Islamic business ethics. This data collection method involves observation and direct interviews with online buying and selling actors who transact on e-commerce platforms, as well as direct recording related to aspects associated with research problems, including relevant text analysis, including literature on contemporary fiqh muamalah and other studies in the field of online transactions. The data analysis method used is qualitative analysis, which includes working with data, organizing data, sorting it into manageable units, synthesizing, and searching and identifying patterns to determine what is significant and what can be learned. It also determines what can be explained again with the data obtained from the literature read.

## RESULTS AND DISCUSSION

### Online Trading

The activity of buying and selling, which is a form of mutual assistance among humans, has a very strong foundation in Islam, sourced from the Qur'an, Sunnah, and Ijma'.<sup>25</sup> Allah has legalized trade and prohibited usury as written in Q.S. Al-Baqarah: 198:

لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا فَضْلًا مِّن رَّبِّكُمْ ۖ

There is no blame upon you for seeking bounty from your Lord (Q.S. Al-Baqarah: 198).

In Islam, buying and selling are permissible activities, as affirmed in the Quran, Hadith, and scholarly consensus. Specifically, the Quran in Surah Al-Baqarah: 275:

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَٰلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَخَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَن جَاءَهُ مَوْعِظَةٌ مِّن رَّبِّهِ فَانْتَهَىٰ فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ ۗ وَمَنْ عَادَ فَأُولَٰئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ

Those who consume interest cannot stand (on the Day of Resurrection) except as one stands who is being beaten by Satan into insanity. That is because they say, "Trade is (just) like interest." But Allah has permitted trade and has forbidden interest. So whoever has received an admonition from his Lord and desists may have what is past, and his affair rests with Allah. But whoever returns to (dealing in interest or usury) - those are the companions of the Fire; they will abide eternally therein.

Online trading is an activity in which sellers and buyers do not need to meet directly to negotiate and transact. Communication between them takes place online through chat on mobile phones, computers, telephones, SMS, and others. In online trading, a third party is often required

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<sup>25</sup> Mohammad dan Abduh, "The Role of Islamic Finance in Achieving the SDG Number 9: Build Resilient Infrastructure, Promote Sustainable Industrialization and Foster Innovation."

for the seller's delivery of goods and the buyer's payment.<sup>26</sup> The contract in online trading called as-Salam or as-Salaf in Arabic, means "advance" and generally refers to something given beforehand. In this context, salam/salaf trading is a transaction where payment is made upfront while the goods are delivered later. It can also be interpreted as financing, where the buyer must pay a certain amount to deliver goods. According to Mardani,<sup>27</sup> the term salam is used because the buyer hands over their money before receiving the goods, as mentioned in QS. Al-Baqarah: 282:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَدَايَيْتُمْ بِدَيْنٍ إِلَىٰ أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ وَلْيَكْتُب بَيْنَكُمْ كَاتِبٌ بِالْعَدْلِ وَلَا يَأْب كَاتِبٌ أَنْ يَكْتُبَ كَمَا عَلَّمَهُ اللَّهُ فَلْيَكْتُبْ وَلْيُمْلِلِ الَّذِي عَلَيْهِ الْحَقُّ وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا بَيِّنْسٍ مِنْهُ شَيْئًا

O you who have believed, when you contract a debt for a specified term, write it down. And let a scribe write [it] between you in justice. Let no scribe refuse to write as Allah has taught him. So let him write and let the one who has the obligation dictate. And let him fear Allah, his Lord, and not leave anything out of it. But if the one who has the obligation is of limited understanding or weak or unable to dictate himself, then let his guardian dictate in justice. And bring to witness two witnesses from among your men. And if there are not two men [available], then a man and two women from those whom you accept as witnesses.

According to the compilation of Sharia Economic Law, *salam* is a financing service related to buying and selling, where the financing is done simultaneously with ordering goods. *Salam* transactions are one of the common forms of transactions in online trading. According to Suherman, internet-based trading is a sales contract conducted using electronic means (Internet), whether for goods or services.<sup>28</sup> Internet trading is a contract that occurs by setting specific characteristics and making upfront payments while goods are delivered afterward. From the above definition, it can be concluded that internet-based trading is trading that occurs in electronic media, where transactions do not require sellers and buyers to meet directly by determining the characteristics and type of goods. At the same time, the price is paid beforehand before the goods are delivered. The characteristics of online business are: The occurrence of transactions between two parties. The exchange of goods, services, or information. The Internet acts as the primary medium in the process or mechanism of the contract.

From these characteristics, what distinguishes online business from offline business is the transaction process (contract) and its primary medium. Pillars of Online Trading The pillars of online trading include:

- a. The existence of sellers and buyers, each of whom must be of sound mind, act of their own free will, be of legal age/maturity, and not be wasteful.
- b. The goods or services traded and the medium of exchange, such as money, gold dinars, silver dirhams, or other goods and services, are called salam. Goods that are not visible because they are elsewhere are called salam.
- c. Ijab Kabul is the transaction statement between the seller and the buyer.

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<sup>26</sup> Nofrizal dkk., "Can Product Quality Improve Purchase Decisions in E-Commerce and Social Media through Customer Loyalty and Trust?"

<sup>27</sup> Mutiara Shifa, "Analysis of Buying and Selling Practices Online in Islamic Law Perspective," *Journal Research of Social, Science, Economics, and Management* 1, no. 5 (15 Desember 2021), <https://doi.org/10.36418/jrssem.v1i5.42>.

<sup>28</sup> Geri Suherman, "Tinjauan Pengaruh Strategi Penetapan Harga pada Pembelian Barang Melalui Bisnis Digital," *AKADEMIK: Jurnal Mahasiswa Ekonomi & Bisnis*, vol. 4, 2024.

Conditions of Online Trading According to Gemala, the conditions of salam include several aspects, such as payment of money at the place of the contract, meaning that payment must be completed first. The goods then become a debt for the seller and must be provided according to the promised time. Therefore, ordering fruits determined outside their season is considered invalid. The goods sold must have precise measurements, quantities, or amounts, according to the usual way of selling, with the properties and types of goods clearly defined, to avoid doubts that could cause disputes between both parties and the place of receipt of goods must be mentioned.<sup>29</sup> A common phenomenon is the number of Muslims affected by usury from online loan transactions. Meanwhile, those involved in usury transactions through online loans usually do not have access to Sharia banking services.<sup>30</sup>

The primary conditions that allow online trading include: Not Violating Religious Sharia Provisions such as prohibited business transactions, cheating, fraud, and monopoly. The Existence of an Agreement Between Two Parties If something undesirable happens, there must be an agreement (Alimdhah) or cancellation (Fasakh). The Existence of Control Sanctions and clear and firm legal rules from the government or competent institutions to ensure the validity of business conducted online by the community. Islamic Legal Review Related to Online Trading Halal Products The obligation to maintain halal-haram laws in trade objects still applies, including in online trading, because Islam prohibits the trade of haram goods or services.<sup>31</sup> Clarity of Status: A critical point in trading is the clarity of your status, whether as the owner, an authorized representative of the owner to sell, a service provider offering goods procurement for a certain fee, or a trader who can bring the offered goods.<sup>32</sup> Price Suitability with Quality of Goods In online trading, buyers are often disappointed after receiving the purchased goods. Whether it's the quality of the fabric or the size not matching, consider whether the price matches the quality of the goods before buying. Ask for original photos of the goods to be sold. Honesty Online business has many advantages and conveniences but also potential problems. Various issues can arise, especially honesty-related ones.<sup>33</sup>

In today's digital era, online trading has become essential to everyday life. E-commerce platforms have revolutionized how we shop and transact, allowing interactions between buyers and sellers without physical meeting.<sup>34</sup> The convenience and speed offered by this technology provide many benefits but pose challenges requiring serious attention. This article will review vital aspects of online trading and explore relevant theories from experts to provide a deeper understanding of this phenomenon. Online Trading Development The growth of information and

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<sup>29</sup> Mohammad dan Abduh, "The Role of Islamic Finance in Achieving the SDG Number 9: Build Resilient Infrastructure, Promote Sustainable Industrialization and Foster Innovation."

<sup>30</sup> Aminah Nuriyah dan Ulumuddin Nurul Fakhri, "Designing of digital-based Islamic social finance model through role of mosque," *Jurnal Ekonomi & Keuangan Islam*, 1 Februari 2022, 77-93, <https://doi.org/10.20885/jeki.vol8.iss1.art6>.

<sup>31</sup> Y.L. Mohd Yusof dan W.J. Wan Jusoh, "Islamic Branding: The Understanding and Perception," *Procedia - Social and Behavioral Sciences* 130 (Mei 2014): 179-85, <https://doi.org/10.1016/j.sbspro.2014.04.022>.

<sup>32</sup> Mohammad dan Abduh, "The Role of Islamic Finance in Achieving the SDG Number 9: Build Resilient Infrastructure, Promote Sustainable Industrialization and Foster Innovation."

<sup>33</sup> Mohammad dan Abduh.

<sup>34</sup> Nofrizal dkk., "Can Product Quality Improve Purchase Decisions in E-Commerce and Social Media through Customer Loyalty and Trust?"

communication technology has significantly driven the expansion of e-commerce.<sup>35</sup> Platforms like Amazon, eBay, Tokopedia, and Bukalapak facilitate the sale and purchase of various products quickly and efficiently. Recent data shows that the number of online transactions increases yearly, reflecting a shift in consumer shopping patterns from traditional to digital.

### **Ethics in Online Trading**

Business ethics serve as a regulator of behavior in business to align with prevailing norms. These ethics also serve business actors as a paradigm reference for conducting ethical business. With Islamic business ethics, business can be conducted according to Islamic principles.<sup>36</sup> Business actors may engage in malpractices that harm consumers without proper business ethics. Islamic business ethics are expected to safeguard and oversee business actors and activities to remain within the corridor of Sharia, not harm others, and generate blessed profits, not only in this world but also in the hereafter.<sup>37</sup> As seen in capitalist economics, business practitioners are not solely driven by profit. They should also prioritize the spirit of ta'awun (mutual assistance) as a social consequence of business activities.<sup>38</sup> Business is not solely about material gain but also facilitating others through the sale of goods. Sellers should avoid excessive profit-taking, and buyers must act responsibly, especially with cash-on-delivery (COD) payments. Online transactions face challenges, such as the need for a strong internet signal and adherence to both general and Islamic business ethics. Common seller fraud includes not delivering goods, sending incorrect or low-quality items, concealing defects, and delaying shipments. Buyers also breach ethics by canceling orders without notice or refusing to pay upon delivery. Implementing software or tools that outline business ethics is crucial.

Business ethics, as taught by Prophet Muhammad, emphasize honesty, trust, fairness, avoiding uncertainty, and promoting mutually beneficial interactions. These principles are highly relevant for modern online business practitioners. Clear ethical guidance, such as accurate product information and timely deliveries, ensures fairness and benefits for all parties. Islamic business ethics, guided by Sharia provisions, highlight the importance of understanding one's position in the business context as a Muslim, promoting greatness and dignity by aligning human instincts with obedience to Divine rules. The positive values contained in Islamic business ethics are considered to provide solutions to contemporary business problems, such as issues that often

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<sup>35</sup> Okto Aditya Suryawirawan, Suhermin Suhermin, dan Wiwiek Srikandi Shabrie, "SERVICE QUALITY, SATISFACTION, CONTINUOUS USAGE INTENTION, AND PURCHASE INTENTION TOWARD FREEMIUM APPLICATIONS: THE MODERATING EFFECT OF PERCEIVED VALUE," *Jurnal Ekonomi Bisnis dan Kewirausahaan* 11, no. 3 (31 Desember 2022): 383, <https://doi.org/10.26418/jebik.v11i3.57483>.

<sup>36</sup> Alija Avdukic dan Mehmet Asutay, "Testing the Development Impact of Islamic Banking: Islamic Moral Economy Approach to Development," *Economic Systems*, Mei 2024, 101229, <https://doi.org/10.1016/j.ecosys.2024.101229>.

<sup>37</sup> A. F.M.Mainul Ahsan, Sudipta Bose, dan Muhammad Jahangir Ali, "Does Islamic religiosity influence professional accountants' judgments? Evidence from global convergence of IFRS," *Advances in Accounting* 64 (1 Maret 2024), <https://doi.org/10.1016/j.adiac.2023.100723>.

<sup>38</sup> Wahyu Junaedi dan Adi Prihanisetyo, "Subjective Meaning of Strategic Pricing Decision Making based on Islamic Values in the Muslim Business community," *IQTISHADIA* 15, no. 1 (1 Juli 2022): 125, <https://doi.org/10.21043/iqtishadia.v15i1.11553>.



occur in online trading transaction.<sup>39</sup> Islamic Business Ethics are sourced and based on the values of the Qur'an and the Sunnah of the Prophet SAW. Business, in the Islamic view, is a business that becomes a mercy for the universe.

According to Islam, business actors' behavior must reflect the Qur'an's values, and the business's orientation should prioritize the welfare and prosperity of all creatures. Through its business ethics, Islam aims to form and create excellent and supportive business practices in today's digital era so that business activities do not harm others and can provide positive impacts and results for all parties. In addition to the importance of Islamic business ethics in protecting consumer rights, the government has also ratified laws concerning electronic transactions, namely Indonesian Law No. 11 of 2008, amended by Law No. 19 of 2016. The Law of the Republic of Indonesia No. 11 of 2008 regulates Information and Electronic Transactions, while the Law of the Republic of Indonesia No. 8 of 1999 focuses on Consumer Protection.<sup>40</sup> The presence of these laws aims to reduce frequent violations. Selling and online store owners are regulated by these laws to not deviate from the prevailing norms. This consumer protection law also protects consumers. If errors or violations occur, they have the right to be protected.

Article 1 number (1) of Law No. 8 of 1999 on Consumer Protection (from now on referred to as the CP Law) defines that "Consumer Protection is an effort that guarantees legal certainty to protect consumers".<sup>41</sup> At least two parties are involved in the buying and selling of goods and services: the provider of goods or services and the user of those goods or services. In economics, the first party is known as the entrepreneur or business actor, while the second party is known as the consumer, and everyone, whether aware of it or not, is a consumer.<sup>42</sup> According to Article 1 point 3 of the Consumer Protection Law, a business actor is defined as "any individual or business entity, regardless of its legal status, established and operating or conducting business activities within the legal territory of the Republic of Indonesia, either independently or collectively through agreements, in carrying out business activities in various economic sectors." Meanwhile, based on Article 1 Point 2 of the Consumer Protection Law, a consumer is defined as an individual who uses goods or services provided for the public, whether for personal, family, other people, or other living beings and not for trade purposes.

### **Contemporary Fiqh Muamalah: An Islamic Perspective in Online Transactions**

Fiqh knowledge plays an important role in society's application of law and ethics. As a branch of Sharia science, fiqh regulates aspects of Muslim life, including worship, transactions, morals, and social interactions. In the field of law, fiqh provides a detailed framework for dealing with everyday and social issues related to individual rights and human relations. Contemporary fiqh is a branch of fiqh science that provides guidance and solutions to modern problems,

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<sup>39</sup> Abderrazak Belabes, Ahmed Belouafi, dan Mohamed Daoudi, "Designing Islamic Finance Programmes in a Competitive Educational Space: The Islamic Economics Institute Experiment," *Procedia - Social and Behavioral Sciences* 191 (Juni 2015): 639-43, <https://doi.org/10.1016/j.sbspro.2015.04.300>.

<sup>40</sup> Kusworo Wibowo, Budi Santoso, dan Bambang Eko Turisno, "BALANCED LEGAL PROTECTION FOR PARTIES TO ELECTRONIC BUSINESS TRANSACTIONS," t.t., <https://doi.org/10.17605/OSF.IO/H7FTW>.

<sup>41</sup> Winda Tri Wahyuningsih, "Perlindungan Hukum Terhadap Konsumen Dan Pelaku Bisnis Dalam Bisnis Digital E-Commerce," *Demagogi: Journal of Social Sciences, Economics and Education* 1, no. 1 (14 Desember 2023): 40-48, <https://doi.org/10.61166/demagogi.v1i1.5>.

<sup>42</sup> Setyaningsih dan Setiawan, "Recent Development of Islamic Corporate Social Responsibility."

including online buying and selling transactions. With technological advancements, contemporary fiqh adjusts the principles of Islamic law to remain relevant in this era. In online buying and selling transactions, several aspects of ethics and responsibility are essential. Transparency, honesty, justice, and consumer rights are crucial aspects of online trade. Sellers should provide clear information about products and transaction processes, maintain fair pricing, and protect consumer rights. Contemporary fiqh (Islamic jurisprudence) assists Muslims in conducting transactions by Islamic ethics.

Yusuf al-Qaradawi has a progressive view of contemporary fiqh (contemporary jurisprudence), including online buying and selling transactions.<sup>43</sup> Overall, Yusuf al-Qaradawi's perspective in contemporary fiqh regarding online buying and selling transactions is that such transactions can be conducted legitimately and by Sharia as long as they meet Islam's established conditions and principles. His approach reflects an effort to integrate technological progress with Islamic values to provide ease and benefit to the community. The implementation of daily fiqh includes maintaining social harmony and preventing conflict. Clear and transparent rules from fiqh create an orderly and peaceful society where everyone knows their rights and obligations. This is important for an environment that supports Muslims' spiritual and social development. Islamic fiqh is vital in forming a just, moral, and harmonious society.

### **Ethical Principles in Contemporary Fiqh Muamalah**

In online business, applying the principles of contemporary fiqh mu'ashirah is highly relevant to ensure fair and transparent transactions. Applying business ethics, including Islamic business ethics, is crucial to encourage online shop owners to run their businesses ethically, without violating norms and applicable rules, so that the business can survive, receive blessings, and benefit others.<sup>44</sup> Thus, no party is disadvantaged, and a mutually beneficial profit is created between seller and buyer, ensuring the business's longevity. The goal of doing business is not only for short-term growth but, more importantly, for the long-term sustainability of the business, which can be achieved by applying Islamic business ethics. According to Saeidi's research,<sup>45</sup> honesty is a principal value in Islam. Sellers in online transactions must commit to conveying honest and accurate information to buyers. Fiqh Muamalah prioritizes justice in every transaction.<sup>46</sup> Contemporary fiqh muamalah considers the use of technology in transactions. For example, whether transactions through online platforms are valid and comply with Islamic principles.<sup>47</sup> By adopting the principles of Fiqh Muamalah Muasiroh, sellers can ensure that their

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<sup>43</sup> Karina Widya Andari dan Yuliani, "Analisis Penerapan Prinsip Etika Bisnis Pada Transaksi Jual Beli Online pada Marketplace Tokopedia Perspektif Yusuf Al-Qardawi," *IJIEB: Indonesian Journal of Islamic Economics and Business* 6, no. 2 (2021): 107-19.

<sup>44</sup> Stievan Kurniadi Halim dkk., "What is Entrepreneurial Fear of Failure?," *Binus Business Review* 14, no. 1 (19 Desember 2022): 73-84, <https://doi.org/10.21512/bbr.v14i1.8658>.

<sup>45</sup> Anahita Saeidi, Dehghan Ramazan, dan Sadat Hosseini Hossein, "Certainty and Clarity of the Object of Transaction: A Comparative Study of the Iranian and French Laws," *International Journal of Multicultural and Multireligious Understanding* 7, no. 4 (2020): 417-29, <https://doi.org/10.18415/ijmmu.v7i4.1561>.

<sup>46</sup> Noraina Mazuin Sapuan, "An Evolution of Mudarabah Contract: A Viewpoint From Classical and Contemporary Islamic Scholars," *Procedia Economics and Finance* 35 (2016): 349-58, [https://doi.org/10.1016/s2212-5671\(16\)00043-5](https://doi.org/10.1016/s2212-5671(16)00043-5).

<sup>47</sup> Wibowo, Santoso, dan Turisno, "BALANCED LEGAL PROTECTION FOR PARTIES TO ELECTRONIC BUSINESS TRANSACTIONS."

online business operations are conducted with integrity and fairness. Hopefully, this article will enhance our understanding of ethics and responsibility in online transactions. In the digital age, online transactions are integral to daily life but present challenges, particularly regarding seller ethics and responsibilities.<sup>48</sup> A common problem is the mismatch between ordered and received goods, leading to buyer dissatisfaction. Sellers must provide accurate and detailed product information, including descriptions, specifications, materials, and images. Misleading or incomplete information breaches honesty and openness, key principles of business ethics and fiqh muamalah.<sup>49</sup> Additionally, sellers must ensure the shipped product's quality matches the description to avoid "gharar" or transaction uncertainty, which is essential for maintaining consumer trust and satisfaction. The seller's responsibility does not end merely with the delivery of goods. Good after-sales service is crucial to their responsibility.<sup>50</sup>

This includes return policies, exchanges, and customer support. If there is a discrepancy between the goods received and those ordered, the seller must provide a fair solution, such as a refund or product exchange. This policy not only protects the buyer's rights but also enhances the seller's reputation as a responsible and trustworthy entity. Ethical communication between the seller and buyer is critical to building trust and long-term relationships.<sup>51</sup> Sellers need to communicate honestly and transparently and respond promptly to buyers' complaints and inquiries. A professional attitude in communication demonstrates the seller's dedication to providing quality service and respecting buyers' rights. Business ethics are highly emphasized in Islam, especially in buying and selling transactions. Principles such as honesty (side), justice (ADL), and social responsibility (mas'uliyah) are foundations that must be upheld by every business actor.<sup>52</sup> By applying these values in online business, sellers fulfill their responsibilities and contribute to creating a more integral and sustainable trading environment.

## **CONCLUSION**

To raise awareness about social responsibility in online business, the research presents Islamic ethical principles in muamalah, aiming to provide a strong foundation for responsible behavior in online transactions. This research aims to address concrete problems in online transactions and build an understanding of the importance of integrity and fairness in online business. The findings of this research emphasize ethical values and social responsibility, hoping to shape more responsible attitudes and practices among online business actors, increase awareness of the social and moral impact of their actions, improve the reputation of online businesses, and create a more integral and sustainable trading environment. In addition to promoting ethical conduct, this research highlights the critical role of transparency and honesty in

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<sup>48</sup> Dirk Bergemann dan Alessandro Bonatti, "Markets for Information: An Introduction," 2019, <https://doi.org/10.1146/annurev-economics>.

<sup>49</sup> Saeidi, Ramazan, dan Hossein, "Certainty and Clarity of the Object of Transaction: A Comparative Study of the Iranian and French Laws."

<sup>50</sup> O. C. Ferrell dkk., "A New Direction for Sales Ethics Research: The Sales Ethics Subculture," *Journal of Marketing Theory and Practice* 27, no. 3 (3 Juli 2019): 282-97, <https://doi.org/10.1080/10696679.2019.1615839>.

<sup>51</sup> Avdukic dan Asutay, "Testing the Development Impact of Islamic Banking: Islamic Moral Economy Approach to Development."

<sup>52</sup> Ferrell dkk., "A New Direction for Sales Ethics Research: The Sales Ethics Subculture."

online interactions. Islamic principles of muamalah stress the significance of clear communication, fair pricing, and mutual consent, which should be central to online transactions.

By integrating these principles into modern business practices, online platforms can reduce fraud, deception, and exploitation, fostering a marketplace that is not only profitable but also equitable and just. This research underscores that businesses that prioritize ethical values are more likely to gain customer trust and loyalty, which are key factors for long-term success in a competitive digital economy. Furthermore, the study acknowledges the challenges that online businesses face in implementing ethical practices. With the rapid growth of e-commerce and the global nature of online transactions, maintaining ethical standards can be difficult. However, by adopting Islamic ethical principles, businesses can navigate these challenges while ensuring that their practices align with moral and social expectations. This can be achieved through the development of ethical guidelines, training programs for business owners and employees, and the establishment of accountability mechanisms that ensure adherence to ethical standards. Ultimately, the findings of this research propose a framework for integrating social responsibility into online business practices, advocating for a more holistic approach that balances profit-making with ethical commitments. It is hoped that this research will serve as a catalyst for broader discussions on the importance of ethical behavior in online business and inspire both business owners and consumers to make more responsible choices. By fostering a culture of social responsibility, this research contributes to the creation of a digital marketplace that not only thrives economically but also supports the well-being of individuals, communities, and society at large.

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