



Research Article

Prohibited Contracts and Sharia Economic Law Review of Counterfeit Goods Practices on E-Commerce Platforms

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Abstract

The proliferation of counterfeit goods on e-commerce platforms presents a significant challenge to the enforcement of Sharia economic law in the digital age. Such practices infringe upon intellectual property rights and contravene core Islamic principles of justice (*'adl*) and honesty (*sidq*). This study critically examines violations of Sharia principles inherent in the sale of counterfeit goods, with a focus on prohibited contractual practices such as *tadlis* (fraudulent misrepresentation) and *gharar* (excessive uncertainty), while proposing actionable solutions to cultivate a Sharia-compliant digital commerce ecosystem. Employing a literature review methodology, this research analyzes secondary data derived from regulatory frameworks, scholarly works, and case studies. Findings reveal that the sale of counterfeit goods breaches fundamental requirements for valid contracts under Sharia law, undermines consumer and producer rights, and erodes societal ethical standards. Key challenges include inadequate regulatory oversight of digital transactions, limited consumer awareness, and the absence of Sharia principles in e-commerce governance frameworks. To address these issues, the study advocates for multistakeholder collaboration among governments, e-commerce platforms, and civil society. Recommendations include the integration of Sharia-compliant regulations into digital trade policies, leveraging artificial intelligence for proactive detection of illicit products, and targeted consumer education campaigns to highlight the ethical and legal ramifications of counterfeit trade. The implications of this research extend to fostering a transparent, equitable, and Sharia-aligned digital marketplace, thereby advancing the sustainability of Islamic commerce in the digital era and reinforcing ethical consumption practices in alignment with Islamic jurisprudence.

Keywords: Prohibited contracts; e-commerce; Sharia economic law

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Introduction

In Islam, transactions must adhere to the principles of honesty (*sidq*), justice (*'adl*), and information transparency (*bayan*), which serve as the foundation for every *muamalah*

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contract (Salim, 2018). Within the context of transactions, certain pillars (*rukn*) and conditions (*shart*) must be met for a contract to be considered valid under Sharia law. However, in practice, some types of contracts are prohibited due to elements that contradict Sharia principles, such as *gharar* (uncertainty), *tadlis* (fraud), *bay' al-ma'dum* (the sale of nonexistent goods), and *ghabn* (unfair pricing that disadvantages one party) (Effendi, 2020; Zuhdi, 2017). *Gharar* arises when a transaction involves significant uncertainty regarding price, quality, or ownership of the goods. In digital commerce, *gharar* can occur when consumers lack clear information about product authenticity or when product descriptions do not accurately reflect the actual condition. *Tadlis* refers to deceptive practices in sales transactions, such as concealing product defects or providing misleading information.

In e-commerce, these practices frequently occur when sellers offer counterfeit goods as authentic products without providing truthful information to buyers. *Bay' al-ma'dum* arises when a seller offers goods that they do not own or whose existence is uncertain (Arangga & Firmansyah, 2023). In the context of counterfeit goods, e-commerce sellers often advertise products that are either not genuine or not available at all, rendering the transaction invalid under Sharia law. Meanwhile, *ghabn* occurs when there is a significant disparity between the selling price and the actual value of the product. In the case of counterfeit goods, buyers are often deceived into paying a price that does not correspond to the quality of the item received, especially when the product is falsely claimed to be genuine (Alawi, 2017).

The circulation of counterfeit or fake goods has become a global phenomenon spanning various industries, including fashion, electronics, and cosmetics. In the digital era, e-commerce platforms have increasingly facilitated the distribution of counterfeit goods, posing significant challenges for legal regulations and consumer protection. Counterfeit goods not only violate intellectual property rights but also have the potential to harm both original producers and consumers. While e-commerce enables faster and broader transactions, it also presents challenges in verifying the authenticity of products being sold. Unlike conventional transactions, digital commerce heavily relies on product descriptions and images, which can often be misleading. The anonymity of sellers, difficulties in product verification, and regulatory limitations in monitoring online transactions further complicate efforts to control the circulation of counterfeit goods. Additionally, the implementation of consumer protection policies on digital platforms is often suboptimal, leaving buyers more vulnerable to harmful trade practices (Lubis & Ismaulina, 2020).

Several countries have implemented stricter regulations to combat the trade of counterfeit goods in e-commerce. In Indonesia, Law No. 20 of 2016 on Trademarks and Geographical Indications explicitly prohibits the production and distribution of counterfeit goods that infringe on intellectual property rights. However, in practice,

law enforcement against counterfeit goods in digital platforms still faces various challenges, particularly in identifying and prosecuting sellers who often operate anonymously. Additionally, some e-commerce platforms have developed counterfeit detection and removal systems using artificial intelligence (AI) and consumer reporting mechanisms. However, the effectiveness of these measures remains limited, especially given the vast volume of traded goods and the continuous evolution of counterfeiting methods. Therefore, a more in-depth analysis is needed to explore how regulations and consumer protection mechanisms can be further optimized in the context of digital commerce (Arfat, 2021).

Several previous studies have examined prohibited contracts and legal aspects related to the sale of counterfeit goods. For instance, research conducted by Harisman and M. Yadhi Harahap (2023) highlights an analysis of prohibited sales contracts from the perspective of Islamic law. Islam, in principle, permits trade as long as it does not contradict Sharia law. However, in practice, many sales transactions remain prohibited due to elements that violate the principles of justice and transparency (Harisman & Harahap, 2023). Meanwhile, a study by Atmaja and Handika Arviano Anas (2023) explores the extent to which e-commerce platforms can be held accountable for the circulation of counterfeit goods sold by their users (Atmaja, 2023).

Although various studies have discussed regulatory aspects and consumer protection in digital commerce, several gaps remain. These include the lack of a conceptual analysis of contracts in counterfeit goods transactions and the limited empirical research on the role of e-commerce platforms in addressing counterfeit product circulation in accordance with Sharia principles.

Based on these gaps, this study aims to analyze the concept of counterfeit goods in digital commerce and the applicable regulations, identify the types of contracts used in counterfeit goods transactions on e-commerce platforms and their potential violations of Sharia economic law, examine the economic, social, and legal impacts of counterfeit goods circulation in e-commerce, and propose Sharia economic law-based solutions to minimize counterfeit goods trade on digital platforms. Through a normative approach, this study is expected to provide both theoretical and practical contributions toward developing a more just, transparent, and Sharia-compliant digital trade ecosystem.

Methods

This study employs a library research method with a normative approach to analyze the practice of counterfeit goods trade in e-commerce from the perspective of Sharia economic law. The study examines Islamic legal sources, statutory regulations, and academic research related to counterfeit goods transactions and their implications within the Islamic economic system. Additionally, it focuses on literature discussing

contract concepts in Islam, particularly concerning the prohibitions of *tadlis* (fraud), *gharar* (uncertainty), *bay' al-ma'dum* (selling nonexistent goods), and *ghabn* (price imbalance detrimental to one party). Literature on digital trade regulations and consumer protection from a Sharia perspective is also considered to provide a more comprehensive analysis. The study utilizes both primary and secondary sources. Primary sources include fatwas issued by the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) and relevant laws and regulations governing digital commerce. Secondary sources comprise academic journals, books, and research reports related to Sharia economic law and e-commerce. Data collected from various literature sources are analyzed using a thematic analysis approach, aiming to identify key patterns in Islamic legal studies concerning counterfeit goods transactions. The analysis process begins by classifying the literature based on core concepts in Islamic commercial jurisprudence (*fiqh muamalah*), such as contract principles, prohibitions of *tadlis* and *gharar*, and the legality of selling counterfeit goods. The study then contextualizes these principles within modern regulations by comparing classical scholarly opinions with contemporary e-commerce policies. Following this, it identifies the implications of *fiqh* concepts on modern digital trade systems and explores how Islamic economic principles can serve as a foundation for designing fair and Sharia-compliant regulations. Through this approach, the study not only examines Islamic legal theory but also provides a contextual analysis of evolving digital trade practices. A systematic approach to literature selection and data analysis is expected to yield a deeper understanding of the relevance of Sharia economic law in addressing the challenges of counterfeit goods trade in the digital era.

Results and Discussion

The Practice of Selling Counterfeit Goods on E-Commerce Platforms

The practice of selling counterfeit goods on e-commerce platforms involves various strategies designed to attract consumer attention, even though the products sold do not match their descriptions. One of the most commonly observed tactics is the use of genuine brand product images for advertisements, while the actual items delivered are counterfeit versions of significantly lower quality. Additionally, sellers frequently use ambiguous product descriptions, such as labeling items as "KW super" or "premium replica," which may not be immediately recognized by some consumers as indicators of counterfeit goods. Furthermore, counterfeit products are often priced well below the market value of genuine items, making them highly attractive to buyers who may not be aware of the differences in quality and legality.

For instance, on e-commerce platforms such as Shopee and Tokopedia, product categories including clothing, accessories, and electronics are particularly vulnerable to the distribution of counterfeit goods (Syaifulloh, 2024). Although these platforms may have implemented policies prohibiting the sale of counterfeit products and

verification systems for sellers, counterfeit trade persists. Many sellers employ misleading or non-transparent product descriptions to attract buyers. In some cases, products are labeled as "inspired by" or "OEM" (Original Equipment Manufacturer), even though they are unauthorized replicas without official licensing from the brand owner. Ultimately, it is plausible that among 100 product listings using keywords such as "affordable branded bag," approximately 60% could be counterfeit items. One of the most prominent tactics involves including well-known brand names in product titles, such as "Gucci Inspired Bag," despite the fact that these items lack official brand authorization. This indicates that e-commerce platforms have not yet implemented sufficiently effective mechanisms to filter out counterfeit products or ensure seller transparency.

Therefore, a collaborative effort among e-commerce platforms, regulators, and consumers is necessary to address this issue. Measures such as stricter regulations for sellers, consumer education on counterfeit goods, and the application of artificial intelligence technology to detect suspicious listings could serve as initial solutions in fostering a more ethical and Sharia-compliant digital marketplace.

Identification of Prohibited Contracts in the Sale of Counterfeit Goods

The sale of counterfeit goods on e-commerce platforms involves violations of several prohibited contracts (*akad*) under Islamic economic law. One of the primary violations is the presence of *tadlis* (fraud), in which sellers conceal the fact that the products being sold are counterfeit, often by including well-known brand names in product descriptions or using genuine images of branded products. This practice violates the principle of honesty (*sidq*), which is a fundamental requirement for the validity of transactions in Islamic law (Effendi, 2020). Furthermore, this practice also contains elements of *gharar* (uncertainty), particularly when the information provided regarding product quality is inaccurate or incomplete. Such uncertainty has the potential to cause harm to buyers who may not fully understand the nature or condition of the goods they purchase.

From the perspective of Islamic economic law, the presence of *tadlis* and *gharar* in transactions renders the contract invalid (*fasid*), as it fails to meet the requirements of transparency and fairness in Islamic trade (Izza & Zahro, 2021). Additionally, counterfeit goods often fall into the category of items that are prohibited for trade, as they violate intellectual property rights and may cause financial harm to the original manufacturers. This contradicts the Islamic legal principle of *la darar wa la dirar* (no harm and no reciprocation of harm) (Zaki, 2021). Consequently, individuals involved in such transactions—both sellers and buyers—may face moral and legal consequences, not only from a Sharia perspective but also under positive law regulations, such as consumer protection laws.

To establish Sharia-compliant and legally valid transactions, systematic efforts are needed to educate both sellers and buyers on prohibited contracts, while ensuring that e-commerce platforms implement strict policies against the sale of counterfeit goods. By doing so, commercial practices can align with Islamic principles, which uphold honesty, fairness, and transparency in business transactions (Yuniar, Misbahuddin, Azizah, & Sari, 2021).

Islamic Economic Law Analysis of Counterfeit Goods Sales Practices

From the perspective of Islamic economic law, the practice of selling counterfeit goods on e-commerce platforms clearly violates the principle of *ikhtiyari* (voluntariness), as such transactions occur without the full consent of both parties (Effendi, 2020; Rifai, 2022). Sellers who conceal facts or provide false information about their products engage in *tadlis* (fraud), which contradicts the principles of honesty (*sidq*) and transparency (*bayan*) – both of which are fundamental elements of *muamalah* contracts. The principle of *ikhtiyari* requires that every transaction be conducted with free will and without coercion. However, in the case of counterfeit goods, consumers are not provided with clear and accurate information, thereby preventing them from giving truly informed consent. This aligns with Fatwa DSN-MUI No. 11/DSN-MUI/IV/2000, which states that transactions involving fraud or information manipulation are considered invalid and non-compliant with Islamic law. Therefore, the sale of counterfeit goods not only violates the principle of *ikhtiyari* but also the fundamental Islamic principles that govern valid and fair transactions in Islamic economic law.

Furthermore, some Islamic scholars associate this practice with *gharar* (uncertainty), particularly when the quality of counterfeit goods is not clearly specified, leading to consumer uncertainty. When compared with Indonesia's positive law regulations, counterfeit goods sales also violate Law No. 20 of 2016 on Trademarks and Geographical Indications, which prohibits the unauthorized use of trademarks. Additionally, Law No. 8 of 1999 on Consumer Protection guarantees consumers' right to accurate and clear information about the products they purchase. Thus, this practice not only violates Islamic law but also positive law, leading to potential legal consequences for perpetrators, including the revocation of business licenses, fines, or criminal penalties. However, in practice, enforcement against counterfeit goods sales on e-commerce platforms still faces significant challenges, both in terms of positive law and Islamic law. The use of advanced technology to conceal product origins or manipulate product descriptions presents additional obstacles.

Therefore, a collaborative effort between the government, e-commerce platforms, and Islamic financial institutions is required to strengthen monitoring and public education. Integrating Islamic principles into national regulations, such as providing

halal guidelines for e-commerce, could be a crucial step toward establishing a more ethical and fair trading ecosystem in line with Islamic teachings.

The Impact of Counterfeit Goods Sales from an Islamic Perspective

The sale of counterfeit goods on e-commerce platforms has significant negative impacts from economic, social, and moral perspectives within Islamic economic law. However, a deeper analysis is required to explain the specific mechanisms through which these violations occur within the framework of Islamic principles.

1. Economic Impact

From an economic standpoint, the sale of counterfeit goods harms original manufacturers by reducing their market share, hindering innovation, and creating unfair competition. This harm is not merely a business issue but also violates the principle of justice (*'adl*) in Islam, which emphasizes balance and fair competition in trade. Within the *hisbah* framework, monitoring trade practices that harm others is strongly encouraged. Furthermore, this practice also violates the principle of *ghabn fahisy* (deception in price and quality), which in Islamic law can serve as the basis for transaction annulment. The presence of counterfeit goods often misleads consumers regarding the true value of their purchase, undermining the principles of honesty and transparency that should govern economic transactions.

2. Social Impact

From a social perspective, the circulation of counterfeit goods weakens consumer trust in e-commerce transactions and creates uncertainty (*gharar*). In Islamic contract law (*aqd*), *gharar* is strictly prohibited as it leads to ambiguity in transactions, potentially causing disputes between sellers and buyers. A concrete example of *gharar* in counterfeit sales is when consumers do not receive products that match their expectations due to misleading information on e-commerce platforms. Additionally, trust (*amanah*) and transparency (*bayan*) are fundamental aspects of Islamic business interactions. The spread of counterfeit goods undermines these values and has the potential to create an unethical and unstable digital trade ecosystem in the long run.

3. Moral Impact

From a moral perspective, the sale of counterfeit goods fosters deceptive behavior (*tadlis*), which is explicitly prohibited in Islam. The Prophet Muhammad (SAW) strongly condemned deception in trade, stating:

"Whoever deceives, he is not from us." (HR. Muslim)

Additionally, the Qur'an in Surah Al-Mutaffifin: 1-3 explicitly criticizes fraudulent trade practices, which in the modern context can be interpreted as manipulative actions in counterfeit transactions.

Furthermore, the culture of consumerism driven by counterfeit goods contradicts the principles of *qana'ah* (contentment with lawful sustenance) and

wara' (cautiousness in choosing halal products). As counterfeit goods become normalized in society, awareness of the importance of consuming *halal* and high-quality products declines, ultimately weakening the moral integrity of both individuals and communities.

To address these issues, public education is crucial to raise awareness about the dangers and legal consequences of counterfeit goods, both from an Islamic perspective and positive law. Moreover, strengthening regulations and monitoring e-commerce platforms is a necessary step to establish a fairer, more transparent, and Sharia-compliant trade system. By doing so, the values of '*adl* (justice), *amanah* (trustworthiness), and *maslahah* (public benefit) can be preserved within the digital trade ecosystem.

Table 1. The Impact of Counterfeit Goods Sales from an Islamic Perspective

Category	Description	Examples
Economic	Violates ' <i>adl</i> , leads to <i>ghabn fahisy</i> , and harms both original producers and consumers.	<ul style="list-style-type: none"> - Consumers are misled by low prices, unaware of poor quality. - Original producers lose competitiveness due to cheaper counterfeit products.
Social	Weakens consumer trust, creates <i>gharar</i> , and undermines <i>amanah</i> in commerce.	<ul style="list-style-type: none"> - Consumers hesitate to buy genuine products due to the flood of counterfeit goods. - Disputes increase due to lack of transparency in transactions. - Sellers market counterfeit products as originals.
Moral	Encourages <i>tadlis</i> , neglects <i>qana'ah</i> , and weakens Islamic business ethics.	<ul style="list-style-type: none"> - Consumers become accustomed to buying counterfeit goods without considering <i>halal</i> and ethical aspects.

Implications and Challenges

The sale of counterfeit goods on e-commerce platforms presents complex implications and significant challenges for the government, e-commerce platforms, and society. For the government, this practice necessitates stricter policies in regulating digital commerce, including strengthening oversight of products traded online. The primary challenge lies in ensuring that existing regulations, such as Law No. 20 of 2016 on Trademarks and Law No. 8 of 1999 on Consumer Protection, are effectively implemented within the context of e-commerce transactions. Furthermore, the

development of technology-based monitoring mechanisms, such as the use of artificial intelligence to detect illegal products, has become an urgent necessity to curb the circulation of counterfeit goods. However, to date, there is no specific mechanism that integrates Shariah principles into these regulations, such as *hisbah* (moral oversight in trade), which should ideally be applied in Islamic economics.

For e-commerce platforms, ensuring compliance with Shariah principles poses a major challenge, particularly in guaranteeing that all transactions adhere to the principles of truthfulness (*sidq*) and transparency (*bayan*). Although platforms provide features such as reviews and ratings to enhance transparency, many sellers exploit these features to deceive consumers with misleading product descriptions. In practice, violations of *sidq* occur when the products sold do not match their descriptions or involve price manipulation. Meanwhile, *bayan* is often not fulfilled due to the limited information provided to consumers. Therefore, e-commerce platforms must implement stricter seller verification systems, improve reporting mechanisms, and develop automated counterfeit detection technology. Additionally, collaboration with Shariah authorities is essential to ensure that consumer protection mechanisms align with Islamic principles.

For society, the main challenge is raising legal and ethical awareness in Islam regarding the consumption of counterfeit goods. Many consumers opt for counterfeit products due to their lower prices without considering their economic, moral, and legal consequences (Khairunisa, 2019). From an Islamic perspective, purchasing counterfeit goods can be seen as a form of supporting *tadlis* (fraud) and *gharar* (uncertainty), which contradict the principles of justice (*'adl*) and truthfulness (*sidq*) (Muchtar, 2017). However, the extent of consumer involvement in such violations is often overlooked. For example, when consumers knowingly purchase counterfeit products, they indirectly contribute to the perpetuation of *tadlis*. Additionally, *gharar* in transactions arises when consumers do not receive clear information about a product's quality or authenticity. Therefore, public education through awareness campaigns, religious lectures, and Shariah-based digital literacy programs is a crucial step in transforming consumer mindsets and encouraging more responsible consumption behaviors.

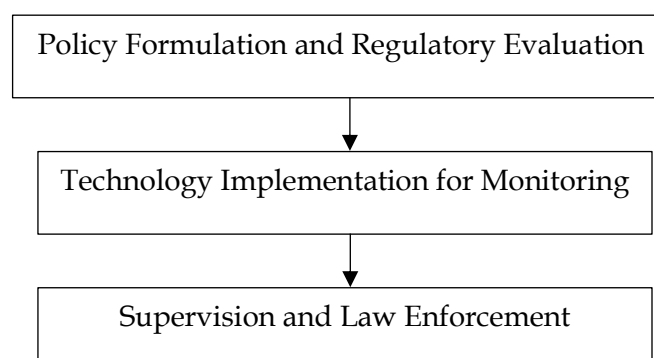
Table 2. Implications and Challenges

Stakeholder	Implications	Challenges	Strategic Actions
Government	Requires stricter policies on digital commerce and more effective oversight of products on e-commerce platforms to	Monitoring vast scale of counterfeit goods sales on e-commerce platforms	Strengthening the regulations that incorporate <i>hisbah</i> principles in digital transactions and developing <i>AI-based</i> technologies to

	prevent the sale of counterfeit goods.	ensuring the effective implementation of regulations in the digital realm.	detect counterfeit goods automatically.
E-commerce Platforms	Must ensure that transactions comply with Shariah principles (<i>sidq</i> and <i>bayan</i>) and enhance consumer trust in e-commerce.	Difficulty in manually monitoring all transactions due to the large number of sellers and listings, as well as the challenge of balancing profitability and Shariah compliance.	Implementing stricter seller verification systems, adopting counterfeit detection technologies, and collaborating with Shariah authorities to establish transparency standards.
Society	Raising awareness of ethical consumption in Islam and understanding the moral and legal consequences of purchasing counterfeit goods.	Low public awareness of Shariah laws related to counterfeit goods consumption and a consumer culture focused on low prices without considering ethical and legal implications.	Educating the public through awareness campaigns, religious lectures, and Shariah-based digital literacy programs to shift consumer behavior toward more ethical consumption.

Implementation of Recommendations in Shariah-Based E-Commerce Regulation

The effective implementation of recommendations can be achieved through a gradual approach that encompasses various aspects, ranging from policy formulation to evaluation and continuous development. These stages are designed to ensure that digital trade regulations aligned with Shariah economic law principles can be optimally enforced.



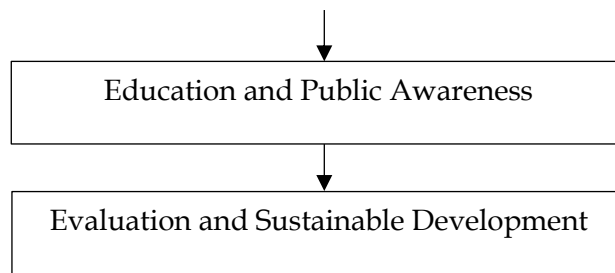


Figure 1. Roadmap for Recommendation Implementation

The initial step in addressing the circulation of counterfeit goods in e-commerce is to evaluate existing regulations and assess the extent to which Shariah principles have been integrated into digital trade policies (Ferdian, 2019). This evaluation includes national regulations such as: Law No. 20 of 2016 on Trademarks and Geographical Indications, which governs the protection of registered brands and their geographical authenticity, and Law No. 8 of 1999 on Consumer Protection, which safeguards consumer rights and ensures fair business practices.

Additionally, a comprehensive study of fatwas issued by the National Shariah Council of the Indonesian Ulema Council (DSN-MUI) regarding digital transactions and Islamic contracts is necessary. Based on these evaluations, Shariah-compliant regulations can be formulated to address *tadlis* (fraudulent misrepresentation) and *gharar* (excessive uncertainty) in e-commerce transactions. Once the regulatory framework has been developed, the next step is to leverage technology to detect and prevent the circulation of counterfeit goods. E-commerce platforms should adopt artificial intelligence (AI) to identify counterfeit products based on product descriptions and images uploaded by sellers. Furthermore, seller verification systems must be strengthened by requiring product certification and authenticity documentation. Blockchain technology can also be utilized to enhance supply chain transparency, ensuring the legitimacy of goods sold through e-commerce platforms.

Furthermore, copyright protection plays a crucial role in preventing the distribution of counterfeit goods in Shariah-based e-commerce. Ensuring copyright protection aligns with the principles of justice (*‘adl*) and honesty (*sidq*) in Islamic transactions, which strictly prohibit *tadlis* (fraudulent misrepresentation) and *gharar* (excessive uncertainty). Products with intellectual property rights must be guaranteed authenticity to prevent consumers from being misled by counterfeit goods, which could harm rights holders and hinder industrial innovation. Therefore, in the implementation of Shariah-based e-commerce regulations, copyright protection policies must be reinforced by ensuring compliance with Law No. 28 of 2014 on Copyright and utilizing blockchain technology to verify product authenticity. This approach not only protects consumers from financial loss but also upholds the

maqashid al-shariah (objectives of Islamic law) in digital commerce. These additional measures strengthen the connection between intellectual property rights and Shariah-based e-commerce regulations in the context of consumer protection and transactional fairness.

To ensure that the implemented policies and technologies function effectively, robust enforcement mechanisms and strict sanctions must be imposed on businesses found to be engaging in *tadlis* and *gharar* practices. Governments and e-commerce platforms should collaborate in monitoring digital transactions, which may include imposing fines, blocking seller accounts, or restricting access for violators. Additionally, an Islamic digital trade regulatory body could be established to oversee compliance with Islamic economic principles in e-commerce.

Public awareness of the importance of halal transactions in e-commerce must also be enhanced through Shariah-based digital literacy campaigns. These campaigns can be conducted through social media, seminars, and collaborations with Islamic scholars and academics to educate the public about the economic and ethical implications of purchasing counterfeit goods. Moreover, e-commerce platforms can provide direct consumer education, such as displaying *halal* product certification labels or incorporating a product authenticity verification feature before purchases.

To ensure the effectiveness of policy implementation, regular evaluations of regulations and monitoring systems must be conducted. This process includes assessing policy effectiveness, conducting consumer satisfaction surveys, and monitoring sellers' compliance with Shariah-based trade regulations. Furthermore, collaboration between government authorities, academics, and e-commerce industry players should be strengthened to enable regulations to adapt to market dynamics and technological advancements in digital commerce.

Conclusion

In conclusion, the sale of counterfeit goods on e-commerce platforms contravenes the foundational principles of Shariah economic law, particularly *tadlis* (fraudulent misrepresentation) and *gharar* (excessive uncertainty), thereby rendering such transactions invalid (*fasid*) under Islamic jurisprudence. These violations engender profound economic, social, and moral repercussions, including detriment to original producers, erosion of consumer trust, and degradation of ethical business standards. While existing legal frameworks—such as intellectual property laws and consumer protection statutes—provide a foundational basis for addressing these issues, their enforcement remains impeded by the inherent complexities of digital commerce. Mitigating this challenge necessitates coordinated efforts among governments, e-commerce platforms, and consumers to fortify regulatory frameworks, elevate

consumer awareness, and embed Shariah principles within digital trade infrastructures.

Key strategic interventions include: (1) reinforcing Shariah-compliant regulations to curtail fraudulent sales and deceptive trade practices; (2) leveraging advanced technologies such as artificial intelligence (AI) and blockchain to enhance counterfeit detection and ensure supply chain transparency; (3) bolstering law enforcement mechanisms through stringent penalties, rigorous seller verification protocols, and proactive market surveillance; and (4) fostering consumer education on halal trade ethics via digital literacy initiatives and public awareness campaigns grounded in Shariah principles. By institutionalizing these measures, digital commerce can be systematically aligned with Islamic values of justice (*'adl*), honesty (*sidq*), and transparency (*bayan*). Such alignment not only safeguards the integrity of commercial transactions but also cultivates an ethical, equitable, and sustainable digital trading ecosystem, thereby advancing the broader objectives of Shariah-compliant economic systems in the digital age.

Conflict of Interest

The authors declare no conflict of interest.

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