

Consumer Protection in Law No. 8 of 1999 and Qur'anic Review

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Abstract

The imbalance of economic relations between business actors and consumers has resulted in suboptimal consumer protection, especially in facing the challenges of modern trade such as e-commerce. Although the Consumer Protection Law (UUPK) Number 8 of 1999 in Indonesia has provided a legal basis and regulated the basic rights of consumers, in practice consumer awareness and the application of legal protection are still not optimal. Therefore, consumer protection must be viewed holistically, not only from the aspect of positive law, but also from the perspective of the Qur'an which instills ethics and social responsibility in business. This research uses a qualitative method with an analytical literature study, which examines national legal regulations and Qur'anic verses related to business ethics and consumer protection. The results show that the principles in the UUPK are closely aligned with the teachings of the Qur'an which emphasize fairness, the prohibition of fraud, and the responsibility of businesses, as well as consumers' rights to convenience, security, and correct information. In addition, the research identified several key issues in consumer protection, such as product safety, right to clear information, digital transactions, personal data privacy, after-sales service, price transparency, protection of vulnerable consumers, right to be heard, environmental social responsibility, and accessibility of products and services. This study concludes that the integration between positive law and Islamic values can strengthen an effective and sustainable consumer protection system in Indonesia.

Keywords: *Qur'anic Views, Principles, Consumer Protection, Laws*

Abstrak

Ketidakseimbangan hubungan ekonomi antara pelaku usaha dan konsumen mengakibatkan perlindungan konsumen belum optimal, terutama dalam menghadapi tantangan perdagangan modern seperti *e-commerce*. Meskipun Undang-Undang Perlindungan Konsumen (UUPK) Nomor 8 Tahun 1999 di Indonesia sudah memberikan landasan hukum dan mengatur hak-hak dasar konsumen, dalam praktiknya kesadaran konsumen dan penerapan perlindungan hukum masih belum optimal. Oleh karena itu, perlindungan konsumen harus dilihat secara holistik, tidak hanya dari aspek hukum positif, tetapi juga dari perspektif al-Qur'an yang menanamkan etika dan tanggung jawab sosial dalam bisnis. Penelitian ini menggunakan metode kualitatif dengan studi literatur secara analitis, yang mengkaji regulasi hukum nasional dan ayat-ayat al-Qur'an terkait etika bisnis dan perlindungan konsumen. Hasil penelitian menunjukkan bahwa prinsip-prinsip dalam UUPK sangat selaras dengan ajaran al-Qur'an yang menekankan keadilan, larangan penipuan, dan tanggung jawab pelaku usaha, serta hak konsumen atas kenyamanan, keamanan, dan informasi yang benar. Selain itu, penelitian mengidentifikasi beberapa isu utama dalam perlindungan konsumen, seperti keamanan produk, hak atas informasi yang jelas, transaksi digital, privasi data pribadi, layanan purna jual, transparansi harga, perlindungan konsumen rentan, hak untuk didengar, tanggung jawab sosial lingkungan, dan aksesibilitas produk serta layanan. Penelitian ini menyimpulkan bahwa integrasi antara hukum positif dan nilai-nilai Islam dapat memperkuat sistem perlindungan konsumen yang efektif dan berkelanjutan di Indonesia.

Kata Kunci: *Pandangan Al-Qur'an, Prinsip-Prinsip, Perlindungan Konsumen, Undang-Undang*

Introduction

Consumer protection is a crucial aspect in maintaining a balanced economic relationship between businesses and consumers, which is supported by three main pillars, namely networking, advocacy, and education. Networking involves strategic cooperation between various parties such as consumer protection organizations, governments, and businesses to monitor and address consumer issues in an integrated manner, as emphasized by the *International Consumer Protection and Enforcement Network*.¹ Advocacy plays a role in conveying consumer aspirations to the authorities so that policies issued can effectively accommodate consumer rights,² while education aims to increase consumer awareness and knowledge of their rights and existing protection mechanisms, so that consumers can protect themselves from harmful business practices.³ These three aspects complement each other and are important foundations in creating an effective and sustainable consumer protection system.

Buying and selling interactions in the days of the Prophet were characterized by honesty, openness, and mutual agreement. He was always honest in explaining the advantages and disadvantages of goods, avoiding fraud, and advocating fair trade without harmful practices such as hoarding goods. The main values in his business include *Shidiq* (integrity and honesty), *Amanah* (trust and responsibility), *Fathanah* (knowledge and leadership), *Tabligh* (communication and teamwork), and *Brave* (ability to make the right decisions and respond quickly). These values become role models that guide business success and can be used as examples for Muslims so that their businesses develop and are blessed by Allah SWT.⁴

Historically, the history of consumer protection in Islam has started since the Prophet Muhammad SAW has not been appointed as an Apostle, he carried the merchandise of Khadijah bint Khuwailid by getting a reward or wage. Although there is not much literature that talks about aspects of consumer protection at that time, the principles of consumer protection can be found from the business practices carried out by Rasulullah SAW. The honesty, justice and integrity of the Prophet were not doubted by the people of Mecca, so that this potential increased his reputation and ability to do business.

After Muhammad SAW was appointed as the Messenger, consumers received considerable attention in Islamic teachings, both in the Qur'an and Hadith. A fair and honest business according to the Qur'an is one that neither oppresses nor is oppressed.

¹ International Consumer Protection and Enforcement Network (ICPEN), "Consumer Protection Toolkit," 2023.

² Kementerian Perdagangan Republik Indonesia, *Buku Pedoman Perlindungan Konsumen* (Jakarta: Kementerian Perdagangan RI, 2020).

³ Leon G Schiffman and Leslie Lazar Kanuk, *Consumer Behavior*, 10th ed. (Pearson Education, 2010).

⁴ Nihayatur Rohmah, "Perdagangan Ala Nabi Muhammad SAW Gambaran Tauladan Yang Hilang Di Perdagangan Global," *AT-Tabdzib: Jurnal Studi Islam Dan Muamalah* 4, no. 2 (2016): 100–131.

This relates to consumer rights and also the rights of business actors (producers). The concept of business in Islam must be based on values and ethics that uphold honesty and justice.⁵ From this point of view, it can be said that Islam has instilled the concept of *consumer-centered ethics* rooted in tawhid. Business actors are seen as servants of Allah who are obliged to maintain trust and not abuse their economic power. On the other hand, consumers are also respected for their dignity and protected for their rights.⁶

In relation to consumer protection, Islam with its Maqâshid Syarî'ah concept also regulates the fulfillment of consumer needs. Consumer needs that are met by business actors must include consideration of essential matters in protecting consumers, such as the fulfillment of consumer needs in the form of goods and services that are required to protect, maintain and not be a threat to consumers' religion, soul, mind, offspring, and property.⁷

In general, these issues can be grouped into several main areas that reflect various aspects of consumers' interactions with businesses. Here are some important categories: (1) Product Safety (e.g. hazardous food products, electronic goods with manufacturing defects); (2) Right to Information (e.g. misleading product labeling, false advertising); (3) Digital Transactions and E-commerce (e.g. online fraud, insecure payments, goods not as described); (4) Privacy and Personal Data Protection (e.g. misuse of customer data by companies); (5) After-Sales and Warranty Services (e.g., company does not fulfill its warranty, poor customer service); (6) Pricing and Cost Transparency (e.g. hidden fees, prices not in line with promotional promises); (7) Protection of Vulnerable Consumers (e.g. children, the elderly, or people with disabilities are targeted for fraudulent practices); (8) Right to be Heard and Dispute Resolution (E.g. consumers have no access to grievance mechanisms or mediation); (9) Environment and Social Responsibility (For example: products that damage the environment but are not informed to consumers); and (10) Accessibility of Products and Services (E.g. unaffordable prices, discrimination in access to services).⁸

Although the UUPK is theoretically strong enough, in practice there are still many consumers who are not aware of their rights or are not sufficiently protected in reality. This is where the importance of consumer education, one of the UN's 9 basic rights, is often

⁵ Amanda Tikha Santriati, "Perlindungan Hak Konsumen Dalam Perspektif Hukum Islam Dan Undang-Undang Nomor 8 Tahun 1999," *Opinia de Journal* Vol. 2, no. 2 (2022).

⁶ Galuh Nur Amalina, "Islamic Business Ethics on Customer Retention," *Scientia* 2, no. 1 (2023): 216–19, <https://doi.org/10.51773/sssh.v2i1.154>.

⁷ Abdullah Furdaus Ilham Efendi, Abdul Halim, "Tinjauan Maqashid Syariah Terhadap Pembaikotan Produk Terafiliasi Israel (Analisis Fatwa MUI Nomor 83 Tahun 2023 Tentang Hukum Dukungan Terhadap Perjuangan Palestina)," *Pendas : Jurnal Ilmiah Pendidikan Dasar* 10 (2025): 212–26; Rendi Yudha Bhaskara and M. Roy Purwanto, "Perlindungan Konsumen Muslim: Jaminan Produk Halal Perspektif Maqasid Syari'ah Jasser Auda," *Cakrawala: Jurnal Studi Islam* 18, no. 2 (2023): 103–12, <https://doi.org/10.31603/cakrawala.9691>.

⁸ Puteri Asyifa Octavia Apandy, Melawati, and Panji Adam, "Pentingnya Hukum Perlindungan Konsumen Dalam Jual Beli," *Jurnal Manajemen & Bisnis Jayakarta* 3, no. 1 (2021): 12–18, <https://doi.org/10.53825/jmbjayakarta.v3i1.85>.

overlooked. Islam encourages its followers not to be ignorant in world affairs, including in economic matters.⁹

In Indonesia, there is a Law on Consumer Protection (UUPK) that outlines the principles of business. Basically, this law has the same purpose as what is offered in Islam, namely to create a balance between business actors and consumers and to provide protection to consumers. However, in general, the balance regulated in the UUPK tends to be a balance that refers to the fulfillment of each other's desires between business actors and consumers rather than highlighting essential matters as explained earlier. In fact, consumer rights are legally recognized in Indonesia, consumer protection is specifically regulated in Law Number 8 Year 1999 on Consumer Protection. This law provides basic rights to consumers, which include comfort, security, safety, and the right to complete information about the products or services used.

In addition, according to global standards adopted from the United Nations Guidelines for Consumer Protection, there are nine basic consumer rights, namely: right to security, right to information, right to choose, right to be heard, right to fulfill basic needs, right to consumer education, right to compensation, right to a healthy environment, and right to sustainable consumption. These rights form the basis for the protection and empowerment of consumers so that they can participate actively and safely in economic activities¹⁰

In the Qur'an there are verses that regulate consumer protection. Some of these verses include: *First*, the principle of justice (*al-Adl*) as mentioned in QS. an-Nisa verse 135, emphasizing that writing must be done fairly, impartially, and objectively. *Second*, the prohibition against fraud and cheating (*Tadlis* and *Ghabn*). Based on QS. al-Mutaffifin verses 1-3 requires writers to be honest and avoid all forms of manipulation or concealment of facts that can harm other parties. *Third*, the obligation to provide correct information (*as-Shidiq*) as stated in QS. al-Baqarah verse 42, requires that any information submitted in the journal must be in accordance with reality and not misleading. *Fourth*, the importance of business ethics and responsibility (*Amanah*) based on QS. an-Nisa verse 58, which requires the author to be responsible for the accuracy and honesty of the journal content. *Finally*, the principle of the prohibition of harm, which is stated in QS. an-Nisa verse 29, teaches that journals should not contain elements that can harm or hurt other parties.

Previous research shows that Islamic business ethics plays an important role in shaping the behavior of business actors who uphold honesty, justice, and responsibility, so that business actors who apply these values tend to get blessings and welfare while having a positive impact on consumers (Hulaimi et al., 2017). In addition, Akta Kurniawan and Nurul Khotimah (2021) emphasized that Islamic law and Consumer Protection Law

⁹ Neni Sri Imaniyati, "Perlindungan Konsumen Dalam Perspektif Hukum Bisnis Islam," *Asas* 6, no. 1 (2014): 95–105.

¹⁰ United Nations, "United Nations Guidelines for Consumer Protection," 2003.

Number 8 of 1999 complement each other in preventing business practices that harm consumers, such as fraud and non-transparency. Research by Amanda Tikha Santriati and Dwi Runjani Juwita (2022) added that the principles of consumer protection have existed since the time of the Prophet Muhammad SAW with an emphasis on honesty and justice, and highlighted the need for integration of Islamic values in the implementation of the law. Meanwhile, Siti Nurul Azizah et al. (2024) showed that the application of Islamic business ethics not only provides material benefits, but also increases consumer confidence and business image, in accordance with the principles of *Maqashid Shari'ah* that safeguard consumer rights as a whole.

Based on previous research, this study presents a new perspective in understanding consumer protection that is more balanced, accommodating the legal and religious dimensions at the same time, so as to provide policy recommendations that are more comprehensive and applicable in the context of the Muslim-majority Indonesian society. Thus, this research offers a novelty in comprehensively studying consumer protection by combining the dimensions of positive law and Quranic review, as an effort to create balance and justice in economic relations between business actors and consumers.

Results and Discussion

Consumers, Producers, and Service Institutions

In the economic system, there are three main interrelated roles, namely consumers, producers, and service institutions. Consumers use goods or services to fulfill their needs, while producers produce goods and services for profit. Service institutions provide support through services such as banking, transportation, education, and health. These three roles form a dynamic economic system and support each other in everyday life.¹¹

Consumer protection is crucial to maintain the balance of the relationship between business actors and consumers, which is often unequal. Law No. 8/1999 on Consumer Protection (UUPK) provides legal certainty and guarantees basic consumer rights such as product safety, correct information, freedom of choice, and the right to complain and obtain compensation. UUPK also regulates the obligation of business actors to act honestly and responsibly in order to create a healthy and fair business climate.¹²

Consumer protection also has an ethical and moral basis in Islamic teachings, which emphasize the principles of honesty, fairness, and the prohibition of harmful business practices. The concept of *Maqâshid Sharia* provides guidance for meeting the needs of consumers as a whole and safeguarding their rights morally and spiritually. The integration of these principles with formal regulations provides a strong foundation for

¹¹ Akmal Huda Nasution et al., "Peran Konsumen Dalam Menciptakan Keseimbangan Persaingan Pasar Sempura" 2, no. December (2024): 135–45.

¹² Republik Indonesia, "Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen."

comprehensive consumer protection, including in the face of the challenges of digital transactions and e-commerce.¹³

In addition to regulations, the existence of institutions such as the National Consumer Protection Agency, the Indonesian Consumers Foundation, and the Consumer Dispute Settlement Body is crucial in resolving disputes between consumers and businesses. The synergy between regulations, Islamic business ethics, and these protection institutions is the main key to creating effective consumer protection and ensuring the welfare of the community and the sustainability of the national economy.¹⁴

Consumer Protection Rights and Obligations According to the Law and the Qur'an

Consumers are generally defined as the last users of the products handed over to them by entrepreneurs, namely everyone who gets goods for use and not for trade or sale again. The definition of a consumer in a general sense is a user, user and or service for a specific purpose. Based on Article 1 number 2 of Law No. 8 of 1999, it is stated that a consumer is every person who uses goods and/or services available in the community, both for the benefit of themselves, their families, other people, and other living things and not for trade. In the explanation of Article 1 number 2, it is stated that the consumer in question is the end consumer as known in economic literature. Thus, it can be said that all people are consumers because they need goods and services to sustain themselves, their families, or to maintain or care for their property.¹⁵

According to Az. Nasution, as quoted by Trias Palupi Kurnianingrum, it is said that the person referred to above is a natural person, not a legal entity, because those who use, use and or utilize goods and or services for the benefit of themselves, their families, other people and other living things and not for trade are only natural people or humans. Consumer protection is basically to see whether or not consumer rights are fulfilled. A right is something that is right, belonging, property, the power to do something because it has been determined by law or other regulations, the right power to demand something or the right power over something.¹⁶

Based on Article 4 of Law No. 8 of 1999, it is stated that consumer rights are guaranteed and protected by law, namely: (1) the right to comfort, safety and security in consuming goods and/or services; (2) the right to choose goods and/or services and obtain these goods and/or services in accordance with the exchange rate and the conditions and guarantees promised; (3) the right to correct, clear and honest information regarding the conditions and guarantees of goods and/or services; (4) the right to have their opinions

¹³ Ahmad Zuhairi, *Hukum Perlindungan Konsumen & Problematikanya* (Jakarta, Indonesia: GH Publishing, 2016).

¹⁴ Ibid.

¹⁵ Maria Alberta and Liza Quintarti, "Bentuk-Bentuk Perlindungan Hukum Bagi Konsumen Perspektif Undang- Undang Nomor 8 Tahun 1999 Forms of Legal Protection for Consumers from the Perspective of Law Number" 7, no. 8 (2024): 3161–67, <https://doi.org/10.56338/jks.v7i8.5995>.

¹⁶ Ahmadi Miru dan Sutarman Yodo, *Hukum Perlindungan Konsumen*, 2008.

and complaints about the goods and/or services used heard; (5) the right to obtain advocacy, protection and efforts to resolve consumer protection disputes properly; (6) the right to obtain consumer education and guidance. The right to obtain guidance and consumer education; (7) the right to be treated or served correctly and honestly and non-discriminatory; (8) the right to compensation, compensation and/or replacement, if the goods and/or services received are not in accordance with the agreement or not as they should be; (9) the rights stipulated in the provisions of other laws and regulations.

Article 4 of Law No. 8/1999 on Consumer Protection legally guarantees consumer rights in Indonesia, including nine main rights such as product convenience and safety, freedom of choice, obtaining correct and transparent information, as well as the right to submit complaints and obtain compensation for product or service discrepancies. Consumers are also entitled to advocacy and fair dispute resolution, as well as guidance and education to raise awareness of their rights and obligations. In addition, consumers have the right to be treated honestly and non-discriminatorily in business transactions, and have the right to compensation if products or services do not meet the promised standards. This protection is not only regulated in Law No. 8 of 1999, but is also supported by other complementary provisions of legislation.¹⁷

Taking into account the nine points of consumer rights described above, it can be seen that the issue of consumer comfort, security and safety is the most basic and main thing in consumer protection. These consumer rights are the elaboration of articles characterized by the Welfare State, namely Article 27 paragraph (2) and Article 33 of the 1945 Constitution of the Republic of Indonesia. In addition to consumer rights, Article 5 of Law No. 8 of 1999 also regulates consumer obligations, namely: (a) Read or follow the information instructions and procedures for the use or utilization of goods and / or services for security and safety; (b) Make good faith in conducting transactions to purchase goods and/or services; (c) Pay in accordance with the agreed exchange rate; d. Follow efforts to resolve consumer protection disputes. Follow efforts to properly resolve consumer protection disputes.

The elaboration of Article 5 of Law No. 8 of 1999 above, is actually intended so that consumers themselves can obtain optimal results for protection and / or legal certainty for themselves, because consumer protection aims to protect consumers and their rights legally from violations and abuse of rights. In this case, consumer protection has its own special form and format. This form is derived from the general form of consumer protection which is the basis for all areas of consumer law, because basically all transactions are the same, there are producers and consumers, the only difference is in what area of consumer law the transaction takes place.

¹⁷ Bambang Pujiono et al., "Hukum Perlindungan Konsumen Indonesia," *Hukum Perlindungan Konsumen Indonesia* 4, no. 2 (2016): 9.

Consumer protection is an integral part of healthy business activities. In healthy business activities, there is a balance of legal protection between consumers and producers. The absence of balanced protection causes consumers to be in a weak position. Moreover, if the product produced by the producer is a limited type of product, the producer can abuse his monopolistic position. This of course will harm consumers.¹⁸

According to the explanation above, the author understands certain points related to consumer protection in the Law on Consumer Protection from the perspective of the Qur'an. There are several of them mentioned starting from the quotation of Q.S Al-Baqarah verse 188 emphasizing to be fair and not to seize in an unjust manner. Of course this is very relevant to Consumer Protection that this verse is very firm not to commit acts of fraud or *kedzolim* to consumers. Because here the discussion / object is the consumer, this verse is very strict on the traders not to seize goods / property in a way that is unjust.¹⁹

Furthermore, in QS. al-Mutaffifin verses 1-3 describes to all of us "Great is the accident for those who cheat, (namely) those who when they receive a measure from others they ask to be fulfilled, and when they measure or weigh for others, they reduce." It also emphasizes the importance of fairness and integrity in transactions, and prohibits deception that harms consumers. The command to be fair and not to commit fraud is very closely related to QS. al-Mutaffifin Verses 1-3. The author uses this verse as one of consumer protection. Honesty and fairness in trade are the main principles in Islam. Consumers must get goods or services that are in accordance with what is promised by the seller. Finally, Q.S An-Nisa Verse 29 emphasizes to be transparent not to cover up the defects of goods. which is in line with the meaning of the verse which means: "O you who believe! Do not eat each other's property by means of false means, except by means of consensual trade between you." This emphasizes the importance of conducting transactions fairly and on the basis of the willingness of both parties, without any fraud or dishonesty.²⁰

Principles in UUPK and Their Relevance to Qur'anic Teachings

The Consumer Protection Law (UUPK) prioritizes the principle of fairness in transactions as the main foundation in creating a balance between business actors and consumers. From a legal aspect, the provisions in the UUPK require business actors to provide correct, clear, and not misleading information about the goods or services offered. This not only protects consumer rights, but also creates legal certainty in every civil relationship between producers and consumers. This principle is in line with Islamic teachings, which place justice as a universal value in *muamalah*. In Surah al-Baqarah verse 282, Allah prohibits the practice of taking other people's property by false means, including

¹⁸ Ahmadi Miru dan Sutarman Yodo, *Hukum Perlindungan Konsumen*.

¹⁹ Qonita Najmah Fairusah, "Surat Al-Baqarah Ayat 188: Prinsip Hukum Islam Untuk Mencegah Penyalagunaan Kekuasaan," 2024.

²⁰ Nurlaili Janati, Delima Afriyanti, and Ficha Melina, "Perlindungan Konsumen Pada Platform Belanja Online Perspektif Hukum Ekonomi Islam," *Syarikat: Jurnal Rumpun Ekonomi Syariah* 6, no. 1 (2023): 134–47, [https://doi.org/10.25299/syarikat.2023.vol6\(1\).13839](https://doi.org/10.25299/syarikat.2023.vol6(1).13839).

by deception or manipulation of information, which in the modern context can be realized through fraudulent practices in trade.²¹

From an economic point of view, fairness in transactions encourages the creation of a healthy and competitive market. When businesses are honest and transparent, consumers can make rational decisions based on accurate information. This increases market efficiency and strengthens public confidence in the trading system. Business actors who uphold business ethics will also gain a good reputation that has a positive impact on the sustainability of their business. Meanwhile, from a social aspect, protection of consumers through the principle of fairness encourages the formation of harmonious interactions in society. When no party is disadvantaged in a transaction, social relations between sellers and buyers will be well maintained, avoiding conflicts and suspicions that can lead to social tension. In the context of a pluralistic society like Indonesia, this is very important to maintain social stability and a sense of trust between individuals and groups.²²

From the aspect of muamalah, which is part of Islamic law that regulates human relations in the economic field, the principle of justice is also a major pillar. According to Ahmad Azhar Basyir, muamalah must be carried out on the basis of willingness (*antaradin minkum*), without coercion, and aims to bring *maslahat* and avoid *mudarat*. The implementation of fair transactions reflects a commitment to sharia values, such as staying away from *gharar* (uncertainty), *tadlis* (fraud), and *ikhtikar* (hoarding). Muamalah that is based on the principles of justice and ethics is not only legitimate, but also contributes to the creation of a blessed and empowered society. In general, consumer protection is not only the domain of the government or legal institutions, but is a shared responsibility between business actors, consumers, and all elements of society. Realizing justice in transactions means strengthening the pillars of morality and integrity in the economic system. Thus, universal values such as honesty, responsibility, and transparency not only become legal norms, but also part of social culture and individual faith.²³

Fairness in Transactions One of the main principles in the Consumer Protection Law is fairness in transactions, which is reflected in the provision that business actors are obliged to provide clear, correct and not misleading information to consumers. The Qur'an itself teaches the importance of fairness in buying and selling, as explained in surah al-Baqarah (2:282): "*And do not eat of the wealth between you by unlawful means, and do not bring the matter before a court of law, that you may eat of the wealth of others by wrongful means, when you know.*" This verse emphasizes that taking other people's rights by wrongful means or cheating in economic transactions is prohibited. This principle is in line with the provisions in the UUPK that require business actors not to provide misleading information and ensure that

²¹ Haifa Nadira, "Perlindungan Konsumen Menurut Islam: Studi Kasus Terhadap Pertanggung Ganti Rugi Pada Doorsmeer Banda Aceh," *Jurist-Diction*, 2019.

²² Munjid and Sungkawaningrum, "Etika pasar dan kejujuran transaksi dalam pasar persaingan sempurna : Perspektif Ekonomi Islam."

²³ Humaemah, "Analisa Hukum Islam Terhadap Masalah Perlindungan Konsumen Yang Terjadi Atas Jual Beli E-Commerce."

consumers get clear and correct information. Therefore, all forms of transactions or the implementation of contracts in the Islamic view must be able to fulfill the principles of muamalat in Islamic law. In relation to the principles of muamalah, Ahmad Azhar Basyir argues that basically the contract must fulfill the principles of muamalat, including the following:

1. Basically all forms of mu'amalah are permissible, unless determined by the Qur'an and the sunnah of the Apostle.
2. Muamalah is carried out on a voluntary basis, without containing elements of coercion.
3. Muamalah is carried out on the basis of considerations of bringing benefits and avoiding madharat in community life.
4. Muamalah is carried out by maintaining the value of justice, avoiding the elements of persecution, the elements of taking opportunities in narrowness.²⁴

In the context of the prohibition of fraud and deception, the Qur'an explicitly forbids all forms of fraud and deception in transactions. In surah Al-Mutaffifin (83:1-3), Allah says:

وَيْلٌ لِّلْمُطَفِّفِينَ الَّذِينَ إِذَا اكْتَالُوا عَلَى النَّاسِ يَسْتَوْفُونَ وَإِذَا كَالُوهُمْ أَوْ وَزَنُوهُمْ يُخْسِرُونَ ۚ

"Great is the calamity of those who cheat, those who, when they receive a measure from others, ask for it to be fulfilled perfectly, but when they measure or weigh for others, they reduce it."

This principle is very relevant to consumer protection stated in the UUPK, where business actors are prohibited from cheating or providing goods that are not as promised. The UUPK stipulates that the goods or services sold must be in accordance with the promised specifications and quality, which basically aims to protect consumers from fraud.

Classic commentaries such as al-Qurṭubī and Ibn Kathīr explain that Surah Al-Mutaffifin contains a strong condemnation of the practice of cheating in measures and scales and unfair treatment in business transactions. Al-Qurṭubī emphasizes that the threat of "ويل" (*wail*) means great destruction aimed at traders who manipulate either overtly or covertly, emphasizing the importance of honesty as a key principle in Islamic muamalah. Meanwhile, Ibn Kathīr highlights the hypocritical attitude of people who demand full rights for themselves but ignore the rights of others, signifying moral inconsistency that is highly reprehensible.²⁵ Thus, both commentaries expand the meaning of the verse not only to the technical aspects of cheating, but also to include injustice and ethical violations in social and economic interactions.

Contemporary commentaries by Ibn 'Āshūr and M. Quraish Shihab provide a social dimension and modern relevance to Surah al-Mutaffifin. Ibn 'Āshūr sees unfairness in transactions as a threat to social trust and the economic stability of society, and places

²⁴ erina, "Perlindungan Konsumen Dalam Perspektif-Undang Perlindungan Konsumen Dan Islam," *Pranata Hukum* 5, no. I (2017): 1–23.

²⁵ Rachmad Risqy Kurniawan and Kinanti Dwi Purnama, "Dampak Kecurangan Dalam Jual Beli Menurut Tafsir Al-Qur'an," *Ulumul Qur'an: Jurnal Kajian Ilmu Al-Qur'an Dan Tafsir* 3, no. 1 (2023): 57–71.

this verse as a basic principle of Islamic business ethics that must be upheld for the sake of social justice. Meanwhile, Quraish Shihab expands the meaning of this verse not only to the practice of buying and selling with weights and measures, but also includes all forms of dishonesty in social relations, such as data manipulation, misleading advertisements, and non-transparency of contracts. He relates this meaning to modern consumer protection in line with Indonesia's Consumer Protection Law, showing that the Qur'anic teachings are progressive and relevant in supporting fair and transparent economic regulation.²⁶

From both classical and contemporary exegetical perspectives, verses Al-Mutaffifin 1-3 demonstrate the basic principles in Islam: fairness in transactions and the prohibition of fraud. Classical interpreters emphasize the literal and moral offense of fraudulent behavior, while contemporary interpreters extend its meaning to the context of modern economic regulations, such as the UUPK.²⁷

Consumer Rights to Protection The UUPK stipulates that consumers are entitled to protection against goods or services that are not in accordance with the quality and standards that have been set. This is in accordance with the concept of consumer rights in Islam, where the Qur'an provides protection for individual rights, including the right to obtain goods that are good and not harmful. In surah Al-Baqarah (2:195), Allah says:

وَأَنْفِقُوا فِي سَبِيلِ اللَّهِ وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ

“And spend (in the way of Allah) benevolently and do not plunge yourselves into destruction.”

This verse emphasizes that every individual must look after his or her own interests, and this also applies in the context of economic transactions. Consumers deserve protection against goods or services that may harm their health or safety.

Tafsir Al-Qurṭubī explains that the prohibition of plunging oneself into perdition covers a wide range of actions that bring physical, economic, social, and spiritual harm, including in the context of transactions that harm others, so producers are obliged to avoid creating harmful products.²⁸ Tafsir al-Ṭabarī mentions that this verse was revealed as a warning to the Ansar not to abandon important obligations for the sake of worldly affairs, and emphasizes that harming oneself or neglecting the rights of others is a form of destruction; therefore, producers must ensure that the products sold do not harm consumers, who are entitled to demand protection based on this principle.²⁹

Meanwhile, Ibn Kathīr emphasizes that destruction includes avoiding religious obligations, committing harmful acts, and not doing ihsan (doing good), so selling or marketing products that endanger lives or harm the rights of others is against the principle

²⁶ Ibrahim Aji Muhammad and Bela Farah Aisya, “JIQTA: Jurnal Ilmu Al- Qur'an Dan Tafsir,” *JIQTA: Jurnal Ilmu Al-Qur'an Dan Tafsir* 2, no. 2 (2023): 127–37.

²⁷ Hasibuan, “Makna Muthaffifin Dalam Al- Qur ' an (Kajian Analisis).”

²⁸ Suqiyah Musfa'ah, “Tafsir Ayat Hukum Ekonomi Dan Bisnis Islam,” *UIN Sunan Ampel*, n.d., 1–243.

²⁹ Diyaurrahman, Muh Nashirudin, and Asiah Wati, “Etika Perniagaan Di Dalam Al-Quran (Analisis Tafsir Ayat – Ayat Tijarah),” *Syarikat: Jurnal Rumpun Ekonomi Syariah* 5, no. 2 (2022): 82–92, [https://doi.org/10.25299/syarikat.2022.vol5\(2\).9607](https://doi.org/10.25299/syarikat.2022.vol5(2).9607).

of ihsan and the verse. Overall, these interpretations emphasize the importance of consumer protection principles as part of maintaining the safety and welfare of the ummah.³⁰

Relevance to Consumer Rights: Within the framework of consumer protection according to Islam and UUPK: This verse provides a moral and spiritual basis that there should be no practice of buying and selling or distributing goods/services that harm the community. Producers have an obligation to avoid actions that cause harm or danger (*at-tahlukah*) to consumers. Consumers also have the right to demand their rights because Islam encourages the protection of human life, mind, and property.³¹

Responsibility of Business Actors UUPK also stipulates the responsibility of business actors to provide safe and quality goods and services. The Qur'an provides an ethical basis for responsibility in business, as expressed in surah An-Nisa (4:29):

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ وَلَا تَقْتُلُوا
أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

"O you who believe, do not eat your neighbor's wealth by unlawful means and do not bring the matter before a court of law, so that you may eat the wealth of others by wrong means, while you know."

This verse emphasizes that in every form of transaction, whether it is buying and selling or an agreement, business actors must be responsible for the goods or services they offer and must not harm consumers.³²

Tafsir Al-Qurṭubī states that the prohibition of plunging oneself into destruction includes various actions that harm oneself, whether physically, economically, socially, or spiritually, including transactions that do not maintain the benefit of oneself and others, so producers are prohibited from creating products that harm consumers.³³ Tafsir al-Ṭabarī narrates that this verse was revealed as a warning to the Ansar not to abandon their obligations for the sake of worldly affairs, and defines perdition as giving oneself up to something that endangers physical and safety or ignoring the rights of others, so that producers are obliged to ensure that their products are safe and consumers have the right to demand protection.³⁴

Ibn Kathīr emphasizes that perdition includes avoiding religious obligations, doing harm, and not doing ihsan (doing good), so selling products that endanger lives or harm the rights of others is a violation of the principle of ihsan and the verse. These three

³⁰ Ahmad Anis and Ahmad Marjanuddin Al-Qowiy, "Konsep Iqlāl Dalam Tafsir Ibn Kaṣīr," *Izzatuna: Jurnal Ilmu Al-Qur'an Dan Tafsir* 1, no. 1 (2020): 31–49, <https://doi.org/10.62109/ijiat.v1i1.16>.

³¹ H.A Khumedi Ja'far, "Perlindungan Konsumen Dalam Perspektif Hukum Bisnis Islam," *Asas* 6, no. 1 (2021): 95–105.

³² R, "prinsip etika bisnis islam dalam menghadapi persaingan bisnis berdasarkan surah."

³³ Al-marāghī and Ilmu, "Interpretation OF The Command Verses OF Infaq Fii Sabilillah."

³⁴ Achmad Royhan Choidab, "Perbandingan Penafsiran Jihad Menurut Ath-Thabari Dan Quraish Shihab Dalam Tafsir Al-Qur ' An" 2, no. 2 (2023): 221–25.

interpretations emphasize the importance of consumer protection principles as part of maintaining the safety and welfare of the people.³⁵

Relevance to Consumer Rights: In the framework of consumer protection according to Islam and UUPK: This verse serves as a moral and spiritual basis that there should be no practice of buying and selling or distributing goods/services that harm the community. Producers have an obligation to avoid actions that cause harm or danger (*at-tahlukah*) to consumers. Consumers also have the right to demand their rights because Islam encourages the protection of human life, mind and property.³⁶

Harmony Between UUPK Law and Qur'anic Teachings

Consumer protection is one of the important pillars in realizing justice and balance in economic activity. In the context of Indonesian law, this is specifically regulated through Law No. 8/1999 on Consumer Protection (UUPK). This law comes as a response to the unequal relationship between business actors and consumers, where consumers are often in a weak and vulnerable position. On the other hand, Islamic teachings through the Qur'an have long paid attention to ethics in business dealings, especially in buying and selling activities and the exchange of goods and services. The principles in the UUPK show substantial harmony with the moral and ethical values in the Qur'an, both in terms of justice, honesty, responsibility, and protection of individual rights.³⁷

One of the common points between UUPK and the Qur'an can be found in the principles of fairness and transparency in transactions. The Qur'an instructs Muslims to be fair in buying and selling, and prohibits the reduction of measures and scales. This is as stated in QS. Al-Muthaffifin verses 1-3 which denounces those who cheat in measuring and weighing. The verse not only emphasizes formal justice, but also substantial justice that ensures that no party is harmed in a transaction. This principle is then adopted in the UUPK through provisions that require business actors to provide true, clear, and not misleading information to consumers (Article 4 and Article 7). This information transparency is the foundation in realizing healthy and ethical transactions, as well as creating fair and balanced market conditions between business actors and consumers.³⁸

Furthermore, the prohibition against fraud is also an integral part of Islamic teachings that has a direct counterpart in the provisions of consumer protection law. Islam considers fraud as a serious form of moral offense. The Prophet Muhammad SAW expressly prohibited fraud in buying and selling as he said: *"Whoever cheats, then he is not from*

³⁵ Iwan Caca Gunawan, Badruzzaman M Yunus, and Eni Zulaiha, "Makna Ikhlas Dalam Tafsir Fakhruddin Ar-Razi Dan Ibn Ka š ī R" 3, no. 3 (2024): 203–16.

³⁶ Dahruji and Arif Rachman Eka Permata, "Etika Bisnis Dalam Perspektif Ekonomi Islam : Tinjauan Teoritik," *Jurnal Ekonomi Dan Keuangan Islam* 4, no. October (2017).

³⁷ Amanda Tikha Santriati and Dwi Runjani Juwita, "Perlindungan Hak Konsumen Dalam Perspektif Hukum Islam Dan Undang-Undang Konsumen Nomor 8 Tahun 1999," *Opinia de Journal* Vol. 2, no. 2 (2022): 33–50, <https://ejournal.stainumadiun.ac.id/index.php/opinia/article/view/30>.

³⁸ Ayat-ayat, Keadilan, dan Kejujuran, "1,2 1 , 2."

my group” (HR. Muslim). In practice, fraud can take the form of concealing defects in goods, presenting misleading information, or reducing quality and quantity without the knowledge of consumers. UUPK explicitly stipulates that business actors are not allowed to provide misleading information, whether through advertisements, labels, or oral statements (Article 10 and Article 18). Business actors who commit such acts may be subject to administrative and criminal sanctions. This similarity shows that both Islam and positive law place honesty as the main foundation in economic transactions.³⁹

Consumer rights in the perspective of UUPK also show compatibility with the values of protection of individual rights in Islam. Consumers have the right to comfort, security, and safety in consuming goods and/or services as stipulated in Article 4 of UUPK. In Islamic teachings, the protection of life, property, and property rights is part of *Maqashid al-Shari'ah* (the purpose of sharia), namely the five basic principles of protection in Islam, which include protection of religion, soul, mind, offspring, and property. Therefore, the right of consumers to obtain goods that are safe, not defective, and in accordance with what was promised is actually part of the protection of property and safety of the soul taught in Islam.⁴⁰

In addition, the concept of responsibility of business actors in UUPK also reflects the moral values that are highly upheld in Islam. The Qur'an teaches the principle of *amanah* (trust), which means that every individual who is given responsibility in an affair is obliged to carry it out as well as possible and not harm other parties. Business actors in Islam are required to not only pursue profits, but also maintain integrity and pay attention to benefits for the community. This is reflected in Article 7 of the UUPK which regulates a number of obligations of business actors, including: having good faith in running a business, providing correct and clear information about goods and/or services, treating consumers fairly, guaranteeing product quality, and providing compensation for losses arising from the use of products that are not in accordance with the agreement. In the Islamic perspective, this responsibility is part of the ethics of *bermuamalah* that reflects the integrity of business actors as pious people.⁴¹

Furthermore, the values of equality and fairness in service are also emphasized in Article 7 of UUPK, where business actors may not discriminate against consumers. In Islam, discrimination in service is seen as a form of injustice that can damage social relations and public trust. The Prophet Muhammad SAW in many narrations showed an example of treating all people fairly in buying and selling activities, without discriminating

³⁹ Roos Nelly, “Perlindungan Hukum Terhadap Konsumen Dalam Melakukan Transaksi Jual Beli Online,” *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial* 1, no. 6 (2024): 363–66.

⁴⁰ Puji Sulistyaningsih Muhammad Habibi Miftakhul Marwa, “Tinjauan Maqashid Al-Syariah Terhadap Undang-Undang No. 8 Tahun 1999 Tentang Perlindungan Konsumen,” *Jurnal Hukum Ekonomi Islam* 4, no. 2 (2020): 150–77.

⁴¹ Adriandi Kasim, “Prinsip-Prinsip Hukum Islam Dalam Kegiatan Bisnis Islam,” *Al-'Aqdu: Journal of Islamic Economics Law* 3, no. 1 (2023): 58, <https://doi.org/10.30984/ajiel.v3i1.2297>.

against social status or economic background. This is the foundation for business practices that are inclusive, fair and full of integrity.⁴²

From the above results, it can be concluded that there is a strong alignment between the principles contained in Law No. 8/1999 on Consumer Protection and the teachings in the Qur'an. Some of the key alignments include: Fairness and Transparency in Transactions The Qur'an emphasizes the importance of fairness in buying and selling, which is also a key principle in the UUPK. Business actors are required to provide clear and non-misleading information to consumers, which serves to create fair and transparent transactions. Prohibition of Fraud The very strict prohibition of fraud in the Qur'an is in line with the provisions of UUPK that prohibit all forms of deception in trade. Fraud in buying and selling, whether in the form of the quality of goods that are not in accordance with what was promised or the reduction of doses or scales, is prohibited in both legal systems. Consumer Rights The Qur'an provides protection for the rights of individuals, including the right to obtain goods and services that do not harm them. In this context, the consumer's right to protection from goods or services that are not as promised is reflected in the UUPK.⁴³

Responsibility of Business Actors The Qur'an emphasizes moral responsibility in every transaction. Likewise, UUPK regulates the responsibility of business actors in providing quality products and services that do not harm consumers. This obligation is an implementation of the principle of trustworthiness taught in Islam. Article 1 of UUPK indicates that consumer protection is all forms of government efforts to ensure legal certainty to protect consumers. The purpose of the UUPK is to protect the interests of consumers when transacting, which can also be a reference for business actors to be able to improve the quality of the products they sell.⁴⁴

Article 7 of the UUPK stipulates the various obligations that must be fulfilled by business actors, when offering and selling a product, namely: (a) Have good faith when running their business; (b) Provide actual, clear, and honest information about the condition and guarantee of goods/services and provide clarity on the use, repair and maintenance of the products they sell; (c) Not discriminatory, so as to treat or serve consumers correctly and honestly; (d) Provide a guarantee in the form of the quality of the goods and services it produces based on the provisions of the applicable quality standards for goods and services; (e) Allow consumers to test, and/or try out goods and provide guarantees for the goods made or traded. (f) Allow consumers to test, and/or try out goods and provide guarantees for the goods made or traded. Provide a guarantee in the form of the quality of goods and services produced based on the provisions of the applicable

⁴² In Islamic Law, "Perlindungan Konsumen Dalam Perspektif Hukum Islam Dan Undang-Undang Nomor 8 Tahun 1999 Consumer Protection in the Perspective of Islamic Law," no. 8 (2015).

⁴³ Ja'far, "Perlindungan Konsumen Dalam Perspektif Hukum Bisnis Islam."

⁴⁴ Fakultas Hukum and Universitas Syiah, "Miliknya Dan Informasi Terkait Pencantuman Klausula Baku Untuk Menghindari Terjadinya Wanprestasi Antara Pihak Konsumen Dan Pelaku Usaha ." 1, no. 3 (2017): 33–51.

quality standards for goods and services; (g) Provide compensation or compensation in the form of replacement of goods and or services traded. Provide compensation or compensation in the form of replacement goods if the goods or services received or utilized are not in accordance with those offered.⁴⁵

Conclusion

Overall, the Qur'an provides a profound ethical basis for consumer protection. The principles in the UUPK, such as fairness, prohibition of fraud, consumer rights, and the responsibilities of business actors, are very much in line with the teachings of the Qur'an, which emphasizes the importance of honesty, protection of rights, and fairness in economic transactions. Thus, UUPK can be considered as an implementation of positive law that is in accordance with the Islamic values contained in the Qur'an. The Qur'an provides a very comprehensive and in-depth view of consumer protection. In essence, the Qur'an emphasizes justice, honesty, and the avoidance of all forms of fraud and loss in business transactions.

The conclusion on the Qur'anic view of consumer protection is that the Qur'an provides comprehensive and in-depth guidance on consumer protection, focusing on fairness, honesty, and prevention of fraud and loss in business transactions. Its main principles include the prohibition of mutual harm, the prohibition of fraud (gharar), the obligation to be honest in measures and scales, the prohibition of usury, the emphasis on transparent information, the responsibility of business actors, the right to cancel transactions (khiyar), and alignment with the objectives of Sharia (*Maqashid Shari'ah*) for the benefit of humanity. These Qur'anic principles are very relevant and can be applied in the modern context to realize a fair economic system. Whereas in the Law the relevance in its application is very simple not much different from what is conveyed by the Qur'an which in fact contains many important points in terms of its application.

Thus, the Qur'an provides a strong and comprehensive foundation for consumer protection, which includes moral, ethical and legal aspects. These principles are relevant and applicable in the modern context to create a fair and equitable economic system for all parties.

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⁴⁵ Widi Nugrahaningsih and Mira Erlinawati, "Implementasi Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen Terhadap Bisnis Online," *Serambi Hukum* 11, no. 01 (2017): 27–40.

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