

Author:

¹Aneka Rahma, ²Khairuddin,

³Anita Niffilayani

Affiliation:

^{1,2,3}UIN Fatmawati Sukarno

Bengkulu, Indonesia

Corresponding author:

anekarahma91@gmail.com

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Policy Implications of the TikTok Shop E-Commerce Platform in the Contemporary Era: A Siyasah Syar'iyah Perspective

Abstract: This study explores the policy implications of the TikTok Shop e-commerce platform in the contemporary era through the lens of *Siyasah Syar'iyah*. As one of the fastest-growing e-commerce platforms, TikTok Shop has significantly influenced the dynamics of digital transactions and interactions between consumers and businesses. However, with the rapid pace of digital transformation, there is a need for policy evaluation that effectively regulates transactions and aligns with Shariah principles. The research adopts an empirical juridical approach, employing field studies and in-depth interviews as the primary methods for data collection. Interviews were conducted with Islamic economic experts, e-commerce practitioners, and relevant policymakers. The findings indicate that existing TikTok Shop policies can be aligned with *Siyasah Syar'iyah* principles by emphasizing justice (*al-'adalah*) and public benefit (*al-Maslahah*). This includes ensuring equal opportunities for small and medium-sized enterprises (SMEs) and other small-scale entrepreneurs and maintaining that products sold meet Shariah standards, such as being halal and providing transparent product information. However, key challenges in implementing Shariah-based regulations include monitoring the dynamic content and transactions on the platform and addressing the use of algorithms that may be unfair or manipulative. To address these challenges, strict yet adaptive regulations are needed to keep up with technological advancements. The academic contribution of this study lies in advancing a more relevant and practical application of *Siyasah Syar'iyah* for regulating digital platforms in the modern era. Furthermore, it provides policy recommendations to create a fairer, more transparent e-commerce ecosystem that upholds Shariah values, delivering long-term benefits for society and the global digital industry.

Keywords: Contemporary, E-Commerce, Policy, Siyasah Syar'iyah, TikTok Shop.

INTRODUCTION

The rapid development of global e-commerce in recent years has created a significant impact on the digital economy¹, and TikTok Shop, as one of the fastest-growing platforms, also plays a key role in this dynamic²; the platform allows consumers and businesses to interact directly through an engaging short video format, significantly changing transaction and consumption patterns. In this context, TikTok Shop is a trading tool and a means to create trends and influence consumption decisions. However, while the platform offers great potential, the challenges related to regulations and policies that can balance economic growth and Sharia principles are increasingly urgent.³

TikTok Shop operates in a complex space, combining technology, consumer behaviour, and digital economy principles that are not fully integrated with policies prioritizing ethics and social justice.⁴ This creates a need to examine more deeply the policies that should be implemented in this platform, especially from the perspective of *Siyasah Syar'iyah*. *Siyasah Syar'iyah*, as an Islamic policy framework that emphasizes justice, transparency, and public welfare, provides a relevant perspective for crafting regulations that promote economic growth while ensuring adherence to Sharia values.⁵

Although TikTok Shop has attracted significant attention as an e-commerce platform, studies linking digital e-commerce policies to the perspective of *Siyasah Syar'iyah* are still very limited. Existing policies focus more on the technical and operational aspects of e-commerce platforms without considering the moral and ethical principles governed by

¹ S. Iqbal dkk., "Effects of green entrepreneurship and digital transformation on eco-efficient e-commerce," *International Entrepreneurship and Management Journal* 21, no. 1 (2025), <https://doi.org/10.1007/s11365-024-01024-x>.

² S. Waoma dkk., "Perceptual Mapping Marketplace Tiktok Shop, Tokopedia, Shopee, Lazada, Blibli: Positioning Marketplace Based on Indonesia Online Shopper Preferences," *Journal of Ecohumanism* 3, no. 4 (2024): 2726–2737, <https://doi.org/10.62754/joe.v3i4.3786>.

³ N.Z. Al Habesyah dkk., "Sentiment Analysis of TikTok Shop Closure in Indonesia on Twitter Using Supervised Machine Learning," *Journal of Electronics, Electromedical Engineering, and Medical Informatics* 6, no. 2 (2024): 148–156, <https://doi.org/10.35882/jeeemi.v6i2.381>.

⁴ N. Naisabur dkk., "The Prohibition of Social E-Commerce on TikTok Shop: A Fiqh Examination Based on Sharia Compliance and Economic Justice," *AlManahij: Jurnal Kajian Hukum Islam* 18, no. 1 (2024): 59–78, <https://doi.org/10.24090/mnh.v18i1.9674>.

⁵ M.A. Zakiruddin, Kamsi, dan A. Bahiej, "Siyasah Syar'iyah Paradigm of Hajj Financial Management Regulation in Indonesia," *AlIstinbath: Jurnal Hukum Islam* 7, no. 2 (2022): 531–552, <https://doi.org/10.29240/jhi.v7i2.5310>.

Islamic teachings.⁶ This creates a significant research gap, namely the need for research integrating digital regulation aspects with sharia principles to create a fairer and more sustainable system. This study will fill this gap by examining TikTok Shop policies through a more holistic *Siyasah Syar'iyah* lens. The latest study examines the impact of TikTok Shop's e-commerce policy in Indonesia from an Islamic and legal perspective. The closure of the platform raises concerns regarding data privacy, taxes, and consumer protection and points to weaknesses in existing regulations.⁷ Many academics consider applying Sharia principles to social e-commerce important, emphasizing economic justice and market stability.⁸ However, TikTok's live shopping feature sparked debate, as some content is considered incompatible with Sharia principles and can damage market stability, such as promoting haram products and price practices that are detrimental to consumers.⁹ Overall, these studies underscore the need for flexible regulations to cope with the rapid changes in social e-commerce platforms.

Furthermore, although several studies discuss e-commerce within the framework of Islamic law, no research has examined the implications of TikTok Shop policies in this digital era from the perspective of *Siyasah Syar'iyah*. This research brings novelty by connecting two rarely explored fields simultaneously, namely the digital economy and Islamic law, to produce policy recommendations that are more relevant and applicable in the global context. As such, the study focuses on identifying policies that need to be changed or added to ensure the sustainability and compliance of platforms like TikTok Shop with sharia principles that include consumer protection, fairness, and transparency.

⁶ R. Aprianto dkk., "Examining Influencers Role in TikTok Shop's Promotional Strategies and Consumer Purchases," *APTISI Transactions on Technopreneurship* 6, no. 1 (2024): 13-28, <https://doi.org/10.34306/att.v6i1.376>.

⁷ Shohib Muslim, Muktar Muktar, dan Supena Diansah, "Implikasi Hukum Penutupan TikTok Shop terhadap Regulasi Hukum Bisnis di Indonesia," *Jurnal Hukum dan HAM Wara Sains* 2, no. 10 (30 Oktober 2023): 952~963-952~963, <https://doi.org/10.58812/jhhws.v2i10.713>.

⁸ Nanang Naisabur dkk., "The Prohibition of Social E-Commerce on TikTok Shop: A Fiqh Examination Based on Sharia Compliance and Economic Justice," *AlManahij: Jurnal Kajian Hukum Islam*, 25 Maret 2024, 59-78, <https://doi.org/10.24090/mnh.v18i1.9674>.

⁹ Anggita Putri Kinanti dkk., "Live Shopping TikTok dalam Perspektif Ekonomi Syariah serta Keberlanjutan Pasar," *Jihbiz : Jurnal Ekonomi, Keuangan dan Perbankan Syariah* 8, no. 1 (29 Januari 2024): 29-46, <https://doi.org/10.33379/jihbiz.v8i1.3592>.

On the other hand, current policies tend not to pay enough attention to the provisions of Islamic law that regulate economic interaction and buying and selling transactions in e-commerce. This creates a mismatch between the goals of developing the digital economy and the principles of ethics and justice taught in Islam. This study will examine this, assessing existing policies and suggesting improvements that can be made to ensure that platforms like TikTok Shop can operate in a manner that is in line with the moral and ethical demands of Islam while supporting the sustainability of the digital economy in the future. In response to this need, this study raises several key research questions: How can the current policies regulating TikTok shops be adjusted to *Siyasah Syar'iyah*? What challenges are faced in implementing Sharia-based regulations on digital e-commerce platforms such as TikTok Shop? These questions are the basis for further analysis of TikTok Shop's policies within the framework of *Siyasah Syar'iyah*.

This research is expected to make a significant contribution to the development of Sharia-based e-commerce policies, especially in Indonesia and other countries with a majority Muslim population. By utilizing a qualitative approach and descriptive analysis, this study will provide a deeper understanding of how regulations following the principles of *Siyasah Syar'iyah* can be applied to create a fairer and more transparent e-commerce system. This contribution is not only limited to the academic world but also provides practical insights for policymakers and industry players in formulating more relevant policies in the digital era. Overall, this study aims to explore how TikTok Shop's policies can be adapted to be more in line with Sharia principles in the rapidly evolving digital era. By filling the existing research gap, this study is expected to provide new insights into the implementation of *Siyasah Syar'iyah* in digital e-commerce settings and offer fairer and ethical policy recommendations for stakeholders.

METHOD

This type of field research aims to collect data directly from relevant sources in the field and then analyze the data based on theories relevant to the topic discussed. The researcher uses a qualitative method with an empirical juridical approach in this study.¹⁰ This method

¹⁰ Laily Fitria Ramadhani dkk., "Analisis Yuridis Periklanan Melalui TikTok Shop Secara Hiperbola Menurut Undang-Undang No. 8 Tahun 1999," *Causa: Jurnal Hukum Dan Kewarganegaraan* 7, no. 6 (19 November 2024): 61-70, <https://doi.org/10.3783/causa.v7i6.6951>.

was chosen because it can provide a deep understanding of legal phenomena in society, especially those related to policies or legal practices in the context of e-commerce, as well as the application of Sharia principles in these regulations. The empirical juridical approach itself is an approach that combines the study of legal theory with the collection and analysis of empirical data from the field. In the context of this research, the approach is used to understand how the policies applied to e-commerce platforms, especially TikTok Shop, are implemented in practice and how effective these policies are in maintaining the principles of Islamic law, such as fairness, transparency, and consumer protection. The researcher will examine primary data obtained directly from the field through interviews with some key figures who have knowledge or influence on this policy and by reviewing the literature and documents relevant to the research topic.

The interview techniques used in this study are essential to obtain accurate and in-depth information because they allow researchers to explore the views, experiences, and perspectives of informants directly involved in e-commerce practices and policymaking. This interview will involve not only e-commerce practitioners but also figures with authority in Islamic law, such as jurists and policymakers focusing on digital regulation and Islamic economics. In addition, relevant documents related to DSN-MUI fatwas, government regulations, and Sharia guidelines will be analyzed to see the relationship between Islamic legal theories and policies applied on e-commerce platforms. After the data was collected through interviews and document reviews, the analysis was carried out using the inductive thinking method. The inductive approach allows researchers to compile findings from the data obtained and then relate them to existing theories to produce a more comprehensive and accountable understanding. Thus, this research aims to understand the implementation of TikTok Shop's e-commerce policy and contribute to the development of Islamic legal theory, especially in the context of the digital economy and the regulation of Sharia-based e-commerce platforms.

RESULTS AND DISCUSSION

Legality of TikTok Shop in Indonesia

TikTok Shop is a new trading platform released by the TikTok application that involves sellers, buyers, and creators. TikTok Shop is a new online shopping tool that sellers and buyers can use to transact. The advantages of TikTok Shop: users can directly shop through the TikTok application without having to move to another application to complete

the desired product purchase transaction. Facebook, Instagram, or TikTok store, this feature of the TikTok Store does not redirect users to the store's website in question. In a sense, all purchase transactions, chats with sellers, and payment processes are carried out using the TikTok software itself.¹¹

The legality of TikTok Shop in Indonesia has become an issue that is increasingly attracting attention along with the rapid development of this e-commerce platform in the digital world. TikTok Shop, a TikTok in-app shopping feature, allows users to purchase products directly from videos or live broadcasts, making it an integral part of social e-commerce in Indonesia. However, with its growing popularity, questions and challenges arise regarding TikTok Shop's legal status and compliance with applicable regulations in Indonesia. In general, e-commerce in Indonesia has been regulated in various regulations, both national and oriented to sharia principles. One of the relevant regulations is Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE), which regulates digital transactions, personal data protection, and cybersecurity. In addition, other regulations, such as Government Regulation No. 80 of 2019 concerning Trade Through Electronic Systems (PP 80/2019), also provide more specific guidelines regarding e-commerce, including the obligation of business actors to register themselves, consumer protection obligations, and tax obligations.¹²

However, although TikTok Shop operates under an existing legal framework, the platform faces challenges adapting to applicable regulations, especially concerning Sharia principles. As a platform that also operates in a country with a majority Muslim population, TikTok Shop needs to ensure that its business model and transaction practices follow Islamic ethical values, especially related to transactions that are transparent, fair, and free from fraud or exploitation. This is important because there are potential risks to

¹¹ N. Putri dkk., "TikTok Shop: How trust and privacy influence generation Z's purchasing behaviors," *Cogent Social Sciences* 10, no. 1 (2023), <https://doi.org/10.1080/23311886.2023.2292759>.

¹² Kholifatul Muna dan Budi Santoso, "Regulasi Izin Perdagangan TikTok Shop Sebagai Fitur Tambahan Aplikasi TikTok di Indonesia," *JURNAL USM LAW REVIEW* 7, no. 1 (21 April 2024): 412-428, <https://doi.org/10.26623/julr.v7i1.8950>.

consumers, such as transactions that do not follow the principles of halal products and unfair pricing or detrimental to consumers (predatory pricing).¹³

In addition, even though TikTok Shop has been registered as an e-commerce platform, its legality aspect concerning sharia regulations in Indonesia still needs further attention. DSN-MUI's fatwa on online stores can be used as a reference in assessing TikTok Shop's legality from the Islamic law perspective by highlighting the importance of transparency, honesty, and compliance with religious rules in every transaction on the platform. As an entity that facilitates buying and selling transactions, TikTok Shop must ensure that its entire system complies with sharia guidelines, including consumer protection and market fairness. On the other hand, the lack of clarity regarding taxes and regulations related to personal data is also an important issue that must be resolved. TikTok Shop must follow the applicable tax regulations in Indonesia by ensuring that every transaction through this platform is reported and subject to taxes following applicable regulations. This is important to ensure compliance with national laws and to build consumer and public trust in the platform.¹⁴

Overall, although TikTok Shop operates in Indonesia by following most existing regulations, there are still several challenges in ensuring that the platform is fully compliant with legal provisions, both in terms of national regulations and Sharia principles. For this reason, more specific and adaptive arrangements related to digital transactions and social-based e-commerce platforms in Indonesia are needed so that TikTok Shop can operate legally and follow applicable principles of fairness.

TikTok Shop E-Commerce Platform Policy in the Contemporary Era

TikTok Shop is one of the innovations in the world of e-commerce that combines social media with buying and selling activities, providing an interactive shopping experience for users. For example, through *live shopping*, a creator can directly promote a product to

¹³ Diah Ayu Wulandari, Bryan Storm Feryan Djie, dan Andriyanto Adhi Nugroho, "Peluang Social Commerce Melalui Akuisisi Tokopedia Oleh Tiktok Shop Ditinjau Dari Aspek Legalitas," *Media Hukum Indonesia (MHI)* 2, no. 3 (25 Juni 2024), <https://doi.org/10.5281/zenodo.12522453>.

¹⁴ Sarah Septyaningsih, Mochammad Tanzil Multazam, dan Bobur Sobirov, "Legal Protection of Consumer Rights in Transactions at TikTok Shop: Unraveling New Legal Insights," *Kosmik Hukum* 23, no. 3 (15 Agustus 2023): 248, <https://doi.org/10.30595/kosmikhukum.v23i3.17396>.

thousands of viewers at the same time, providing a more personalized interactive experience than traditional shopping. This marks a significant transformation in consumption patterns and digital marketing in the contemporary era. However, the development of TikTok Shop is inseparable from regulatory and policy challenges. In Indonesia, TikTok Shop must comply with Government Regulation No. 80 of 2019 concerning Trade Through Electronic Systems (PP 80/2019), which regulates the obligation of business actors to register their platforms officially. For example, TikTok Shop has been required to work with the government to provide access to transaction data to support tax supervision and consumer protection.¹⁵

In the contemporary era, attention to consumer protection is the main focus. TikTok Shop needs to ensure that consumers get transparent information about the products they purchase, including accurate descriptions and trustworthy customer reviews. For example, the case of selling counterfeit goods on TikTok Shop was once in the spotlight, triggering the need to tighten policies on product authenticity. In addition, security in payment transactions, such as using integrated payment services that ensure protection against fraud, is also crucial.¹⁶

From an economic perspective, TikTok Shop faces criticism for its potential impact on local MSMEs. For example, large sellers on TikTok Shop often provide massive discounts through *flash sales*, which are sometimes accused of using predatory pricing practices. This practice can affect the competitiveness of small businesses that cannot offer similar prices. For this reason, policies that support MSMEs, such as maximum discount restrictions or digital marketing support for local MSMEs, must be implemented.¹⁷ The contemporary era

¹⁵ Lestari Victoria Sinaga dan Jupenris Sidaauruk, "Kebijakan Peraturan Menteri Dalam Negeri Nomor 50 Tahun 2020 Dalam Mengatur Ijin Pelaku Bisnis Di E-Commerce Dan Social Commerce (Tiktok Shop)," *Jurnal Ilmiah Penegakan Hukum* 10, no. 2 (31 Desember 2023): 165-171, <https://doi.org/10.31289/jiph.v10i2.10519>.

¹⁶ Sonny Fransisco, Nurzalinar Joesah, dan Jeffry Latumahina, "Keputusan Pembelian Pada Fitur Tiktok Shop Dengan Kepercayaan Dan Kemudahan Penggunaan Melalui Kepuasan Sebagai Variabel Intervening | Ilmu Ekonomi Manajemen Dan Akuntansi," 29 Januari 2024, <https://journal.thamrin.ac.id/index.php/ileka/article/view/2001>.

¹⁷ Muhammad Bintang Priyono dan Dian Permata Sari, "Dampak Aplikasi Tiktok Dan Tiktok Shop Terhadap UMKM Di Indonesia," *Jurnal Ilmiah Wahana Pendidikan* 9, no. 17 (4 September 2023): 497-506, <https://doi.org/10.5281/zenodo.8315865>.

is also marked by rapidly changing technological dynamics, so policies related to platforms such as TikTok Shop must be adaptive. For example, new features such as *AI-powered recommendations* or promotion algorithms should be monitored to ensure they do not discriminate against small sellers or promote unlawful content. In this case, the government can work with TikTok to design a technology-based monitoring system to support effective regulation.¹⁸

With these developments, TikTok Shop's policies impact economic and technological aspects and reflect the challenges and opportunities to integrate social, cultural, and religious values in e-commerce practices in the digital era. A clear example of this integration is the collaboration between TikTok Shop and the government in the MSME Go Digital program, which encourages small businesses to take advantage of digital platforms while still paying attention to the principle of fairness in the distribution of business opportunities.¹⁹

The Lifting of the TikTok Shop Ban and Its Benefits

The benefits of the TikTok Shop reopening policy in Indonesia are very significant, both for business actors and the economy as a whole.²⁰ First, for micro, small, and medium enterprises (MSMEs), this policy provides greater access to market their products to a broader audience. TikTok Shop allows MSMEs to leverage digital platforms at relatively low costs and a wider reach, reducing the barriers to more expensive traditional markets. This helps increase their revenue and business growth, especially for those who do not have access to conventional distribution channels.²¹

Second, the reopening of TikTok Shop positively contributes to the Indonesian economy by encouraging the growth of the e-commerce sector. This helps create new jobs

¹⁸ Muhammad Rizki Ardiyono dkk., "Eksplorasi TikTok Sebagai Media Pemasaran Efektif Bagi UMKM," *Indonesian Journal of Economics, Management and Accounting* 1, no. 11 (5 November 2024): 1206–1213.

¹⁹ Heribertus Ary Setyadi dkk., "TikTok Shop Untuk Meningkatkan Penjualan Produk UMKM Witpari Karanganyar," *Abditeknika Jurnal Pengabdian Masyarakat* 3, no. 1 (3 April 2023): 1–8, <https://doi.org/10.31294/abditeknika.v3i1.1726>.

²⁰ Isyadatul Hasanah dan Anna Zakiah Hastriana, "Dampak Fenomena Penutupan Tik Tok Shop Terhadap Perubahan Prilaku Konsumen Studi Kasus Mahasiswa Institut Ilmu Keislaman Annuqayah (INSTIKA) Guluk-Guluk Sumenep," *Jurnal Inovasi Global* 2, no. 1 (15 Januari 2024): 67–77.

²¹ Muna dan Santoso, "Regulasi Izin Perdagangan TikTok Shop Sebagai Fitur Tambahan Aplikasi TikTok di Indonesia."

directly on the platform and in supporting sectors such as logistics and digital marketing. With the increasing number of business actors who can sell online, there is the potential to increase the competitiveness of Indonesia's digital economy at the global level. In addition, by joining TikTok Shop with local platforms such as Tokopedia, this policy also strengthens the domestic digital trade ecosystem, which aligns with the government's efforts to develop Indonesia's digital economy. Third, this policy also benefits consumers, who can more easily access various products that suit their needs and preferences. TikTok Shop offers a more interactive shopping experience through live shopping, allowing consumers to view products in person and interact with sellers. This increases transaction transparency and allows consumers to be more confident in the products they purchase, reducing the risk of fraud.²²

Overall, the reopening policy of TikTok Shop benefits Indonesia's digital economy ecosystem, supports MSMEs, creates jobs, and improves access for consumers while strengthening Indonesia's position as a major player in the global e-commerce market. From the perspective of *Siyasah Syar'iyah*, the reopening policy of TikTok Shop can be seen as a step in line with Sharia principles that emphasize economic justice, public welfare, and social balance. The opening of TikTok Shop provides opportunities for small and medium enterprises (MSMEs) to expand their markets, which supports the principle of *al-'is* (justice), which provides equal opportunities for all business actors, regardless of business size. This is especially important in the Islamic economy, which encourages a fair and equitable distribution of wealth so that not only large businesses benefit from digital platforms.

In *Siyasah Syar'iyah*, the primary purpose of economic policy is to bring *maslahah* (benefits) to the ummah and to avoid damage or loss.²³ The reopening of TikTok Shop is expected to bring economic benefits to the community, especially for MSMEs, who are often marginalized in the traditional economic system. By providing greater access to the digital market, these policies allow more people to engage in economic activities, improving

²² Leonardo Halim dan Gunardi Lie, "Analisis Terhadap Penutupan Tiktok Shop Di Indonesia," *Journal of Accounting Law Communication and Technology* 1, no. 2 (1 Juli 2024): 816-821, <https://doi.org/10.57235/jalakotek.v1i2.2658>.

²³ Amiruddin K, "Nilai Maslahat Dalam Sistem Ekonomi Islam," *EcceS: Economics Social and Development Studies* 2, no. 1 (2015), <https://doi.org/10.24252/ecc.v2i1.1143>.

general welfare. This is following Sharia's goals to encourage inclusive and sustainable economic growth.

However, the challenge from the perspective of *Siyasah Syar'iyah* is ensuring that activities on TikTok Shop follow Sharia principles, especially in terms of honesty and transparency. For example, sellers must ensure that the products sold do not violate Sharia law, such as haram products or products that deceive consumers. Therefore, regulations that oversee content and transactions on the platform are essential to keep TikTok Shop running following the principles of fairness and transparency.

Thus, the TikTok Shop reopening policy can be seen as a positive step in improving Indonesia's digital economy, as long as it has regulations that ensure that e-commerce practices comply with sharia principles, such as fairness, transparency, and consumer protection. This aligns with the concept of *Siyasah Syar'iyah*, which emphasizes the importance of managing policies that benefit the community and avoid all forms of harm.

Policy Implications of TikTok Shop in the Contemporary Era from a *Siyasah Syar'iyah* Perspective

TikTok Shop has created a significant transformation in the contemporary era of e-commerce. With features like *live shopping*, the platform allows for direct interaction between sellers and buyers, providing a more interactive and personalized shopping experience.²⁴ However, these innovations also present new challenges, such as consumer protection, fairness in the market, and data security. From the perspective of *Siyasah Syar'iyah*, policies related to TikTok Shop need to consider the principles of justice, public benefit, and protection of individual rights to create a balance between technological innovation and the interests of the wider community.

In the framework of *Siyasah Syar'iyah*, the principle of justice (*al-adl*) is the main foundation.²⁵ Every business actor, both large and small, must be given equal opportunities

²⁴ D. Wiryawan dkk., "Analysis of Factors that Influence Users to Make Transactions through the TikTok Shop on the TikTok Application," 2023, 132-136, <https://doi.org/10.1109/ICITACEE58587.2023.10277290>.

²⁵ Suryani Suryani, "Keadilan Ekonomi Dalam Perspektif Ekonomi Syariah: Sebuah Tinjauan Teori," *MAKSIMUM: Media Akuntansi Universitas Muhammadiyah Semarang* 2, no. 1 (2011): 39-60, <https://doi.org/10.26714/mki.2.1.2011.39-60>.

to develop. TikTok Shop is often accused of carrying out practices that benefit large businesses through massive promotions such as *flash sales* or extreme discounts. This practice can be detrimental to small business actors, such as MSMEs, who cannot compete in terms of scale or promotion budget. Therefore, the government needs to formulate policies that ensure fairness, for example, by limiting excessive discounts and incentivizing MSMEs to increase their competitiveness on the platform.

In addition, information transparency in transactions is an important element in line with the principle of *himayah al-haqq* or rights protection. Consumers can obtain transparent and honest product information, including price, ingredients, and halal status.²⁶ TikTok Shop can improve its description features to be complete and accurate so that there is no element of *gharar* (uncertainty) in transactions.²⁷ For example, a special category for halal products can be applied to make it easier for Muslim consumers to choose goods that follow Sharia values.²⁸

Content supervision is also a concern in the context of *Siyasah Syar'iyah*. Some promotional content on TikTok Shop, such as *live shopping*, often features illegal products or unethical ads.²⁹ This is contrary to sharia values and can damage market confidence. Therefore, TikTok Shop needs to build a stricter supervision mechanism, for example, by working with institutions such as DSN-MUI to review content and provide certification for products that comply with Sharia.³⁰ In addition, education for content creators about ethical values is also important to maintain conformity with religious and social norms.

²⁶ Muhammad Sularno, "Konsep Kepemilikan Dalam Islam (Kajian Dari Aspek Filosofis Dan Potensi Pengembangan Ekonomi Islami)," *Al-Mawarid: Jurnal Hukum Islam* 9 (2002), <https://journal.uui.ac.id/JHI/article/view/2609>.

²⁷ Fredy Gandi Midhia, "Jual Beli Dengan Konsep All You Can Eat Dalam Perspektif Fiqih Muamalah," *Mu'amalah: Jurnal Hukum Ekonomi Syariah* 1, no. 2 (15 Juni 2022): 39-52, <https://doi.org/10.32332/muamalah.v1i2.5000>.

²⁸ Muh Bahrudin dkk., "Halal Food Industry: Reinforcing The Halal Product Assurance Organizing Body (Bpjph) In The Development Of The Among Urban Muslim Community In Indonesia," *Akademika : Jurnal Pemikiran Islam* 29, no. 1 (1 Mei 2024): 61-72, <https://doi.org/10.32332/akademika.v29i1.9039>.

²⁹ Muhammad Azmin, Rahmat Rahmat, dan Rindi Sasmita, "Jual Beli Online Melalui Tik Tok Shop Menurut Perspektif Qawaid Fiqhiyah," *Journal of Sharia Economy and Islamic Tourism* 4, no. 1 (18 November 2024): 22-28, <https://doi.org/10.31764/jseit.v4i1.27969>.

³⁰ Naura Dwi Arta Fitriana dkk., "Implementasi Akad Salam Terhadap Belanja Berbasis Live Streaming Di TikTok Shop Pada Kalangan Generasi Zoomer," *JOURNAL SAINS STUDENT RESEARCH* 3, no. 1 (2025): 164-174, <https://doi.org/10.61722/jssr.v3i1.3277>.

The principle of public benefit (*tahqiq al-maslahah*) is also an important foothold in developing TikTok Shop policies. The essence of the public benefit principle is the *Jalbul Masholih Principle* (Attracting Benefits).³¹ This principle is one of the main concepts in *Siyasah Syar'iyah*, which focuses on efforts to maximize society's benefits and avoid losses. In the context of TikTok Shop, the *Jalbul Masholih* concept can be applied by looking at how policies related to this platform can benefit the economy and society while ensuring that these benefits do not sacrifice Sharia values. This platform has great potential to support community economic empowerment, primarily through developing MSMEs.³² However, without adequate regulation, this platform can create market inequality detrimental to small business actors. Policies supporting MSMEs, such as free digital training, subsidized marketing features, or special promotions for local products, can help create a more inclusive trade ecosystem.

The digital age also demands ethical arrangements in platform algorithms. TikTok Shop uses an algorithm to recommend products, often prioritizing large sellers more.³³ From the perspective of *Siyasah Syar'iyah*, this algorithm must be designed ethically to provide equal opportunities for small business actors. For example, TikTok Shop can develop an algorithm that prioritizes local products or new businesses to help them gain greater visibility.

To ensure adaptive and relevant policies, the government can establish a supervisory board consisting of Shariah, technology, and economic experts to oversee practices on TikTok Shop.³⁴ This council can help ensure that the platform's policies align with *Siyasah Syar'iyah* principles, such as fairness in distributing economic benefits and protecting

³¹ Annisa Permatasari, "Elasticity of Islamic Law in Social Dynamics (Analysis of E-Commerce A Fiqh Perspective)," *MILRev: Metro Islamic Law Review* 1, no. 1 (26 Desember 2022): 34-53, <https://doi.org/10.32332/milrev.v1i1.6189>.

³² Syarifah Maihani, T. M. Nur, dan Yusrawati Yusrawati, "Pengembangan Umkm Di Era Masyarakat Digitalisasi," *Jurnal Nasional Komputasi Dan Teknologi Informasi (JNKTI)* 7, no. 2 (16 Mei 2024): 103-108, <https://doi.org/10.32672/jnkti.v7i2.7518>.

³³ Ari Santi Putri dan Siti Nurhayati, "Pengaruh Algoritma TikTok Dan Konten Kreatif Pada TikTok Shop Terhadap Keputusan Pembelian," *Jurnal Bisnis, Manajemen, Dan Akuntansi* 11, no. 1 (30 Maret 2024): 10-15, <https://doi.org/10.54131/jbma.v11i1.182>.

³⁴ Dzacky Agustian Anhar dan Shelly Kurniawan, "Ketidakpastian Hukum Dalam Kembalinya Tiktok Shop Sebagai Platform Social Commerce Di Indonesia," *UNES Law Review* 6, no. 3 (30 April 2024): 8963-8976, <https://doi.org/10.31933/unesrev.v6i3.1788>.

vulnerable groups. In addition, halal certification of products sold on TikTok Shop can also be a solution to increase the trust of Muslim consumers.

Through the *Siyasah Syar'iyah* approach, TikTok Shop's policies can be directed to create a fairer, more transparent, and responsible e-commerce ecosystem. The integration of sharia values in this policy not only provides benefits for consumers and small business actors but also ensures that the development of digital technology remains in line with religious and social values. Thus, TikTok Shop can become an innovative platform that is both profit-oriented and inclusive and equitable economic sustainability.

Table 1 illustrates the implications of TikTok Shop's policy from the perspective of *Siyasah Syar'iyah* in the contemporary era:

Aspects	Prinsip <i>Siyasah Syar'iyah</i>	Challenges in TikTok Shop	Policy Recommendations
Market Justice (<i>al-adl</i>)	Equality of business opportunities	The dominance of large business actors through <i>flash sales</i>	- Limit massive discounts - Provide special incentives for MSMEs
Protection of Rights (<i>himayah al-haqq</i>)	Transparency in transactions	Product information is often incomplete or unclear	- Require accurate product descriptions - Add halal product categories
Public Benefit (<i>tahqiq al-maslahah</i>)	Support for MSMEs	Market inequality, MSMEs find it difficult to compete	- Provide subsidized promotional features for MSMEs - Train MSMEs in digital marketing
Content Supervision	Compliance with norms	Illegal product promotion content and unethical advertising	- Form a content moderation mechanism - Cooperation with DSN-MUI for certification
Algorithm Ethics	Fair distribution of opportunities	The algorithm prioritizes large sellers	- Design algorithms that provide equal opportunities for small businesses
Adaptive Regulation	Alignment with change	Regulations have not yet accommodated social e-commerce	- Form a supervisory board involving Shariah, technology, and economic experts

Source: author's interpretation

This table explains how the principles of *Siyasah Syar'iyah* can be applied to face the challenges in TikTok Shop while providing adaptive and inclusive policy

recommendations. Applying the *Siyasah Syar'iyah* principle in the TikTok Shop policy in the contemporary era is crucial to ensure that e-commerce develops pretty, transparently, and follows Sharia values. The principle of fairness can be applied by providing equal opportunities for small business actors, such as MSMEs, to compete in the digital market through policies restricting extreme discounts and providing incentives. Protecting consumer rights is also a key aspect by ensuring that the products sold are equipped with precise descriptions and halal certification for Muslim consumers. In addition, policies to empower MSMEs and local products can strengthen the domestic economy, while strict content supervision is needed to ensure that the products sold comply with Sharia principles.

In addition, *Siyasah Syar'iyah* encourages the development of inclusive algorithms, providing opportunities for all business actors to gain equal visibility on the platform. Adaptive regulation is also important to keep pace with rapid technological developments, as it establishes a sharia supervisory board that ensures policies remain following sharia principles. With policies oriented to the public good, TikTok Shop can develop as a platform that supports the economic welfare of the broader community while maintaining the integrity and sustainability of a fair digital market that follows Islamic law.

CONCLUSION

To ensure alignment with the principles of *Siyasah Syar'iyah*, regulating TikTok Shop should prioritize justice (*al-'adalah*) and public benefit (*al-Maslahah*) while addressing contemporary challenges. Equal opportunities for SMEs and small businesses must be guaranteed to prevent domination by larger enterprises, fostering economic inclusivity. Transparency in transactions and adherence to Shariah standards—such as halal certification and transparent product information—remain critical for consumer trust and ethical business practices. Moreover, policies promoting the empowerment of SMEs and developing Shariah-compliant local products could drive sustainable economic growth and strengthen Indonesia's economic ecosystem. In the digital era, challenges such as monitoring highly dynamic content and managing algorithm-driven transactions demand innovative regulatory approaches. While enhancing user engagement, features like live

streaming and personalized algorithms pose risks of unfair practices, such as price manipulation or the promotion of non-compliant products. Strict oversight mechanisms must be introduced to moderate platform activities, ensuring they remain within Shariah guidelines. Additionally, the rapid evolution of technology necessitates adaptive regulations that evolve alongside these advancements. By integrating education and training on Shariah-compliant business ethics for platform operators and users, the TikTok Shop can be transformed into a model for ethical and inclusive e-commerce, aligning with the broader objectives of *Maqasid Shariah* in the digital marketplace.

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AUTHOR CONTRIBUTIONS STATEMENT

The authors worked collaboratively, leveraging their expertise to ensure the research was conducted thoroughly and the final manuscript met high academic standards. This teamwork highlights the strong synergy among the researchers, which was instrumental in achieving the study's objectives. Aneka Rahma contributed to data collection, literature analysis, and initial manuscript drafting. Khairuddin took the lead in data validation, provided critical revisions to the manuscript, and supervised the overall project. Anita Niffilayani was pivotal in designing the research methodology, developing the conceptual framework, and performing final manuscript editing.

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