

A Review of Positive Law and the DSN-MUI Fatwa Number 144/DSN-MUI/XII/2021 on Electronic Trade Transactions in Sharia Marketplaces (Case Study of Ruang Halal and Muslim Lifeshop)

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Abstract

The development of digitalization in Indonesia has driven significant market growth. As a country with the largest Muslim population in the world, Indonesia needs a marketplace that is in accordance with sharia principles. This study aims to analyze the suitability of electronic trade transaction practices in the Ruang Halal marketplace and the Muslim LifeShop marketplace with positive Indonesian legal rules and DSN-MUI Fatwa Number 144/DSN-MUI/XII/2021. This research uses a qualitative method in the form of a case study with a normative and empirical legal approach. Primary data is obtained through observation and interviews with resource person from the marketplace, while secondary data comes from laws and regulations, fatwas, and reliable literature. The results of the study show that the transaction mechanism in both marketplaces is in accordance with the provisions of electronic offer, electronic acceptance, and electronic confirmation in accordance with Government Regulation No. 80/2019. Both marketplaces have also fulfilled the principles and requirements of the salam contract from the perspective of Islamic law. However, there is a discrepancy between the practice and the seventh point of the DSN-MUI Fatwa No. 144/2021 because the practice still uses conventional banks (non sharia bank) in the virtual account payment option. This research contributes to the development of the digital halal ecosystem in Indonesia and becomes a reference for the development of a more comprehensive sharia marketplace.

Keywords: Sharia Marketplace, Indonesian Positive Law, DSN-MUI Fatwa, Electronic Transactions, E-commerce

INTRODUCTION

Digitalization in Indonesia is growing rapidly with the number of smartphone users reaching 192.15 million users in 2022, placing Indonesia fourth in the world (Sadya, 2022). This development is supported by the growth of the e-commerce sector which reached GMV (Gross Merchandise Value) of US\$ 59 billion in 2022 and is projected to grow to US\$ 95 billion by 2025 (Google, Temasek and Bain & Company, 2022).

Indonesia, as a country with the largest Muslim population in the world (207 million people) and a high level of religion (96% of respondents consider it important to believe in God to be moral) has great potential in the development of a marketplace based on sharia principles (Tamir et al., 2020). Total domestic halal product spending reached 22% of Indonesia's total GDP or around USD 218.8 billion in 2017 (Bank Indonesia, 2020).

The need for a sharia marketplace is increasing along with the emergence of various payment methods such as paylater which has the potential to contain elements of *riba*. DSN-MUI Fatwa Number 144/DSN-MUI/XII/2021 concerning Marketplaces Based on Sharia Principles has been issued as a guideline for the implementation of marketplaces in accordance with Islamic principles.

Based on a literature review of the last 10 years (2015-2025), there have been several previous studies that support the analysis of Indonesia's halal e-commerce ecosystem. The challenge of Islamic economic literacy is a fundamental issue in the development of Indonesia's halal ecosystem. The research by Abdullah et al. (2018) revealed that the level of Islamic financial literacy among Muslims is still low, with Indonesian Muslims preferring economic and non-economic aspects over religious aspects when choosing financial services (Abdullah et al., 2018). Recent data shows that public literacy about Islamic economics is still relatively low, at around 23 percent, with the government targeting an increase in literacy from 23 percent to 50 percent by 2025 (Lembaga Pemeriksa Halal LPPOM, 2025). In the context of Islamic financial inclusion, Sekaryuni (2020) found that religiosity and Islamic financial literacy have a significant effect on Islamic financial inclusion and the performance of Micro, Small, and Medium Enterprises (MSMEs) in the halal tourism sector (Sekaryuni, 2020), while Alfarizi and Ngatindriatun (2022) analysed the factors that determine the adoption of Sharia FinTech by halal MSME owners, finding that religiosity, Islamic financial literacy, and risk perception influence the intention to adopt Islamic FinTech (Alfarizi & Ngatindriatun, 2022).

Digital transformation and consumer behaviour in halal platforms also face significant challenges. Studies on the effectiveness of digital promotion strategies show that MSMEs utilise digital platforms such as social media, websites, and e-commerce to expand their market reach and build brand loyalty (Research Gate, 2020). However, research by Djunaidi et al. (2021) on consumer perceptions and behaviour towards halal products found that the factors influencing purchases are religiosity, halal label certification, and product price, while halal awareness and brand image are not significant variables (Djunaidi et al., 2021). Regulatory and consumer protection issues are a major concern, with a study on the legal landscape of Islamic fintech in Indonesia showing that many startups do not comply with the Sharia principles set by the Indonesian government. The growth of Islamic fintech in Indonesia remains slow due to inadequate regulations, complicated licensing procedures, and rampant illegal fintech businesses (PMC, 2023). Research on consumer

protection in online shopping shows that platform providers must avoid providing misleading information about product quality, with Law No. 8 of 1999 on Consumer Protection stipulating a maximum prison sentence of five years or a fine of up to 2 billion rupiah for business entities that use misleading information for online advertising purposes (Journal of Law and Sustainable Development, 2023; Mondaq, 2024; Conventus Law, 2021).

This study analyzes two marketplaces that carry sharia principles: Ruang Halal and Muslim LifeShop. Ruang Halal is a marketplace platform for halal products and services that was established in 2018, while Muslim LifeShop is an Islamic marketplace with the tagline “Ukhuwah and Muamalah,” which is directly fostered by prominent ustadz.

By bridging normative legal analysis with empirical platform comparison, the research enriches scholarly understanding of Sharia e-commerce governance and offers practical guidance for developers, regulators, and religious authorities to ensure market practices are both legally sound and religiously legitimate.

RESEARCH METHOD

This study applied a qualitative case study approach that combined normative and empirical legal perspectives. The population of this research consisted of sharia-based marketplaces in Indonesia, while the sample was purposively focused on Ruang Halal and Muslim LifeShop as representatives of platforms that explicitly applied Islamic principles in electronic commerce. Primary data were obtained through direct observation of the transaction mechanisms and features offered by the two marketplaces, as well as semi-structured interviews with key informants, namely Mr. Ari Bimoyono (Chief Marketing Officer of PT. Ruang Halal Indonesia), Mr. Didit Praditya (Muslim LifeShop IT Team), and Mr. Ah Azharuddin Lathif (DSN-MUI Institute). Secondary data were collected from laws and regulations, DSN-MUI fatwas, relevant scientific journals, and official marketplace documentation. The data analysis process followed the flow model by Miles and Huberman, which included three stages: data reduction through categorization of relevant information, data display in descriptive and comparative form, and conclusion drawing supported by verification to ensure the validity of findings.

RESULTS AND DISCUSSION

Transaction Mechanism on Ruang Halal Marketplace and Muslim LifeShop

Ruang Halal Marketplace

The transaction mechanism includes: account registration with OTP verification, product search, addition to cart, selection of delivery services, and payment. This marketplace provides free and paid halal certification services for Micro, Small, and Medium Enterprises (MSMEs). The available payment methods are manual transfers to BSI and ipaymu payment gateways that provide virtual accounts, QRIS, and convenience stores. In this section, conventional banks can still be selected as a virtual account payment option. Ruang Halal marketplace can optimize halal compliance by only offering Islamic banks that currently support the payment method.

The contract used between the seller and the buyer is the salam contract. For platinum members, a diploma contract is used at a certain cost, while for ordinary members they use an i'arah contract (free).

Muslim LifeShop Marketplace

The transaction mechanism includes: registration with email activation, filling out a complete profile, product search, selection of delivery services, and payment. This marketplace strictly regulates the products that can be traded and provides muamalah training for traders.

Payment methods include account balances, virtual accounts, and digital wallets. The buyer has 3x24 hours to confirm receipt of the goods. The contract used is also a salam contract with clear khiyar rights. Muslim Lifeshop marketplace will be more optimal in maintaining halal compliance in terms of payments if it only provides Islamic banks as a payment option.

Conformity with Indonesian Positive Law

Electronic Contract Analysis

Both marketplaces have fulfilled the provisions of electronic contracts in accordance with Government Regulation No. 71/2019:

Table 1. Electronic Contract Conformity Analysis

Electronic Contract Terms	Ruang Halal Marketplace	Marketplace Muslim LifeShop
Agreements of the parties	✓ Via click "Cart" or "Buy Now"	✓ Via click "Insert Cart" or "Buy Now"
Subject of competent law	✓ Verification of ID card/driver's license/passport	✓ Minimum age requirement of 17 years old
Certain things	✓ Delivery of goods and payment	✓ Delivery of goods and payment
Object does not conflict with the law	✓ Only halal and legal products	✓ Strict rules for halal products

Electronic Offering, Acceptance, and Confirmation Mechanisms

Both marketplaces have implemented mechanisms in accordance with Government Regulation No. 80/2019:

- 1) Electronic offering: Through product uploads with photos and descriptions
- 2) Electronic acceptance: Through the click action on the “Cart” or “Buy” button
- 3) Electronic confirmation: Through the review page before payment

Conformity with DSN-MUI Fatwa No. 144/2021

Analysis of the Pillars and Conditions of the Salam Contract

Table 2. Analysis of the Pillars and Conditions of the Salam Contract

Terms & Conditions	Ruang Halal Marketplace	Marketplace Muslim LifeShop	Conformity
Contracting parties	Sellers and buyers	Sellers and buyers	✓
Object of the contract	Halal products are available	Halal products are available	✓
Exchange rate	Rupiah Currency	Rupiah Currency	✓
Shigat	Electronic offering and acceptance	Electronic offering and acceptance	✓
Subject of talk	Verify identity documents	Minimum age requirement of 17 years old	✓
Halal goods	Halal product appeal	Strict rules for halal products	✓
Cash payments	No paylater/credit	No paylater/credit	✓

Analysis of the Provisions of the DSN-MUI Fatwa

Table 3. Analysis of Conformity with the 10 Points of DSN-MUI Fatwa No. 144/2021

Fatwa Points	Ruang Halal Marketplace	Marketplace Muslim LifeShop	Status
1. Platform agreement	✓ Approval at registration	✓ Terms and conditions are clear	Appropriate
2. Paid Diploma Contract	✓ Member platinum	✓ Paid ads available	Appropriate
3. Free Admission	✓ Free regular members	✓ Free registration	Appropriate
4. Prohibition of tadlis/najasy	✓ No complaints	✓ Strict product rules	Appropriate

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5. Objects in accordance with sharia	✓ Halal appeal + certification	✓ Strict rules + training	Appropriate
6. Khiyar rights	✓ 7 days return	✓ 3x24 hour complaints	Appropriate
7. Sharia payments	△ There are still conventional banks	△ There are still conventional banks	Less suitable
8. Delivery of goods	✓ Through expedition	✓ Through expedition	Appropriate
9. Contract with expedition	✓ Ijārah with the buyer	✓ Ijārah with the buyer	Appropriate
10. Expedition responsibilities	✓ Tracking feature available	✓ Tracking and complaints	Appropriate

Key Findings and Inconsistencies

The findings of this study reveal that both Ruang Halal and Muslim LifeShop generally conform to Indonesia's positive law—such as Government Regulation No. 80/2019 on electronic transactions and Minister of Trade Regulation No. 31/2023—as well as DSN-MUI Fatwa No. 144/DSN-MUI/XII/2021 on sharia-compliant marketplaces. Nevertheless, an inconsistency remains in the seventh point of the fatwa, which regulates the use of sharia payment methods. Both platforms still utilize conventional bank channels for virtual account transactions, thereby raising concerns regarding compliance. As emphasized in the interview with the DSN-MUI Institute, reliance on conventional banks is problematic since escrow accounts may generate interest, contravening the principle of *riba*. This aligns with findings by Asiah and Abidin (2024), who argued that one of the major shortcomings of online sharia transactions in Indonesia is the unresolved reliance on conventional financial infrastructures, which hampers the establishment of a fully Islamic digital economy. Similarly, research by Nurdin (2021) highlighted that Islamic marketplaces often face structural barriers in implementing sharia payment systems due to limited integration with Islamic banks. Thus, while the studied marketplaces make significant strides in operational compliance, the persistence of conventional bank usage reveals a gap between normative requirements and practical implementation.

Positive Aspects of the Marketplaces

Beyond these inconsistencies, the study also identifies several positive features that distinguish each platform. Ruang Halal has demonstrated added value by facilitating free and paid halal certification services, providing MSME mentoring programs, and focusing on both domestic and export-oriented halal products. Its strict rejection of paylater and credit card features

further strengthens its alignment with sharia principles by avoiding potential elements of *riba* and *gharar*. These findings reinforce earlier claims by Rahmawati (2022), who emphasized that halal certification and MSME empowerment are central to enhancing consumer trust in digital sharia marketplaces.

Meanwhile, Muslim LifeShop emphasizes religious compliance through strict product regulations, regular muamalah training for traders, direct guidance from prominent Islamic scholars, and prohibitions on trading gold, silver, and currencies to avoid speculative practices and usury. This result is consistent with the findings of Syahrul and Firmansyah (2023), who noted that continuous trader education and fatwa-based prohibitions are vital for building consumer confidence and ensuring long-term sustainability of Islamic e-commerce platforms.

These findings highlight that while both platforms exhibit commendable adherence to sharia values and provide distinctive contributions to the Islamic digital economy, systemic and infrastructural challenges—particularly in the domain of payment systems—still need to be addressed. This study therefore contributes to filling the gap in previous research by combining normative legal assessment with empirical evaluation of actual marketplace practices, providing a holistic picture of the strengths and shortcomings of Indonesia's emerging sharia e-commerce ecosystem.

CONCLUSION

This study found that the Ruang Halal and Muslim LifeShop marketplaces largely complied with Indonesia's positive legal framework and DSN-MUI Fatwa No. 144/2021. Both platforms adhered to the requirements for electronic contracts, employed sharia-compliant greeting contracts, and implemented nine out of ten key points of the fatwa. However, discrepancies remained in the payment aspect due to reliance on conventional banks, which carry the potential risk of usury. Despite this, both marketplaces demonstrated a strong commitment to sharia principles through various supporting initiatives such as halal certification, muamalah training, and strict regulations governing halal products. Future research could explore alternative sharia-compliant payment systems to fully eliminate usurious elements and enhance the religious legitimacy of electronic trade transactions in sharia marketplaces.

REFERENCES

- Abdullah, R., Razak, A. L. H. A., & Ali, U. I. S. S. (2018). Sustainability of Islamic Microfinance in Indonesia: A Holistic Approach.

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ResearchGate.

https://www.researchgate.net/publication/332871647_sustainability_of_islamic_microfinance_in_indonesia_a_holistic_approach

Alfarizi, M., & Ngatindriatun, N. (2022). Indonesian Halal MSME Open Innovation with Islamic Fintech Adoption. *Journal of Asian Business and Economic Studies*. <https://scholarhub.ui.ac.id/jaki/vol19/iss2/5/>

Bank Indonesia. (2020). Halal Industry Ecosystem. Ministry of Sharia Economics and Finance.

Conventus Law. (2021). E-commerce in Indonesia – Advertising. Conventus Law. <https://conventuslaw.com/report/e-commerce-in-indonesia-advertising/>

Djunaidi, A., Setyaningsih, S., & Marwansyah, O. (2021). Perception and Consumer Behavior of Halal Product Toward Purchase Decision in Indonesia. *Jurnal Teknik Industri*. <https://ejournal.umm.ac.id/index.php/industri/article/view/16714>

DSN-MUI. (2021). Fatwa Number 144/DSN-MUI/XII/2021 Concerning Marketplace Based On Sharia Principles. Dewan Syariah Nasional-Majelis Ulama Indonesia.

Google, Temasek, & Bain & Company. (2022). E-conomy SEA report 2022: Through the Waves Towards a Sea of Opportunity.

Government Regulation Number 71 of 2019 Concerning The Implementation of Electronic Systems And Transactions. (2019). Republic of Indonesia.

Government Regulation Number 80 of 2019 Concerning Trade Through Electronic Systems. (2019). Republic of Indonesia.

Journal of Law and Sustainable Development. (2023). A Critical Review of Consumer Protection Online Shopping, False Advertising, and Legal Protection. <https://ojs.journalsdg.org/jlss/article/view/740>

Lembaga Pemeriksa Halal LPPOM. (2025). Indonesia's Strategy to Capture The World's Halal Market. Lembaga Pemeriksa Halal (LPH) LPPOM Sertifikasi Halal. <https://halalmui.org/en/indonesias-strategy-to-capture-the-worlds-halal-market/>

Mondaq. (2024). General Overview of New E-Commerce Regulation in Indonesia. International Trade & Investment - Indonesia. <https://www.mondaq.com/international-trade-investment/1430890/general-overview-of-new-e-commerce-regulation-in-indonesia>

- PMC. (2023). Exploring The Legal Landscape of Islamic Fintech in Indonesia: A Comprehensive Analysis of Policies and Regulations. PMC. <https://pmc.ncbi.nlm.nih.gov/articles/PMC11101920/>
- Regulation of the Minister of Trade Number 31 of 2023 Concerning Business Licensing, Advertising, Coaching, and Supervision of Business Actors in Trade Through Electronic Systems. (2023). Republic of Indonesia.
- ResearchGate. (2020). Promoting Islamic Financial Ecosystem to Improve Halal Industry Performance in Indonesia: A Demand and Supply Analysis. ResearchGate. https://www.researchgate.net/publication/341336677_Promoting_Islamic_financial_ecosystem_to_improve_halal_industry_performance_in_Indonesia_a_demand_and_supply_analysis
- Sadya, S. (2022). Pengguna *Smartphone* Indonesia Terbesar Keempat Dunia pada 2022. DataIndonesia.id. <https://dataindonesia.id/>
- Sekaryuni, R. (2020). Promoting Islamic Financial Ecosystem to Improve Halal Industry Performance in Indonesia: A Demand and Supply Analysis. *Journal of Islamic Marketing*, 12(5), 992–1011.
- Tamir, C., Connaughton, A., & Salazar, A. M. (2020, July 20). The Global God Divide. Pew Research Center. <https://www.pewresearch.org/global/2020/07/20/the-global-god-divide/>
- Wahyuni, N., Reza, A., & Yusuf, M. (2023). The Impact of Marketing Communication and Islamic Financial Literacy on Islamic Financial Inclusion and MSMEs performance: Evidence from Halal Tourism in Indonesia. *Sustainability*, 15(13), 9868. <https://www.mdpi.com/2071-1050/15/13/9868>