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Sharia Compliance Of Digital Umkm: A Critical Diagnostic Study From The Perspective Of Fiqh Muamalah

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ABSTRACT

The rapid growth of digital platforms has transformed the business models of micro, small, and medium enterprises (MSMEs), while simultaneously raising new challenges for Shariah compliance in daily transactions. This study aims to provide a critical diagnostic analysis of the gap between fiqh muamalah principles and contemporary digital MSME practices. This research employs a qualitative descriptive approach using semi-structured interviews, digital transaction observations, and documentation involving MSME actors and consumers. Shariah compliance is operationalised into four analytical dimensions: contract validity, transaction transparency, payment structure, and market behaviour ethics. The findings indicate that although MSME actors generally possess normative awareness of Islamic business values, Shariah compliance has not been systematically integrated into operational practices. Digital contracts tend to be implicit, product information transparency remains limited, and reliance on conventional digital payment instruments creates structural risks of riba. In addition, competitive pressure in digital markets encourages pragmatic marketing practices that potentially deviate from Islamic business ethics. This study contributes by offering a conceptual diagnostic framework to critically map the structural gaps between fiqh muamalah principles and contemporary digital MSME practices.

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1. INTRODUCTION

Micro, Small, and Medium Enterprises (MSMEs) are a vital foundation of the Indonesian economy due to their role in employment and income distribution. Information from the Ministry of Cooperatives and SMEs shows that the MSME sector dominates the number of business units in the country and contributes significantly to gross domestic product and equitable income distribution (UKM, 2023). From an Islamic economic perspective, MSMEs are viewed not only as productive entities but also as instruments for distributing prosperity and strengthening economic justice. Therefore, ideally, MSME business practices should not only be oriented toward efficiency and profit, but also align with Sharia principles in every transaction process.

The development of digital technology has driven significant transformations in MSME business models, particularly in marketing, distribution, and payment systems. Digitalization enables market expansion and cost efficiency, but at the same time, it changes interaction patterns between businesses and consumers. Transactions that were previously conducted in person now often take place through digital

platforms with limited communication, often resulting in implicit agreements and potentially creating ambiguity in the transaction process.

In the context of fiqh muamalah, clarity of contracts, transparency of information, and fairness of exchange are fundamental principles in every economic transaction (Az-Zuhaili, 2011). In MSME digital business practices, these principles face structural challenges, including unclear contracts that are not explicitly written, limited product information, and the use of digital payment instruments that are not fully aligned with Sharia principles. This situation indicates a gap between the normative framework of Islamic jurisprudence (fiqh muamalah) and MSME business practices in the digital era, which demands a more operational and applicable approach to Sharia compliance analysis.

Several studies on Sharia-compliant MSMEs tend to emphasize business ethics and product halal certification, while studies on digital MSMEs focus more on technology adoption and economic performance. As a result, Sharia compliance is often positioned as an individual moral stance, rather than as an operational framework integrated into the design of digital MSME business models. This gap highlights the need for a more practical approach to linking Sharia principles with contemporary business practices.

Based on these issues, this study aims to diagnostically analyze the gap between the principles of Islamic jurisprudence (fiqh) in muamalah (Islamic business) and the business practices of digital MSMEs by positioning Sharia compliance as a multidimensional operational concept. The analysis focuses on four main dimensions: clarity of contracts, transaction transparency, payment structure, and ethical market behavior. This research is expected to provide a conceptual contribution in the form of a critical mapping of the structural problems of Sharia compliance in digital MSMEs and serve as a conceptual basis for the development of analytical instruments or implementation models for Sharia compliance in future research.

2. THEORETICAL FRAMEWORK

Sharia Compliance in Islamic Economic Perspective

In Islamic economics, sharia compliance is a basic principle that regulates all economic activities so that they are in harmony with the provisions of Islamic law and the objectives of maqāṣid al-sharīʿah. (Chapra, 2000) emphasizes that Sharia compliance is not only related to the legal-formal aspects of transactions, but also encompasses dimensions of justice, balance, and social welfare. In a business context, Sharia compliance serves as a control mechanism that ensures that economic activities do not deviate from the goals of collective welfare and equitable distribution.

However, in practice, sharia compliance is often perceived narrowly, limited to compliance with the prohibition of usury and halal products. (Chapra, 2008) emphasizes that this approach is inadequate, as Sharia compliance requires the integration of Islamic values into a company's operational structure, including contractual arrangements, pricing, and risk distribution. Without this operational integration, Sharia compliance has the potential to be merely symbolic and lose its transformational role in achieving economic justice.

Fiqh Muamalah as a Framework for Business Transactions

Fiqh muamalah is the main normative framework in assessing the validity and fairness of business transactions in Islam. (Az-Zuhaili, 2011) states that a valid transaction requires clarity of the contract, object, price, and the conscious consent of the parties through the ijab and qabul (contract of acceptance and acceptance). These principles aim to prevent the practices of usury, gharar, and maysir (risk of betting), as well as to maintain a balance of rights and obligations within the contract.

However, the application of Islamic jurisprudence (fiqh muamalah) in contemporary business practices is often limited to the normative level. In the MSME sector, limited contractual understanding and institutional support mean that the principles of Islamic jurisprudence (fiqh muamalah) have not been fully internalized into business operations. This situation indicates a mismatch between the objectives of Islamic law and current economic practices, particularly in an increasingly complex business environment.

Digital Transformation of MSMEs and the Challenges of Contract

Digital transformation has changed the way MSMEs conduct business activities through the use of digital platforms, online marketplaces, and electronic transaction systems. (Purnomo et al., 2024) Digital transformation has changed the way MSMEs conduct business activities through the use of digital platforms, online marketplaces, and electronic transaction systems.

In digital transactions, agreements often occur through system approval or click approval which is not always accompanied by explicit clarity of the agreement. (Az-Zuhaili, 2011) emphasizes that clarity of the ijab and qabul is a prerequisite for a valid contract, so implicit digital transactions have the potential to give rise to gharar. This challenge demonstrates that digitalization impacts not only economic efficiency but also the validity and clarity of transaction structures from a muamalah jurisprudence perspective.

Digital Payment Systems and Potential Sharia Non-Compliance

In addition to the contract aspect, the electronic payment system is an important element in assessing the sharia compliance of digital MSMEs. (Ascarya, 2007) states that most modern financial instruments are still based on interest mechanisms and potentially contain elements of usury. The dependence of digital MSMEs on electronic payment services increases the likelihood of indirect involvement in the conventional financial system.

(Otoritas Jasa Keuangan (OJK), 2022) noted that Indonesia's digital financial ecosystem is still dominated by conventional instruments, while Sharia-compliant payment alternatives are not yet widely available. This indicates that Sharia compliance issues in digital MSMEs are not entirely within the control of business actors but are also influenced by the existing financial system structure.

Sharia Business Ethics and the Limitations of the Normative Approach

Studies of Islamic business ethics generally emphasize moral values such as integrity, honesty, and trust as guidelines for individual behavior. (Hasan, 2002) states that norm-focused ethical approaches are often not directly linked to contract structures and transaction mechanisms. As a result, Islamic business ethics has not been fully integrated into the operational design of business models.

A similar approach is also found in research (Nurul Huda, 2014), while some Islamic principles position Sharia values as general principles in economic activities, they have not yet provided operational explanations for their application in everyday MSME business practices, particularly in the context of complex digital transactions. This limitation underscores the need for an approach that systematically connects ethical values with transaction structures.

Conceptual Framework for Diagnostics of Sharia Compliance of Digital MSME Operations

Based on the literature review, this study positions sharia compliance as an operational concept analyzed through four main dimensions: contract validity, transaction transparency, payment structure, and ethical market behavior. These four dimensions represent the principles of Islamic jurisprudence (fiqh) adapted to the business practices of digital MSMEs. This diagnostic conceptual framework is used to bridge the gap between the normative principles of Islamic law and the empirical conditions of business practices and serves as the basis for the analysis in this study.

3. METHOD

This study uses a qualitative approach with descriptive research to analyze Sharia compliance in digital-based MSME business practices from a muamalah fiqh perspective. The study subjects included digital MSMEs directly involved in online transactions. This study involved 10 MSMEs in the food and fashion sectors in Pekalongan City who actively use marketplace platforms and digital payment systems in their daily business activities.

Primary data was obtained through semi-structured interviews and digital observations of transaction mechanisms, while secondary data was collected through documentation and relevant literature. Sharia compliance was positioned as an operational concept analyzed through four main dimensions: the validity and clarity of contracts, payment structures, transaction transparency, and ethical market behavior.

Data analysis was conducted using thematic analysis techniques through the stages of data reduction, data presentation, and conclusion drawing. Field findings were categorized based on these four dimensions and compared with the principles of Islamic jurisprudence (fiqh) in muamalah (muamalah). Data validity was maintained through triangulation of sources and methods.

4. RESULTS AND DISCUSSION

The results and discussion in this study are structured based on a conceptual diagnostic framework of sharia compliance derived from the principles of muamalah fiqh and contextualized with the business practices of MSMEs in the digital era. Sharia compliance is positioned not merely as a normative attribute, but as an operational concept that can be analyzed through four main dimensions: contract validity, transaction transparency, payment structure, and ethical market behavior. These four dimensions are used as a diagnostic conceptual framework to map the extent to which digital MSME business practices are able to translate the principles of justice, clarity, and consumer protection in daily transactions. With this approach, the discussion not only presents empirical findings but also systematically links them to muamalah fiqh theory and the structural conditions of the digital business ecosystem, thus clearly demonstrating the gap between the normative principles of Islamic law and the operational realities of contemporary MSMEs.

Dimensions of Validity of Contracts in Digital MSME Transactions

The study indicates that the contract process in digital transactions between MSMEs (Micro, Small, and Medium Enterprises) more often occurs indirectly through the system, such as by clicking on an order and confirming payment. The majority of MSMEs understand this as an automatic contract, without a clear declaration of acceptance and acceptance. While this method increases transaction efficiency, from a muamalah jurisprudence perspective, this practice still leaves open issues regarding the clarity of the contract, particularly regarding the suitability of the object, price, and mutual consent of each party. (Az-Zuhaili, 2011) states that the accuracy of the contract and understanding between the parties involved are valid criteria for a transaction. In the digital era, the shift from the form of ijab and qabul to an agreement executed through a system is considered valid as long as the core of clarity and willingness are maintained. However, the results of field research indicate that many MSMEs lack a sufficient legal understanding related to the impact of digital contracts they implement in online transactions. Contracts are often perceived as a completely automated process operated by the platform system, without any understanding of the clarity of ijab and qabul, the object of the transaction, and the legal consequences contained therein.

This situation is in line with the opinion (Kamali, 1995) which states that adapting contracts to a modern context requires caution so that technical innovations do not obscure the basic principles of the validity of contracts according to Islamic law. A similar view was also expressed by (Usmani, 2021) who

argues that changes to contracts in the modern economic world must maintain the substance of the agreement, the willingness of both parties, and the clarity of the contract as necessary conditions for valid sharia transactions.

Dimensions of Transaction Transparency and Gharar Risk in MSME Digital Marketing

In terms of transaction transparency, research shows that there remains a lack of clarity in digital marketing practices by MSMEs, particularly regarding pre-order transactions. MSMEs generally don't clearly differentiate between salam and istisna' contracts, resulting in inadequate disclosure of product specifications, delivery times, and return policies.

In digital marketing, the use of online catalog photos, minimal product descriptions, and variations in product quality indicate an information imbalance between sellers and consumers. This situation has the potential to create gharar (unclear) because consumers do not obtain sufficient understanding before making a transaction. These findings are consistent with research (Ishak, M. N., & Siregar, 2025) which states that the lack of clear information in online transactions can increase the risk of gharar. In addition, (Usman & Nasution, 2023) emphasized that the characteristics of digital communication exacerbate ambiguity in transactions, whereas (Saifuddin & Eva Wildani Febrianti, 2025) emphasized that digital marketplaces often provide incomplete product information which can lead to gharar.

Dimensions of Digital Payment Structure and Potential Usury Elements

Analysis of the payment structure dimension shows that most MSMEs use conventional digital payment services due to their ease of access, transaction efficiency, and direct integration with e-commerce platforms. Digital wallets, payment gateways, and paylater services are the primary choices because they can speed up the payment process and increase consumer convenience. However, the use of these payment instruments carries the risk of containing elements of usury (riba), particularly through additional service fees, late payment fines, or indirect interest mechanisms that business owners are often unaware of. This creates a dilemma for MSMEs between the need for business efficiency and compliance with sharia principles.

In the context of fiqh muamalah, the payment structure is bound by the principle of transaction fairness and the prohibition on taking illegitimate profits. (Ascarya, 2007) emphasized that many modern financial instruments still operate on an interest-based system, thus structurally posing a major challenge to the implementation of sharia principles. A similar view was expressed by (El-gamal, 2008) which reveals that many contemporary financial innovations simply involve engineering contracts without eliminating the substance of usury, thus increasing the possibility of pseudo-compliance.

This structural situation is reinforced by the regulatory context and digital financial ecosystem in Indonesia. (Otoritas Jasa Keuangan (OJK), 2022) This indicates that Indonesia's digital financial ecosystem is still dominated by conventional services, while Sharia-compliant digital payment alternatives are not yet widely available, especially for MSMEs. This limitation leaves businesses with few options for payment instruments that fully comply with Sharia principles, despite their normative desire to conduct business in a halal manner. This finding is in line with research conducted by (Hassan & Aliyu, 2018) which emphasizes that sharia compliance in the business world does not only depend on individual awareness, but is also greatly influenced by the financial infrastructure and institutional policies that surround it.

Thus, the results of this study indicate that the issue of usury in digital payments for MSMEs is a systemic problem, not simply a result of weak religious commitment among business actors. MSMEs' dependence on conventional payment services demonstrates the need for an evaluative approach that assesses not only individual actions but also considers the appropriateness of the transaction structure and

the payment instrument used. Therefore, the payment structure dimension in this study serves as a crucial element in the diagnostic conceptual framework for analyzing Sharia compliance, used to critically assess the suitability of digital payment structures to the principles of Islamic jurisprudence (fiqh muamalah), rather than as a formal evaluation tool.

The Ethical Dimension of Market Behavior in Digital MSME Business Practices

In the ethical dimension of market behavior, the values of honesty, trustworthiness, and responsibility are normatively understood by MSMEs, but they have not yet been institutionalized in the design and operational mechanisms of their business models. Business ethics are still practiced as personal attitudes, not as systemic standards that bind all transaction and marketing processes.

Competitive pressures in the digital marketplace encourage pragmatic, visibility-driven marketing practices, such as the use of paid testimonials without disclosure, unverified claims of product scarcity, and pre-promotion price manipulation. These practices demonstrate a deviation between normatively recognized ethical values and market behaviors practiced in digital competition. (Beekun, 2019) emphasizes that Islamic business ethics cannot be reduced to individual virtues, but must be integrated into business systems, procedures and policies in order to prevent deviations in market behavior.

This finding is in line with the study (Nindyaningtyas, 2025) which shows that the use of social media by MSMEs is often not accompanied by consistent application of the principles of honesty and transparency in digital marketing communications. Similar results were also found by (Zairina, 2024), which confirms that the implementation of Islamic marketing ethics in MSME digital marketing practices still faces operational challenges, especially in maintaining information accuracy and promotional honesty. (Darmawati et al., 2023) adding that the digitalization of business gives rise to new ethical dilemmas that are difficult to manage without structured sharia guidelines. More broadly, (Sihombing et al., 2025) affirms that the principles of ṣidq, ‘adl, and amanah remain relevant in facing the ethical challenges of the global digital market, temporary (Juwita Anjelina, 2025) emphasizes the importance of internalizing sharia ethical values as the basis for building consumer trust in online transactions.

The four dimensions of contract validity, transaction transparency, payment structure, and ethical market behavior consistently demonstrate a gap between the principles of Islamic jurisprudence (fiqh) and the operational practices of digital MSMEs. Sharia compliance remains predominantly normative and has not been systematically integrated into daily business practices. Unlike previous studies that partially focused on ethical or halal aspects, this study positions Sharia compliance as a multidimensional operational concept. Therefore, this diagnostic conceptual framework serves as an analytical tool to critically map the gap between the principles of Islamic jurisprudence and the business practices of digital MSMEs.

5. CONCLUSION

This study shows that sharia compliance in digital-based MSME business practices remains predominantly normative and has not been operationally integrated. Using a diagnostic approach based on Islamic jurisprudence (fiqh muamalah), this study identifies four key gaps: clarity of digital contracts, transaction transparency, payment structures, and institutionalization of ethical market behavior. These findings confirm that the problem of sharia compliance in digital MSMEs is structural and systemic, not merely a matter of individual business actors' morals. The study's primary contribution lies in its critical conceptual mapping of the gap between the normative principles of Islamic jurisprudence (fiqh muamalah) and the operational realities of digital businesses. The four-dimensional framework used in this study can

serve as a conceptual basis for further research to develop analytical tools or implementation models for sharia compliance that are more applicable and empirically tested in broader sectors and contexts.

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