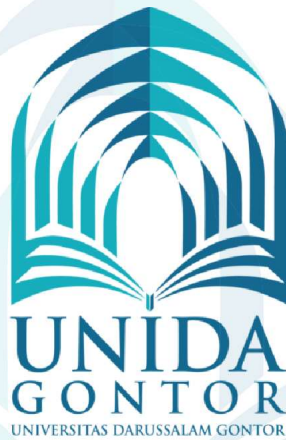


THESIS

**ANALYSIS OF THE IMPLEMENTATION OF E-COMMERCE
REGULATIONS REGARDING SOCIAL COMMERCE 'TIKTOK SHOP'
FROM THE PERSPECTIVE OF *SADDU ŻARA'I***



Written By:

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ISLAMIC ECONOMICS LAW

FACULTY OF SHARIA

UNIVERSITY OF DARUSSALAM GONTOR

2025/1446

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REGULATIONS REGARDING SOCIAL COMMERCE 'TIKTOK SHOP'
FROM THE PERSPECTIVE OF *SADDU ŻARA'I***

THESIS

Presented to the University of Darussalam Gontor in Partial Fulfilment of
Requirement for Bachelor Degree (S1) In the Department of Islamic Economics
and Law, Faculty of Sharia University of Darussalam Gontor

Written By:

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2025 /1446



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ABSTRACT

ANALYSIS OF THE IMPLEMENTATION OF E-COMMERCE REGULATIONS REGARDING SOCIAL COMMERCE 'TIKTOK SHOP' FROM THE PERSPECTIVE OF *SADDU ŻARA'I*

Nisrina Nadia Salsabila

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Technological advancements have driven digital commerce, including the transformation of TikTok into a transaction platform. However, issues such as unfair competition and weak consumer protection have emerged, prompting the government to issue Minister of Trade Regulation Number 31 of 2023 to restrict the function of social media as a social-commerce platform. This regulation led to the temporary closure of TikTok Shop before it eventually partnered with Tokopedia. This study analyzes the effectiveness of this policy in the regeneration of TikTok Shop and its relevance to Islamic law using an empirical juridical research method with a qualitative descriptive analysis approach. The findings indicate that the policy is not yet fully responsive to the needs of MSMEs, as it still allows market dominance by major platforms. From the perspective of *Sadd Az-żari'ah*, the study emphasizes the need for proportional regulations to prevent hindrance to the digital economy. The study concludes that e-commerce regulations must be more responsive and solution-oriented in protecting small businesses and consumers. The government must ensure that implemented policies not only impose restrictions but also provide support for MSMEs to adapt to the digital economy. With a more structured and consistent policy framework, these regulations can foster a fairer and more sustainable trade ecosystem.

Keywords: Regulation; E-Commerce; Consumer Protection; Sadd Zara'i.

ABSTRAK

ANALISIS IMPLEMENTASI REGULASI PERDAGANGAN MELALUI SISTEM ELEKTRONIK MENGENAI *SOCIAL-COMMERCE* 'TIKTOK SHOP' DALAM PERSPEKTIF *SADDU ĀZARĀ'I*

Nisrina Nadia Salsabila

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Perkembangan teknologi telah mendorong perdagangan digital, termasuk transformasi TikTok menjadi platform transaksi. Namun, muncul permasalahan seperti persaingan tidak sehat dan lemahnya perlindungan konsumen, yang mendorong pemerintah menerbitkan Permendag Nomor 31 Tahun 2023 untuk membatasi fungsi media sosial sebagai *social-commerce*. Regulasi ini menyebabkan penutupan sementara TikTok Shop sebelum akhirnya bermitra dengan Tokopedia. Penelitian ini menganalisis efektivitas kebijakan tersebut dalam regenerasi TikTok Shop serta relevansinya dengan hukum Islam menggunakan metode penelitian yuridis empiris melalui pendekatan analisis deskriptif kualitatif. Hasil studi menunjukkan bahwa kebijakan ini belum sepenuhnya responsif terhadap kebutuhan UMKM, karena masih memungkinkan dominasi pasar oleh platform besar. Dari perspektif *Sadd Āz-ẓari'ah* menekankan perlunya regulasi yang proporsional agar tidak menghambat ekonomi digital. Kesimpulan penelitian menegaskan bahwa regulasi perdagangan elektronik harus lebih responsif dan solutif dalam melindungi pelaku usaha kecil dan konsumen. Pemerintah perlu memastikan bahwa kebijakan yang diterapkan tidak hanya membatasi, tetapi juga memberikan dukungan bagi UMKM agar tetap dapat beradaptasi dalam ekonomi digital. Dengan kebijakan yang lebih terstruktur dan konsisten, regulasi ini dapat menciptakan ekosistem perdagangan yang lebih adil dan berkelanjutan.

Kata Kunci: Regulasi; Perdagangan Elektronik; Perlindungan Konsumen; *Sadd Āz-ẓari'ah*;

DECLARATION

I, hereby,

Name : Nisrina Nadia Salsabila
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Title : Analysis of the Implementation of E-Commerce
Regulations Regarding Social Commerce 'Tiktok Shop'
From the Perspective of *Saddu Żara'i*

I sincerely declare that this thesis belongs to my work and not to other researchers for a different degree. Furthermore, this thesis is never published before, except for some parts with their original references.

Otherwise, if it is found that this thesis is plagiarism, I am ready to be ceased academically.

UNIDA, Sya'ban 26th, 1446 H

February 25th, 2025 M

Researcher,


A 1000 Rupiah Indonesian postage stamp (Meterai Tempel) is placed over the signature. The stamp features the Garuda Pancasila emblem and the text '1000', 'METERAI TEMPEL', and the serial number 'C0F4FAKX346243949'.

Nisrina Nadia Salsabila

422021323110

SUPERVISOR DECISION LETTER

Honourable to
Dean of Sharia Faculty
University of Darussalam Gontor
Bismillahirrahmanirrahim
Assalamua'alaikum Warahmatullah Wabaraktuh

I present this thesis written by

Name : Nisrina Nadia Salsabila
Registered Number : 422021323110
Faculty : Sharia
Department : Islamic Economics Law
Title : Analysis of the Implementation of E-Commerce
Regulations Regarding Social Commerce 'Tiktok Shop'
From the Perspective of *Saddu Zara'i*

It has been processed and corrected to meet the practical requirement to obtain the Bachelor's Degree (S1) in the Islamic Economic Law Department, Sharia Faculty University of Darussalam Gontor. Therefore, we hope this thesis could be examined.

Hopefully, this thesis will be useful for religion, nation, and the development of an educational institution

Wassalamu'alaikum Warahmatullahi Wabarakatuh

UNIDA, Sya'ban 26th, 1446 H

February 25th, 2025 M

Supervisor,



Dr. Meitria Cahyani, M.H.

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DECISION OF THE TEAM

The committee of the thesis examination in partial fulfilment of the requirements for the degree of Licentiate in Islamic Economics Law in the Faculty of Sharia, University of Darussalam Gontor, Indonesia, declared that the thesis written by:

Name : Nisrina Nadia Salsabila
Reg. Number : 422021323110
Title : Analysis of the Implementation of E-Commerce Regulations Regarding Social Commerce 'Tiktok Shop' From the Perspective of *Saddu Zara'i*

Has been examined by the board of examiners of the Bachelor's Degree (S1) on Department of Islamic Economic Law Faculty of Sharia University of Darussalam Gontor on Monday, 3rd of March 2025

The board of examiners has decided to grant her pass in the thesis examination. Hence, she is eligible to be awarded the degree of Licentiate in Islamic Economics Law in the Faculty of Sharia.

**Board Examiner
Supervisor**



Dr. Meitria Cahyani, M.H.
NIDN. 0727057505

1st Examiner



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2nd Examiner



Fadhila Sukur Indra, S.H.I., M.E.
NIDN. 0709028906

THESIS ACCEPTANCE LETTER

Bismillahirrahmanirrahim

Assalamu 'alaikum wr. wb.

The Faculty of Sharia, University of Darussalam Gontor, Ponorogo Indonesia has received a thesis written by:

Name : Nisrina Nadia Salsabila
Reg. Number : 422021323110
Title : Analysis of the Implementation of E-Commerce
Regulations Regarding Social Commerce 'Tiktok Shop'
From the Perspective of *Saddu Zara'i*

In partial fulfillment of the requirement for the degree of Licentiate in Islamic Economics Law in the Faculty of Sharia, academic year 1445-1446/2024-2025.

Wassalamu 'alaikum wr. Wb.

UNIDA, Ramadhan 9th, 1446 H

March 9th, 2025 M

Dean of Sharia Faculty



Assoc. Prof. Dr. Imam Kamaluddin, Lc., M.Hum.

NIY. 960125

MOTTO

فَبِأَيِّ آلَاءِ رَبِّكُمَا تُكَذِّبَانِ

“So which of the favors of your Lord would you deny?”

(Q.S. Ar-Rahman (2): 13)

فَإِنَّ مَعَ الْعُسْرِ يُسْرًا (٥) إِنَّ مَعَ الْعُسْرِ يُسْرًا (٦)

“So, surely with hardship comes ease. Surely with that hardship comes more ease.”

(Q.S. Ash-Sharh (94): 5-6)

وَوَجَدَكَ ضَالًّا فَهَدَىٰ

“And Allah find you lost and guide you.”

(Q.S. Ad-Dhuha (93): 7)

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا... ٢٨٦ ج

“Allah does not impose upon any soul a duty but to the extent of its ability;”

(Q.S. Al-Baqarah (2): 286)

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DEDICATION

I dedicated this thesis to the following:

My beloved family especially my parents Nandang Triaji, M.T. and Tjitjih
Mudjiasih, and all justice fighters.



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Alhamdulillah Rabbil'Alamiin. Foremost, all praise to Almighty Allah SWT, The Lord of the Universe, for the gracious mercy and tremendous blessing that enables me to accomplish this humble thesis. Pray and peace are upon the Last Prophet Muhammad, Peace being upon his family, companions, and all his followers. Special thanks to:

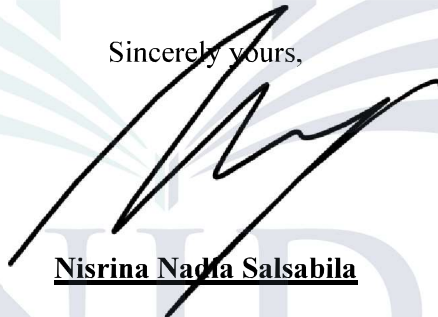
1. The Head Masters of Modern Islamic Boarding School Darussalam Gontor, K.H. Hasan Abdullah Sahal, Prof. Dr. K.H. Amal Fathullah Zarkasyi, M.A, Drs. K.H. Muhammad Akrim Mariyat, Dipl.A.Ed., allowed the researcher to study at the University of Darussalam Gontor.
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6. Esteemed supervisor, Mrs. Dr. Meitria Cahyani, M.H. **for her invaluable guidance and support throughout the thesis process.** Her dedication to researcher success, willingness to provide constructive feedback, and patience in answering my questions have been instrumental in the completion of this thesis.

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9. May this humble thesis be valuable and useful to readers, particularly for *dien*, the writer and researcher. *Aamiin*.

Ponorogo, Sya'ban 26th, 1446 H

February 25th, 2025 M

Sincerely yours,



Nisrina Nadia Salsabila

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