El-Ghiroh : Jurnal Studi Keislaman
P-ISSN: 2087-7854, E-ISSN: 2656-3126
https://jurnal.staibsllg.ac.id/index.php/el-ghiroh
D OI: https://doi.org/10.37092/elghiroh.v24i2.1790
Volume 24 No 2, September 2026, 245-255

RECONSTRUCTION OF THE KHIYAR RU'YAH CONCEPT IN LIVE COMMERCE TRANSACTIONS: A CASE STUDY OF VISUAL MANIPULATION THROUGH DIGITAL FILTERS

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Article History
Received :26-08-2026
Revised :07-09-2026
Accepted :23-09-2026

Keywords:
Live Commerce;
Khiyar Ru'yah;
Digital Filters;
Tadlis;

Abstract

The phenomenon of live commerce on digital platforms such as TikTok and Shopee Live has transformed the way consumers view goods in sharia-based transactions through the integration of advanced camera-filter technology and extensive artificial-lighting techniques. Although these technologies create immersive shopping interactions, they also pose a risk of systematic visual distortion that may give rise to tadlis (fraud) and gharar (uncertainty) regarding the physical quality of traded goods. This study aims to analyse the validity of digital ru'yah and formulate a reconstruction of the concept of Khiyar Ru'yah to maintain its relevance to the dynamics of contemporary online markets. Using a juridical-empirical research method with case and conceptual approaches, data were collected through participant observation during livestreams and in-depth qualitative interviews with consumers who had experienced discrepancies between displayed products and the goods received. The findings indicate that visual manipulation through camera algorithms can conceal material defects, smooth rough textures, and alter the perceived original colour of products, thereby undermining the principle of mutual consent (antaradin) in contracts. As a legal solution, this study proposes requiring sellers to display unfiltered products for a specified period during livestreams and expanding digital-platform return policies where significant visual discrepancies occur. Strengthening this right of choice is an important instrument for protecting wealth (hifz al-mal) and promoting justice and blessing in the digital transaction ecosystem in accordance with the principles of Maqasid al-Sharia.

Introduction

The fundamental transformation of the digital trading ecosystem has shifted the paradigm of online shopping from static, catalogue-based platforms to highly interactive and dynamic live commerce models. The acceleration of internet

technology and the widespread penetration of high-capacity smartphones in the cyber era have created a new marketplace that combines entertainment, two-way communication, and instant financial transactions. Global platforms such as TikTok Shop and Shopee Live have become major drivers of the contemporary creative economy, in which products are demonstrated in real time by streamers or content creators. Unlike traditional e-commerce, which relies primarily on static photographs or fixed text descriptions, live commerce offers an immersive shopping experience in which consumers can observe product details dynamically through direct interaction. This interaction creates an illusion of physical proximity that reduces the psychological distance between sellers and buyers and can encourage large numbers of spontaneous purchasing decisions. According to Nuraini and Kurniawan (2024), the absence of face-to-face contact makes clear visual information essential to ensuring fair protection of consumer rights in cyberspace (Nuraini, 2024). However, these functional advantages bring a significant new challenge: the increasingly widespread use of artificial lighting, such as high-colour-temperature ring lights, and sophisticated digital camera filters that can automatically alter colour saturation, texture smoothness, and the visual dimensions of products on buyers' screens.

According to Hidayat et al. (2024) in the International Journal of Digital Business, visual manipulation is not merely an aesthetic attempt to improve the appearance of an image; rather, it can operate as a structured form of neuro-digital marketing that radically changes consumers' perceptions of a product's actual physical quality (Hidayat, 2024). This phenomenon creates a serious risk of visual distortion: digital representations of products may appear far more flawless, glossy, and free of defects than the physical goods consumers receive. Amelia (2026) argues that limited access to physical information on interactive platforms can generate uncertainty (gharar) concerning the quality of the contractual object because of information asymmetry between business actors and users (Amelia, 2026). From the perspective of Islamic law, the gap between a virtual object and its real-world counterpart raises a serious issue because it may undermine the validity of ru'yah (seeing) in sharia transactions, which require transparent information to ensure mutual consent.

Previous studies have examined digital consumer protection from various regulatory perspectives, yet substantial research gaps remain. Al-Adwan et al. (2023) examined how visual information quality affects Muslim consumers' trust when selecting products in online marketplaces, but did not address the technical manipulation of real-time filters operating automatically through live-video algorithms (Al-Adwan, 2023). The first gap identified in this study is the lack of Islamic economic law scholarship specifically examining the validity of the right of option based on visual inspection (Khiyar Ru'yah) when cyber-based viewing has been systematically distorted by camera algorithms. Meanwhile, Rahman and Aziz (2022) discussed cyber ethics and information transparency at a broad level without proposing concrete legal remedies for micro-manipulation through commercial camera features (Rahman M. F., 2022; Muhammad, 2025). The second gap concerns the limited reconstruction of the legal concept of ru'yah, which traditionally refers to physical and material observation in classical fiqh texts, into a concept of virtual viewing vulnerable to digital manipulation (tadlis). Many legal studies treat e-commerce as a homogeneous category, even though

live-streaming commerce involves visual distortions that are more complex and dynamic than those associated with static catalogue photographs.

To understand the urgency of this legal reconstruction, it is necessary to revisit the classical juristic debate over the validity of contracts involving goods that are not present at the place where the contract is concluded (bay‘ al-gha’ib). In the literature of fiqh al-mu‘amalat, the Shafi‘i and Hanafi schools differ fundamentally on the necessity and status of Khiyar Ru’yah. Imam al-Shafi‘i, particularly in the later Qawl Jadid phase of his thought, adopted a strict position. He maintained that a sale involving goods not physically seen at the time of contracting is invalid because it entails gharar, or considerable uncertainty about the characteristics of the object. The Shafi‘i perspective requires clear and direct inspection of the object to ensure genuine mutual consent (an-taradin). When applied to the contemporary digital world, Muhammad (2025) argues that digitally displayed product images that do not correspond to the promised specifications violate consumers’ right of choice and must be addressed to preserve contractual justice (Muhammad, 2025). The use of camera filters that obscure or significantly alter a product’s physical qualities may therefore undermine the validity of the contract from the outset, because digitally distorted viewing does not meet the sharia standard of objective ru’yah.

By contrast, Imam Abu Hanifah adopts a more flexible legal position. A transaction involving goods that have not been seen is valid, but the buyer automatically retains Khiyar Ru’yah the right to proceed with or cancel the transaction—when the physical goods are received and inspected. For the Hanafi school, viewing is not an absolute condition for the initial validity of a contract; rather, it relates to the contract’s binding force and legal certainty (luzum al-‘aqd). This more permissive position allows contemporary live commerce to operate without bringing digital economic activity to a halt, provided that the buyer’s right to cancel remains fully protected until the physical goods can be inspected. Syarani (2026) notes that a lack of transparency and clarity about the object in livestream-based commerce may undermine sharia compliance, particularly the requirement for detailed disclosure of information (Syarani, 2026).

According to Mustafa et al. (2023), this classical inter-school debate has become particularly relevant in the cyber era. It raises a crucial question: can viewing an item on a smartphone screen substitute for direct physical inspection under the Hanafi approach, or is it still defective and invalid under the established Shafi‘i standard (Mustafa, 2023)? Viewing through a smartphone screen is no longer simply direct visual perception (ru’yah al-bashar) that is objective; instead, it is mediated, engineered, and reproduced by artificial-intelligence algorithms operating through commercial camera sensors.

The central problem and the study’s scholarly novelty lie in its analysis of smart digital filters as a modern manifestation of Tadlis al-Fi‘li: deception concerning an object’s quality through deliberate technical acts. In classical fiqh, comparable forms of visual deception include polishing a product’s surface, placing wet dates beneath dry dates, or tying up a livestock animal’s udder to make it appear full (tashriyah). In contemporary cyberspace, such deception has evolved into artificial colour-saturation adjustments, false contrast enhancement, and automated smoothing of fabric texture through visual-computing systems. Putri (2026) argues that the integration of artificial intelligence into online

commercial promotion requires stronger legal and ethical oversight so that the boundaries of honesty in mu‘amalat are not blurred (Putri, 2026). The authors contend that the boundary between permissible creative promotion and unlawful visual deception has become increasingly narrow in livestream commerce.

Nawaz et al. (2024) state that digital commercial contracts should be based on functional honesty. In practice, however, visual filters are often misused to conceal manufacturing defects or the actual quality of goods (ghish) (Nawaz, 2024). Such conduct directly undermines genuine consent because buyers make economic decisions based on defective, manipulative, and asymmetric visual information. Ruslang (2024) likewise emphasizes, from a maqasid al-sharia perspective, that the sustainability of modern digital businesses depends on maintaining mutual trust and fully avoiding visual fraud (Ruslang, 2024).

Accordingly, this study specifically aims to analyse the validity of digital ru’yah in live commerce transactions and formulate a reconstructed concept of Khiyar Ru’yah that is relevant to contemporary technological developments. To achieve these objectives, the study adopts a juridical-empirical method with a comparative approach to the legal schools and a cyber-law perspective. Drawing on contemporary Islamic legal theory, the authors argue that legal reconstruction should pursue a balanced approach (tariqah al-jam‘): strengthening protection for buyers against visual deception in the spirit of the Shafi‘i school, while preserving room for the digital industry to develop in accordance with the economic flexibility offered by the Hanafi school.

Theoretically, this study is expected to make a substantive contribution to contemporary Islamic economic law and provide practical recommendations for Indonesian digital regulators seeking to establish a fairer, more transparent, and safer online marketplace, free from visual deception and supported by legal certainty concerning Muslim consumers’ right of choice. The discussion emphasizes that technological progress must not come at the expense of the foundations of justice in mu‘amalat or the ethical values of Islam.

Reasearch Methods

This study employs a juridical-empirical research design. It examines not only legal texts from a normative perspective but also how law operates in the social reality of digital spaces. This approach was selected to identify the gap between the classical fiqh theory of Khiyar Ru’yah and visual distortion in live commerce platforms. As Rahman (2024) emphasizes, empirical legal research in cyber ecosystems is important for uncovering technology-mediated transactional behaviour, where consumer protection can be overlooked amid the rapid development of platform features (Rahman, 2022).

The study integrates two principal approaches to produce a comprehensive analysis. First, the case approach is used to examine consumer dissatisfaction arising from discrepancies between products shown on screen during livestreams and the physical condition of goods upon delivery. Second, the conceptual approach is applied to develop a theoretical foundation through an in-depth examination of Khiyar Ru’yah, transparency, and tadlis (deception) in mu‘amalat. This conceptual analysis enables the authors to reconstruct the law while remaining grounded in sharia principles and responsive to developments in digital-filter algorithms.

The data sources are divided into two main categories to support the validity of the findings. Primary data were collected through intensive participant observation of livestream sessions on TikTok and Shopee Live to identify sellers' use of ring lights and camera filters. The authors also conducted in-depth qualitative interviews with consumers who had experienced dissatisfaction resulting from visual manipulation. These first-hand accounts provided empirical evidence for assessing the extent to which digital technology can affect buyers' consent (antaradin). Secondary data comprised authoritative literature on fiqh al-mu'amalat, particularly primary texts from the Shafi'i and Hanafi schools, DSN-MUI fatwas concerning electronic commerce, and Indonesian Law No. 8 of 1999 on Consumer Protection. These secondary sources served as a normative framework for evaluating the field findings, in line with the methodology proposed by Sodiq et al. (2024) for reassessing the concept of ru'yah in the cyber era (Sodiq, 2024).

Data were analysed descriptively and analytically using deductive reasoning. The authors first described empirical observations of digital-filter use and then examined those observations in light of fiqh principles and consumer-protection theory. This deductive process was intended to establish legal conclusions about the validity of digital ru'yah and formulate parameters for reconstructing consumers' right of choice in cases of visual manipulation. By comparing digital practices with Islamic standards of honesty, the study seeks to offer legal recommendations that provide greater certainty for creative-economy actors in the digital era.

Discussion

Visual Computing Techniques and the Distortion of Contractual Objects in the Cyber Marketplace

The findings reveal that Indonesia's contemporary live commerce ecosystem has developed new operational practices that can systematically distort the visual representation of contractual objects through three principal techniques intelligent colour-saturation filters, digital texture-modification effects (beauty effects), and high-intensity artificial lighting. The combined use of hardware and software no longer serves merely to improve the visual appeal of a livestream for viewers' comfort. Instead, it can function as a structured digital instrument for concealing manufacturing defects, altering colour quality, and masking weaknesses in a product's original materials (hidden defects). Arifin and Setiawan (2025), in their recent study of cyber-mu'amalah, argue that artificial-intelligence algorithms embedded in contemporary smartphone camera sensors automatically perform real-time visual post-processing, substantially altering contrast, sharpness, and fine product details so that goods appear more premium, exclusive, and luxurious on consumers' screens (Arifin, 2025).

This distortion is intensified by the manipulation of lighting in livestream settings. High-powered artificial spotlights and reflectors may be positioned to create specific optical illusions in the products being demonstrated. Prasetyo et al. (2024) explain that digital lighting manipulation and colour-temperature adjustments can significantly change consumers' perceptions of fabric colour, material gloss, and apparent product thickness. This produces an artificial and inaccurate representation for prospective buyers who cannot physically inspect the

goods (Prasetyo, 2024). The integration of visual-computing technologies consequently obscures the essential characteristics of the goods being sold and obstructs the honest, balanced exchange of information required for fair transactions.

Concrete cases observed in cyberspace indicate recurring patterns of product mismatch. Accumulated consumer testimonials and complaints suggest that buyers sometimes feel misled by the appealing images displayed on their screens. According to the in-depth interviews, clothing and cosmetics are two product categories in which substantial discrepancies frequently occur between the colours and textures shown during livestreams and the physical condition of goods delivered to consumers. Fauzi (2024), in a study of digital consumer behaviour, states that widespread visual mismatches have seriously eroded trust in Indonesia's online marketplace. Without legal intervention, this trend could undermine the stability and reputation of the national digital economy (Fauzi, 2024).

Zulkifli and Hasan (2023) further argue that such discrepancies should not be treated merely as technical limitations of broadcasting or smartphone displays. Rather, they may constitute a structured form of modern tadlis in which sellers deliberately exploit image-manipulation technology to create a false perception of quality, undermining the principle of mutual consent (antaradin) (Zulkifli, 2023). Consumers check out and pay on the basis of visually presented information that has been compromised by technological manipulation. As a result, the transaction may contain gharar concerning product quality, disadvantage the buyer economically, and undermine the right of choice guaranteed by sharia.

A closer analysis of the operating policies and internal regulations of live commerce platforms reveals a significant imbalance in legal protection for online consumers. The terms and conditions unilaterally established by many major platforms generally treat colour differences caused by camera lighting as a subjective risk borne by buyers, rather than as a legitimate basis for returning goods or obtaining a refund. Suryono (2024), writing in Review of Islamic Social Finance, criticizes such corporate policies as a protection structure biased towards sellers and platform owners while neglecting basic consumer rights under both positive law and Islamic law (Suryono, 2024).

Furthermore, Mansyur et al. (2025) argue that the absence of an established threshold for acceptable visual discrepancies creates a legal loophole that allows unethical and manipulative practices to persist among online sellers seeking to maximize sales revenue (Mansyur, 2025). Latifah's empirical findings (2023) reinforce this concern by showing that performance-rating systems on modern digital platforms tend to prioritize transaction speed and turnover over the accuracy and honesty of product information (Latifah, 2023). Consequently, even when a visual discrepancy is clear and causes loss, Muslim consumers may have little bargaining power. Firmansyah and Rahayu (2024) note that digital complaint systems often impose rigid evidentiary requirements, making it difficult for consumers to prove a seller's intent to manipulate the product's appearance (Firmansyah, 2024).

Reconstructing the Validity of Digital Ru'yah and the Theoretical Boundary between Tazyin and Tadlis

The legal validity of digital viewing (digital ru'yah) is a central issue in determining the validity of mu'amalat transactions in the era of live-streaming commerce. In classical fiqh literature, ru'yah is traditionally understood as direct physical observation capable of removing ignorance (jahalah) about an object's characteristics and preventing future disputes. In digitally mediated trade, however, visual filters create a technological barrier between the actual physical object and the perception formed in the buyer's mind. Gunawan (2024) argues that viewing an item on a smartphone after it has been processed by artificial-intelligence algorithms cannot be fully classified as ru'yah al-bashar—objective, direct visual perception. The process is theoretically closer to ru'yah bi al-shifah, or indirect viewing based on descriptions of a commodity's attributes (Gunawan, 2024).

A serious theoretical problem arises when a seller deliberately uses digital filters to obscure, manipulate, or change the original characteristics of a product. Under the strict legal methodology of the Shafi'i school, digitally distorted viewing may render an online sale defective from the outset because the object displayed on the smartphone screen is not, in substance, the same as the physical object the buyer will receive. Arifin and Setiawan (2025) argue that the legal validity of cyber-based viewing should depend on the accuracy of the screen's pixel representation and colour rendering in approximating the product's actual appearance. If the visual deviation between the screen and the real object exceeds what is ordinarily acceptable in commercial practice ('urf), the sharia requirement for clear inspection may not have been fulfilled, thereby undermining the contract's legal basis (Arifin, 2025).

A clear legal distinction is therefore needed between permissible marketing aesthetics (tazyin) and visual manipulation that misleads consumers (taghrir). Islamic economic law generally permits tazyin the act of beautifying, arranging, or presenting merchandise attractively provided that it does not conceal hidden defects, manipulate quality, or change the product's essential identity. However, advanced digital filters that dramatically smooth rough fabric, hide damaged stitching, or artificially brighten dull colours may constitute Tadlis al-Fi'li, or deception through technical acts. Saputra (2023) explains that visual-computing manipulation creates a false impression of quality that psychologically encourages buyers to transact on the basis of misleading information (Saputra, 2023). Such conduct goes beyond legitimate creative promotion and becomes prohibited consumer deception when the seller intentionally presents an image that substantially differs from physical reality for unilateral gain, thereby undermining transparency and honesty in Islamic digital mu'amalat.

Formulating Digital Khiyar Ru'yah to Protect Consumers and Its Implications for Maqasid al-Sharia

As a concrete and applicable legal response to the threat of visual distortion, this study proposes reconstructing digital Khiyar Ru'yah through operational standards designed to make online trade fairer for all parties. First, online sellers should be legally required to display the actual product without any camera filters (raw visuals) for a reasonable, specified period during each livestream, thereby

giving practical effect to transparency. Second, consumers' return rights should be expanded and embedded in platform systems. Returns should not be treated merely as a voluntary goodwill policy used to attract customers, but as a legitimate sharia-based right of khiyar attached to each digital transaction. Suryono (2024) emphasizes that, in a virtual environment, consumer choice should be transformed from a passive right to view an item into a legal right to confirm the item's physical conformity after delivery (Suryono, 2024). Under this reconstruction, digital platforms should recognize significant visual discrepancies as valid grounds for cancelling a contract and obtaining a full refund, providing Muslim consumers with legal protection comparable to that available in conventional face-to-face transactions.

From a philosophical and legal perspective, reconstructing the right of choice in cyberspace has important implications for public welfare (maslahah) and for maintaining a stable and balanced digital marketplace in Indonesia in accordance with the higher objectives of sharia (Maqasid al-Sharia). These objectives include the protection of wealth (hifz al-mal) and the protection of dignity and honour in commercial dealings (hifz al-'ird). Justice in the digital mu'amalat ecosystem is intended not only to protect buyers from material loss caused by visual deception but also to protect online sellers by ensuring that their business activities and financial gains remain within the bounds of blessing and Islamic ethical conduct.

Mansyur et al. (2025) state that firm legal certainty concerning acceptable visual discrepancies in live commerce would foster a healthy, honestly competitive, and sustainable digital business environment (Mansyur, 2025). By making visual honesty a central principle, digital commerce should not become a contest in camera algorithms and image manipulation. Instead, it should return to the essential foundations of Islamic mu'amalat, which prioritize truthfulness, mutual trust, and the realization of shared welfare for all stakeholders in cyberspace.

Conclusion

This study, which applies a juridical-normative analysis alongside cyber-law and comparative-school approaches, concludes that excessive use of digital filters and high-intensity artificial lighting in live commerce is no longer merely a marketing innovation or a reasonable branding strategy. In substantive terms, these practices have become a structured threat to the validity of mu'amalat contracts because camera post-processing algorithms distort visual representations and deprive digital ru'yah of objectivity and validity. This situation can introduce gharar uncertainty concerning quality and Tadlis al-Fi'li deception through technical acts regarding the actual physical characteristics of the contractual object. From the perspective of Islamic law, a consumer's viewing experience when misled by sophisticated visual-computing technology cannot be regarded as valid ru'yah under sharia. Such manipulation undermines the transparency of information, creates unequal information conditions, and violates genuine mutual consent (an-taradin), a fundamental principle of valid Islamic economic transactions. The theoretical and practical reconstruction of Khiyar Ru'yah in the digital era is therefore urgently needed to ensure that Muslim consumers' right to cancel a transaction remains fully and fairly protected whenever a significant

discrepancy exists between the image shown on a screen and the physical goods delivered.

To respond to these findings and build a transparent, accountable, and ethical cyber marketplace, this study offers strategic recommendations for key stakeholders. First, fatwa authorities such as the National Sharia Council of the Indonesian Ulema Council (DSN-MUI), together with relevant regulators, should initiate a contemporary fatwa or specific legal guidance governing visual-ethics standards in digital commerce. Such guidance should establish clear technical limits on camera-filter use and define the threshold at which visual deviation constitutes harmful deception (taghrir). Second, major live commerce platforms, including TikTok Shop and Shopee Live, should revise their system architecture and internal operating policies. Platforms should automatically display a "Camera Filter Active" warning during livestreams and reform their return policies to recognize significant discrepancies in colour gradation and texture as legitimate grounds for returns or refunds, without imposing excessively rigid evidentiary burdens on consumers.

Finally, online sellers should reorient their business practices by prioritizing honesty (shiddiq) and trustworthiness (amanah) over material profit alone. In practical terms, they should set aside a specific period in every livestream to show the product in its actual form, without artificial lighting manipulation or camera filters (raw visuals). Muslim consumers, meanwhile, should develop critical awareness and strong digital literacy, avoid being easily persuaded by misleading on-screen appearances, and verify product specifications carefully before checking out. These measures can help protect wealth (hifz al-mal), prevent financial loss, and uphold the values of blessing and ethical conduct in digital mu'amalat.

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