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Reconstructing Muslim Consumer Protection Norms Against Manipulative Practices in Digital Economic Transactions from the Perspective of *Maqashid al-Shariah*

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***Abstract**: The development of digital economic transactions has provided greater convenience for consumers, but it has also given rise to manipulative practices through the design and mechanisms of digital transactions, such as dark patterns, false urgency, hidden costs, default options, and sneaking. These practices have the potential to influence consumers' freedom of choice and cause harm to Muslim consumers. This study aims to analyse the limitations of consumer protection norms in addressing manipulative practices and to reconstruct Muslim consumer protection norms based on Maqashid al-Shariah. This study employs a normative legal research method using statutory, conceptual, comparative, and philosophical-religious approaches. The analysis is conducted through the identification of existing norms, mapping regulatory gaps, examining them against the principles of Maqashid al-Shariah, and formulating ideal norms. The findings indicate that consumer protection regulations have not specifically anticipated manipulation through digital design, particularly in relation to transparency, autonomy, and consumers' freedom to make decisions. The principles of hifz al-mal, al-'adl, maslahah, and 'an taradin, together with the prevention of gharar and tadlis, provide the foundation for reconstructing the relevant norms. The reconstruction is directed towards strengthening digital transparency, prohibiting manipulative designs, guaranteeing freedom of choice, enhancing platform accountability, and establishing preventive supervision.*

Keywords: *consumer protection; Muslim consumers; digital economy; dark patterns; Maqashid al-Shariah,*

Introduction

The development of information technology has transformed patterns of legal relationships in commercial activities. Transactions that were previously conducted directly between sellers and buyers are increasingly taking place in digital spaces through *e-commerce*, *marketplaces*, trading applications, and various electronic payment systems. These developments have provided greater convenience for the public in obtaining goods and services, as transactions can be conducted quickly and easily, without being constrained by space or time. The development of digital transactions has also expanded public access to economic activities and created greater opportunities for businesses to reach consumers. At the same time, however, these developments have generated new legal issues, particularly concerning the position of consumers when dealing with digital systems controlled by businesses and platform operators.

Digital economic transactions have characteristics that differ from conventional transactions. In conventional transactions, consumers can generally directly observe goods or services, communicate with businesses, and obtain explanations before entering into a transaction. In digital transactions, consumers make decisions based on information displayed on screens and systems designed by businesses or platform operators. This condition makes consumers highly dependent on information, interface design, algorithms, recommendation systems, promotional strategies, and transaction terms provided by platforms. Such dependence may create an imbalance of information and bargaining positions between consumers and businesses.

Consumer protection issues in digital transactions are no longer limited to situations in which goods received do not correspond to orders, delivery is delayed, or obtaining a refund is difficult. These issues have extended to the pre-transaction stage, particularly through the manner in which information and transaction choices are presented to consumers. Research on consumer protection in *e-commerce* indicates that problems may arise from the stages of promotion and marketing and payment through to the formation of contracts in electronic transactions (Widyastuti, Kamila, & Agus Saputra, 2022). This demonstrates that consumer protection in the digital economy needs to be understood more broadly, not merely as protection provided after consumers have suffered losses, but also as protection aimed at preventing consumer decisions from being shaped through unfair mechanisms.

One of the emerging developments demonstrating such vulnerability is the emergence of *dark patterns*. *Dark patterns* are digital interface designs deliberately created to influence or steer users' decisions in ways that may reduce consumers' freedom of choice and understanding. Such practices may include *hidden costs*, *fake urgency*, *fake discounts*, preselected options, *sneak into basket*, *disguised advertisements*, and cancellation mechanisms that are made more difficult than the purchasing process. Research by Annisa and Hutabarat (2026) demonstrates that the use of *dark patterns* in *marketplace* applications in Indonesia may affect consumer autonomy and cause both financial and psychological harm.

This issue is important because consumers may suffer losses not merely because the goods or services received are unsuitable, but because the decision-making process itself has been influenced from the outset by manipulative digital designs. Supriyanto and Hadi (2026) found that *dark patterns* constitute one of the emerging challenges in Indonesian electronic commerce because they can influence consumer decisions while causing financial and psychological harm. Their research also indicates that Indonesia does not yet have regulations explicitly prohibiting *dark patterns*, and that enforcement remains predominantly reactive. This condition reveals a problem within the existing consumer protection framework, as technological developments have generated forms of manipulation that cannot be fully addressed through conventional concepts of consumer protection.

Research by Az-Zahra', Nurlaily, and Agustianto (2025) likewise demonstrates that Indonesian legal instruments concerning consumer protection, electronic transactions, and personal data protection do not yet explicitly regulate *dark patterns*. Yet such practices are closely related to issues of consumer autonomy, transparency, and the ethics of digital interface design. Accordingly, a legal issue requires further examination: whether existing consumer protection norms remain adequate when the object of protection is no longer limited to consumers as parties to a contract, but also encompasses consumers as users of digital systems whose economic decisions may be influenced through technological design.

Normatively, Indonesia has several legal instruments providing consumer protection, particularly Law Number 8 of 1999 concerning Consumer Protection. In addition, protection in digital transactions is also related to regulations governing electronic information and transactions as well as personal data protection. In principle, this legal framework provides consumers with a basis for obtaining accurate, clear, and honest information and for receiving protection against harmful business practices. Nevertheless, the characteristics of digital transactions demonstrate that consumer protection issues do not end with the substance of the information provided. The manner in which information is presented, the choices offered to consumers, and the design of systems used to shape consumer behaviour may also determine whether a transaction is conducted freely and fairly. This condition demonstrates a gap between *das sein* and *das sollen*. At the level of *das sein*, consumers in digital economic transactions continue to encounter various forms of manipulative practices that may influence their decisions, obscure information, increase the likelihood of losses, and diminish their freedom to make choices. Meanwhile, at the level of *das sollen*, the law should provide protection capable of guaranteeing freedom of choice, transparency, honesty, fairness, and the protection of consumers' economic interests. Therefore, the issue concerns not merely the implementation of existing norms, but also their adequacy and relevance in responding to developments in digital technology.

This issue has an increasingly important dimension when examined in relation to Muslim consumers. Muslim consumers are not only subjects entitled to protection under positive law, but also have an interest in ensuring that their transactions do not contradict the principles of *muamalah* in Islam. Islamic law places honesty, the consent of the parties, justice, transparency, and the prohibition of obtaining benefits through means that harm others among the important principles governing economic activities. Accordingly, manipulative practices in digital transactions need to be examined not only in terms of their economic consequences but also in terms of the process through which consumer consent and decisions are formed.

From the perspective of Islamic law, transactions must be conducted on the basis of mutual consent (*'an taradin*) and must not contain elements of deception (*tadlis*) or harmful uncertainty (*gharar*). When a platform uses digital design to conceal information, steer consumers towards particular choices, or create a sense of urgency that does not correspond to the actual circumstances, the issue may be examined in relation to honesty, freedom of will, and fairness in transactions. Research by Thorik et al. (2023) demonstrates that *e-commerce* transactions may be permissible from a sharia perspective provided that they comply with sharia principles and protect consumer rights.

The *Maqashid al-Shariah* approach provides a broader analytical framework for examining this issue. *Maqashid al-Shariah* is not only used to determine whether a transaction is permissible, but also to examine the objectives of Islamic law in realising *maslahah* (benefit) and preventing harm. In the context of digital consumer protection, the principle of *hifz al-mal*, or the protection of wealth, is highly relevant because manipulative practices may cause consumers to suffer economic losses. The principle of justice (*al-'adl*) can be used to assess the balance of relations between consumers and businesses, while the principle of *maslahah* can be used to determine whether digital transaction mechanisms genuinely provide benefits or instead create harm.

The relevance of *Maqashid al-Shariah* to digital consumer protection has begun to receive attention in previous research. Puad and Hamdi (2025) position *Maqashid al-Shariah* as a framework for strengthening consumer protection in *e-commerce* in Indonesia and emphasise the importance of legal protection that is aligned with the principle of *maslahah*. Herman and Anatasya (2025) likewise demonstrate that *Maqashid al-Shariah* can serve as a philosophical framework for developing fairer online consumer protection oriented towards the public interest. Meanwhile, Ramadhan and Adrebi (2025) examine the relevance of the Consumer Protection Law to the principle of *hifz al-mal* as part of efforts to establish more comprehensive consumer protection in the *e-commerce* era.

Nevertheless, previous research reveals areas that can still be developed. Widyastuti, Kamila, and Agus Saputra (2022) focus primarily on consumer protection in *e-commerce* transactions from the perspective of Islamic law, while Thorik et al. (2023) examine consumer rights in the use of *e-commerce* based on sharia law. Utomo, Karimah, and Rifai (2024) also focus on contracts and consumer protection in sharia-based *e-commerce* transactions. These studies are important as a conceptual foundation, but they do not specifically focus on manipulative practices through digital design as an issue concerning Muslim consumer protection norms. More recent research has begun to examine *dark patterns* as a consumer law issue. Az-Zahra', Nurlaily, and Agustianto (2025) compare the regulation of *dark patterns* in Indonesia with those in South Korea and the European Union, while Annisa and Hutabarat (2026) discuss legal protection for consumers against *dark patterns* in Indonesian *marketplace* applications through a comparison with the Netherlands. Supriyanto and Hadi (2026) also examine the mitigation of *dark patterns* in Indonesian *e-commerce* and recommend strengthening transparency and supervision of interface design. Furthermore, Lestari and Adhari (2026) have begun to connect *dark patterns* with the concepts of *gharar*, *tadlis*, *ghubn fahisy*, and *taghrir* from the perspective of sharia economics.

The development of these studies demonstrates that research on digital consumer protection and *dark patterns* has progressed considerably. Therefore, the novelty of this research cannot simply be situated in the use of Islamic law or *Maqashid al-Shariah* as a perspective, because the relationship between digital consumer protection and *Maqashid al-Shariah* has already begun to be examined in previous studies. The novelty of this research is directed towards reconstructing Muslim consumer protection norms against manipulative practices in digital economic transactions by identifying the limitations of existing norms, analysing manipulative practices based on the principles of *Maqashid al-Shariah*, and subsequently formulating a model of consumer protection norms that is more consistent with the characteristics of digital transactions. Through this approach, the research does not stop at the question of whether *dark patterns* are inconsistent with Islamic law, but goes further by addressing how the law should formulate protection for Muslim consumers when the decision-making process in digital transactions can be influenced through technological design. This question is important because effective consumer protection should not only be repressive after harm has occurred, but also preventive by ensuring that consumers receive transparent information, have freedom of choice, understand the consequences of transactions, and are not manipulated through digital mechanisms.

The reconstruction of norms in this research is directed towards strengthening several principal elements. First, the protection of wealth (*hifz al-mal*), which positions the prevention of economic losses as an important component of consumer protection. Second, justice (*al-'adl*), which requires a balance between the interests of consumers and businesses. Third, transparency and honesty, which are related to the prohibition of *tadlis* and the obligation to provide accurate information. Fourth, the prevention of *gharar*, particularly with regard to uncertainty concerning prices, costs, objects, and the consequences of transactions. Fifth, *maslahah*, which directs regulation not merely towards providing formal legal certainty, but also towards delivering genuine protection for consumers.

Accordingly, the reconstruction referred to in this research does not involve replacing all existing consumer protection norms, but rather reorganising and strengthening those norms so that they can respond to the new characteristics of digital economic transactions. Consumer protection norms need to evolve from a paradigm focused solely on contractual relationships towards a paradigm that also considers the fairness of consumers' decision-making processes within the digital environment. In the context of Muslim consumers, this paradigm can be strengthened through the principles of *Maqashid al-Shariah*, so that legal protection not only satisfies formal standards of legality but also reflects the objectives of Islamic law in realising *maslahah* and preventing harm. The urgency of this research is further strengthened by studies on consumer protection against manipulative practices, which indicate that Indonesian regulation continues to face regulatory gaps or ambiguity regarding *dark patterns*. Several recent studies have even recommended regulatory reform and the strengthening of *digital fairness* principles to address manipulative practices in electronic commerce. This condition demonstrates the need for an approach that not only identifies forms of manipulative practices but also formulates a normative basis for determining the boundaries of acceptable conduct in digital transactions.

Based on the foregoing, a legal issue requires more in-depth examination concerning the compatibility of existing consumer protection norms with the development of manipulative practices in digital economic transactions. On the one hand, technological developments have created convenience and transaction efficiency; on the other hand, consumers face forms of manipulation that may influence their freedom of choice and cause harm. From the perspective of Islamic law, this condition needs to be situated within a framework of wealth protection, justice, honesty, transparency, and *maslahah*. Therefore, this research seeks to identify a construction of consumer protection norms capable of bridging the requirements of positive law with the values of *Maqashid al-Shariah*. On the basis of this reasoning, this research is entitled "Reconstructing Muslim Consumer Protection Norms Against Manipulative Practices in Digital Economic Transactions from the Perspective of *Maqashid al-Shariah*." This research is expected to make a theoretical contribution to the development of Islamic economic law, as well as a normative contribution through the formulation of consumer protection that is more responsive to developments in digital transactions and the manipulative practices accompanying them.

Methods

This study employs normative legal research (*normative legal research*) with a prescriptive character to reconstruct Muslim consumer protection norms against manipulative practices in digital economic transactions based on *Maqashid al-Shariah*. The approaches employed include the statutory approach (*statute approach*), conceptual approach (*conceptual approach*), comparative approach (*comparative approach*), and philosophical-religious approach. These approaches are used to identify and analyse the adequacy of consumer protection norms in addressing manipulative practices, including *dark patterns*, which may affect consumer autonomy and decision-making. Normative legal research employing a combination of these approaches is relevant for examining the adequacy of existing norms while formulating legal improvements, particularly in responding to developments in digital transactions (Hamdhani & Fajrianto, 2024; Novianti, 2024).

The legal materials consist of primary legal materials in the form of legislation concerning consumer protection, electronic transactions, electronic commerce, and personal data protection; secondary legal materials comprising books, scholarly journals, and relevant research findings; and tertiary legal materials consisting of legal dictionaries and encyclopaedias. Legal materials were collected through library research (*library research*) and analysed qualitatively using juridical-normative reasoning. Library research is also relevant to legal research in the digital era, as it enables researchers to examine developments in legal norms and concepts in line with changes in the characteristics of transactions and legal relationships (Novianti, 2024). The analysis conducted through four stages: identification of the applicable norms; identification of regulatory gaps concerning manipulative practices; examination of the norms based on the principles of *Maqashid al-Shariah*, particularly *hifz al-mal*, *al-'adl*, *maslahah*, and *'an taradin*, as well as the prohibition of *gharar* and *tadlis*; and formulation of ideal norms as a form of legal reconstruction. These stages are directed towards producing consumer protection norms that are more transparent and equitable, safeguard consumers' property and freedom of choice, and are responsive to the characteristics of manipulative practices within the digital economic ecosystem.

Results and Discussion

Manipulative Practices in Digital Economic Transactions and Their Impact on Consumers

The development of digital economic transactions has transformed the pattern of relationships between businesses and consumers. Interactions that previously took place through direct communication are now increasingly mediated by applications, websites, *marketplaces*, and various forms of digital interfaces. This transformation provides greater convenience for consumers, but at the same time creates new opportunities for businesses to influence consumer decisions through system design and the presentation of information. In this context, manipulative practices are not necessarily carried out through statements that are explicitly false, but may instead operate through the way information is organised, displayed, concealed, or conditioned within a digital interface. One form of such practice is *dark patterns*, namely interface designs that intentionally direct, persuade, or influence users to make decisions that they might not otherwise choose if they had access to complete information and equivalent alternatives. Fagan (2024) explains that various forms of *digital nudges*, such as default options (*defaults*), the creation of friction (*friction*), and behavioural reinforcement (*reinforcement*), may become *dark patterns* when they are no longer transparent, fail to provide genuine choices, or do not offer balanced benefits to users. Thus, the legal issue does not lie merely in the use of digital design as a means of persuasion, but arises when such design is employed to diminish consumers' ability to make decisions freely and consciously.

Such manipulative practices can take various forms, including messages indicating limited stock, *countdown timers*, time-limited promotions, the concealment of cost information, and *sneaking* mechanisms that introduce particular options into the transaction process without adequate consumer awareness. Research by Koh, Seah, and Lee demonstrates that several forms of *dark patterns*, particularly limited-stock messages, *countdown timers*, activity messages, and time-limit messages, influence product-selection decisions. Time-limit messages were even found to be more effective in encouraging consumers to select products than several other forms of *dark patterns*. These findings indicate that manipulation through digital design has tangible consequences for consumer behaviour and is therefore not merely a matter of interface design.

The issue becomes increasingly complex because consumer vulnerability in the digital environment is not determined solely by individual characteristics. Ringe et al. (2024) demonstrate that vulnerability to *deceptive design patterns* is influenced by interconnected micro-, meso-, and macro-level factors. This means that consumers may become vulnerable not merely because of limited knowledge, but also because the digital environment is designed in such a way that certain decisions become easier, faster, or more prominent than other available choices. *Dark patterns* may even result in a loss of autonomy, financial harm, cognitive burden, and privacy concerns. These findings demonstrate that a consumer protection model focused solely on harm occurring after a transaction is not entirely adequate. Legal protection should also address the process through which consumer decisions are formed. Where consumer choices have been influenced through designs that conceal information, create false urgency, or make it difficult for consumers to reject a particular option, consumer protection concerns have already arisen before economic harm occurs.

Limitations of Legal Protection Against Manipulative Practices in the Digital Economy

The next issue concerns the capacity of the law to anticipate such manipulative practices. The legal framework for consumer protection has, in principle, provided a basis for protecting consumers, particularly in relation to the rights to information, safety, convenience, and choice. However, developments in digital transactions demonstrate that violations of these rights are becoming increasingly complex because manipulation can be carried out through technological architecture, rather than merely through the content of information presented to consumers. Mujib (2025) demonstrates that the development of *e-commerce* and social media as means of trade in Indonesia has not been fully accompanied by the capacity of the law to respond to these changes. The legal framework governing digital transactions continues to face problems of ambiguity and inadequacy in anticipating various new issues arising from the development of the digital economy. The study also employs *Maqashid al-Shariah* to examine the dynamics of relationships between parties and the legal issues emerging from digital transactions.

These limitations become more apparent when the scope of protection is extended beyond the product or transaction itself to the consumer decision-making process. Consumer protection law generally finds it easier to identify harm where goods do not conform to what was promised, prices differ from the initial information provided, or services are not delivered as agreed. By contrast, manipulation through digital design can occur without any explicitly false statement. Information may be available but placed in a location that is difficult to find; an option to reject may be available but made more complicated to exercise; or consumers may be directed towards a particular choice through a visual presentation that is more prominent than other alternatives. This condition indicates a shift in the form of violation from information misrepresentation towards the manipulation of choice architecture. Witte, Kenning, and Brock (2025) demonstrate that *dark patterns*, such as *scarcity* and *sneaking*, can influence consumers' perceptions of the quality, quantity, relevance, and clarity of information. Violations of these aspects of communication are subsequently associated with consumers' perceptions that they are being manipulated. Accordingly, interface design can be understood as part of the communication between businesses and consumers and should therefore also comply with principles of clarity and honesty.

This legal issue is also related to the position of *marketplaces*. In digital transactions, consumers do not always interact directly with producers or sellers. Platforms provide the space, payment systems, search algorithms, promotional mechanisms, and interface designs that shape the consumer experience. Dwijaya and Harmono (2025) demonstrate that *marketplaces* cannot always be appropriately regarded as entirely neutral intermediaries in the context of consumer protection. Their study emphasises the need to construct platform responsibility and *due diligence* mechanisms to ensure consumer protection within the digital trading ecosystem.

Accordingly, the weakness of the existing regulatory framework is not merely attributable to the absence of specific terminology concerning *dark patterns*, but also to the insufficiently developed construction of responsibility for parties that control the design and architecture of digital transactions. This condition creates a gap between the development of digital practices (*das sein*) and the need for a more adaptive legal framework (*das sollen*).

Manipulative Practices from the Perspective of *Maqashid al-Shariah*

From the perspective of Islamic law, transactions are not assessed solely on the basis of whether a formal agreement exists between the parties. The validity and ethics of a transaction are also related to the manner in which such agreement is formed. Consent obtained through the concealment of information, deception, or manipulation of choices needs to be examined in light of the principles of justice, public benefit, transparency, and protection of property. The framework of *Maqashid al-Shariah* provides a basis for such an assessment. Consumer protection in the digital economy can be situated within the objectives of promoting benefit and preventing harm, particularly through the protection of property (*hifz al-mal*) and the preservation of justice in *muamalah* relationships. In this context, consumer harm should not be understood merely as the loss of money after a transaction has taken place. Harm may also arise when consumers make economic decisions as a result of incomplete information or choices that have been deliberately directed. The principle of *hifz al-mal* has direct relevance to manipulative practices. If digital design causes consumers to purchase goods that they had not intended to buy, pay costs that they did not previously understand, or select a service because important information has been concealed, such mechanisms have the potential to undermine the protection of property. Empirical findings concerning the influence of *dark patterns* on consumption decisions strengthen the argument that the protection of property in digital transactions must encompass protection of the process through which consumers form economic decisions.

The principle of justice (*al-'adl*) also requires a balance in the relationship between businesses and consumers. In digital transactions, businesses and platforms possess advantages in the form of technological capabilities, data, algorithms, and information concerning user behaviour. Consumers occupy a relatively weaker position because they do not know how digital systems operate or how data and information are used to influence their choices. Ringe et al. (2024) demonstrate that digital structures can create varying conditions of vulnerability among users. Therefore, justice in digital transactions requires that technological advantages not be used to exploit consumers' limitations. Manipulative practices may also be associated with the prohibitions of *gharar* and *tadlis*. *Gharar* concerns uncertainty or ambiguity that may affect the certainty and understanding of the parties to a transaction, whereas *tadlis* relates to acts of concealing or presenting something in a misleading manner. In the digital context, the concealment of costs, material information, or transaction terms, as well as the use of interfaces that create misleading perceptions, may be regarded as having characteristics closely related to these concerns. Accordingly, technology cannot serve as a justification for disregarding the fundamental principles of honesty and openness in *muamalah*.

The findings of Witte et al. (2025) further strengthen this relationship by demonstrating that *sneaking* and *scarcity* can undermine the quality, quantity, relevance, and clarity of communication in digital transactions. Where material information is deliberately concealed or presented in a manner that creates a misleading understanding, an ethical as well as normative problem arises that cannot be adequately resolved merely by asserting that the consumer has clicked an agreement button. On this basis, *Maqashid al-Shariah* does not merely function as an instrument for assessing whether a digital transaction is *halal* or otherwise; it can also be developed as a framework for evaluating the design and process of digital transactions.

Reconstructing Muslim Consumer Protection Norms Against Manipulative Practices

The analysis demonstrates that the primary need is not to replace the entire existing consumer protection system, but rather to reconstruct existing norms so that they can address the characteristics of manipulation in the digital environment. Reconstruction is necessary because manipulative practices operate at the stage before consumers provide their consent. Therefore, the law needs to provide protection not only against the consequences of transactions but also for the integrity of the consumer decision-making process. The first direction of reconstruction is to broaden the meaning of transparency. Transparency should not merely be understood as an obligation to provide information, but must also encompass the obligation to present information in a manner that is easy to find, easy to understand, relevant, and not overshadowed by visual elements deliberately designed to shape a particular decision. Witte et al. (2025) demonstrate that manipulation may occur through violations of the principles of information quality, quantity, relevance, and clarity. Therefore, transparency in digital transactions must be substantive rather than merely formal.

The second direction is to incorporate a prohibition on digital designs that unreasonably influence consumer choices. Not every form of digital persuasion should be prohibited. Promotions, product recommendations, or designs that facilitate consumer choices may remain acceptable provided that consumers have adequate information and genuine alternatives. The problem arises when such designs employ pressure, concealment, diversion, or particular barriers to steer consumers towards decisions that primarily benefit businesses. Fagan (2024) emphasises the importance of distinguishing transparent and beneficial *digital nudges* from manipulative *dark patterns*. The third direction is to strengthen the principle of consumer autonomy. Muslim consumer protection should not stop at recognising that consumers have given their consent. Consent must arise from choices that are free and comprehensible. In the digital context, this means that consumers should be able to accept or reject an option with a relatively equivalent level of ease. Designs that make acceptance very easy while making rejection considerably more difficult should be treated as a legal concern because they have the potential to diminish consumers' freedom to determine their own choices.

The fourth direction is to strengthen the responsibility of *marketplaces* and digital platforms. Platforms have the capacity to control interface design, promotional systems, payment mechanisms, recommendation algorithms, and the presentation of information. Therefore, responsibility should not be imposed entirely on sellers. Dwijaya and Harmono (2025) provide a basis for positioning *marketplaces* as subjects bearing certain responsibilities for digital consumer protection, including through *due diligence* mechanisms. The fifth direction is to develop a preventive regulatory approach. Through a systematic review of 65 studies, Yi and Li (2025) demonstrate that research on the regulation of *dark patterns* remains fragmented, while existing regulatory frameworks face difficulties in identifying forms of manipulation and the harm they cause. They advocate a shift towards a more proactive approach through the concept of *diligent design*, namely the integration of legal responsibility into the technology design process. Based on these findings, the reconstruction of norms can be formulated as follows:

Norm requiring strengthening	**Problems in digital practice**	**Principles of *Maqashid al-Shariah***	**Direction of reconstruction**
Consumer right to information	Information is available but concealed or difficult to understand	*Hifz al-mal*, *tadlis*, *gharar*	Material information must be presented clearly, easily accessible, and in a timely manner
Consumer right to choose	Choices are directed through *defaults*, time pressure, or barriers	*Al-'adl*, *'an taradin*	Acceptance and rejection options must be provided freely and proportionately
Prohibition of harmful business practices	Not yet specifically addressing manipulation through digital design	*Maslahah*, *al-'adl*	Prohibition of designs that unreasonably influence consumer decisions
Platform responsibility	Platforms are often positioned merely as intermediaries	*Maslahah*, *hifz al-mal*	Application of *due diligence* obligations and platform accountability
Transaction supervision	Supervision tends to occur only after harm has arisen	*Dar' al-mafasid* and *maslahah*	Preventive supervision of digital design, information, and transaction mechanisms

This reconstruction demonstrates that Muslim consumer protection in the digital economy needs to be developed through an integrated relationship between positive law, general consumer protection principles, and the normative values of *Maqashid al-Shariah*. The development of digital transactions has fundamentally changed the way consumers obtain information, evaluate alternatives, provide consent, and make economic decisions. Consequently, legal protection can no longer be limited to regulating the contractual relationship between consumers and businesses or providing remedies after a transaction has caused harm. It must also address the conditions under which consumer choices are formed, particularly where digital interfaces, algorithms, default settings, promotional mechanisms, and information presentation may influence consumers' decisions. Within this framework, *Maqashid al-Shariah* provides a philosophical and normative foundation for ensuring that technological innovation and commercial interests remain consistent with the objectives of protecting human welfare and preventing harm. The protection of property (*hifz al-mal*) requires that consumers' economic resources be safeguarded not only from direct financial loss but also from transaction mechanisms that may induce unintended expenditure or obscure material costs. The principle of justice (*al-'adl*) requires a fair balance between businesses, platforms, and consumers, particularly where the former possess greater technological capabilities, information, and control over digital environments. The principle of public benefit (*maslahah*) further requires that digital economic practices generate genuine benefits and do not place consumers in conditions of avoidable vulnerability or exploitation. Meanwhile, the principle of mutual consent (*'an taradin*) emphasises that consent should be formed freely, consciously, and on the basis of adequate information rather than through pressure, deception, or the manipulation of available choices. These principles are reinforced by the prevention of *gharar* and *tadlis*, which provide normative grounds for opposing uncertainty, concealment, misleading presentation, and other practices that may distort consumers' understanding of a transaction. Therefore, the incorporation of *Maqashid al-Shariah* into the reconstruction of consumer protection norms does not imply replacing positive law with religious norms, but rather strengthening the philosophical and ethical foundations of digital consumer protection. Through this integration, digital legal relationships can be designed to ensure not only formal validity and transactional efficiency, but also transparency, fairness, consumer autonomy, protection of property, and the realisation of *maslahah* throughout the entire process of digital economic transactions.

Digital Consumer Protection Model Based on *Maqashid al-Shariah*

Based on the overall analysis, the protection model proposed in this study is not directed solely towards providing compensation after consumers have suffered harm. Rather, it is directed towards preventive protection of the process through which consumers form their decisions. The model consists of five main elements. First, digital transparency, namely the obligation to provide material information clearly, relevantly, accessibly, and without concealing it through interface design. Second, *fair choice architecture*, namely the obligation to provide choices that are free from pressure, deception, and deliberately disproportionate barriers. Third, property protection, namely ensuring that transaction design does not encourage consumers to make economic decisions that they have not consciously intended to make. Fourth, platform accountability, namely the obligation of *marketplaces* to conduct supervision and *due diligence* concerning the designs and practices of businesses using the platform. Fifth, preventive supervision, namely mechanisms for evaluating digital designs before or during their use, rather than only after consumer harm has occurred. This model is consistent with developments in research on *dark patterns* regulation, which advocate a shift from an approach focused solely on harm towards a more proactive and design-based regulatory approach. Yi and Li (2025) demonstrate that the *diligent design* approach can serve as one direction for regulatory development because protection responsibilities can be incorporated from the system-design stage.

Accordingly, the contribution of this study lies in the reconstruction of Muslim consumer protection norms, rather than merely in identifying *dark patterns*. This study positions manipulative practices as a legal issue related to transparency, autonomy, protection of property, justice, and public benefit. The perspective of *Maqashid al-Shariah* is employed to provide a normative basis for the proposition that a formally valid digital transaction does not necessarily satisfy the requirements of justice if the consent process has been shaped through manipulation. This reconstruction produces a paradigm shift from "protection against consumer harm" towards "protection of consumer freedom and the integrity of consumer decision-making". This shift provides the basis for developing digital consumer protection norms that are more responsive to technological developments while remaining consistent with the principles of *Maqashid al-Shariah*.

Conclusion

Manipulative practices in digital economic transactions, such as *dark patterns*, information concealment, false urgency, default options, and *sneaking*, demonstrate that consumer protection can no longer be directed solely towards harm arising after a transaction has taken place, but must also encompass protection of the process through which consumer decisions are formed. The findings demonstrate that the existing consumer protection framework remains limited in responding to manipulation carried out through digital design and architecture, particularly in ensuring transparency, freedom of choice, and platform accountability. The perspective of *Maqashid al-Shariah* provides a normative foundation for reconstructing such protection through the principles of *hifz al-mal*, *al-'adl*, *maslahah*, *'an taradin*, as well as the prevention of *gharar* and *tadlis*. The proposed reconstruction of norms encompasses strengthening obligations concerning digital transparency, prohibiting designs that unreasonably influence consumer decisions, guaranteeing free and balanced choices, enhancing the responsibilities of *marketplaces* and digital platforms, and establishing preventive supervision. Accordingly, the contribution of this study lies in shifting the paradigm of Muslim consumer protection from a reactive approach focused on consumer harm towards preventive protection of the freedom, integrity, and welfare of consumer decision-making in digital economic transactions.

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