The Legal Status of Contracts in Affiliate Schemes: A *Fiqh Mu'āmalah* Review and Its Implementation in the Digital Era

Amirkahairuddin[1*], Pidayan Sasnifa[2], Herri Novealdi[3], Cici Sundari[4]

amirjambi03@gmail.com, pidayansasnifa@uinjambi.ac.id,
herrinovealdi@uinjambi.ac.id, cicisundari@uinjambi.ac.id,
[1234]Sultan Thaha Saifuddin State Islamic University of Jambi, Indonesia

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Abstract

The development of the digital economy has introduced affiliate marketing as a key strategy for expanding Indonesia's e-commerce market. This study aims to analyze the legal status of contracts (akad) within affiliate schemes in accordance with the principles of fiqh mu'āmalah and to examine their implementation in the digital ecosystem. The research employs a normative method with a literature review approach, analyzed descriptively and qualitatively using Nvivo 12 Plus to trace secondary data from journals, online media, and relevant regulations. The findings indicate that affiliate practices can be classified as ju'ālah, wakālah, or ijārah contracts, provided the essential elements and requirements of the agreement are met. However, in practice, several issues remain, including unclear commission calculation systems, delayed payments, bonus mechanisms that may resemble maysir, and the risk of riba in payment processes handled through third parties. These findings underscore the importance of transparency, fairness, and Sharia compliance in the implementation of digital affiliate schemes. The study concludes that affiliate systems have a valid sharia-based legal basis but require specific regulations to ensure legal certainty and protection for all parties involved.

I. Introduction

In the current digital era, technology has transformed many aspects of human life, including the fields of economics and business. Innovations such as the internet, cloud computing, big data, and artificial intelligence have enabled drastic changes in how economic and business activities operate. This digital transformation affects every sector, from small enterprises to large corporations, as well as governments and the general public (Mahendra Ardiansyah, 2023). The rapid and accelerating development of technology has also opened new opportunities and challenges for economic and business actors worldwide. Moreover, the ongoing digital transformation not only reshapes the ways individuals work and interact but also significantly influences the structure and dynamics of contemporary business environments (Ardiansyah, 2023).

In the current digital era, technological advancements have brought significant changes to nearly all aspects of human life, including economics, business, and social interaction. Technological innovations such as the internet, cloud computing, big data, and artificial intelligence have introduced new ways to manage economic activities, optimize marketing strategies, and foster closer consumer interactions. This digital transformation is not merely a trend but has become a fundamental foundation for the sustainability of the modern economy (Maria et al., 2024). Companies of all scales, from small and medium enterprises to large corporations, are competing to leverage technology to enhance efficiency, expand market reach, and adapt to changing consumer behavior that increasingly relies on technology. Governments are also participating in the digitalization process by providing technology-based public services that are more accessible to the community. This phenomenon affirms that digital technology has become a key pillar of inclusive, adaptive, and competitive global development (Ashar & Yayuk, 2025).

These significant changes have become even more evident with the rapid growth of digital commerce (e-commerce), which has emerged as one of the dominant sectors over the past two decades. Consumer behavior has undergone a fundamental shift, moving from conventional offline transactions to online transactions that are considered more practical, efficient, and capable of offering a wider variety of products. People are increasingly accustomed to purchasing goods and services through digital platforms due to their advantages in speed, convenience, and flexibility (Amory et al., 2025). In Indonesia, this phenomenon can be observed in the increasing penetration of the internet and social media over the past few years. Data from Datareportal (2024) shows that the number of internet users in Indonesia has reached 185.3 million people, or around 66.5% of the population, with 139 million active social media users. The latest report from the Indonesian Internet Service Providers Association (APJII, 2024) even notes that the number of internet users has

reached 221.56 million people with a penetration rate of 79.5%. These figures demonstrate that nearly all activities of Indonesian society are now closely connected to the digital space, including social, educational, and economic aspects (Maulidasari et al., 2019).

In line with the increasing penetration of the internet, the value of e-commerce transactions in Indonesia has continued to surge year over year. According to the Google–Temasek report (2024), Indonesia's e-commerce Gross Merchandise Value (GMV) reached USD 30 billion in 2020, rose to USD 43 billion in 2021, and grew significantly to USD 73 billion in 2023 (Citra Luvita et al., 2025). In addition, the development of e-commerce has led to the emergence of more innovative, technology-driven marketing strategies. One of these strategies is affiliate marketing, which has now become an important instrument in Indonesia's digital commerce ecosystem (Rolando et al., 2025).

Affiliate marketing is a collaboration-based marketing strategy in which an affiliate earns a commission when they successfully drive consumers to a merchant's website through a referral link or a special code. Major marketplaces in Indonesia, such as Tokopedia, Shopee, Lazada, Blibli, and Bukalapak, have widely implemented this scheme. Through the affiliate system, opportunities are widely open for anyone to earn additional income by becoming a product promoter, even if they do not own any products themselves (Indah, 2025). This scheme certainly provides significant benefits for companies seeking to expand their market share while also creating new economic opportunities for individuals. However, behind these opportunities lies an issue in Islamic law, particularly in the study of fiqh mu'āmalah, regarding the validity of contracts in affiliate transactions (Brilianita & Sulistyowati, 2023).

In fiqh mu'āmalah, an akad (contract) is the fundamental basis that determines whether a transaction is valid or invalid. In digital affiliate marketing, the contract typically occurs only between the program provider (marketplace/seller) and the affiliate, with the consumer not directly bound by any contract with the affiliate (Sulthonuddin & Rahayu, 2024). This raises issues regarding the status of the commission received by the affiliate, whether it is lawful under Sharia principles, and whether it contains elements of *gharar* (uncertainty) and *maisir* (speculation). This debate makes the affiliate scheme a relevant issue to be examined more deeply from the perspective of Islamic law, particularly *fiqh mu'āmalah*
(Fitriani et al., 2021).

The fiqh literature provides various perspectives regarding the legal status of contracts (*akad*) in affiliate practices. Some scholars view this practice as falling under the category of *ju'ālah*, which refers to the provision of compensation for achieving a specific result. A marketplace may grant commissions when an affiliate successfully brings in a buyer, provided the transaction is clear and free of deceit (*tadlis*). This

viewpoint legitimizes affiliate marketing as lawful, provided that the basic conditions of *ju'ālah* are fulfilled (A. Azizah et al., 2025). Meanwhile, other scholars argue that affiliate marketing more closely resembles the *samsarah* contract (intermediary/brokerage), in which an intermediary is entitled to compensation for connecting a seller and a buyer, even if no direct contract exists between the intermediary and the consumer (Febriyanni et al., 2022). These differing views indicate that the contractual status within digital affiliate practices remains an open discourse that requires critical examination (Abdurrohim et al., 2019).

Several previous studies have attempted to address this issue. The study by Zulfa et al. (2023), titled *"Analysis of the Ju'ālah Contract in Affiliate Marketing Practices in Indonesian Marketplaces,"* concludes that affiliate marketing is permissible as long as the promoted products are real and contain no elements of *tadlis* (deception). The study by Melina & Saputra (2022), *"Affiliate Marketing from the Perspective of the Samsarah Contract,"* found that commission transparency and clarity of the affiliate's role are essential requirements to avoid *gharar* (uncertainty). Meanwhile, the study by Silviana Rohimah & Nurul Huda (2025), titled *"Contractual Problems in Digital Affiliate Schemes: A Fiqh Mu'āmalah Analysis,"* highlights legal uncertainties arising from the absence of a direct contract between affiliates and consumers, indicating the need for clearer regulations or fatwas to ensure that affiliate practices comply with sharia principles.

Although previous studies exist, research on the legal status of contracts within digital affiliate schemes remains relatively new and compelling. Most earlier studies focus only on partial aspects, such as a single contract type or indirect contracting. There is still no study that comprehensively examines how contracts are positioned within the entire affiliate system and how they are linked to contemporary digital practices in Indonesia. This highlights an important research gap that needs to be addressed. This study aims to analyze the legal status of contracts within affiliate schemes from the perspective of *fiqh mu'āmalah* and to examine their implementation in the digital era. This approach is expected to offer an academic contribution by providing legal clarity regarding the validity of contracts in digital affiliate practices. In addition, this study provides practical benefits for business actors, affiliates, and marketplace providers, ensuring that digital marketing activities are carried out ethically, transparently, and in accordance with Sharia principles. Thus, this research not only departs from normative issues in Islamic law regarding contracts but also considers the empirical reality of digital economic developments in Indonesia. The study, which integrates *fiqh mu'āmalah* analysis with real-world practices, is expected to make meaningful contributions both academically and practically. The relevance of this topic is increasingly important given the rapid growth of e-commerce, the rising role of affiliate schemes in digital business dynamics, and the need to ensure that digital economic practices align with Sharia principles that guide the Muslim

community in Indonesia.

2. Research Method

This research employs a normative research method or library research, which is conducted by examining library materials or secondary data consisting of online media, social media, and scholarly journals related to the study, particularly concerning *The Legal Status of Contracts in Affiliate Schemes: A Fiqh Mu'āmalah Review and Its Implementation in the Digital Era* (Disemadi, 2022) The literature review approach is carried out by analyzing journals relevant to the research object (Hoang Tien et al., 2020). The analytical technique utilizes the NVivo 12 Plus software, a computer-assisted qualitative document analysis tool. This software is user-friendly and can process words and explore word frequencies, attributes, and cases across large datasets. NVivo also produces categorized factors or subfactors within journalistic applications and research related to the study topic (Sundari et al., 2022).

This study examines how the legal status of contracts (akad) in digital affiliate schemes is understood and applied in accordance with the principles of *fiqh muamalah*. Through an analysis of recent literature (Azizah et al., 2025). The research identifies the types of contracts used in digital affiliate practices, such as *Ju'ālah*, *Wakālah*, and *Ijārah*, and evaluates their compliance with Islamic legal principles. Using a descriptive qualitative approach grounded in a literature review, this study explores how affiliate practices are carried out across various digital platforms, how contracts are applied in transactions, and their implications for the legitimacy and sustainability of sharia-compliant business practices. The focus of this research is to understand the role of contracts as the legal foundation in digital affiliate systems and how these contracts ensure adherence to *fiqh muamalah* principles in the digital era.

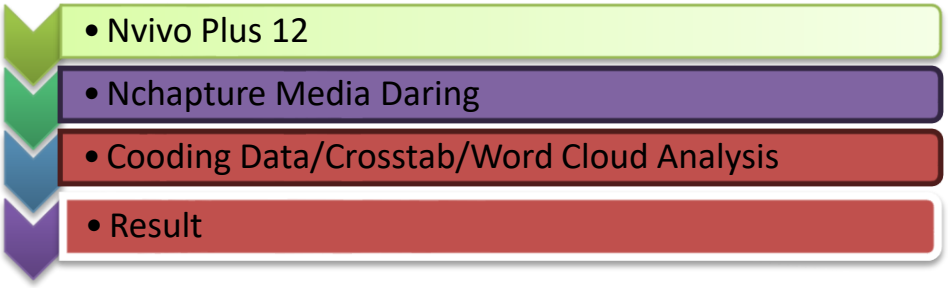


Figure 1. Data Processing Stages

3. Results and Discussion

The findings of this study show that the legal standing of contracts (*akad*) within

digital affiliate schemes is a crucial issue in *fiqh mu'āmalah*, as it directly affects the validity, legitimacy, and certainty of transactions conducted in the digital sphere (Sri Mulyani Dewi et al., 2025). Along with the rapid growth of the digital economy in Indonesia, affiliate practices have become a key mechanism for distributing products and services, in which merchants or product providers collaborate with third parties, namely affiliates, to promote products to consumers. Commissions are paid when a transaction is completed through the affiliate's promotional efforts. This phenomenon indicates that affiliation is not merely a marketing strategy but also forms a contractual relationship that requires serious examination from the perspective of *akad*, ensuring that digital economic activities are not only compliant with sharia principles but also provide legal certainty for all parties involved (A. Azizah et al., 2025).

In practice, affiliate systems can be mapped into several types of contracts relevant to *fiqh mu'āmalah*. First, the *ju'ālah* contract, a promised reward granted to an individual upon the successful completion of a task. In the context of digital affiliation, this appears when companies commit to providing commissions only if the affiliate succeeds in generating consumers or specific transactions. Second, the *wakālah* contract, a form of agency in which the affiliate acts as a representative authorized to market the product on behalf of the merchant. This pattern is used by major e-commerce platforms that position affiliates as official representatives in marketing, with clearly defined rights and obligations within the cooperation agreement. Third, the *ijārah* contract, or service leasing, is applied when the contractual relationship provides a fixed compensation for affiliates regardless of the number of transactions achieved. This model typically appears in long-term partnerships with fixed remuneration for promotional services (Chattopadhyay, 2020).

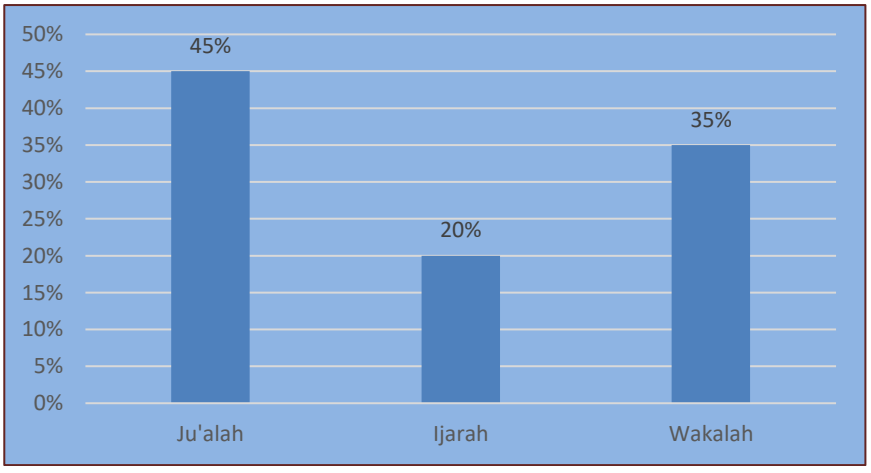


Figure 2. *The Pattern of Contractual Positions in Digital Affiliate Schemes*

Figure 2 shows that most affiliate platforms in Indonesia prefer the *ju'ālah* contract because of its performance-based nature, which aligns with the logic of digital marketing, which prioritizes efficiency. Under this contract, merchants do not bear upfront costs; instead, they provide commissions only when the affiliate successfully brings in consumers or generates sales. For affiliates, this model requires creativity and aggressive marketing strategies, as their compensation depends entirely on the results they achieve. From a sharia perspective, *ju'ālah* is valid as long as the promised target is clearly defined, the reward is transparent, and no conditions harm either party. However, its weakness lies in the potential for uncertainty (*gharar*) when the platform does not explain commission calculation systems in detail.

Furthermore, the *wakālah* contract positions the affiliate as the merchant's official representative for marketing the product. This pattern is often found in long-term cooperation, where merchants aim to ensure a clear legal identity and responsibility for the affiliate. In practice, affiliates receive access to official promotional tools, advertising material support, and sometimes special training. The benefit of this model is the certainty of working relationships, clearly defined rights and obligations, and a more solid legal standing. However, the *wakālah* arrangement requires highly detailed contracts, since any violation of product promotion or misrepresentation by the affiliate can still make the merchant liable. Therefore, this contract demands a strong monitoring system from the company.

Meanwhile, the *ijārah* contract, although less commonly used, remains significant. This contract applies when affiliates receive fixed compensation that is not tied to the number of sales generated. For example, an influencer or content creator may be hired to review products for a specific period, with payment agreed upon in advance. This model benefits affiliates by providing income stability even if the promotion does not directly result in sales. For merchants, *ijārah* can be used as a long-term branding strategy rather than focusing solely on direct sales. However, risks arise when costs exceed results, meaning merchants must carefully assess the effectiveness of this strategy. The variety of contract forms shown in Figure 2 demonstrates Islamic law's flexibility in responding to the needs of the digital economy. Each contract carries advantages and limitations that both merchants and affiliates must understand. *Ju'ālah* offers cost efficiency but is prone to *gharar* if not implemented transparently. *Wakālah* provides legal certainty but requires greater accountability. *Ijarah* ensures income stability for affiliates but may pose financial risk

to merchants if outcomes fall short of expectations. Therefore, selecting the appropriate contract cannot be done arbitrarily; it must take into account the product's characteristics, business strategies, affiliate capabilities, and adherence to Sharia principles.

From the perspective of *fiqh mu'āmalah*, the pillars and conditions of contracts are essentially fulfilled in digital affiliate practices. Merchants and affiliates act as the contracting parties (*al-'āqidān*). The object of the contract (*ma'qūd 'alayh*) promotional services can be clearly identified, the contract expression (*ṣighat*) is manifested through electronic agreements, such as terms and conditions, clicked by the affiliate as a form of *ijab* and *qabul*, and the compensation or reward is determined according to the agreement. However, although these contracts are formally valid, field practices reveal several issues that cannot be overlooked (Ariswanto, 2021). First, commission calculations are often not transparent. For example, the mechanisms for profit sharing, deductions for returned goods, or differences in commission rates between similar products are unclear, creating elements of *gharar* that may harm affiliates. Second, performance-based bonus systems commonly used by platforms, such as extra rewards for reaching specific click or transaction thresholds, are sometimes designed excessively, encouraging speculative behavior. This may resemble *maysir* because affiliates are driven to pursue disproportionate gains relative to risk, sometimes even resorting to unethical promotional practices to achieve targets (Aulia Fatkhan Qoribah et al., 2024). Third, commission disbursement mechanisms that typically involve third parties, such as digital wallets or virtual accounts linked to conventional banks, may potentially lead to *riba* if funds are stored in interest-bearing accounts before being transferred to affiliates. Thus, although the formal conditions of the contract are met, the practical implementation still requires improvement, particularly in transparency of information, proportionality of bonus systems, and the use of sharia-compliant payment instruments. These improvements are essential to ensure that digital affiliate contracts are not only legally valid but also fully reflect the principles of fairness, openness, and sustainability that underpin *fiqh mu'āmalah* (Sugiharti et al., 2021).

Element / Requirement	Explanation
Offer (Ijab) & Acceptance (Qabul)	It must be clear that one party makes an offer (the platform or product owner) and the other accepts it (the affiliate).

Legal Capacity of Parties	Both the affiliate and the product owner must meet legal requirements, such as being of legal age, mentally sound, and free from coercion.
Clarity of Work / Tasks	The affiliate's tasks must be clearly defined: the type of promotion, the media used, the duration, the targets, and the mechanisms for tracking results.
Clarity of Compensation / Commission	Amount, percentage, and payment schedule must be clearly stated.
Success as a Condition	Ju'ālah emphasizes that compensation is given only when the agreed-upon outcome is achieved.
Halal and Clear Object	The product or service must be halal, clearly defined, and free from elements of *gharar* (uncertainty), *maysir* (gambling), or *riba* (usury).

Table 1. *Sharia Elements in Digital Affiliate Schemes*

Table 1 explains that although digital affiliate contracts are formally valid, their implementation in practice still requires strict supervision to ensure compliance with the principles of fiqh mu'āmalah. The elements of *ijab* and *qabul* are often manifested solely through a one-click agreement to the terms and conditions, without detailed clarification, which risks creating ambiguity in the contract. In terms of legal capacity, not all platforms ensure that both affiliates and merchants meet the legal requirements for contracting, such as sufficient age, legal competence, and freedom from coercion. Additionally, the clarity of tasks and responsibilities often becomes an issue, as the types of promotions, media used, target achievements, and mechanisms for tracking results are frequently insufficiently transparent. This condition raises the potential for *gharar*, as affiliates do not obtain complete certainty about the outcomes of their work, which should be measurable. Another essential element is the clarity of rewards or commissions, where practical implementation in the field often shows unilateral changes, hidden deductions, or delayed payments. Such ambiguities contradict the principle of transparency and create potential disputes.

Furthermore, the requirement of success also poses several problems. Although commissions are granted only when targets are achieved, consistent with the concept of *ju'ālah*, performance-based bonus systems are often designed unrealistically high, resembling *maysir*; affiliates are pushed to pursue targets that are difficult to achieve with disproportionate risks, sometimes even encouraging unethical promotional behavior merely to meet quotas. Finally, the element of a lawful and transparent object can also be neglected, as not all products or services being promoted are verified as halal. From a technical standpoint, commissions distributed through interest-bearing conventional bank accounts may also raise *riba* concerns. Therefore,

it is essential for platforms to ensure that all Sharia elements are genuinely implemented, from clear contracts and transparent commissions to halal promotional materials, so that digital affiliate schemes are not only valid under Islamic law but also uphold justice, transparency, and sustainability for all parties involved.

In the context of regulation, the Indonesian Ulama Council's National Sharia Board (DSN-MUI) has issued several fatwas that can serve as references for digital affiliate practices. DSN-MUI Fatwa No. 116/DSN-MUI/2017 concerning electronic money, for instance, provides legitimacy for digital transactions as long as their mechanisms comply with sharia principles. In addition, the fatwa on the *ju'ālah* contract is an important reference, as the result-based compensation model in digital affiliate schemes closely corresponds to that concept. The existence of these fatwas proves that affiliate schemes can be carried out in accordance with sharia, provided that contracts are clearly formulated, commissions are calculated transparently, and payment mechanisms are free from interest (Prastika, 2025).

The relevance of digital affiliate schemes becomes even stronger when associated with the rapid growth of Indonesia's digital economy, which has shown significant annual increases: USD 50 billion in 2021, rising to USD 70 billion in 2022, USD 78 billion in 2023, USD 90 billion in 2024, and is projected to reach USD 95 billion in 2025. These figures not only illustrate the shift in consumer behavior from conventional to online transactions but also indicate growing public trust in the digital ecosystem, driven by greater internet penetration, widespread smartphone use, and the rise of innovative e-commerce platforms (Firliana et al., 2025). For affiliate schemes, this growth opens vast opportunities: higher transaction values create more space for affiliates to market products through performance-based commissions, while merchants can minimize promotional costs through more efficient payment models. This phenomenon aligns with the principle of *ju'ālah* in fiqh mu'āmalah, which holds that compensation is granted only when a specific target is achieved. At the same time, it requires transparency, clear conditions, and fairness to avoid elements of *gharar*, *maysir*, or *riba* in practice (Rahman, 2022). Therefore, the expansion of Indonesia's digital economy is not only a strategic opportunity to strengthen affiliate models but also necessitates stricter sharia oversight to ensure that its implementation brings benefit (*maslahah*) and avoids harm (*mafsadah*) for all parties (Literatur et al., 2025).

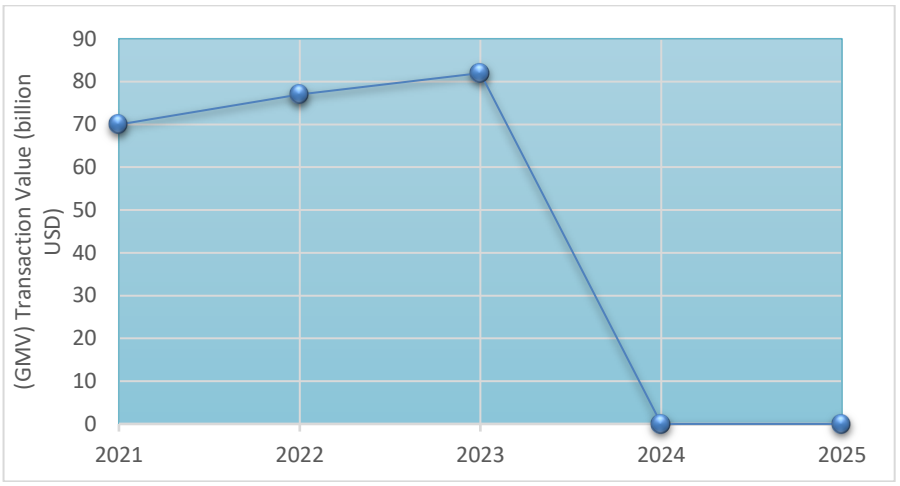


Figure 3. *Growth of Indonesia's Digital Economy Transactions (2021-2025)*

Figure 3 illustrates a consistent and sustained increase in the value of Indonesia's digital economy transactions from 2021 to 2025, a trend that clearly reflects a structural transformation in consumer behavior. This surge not only indicates a rise in online spending volume but also demonstrates a shift in consumer orientation toward prioritizing convenience, speed, and accessibility offered by digital platforms. Merchants view this condition as a strategic opportunity to expand market reach without incurring additional physical distribution costs, while for affiliates, market growth represents a greater earning potential through performance-based promotional activities. On the other hand, the increase in transactions demands a more professional, measurable affiliate management system, given the growing complexity of consumer data that must be processed and used. Artificial intelligence (AI) has become an essential tool for analyzing real-time shopping behavior trends, enabling affiliates to design more personalized, targeted promotional strategies. At the same time, blockchain technology enhances transparency by recording transactions openly, securely, and tamper-resistantly. This phenomenon shows that digital affiliate schemes are no longer merely supplementary promotional activities but have evolved into strategic marketing instruments integrated with advanced technological developments, which, when managed with transparency and fairness in accordance with fiqh mu'āmalah principles, can become a significant driving force for the sustainability of Indonesia's digital economy.

Year	Affiliate Platforms with Sharia-Compliant Contracts (%)	Platforms Containing Elements of Gharar (%)	Platforms Using Ju'ālah Contracts (%)	Platforms Using Wakālah/Ijārah Contracts (%)
2021	55	45	60	40
2022	65	35	68	42
2023	75	25	72	48
2024	82	18	80	50
2025	90	10	85	55

Table 2. *Trends in Sharia Compliance of Digital Affiliate Schemes in Indonesia (2021-2025)*

Table 2 shows that sharia compliance in digital affiliate schemes in Indonesia has increased significantly from 2021 to 2025. This improvement aligns with the growing awareness among e-commerce industry actors regarding the importance of applying principles of fairness, transparency, and accountability in contractual agreements. In 2021, only about 55% of affiliate platforms implemented contracts that adhered to sharia principles, while the remainder still contained elements of *gharar* or ambiguity, such as agreements that did not specify precise commission amounts or that used chance-based bonus systems resembling *maysir*. However, by 2025, the compliance rate increased to 90%, while elements of *gharar* declined sharply to 10%. This indicates a serious effort by businesses and regulators to ensure that digital affiliate contracts meet the requirements of *akad shahihah*, including the pillars and conditions of contracts, the clarity of the contracting parties, and the lawful and transparent identification of contractual objects.

Furthermore, the data show that *ju'ālah* remains the most dominant form of contract applied, as it aligns with the performance-based commission system that characterizes digital marketing. Its share increased from 60% in 2021 to 85% in 2025, indicating that performance-based mechanisms are increasingly preferred by companies for their efficiency, fairness, and Sharia compliance. Meanwhile, the application of *wakālah* and *ijārah* also rose from 40% to 55%, reflecting a shift toward

professional partnerships based on formal contracts between merchants and affiliates. This trend demonstrates that digital affiliate schemes in Indonesia are becoming more mature in terms of regulation and business ethics. The integration between technology and Islamic law has proven capable of creating a sustainable and dignified marketing system, as each form of cooperation is now increasingly grounded in the principles of *maslahah* (public interest), *'adl* (justice), and *amānah* (trustworthiness). Thus, digital affiliate practices are not only modern economic instruments but also a concrete manifestation of fiqh *mu'āmalah* values within contemporary business structures.

The presence of technology and social media has further strengthened affiliate practices in the digital era, where popular platforms such as TikTok, Instagram, and YouTube play a crucial role as strategic spaces for affiliates to promote products creatively through short videos, live streaming, and authentic product reviews (Krisdanu & Kiranastari Asoka Sumantri, 2023). Video-based promotion has been proven far more effective than conventional media because consumers can view products in real time, receive direct demonstrations, and interact with affiliates simultaneously, creating a more personal and immersive shopping experience. In addition, platform algorithms can intelligently target audiences based on their preferences, increasing conversion opportunities while strengthening brand awareness (Rahmawaty et al., 2023). Additional features such as comments, reviews, and ratings further enhance consumer trust, as they do not rely solely on information from the affiliate but also benefit from validation provided by other users. Thus, social media does not merely serve as a promotional tool but creates a digital marketing ecosystem grounded in interaction, transparency, and trust, where merchants gain increased sales, affiliates receive incentives, and consumers experience more practical, enjoyable, and reliable shopping. As a result, affiliate practices in the digital era have become a central element in modernizing the contemporary trade industry (Patimah et al., 2025).

However, implementing digital affiliate schemes is not free of complex challenges that require serious attention from all stakeholders involved. Issues of sharia compliance remain a significant concern, particularly regarding transparency in partnership agreements, clarity in commission calculation mechanisms, and the avoidance of practices that may lead to *gharar* (ambiguity) or unfairness in profit distribution. On the other hand, government regulations on digital taxation, consumer data protection, and online transaction security must also be adhered to to ensure that affiliate ecosystems do not result in legal violations or financial risks for consumers (Nurdin et al., 2025). These challenges are further intensified by increasingly fierce digital competition, which demands that affiliates continuously innovate, create creative content strategies, optimize platform algorithms, and maintain the integrity of information to avoid misleading audiences. Consumer trust is a determining factor

in long-term success, so affiliate content should not focus solely on promotional aspects but also reflect honesty, professionalism, and accuracy. Failure to uphold these values threatens not only the reputation of affiliates but also the credibility of merchants and the overall stability of the affiliate ecosystem (Sinergi & Jsj, 2024).



Figure 4. *WordCloud of Affiliate Marketing and Mu'āmalah Principles in the Digital Era*
Source: *Modified with Nvivo 12 Plus*

Figure 4 presents the results of a WordCloud analysis that illustrates the relationship among key concepts in research on affiliate marketing from an Islamic economics perspective. The prominence of the words *"affiliate"* and *"marketing"* indicates that this study's primary focus is on the rapidly growing practice of affiliate-based marketing in the digital era. These terms serve as the core of a broader network, including *digital*, *technology*, *platforms*, and *influencers*, and emphasize that affiliate systems are an integral component of the modern digital economy. The appearance of the word *Indonesia* highlights the local context of the study, where affiliate practices have become increasingly popular across various national e-commerce platforms. On the other hand, terms such as *Islam*, *muamalah*, *ujrah*, *wakalah*, *maslahah*, and *maqasid* demonstrate that this phenomenon is analyzed through the lens of Islamic jurisprudence (fiqh mu'āmalah) and sharia values, particularly in ensuring that collaborative relationships between product owners, affiliates, and consumers occur in a lawful, fair, and *gharar*-free manner. Meanwhile, the emergence of terms such as *'consumer*' and *'commissions*' reflects the mutually beneficial transactional relationship between the parties. Thus, the WordCloud does not merely display word frequency but also represents the conceptual map of a study that seeks to integrate modern digital marketing practices with Islamic business ethics, reaffirming the relevance of sharia economic law in regulating contemporary technology-based

economic activities.

Overall, it can be emphasized that the legal status of contracts (*akad*) within digital affiliate schemes has a strong and valid foundation in sharia, as contractual agreements governing profit-sharing through commission-based systems can be analogized to the principles of *ijarah* or *wakalah bil ujrah* as established in fiqh mu'āmalah. Nevertheless, the practical implementation still requires refinement to avoid potential ambiguity (*gharar*), unfairness, or misuse of information that could disadvantage one of the parties. Therefore, aspects such as transparency of information, clarity regarding the rights and obligations of merchants, affiliates, and consumers, and adherence to mu'āmalah principles such as honesty, openness, and responsibility must be consistently strengthened. If these principles can be effectively upheld, digital affiliation will not merely serve as a modern marketing tool aligned with technological trends. However, it will also evolve into a sustainable and equitable digital economic model aligned with Islamic values. This would allow affiliate systems to provide broad benefits for all parties involved and serve as an instrument for strengthening the economic welfare of the Muslim community in the era of globalization.

4. Conclusion

This study affirms that the role of contracts (akad) within digital affiliate schemes is fundamental in ensuring the validity, legitimacy, and legal certainty of transactions in the digital era. The findings indicate that affiliate practices can be categorized under the frameworks of ju'ālah, wakālah, or ijārah contracts, provided that the pillars and conditions of each akad are fulfilled in accordance with the principles of fiqh mu'āmalah. However, field practices reveal several critical challenges, including unclear commission calculations, delayed payments, bonus mechanisms that may resemble elements of *maisir*, and the risk of interest-bearing accounts associated with *riba*. These issues demonstrate that although the contracts may be formally valid, their operational aspects still require strengthening in terms of transparency, fairness, and Sharia compliance to establish a just, trustworthy, and sustainable digital affiliate ecosystem.

Furthermore, this study highlights that Indonesia's rapid digital economy development, particularly in e-commerce, has positioned affiliate marketing as a highly relevant and promising strategy. Supported by technologies such as artificial intelligence, big data, and blockchain, affiliate schemes function not only as performance-based promotional tools but also as professional instruments for digital marketing management. Nevertheless, the absence of specific regulations governing contracts in affiliate practices has created a legal vacuum, leading to uncertainty among segments of the Muslim population regarding their participation in such systems.

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