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Protection Consumer In Pre-Order Based Transactions Salam Contract: The Role of Sharia Fintech and Mechanisms

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ABSTRACT

The rapid development of digital technology has transformed economic transaction practices, including the widespread adoption of pre-order systems among micro, small, and medium enterprises (MSMEs). However, from the perspective of Islamic economics, such practices continue to face challenges, including delivery delays, product discrepancies, and limited transparency, which may give rise to elements of *gharar* (uncertainty). The *Salam* contract provides a relevant Sharia framework for pre-order transactions, while Sharia fintech supported by an escrow mechanism offers an innovative approach to strengthening consumer protection. This study aims to analyze the conformity of pre-order practices at Ayubi Hijab Kraksaan MSMEs with the principles of the *Salam* contract and to examine the role of Sharia fintech and escrow mechanisms in protecting consumers. Using a qualitative case study approach, data were collected through interviews, observations, and documentation. The findings indicate that the pre-order system has fulfilled key principles of the *Salam* contract, particularly advance payment and clear product specifications, although challenges remain regarding delivery timeliness and product conformity. The study further demonstrates that the integration of *Salam* contracts with Sharia fintech and escrow mechanisms enhances transaction security, strengthens consumer trust, and minimizes the risk of default by ensuring that funds are released only after contractual obligations have been fulfilled. The novelty of this research lies in proposing an integrated consumer protection model that combines the normative principles of the *Salam* contract with digital financial innovation through Sharia fintech and escrow mechanisms, offering a practical framework for secure and Sharia-compliant pre-order transactions. The findings also provide practical implications for MSMEs in improving transaction management, for Sharia fintech providers in developing consumer-oriented payment systems, and for regulators in formulating policies that support secure, transparent, and Sharia-compliant digital commerce.

Introduction

Man created by Allah SWT as creature social that is not can life without interaction with each other. In context economy, interaction This manifested in activity transactions like sell buy, rent, and work the same as what must be done based on principle justice And honesty. Islam give guide comprehensive in every aspect life, including in transaction economy, so that No contain element injustice, usury, or gharar ambiguity. Progress technology has influence almost all over aspect life, including mechanism man transactions. Today's society tend choose digital transactions because efficiency and convenience offered. However , changes this also gives rise to challenge new , especially in aspect security and clarity law transaction Practice Pre-Order Transactions at the Ayubi Hijab Kraksaan UMKM (Fatmawati et al., 2024)

Pre-order transactions in digital commerce is becoming one of the many models used by the perpetrator business Because allows production goods based on order without must provide stock in amount big. However , in in practice , the system This often cause various problems , such as delay delivery , non-conformity product with description , and lack of transparency information to consumer (Nasrullah & Zaibi, 2025). Conditions This potential harm consumers and give rise to element uncertainty (gharar) in perspective Islamic economics

In Islamic economics , pre-order practices have suitability with draft contract greetings , namely sell buy with payment full upfront and delivery goods later day (Nursari et al., 2025) . Based on **DSN-MUI Fatwa No. 05/DSN-MUI/IV/2000,** contract regards requires payment done at the beginning, clarity specification goods, as well as certainty time surrender to avoid element gharar. However , in practice digital transactions , provisions the Not yet fully fulfilled , especially related accuracy time delivery and transparency information to consumer (Pahra, 2022)

For overcome problem mentioned , the development technology finance sharia-based (sharia fintech) offers solution through system more digital payments safe and transparent (Rahmawati1, 2020). One of relevant mechanisms is an escrow account, namely system withholding of funds by a party third until obligation seller fulfilled. Mechanism This functioning as form protection consumer in digital transactions with minimize risk fraud and default (Andhika Pramudya, 2025)

Study One of the relevant previous ones conducted by Reza Safri Nasrullah, Nur Zaibi Amalia, and Ahmad Mu'is (2025) in journal *Tasyri ' Journal Of Islamic Law* shows that contract regards can become base law in pre-order practices during fulfil principle advance payment and clarity goods. However, research the Not yet discuss protection consumer through mechanism technology finance such as escrow. In addition, research by Rika Rismayanti (2025) in journal *Journal Of Artificial Intelligence And Digital Business* find that pre-order practices in the marketplace have fulfil part principle contract greetings, but Still there is problem like ambiguity time delivery and non-conformance potential goods cause gharar . Research also not yet offer solution consumer fund protection in a way specific. So, Different with study previously, research This No only analyze suitability pre-order practice with contract greetings, but also review in a way more deep the role of sharia fintech and escrow mechanisms as instrument protection consumers.

Despite the growing body of literature on Salam contracts in pre-order transactions and the increasing discussion of Sharia fintech in digital commerce, a significant research gap remains (Siddiq et al., 2026). Existing studies generally examine the validity of Salam contracts in online transactions or discuss the role of Sharia fintech as a digital financial innovation separately. Consequently, limited attention has been given to how consumer protection can be strengthened through the integration of Salam contract principles, Sharia fintech systems, and escrow mechanisms within a single analytical framework. This gap is particularly important because consumer complaints related to delivery delays, product discrepancies, and transaction uncertainty continue to occur in digital pre-order practices (Katili et al., 2025) and may potentially lead to elements of gharar, thereby affecting consumer trust and the sustainability of digital commerce.

Therefore, this study is important not only from a practical perspective but also from a theoretical perspective. This research contributes to the Islamic economics and Islamic financial technology literature by proposing an integrated consumer protection model that combines Salam contracts, Sharia fintech, and escrow mechanisms. Through this approach, the study extends the application of classical Islamic commercial contract theory into the contemporary digital economy and provides a conceptual framework for developing secure, transparent, and Sharia-compliant pre-order transactions.

This research's unique novelty lies in the integration of the salam contract, Islamic fintech, and the escrow mechanism, which serves as consumer protection during the pre-order process. Unlike previous studies that only theoretically examine the salam contract or discuss the general role of fintech, this research presents a more practical and contextual approach using a case study of the Ayubi Hijab Kraksaan MSME. Furthermore, this research presents a previously unstudied model of Islamic escrow-based consumer protection. By combining the principles of Islamic jurisprudence and innovation in Islamic finance, this research makes a significant contribution to the development of a digital transaction system that is safe, fair, and in accordance with Islamic law.

Therefore that, Research This aim For explain ***How mechanism contract regards can implemented in context pre-order based transactions technology Islamic finance, as well as How escrow system can become instrument effective protection for consumer in digital trade at the level UMKM.***

Method

Study This use approach qualitative with design studies case of the Ayubi Hijab Kraksaan UMKM. The data used consists of from primary data and secondary data. Primary data is obtained through interview with owner business, staff, and consumers who do pre-order transactions, while secondary data obtained from literature in the form of journals, books, and related DSN-MUI fatwas contract greetings.

Data collection techniques were carried out through interviews and observations regarding the pre-order transaction process, starting from booking until reception goods. Data analysis was carried out in a way descriptive qualitative through stages data reduction, data presentation, and data extraction conclusion For study implementation contract regards as well as the role of sharia fintech and escrow mechanisms in protection consumer

Results and Discussion

Object Overview Study

Ayubi Hijab is a micro, small, and medium-sized enterprise (MSME) specializing in Muslim fashion, specifically hijab products. It operates in the Kraksaan area and utilizes digital platforms as its primary marketing and transaction tool. Ayubi Hijab operates a pre-order-based sales system, allowing production to begin upon customer orders.

The results I got meet in the field that is Use pre-order system in this MSME based on considerations efficiency production and management stock. With system said, the perpetrator business can adapt amount production with market demand, so that can minimize risk loss consequence accumulation goods. In addition, the system this also provides flexibility for consumer in do booking product in accordance with desired preferences.

In practice, pre-order transactions are carried out through e-commerce platforms, such as Shopee, that provide various feature supporters, starting from ordering, payment, up to tracking delivery. System payment used has integrated with escrow mechanism, where funds are paid by the consumer No direct received by the seller, but detained while by the platform until transaction stated finished.

From the side operational, transaction process started from booking products by consumers, continued with payment in advance, then production goods by the seller, until shipping and receiving goods by consumers. This entire process involving interaction between consumers, actors business, and digital platforms as intermediary.

With utilise digital technology, Ayubi Hijab UMKM is able to reach a wider market wide as well as increase efficiency in the business process. However Thus, the use of pre-order system also does not let go from various challenges, such as delay delivery and potential mismatch product, which becomes focus in study This.

Implementation of Pre-Order Transactions from the Perspective of Salam Contracts

Ayubi Hijab UMKM business does pre-order transactions through the Shopee platform and pay full in the face before the production process started. Products sold Not yet available during transaction Because produced after order accepted in accordance with specifications that have been agreed between sellers and buyers. Interview results show that Consumer state pre-order system used require payment done at the beginning, while product will produced after order accepted.

According to statement said, features main pre-order system used is advance payment and delivery products later day. This is in line with draft contract greetings , which means that goods purchased with payment in advance and delivery in accordance agreement at the time that has been determined (Syamsi & Arsal, 2025). Mechanism This used in Islamic economics as mechanism financing legal production during fulfil condition law (Nasrullah & Zaibi, 2025)

In addition, the seller usually offer detailed information about specification product through descriptions available on the online platform, which include model, material, color, and size. Consumers convey that before do purchase, they moreover formerly notice description product in detail, such as material, size, and model.

Condition This indicates that There is effort For make transaction transparent. For avoid gharar (uncertainty), object contract must clear in theory jurisprudence mu'amalah, so that the principle of bayan (openness) in transaction covers detailed information (Mulyana Saleh, 2026). Therefore that , the whole process of distribution information product can considered as implementation justice in Islamic economics .

However , the production and delivery process product Still become problem in implementation . Consumers complain that delivery goods sometimes experience delays , especially when amount order currently high.

Condition This show that There is mismatch between customs and regulations greetings , especially about certainty time surrender . Uncertainty time considered as gharar in jurisprudence transaction Because No fulfillment of one of the condition main contract greetings , namely clarity time handover goods (Nasrullah & Zaibi, 2025). As a result , although structure transaction has according to its implementation Still need repaired to be fully in accordance with sharia principles .

In addition , it was found that product received No in accordance with description displayed . Consumers state that there is case mismatch products , especially on the differences color between goods received with what is shown , although Still within the limits that can be accepted .

This result can interpreted as possibility happen tadlis (misrepresentation), namely distribution information that is not in accordance with condition actually . Practice This contradictory with principle honesty (ṣidq) and justice in transaction in Islamic economics , which requires seller convey accurate information (Nasrullah & Zaibi, 2025)

On the contrary , from corner view perpetrator business , pre-order system is used For adapt production with amount request . Interview results Seller explain that pre-order system is used For adapt amount production with request consumer as well as avoid accumulation stock .

Findings This show that contract greetings can also be help modern production . Contract regards intended For provide initial capital to manufacturer at a time reduce risk loss Because excessive stock (Permana & Muradi, 2022)

In addition , payments For pre-order transactions are made through integrated digital system with escrow. With Thus , the seller get funds no direct before buyer get product . Interview results state that Consumer feel more safe do advance payment because the funds are not direct received by the seller , but detained temporarily by the system .

This matter show that trust consumer formed No only by reputation seller , but also by the system used . In theory trust digital economy , situation This called as trust based system . Security system play a role important in increase trust consumer in transactions (Hutabalian et al., 2025)

With Thus , the pre-order practice of Ayubi Hijab UMKM is general reflect characteristics contract greetings , especially in matter advance payment and clarity specification product . However , in its implementation , still There is a number of obstacles , such as delay delivery and non-conformity products , which can cause tadlis and gharar . As a result , in order for the practice transaction can fully in accordance with principle Islamic economics , is needed improvements to elements management operational , transparency information and literacy Islamic finance .

Analysis can done with review practice the based on rules and conditions contract greetings in a way more comprehensive . In jurisprudence transaction , contract greetings require existence the contracting parties , namely Muslim (buyer) and Muslim ilaih (seller), object a clear contract , as well as time specified delivery in a way definitely .

In practices carried out by consumers play a role as Muslims who do payment in advance , whereas seller act as Muslims the obligated god deliver goods in accordance order . Clarity specification products delivered through digital platforms shows that object contract has fulfil element clarity (ma'lum). However Thus , the aspect certainty time handover Still become constraints , which are shown with existence delay delivery .

Condition This show that although structure contract has in accordance with principle greetings , implementation Still need repairs to be complete avoided from element gharar , especially related with uncertainty time handover goods .

The Role of Escrow and Integration of Sharia Fintech in Protection Consumer

In pre-order transactions at UMKM Ayubi Hijab, payment done through the Shopee platform. With mechanism this , the money paid by the buyer No direct accepted by the seller , but detained until buyer confirm reception goods . Mechanism This show How escrow system is used in digital transactions , which work as party third For ensure that the buyer's funds safe during the transaction process .

Consumer state that escrow mechanism provides a sense of security because the funds are not direct continued to seller and still can submitted complaint if goods No in accordance .

According to statement mentioned , the escrow mechanism makes consumer feel safe moment do pre-order transactions . This can seen from theory protection consumers, which emphasizes importance security transactions and deductions risk in digital commerce. In conceptually , escrow is a system that protects funds by parties third until obligation they fulfilled (Abdurrahman, 2023). In context this , the escrow system works as instruments that guarantee to buyer that the funds are not will move to seller before goods accepted in accordance promise (Andhika Pramudya, 2025). The use of escrow increases trust consumer in pre-order transactions.

However, the increase trust the No fully finish problem important in practice pre-order transactions, especially related ones with constraint operational like delay production and delivery . This shows that escrow is more effective as tool For reduce risk than finish problem main in the production and distribution process . From the results interview Consumers have also state that use system the increase trust in do pre-order transactions because existence guarantee refund .

According to theory trust digital economy , security system is component important in grow trust consumer in online transactions (Hutabalian et al., 2025). With thus , trust No only built by reputation seller , but also by the system provided by the platform, which is known as trust based system .

However , in in practice , the problem like delay delivery and non-conformity goods Still happen although use escrow system . Consumers convey that although happen delay shipping , they still feel safe because the funds have not been received by the seller.

This matter show that escrow only functioning as mechanism For reduce risk transactions , not fully remove the risks . In theory protection consumers , conditions This show that effectiveness protection No only system dependent technology , but also responsibility answer perpetrator business For fulfil his obligations with appropriate time and appropriate specifications (Rahman, 2024).

Besides functioning as mechanism fund security , the escrow system can also analyzed in perspective Islamic economics as form implementation principle justice (' adl) and trust . In matter this , digital platforms act as party third who keeps the funds up to date all over obligation in transaction fulfilled .

The existence of escrow creates balance rights and obligations between sellers and buyers . Consumers get guarantee security of funds, while seller still own certainty payment after fulfil his obligations . With Thus , the mechanism This No only nature technical , but also has mark normative in line with sharia principles .

From the corner view perpetrator business , mechanism business interact with Consumers are also influenced by the escrow system . Interview results with owner business state that they must ensure suitability product with order , because new funds can accepted after existence confirmation from buyer .

According to statement this , escrow does not only protect consumer but also makes seller more capable fulfil obligations . Mechanism this , from corner view Islamic economics , reflects the principle of " adl " (justice) and "al- mu'awadhah " (balance), because create distribution more rights and obligations proportional between sellers and buyers (Zuhri, 2025)

In addition , there are innovation in modern contract (uqud) mustajiddah) which is developing along with need digital economy , as demonstrated by the integration between sharia fintech, escrow mechanisms , and contracts Greetings . Seller convey that system the give impact positive to business Because increase trust consumer in do pre-order transactions .

The result can interpreted as that integration technology in sharia transactions affect aspect law and sustainability business . In this model , the contract regards Keep going become base transactions ; sharia fintech acts as provider system , and escrow safeguards funds (Fatmawati et al., 2024)

From the corner view theory sharia contracts , the existence of the platform as intermediary show that structure contract has develop become a system consisting of from Lots parties . However , this This Still can done during No remove elements base agreements , such as advance payment , clarity object , and agreement (ijab-qabul) (Mulyana Saleh, 2026)

On the contrary , success escrow system in provide a sense of security to consumers also have an impact on activities economics . Protection good consumers can increase market participation , loyalty consumers , and sustainability business (Siswanti , 2022)

Next , integration between contract greetings , sharia fintech, and escrow can categorized as form innovation in contract contemporary (uqud) mustajiddah), which developed as response to need modern digital transactions . This is show that principles Islamic economics is adaptive to development technology , during No contradictory with provision sharia basis .

For give a clearer picture systematic about integration between sharia fintech, contracts greetings , and escrow in protection consumers , the following models serve function normative , digital implementation , and influence they are on pre-order transactions.

Table 2. Salam-Fintech-Escrow Contract Integration Model

Component	Function Normative	Digital Implementation	Impact To Protection Consumer
Salam Contract	Sharia basis for buying and selling orders with full payment in advance	Transactions are conducted through electronic contracts	Provide certainty of price, specifications and delivery time
Buyer (Muslim)	The party who handed over the funds in advance	Make payments through the platform system	Have the right to confirm and complain before

			funds are disbursed
Seller (Muslim) ilaih)	The party obliged to deliver the goods according to the agreement	Upload product description and send according to timeline	Responsible for the quality and accuracy of delivery
Sharia Fintech	The intermediary ensures that the contract runs according to the system	Provides payment, tracking, and dispute features	Improve transparency and documentation of transactions
Escrow Account	Fund security instrument (escrow account)	Funds are temporarily held until receipt verification.	Prevent default and minimize the risk of fraud
Regulation & Supervision	Legal basis and sharia compliance	Supervised by the Financial Services Authority and refers to the fatwa of the National Sharia Council-Indonesian Ulema Council	Providing legal legitimacy and regulatory certainty

The table show that every component system do mutually exclusive functions complete For give protection to consumers . Sharia fintech provides digital infrastructure , contracts regards set standard transactions , and escrow protects funds. The principle justice (' adl), transparency (bayan), and accountability strengthened in transaction sharia economy through integration This .

Study This offer contribution novelty in the form of an integration model between contract greetings , sharia fintech, and escrow mechanisms in context pre-order transactions on the Shopee platform. Different with study previously generally only study contract regards from perspective normative or highlighting fintech as instrument technology in a way separately (Fatmawati et al., 2024; Nasrullah et al., 2025), research This combine third element the in One framework comprehensive analysis . This model No only explain suitability contract regards in digital transactions , but also shows How integration technology through escrow system is capable strengthen protection consumer as well as increase trust in transactions .

In addition , research this also reveals existence gap between suitability conceptual contract regards with its implementation in the field , especially related delay delivery and non-conformance potential products cause element gharar and tadlis . Findings This give perspective new that existence the escrow system in sharia fintech is not only functioning as mechanism technical , but also as instrument corrective to potential deviation in practice contract . With Thus , research This contribute in development study contemporary Islamic economics , in particular in formulate a digital transaction model that is not only in accordance in a way normative , but also adaptive to dynamics technology and needs protection consumers .

With Thus , the escrow mechanism in Islamic fintech does not only functioning as tool technical For system payment , but also as tool For protect consumers , increasing trust and security transactions . However , for maximize system This in practice , required support from regulation , responsibility answer perpetrator business , and improvement knowledge Islamic finance .

CONCLUSION

Based on the results of this study, it can be concluded that the pre-order transaction practices implemented by Ayubi Hijab generally fulfill several key principles of the Salam contract, particularly advance payment and the clarity of product specifications. However, certain challenges remain, including delays in product delivery and discrepancies between product descriptions and actual goods received, which may potentially give rise to elements of gharar. In addition, the platform-based payment system that incorporates an escrow mechanism provides an additional layer of consumer protection by enhancing transaction security and reducing the risk of default.

The findings demonstrate that the integration of Salam contracts, Sharia fintech, and escrow mechanisms can serve as an effective model for strengthening consumer protection in digital pre-order transactions while ensuring compliance with Islamic economic principles. This integration promotes transparency, fairness, accountability, and trust between sellers and buyers, thereby supporting the development of a more secure and Sharia-compliant digital commerce ecosystem.

Theoretically, this study contributes to the literature on Islamic economics and Islamic financial technology by proposing an integrated framework that connects classical Islamic contractual principles with contemporary digital payment mechanisms. Practically, the findings may provide insights for MSMEs, Sharia fintech providers, and regulators in developing consumer-oriented digital transaction systems that are both secure and compliant with Sharia principles. Future research is recommended to examine the implementation of this integration model across broader business sectors and multiple case studies in order to enhance the generalizability of the findings and further evaluate its effectiveness in different digital commerce environments.

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