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Research Paper

Legal Study of Product Promotion Claims on TikTok from Imam Al-Ghazali and Consumer Law Perspectives

Yunita Adila Firdausiyah[a], Ahmad Musadad[b], A Mufti Khazin[c], Farhatul Muwahidah[d], Mohd Shukri Hanapi[e]

[a,b] *Faculty of Islamic Studies, Universitas Trunodjoyo Madura, Indonesia*
[c] *Faculty of Sharia and Law, Universitas Islam Negeri Sunan Ampel Surabaya, Indonesia*
[d] *Balai Pelatihan Vokasi dan Produktivitas Sidoarjo, Indonesia*
[e] *Islamic Development Management Studies (ISDEV), Universiti Sains Malaysia, Penang, Malaysia*

Corresponding email: musadad@trunojoyo.ac.id

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ABSTRACT

The advancement of digital technology, particularly social media platforms such as TikTok, has transformed marketing strategies and consumer behavior in digital commerce. However, this development has also given rise to promotional practices involving exaggerated product claims that are often unsupported by scientific evidence, potentially misleading consumers and causing both material and immaterial losses. This study employs a qualitative research method with normative and empirical approaches. Data were collected through observations of promotional content on TikTok, interviews with consumers, and a literature review focusing on Imam Al-Ghazali's classical works and Law Number 8 of 1999 concerning Consumer Protection. The findings reveal that promotional practices on TikTok frequently lack transparency, particularly regarding product quality, benefits, and the validity of advertised claims. From Imam Al-Ghazali's perspective, such practices constitute unjust commercial conduct because they contradict the principles of honesty, fairness, and the prohibition of *tadlis* (fraud) in Islamic commercial transactions. Similarly, under Indonesian positive law, exaggerated and misleading promotional claims may violate Article 4, Article 7, Article 8 paragraph (1) letter f, and Article 17 paragraph (1) of the Consumer Protection Law. These findings demonstrate that misleading digital promotions are not merely ethical violations but also raise legal accountability issues. Therefore, stronger regulatory supervision, responsible marketing practices, and improved consumer literacy are essential to establishing a fair, transparent, and trustworthy digital trading environment.

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Introduction

Technological advances, particularly digitalization and social media, have changed the way products are promoted. Promotion serves as a communication strategy to remind people about a product and convince them to be careful (Fista et al., 2023). One of the elements that shape a customer's lifestyle is how they live their daily lives. With the advent of globalization, new lifestyles have emerged, demonstrating that a person's lifestyle is always changing and dynamic (Farida & Purba, 2024). The development of information and communication technology, particularly online media, has transformed the promotion of goods and services. Promotion has now become an efficient platform for attracting customers without high costs, shifting from traditional methods to digital ones through social media and the internet (Anbiya & Sofyan, 2021).

Social media often serves as a bridge between producers and consumers. Consumers can obtain product information through social networks, and conversely, producers can use social networks to meet consumers' information needs (Novita et al., 2023). Today, entrepreneurs producing goods and services understand the importance of marketing activities. This importance is particularly acute due to the threats of globalization, intense international competition, and domestic conflicts (Sundari & Hanafi, 2023).

Depending on their goals or targets, each company uses different promotional strategies to increase sales. (Uluwiyah, 2022). Additionally, promotion involves building good relationships with customers to ensure their satisfaction and foster brand loyalty. In general, marketing is not just about selling goods or services; it also creates value for customers and other stakeholders. To ensure businesses survive and thrive, it's crucial for them to understand market trends, conduct competitor analysis, and adapt to changes in their business environment (Sugiyanti et al., 2023).

Advertisements can be found on social media platforms like Instagram, Twitter, YouTube, websites, and other platforms accessible via the internet. With online advertising, many people can see advertisements for a wide range of products, including electronics, cosmetics, food and beverages, clothing, property, hotels, travel packages, and more. However, the abundance of online advertising can lead to the emergence of untrustworthy online advertising, such as fraud (Santoso & Larasati, 2019). Businesses are increasingly using internet platforms to reach customers more effectively. One of the most popular platforms in digital marketing strategies is TikTok (Anggraini et al., 2025). Tiktok is another application that can be used to attract interest and advertise products for sale online, because its users are easy to interact with and business owners prefer to use this social media to promote their brand products (Saffira & Rahmawan, 2022).

Several TikTok accounts have been found to be engaging in promotional practices with exaggerated claims. For example, one account offered a skin whitening soap, promising eight times faster whitening and skin brightening, without providing clear information about the active ingredient levels in the product. Similarly, an account consistently posted promotional content for skin bleaching products claiming instant

results in just one use, even showing before-and-after skin comparisons, claiming that skin would appear whiter immediately.

Furthermore, there are also accounts marketing slimming products, claiming rapid results without explaining the diet or required duration of use. These promotional content is even reinforced by consumer testimonials that tout the "secret of a fail-safe diet." Such claims can be categorized as misleading because they lack sufficient scientific evidence. This situation has the potential to harm consumers, both materially and immaterially, as the products they receive often do not meet their expectations or achieve the promised benefits.

A number of previous studies have discussed the practice of overclaiming in product promotions from various points of view. Research (Manik et al., 2024) highlights consumer protection against overclaim practices in skincare advertising that have the potential to cause harm through excessive claims about product content and benefits, by emphasizing the responsibility of business actors using normative legal methods based on legislation and concepts. Research (Sevenia & Nggili, 2025) takes a different perspective by examining the impact of overclaiming on the credibility of influencer marketing, using qualitative, descriptive, and analytical methods. Interview results indicate that overclaiming leads to consumer disappointment, reduces promotional effectiveness, and damages reputation, making it crucial to implement business ethics. Meanwhile, research (Zia et al., 2025) focuses on consumer legal protection against overclaim practices in e-commerce using normative juridical methods, and emphasizes that consumers have the right to correct information, while business actors are obliged to avoid misleading promotions because such practices violate the principles of consumer protection and have implications for legal sanctions.

Based on these studies, this research offers novelty in the form of applying a legal dualism approach by analyzing the responsibilities of business actors not only based on Positive Law (UU No. 8 of 1999), but also through the perspective of buying and selling law according to the thoughts of Imam Al-Ghazali. Another unique thing is that the study focuses specifically on promotional practices with claims on TikTok social media, so this research expands the scope of previous studies by presenting a legal analysis as well as an ethical-shariah assessment of the overclaim phenomenon in the context of contemporary digital marketing.

Based on this framework, this study aims to understand the practice of product promotion with claims on TikTok, as well as to analyze product promotion with claims based on the legal theory of buying and selling according to Imam Al-Ghazali and Law Number 8 of 1999 concerning Consumer Protection. With this research problem formulation, it is hoped that this research will contribute to strengthening the role of Islamic law and positive law in providing consumer protection against misleading promotional practices on social media.

Based on this background, the author conducted an in-depth study of the practice of product promotion with claims on TikTok. The urgency of this research lies in the

widespread phenomenon of overclaims, which is not only an academic issue but also has a direct impact on consumers in their daily lives. With the increasing use of social media as a promotional tool, scientific studies are needed that can serve as references for consumers, businesses, and law enforcement. This research is expected to contribute to strengthening the literature on Sharia business law and enrich studies on consumer protection in the digital era.

Method

This research uses a qualitative approach with the field research type, namely a type of research in which information is collected from research subjects and informants through the use of data collection tools such as questionnaires, observations, interviews, and so on (Rahmadi, 2011). This research is descriptive-analytical, which aims to reveal problems, conditions or facts to provide an objective picture of the actual state of the subject being studied (Pasaribu et al., 2022) with the aim of providing an overview of these promotional practices and reviewing them from the perspective of Islamic law and the provisions of Law Number 8 of 1999 concerning Consumer Protection. This research uses a normative approach, namely legal research that focuses on applicable legal regulations and is relevant to the legal problems that are the focus of the research (Benuf& Azhar, 2020) This study examines relevant laws and regulations as well as Imam Al- Ghazali's thoughts on the principles of buying and selling. The data sources used include primary data in the form of observations and interviews with consumers, as well as secondary data obtained from literature, classical books, scientific journals, and regulations related to consumer protection and product promotion practices.

The data collection techniques in this study were carried out through (1) observation by reviewing product promotional content on TikTok, (2) semi-structured interviews to explore consumer experiences and views regarding promotional practices with claims, and (3) documentation in the form of screenshots of promotional content and interview transcripts. The data obtained were then analyzed using an inductive method that begins by presenting statements that have a specific and limited scope to develop arguments, and ends with a general statement (Pasaribu et al., 2022) specifically Imam Al-Ghazali's views on buying and selling and positive law through Law Number 8 of 1999 concerning Consumer Protection. With this approach, the analysis not only emphasizes theoretical aspects, but also connects practical reality with applicable legal norms.

Results

Product Promotion with Claims on TikTok Media

TikTok is a viral promotional method because it is widely loved by children and adults from various groups (Saffira & Rahmawan, 2022). TikTok has become popular in Indonesia and around the world, especially in Asia, with 150 million active users in June 2018. The application was also the most downloaded application with 45.8 million times

during the first quarter (Q1) of 2018. This number surpassed other popular applications such as Instagram, WhatsApp, Facebook Messenger, and YouTube (Fatimah Kartini Bohang, 2018). TikTok shares information about events with other users quickly (Sambas et al., 2021).

In April 2021, TikTok launched a business feature called TikTok Shop. TikTok Shop serves as a third-party platform for business transactions between sellers and buyers on the platform. TikTok Shop also has a live streaming feature that helps people buy and sell goods. Furthermore, videos showcasing products sold on TikTok frequently appear on timelines, also known as FYP, to attract the interest of TikTok users (Martinelli et al., 2023). This type of social media is used as a platform to strategically promote a product through advertising. When implementing a marketing strategy, it is hoped that the message will influence consumers and product buyers (Anbiya & Sofyan, 2021). Consequently, the TikTok Shop application function greatly assists business owners in building their online businesses because all products are available in one TikTok application, and customers only need to pay for free shipping directly to their homes (Sari, 2024).

The TikTok Shop feature on the TikTok app has recently evolved into a fun way to shop for various products. Besides offering a variety of short films, TikTok also functions as an online marketplace. Users can shop without having to switch to another app, which is unique. Furthermore, the TikTok Shop app offers live events, very low prices, free shipping, and high-quality products delivered to their homes (Irlianti et al., 2023). People can shop online through TikTok Shop, just like with traditional e- commerce, with payment methods such as bank transfer or cash on delivery (COD). Consumers can use payment methods such as ShopeePay, GoPay, and others (Sari, 2024).

Interviews with several TikTok users revealed that visual aspects, entertainment, and ease of transaction are the dominant factors influencing consumer purchasing decisions. One informant stated that she prefers shopping through TikTok Shop because she can watch product demonstration videos that are attractively packaged, combine information and entertainment elements, and are complemented by promotional offers such as discounts and cash on delivery (COD) payment systems. She added that this convenience is very helpful, especially for housewives who have limited time and mobility. This experience demonstrates that the combination of persuasive visual content and practical transaction mechanisms can create a more engaging and efficient digital shopping experience for consumers.

TikTok has the potential to boost sales for a business or brand, as demonstrated by the many distributors and resellers who use the app to market their products. Using the app makes product sales easier because it allows for clear displays of items, along with filter effects and music, making promotional videos more engaging and appealing to customers (Nangoy et al., 2024).

However, behind this convenience, ethical and legal issues arise related to promotional practices that use exaggerated claims. One example is seen in product

promotions on TikTok accounts, which feature skin whitening soap promotions claiming that the product can lighten skin up to eight times faster than other similar products. This claim is conveyed directly through the video's narrative, but is not accompanied by adequate information regarding the ingredients, dosage, mechanism of action, or credible clinical trial evidence.

Meanwhile, an account utilizes engaging visual techniques to promote a body whitening product. Explicit claims such as "whitening in one use" or "bright skin in just 1 minute" are frequently repeated in various posts, even reinforced with before-and- after comparisons. This promotional strategy is deliberately designed to create an instant and convincing impression, as if it has been factually tested, even though its veracity remains highly questionable. In contrast, another account also emphasized promoting slimming products that promise quick results. Phrases like "lose weight without exercise" or "the secret to a foolproof diet" are exaggerated and unrealistic claims. In reality, weight loss is influenced by many factors, including diet, activity level, metabolism, and individual consistency. Claims that simplify such complex issues into seemingly instant results can be categorized as misleading because they foster irrational optimism among consumers.

Promotions on TikTok Shop help build customer trust by capturing their attention. TikTok allows interactive and visual promotions to help customers see and understand more about products. Consumers who find the advertisements relevant to their needs will be impressed and ultimately purchase the product. Furthermore, active and positive brand interactions on social platforms like TikTok can increase consumer purchase intention by offering a pleasant and reliable customer experience (Foni et al., 2024). Product reviews have significant potential to influence consumer decisions. Honest and comprehensive reviews can provide a clearer picture of the product's quality, benefits, and suitability (Lestari & Rohman, 2024).

One informant reported that his decision to purchase a teeth cleaning product was influenced by a TikTok promotional video hosted by an influencer he regularly follows via livestream. In the video, the influencer displayed a visual effect of foaming when the product was used and stated that results could be seen within 5–10 minutes. However, based on the informant's personal experience, when the product was applied according to the instructions in the promotional video, the foaming effect did not appear, and by the time the product was used up, no significant changes in the condition of his teeth were visible. He expressed disappointment because the results did not match the expectations formed through the promotional video. This informant's experience demonstrates how visual-based advertising that shows influencers directly using a product can lead customers to have unattainable expectations.

Claims in product advertisements must be formulated objectively and based on the actual conditions of the product, to prevent consumers from obtaining information that could be misleading or create erroneous perceptions. This is important considering that advertisements are often a primary reference for consumers in making choices about

cosmetic products to purchase (Mahayuni & Putra, 2024). Exaggerated marketing claims refer to marketing tactics in which businesses make exaggerated claims about a product, often without supporting scientific data. In the skincare sector, exaggeration is often seen in product advertisements that make unrealistic claims about the amount of active ingredients or rapid results. These claims can lead to misunderstandings and misleading expectations because they make excessive and unreasonable promises. Consumers' right to access clear and transparent information is undermined by this type of exaggerated claims(Rahmawati & Permana, 2025).

Customers are certainly harmed by businesses exaggerating claims. This is because information serves as a benchmark for customers in selecting products. Customers can experience both material and immaterial losses, such as wasted money, skin damage, and emotional disappointment, if the skincare product they use does not match their needs. Therefore, by using a number of techniques permitted by the Consumer Protection Law (UUPK), customers who are harmed by businesses that exaggerate the benefits of their skincare products can sue for damages (Akbar et al., 2025).

Interviews with TikTok users revealed that the informant's purchase of sarongs was motivated by attractive and persuasive promotional displays. The advertisement featured a model with an elegant design and adult-size information, creating confidence that the product met consumers' needs. However, upon receipt, the consumer discovered that the sarong was much smaller than promised and more suitable for children. This experience demonstrates customer disappointment due to the discrepancy between promotional information and the actual product received. Promotions that inaccurately display product sizes and appearances, in this case, create false expectations and influence purchasing decisions. This mismatch can frustrate people and cause emotional and material harm, worsening the platform overall. Other informants in this study expressed feelings of being misled by unrealistic product claims and disappointment after using a facial treatment product that promised to provide brightening results in three days, but failed to show the changes depicted in the advertisement.

Many customers are harmed by the sale of products with such promotional claims. These losses can be material or immaterial, and can arise from a variety of products sold, such as damaged or defective products that cause harm to customers. This may include the product having passed its expiration date, damaged packaging, or having hidden defects such as dirt (Muliya, 2022). Manipulation and actions to deceive customers are common. One example available in the market is providing a guarantee that if the product is used for a few days, the buyer will get the desired results (Muliya, 2022).

Based on an interview with a TikTok user, it was discovered that her interest in trying the skincare service stemmed from numerous testimonials stating that the results were fast, safe, and free of side effects. The consumer underwent four treatment sessions as recommended by the service provider. Initially, she found no skin problems. However, after the final session, numerous pimples appeared on her face, despite having previously

experienced similar skin problems. This situation indicates a discrepancy between promotional claims emphasizing product safety and the actual results experienced by the consumer.

Naraeumber's experience demonstrates the importance of obtaining comprehensive and accurate information about the dangers and potential side effects of using beauty products. This is especially true for promotions conducted on various online platforms. Such transparency demonstrates the responsibility of manufacturers and marketers and helps customers make informed decisions before using a product. Conversely, it demonstrates that consumers should be extremely cautious when selecting and using beauty products widely circulated on social media, as many products make enticing claims that are not supported by scientific evidence.

Discussion

Analysis of Imam Al-Ghazali's Opinion on The Practice Of Product Promotion With Claims on TikTok

Product promotion on TikTok is highly attractive due to its For Your Page (FYP) algorithm, which allows content to be distributed quickly to millions of users. Many businesses use it to reach customers faster than conventional media. However, field research has found that successful promotions are often conducted in unhealthy ways, such as using false stories or exaggerated promises. For example, one informant said she experienced skin irritation after using a beauty product advertised as "safe for all skin types and providing instant results." This phenomenon demonstrates that promotions on TikTok are not only about marketing communications but also about fairness, honesty, and trustworthiness, elements of Islamic ethics.

Imam al-Ghazali in his book Al-Wajīz fī Fiqh al-Imām al-Shāfi'ī stated that:

> "And it is obligatory for the seller to maintain trust by being honest about the amount he bought and by informing about any defects or evils that occurred in his hands, and there is no need to inform about fraud in the contract, or about the seller even if it is his son" (Al-Ghazali, 1997).

This view suggests that sellers are obligated to maintain trust by being honest about the quantity of goods purchased and disclosing any defects or damage that reduce the value of the goods. While non-substantive matters such as the seller's identity need not be disclosed. This principle emphasizes that in Islamic jurisprudence, buying and selling is not merely a transfer of ownership, but also carries a moral responsibility to maintain transparency to avoid harming the other party. According to this quote, transparency is a moral and sharia obligation for a seller. Therefore, product promotions on TikTok that ignore the ingredients, potential hazards, and limitations of the product clearly contradict this principle. Consumers buy with the belief that they will achieve instant results, even though this is not the case. Although legally valid, such transactions still fall into the category of reprehensible buying and selling (fasād) because they harm one of the parties.

According to Hanafiyah scholars, there are several types of buying and selling that are classified as fasād (damaged), including: (1) al-majhul buying and selling, namely transactions regarding goods whose nature or existence is unclear; (2) buying and selling of goods that do not exist or are not visible (Bay'u 'Ayni al-Ghā'ibah aw Ghayru Mar'iyyah); (3) buying and selling by blind people (Bay'u al-A'mā wa Syirā'uhu); (4) buying and selling of forbidden goods (Bay'un bi Tsamanin Muḥarram); (5) cash and deferred buying and selling (Bay'u al-Ajal wa Bay'u al-'Īnah); (6) buying and selling of grapes to be made into khamr (Bay'u 'Inabin li 'Aṣri al-Khamr); and (7) buying and selling unripe fruit or agricultural products (Bay'u ats-Tsamar aw az-Zurū' qabla Wujūdihā aw Ṣalāḥihā) (Jumena et al., 2017).

Specifically regarding justice, Imam Al-Ghazali stated that if nepotism and injustice occur, the people will not receive support, cities and regions will suffer, the state will decline, revenues will decrease, the treasury will be empty, and the welfare of the population will decline. Distributive justice is the type of justice that Al-Ghazali desired. According to him, the state must eradicate poverty and misery in society, justice must prevail, and public spending should be carried out where necessary to achieve these goals. Essentially, public spending should focus on the general welfare of society (Ayu et al., 2021). If the goals are in line with God's laws, then business ventures will have religious significance. Therefore, although salvation in the afterlife is the primary goal, it does not mean abandoning all worldly pursuits (Fudaili & Rofiah, 2023). Islamic business ethics are based on Qur'anic values that guide economic activities according to moral and spiritual principles. Its main values include tauhid (unity), namely the view that all activities, including business, are a form of devotion to Allah, and 'adl (justice), which emphasizes balance and prohibits cheating, fraud, or injustice in every transaction (Bakhri et al., 2018).

Imam Al-Ghazali saw justice as the opposite of injustice, where cruel actions can harm others. Imam Al-Ghazali exemplified the types of harm, namely carrying out misleading promotions by informing product quality that does not match the actual product quality, allowing and concealing defects and characteristics in the product, reducing the size and weight of the product and exploiting customers dishonestly at the appropriate price (Suprihatin et al., 2019). Honesty in business is demonstrated by an honest attitude in all business processes without deception, while virtue in business is demonstrated by an attitude of willingness and friendliness in transactions. Because of this truth, Islamic business ethics are very useful in preventing losses for parties conducting transactions, cooperation, or business agreements (Mahyunita et al., 2025)

According to interviews conducted by researchers, most consumers said they often purchase goods after being influenced by promotions on TikTok. This suggests that promotions with attractive claims are due to the instant promise and the way the content is packaged. Consumers don't hesitate to purchase because of the short music videos and seemingly genuine testimonials. According to Imam Al-Ghazali, transactions based on

uncertainty are a form of injustice because one party takes advantage of the other's ignorance.

Al-Ghazali emphasized that it is dishonest to offer praise by associating a product with something that does not exist. With the caveat that it is a lie, it is considered unfair and deceptive for customers to accept it. It remains a wasteful act even if the praise for the product is accurate considering its nature and quality (Aziz, 2011).). One clear example of excessive praise is an advertisement on TikTok that promises "permanent whitening results in just one use" or "a diet without exercise that is guaranteed to work." This practice not only harms consumers materially but also creates unrealistic expectations that can have psychological impacts, such as leaving consumers disappointed or losing trust in the company and product. Therefore, this type of promotion contradicts the principle of honesty, which is the foundation of Islamic business ethics.

Imam Al-Ghazali also stated that merchants should facilitate their sales and that they are prohibited from making it difficult for others to meet their needs, as this constitutes injustice. He stated that there are two types of injustice. The first is injustice that harms many people, such as committing Iḥtikār. The second is injustice that only harms certain individuals, such as fraud in buying and selling (Syamsuri & Ridwan, 2019). In terms of promotion, Islam emphasizes the application of clear ethics in every business activity. Promotion is not merely a means to increase sales but also part of an effort to build healthy communication between producers and consumers. Therefore, in practice, promotion must be directed at four main points (Usnan, 2022).

Furthermore, this study found that businesses tend to use consumer testimonials as a promotional tool. However, not all testimonials are accurate; many videos show before-and-after images that may actually be manipulated with filters or camera lighting. According to Imam Al-Ghazali, this can also be called tadlis because it dishonestly presents the condition of the product. Testimonials like this lead customers to believe the product is effective, leading them to purchase without considering other information. From a muamalah perspective, this action is considered unjust because it harms consumers by concealing the true facts.

According to Imam al-Ghazali, market activities are conducted to respect religion. Consequently, transactions that can be conducted in the market do not violate Islamic law. Types of transactions that do not violate Islamic law are transactions aimed at obtaining profits not based on usury, but based on profits, wages, or results (Suprihatin et al., 2019). Essentially, the main principle of Islamic business ethics is honesty. These principles are applied in trade to achieve blessings in business, which include profits in both this world and the hereafter, and they teach not to conceal defects in goods. While harmonious and pleasant relationships provide worldly benefits, the value of worship provides benefits in the hereafter (Nindyaningtyas, 2025).

In terms of the market, Imam Al-Ghazali argued that morality and ethics should be a top priority. This way, they can make a positive contribution to the actors involved. The

good that must be maintained is morality (Ayu et al., 2021). However, promotional practices on TikTok demonstrate this inequity in distribution. Because of the allure of promotions with claims that businesses often gain large profits, buyers actually suffer losses because the products they receive are not comparable to what was promised. When it comes to product sales on TikTok, false and misleading promises clearly do more harm than good. Consumers lose money, time, and even health because they are deceived by promises of instant results.

In addition to maslahah (benefit) and justice, Imam Al-Ghazali emphasized the importance of trustworthiness in every transaction. Trustworthiness not only means honesty in the formal sense, but also carries a moral obligation to maintain customer trust. An influencer who makes exaggerated claims about their product essentially betrays that promise. Emotional closeness to certain influencers or figures on TikTok often leads users to trust. Their testimonials are easily accepted without verification because they are perceived as honest role models. However, betrayal of trust occurs when promotions contain false promises. In Iḥyāʾ ʿUlūm al-Dīn, Imam Al-Ghazali states that:

> "He should do good, that is, not deceive others with something that is outside of the prevailing customs. And he should carry out buying and selling easily" (Al- Ghazali, 2019)

The practice of promoting products with claims as is often found on TikTok media is in line with the practice of tadlīs as explained by Imam Al-Ghazali in his work Iḥyā' 'Ulūm al-Dīn:

> "A transaction that has been legally declared valid by a mufti based on the provisions of the Qur'an and Sunnah can, in practice, be tainted with elements of injustice. This causes the perpetrator to still incur the wrath of Allah Ta'ala even though the contract is outwardly valid. A common example is a trader who hoards food that is essentially halal, but this act is cursed by Allah because it harms the interests of society. Similarly, the act of concealing defects or deficiencies in merchandise falls into the category of fraud and is considered an act of injustice" (Al-Ghazali, 2019)

Promotions that overstate product benefits, conceal deficiencies, or make unrealistic promises are essentially a form of information deception synonymous with tadlis. Therefore, from Imam al-Ghazali's perspective, such promotional practices contradict the principles of honesty and justice in transactions and can even be categorized as fraudulent sales due to the lack of transparency of information to consumers. Therefore, all of Imam Al-Ghazali's basic principles of sales honesty, trustworthiness, justice, and the prohibition of tadlis and gharar contradict promotions on TikTok with claims. Such promotions not only violate consumer rights but also undermine business value. According to Imam Al-Ghazali, this practice renders sales an act of fraudulent behavior, meaning it is externally legitimate but morally illegitimate.

Analysis of Law Number 8 of 1999 Concerning Consumer Protection Against Promotions with Claims

The Consumer Protection Law in Law Number 8 of 1999 places consumers in a position that must be protected, because consumers are usually in a weak position when dealing with business actors. The dissemination of information about a product or service with the aim of attracting consumer interest in purchasing the product or service is defined as promotion, as explained in Article 1 number (6) that:

> "Promotion is an activity of introducing or disseminating information about goods and/or services to attract consumer interest in buying goods and/or services that will be or are being traded" (Presiden Republik Indonesia, 1999)

This idea emphasizes that promotions should be conducted appropriately, clearly, and non-deceptively. However, observations from TikTok suggest otherwise. Promotions conducted by seller accounts focus more on visual and emotional appeal than factual information. Claims like "whiten skin in one use" or "lose 10 kg without dieting" are clear examples of how promotional functions deviate from their normative meaning.

Businesses intend to communicate something about their products to consumers through advertising. Therefore, they use various methods they believe will convey their message effectively and efficiently, and they also choose the media they consider most appropriate (Rosdiana & Nurhalizah, 2017) To prevent consumers from feeling disadvantaged or treated unfairly by business actors, rules must be made to protect consumer interests because consumers usually do not have the conditions to bargain when dealing with business actors (Julitta Dewayani et al., 2023)

In Law Number 8 of 1999 concerning Consumer Protection, it is stated in Article 4 point 1 that:

> "The right to comfort, security and safety in consuming goods and/or services" (Presiden Republik Indonesia, 1999)

Research shows that detailed product information is often missing. For example, bleaching products that claim to whiten instantly fail to list the chemicals used. As a result, customers are unaware of the potential risks. Because the information provided is incomplete and potentially misleading, this clearly violates consumer rights as stipulated in Article 4. This situation also explains why customers are often disappointed after purchasing a product, as their expectations are shaped by unreasonable promotional claims.

Article 7 of the Consumer Protection Law, letter b states that:

> "Provide correct, clear and honest information regarding the condition and guarantee of goods and/or services and provide an explanation of use, repair and maintenance" (Presiden Republik Indonesia, 1999)

Promotional practices on TikTok often demonstrate the opposite, with some businesses emphasizing instant marketing strategies with exaggerated narratives to attract consumers. The use of manipulated testimonials, visual displays of before-and- after

comparisons, and promises of instant results are all indications of promotions that do not reflect good faith. The primary focus is not on conveying accurate information, but rather on attempts to gain profit through misleading means. This situation clearly indicates a violation of the obligations stipulated in Article 7. Article 8 paragraph (1) letter f of the Consumer Protection Law states that:

> "Does not conform to the promises stated in the label, label, description, advertisement or sales promotion of the goods and/or services" (Presiden Republik Indonesia, 1999)

In cases where advertising doesn't match the reality of the product, this is a problem. This rule is closely related to the phenomenon of promotions with claims found in research, such as claims of "instantly whitening skin after just one use" or "losing weight without the need for exercise." Such statements clearly have no medical or scientific basis that can be accounted for. When the reality experienced by consumers does not match the promises in the promotion, the action meets the elements of a violation of Article 8 and has the potential to result in legal consequences for the business actor.

Article 17 of the Consumer Protection Law prohibits advertisements created and distributed by advertising businesses. One of the main points emphasized here is that companies may not create advertisements that could deceive consumers regarding the quality, quantity, material, use, price, and timeliness of receipt of goods and/or services. The goal is to ensure that the information provided to customers is not misleading or creates unattainable expectations. Furthermore, advertisements that deceive customers by providing guarantees or warranties for goods or services are illegal. This is because they can lead to misconceptions about the goods or services offered. However, promotional practices on TikTok demonstrate the weak implementation of this rule, as many products are marketed through exaggerated advertising narratives, while proof and accountability for the truth of the claims displayed are almost impossible to effectively trace.

The problem of product promotions with exaggerated claims on the TikTok platform is essentially a violation of the provisions stipulated in the Consumer Protection Law (UUPK). Consumers' right to obtain correct information as guaranteed in Article 4 is often ignored, because products are promoted with excessive and unrealistic promises. Such practices also contradict Article 8 paragraph (1) letter f which expressly prohibits the provision of misleading information, as well as Article 17 paragraph (1) which emphasizes the prohibition of misleading advertisements regarding product prices, benefits, or guarantees. Thus, promotions with claims on TikTok are clearly not in line with positive legal provisions in Indonesia and have the potential to cause real harm to consumers.

Conclusion

This research demonstrates that the practice of promoting products with exaggerated claims on the TikTok platform deviates from the principles of honesty and transparency in sales transactions. This form of promotion is proven to be misleading

because it lacks valid scientific evidence and contains manipulative elements in the information conveyed. Therefore, this research comprehensively explains the inconsistencies of this practice with Islamic law and applicable positive law in Indonesia. From an Islamic legal perspective, according to Imam Al-Ghazali, promotions that do not correspond to reality are classified as tadlis (fraud) and are a form of ẓalim, because they violate the principles of honesty, openness, and fairness in sales transactions. Meanwhile, from a positive legal perspective, specifically Law Number 8 of 1999 concerning Consumer Protection, promotional practices with exaggerated claims violate the provisions of Article 4, Article 7, Article 8 paragraph (1) letter f, and Article 17 paragraph (1). These violations give rise to legal responsibility for business actors to provide compensation or damages to consumers as regulated in Article 19 of the same law.

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