

Consumer Protection on the Trade of Stolen Goods at Marketplace in the Perspective of *Maslahah Mursalah* (Case Study at Facebook Marketplace)

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Introduction

The development of information and communication technology has had a significant impact on various aspects of life, including in the field of trade. The emergence of online trading platforms or marketplaces has made the buying and selling process of goods quick and efficient (Nasution et al., 2020). One of the popular platforms is the Facebook marketplace, which allows users to buy and sell items within their own social environment (Ayu Oktaviani et al., 2023). However, the convenience and anonymity offered by this platform also open up opportunities for various illegal activities, including the trade of stolen goods. This issue raises concerns about the inadequate consumer protection in online transactions, particularly in the Facebook marketplace in Medan.

Consumers often become the parties harmed when the goods they purchase turn out to be the result of criminal activities. This not only causes financial losses but also legal risks, as they unknowingly become part of the chain of illegal goods trade. Facebook marketplace, despite having a policy to prohibit the trade of stolen goods, still faces challenges in its implementation. This is due to the characteristics of fast transactions, a very large number of users, and the difficulty in thoroughly verifying the authenticity of goods.

The type of e-commerce used in consumer protection against the trade of stolen goods in the marketplace is consumer-to-consumer (C2C). In this type, transactions are conducted between consumers, usually through platforms that provide means for buying and selling goods or services (Muhammad Rafi Ismail & Agri Chairunisa Isradjuningtias, 2022).

The trade of stolen goods on the Facebook marketplace includes various types of items, both movable and immovable, with small and large values. From a legal standpoint, the trade of stolen goods is regulated by the Criminal Code (KUHP) and the Electronic Information and Transactions Law (UU ITE). Movable items include objects that can be moved such as mobile phones, laptops, vehicles, and other items. Real estate includes property, land, and buildings that, although less frequently traded on platforms like Facebook marketplace, remain part of the legal spectrum that must be considered (Riyanto, 2020).

The legal basis for regulating the crime of theft is stipulated in the latest Law Number 1 of 2023, Article 476, which states that anyone who takes an item that is partially or wholly owned by another person, with the intent to unlawfully possess it, shall be punished for theft, with a maximum imprisonment of 5 (five) years or a maximum fine of Category V five hundred million Rupiah.

In the context of Islamic law, the concept of *maslahah mursalah* becomes relevant to discuss in efforts to protect consumers from the trade of stolen goods. *Maslahah mursalah* refers to principles that prioritize the general welfare or well-being, which are not explicitly mentioned in legal texts but are accepted due to their tangible benefits for society. This principle emphasizes the importance of protecting the rights and interests of consumers from potential harm caused by the trade of stolen goods. Therefore, an analysis of consumer protection from the perspective of *maslahah mursalah* can provide deep insights into how policies and practices in the marketplace can be improved for the public good.

The trade of stolen goods on marketplaces like Facebook often involves cases of motor vehicle theft, as occurred in Medan, where two suspects, PP (18) and S (30), were arrested for stealing Adelina Oktavia Nasution's Honda Scoopy motorcycle and planning to sell it on the marketplace. The victim successfully apprehended the perpetrator after pretending to be a buyer with the help of the police, based on Article 476 of the Criminal Code regarding theft and Article 591.

The Criminal Code regarding the possession of stolen goods (Oktavia, 2024). In addition, the case of Hambali, who bought a motorcycle through the Facebook marketplace, found that the frame and engine numbers of the motorcycle he bought had been erased and were known to be stolen, adding to the series of similar cases (Hambali, 2024). Similarly, Wahyu bought a motorcycle from the Facebook marketplace without realizing that the motorcycle was a result of a crime, until the authorities came and seized the motorcycle as evidence (Wahyu, 2024).

From the events of the cases above, it is clear that consumer protection in the Facebook marketplace needs to be further enhanced for better supervision, not only involving motorcycles but also mobile phones, jewelry, and other stolen goods, all of which must be strictly monitored to protect consumers and enforce the law.

From the perspective of *maslahah mursalah*, this approach underscores the need for more proactive policies in preventing the trade of stolen goods on Facebook marketplaces. Platform managers and the government are expected to collaborate in improving regulations, transaction supervision, product verification, and consumer education. These measures are expected to create a safer and more trustworthy online trading environment, as well as effectively protect consumer interests and rights in accordance with the ITE Law (Randi, 2022).

Thus, this research aims to examine the phenomenon of trading stolen goods on the Facebook marketplace, both in the form of movable and immovable property, and the legal protection for consumers, as well as to explore the forms of protection available to consumers against the trade of stolen goods on the marketplace platform,

considering the applicable regulatory aspects and consumer protection practices. Furthermore, this research will also explore the perspective of *maslahah mursalah* in the context of consumer protection against the trade of stolen goods, which involves considering the public interest in law enforcement against economic crimes in the digital realm.

Methodology

This research uses the type of empirical juridical research, with data processed qualitatively, which is a type of legal research that uses empirical facts, data information obtained through observation or direct experience. Taken from human behavior, both verbal behavior obtained from interviews and actual behavior observed through direct observation. The research was conducted by examining events related to the applicable legislation, books, and references associated with the research discussion, namely the buying and selling practices on the Facebook marketplace platform. The empirical juridical method was used to analyze the data collected from a legal perspective, as this type of empirical juridical approach can provide deeper and more practical insights into how the law affects and is accepted by society, as well as how regulations can be improved or adjusted (Abdussamad & Zuchri, 2021). This research examines relevant legislation, such as the Electronic Information and Transactions Law (ITE Law) and the Criminal Code (KUHP).

Meanwhile, the data collection methods used are the interview method and the library research method, a data collection method involving coherent library materials sentences in a paragraph are well-connected, resulting in a writing flow that is easy to understand, whether from books, papers, articles, magazines, and journals, or other information related to the writing title. Primary data were obtained through interviews with law enforcement agencies, business operators, and consumers who have been involved in cases of stolen goods trade. The analysis was conducted to understand how the law is applied in protecting consumers from the trade of stolen goods and to evaluate the effectiveness of the existing legal protections. This research also integrates the principle of *maslahah mursalah* in the juridical analysis to provide a more holistic perspective on consumer protection in online transactions.

Results and Discussion

The Phenomenon of Trading Stolen Goods on Facebook Marketplace

Marketplace is a platform that provides online buying and selling facilities, allowing transactions to be conducted without direct meetings between sellers and buyers. This is done through the internet and electronic devices, which allow business

transactions to take place without using paper, making it a very efficient form of trade. In the marketplace, such as the Facebook marketplace, there are various types of products with prices accompanied by specifications related to the condition of the items being traded. When the consumer and seller reach an agreement, rights, and obligations arise for both parties, ensuring the transaction proceeds under the agreed terms (Pratama, 2020).

The trade of stolen goods on marketplace platforms like Facebook has become a concerning issue. This practice involves sellers offering goods obtained illegally to buyers who are unaware of the origin of the items. Sellers exploit the anonymous feature and the not-so-strict system on several marketplace platforms to hide their true identities and the origins of the stolen goods. In some cases, they even create fake profiles or use accounts that are not easily traceable to avoid detection and law enforcement.

Facebook marketplace does have guidelines and policies regarding the sale of goods, including a ban on selling illegal items, stolen goods, or items that do not meet their community standards. These guidelines include various prohibitions on the sale of firearms, illegal drugs, counterfeit goods, as well as stolen items or those that infringe on copyright. Facebook also encourages users to report sellers or products that violate this policy (Sekar Putri et al., 2023).

However, despite the policy, violations can still occur. This is caused by several factors. Lack of real-time monitoring, even though Facebook marketplace uses automated systems and moderation teams to monitor activities on the platform, they may not be able to detect all illegal items uploaded, especially if sellers use secret techniques or words that are not detected by the algorithm. Dishonest sellers often manage to upload illegal items before being detected, or they can create new accounts after their previous accounts are blocked. Dependence on user reports means that the Facebook marketplace heavily relies on users to report content that violates policies. If illegal items are not reported, it may take longer for Facebook to detect them (Henry et al., 2023).

Transactions of movable and immovable goods in the Facebook marketplace usually begin with sellers posting advertisements for the items they want to sell, complete with descriptions and very low prices. The buyer can then contact the seller through the chat feature available on Facebook to negotiate and agree on the price. Payment is usually made through bank transfer or other electronic payment systems, depending on the agreement between the seller and the buyer.

One of the latest cases involves two suspects in a motorcycle theft (*curanmor*), PP (18) from Jl. Glugur Gang Jati, Pancurbatu District, and S (30) from Jl. Diski,

Kutalimbaru District, who were successfully apprehended by the Delitua Police. Medan Police Chief Kombes. Pol. Teddy John Marbun explained that the two suspects were arrested while trying to sell the stolen motorcycle on the Facebook marketplace. The Honda Scoopy motorcycle BK 6746 AHH belonging to Adelina Oktavia Nasution, which was stolen on Tuesday (April 23, 2024) afternoon, was found being advertised on that platform (Oktavia, 2024).

At that time, the victim Adelina saw an advertisement for her missing motorcycle and pretended to be a buyer to arrange a meeting with the perpetrator at the Glugur Gas Station on Jl. Diski. After coordinating with the Criminal Investigation personnel, the officers immediately arrested the two perpetrators when they arrived on the stolen motorcycle. From the results of the investigation, both suspects admitted to stealing motorcycles four times and selling them through a marketplace. This shows how the Facebook marketplace is used as a means by criminals to sell stolen goods.

In an interview with the Medan Police Chief Kombes. Pol. Teddy John Marbun stated, *"The two suspects were arrested while trying to sell the stolen motorcycle"*. The victim who saw the advertisement coordinated with the officers and arranged a meeting with the perpetrator. This is evidence that the trade of stolen goods through online platforms has become a serious problem. We will continue to enhance surveillance and enforcement against perpetrators of such crimes.

In an interview, Hambali explained that he was interested in buying a motorcycle advertised on Facebook marketplace because of its very cheap and affordable price. *"I didn't expect that the motorcycle was stolen"*. The seller provided all the documents that appeared genuine, and the transaction process went smoothly. After a few weeks, I found out that the chassis and engine numbers of the motorcycle I bought had been erased and it was identified as stolen. I received a call from the police informing me that the motorcycle I bought was stolen. *"I feel very disadvantaged and deceived, both financially and emotionally, because I have to deal with a complicated legal process"*, said Hambali with a disappointed tone (Hambali, 2024).

A similar case was experienced by Wahyu, in his interview, Wahyu recounted a bit of the chronology, when I bought a motorcycle through the Facebook marketplace. *"The motorcycle I bought also came with documents that looked official"*. The seller was very convincing, so I never thought this could be a problem. However, a few days after the purchase, the police came to my house and informed me that the motorcycle was stolen property. *"I am very shocked and feel deceived, especially because now I have to face a legal process that I never imagined before"*, said Wahyu with a worried tone (Wahyu, 2024).

This case shows how important it is to supervise and protect consumers in online transactions, considering the potential for stolen goods being sold illegally. Medan

Police Chief Kombes. Pol. Teddy John Marbun also highlighted that selling stolen goods through marketplaces not only violates criminal law related to theft but also threatens public safety and trust in online transactions. This emphasizes the need for stricter regulations and better legal awareness among marketplace users to avoid actions that harm others and create a safer and fairer transaction environment for all parties involved (Fuqoha et al., 2019). Like the table below related to the trade of stolen goods in marketplace, such as:

Table 1. Comparison Table of Legal Process

ASPECT	SMALL ITEMS	LARGE ITEMS
Price	Usually worth less, for example, IDR 4.000.000,- (four million) or below.	Usually worth higher, for example, starting from the price of IDR 8.000.000,- to IDR 300.000.000,- (eight million to three hundred million).
Legal Process	Based on Article 476 of the latest Criminal Code regarding theft, the perpetrator can be sentenced to imprisonment for more than five years or fined, and Article 480 of the old Criminal Code regarding theft, the perpetrator can be sentenced to imprisonment for more than five years or fined a maximum of nine hundred thousand Rupiah.	Based on the latest Article 591 of the Criminal Code regarding receiving stolen goods, the perpetrator can be sentenced to more than four years in prison or a Category V fine, which is a nominal value of large goods of five hundred million Rupiah.
Responsibility	<ol style="list-style-type: none"> 1. Seller for small-value goods, must prove the authenticity of the goods. 2. Buyer, responsible for ensuring the goods are not stolen. 3. Money is usually refunded to the buyer if the goods are proven to be stolen. 	<ol style="list-style-type: none"> 1. The seller of high-priced goods, responsible for the legality and condition of the goods. 2. The buyer, must check the detailed condition of the goods and their legality before the transaction. 3. Money will be refunded if the goods are proven to be stolen.
Agreement	<ol style="list-style-type: none"> 1. The seller and buyer communicate through messages on the marketplace. 2. Payment can be made directly or via bank transfer. 3. Delivery can be done through a courier or in-person meeting. 	<ol style="list-style-type: none"> 1. The seller posts a complete description and photos of the car on the marketplace. 2. The buyer and seller communicate for a physical inspection and test drive. 3. Payment is made through bank transfer or installments through a financial institution. 4. Ownership documents must be submitted and processed through a notary office.

Source: Processed Data

Based on the table above, it is stated that the legal process for the crime (receiving stolen goods) under the latest Law Number 1 of 2023 Article 591 and the old Law Number 36 of 1999 Article 362 can result in imprisonment for four to ten years or a fine, and the crime (theft) under the latest Law Number 1 of 2023 Article 476 can result in imprisonment for five years or a fine. The value of the goods does not exempt the receiver from criminal punishment. The seller's responsibility is to prove the authenticity of the goods, while the buyer is responsible for ensuring that the purchased goods are not stolen. The transaction method is carried out through communication in the marketplace, payment via bank transfer or cash, and delivery or direct pickup of goods. In the case of low-value goods, the receiver is still subject to criminal penalties if proven to have received stolen goods, indicating that law enforcement applies regardless of the value of the item (Tim Hukumonline, 2024).

The method of transaction for stolen goods on Facebook marketplace is often done in an illegal or unauthorized manner. The seller might use fake accounts or false identities to conceal the origin of the stolen goods. This involves a risk for buyers who do not know that the items they purchase are the result of crime. Therefore, it is important to ensure that every transaction on the Facebook marketplace is conducted carefully, by checking the legality of the items and the identity of the seller before making a purchase to avoid inadvertently getting involved in the trade of stolen goods (Handriani, 2020).

Consumer Protection Against the Trade of Stolen Goods on Facebook Marketplace

Consumer protection in online trade, including on the Facebook marketplace, is an important matter regulated by the Electronic Information and Transactions Law (ITE Law). The ITE Law provides a strong legal foundation to protect consumers from harmful trade practices, including the trade of stolen goods. Stolen goods are defined as items obtained illegally or without the owner's consent.

In Law Number 8 of 1999 on Consumer Protection, consumer protection is all efforts that ensure legal certainty to provide protection to consumers. Establishing various forms of protection aimed at guaranteeing consumer rights in every transaction and also regulating the consumer rights that must be fulfilled by business actors and providing legal protection, although not specifically, and still facing challenges in law enforcement. If a consumer unknowingly buys stolen goods, the consumer can still receive protection because the basic principle is that consumers have the right to clear and honest information about the goods they purchase (Setyawati et al., 2017).

The protection that consumers receive from Law Number 8 of 1999 includes, *first*, the right to accurate information (Article 4 of the Consumer Protection Law).

Consumers have the right to clear and honest information about the goods they buy. If a consumer buys stolen goods without knowing it, the seller who does not provide this information violates the consumer's rights. *Second*, the responsibility of business actors (Article 19 of the Consumer Protection Law). The seller is responsible for the losses experienced by the consumer. If the consumer suffers a loss due to purchasing stolen goods (for example, if the goods are confiscated by the police), the seller must provide compensation, such as refunding the consumer's money or replacing the goods. *Third*, the seller's obligation to be honest (Article 7 of the Consumer Protection Law). The seller is required to provide accurate and honest information about the goods being sold. Selling stolen goods without informing consumers is a violation of this obligation. *Fourth*, the right to safety (Article 4 of the Consumer Protection Law) Consumers have the right to safety and comfort when purchasing goods. If buying stolen goods can lead to legal issues (for example, the consumer being accused of involvement in a crime), it means the consumer's right to safety is violated, and the consumer is entitled to seek protection or compensation. Actions that consumers can take complain or sue the seller for not providing honest information about the stolen goods. Requesting compensation or replacement of goods from the seller. If the seller does not respond, the consumer can report to the Consumer Dispute Settlement Agency (BPSK) or the court.

If there are indications that the consumer should have known or suspected that the item was stolen (for example, an extremely low price or unusual condition), then the consumer could be involved in the crime of receiving stolen goods according to Law Number 1 of 2023 Article 591 of the Criminal Code. However, if the consumer truly did not know, the Consumer Protection Law still protects their rights. So, consumers who do not know that the purchased item is stolen still receive legal protection in the form of the right to honest information, compensation, and protection from legal risks.

Meanwhile, in the latest Law Number 1 of 2023, Article 476 and Article 479, paragraphs 1 and 2, sections a and b regarding theft, state that any person who takes an item that is partially or wholly owned by another person, with the intent to possess it unlawfully, shall be punished for theft, with a maximum prison sentence of five years or a fine of up to Category V five hundred million Rupiah. Article 479, paragraph 1 states that any person who commits theft preceded, accompanied, or followed by violence or threats of violence against a person, with the intent to prepare or facilitate the theft or in the event of being caught red-handed, for themselves or others to continue to control the stolen item, shall be punished with a maximum prison sentence of nine years. Paragraph 2 states that any person who commits the acts as referred to

in paragraph 1, section a at night in a house or enclosed yard with a house, on a public road, or in a moving public transport vehicle, section b theft by means of damaging, dismantling, cutting, breaking, climbing, using a false key, using a false order, or wearing a false official uniform, to enter the place of the crime or to reach the stolen item, shall be punished with a maximum prison sentence of twelve years.

According to the latest Electronic Information and Transactions Law (ITE Law) Number 1 of 2024, it regulates the protection of various activities using the internet, including electronic transactions. Article 27 paragraph 1 states that any person intentionally and without right broadcasts, displays, distributes, transmits, and/or makes accessible electronic information and/or electronic documents that contain immoral content for public knowledge obtained unlawfully. In this context, stolen goods fall into the category of information or documents obtained unlawfully, so their trade and handling through online platforms constitute a violation of the ITE Law (Primayoga et al., 2019).

Government Regulation Number 80 of 2019 Regarding (PMSE) Article 1, Electronic System Trade (PMSE) is trade whose transactions are conducted through a series of electronic devices and procedures. Includes several important steps that need to be considered by business operators. *First*, ensure that the goods sold have the necessary permits and comply with applicable regulations, including complete product information such as description, specifications, price, and stock status. *Second*, business operators are required to provide honest and transparent information regarding the products offered, including warranties and sales services. *Third*, ensure that the marketed products do not violate intellectual property rights or other legal regulations, such as goods prohibited or restricted by law. *Fourth*, business operators must comply with tax obligations according to regulations, including reporting and paying taxes imposed on electronic transactions. *Fifth*, business operators are required to maintain the security of consumer data and not misuse personal information, in accordance with consumer data protection regulations in (PMSE). This procedure is designed to ensure safe, honest, and responsible transactions in the marketplace.

However, if there have already been appeals to consumers but some still suffer losses, the resolution steps are as follows. *First*, business operators must promptly respond to consumer complaints in a friendly and professional manner. Offer a fair solution, such as a refund, product exchange, or product repair in accordance with the agreed-upon policy. *Second*, re-evaluate the appeals and information that have been provided to consumers, whether they are clear and easy to understand, and ensure that important information such as warranties and terms and conditions are well written. *Third*, if the losses continue, consider collaborating with a third party, such as

a mediation agency or the Consumer Dispute Settlement Agency (BPSK), to help resolve the issue fairly. *Fifth*, it is important for business operators to always maintain consumer trust by prioritizing transparency and responsibility in every transaction.

Minister of Trade Regulation (Permendag) Number 31 of 2023 on Electronic System Trade (PMSE), business licensing, advertising, guidance, and supervision of business actors in electronic system trade. Managing various aspects related to online trade operations. *First*, establish registration and licensing procedures for PMSE business operators so they can operate legally. *Second*, regulate the rights and obligations of business actors, including product information transparency, personal data protection, and responsibility for the goods sold. *Third*, ensure consumer rights are protected, including complaint mechanisms and dispute resolution. *Fourth*, establish standards for products and services sold through digital platforms, and maintain the security of online transactions. *Fifth*, providing a framework of sanctions for violations committed by entrepreneurs.

However, the Minister of Trade Regulation (Permendag) Number 31 of 2023 still faces several obstacles in resolving the issue of selling illegal or stolen goods, due to. *First*, weak implementation, despite the existence of regulations, law enforcement in the field is often inconsistent, leading to ongoing violations. *Second*, the identification of perpetrators, many business operators operate under identities that are difficult to trace, making legal action against them challenging. *Third*, the lack of inter-agency cooperation in handling illegal goods requires coordination between various agencies, which sometimes does not run optimally. *Fourth*, the need for consumer education, many consumers are unaware of the risks of buying illegal goods, so they do not report or avoid such practices. *Fifth*, the evolution of illegal seller tactics, illegal goods sellers often quickly adapt to regulations and use new strategies to avoid detection.

Consumer protection in the trade of stolen goods on the Facebook marketplace includes several important aspects, namely legal regulations, platform responsibilities, and consumer rights. From the perspective of legal regulation, the Criminal Code (KUHP) and the Electronic Information and Transactions Law (ITE Law) serve as the basis for regulating online transactions. Law Number 1 of 2023 Article 476 of the KUHP regulates theft, while Law Number 1 of 2023 Article 591 of the KUHP regulates the possession of stolen goods, and Law Number 1 of 2024 of the ITE regulates the protection of various activities using the internet, including electronic transactions. especially in terms of electronic transactions, regulating the obligations of online platforms to ensure transaction security and prevent the sale of illegal goods.

Regulations applied on online platforms such as Facebook marketplace require strict oversight mechanisms for the goods being sold. The platform must ensure that

the items sold are legal and do not violate the law. In this case, Facebook as a marketplace service provider must provide reporting and review features to detect and remove stolen goods. Consumers also need to be provided with clear information regarding their rights and obligations when transacting on online platforms (Iqbal, 2019).

If consumers do not know that the items they purchased are stolen goods, they are entitled to legal protection. According to the latest law, Law Number 1 of 2023, Article 591 of the Criminal Code, receiving stolen goods is considered a criminal offense, but consumers who buy stolen goods without knowledge will not be immediately subjected to criminal punishment. Consumers must be able to prove that they were unaware of the status of the item. If it is proven that the consumer did not know and there was no element of intent, they might only be required to return the item to its original owner and pay compensation or a fine. However, if the consumer is proven to have known or should have known that the item they purchased was stolen and still proceeded with the purchase, they could be subject to punishment according to Law Number 1 of 2023 Article 591 of the Criminal Code, which is imprisonment for four to ten years or a fine. This serves as an effort to curb the trade of stolen goods and protect well-intentioned consumers. Therefore, it is important for consumers to always be cautious and check the legality of the goods before making a purchase on online platforms (Rosmawati, 2018).

Thus, consumer protection not only includes law enforcement against the perpetrators but also efforts to compensate the losses suffered by consumers due to the trade of stolen goods. This shows the importance of awareness and caution in online transactions, as well as the crucial role of the government and law enforcement in maintaining the integrity and security of online trade in Indonesia. Thus, consumers can minimize risks and ensure that they do not inadvertently engage in illegal transactions.

Consumer Protection Against the Trade of Stolen Goods From the Perspective of Maslahah Mursalah

Maslahah mursalah is a benefit that is neither supported nor rejected by sharia and is a concept in Islamic law that refers to the preservation of public welfare not explicitly mentioned in the Al-Quran or Hadith, but considered important for the good and well-being of society. From the perspective of *maslahah mursalah*, consumer protection against stolen goods is very relevant because it aims to protect the property rights of consumers and original owners, prevent greater harm to society, maintain honesty and fairness in transactions, promote social welfare by preventing crime, and impose strict sanctions to deter crime. *Maslahah mursalah* is used to adapt Islamic law to the needs

of the times and changing conditions. Consumer protection from stolen goods in the perspective of *maslahah mursalah* focuses on the primary goal of maintaining public welfare (*maslahah ammah*). In this case, consumers who purchase goods without knowing that the items are stolen must still be protected from potential losses, but it is necessary to maintain social stability, justice, and community welfare.

Consumer protection is one of the important aspects of a fair economic system. Islam, as a religion that governs all aspects of life including the economy, places great emphasis on the protection of individual rights, including in the context of transactions. One of the issues that requires special attention is the problem of stolen goods in buying and selling, which indirectly greatly harms consumers. In this context, the concept of *maslahah mursalah* plays an important role in protecting consumer interests as well as maintaining justice and the welfare of society at large. The concept of *maslahah mursalah* in transactions is a principle used by scholars to determine laws in situations not directly regulated by religious texts, but which are very necessary to maintain the common good. In the context of consumer protection from stolen goods, *Maslahah mursalah* provides the foundation for the creation of rules and policies that prevent consumers from suffering losses in transactions involving stolen items.

Maslahah mursalah prioritizes the protection of society from unfair transactions, focusing on efforts to prevent greater harm, safeguarding individual rights, and promoting justice. Consumer protection in the buying and selling of stolen goods can be viewed from several perspectives, especially within the framework of *maslahah mursalah*. This protection is important so that consumers do not lose their rights when they are unaware that the item they purchased is stolen. The principle of *maslahah mursalah* teaches that laws should be made to prevent harm to innocent consumers. If someone buys an item without knowing its origin and without realizing that the item is stolen, they are in a vulnerable position because the item may be confiscated by the authorities or claimed by its original owner. In situations like this, consumers should be granted the right to receive compensation or refunds, which is part of *maslahah mursalah* to protect consumers from unfair losses.

In the perspective of *maslahah mursalah*, the seller's responsibility in ensuring the legality of the goods they sell is highly emphasized. Sellers who sell stolen goods, whether intentionally or not, should be held responsible to consumers who suffer losses. Islam teaches that every transaction is based on honesty and transparency, so if there are goods traded illegally, the seller must bear the consequences, not the consumer. The seller's responsibility to prove the legitimacy of the goods sold not only protects the consumer but also creates a fairer and more sustainable trading

environment. This protection prevents significant losses for consumers, which is part of the greater good to maintain economic stability and social justice.

The impact of consumer protection based on *maslahah mursalah* brings many positive effects for society, as it increases the sense of security in transactions. Consumers will be more confident in making transactions when they are assured that the consumer protection system is effective and fair, this protection helps create a more transparent and honest market (Arif & Chania, 2022).

As for the verses of Al-Qur'an and the Hadith of the Prophet Muhammad Saw., they also provide a foundation for general safety and consumer rights in economic transactions. Allah Swt. stated in Al-Qur'an surah Al-Baqarah verse 188, "*And do not consume one another's wealth unjustly or send it (to the rulers) in order that (they might aid) you (to) consume a portion of the wealth of the people in sin, while you know*".

In Islam, consumer protection against the trade of stolen goods includes the security and safety of individuals from criminal acts and fraud, which can be seen through the principles of justice, honesty, and responsibility in transactions. One of the Hadith that reflects the importance of honesty in transactions, Prophet Muhammad Saw. said, "*It is not permissible for a Muslim to sell an item that he does not own*" (Hadith Riwayah Abu Dawud).

The status of the Hadith is (*shahih*) found in the book (*al-buyu'*). The narrators of the Hadith are Abu Dawud, Tirmidhi, and An-Nasa'i. This Hadith also contains a strict prohibition on transactions involving goods not owned by the seller. In the context of stolen goods, these items are not legally owned by the seller, so selling them is considered a violation of the basic principles of Islamic transactions (*muamalah*) and *maslahah mursalah*. With clear regulations, both sellers and consumers will be more cautious in ensuring the legality of the goods they trade or purchase, and law enforcement against the trade of stolen goods will also help reduce economic crime. *Maslahah mursalah* provides a strong foundation for protecting consumers in the context of economic transactions. This protection covers various aspects, ranging from consumer rights to compensation, seller responsibilities, to market oversight and law enforcement. The principle of *maslahah mursalah* emphasizes the importance of preventing unjust harm. With proper implementation, consumer protection can be strengthened, thereby creating justice, security, and welfare in a sustainable Islamic economic order.

Conclusion

In the perspective of *masalah mursalah*, consumer protection against the trade of stolen goods in marketplaces, such as Facebook marketplace, emphasizes the importance of justice, transparency, and education in every online transaction. The case of selling stolen motorcycles and other items in Medan underscores the need for adaptive and effective laws to address the challenges of modern e-commerce. To create a safe and fair trading environment, it is recommended that authorities tighten supervision and law enforcement against the sale of stolen goods. This is also in line with Law Number 8 of 1999 concerning Consumer Protection. Consumers must also be equipped with better knowledge and awareness regarding the risks and their rights in online transactions. Furthermore, the Facebook marketplace platform must be proactive in ensuring that the trading practices conducted within it adhere to standards of fairness and honesty, by providing efficient complaint mechanisms and educating users on how to detect stolen goods.

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