

**ADVOCACY-BASDED CONSUMER PROTECTION FOR ONLINE GAME
ACCOUNT SABOTAGE VICTIMS: A POSITIVE LAW AND MAQASHID
SHARIA PERSPECTIVE**

SKRIPSI

OLEH:

WAHYU

NIM. 220202110180



PROGRAM STUDI HUKUM EKONOMI SYARIAH

FAKULTAS SYARIAH

UNIVERSITAS ISLAM NEGERI MAULANA MALIK IBRAHIM MALANG

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PERNYATAAN KEASLIAN SKRIPSI

Demi Allah,

Dengan kesadaran dan rasa tanggung jawab terhadap pengembangan keilmuan,
Penulis menyatakan bahwa skripsi dengan judul:

**“Advocacy-Based Consumer Protection for Online Game Account Sabotage
Victims: A Positive Law and Maqashid Sharia Perspective”**

Benar-benar merupakan skripsi yang disusun sendiri berdasarkan kaidah penulisan karya ilmiah yang dapat dipertanggungjawabkan. Jika dikemudian hari laporan penelitian skripsi ini merupakan hasil plagiasi karya orang lain baik sebagian maupun keseluruhan, maka skripsi sebagai prasyarat mendapat predikat gelar sarjana dinyatakan batal demi hukum.

Malang, 6 April 2026

Penulis,



Wahyu

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HALAMAN PERSETUJUAN

Setelah membaca dan mengoreksi skripsi saudara Wahyu dengan NIM. 220202110180 Program Studi Hukum Ekonomi Syariah Fakultas Syariah Universitas Islam Negeri Maulana Malik Ibrahim Malang dengan judul: **"Advocacy-Based Consumer Protection for Online Game Account Sabotage Victims: A Positive Law and Maqashid Sharia Perspective"** maka pembimbing menyatakan bahwa skripsi tersebut telah memenuhi syarat- syarat ilmiah untuk diajukan dan diuji oleh Majelis Dewan Penguji.

1.	Wahyu, 3 September 2022	Mengetahui dan Menyetujui	2.	Wahyu, 3 September 2022	Mengetahui dan Menyetujui
2.	Wahyu, 10 September 2022	Mengetahui dan Menyetujui	3.	Wahyu, 10 September 2022	Mengetahui dan Menyetujui
3.	Wahyu, 13 September 2022	Mengetahui dan Menyetujui	4.	Wahyu, 13 September 2022	Mengetahui dan Menyetujui
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5.	Wahyu, 19 September 2022	Mengetahui dan Menyetujui	6.	Wahyu, 19 September 2022	Mengetahui dan Menyetujui
6.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui	7.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui
7.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui	8.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui
8.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui	9.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui
9.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui	10.	Wahyu, 21 April 2023	Mengetahui dan Menyetujui

Mengetahui,

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No.	Hari/Tanggal	Materi Konsultasi	Paraf
1.	Kamis, 9 September 2025	Bimbingan Proposal Skripsi	
2.	Jumat, 10 September 2025	Revisi Latar Belakang dan Lengkapi Proposal	
3.	Senin, 15 September 2025	Revisi Metodologi Penelitian	
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9.	Sabtu, 4 April 2026	Artikel Jurnal Terbit	
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Malang, 6 April 2026

Mengetahui,

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MOTTO

“Di dunia yang penuh kebisingan ini, kita tidak perlu jadi lebih baik dari orang lain. Cukup jadi lebih baik dari hari kemarin”

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Advocacy-Based Consumer Protection for Online Game Account Sabotage Victims: A Positive Law and Maqashid Sharia Perspective

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Abstract: The proliferation of digital commerce in Indonesia has generated new forms of consumer vulnerability, most notably the deliberate sabotage of online game accounts following completed transactions a phenomenon that inflicts both material and psychological harm upon consumers yet remains institutionally unaddressed. This study examines advocacy-based consumer protection for victims of online game account sabotage in Malang City, analyzed through the dual normative lenses of positive law and Maqashid Sharia. Employing an empirical legal research design with a socio-legal approach, the study draws on in-depth interviews with the Consumer Protection Technical Implementation Unit (UPT) of Malang City and five victim-informants, supplemented by normative analysis of applicable statutory instruments. The findings reveal that while Law Number 8 of 1999 concerning Consumer Protection and Law Number 1 of 2024 concerning Electronic Information and Transactions provide a sufficient normative basis for institutional advocacy, the UPT has not operationalized this mandate in digital consumer disputes. From the Maqashid Sharia perspective, account sabotage constitutes a simultaneous violation of *hifz al-mal*, *hifz al-nafs*, and *hifz al-'aql*, rendering institutional advocacy a legal and moral imperative. This study proposes a five-stage advocacy model and recommends the establishment of a dedicated digital consumer division within the UPT, supported by targeted regulatory reform governing virtual digital asset transactions.

1. Introduction

The rapid expansion of the digital economy has fundamentally reconfigured the landscape of consumer transactions, shifting commercial interactions from physical marketplaces to virtual platforms that operate beyond the reach of conventional regulatory mechanisms. Within this transformation, the online gaming industry has emerged as one of the most economically significant digital sectors, generating billions of dollars in annual revenue globally and cultivating a vast ecosystem of virtual assets including game accounts, in-game items, virtual currencies, and digital credentials whose economic value is no longer merely symbolic but increasingly tangible

and substantial.¹ Indonesia, as the largest digital economy in Southeast Asia, has witnessed a particularly steep growth trajectory in online gaming participation, with tens of millions of active players engaging in transactions that involve the purchase, development, and exchange of digital game accounts. This exponential growth has, however, created an alarming and underexplored vulnerability: the systemic sabotage of online game accounts through unauthorized access, post-transaction account revocation, and digital fraud, which inflicts both material harm and profound psychological distress upon consumers.²

The phenomenon at the center of this inquiry hereinafter referred to as online game account sabotage encompasses a range of deliberate, injurious acts committed against consumers who have engaged in legitimate digital transactions. This includes, but is not limited to, scenarios in which sellers reclaim access to sold accounts through password recovery mechanisms, thereby depriving buyers of assets for which they have paid, as well as cases involving unauthorized third-party intrusion into accounts through social engineering, phishing, or exploitation of platform vulnerabilities.³ Although such acts fall within the ambit of established legal instruments principally Law Number 8 of 1999 concerning Consumer Protection (hereinafter UUPK) and Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions (hereinafter UU ITE) the practical enforcement of these protections remains critically deficient.⁴ The legal framework, constructed in an era that predated the emergence of complex digital asset transactions, contains significant normative gaps that render consumers effectively without remedy in the absence of institutional advocacy.⁵

Consumer protection in the digital era has attracted scholarly attention across multiple jurisdictions, with researchers consistently identifying the inadequacy of existing legal frameworks in addressing the unique features of digital commerce including the intangible nature of digital assets, the cross-jurisdictional dimensions of platform governance, and the pervasive information asymmetry that disadvantages consumers vis-à-vis technologically sophisticated business actors.⁶ In the Indonesian context, studies have examined consumer protection broadly in e-commerce transactions,⁷ the application of UUPK to online fraud,⁸ the regulation of personal data breaches,⁹ and the legal standing of consumer protection institutions.¹⁰ However, the literature reveals a con-

¹ Bintang Maruli Lumban Pea et al., "Analysis of Consumer Rights Protection Against the Misuse of Personal Data in the Indonesian Fintech Sector," *Lex Publica* 12, no. 1 (2025): 3, <https://doi.org/10.58829/lp.12.1.2025.286>.

² Pradnya Yustiawan and Darwinda Mareksa, "Tafsiran Transaksi Akun Game Online Serta Aspek Perlindungan Hukum Yang Terkena Scam dan Penipuan," *Jurnal Riset Ilmu Hukum*, no. 4 (2024): 174–186.

³ Salsa Camelia Maharani et al., "Perlindungan Hukum Konsumen dalam Jual Beli Akun Mobile Legends," *JURRISH: Jurnal Riset Rumpun Ilmu Sosial, Politik dan Humaniora* 5, no. 1 (2026): 2, <https://doi.org/10.55606/jurrish.v5i1.7951>.

⁴ Muhammad Hishnul Islam et al., "A Positive Law and Maqāṣid al-Syarī'ah Perspective on Digital Consumer Protection," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 217, <https://doi.org/10.29240/jhi.v10i1.10625>.

⁵ Yujie Moeslim et al., "Legal Protection of E-Commerce Consumers," *Jurnal Era Publikasi* 3, no. 2 (2025): 4, <https://doi.org/10.57193/jel.v3i2.1086>.

⁶ Sinergi International Journal of Law, "Cross-Border E-Commerce Consumer Protection: A Comparative Study of Indonesia, Singapore, and China," *Sinergi International Journal of Law and Society* 3, no. 1 (2024): 7, <https://doi.org/10.38035/sijls.v3i1.780>.

⁷ Aris Machmud, Suartini, and Yanci Libria Fista, "Perlindungan Hukum Konsumen Dalam Transaksi E-Commerce Ditinjau dari Perspektif Undang-Undang Perlindungan Konsumen," *Binamulia Hukum* 12, no. 1 (2023): 46.

⁸ Ahmad Ramzy Dzuhriyan, "Consumer Legal Protection in Online Transactions," *Justice Voice* 3, no. 1 (2024): 2, <https://doi.org/10.55809/jv.v3i1.1017>.

⁹ Tegar Islami Putra, Nurul Fibrianti, "Threats and Legal Protection of Personal Data in E-Commerce Transactions Based on Personal Data Protection Law in Indonesia," *Lambung Mangkurat Law Journal* 9, no. 1 (2024): 55, <https://doi.org/10.32801/lamlaj.v9i1.159>.

¹⁰ Hasna Zulfa et al., "Peranan Lembaga Perlindungan Konsumen Swadaya Masyarakat Kota Medan dalam Memberikan Perlindungan Hukum Kepada Konsumen," *Journal of Education, Humaniora and Social Sciences (JEHSS)* 5, no. 3 (2023): 1, <https://doi.org/10.34007/jehss.v5i3.1565>.

spicuous gap: no prior study has systematically examined the role of government-based consumer protection advocacy institutions specifically the Consumer Protection Technical Implementation Unit (Unit Pelaksana Teknis Perlindungan Konsumen, hereinafter UPT) in addressing the specific and growing problem of online game account sabotage. Existing research either addresses online gaming transactions from a purely normative perspective without engaging the empirical dimension of institutional advocacy,¹¹ or examines consumer advocacy mechanisms without situating them within the context of digital asset transactions.¹²

The absence of institutional advocacy for victims of online game account sabotage is not merely an academic gap but a concrete governance failure with real consequences for real people. Article 4 letters (c) and (e) of the UUPK expressly guarantees consumers the right to correct and honest information and the right to receive appropriate advocacy, assistance, and dispute resolution. Yet in practice, many victims of digital account sabotage find themselves without institutional recourse blocked by sellers, unrecognized by game platform providers operating under foreign jurisdiction, and unfamiliar with the complaint mechanisms available to them. Consumer dispute literacy in Indonesia remains alarmingly low, with a substantial proportion of affected consumers unaware of the complaint channels provided by state institutions or the legal remedies to which they are entitled.¹³ This structural ignorance is compounded by the absence of a dedicated digital complaints division within most UPT offices, which continue to process all consumer complaints through a single general intake channel irrespective of the technical complexity involved.¹⁴

From a broader theoretical perspective, the problem of online game account sabotage raises fundamental questions about the adequacy of the existing consumer protection paradigm in accommodating the legal status of digital assets. Digital game accounts particularly those involving high-ranking competitive profiles, rare virtual items, and accumulated in-game investments possess demonstrable economic value and represent a form of digital property that is increasingly recognized in comparative legal discourse.¹⁵ The absence of explicit legal recognition of digital game accounts as objects of consumer protection law in Indonesia constitutes a *rechtsvacuum* a normative void that prevents effective judicial and extrajudicial remedy.¹⁶ Consumer dispute resolution mechanisms, including the Consumer Dispute Resolution Agency (Badan Penyelesaian Sengketa Konsumen, BPSK) and the UPT, have not yet adapted their operational frameworks to the epistemological demands of cybercrime evidence, digital forensics, or cross-platform mediation, leaving a governance gap that must be urgently addressed.¹⁷

The dual analytical framework adopted in this study positive law and Maqashid Sharia represents a deliberate intellectual choice that is both theoretically justified and practically necessary. In-

¹¹ Nurul Azim Mohd Puad, "Maqasid Shariah and Consumer Protection in E-Commerce: Strengthening Legal Safeguards in Indonesia's Digital Economy," *International Journal of Islamic Economics and Finance Research* 8, no. 2 (2025): 2, <https://doi.org/10.53840/ijiefer222>.

¹² Bambang Sugeng Ariadi Subagyo, "Enhancing Consumer Dispute Literacy and the Complaint System of the National Consumer Protection Agency in Indonesia," *JAMSI: Jurnal Administrasi dan Manajemen Sumber Daya Insani* 4, no. 1 (2025): 2, <https://doi.org/10.58794/jamsi.v4i1.2366>.

¹³ Bambang Sugeng Ariadi Subagyo, "Enhancing Consumer Dispute Literacy," 8.

¹⁴ Rangga Candra Putra et al., "Implementation of Consumer Protection Act in the Digital Era," *KNE Social Sciences* (2025): 4, <https://doi.org/10.18502/kss.v9i17.19099>.

¹⁵ Salsa Camelia Maharani et al., "Perlindungan Hukum Konsumen dalam Jual Beli Akun Mobile Legends," 3.

¹⁶ Nur Ibrahim, "Civil Contracts in the Digital Economy: A Legal Reconstruction of Default Concepts," *Kyadiren Law Journal* 4, no. 1 (2025): 6, <https://doi.org/10.55049/kyadiren.v4i1.326>.

¹⁷ Bestuur Research Team, "Consumer Dispute Resolution Policy in Indonesia: A Comparative Study with Malaysia," *Bestuur* 13, no. 1 (2025): 5, <https://doi.org/10.20961/bestuur.v13i1.115520>.

donesian law is not a hermetically sealed positivist system; it operates within a pluralist normative environment in which Islamic legal values constitute a living source of legal consciousness for the majority of the population.¹⁸ Maqashid Sharia the higher objectives of Islamic law oriented toward the preservation of five fundamental human necessities, namely religion (hifz al-din), life (hifz al-nafs), intellect (hifz al-'aql), lineage (hifz al-nasl), and property (hifz al-mal) offers a compelling evaluative framework for assessing the moral adequacy of consumer protection measures in the digital era.¹⁹ The sabotage of online game accounts, viewed through the lens of Maqashid Sharia, constitutes a simultaneous violation of hifz al-mal through the destruction of digital property, hifz al-nafs through the psychological distress inflicted upon victims, and hifz al-'aql through the erosion of trust in the digital information environment that sustains rational economic participation. This integrative analysis enriches the normative dimension of consumer protection scholarship by grounding institutional advocacy in a framework that is both legally rigorous and ethically resonant.²⁰

The novelty of this study is threefold and explicit. First, it is the first empirical investigation to focus specifically on the advocacy role of the UPT Perlindungan Konsumen Malang in cases of online game account sabotage a terrain that has received no prior systematic scholarly treatment despite its growing social and economic significance. Second, the study proposes an original five-stage advocacy model tailored to the institutional capacities and operational constraints of UPT offices operating in the digital consumer protection landscape, thereby contributing a practically applicable policy framework to the existing literature. Third, by integrating positive law analysis with Maqashid Sharia as a co-equal evaluative standard rather than treating Islamic legal principles as a supplementary or peripheral consideration the study advances a model of legal analysis that is theoretically innovative and responsive to Indonesia's distinctive pluralist legal identity.²¹ This trifold contribution distinguishes the present study from prior work on consumer protection law in the digital era, which has either remained confined to normative analysis without institutional application or has engaged Islamic legal principles in a descriptive rather than analytical mode.²²

State of the art in the relevant literature demonstrates that consumer protection scholarship in Indonesia has undergone significant evolution in the past decade. Early studies focused predominantly on the doctrinal analysis of UUPK provisions,²³ while subsequent scholarship shifted toward the empirical examination of enforcement failures in e-commerce contexts.²⁴ More recent contributions have engaged the intersection of personal data protection, cybercrime law, and consumer rights in light of UU ITE and Law Number 27 of 2022 concerning Personal Data Protection.²⁵

¹⁸ Herman, "Studi Sosio-Legal Konsumen dalam Transaksi E-Commerce melalui Perspektif Maqashid al-Shari'ah," *Qisthosia: Jurnal Syariah dan Hukum* 7, no. 1 (2025): 3, <https://doi.org/10.46870/jstain.v7i1.1552>.

¹⁹ Dafrosa Riski, "Dampak Era Digital terhadap Perlindungan Konsumen dalam Perspektif Hukum Ekonomi Syariah," *Al-Maqasid: Jurnal Ilmu Kesyariahan dan Keperdataan* 10, no. 2 (2024): 4, <https://doi.org/10.24952/almaqasid.v10i2.11456>.

²⁰ Muhammad Hishnul Islam et al., "A Positive Law and Maqāṣid al-Syarī'ah Perspective," 220.

²¹ Nurul Azim Mohd Puad, "Maqasid Shariah and Consumer Protection in E-Commerce," 5.

²² Nilfatri, "Implementation of Law Number 8 of 1999 on Consumer Protection in Online Buying and Selling Practices: A Maqashid Shariah Perspective," *Journal of Law and Policy in the Humanities (JLPH)* 6, no. 1 (2025): 6, <https://doi.org/10.38035/jlph.v6i1.2414>.

²³ Dwi Runjani Juwita and Amanda Tikha Santriati, "Perlindungan Hak Konsumen dalam Perspektif Hukum Islam dan Undang-Undang Perlindungan Konsumen Nomor 8 Tahun 1999," *Opinia de Journal* 2, no. 2 (2022): 3.

²⁴ Yuyut Prayuti, "Dinamika Perlindungan Hukum Konsumen di Era Digital: Analisis Hukum terhadap Praktik E-Commerce dan Perlindungan Data Konsumen di Indonesia," *Jurnal Interpretasi Hukum* 5, no. 1 (2024): 905.

²⁵ Pea et al., "Analysis of Consumer Rights Protection Against the Misuse of Personal Data in the Indonesian Fintech Sector," 10.

Internationally, comparative studies have examined consumer dispute resolution mechanisms across ASEAN jurisdictions, identifying Indonesia's institutional framework as structurally underdeveloped relative to regional peers.²⁶ In Islamic legal scholarship, the application of Maqashid Sharia to digital consumer protection has gained momentum, with researchers exploring how *hifz al-mal* applies to digital assets, e-commerce fraud, and data privacy.²⁷ Nevertheless, none of these contributions have addressed the specific lacuna that this study seeks to fill: the absence of institutional advocacy for victims of online game account sabotage in Indonesia, analyzed through the convergent lens of positive law and Maqashid Sharia.

Based on the foregoing analytical foundation, this study is organized around two central research questions: first, how can the UPT Perlindungan Konsumen Malang implement effective advocacy-based consumer protection for victims of online game account sabotage under the prevailing framework of positive law?; and second, how does the perspective of Maqashid Sharia illuminate and reinforce the urgency of such institutional advocacy in the digital era? The answers to these questions have implications that extend beyond the immediate context of online gaming they speak to the broader challenge of calibrating Indonesia's consumer protection architecture to the demands of the digital economy, ensuring that statutory guarantees are not merely declaratory but substantively operative for the most vulnerable participants in the digital marketplace.

2. Method

This study employs empirical legal research as its foundational methodological orientation. Empirical legal research examines law not merely as a set of static normative propositions inscribed in statutes and regulations, but as a living social institution whose meaning, effectiveness, and legitimacy are constituted through practice, interaction, and lived experience within specific social contexts.²⁸ Rather than confining the analysis to the doctrinal interpretation of positive legal norms, this approach directs scholarly attention toward the actual operation of law in society examining how legal institutions function, how rights are asserted or denied, and how regulatory frameworks respond or fail to respond to emergent social phenomena such as the digital sabotage of online game accounts.²⁹

The specific methodological design applied in this study is a socio-legal approach, which integrates normative legal analysis with empirical field observation. The socio-legal approach does not treat the normative and the empirical as mutually exclusive domains; rather, it recognizes that a complete understanding of law requires the simultaneous examination of *law in the books* the statutory framework governing consumer protection and *law in action* the manner in which consumer protection institutions actually respond to digital-era grievances.³⁰ This methodological integration is particularly apt for the present study, which seeks not only to evaluate the adequacy of existing positive law provisions including Law Number 8 of 1999 concerning Consumer Protection

²⁶ Sinergi International Journal of Law, "Cross-Border E-Commerce Consumer Protection," 15.

²⁷ Mohd Nazirul Mubin Zakariah, "A Maqasid al-Sharia Based Legal Framework for Digital Halal Governance," *Journal of Islamic Law and Development in Business (JILDEB)* 3, no. 1 (2025): 4, <https://doi.org/10.20885/jildeb.v3i1.46648>.

²⁸ Noor Aziah Mohd Awal, "Socio-Legal Research: Integration of Normative and Empirical Juridical Research in Legal Research," *Jurnal Ilmiah Dunia Hukum* 7, no. 2 (2023): 94, <https://doi.org/10.56444/jidh.v7i2.3154>.

²⁹ Ahmad Rosidi et al., "Metode Dalam Penelitian Hukum Normatif Dan Sosiologis (Field Research)," *Journal Law* 2, no. 1 (2024): 3.

³⁰ Noor Aziah Mohd Awal, "Socio-Legal Research," 97.

and Law Number 1 of 2024 concerning Electronic Information and Transactions but also to assess the empirical responsiveness of the Consumer Protection Technical Implementation Unit (UPT) of Malang City in addressing online game account sabotage cases. The normative dimension of this study employs a statutory approach and a conceptual approach, through which applicable legal provisions are analyzed systematically alongside the doctrinal principles of Maqashid Sharia.³¹

The primary data for this study were collected through in-depth, semi-structured interviews conducted with two categories of key informants, selected through purposive sampling. Purposive sampling was employed because the research objective requires informants who possess direct, firsthand knowledge of the phenomena under examination specifically, institutional actors and affected consumers rather than a statistically representative cross-section of the general population.³² The first category of informants consists of an institutional representative from the Consumer Protection Technical Implementation Unit (UPT) of Malang City, specifically the Head of the Sub-Division of Administration, who was selected on the basis of her official responsibility for overseeing consumer complaint intake and advocacy procedures within the UPT. The second category comprises five consumers who have directly experienced online game account sabotage following a commercial transaction, residing in the Malang City administrative area. These five informants were identified through a combination of direct field reconnaissance and referral from the UPT office, and their inclusion was premised on their firsthand experience of account sabotage not merely digital inconvenience or ordinary service failures, but deliberate post-transaction account revocation or unauthorized access resulting in material loss.³³

It is acknowledged that the number of informants in the victim category is limited. This limitation reflects the actual accessibility of reportable cases at the time of research a circumstance that is itself analytically significant, as it reflects the structural gap in consumer complaint visibility that this study seeks to address. In qualitative empirical legal research, the epistemic value of interview data is determined not by its quantity but by the depth, specificity, and contextual richness of the information obtained from each informant.³⁴ The six informants collectively generated sufficiently rich primary data to support the analytical purposes of this study: to document the institutional non-response of the UPT to digital consumer complaints and to map the experiential dimensions of victimhood in online game account sabotage cases.

Field observations were also conducted at the UPT Perlindungan Konsumen Malang premises to corroborate the information obtained through interviews and to assess the institutional environment, complaint-handling infrastructure, and operational capacity of the unit. Observations focused on the physical and procedural setup of the complaint intake mechanism, including the absence of a dedicated digital consumer division and the singular general intake channel through which all consumer complaints regardless of their technical complexity are processed.³⁵ These ob-

³¹ T.A.S. Negara, "Normative Legal Research in Indonesia: Its Origin and Approaches," *Audito Comparative Law Journal* 4, no. 1 (2023): 4, <https://doi.org/10.22219/samlaj.v4i1.23194>.

³² Theresa A. Christiani, "Normative and Empirical Research Methods: Their Usefulness and Relevance in the Study of Law as an Object," *Procedia – Social and Behavioral Sciences* 219 (2016): 202, <https://doi.org/10.1016/j.sbspro.2016.05.006>.

³³ Stepanus Ndara, and Ida Bagus Anggapurana Pidada. 2024. "Kepastian Hukum Bagi Konsumen Dalam Transaksi Jual Beli Online". *Hukum Inovatif: Jurnal Ilmu Hukum Sosial Dan Humaniora* 1 (4):166-85. <https://doi.org/10.62383/humif.v1i4.652>.

³⁴ Muhammad Rudi Syahputra, "Metodologi Penelitian Hukum Dalam Menyelesaikan Problematika Hukum Kontemporer," *Journal Ilmu Hukum* 1, no. 2 (2024): 5.

³⁵ Bambang Sugeng Ariadi Subagyo, "Enhancing Consumer Dispute Literacy and the Complaint System of the National Consumer Protection Agency in Indonesia," *JAMSI: Jurnal Administrasi dan Manajemen Sumber Daya Insani* 4, no. 1 (2025): 8, <https://doi.org/10.58794/jamsi.v4i1.2366>.

servational data were recorded in structured field notes and subsequently triangulated with interview data and documentary evidence to ensure internal validity.

The secondary data employed in this study consist of three categories of legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 8 of 1999 concerning Consumer Protection, Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, Law Number 27 of 2022 concerning Personal Data Protection, and other relevant statutory instruments. Secondary legal materials include peer-reviewed journal articles, scholarly books, and research reports in the fields of consumer protection law, digital law, and Islamic jurisprudence.³⁶ Tertiary legal materials include legal dictionaries and encyclopaedias employed to clarify the meaning of technical terms and legal concepts.³⁷

Data analysis was conducted using qualitative analytical methods, proceeding through four sequential stages: data reduction, data presentation, pattern identification, and interpretive conclusion. Two specific legal interpretive techniques were applied in conjunction: juridical interpretation, through which the literal and systematic meaning of statutory provisions was examined in relation to the facts established through fieldwork; and teleological interpretation, through which the purpose, spirit, and intended social function of consumer protection law were evaluated against the empirical realities encountered in the UPT and among the victim informants.³⁸ Teleological interpretation is particularly appropriate for a study that seeks to assess whether the operational framework of the UPT fulfils the legislative intent of consumer advocacy as articulated in Article 44 of Law Number 8 of 1999. The findings generated through this analytical process were further evaluated against the normative standards of Maqashid Sharia specifically the principles of *hifz al-mal* (protection of property), *hifz al-nafs* (protection of life and psychological well-being), and *hifz al-'aql* (protection of intellect and rational agency) to produce an integrative legal assessment of the adequacy and urgency of advocacy-based consumer protection in the digital era.³⁹

Data validity was ensured through source triangulation, which involved cross-referencing information obtained from three independent sources: the institutional interview with the UPT representative, the victim interviews, and the documentary evidence drawn from the UPT's operational records and applicable statutory materials. Where discrepancies emerged between these sources, they were identified explicitly and analyzed as data in their own right, rather than resolved arbitrarily in favor of any single source. The triangulation process was designed to enhance the credibility of findings, particularly given the small number of victim informants, by ensuring that no single informant's account was treated as the exclusive or definitive basis for analytical conclusions.⁴⁰

³⁶ Nur Solikin, *Pengantar Metodologi Penelitian Hukum* (Pasuruan: Qiara Media, 2021), 45.

³⁷ Muhammad Hendri Yanova et al., "Metode Penelitian Hukum: Analisis Problematika Hukum Dengan Metode Penelitian Normatif Dan Empiris," *Badamai Law Journal* 8, no. 2 (2023): 311.

³⁸ Rupertus Arvinci Ngabut, Wilma Silalahi, "Reassessing Cartel Analysis: The Rule of Reason and Teleological Interpretation in Indonesian Competition Law," *Journal of Business, Management, and Social Studies* 5, no. 2 (2025): 72, <https://doi.org/10.53748/jbms.v5i2.121>.

³⁹ Muhammad Hishnul Islam et al., "A Positive Law and Maqāṣid al-Syarī'ah Perspective on Digital Consumer Protection," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 218, <https://doi.org/10.29240/jhi.v10i1.10625>.

⁴⁰ Antoni, "Legal Implications of Consumer Protection on Healthcare Access Services from the Perspective of Society," *Jurnal Sosial, Ilmu Hukum, dan Ilmu Politik* 3, no. 1 (2025): 4, <https://doi.org/10.62528/soshum.v3i1.2500>.

3. Results and Discussion

3.1. Advocacy-Based Digital Consumer Protection in Malang: Strengthening the Role of UPT Under Positive Law

The proliferation of digital commerce in Indonesia has generated a new frontier of consumer vulnerability, one that existing legal institutions have been slow to inhabit. The specific phenomenon examined in this study the sabotage of online game accounts following completed transactions occupies a legally ambiguous space in the existing normative architecture of Indonesian consumer protection law, straddling the boundaries between civil breach, criminal fraud, and cyber-enabled unauthorized access. From a positive law perspective, the legal basis for addressing such conduct exists but is scattered, underutilized, and institutionally unenforced.⁴¹ The Consumer Protection Technical Implementation Unit (UPT) of Malang City, as the front-line state institution tasked with implementing consumer protection under the regional authority of the East Java Provincial Government, occupies a pivotal and largely unrealized position in this legal landscape.⁴²

Law Number 8 of 1999 concerning Consumer Protection (UUPK) remains the primary legislative pillar governing consumer rights in Indonesia, and its provisions supply a normative basis for addressing online game account sabotage even in the absence of sector-specific digital regulations. Article 4 of the UUPK catalogues the fundamental rights of consumers, including the right to safety and comfort in consuming goods and services (letter a), the right to accurate, truthful, and clear information (letter c), the right to be heard (letter d), the right to receive advocacy and assistance (letter e), and the right to compensation and dispute resolution (letter h). When a consumer purchases an online game account and subsequently loses access due to deliberate post-transaction revocation by the seller a scenario documented in all five victim cases identified in this study each of these rights is simultaneously violated. The seller's act of reclaiming the account constitutes a failure to deliver the agreed contractual performance, a misrepresentation of the permanence of the transaction, a denial of the consumer's right to enjoy the purchased product, and a refusal to provide redress.⁴³

The UUPK does not operate in isolation. In cases involving unauthorized electronic access, it interfaces directly with Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE), which has significantly strengthened the legal framework for combating digital-era offenses. Article 30 paragraphs (1) and (2) of UU ITE prohibit the unauthorized access to electronic systems belonging to another person, while Article 32 criminalizes the unauthorized transmission, alteration, or destruction of electronic information and systems. When an online game account seller recovers access to an account through credential-retrieval mechanisms after transfer, they commit, at minimum, the act of unauthorized access to an electronic system belonging to the buyer an act squarely within the scope of

⁴¹ Winda Cahyani Kusuma et al., "Perlindungan Hukum bagi Konsumen dalam Transaksi Jual Beli Online Ditinjau dari Undang-Undang Nomor 1 Tahun 2024 tentang Perubahan Kedua Atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik," *Konsensus: Jurnal Ilmu Hukum dan Ketatanegaraan* 3, no. 1 (2026): 4, <https://doi.org/10.62383/konsensus.v3i1.1558>.

⁴² Ajeng Prawitasari, "Strengthening the Values of Consumer Protection Law Culture in Indonesia Based on Prophetic Law," *Jurnal Pembaharuan Hukum* 9, no. 3 (2022): 53, <https://doi.org/10.26532/jph.v9i3.28157>.

⁴³ Pradnya Yustiawan and Darwinda Mareksa, "Tafsiran Transaksi Akun Game Online Serta Aspek Perlindungan Hukum Yang Terkena Scam dan Penipuan," *Demokrasi: Jurnal Riset Ilmu Hukum, Sosial dan Politik* 1, no. 4 (2024): 178, <https://doi.org/10.62383/demokrasi.v1i4.522>.

Article 30 UU ITE. More significantly, Article 45A paragraph (1) of UU ITE, as amended, imposes criminal sanctions on any person who intentionally disseminates false or misleading information in electronic transactions that causes material loss to consumers, which encompasses the fraudulent representation that an account transfer is permanent.⁴⁴ The convergence of UUPK and UU ITE in addressing account sabotage reflects what legal scholars have described as the complementarity between consumer protection law and cybercrime law a complementarity that Indonesian enforcement practice has yet to operationalize effectively.⁴⁵

However, the normative completeness of this legal framework should not be conflated with its operational adequacy. The findings of field research conducted for this study reveal a critical institutional gap: the UPT Perlindungan Konsumen Malang had, at the time of this research, never provided specific advocacy assistance to any victim of online game account sabotage. Despite receiving its mandate from Article 44 paragraph (3) of the UUPK which expressly tasks consumer protection implementation units with receiving and following up on consumer grievances, providing information and education, and assisting consumers in asserting their rights the UPT's operational response to digital consumer complaints has been undifferentiated and reactive, constrained by the absence of dedicated human resources with digital competency and the absence of a formal procedure for receiving and processing technologically complex complaints.⁴⁶ This institutional gap is not merely an administrative shortcoming; it represents a systemic failure to give effect to rights that are legislatively guaranteed but practically inaccessible. Research on the performance of consumer protection agencies in Indonesia has consistently identified institutional capacity, resource allocation, and consumer awareness as the three most critical determinants of effective consumer protection all three of which are deficient in the context of the UPT's engagement with digital consumer disputes.

The absence of advocacy is particularly damaging in the context of online game account sabotage because of the structural characteristics of the victim population. The five consumers interviewed for this study shared a constellation of vulnerabilities that are typical of participants in the informal digital asset market: they conducted transactions through informal peer-to-peer channels (predominantly social media platforms) rather than regulated digital marketplaces; they lacked written contractual documentation; they had no digital forensic capacity to preserve evidence of the sabotage; and they were unaware of the legal remedies available to them under either UUPK or UU ITE. This profile is consistent with the broader empirical literature on digital consumer vulnerability in Indonesia, which consistently finds that the least institutionally protected consumers are those who operate outside formal marketplace ecosystems precisely the demographic most susceptible to account sabotage.⁴⁷ The absence of an accessible, institution-backed advocacy channel thus amplifies the material harm of the initial sabotage by consigning victims to legal helplessness.

⁴⁴ Salsa Camelia Maharani et al., "Perlindungan Hukum Konsumen dalam Jual Beli Akun Mobile Legends," *JURRISH: Jurnal Riset Rumpun Ilmu Sosial, Politik dan Humaniora* 5, no. 1 (2026): 5, <https://doi.org/10.55606/jurrish.v5i1.7951>.

⁴⁵ Siti Nur Kaharu, "Article 28 of the ITE Law as a Pillar of Consumer Protection in Digital Transactions," *Yudhistira: Jurnal Yurisprudensi, Hukum dan Peradilan* 3, no. 1 (2025): 47, <https://doi.org/10.59966/yudhistira.v3i1.1775>.

⁴⁶ Ahmad Ramzy Dzuhrayan, "Consumer Legal Protection in Online Transactions," *Justice Voice* 3, no. 1 (2024): 5, <https://doi.org/10.55809/jv.v3i1.1017>.

⁴⁷ Bambang Sugeng Ariadi Subagyono, "Enhancing Consumer Dispute Literacy and the Complaint System of the National Consumer Protection Agency in Indonesia," *JAMSI: Jurnal Administrasi dan Manajemen Sumber Daya Insani* 4, no. 1 (2025): 12, <https://doi.org/10.58794/jamsi.v4i1.2366>.

The advocacy model proposed by this study operationalized through the UPT as the central institutional actor is grounded in both the normative mandate of Article 44 UUPK and the empirical realities uncovered through fieldwork. The model envisions five sequential stages of institutional intervention. The first stage is complaint reception through accessible digital channels, including an official complaint form, a designated WhatsApp channel, or a digital complaint application, enabling victims who are technologically literate but institutionally distant to lodge reports without appearing in person. The second stage is verification, involving confirmation of the complainant's identity, documentation of the transaction (including payment evidence, chat records, and account credentials), and chronological reconstruction of the sabotage incident. The third stage is case classification distinguishing between civil disputes (breach of contract, deceptive trade practices) and criminal matters (unauthorized access, fraud) which determines the appropriate legal pathway for each case. The fourth stage is mediation facilitation, in which the UPT convenes the consumer and the business actor and, where the latter is unidentifiable or uncooperative, escalates the matter to the relevant platform or national digital authority. The fifth stage is outcome recommendation, encompassing account recovery, financial compensation, or referral to law enforcement where criminal elements are established.⁴⁸

This five-stage model is not merely procedurally logical; it is legally grounded. Article 45 paragraph (2) of the UUPK explicitly recognizes non-litigation dispute resolution as a legitimate and preferable pathway for consumer disputes, emphasizing speed, accessibility, and the voluntary participation of both parties.⁴⁹ The literature on Online Dispute Resolution (ODR) in the Indonesian context further supports the adoption of digital-native complaint and mediation mechanisms, noting that the absence of ODR-specific regulation does not preclude existing institutions from incorporating digital processes into their dispute resolution frameworks. Indeed, the Supreme Court Regulation (PERMA) Number 3 of 2022 concerning Electronic Mediation signals a broader judicial and institutional endorsement of technology-mediated dispute resolution, creating a normative environment that legitimizes the UPT's adoption of digital complaint and mediation channels even in the absence of sector-specific digital consumer protection legislation.⁵⁰

A critical obstacle to the implementation of this advocacy model is the current structural organization of the UPT. As this study's field observations confirmed, the UPT currently processes all consumer complaints regardless of their subject matter, technical complexity, or evidentiary requirements through a single general intake channel staffed by personnel without specialized training in digital forensics, cybercrime evidence, or digital platform governance. This structural homogeneity is incompatible with the heterogeneity of the digital consumer dispute landscape, which demands a differentiated institutional response.⁵¹ The UPT must therefore establish a dedicated digital consumer division staffed by officers trained in basic digital forensics, electronic evidence authentication, and the operational characteristics of online gaming platforms. Such a divi-

⁴⁸ Winda Sekar Tri Wahyuningsih, "A Legal Framework for the Protection of Consumer Rights in E-Commerce Transactions," *Piani: Jurnal Hukum dan Keadilan* 2, no. 1 (2025): 7, <https://doi.org/10.32794/piani.v2i1.543>.

⁴⁹ Rangga Candra Putra et al., "Implementation of Consumer Protection Act in the Digital Era," *KNE Social Sciences* 9, no. 17 (2025): 6, <https://doi.org/10.18502/kss.v9i17.19099>.

⁵⁰ Nabila Ramadhani, "Online Dispute Resolution as a Mechanism for Resolving Consumer Disputes in Marketplace Transactions in Indonesia," *Eduvest: Journal of Universal Studies* 5, no. 7 (2025): 4, <https://doi.org/10.59966/eduvest.v5i7.51166>.

⁵¹ Suci Silvia Adrini et al., "Mediasi Elektronik sebagai Alternatif Penyelesaian Sengketa Konsumen di Sektor E-Commerce," *Media Hukum Indonesia* 3, no. 2 (2025): 5, <https://doi.org/10.31603/12766>.

sion would be positioned not only to receive and process complaints more effectively, but also to proactively engage with digital platform providers including game publishers, marketplaces, and social media platforms in asserting the rights of Indonesian consumers under both UUPK and UU ITE. The regulatory obligation of electronic system operators under Article 15 of UU ITE to ensure the reliability and security of the electronic systems they operate provides a complementary legal basis for the UPT to engage platform providers as accountable parties in the advocacy chain.⁵²

The institutional adaptation proposed here must also be supported by a complementary program of consumer digital literacy. Article 52 of the UUPK tasks government institutions with increasing public awareness of consumer rights, and this mandate is given renewed urgency by the digital context. Research on consumer protection effectiveness in the digital era consistently identifies low legal awareness as the primary cause of under-reporting and under-enforcement consumers do not seek institutional redress because they do not know it exists, do not believe it will be effective, or find the access costs prohibitive. The UPT must therefore engage in proactive outreach through digital channels social media, gaming community platforms, and student networks to communicate the existence, accessibility, and effectiveness of its advocacy services. This outreach is not ancillary to the UPT's advocacy mission; it is constitutive of it, because an advocacy institution that is unknown to its constituency cannot fulfill its statutory purpose.⁵³

The positive law analysis thus converges on a coherent institutional prescription: the UPT Perlindungan Konsumen Malang must transform its operational model from a passive complaint-reception body into an active digital consumer advocate. This transformation requires not only procedural reforms the adoption of digital intake channels, the establishment of a dedicated digital division, and the development of a structured complaint-processing framework but also normative reforms at the regulatory level. The existing UUPK, though providing a sufficient normative basis for UPT advocacy, does not specifically address digital asset transactions, online game accounts, or virtual property rights.⁵⁴ A special government regulation or ministerial regulation governing digital consumer protection including explicit provisions for the legal status of virtual digital assets, the evidentiary standards applicable to digital sabotage cases, and the specific obligations of digital platform operators toward Indonesian consumers would close the normative gap that currently undermines the UPT's institutional effectiveness.⁵⁵ Such a regulatory development would align Indonesia with international best practice in digital consumer protection and would give concrete operational meaning to the rights already guaranteed in Articles 4 and 44 of the UUPK.⁵⁶

3.2. Advocacy-Based Consumer Protection Against Online Game Account Sabotage: A Maqashid Sharia Perspective

The analytical framework of Maqashid Sharia offers more than a supplementary theological overlay upon a primarily positivist legal analysis it constitutes an independent and rigorous

⁵² Bestuur Research Team, "Consumer Dispute Resolution Policy in Indonesia: A Comparative Study with Malaysia," *Bestuur* 13, no. 1 (2025): 8, <https://doi.org/10.20961/bestuur.v13i1.115520>.

⁵³ Yujie Moeslim et al., "Legal Protection of E-Commerce Consumers," *Jurnal Era Publikasi* 3, no. 2 (2025): 8, <https://doi.org/10.57193/jel.v3i2.1086>.

⁵⁴ Rohaini et al., "Reforming Online Dispute Resolution (ODR) in Indonesian Consumer Law," *CEPALO: Jurnal Ilmu Hukum* 9, no. 1 (2025): 12, <https://doi.org/10.25041/cepalo.v9n1.3335>.

⁵⁵ Ajeng Prawitasari, "Strengthening the Values of Consumer Protection Law Culture," 62.

normative system through which the adequacy, urgency, and moral architecture of institutional advocacy can be evaluated. Maqashid Sharia, classically formulated by Imam al-Ghazali and subsequently elaborated by al-Shatibi, identifies five fundamental objectives of Islamic law that serve as the ultimate criterion for assessing the justice and legitimacy of any legal arrangement: the preservation of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage (*hifz al-nasl*), and property (*hifz al-mal*).⁵⁷ In the context of digital consumer protection, three of these objectives *hifz al-mal*, *hifz al-nafs*, and *hifz al-'aql* are directly and simultaneously implicated by the phenomenon of online game account sabotage, rendering Maqashid Sharia not merely relevant but indispensable as an evaluative lens for the institutional advocacy examined in this study.⁵⁸

The most immediate and tangible dimension of the harm caused by online game account sabotage is its impact upon *hifz al-mal* the preservation and protection of property. Islamic jurisprudence has consistently held that property (*mal*) includes all objects of economic value over which legitimate ownership can be exercised, whether tangible or intangible.⁵⁹ Contemporary Islamic legal scholars have increasingly extended this conception to encompass digital assets, including electronic balances, virtual items, and online accounts that are acquired through lawful commercial transactions and that possess ascertainable market value. An online game account particularly one involving advanced character development, rare virtual equipment, and accumulated in-game capital constitutes a form of digital property (*mal raqmi*) in which the owner has a legitimate proprietary interest that Islamic law is obligated to protect.⁶⁰ When a seller deliberately sabotages a transferred account reclaiming access through credential-recovery mechanisms, stripping the account of its accumulated assets, or rendering it inaccessible to the lawful buyer the act constitutes a form of *ghashb* (unlawful usurpation of property) combined with *tadlis* (fraudulent misrepresentation), both of which are categorically prohibited under Islamic commercial law.⁶¹ The UPT's advocacy role in asserting the consumer's proprietary interest in the digital account, facilitating compensation, and preventing the recurrence of such usurpation is, from the perspective of *hifz al-mal*, not merely permissible but obligatory an institutional expression of the Sharia's commitment to protecting the economic foundations of social life.⁶²

The second dimension of harm invoked by online game account sabotage concerns *hifz al-nafs* the preservation of life and psychological integrity. While the classical formulation of *hifz al-nafs* was oriented principally toward the protection of physical life, contemporary Maqashid scholarship has expanded its scope to encompass psychological well-being, emotional security, and the maintenance of human dignity in all its dimensions.⁶³ The empirical data collected for this

⁵⁶ Winda Cahyani Kusuma et al., "Perlindungan Hukum bagi Konsumen dalam Transaksi Jual Beli Online," 9.

⁵⁷ Nilfatri, "Implementation of Law Number 8 of 1999 on Consumer Protection in Online Buying and Selling Practices: A Maqashid Shariah Perspective," *Journal of Law and Policy in the Humanities (JLPH)* 6, no. 1 (2025): 3, <https://doi.org/10.38035/jlph.v6i1.2414>.

⁵⁸ Muhammad Hishnul Islam et al., "A Positive Law and Maqāṣid al-Syarī'ah Perspective on Digital Consumer Protection," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 222, <https://doi.org/10.29240/jhi.v10i1.10625>.

⁵⁹ Dwi Edi Wibowo, "Consumer Protection in the Digital Era: Challenges and Solutions from an Islamic Legal Perspective," *Mizani: Jurnal Ilmu Syariah* 11, no. 2 (2024): 4, <https://doi.org/10.29300/mzn.v11i2.4752>.

⁶⁰ Mohd Nazirul Mubin Zakariah, "A Maqasid al-Sharia Based Legal Framework for Digital Halal Governance," *Journal of Islamic Law and Development in Business (JILDEB)* 3, no. 1 (2025): 7, <https://doi.org/10.20885/jildeb.v3i1.46648>.

⁶¹ Herman, "Perlindungan Konsumen Online dalam Perspektif Maqashid al-Shari'ah: Studi Sosio-Legal di Indonesia," *Qisthoshia: Jurnal Syariah dan Hukum* 7, no. 1 (2025): 6, <https://doi.org/10.46870/jstain.v7i1.1552>.

⁶² Dafrosa Riski, "Dampak Era Digital terhadap Perlindungan Konsumen dalam Perspektif Hukum Ekonomi Syariah," *Al-Maqasid: Jurnal Ilmu Kesyariahan dan Keperdataan* 10, no. 2 (2024): 7, <https://doi.org/10.24952/almaqasid.v10i2.11456>.

⁶³ Elan Jaelani et al., Maqāṣid al-Syarī'ah in Contemporary Legal Systems: Digital Rights and Data Protection," *Qadha: Jurnal Hukum Islam dan Perundang-Undangan* 12, no. 1 (2025): 5, <https://doi.org/10.32505/qadha.v12i1.11178>.

study confirm that online game account sabotage inflicts not merely material loss but profound psychological distress upon its victims including acute stress, a sense of violation, loss of trust in digital systems, and a pervasive insecurity in the use of technology for commercial purposes. These harms are neither trivial nor incidental; for consumers who have invested significant time, emotional energy, and financial resources in developing a game account, its sudden and deliberate destruction is experienced as a form of serious personal harm. Islamic legal philosophy, through the principle of *la darar wa la dirar* the maxim that no harm shall be inflicted and no harm shall be reciprocated expressly prohibits the infliction of psychological injury upon another person.⁶⁴ The UPT's advocacy function in providing victims with institutional recognition, emotional validation, and a structured pathway to redress directly serves the *hifz al-nafs* objective by mitigating the psychological harm of account sabotage and restoring the victim's sense of security and dignity.⁶⁵

The third and equally significant dimension of Maqashid analysis concerns *hifz al-'aql* the preservation of intellect, rational agency, and the capacity for informed decision-making. In the digital era, the preservation of intellect encompasses not only the protection of cognitive faculties from impairment but also the maintenance of consumers' epistemic capacity to participate in digital commerce on the basis of accurate information, genuine understanding of risks, and access to the institutional resources necessary for asserting their rights.⁶⁶ The field research conducted for this study revealed a pervasive state of epistemic vulnerability among the victim informants: none were aware, prior to their victimization, of the legal remedies available under UUPK or UU ITE, none had knowledge of the UPT's existence or mandate, and none possessed the digital forensic skills necessary to preserve evidence of the sabotage in a legally admissible form. This collective ignorance is not merely a personal failing; it is a structural condition produced by the institutional failure to fulfill the proactive public education mandate imposed by Article 52 of the UUPK and, from a Maqashid perspective, it constitutes a violation of *hifz al-'aql* at the societal level the failure of the institutional order to maintain the conditions under which consumers can exercise rational, informed, and legally protected agency.⁶⁷

The Maqashid principle of *sadd al-dhara'i* the blocking of means that lead to harm provides further jurisprudential support for the advocacy model proposed in this study. *Sadd al-dhara'i* operates as a preventive legal instrument, requiring that Islamic law not merely respond to harm after it has occurred but proactively identify and close the pathways through which harm predictably arises⁶⁸ Applied to the institutional context of the UPT, *sadd al-dhara'i* demands that the UPT's advocacy role be not merely reactive processing complaints after sabotage has occurred but genuinely preventive, through proactive consumer education, targeted outreach to gaming communities, and the establishment of digital security awareness programs that address the specific

⁶⁴ Wahyu Triyanto, "Islamic Perspectives on Cybersecurity and Data Privacy: Legal and Ethical Implications," *West Science Law and Human Rights* 1, no. 04 (2023): 215, <https://doi.org/10.58812/wslhr.v1i04.323>.

⁶⁵ Muhammad Hishnul Islam et al., "A Positive Law and Maqāṣid al-Syarī'ah Perspective," 224.

⁶⁶ Adrisyah Siregar, "Analisis Literatur Berdasarkan Tujuan Hifz al-'Aql dalam Era Digitalisasi," *Socio Religia* 3, no. 2 (2024): 3, <https://doi.org/10.24042/sr.v3i2.25552>.

⁶⁷ Bambang Sugeng Ariadi Subagyo, "Enhancing Consumer Dispute Literacy and the Complaint System of the National Consumer Protection Agency in Indonesia," *JAMSI: Jurnal Administrasi dan Manajemen Sumber Daya Insani* 4, no. 1 (2025): 14, <https://doi.org/10.58794/jamsi.v4i1.2366>.

⁶⁸ Mazidah Mahmud et al., "Integration of Maqāṣid al-Syarī'ah in the Design of Hybrid Islamic Finance Instruments," *Journal of Islamic Science (JIS)* 3, no. 1 (2025): 9, <https://doi.org/10.15575/jis.v3i1.48280>.

risk profile of online game account transactions. The absence of such preventive advocacy by the UPT constitutes, in Maqashid terms, an institutional failure to apply *sadd al-dhara'i* a failure that is directly complicit in the perpetuation of consumer harm.⁶⁹

Complementing *sadd al-dhara'i* is the principle of *maslahah mursalah* unrestricted public interest which functions as the affirmative counterpart to the preventive orientation of *sadd al-dhara'i*. *Maslahah mursalah* authorizes institutional actors to adopt measures that serve the public good even in the absence of an explicit Quranic or Sunnah text mandating those specific measures, provided that the measures are consistent with the general spirit and objectives of Sharia.⁷⁰ The establishment of a dedicated digital consumer division within the UPT, the adoption of electronic complaint-intake mechanisms, the training of UPT officers in digital forensics, and the development of a structured five-stage advocacy model none of these measures are explicitly mandated by any existing statutory provision are all justifiable under *maslahah mursalah* as measures that serve the demonstrable public interest in protecting digital consumers from harm. The Islamic jurisprudential tradition thus not only permits but actively endorses institutional innovation in the service of consumer protection, providing a normative mandate for the institutional transformation proposed by this study.⁷¹

The principle of *'adl* justice which permeates the entirety of the Maqashid framework, furnishes a further evaluative standard for assessing the UPT's advocacy role. Justice in Islamic jurisprudence requires not only the formal equality of parties before the law but the substantive equalization of power disparities that prevent weaker parties from realizing their rights in practice.⁷² In the context of online game account sabotage, the power disparity between consumers and the sellers or platform operators who perpetuate account sabotage is profound: sellers control the credential-recovery mechanisms through which accounts can be reclaimed; platform operators exercise exclusive authority over account access and dispute resolution; and consumers lack the technical knowledge, institutional access, and evidentiary capacity to assert their rights through unaided individual action. The UPT, by positioning itself as an institutional advocate for consumers in this structurally unequal environment, gives concrete institutional expression to the Sharia's demand for substantive justice not merely declaring consumer rights but actively enabling their realization.⁷³

The integration of Maqashid Sharia into the normative framework of digital consumer protection also yields important implications for regulatory reform. Islamic legal methodology recognizes that where existing positive law fails to provide adequate protection for the fundamental human interests identified by Maqashid as is demonstrably the case in the context of digital game account transactions under current Indonesian law there is not merely a policy preference but a normative imperative for regulatory development.⁷⁴ A government regulation or ministerial decree that explicitly recognizes the legal status of virtual digital assets, establishes clear evidentiary

⁶⁹ Nilfatri, "Implementation of Law Number 8 of 1999 on Consumer Protection," 8.

⁷⁰ Dwi Edi Wibowo, "Consumer Protection in the Digital Era," 9.

⁷¹ Nurul Azim Mohd Puad, "Maqasid Shariah and Consumer Protection in E-Commerce: Strengthening Legal Safeguards in Indonesia's Digital Economy," *International Journal of Islamic Economics and Finance Research* 8, no. 2 (2025): 8, <https://doi.org/10.53840/ijiefer222>.

⁷² Herman, "Perlindungan Konsumen Online dalam Perspektif Maqāṣid al-Syarī'ah," 11.

⁷³ Rohaini et al., "Reforming Online Dispute Resolution (ODR) in Indonesian Consumer Law," *CEPALO: Jurnal Ilmu Hukum* 9, no. 1 (2025): 9, <https://doi.org/10.25041/cepalo.v9n1.3335>.

⁷⁴ Mazidah Mahmud et al., "Integration of Maqāṣid al-Syarī'ah in the Design of Hybrid Islamic Finance Instruments," 12.

standards for digital sabotage cases, and mandates digital-specific consumer advocacy procedures within UPT offices would, from a Maqashid perspective, fulfill the Islamic state's obligation to protect the five fundamental human interests in a manner responsive to the realities of the digital era.⁷⁵ This Maqashid imperative aligns precisely with the positive law recommendation advanced in the first discussion chapter, creating a convergent prescriptive conclusion from two analytically independent normative systems: the comprehensive reform of Indonesia's digital consumer protection framework is not only legally prudent but morally obligatory.⁷⁶

4. Conclusion

This study demonstrates that advocacy-based consumer protection for victims of online game account sabotage in Malang City is both normatively grounded and institutionally urgent, as established through the convergent analytical lenses of positive law and Maqashid Sharia. From the positive law perspective, the existing framework principally Law Number 8 of 1999 concerning Consumer Protection and Law Number 1 of 2024 concerning Electronic Information and Transactions provides a sufficient normative basis for UPT Perlindungan Konsumen Malang to assert an active and structured advocacy role on behalf of digital consumers. However, the empirical findings of this study confirm that this normative sufficiency has not translated into operational reality: the UPT has not, to date, provided any specific advocacy for victims of online game account sabotage, leaving consumers institutionally unprotected in a rapidly expanding and legally underregulated domain of digital commerce. From the Maqashid Sharia perspective, the sabotage of online game accounts constitutes a simultaneous violation of *hifz al-mal*, *hifz al-nafs*, and *hifz al-'aql* the three most directly implicated objectives of Islamic law in the digital consumer context. The principles of *sadd al-dhara'i*, *maslahah mursalah*, and *'adl* collectively mandate not only reactive institutional advocacy but proactive preventive engagement, consumer digital literacy promotion, and regulatory reform. The convergence of these two normative frameworks yields a single, coherent prescription: the UPT must be transformed from a passive complaint-reception body into an active digital consumer advocate, supported by a dedicated digital division, structured complaint procedures, and specific regulatory instruments governing digital asset transactions. Achieving this transformation is not merely a governance preference it is a legal and moral imperative.

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⁷⁵ Elan Jaelani et al., "Maqāṣid al-Syarī'ah in Contemporary Legal Systems," 9.

⁷⁶ Nilfatri, "Implementation of Law Number 8 of 1999 on Consumer Protection," 11.

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