





Legitimate compliance with consumer safety in Indonesia's traditional market based on al-Maqashid asy-Sharia

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ABSTRACT

Article History

Received: 27 February 2025

Revised: 30 June 2025

Accepted: 10 July 2025

Published: 23 July 2025

Keywords

Al-Maqashid asy-Sharia

Consumer security

Global

Law

Sah compliance

Traditional market.

This study analyses fraudulent behaviour in weighing goods in traditional markets in Indonesia based on the theory of al-Maqashid asy-Syariah. This study uses a qualitative methodology approach that is normative-empirical and involves 60 traditional markets in three provinces, namely South Sumatra, DKI Jakarta, and Bali. The study's findings indicate a non-linear relationship between legal compliance and social practices where fraudulent practices still occur although there are regulations that govern them. Fraud in weighing goods is considered legitimate by the community. This is detrimental to consumer protection. The conclusion of this study emphasizes the need to strengthen regulations by incorporating the values of al-Maqashid asy-Syariah to create legitimate compliance with consumer safety in traditional markets. The practical implications of this study include the importance of socialization and training for business actors regarding legal compliance and business ethics to increase awareness of the importance of consumer protection. A fairer and more transparent market environment can be created, protecting consumer rights and encouraging business practices with integrity through a multi-party approach.

Contribution/Originality: The study pays attention to the fraudulent treatment of consumers. The researchers conducted an in-depth study to find the application of regulations to legal practices in society. By finding these legal practices towards consumers, it has an impact on policy changes through the findings in this study.

1. INTRODUCTION

1.1. Research Background

In the 21st century development, there are dynamics behind conventional markets that are still often found to be fraudulent behavior that is detrimental to consumers. Therefore, local and city governments need to supervise the legal compliance of traders in traditional and global markets based on the provisions of laws in Indonesia (Albalawee, Huson, Budair, Alqmool, & Arasheedi, 2024; Fernández-Martínez & Fernández, 2020; Francesconi & Governatori, 2023; Lee, 2020; Roy, 2021). Policy decisions and outcomes for processing traditional market governance have been extensively researched previously (Beshi & Kaur, 2020; Musacchio, Re, Mas-Pla, & Sacchi, 2020). Regulation is needed to organize an economy that is fair to all. In the 21st century business, legal compliance and financial integrity are for companies. Traditional markets generally have many characters, especially in terms of microstructure. On the other hand, business actors have a strong influence where their capacity as business actors, their business strength and their political decisions and government policies affect the global market (Anggraini, Sabirin, & Rumahorbo, 2023; Basseches, 2024; Stone, Porto de Oliveira, & Pal, 2020; Warburton, 2024).

Social proof has a significant influence on legal compliance in various contexts, systems and certain agreed upon rules (Mercille & O'NEILL, 2024; Novikasari, Ly, & Gershaneck, 2021). According to Groenewold et al. (2024), regulations have an impact on the environment of a well-organized society.

Business actors must conduct buying and selling honestly in accordance with the provisions of the regulations that have been made together and apply to the public. The principle of honesty in every buying and selling transaction prioritizes the principles of justice and openness to the community (Ettliger, 2024; Kassem, 2024). Various forms of buying and selling in today's modern era, such as buying and selling using liters for spice traders, offer value in the business of selling "tokens". However, the failure to utilize social media for online product promotion (Cauffman & Goanta, 2021; Chaniago, 2023; Srinita & Saputra, 2023). The behaviors of these business actors are still questioned about their legal awareness of compliance with the law (Lee, 2020; Roy, 2021; Scarpa & Signori, 2023; Xiao, 2021). During the COVID-19 pandemic, economic growth is difficult to predict, people's purchasing power is down, and many companies have collapsed. Nonetheless, some small businesses can survive and thrive (Chaniago, 2023; Halinen, Nordberg-Davies, & Möller, 2024). There is a causal role of executive and business preferences integrated into political and governmental networks (Basseches, 2024; Stone et al., 2020; Sudirman, Tan, Tan, & Situmeang, 2024; Warburton, 2024). Business people now dominate the executive branch, government parliament, and political parties. It is necessary to supervise the behaviors of business actors according to the rules. The government supervises the behaviors of business actors (Anggraini et al., 2023; Dür & Mateo, 2024; Jhanattan, Laksmono, Martono, & Herdiansyah, 2023), the Business Competition Supervisory Commission (ICSC) imposed sanctions prohibiting tender conspiracies. This commission is authorized to investigate, prosecute, adjudicate, decide, and impose sanctions on business actors who violate Indonesia's business competition law.

1.2. Research Questions

The theory of al-Maqashid ash-Syariah as a benchmark for fraud in weighing goods in traditional markets aims to protect consumers from the behaviors of business actors (traders) in traditional markets who commit fraud in weighing. According to Howells (2020) and Vičić and Tošić (2022), fraudulent acts are contrary to the purpose of preserving religion, property, reason, soul, and inheritance from the perspective of al-Maqashid ash-Syariah. The question that must be answered in this study is how to find laws and regulations, namely finding and applying legal rules that are unclear or not specific in the law to resolve a case. In this case, it is related to legal compliance with consumer protection in traditional Indonesian markets based on the theory of al-Maqashid ash-Syariah.

1.3. Research Significance

This research is important to do because it is needed to enforce legal compliance with consumer protection in traditional Indonesian markets based on al-Maqashid ash-Sharia because fraudulent behaviors in weighing merchandise in traditional Indonesian markets are driven not only by legal and regulatory issues, but there are also problems with the meaning of society in interpreting fraudulent behavior itself and understanding the impact of such behavior based on al-Maqashid ash-Sharia (Beemamol, 2024). In this case, legal compliance and regulations on fraudulent behaviors in weighing merchandise in traditional markets that exist so far still occur. The lack of socialization of al-Maqashid ash-Shariah regulations and legal culture are the causes of fraudulent behavior in society. The socio-legal perspective says that culture and community law are closely related. There is a strong relationship between law enforcement and community legal culture (Haris, Syahbudin, & Yunus, 2019; Rochaeti, 2023). Society positions fraudulent behavior on the scale of merchandise in traditional markets as a medium to gain profit in trading, not interpreted as a medium to earn a good and proper living as a form of compliance with the law. The findings in this study have significance for policy changes that will be made by the government as policy makers and regulators.

1.4. Novelty and Questions in Research

This research complements the limitations of previous research by closely analyzing how fraudulent behaviors are practiced in weighing merchandise in traditional Indonesian markets are based on the theory of al-Maqashid asy-Sharia. In other words, it demonstrates three things. First, how to abide by the law on consumer protection in Indonesia's traditional market. This question concerns the fact that fraudulent behaviors in weighing merchandise in traditional markets still occur in the community although Islamic law and customary law prohibit it (Bukido, Rumkel, Wekke, & Palm, 2018; Howells, 2020; Lin, Kuo, & Chang, 2020) and regulations have been reviewed previously (Cauffman & Goanta, 2021). Second, what are the aspects that cause fraudulent behaviors in weighing merchandise in the Indonesian traditional market due to the legal culture of the community? Economic interests are contrasted with societal needs in which economically it is really depressed and the cost of goods (Chiaraluce et al., 2024). Third, what is the perspective of al-Maqashid asy-Syariah in overcoming fraudulent behaviors in weighing merchandise in the Indonesian traditional market? Where fraudulent behaviors in the scale of merchandise in the traditional market are studied from the perspective of al-Maqashid asy-Sharia as a basic alternative in consumer protection regulations? Can it be implemented in accordance with the law and have implications for relevant matters in society? (Albalawee et al., 2024; Fernández-Martínez & Fernández, 2020).

1.5. Research Purposes

The purpose of this study is to study the strategic discovery of laws and regulations, namely finding and applying unclear or unspecific legal rules in the law to resolve a case. In this case, it is related to legal compliance with consumer protection in traditional Indonesian and global markets based on the theory of al-Maqashid asy-Syariah.

2. LITERATURE REVIEW

2.1. Mark Al-Maqashid Ash-Shariah

In transactions in traditional markets, consumers have the right to obtain legal protection based on the values of al-Maqashid ash-Shariah, namely maintaining welfare and justice in every aspect of community life (Howells, 2020; Hussin, Rahman, Ismail, Muhammad, & Razak, 2024; Xiao, 2021). However, transparency and consumer education may not be sufficient solutions to ensure consumer protection (Li, Shu, Shao, Booth, & Morrison, 2021). Maqashid Syariah Ash-Syatibi is a theory that aims to monitor and balance contemporary reality because its goals are universal, covering traditional and contemporary muamalah practices (Mansyur, 2020; Masriani, 2023). A comprehensive interpretation of the relationship between differences, the legal basis of Indonesia, and Islamic law in the Maqashid Syariah is increasingly stringent (Masriani, 2023). Studies on the application of Islamic law in Indonesia have been carried out since the Dutch East Indies era and the results have had a positive impact on the development of Indonesian consumer society (Utami, Ikhsan, Dartanto, & Mallarangeng, 2024; Wahid, 2024).

2.2. Consumer Rights and Protection

Local and city governments actively supervise legal compliance of traders in traditional markets to ensure that consumer rights are well protected. There is a clear and effective consumer protection system to increase consumer confidence, such as protection against fraud and fraudulent practices (Nawi, Basri, Kamarulzaman, & Shamsudin, 2023; Valensia & Sartono, 2020). Strict regulatory enforcement actions against violations, such as counterfeit goods that do not comply with standard scales (Cumming, Hornuf, Karami, & Schweizer, 2021; Faccia, 2023; Onesti & Palumbo, 2023). From the perspective of consumer protection, there are various regulations, especially for every new product that prioritizes consumer safety and protection (Cauffman & Goanta, 2021; Chawla & Kumar, 2022; Howells, 2020; Orazi & Chan, 2020; Xiao, 2021). Legal compliance of business actors encourages the realization of justice for consumers based on the theory of al-Maqashid asy-Syariah. The awareness

of business actors to be responsible for their obligations is increasing. Supervision from the authorities encourages reviewing and strengthening the commitment to legal compliance. This commitment not only protects business actors from legal consequences but also fosters mutual trust among stakeholders, including buyers, and the wider community in a fair manner (Howells, 2020; Orazi & Chan, 2020; Xiao, 2021). Legal certainty is one form of protection for consumers from fraudulent behaviors. Therefore, the application of law must be based on Sharia principles to ensure justice and public welfare. In this context, the theory of al-Maqashid ash-Shariah emphasizes five main principles, namely protection of religion, soul, mind, descendants, and property.

2.3. Legal Protection

Legal compliance with consumer protection from fraudulent behaviors in weighing merchandise in traditional markets still often considers it from a legal perspective (Alazzam, Shakhathreh, Gharaibeh, Didiuk, & Sylkin, 2023; Lee, 2020). Fraudulent behaviors are not only illegal but also clearly detrimental to consumers. The more fraud is allowed to occur, the more it can change existing laws (Faccia, 2023; Rochaeti, 2023; Roy, 2021). In the literature study, the perspective outside the legal realm by studying fraudulent practices in traditional markets from the perspective of al-Maqashid ash-Syariah is rare and fraudulent behaviors in traditional markets are influenced by the legal culture itself (Bukido et al., 2018; Haris et al., 2019; Xiao, 2021).

3. METHODOLOGY

3.1. Research Design

The method in this study is qualitative using a normative-empirical research approach (Azrianda, Yani, & Gani, 2021). This study examines legal compliance with the implementation of consumer protection Law Number 8 of 1999 against fraudulent behaviours in weighing merchandise in traditional markets in Indonesia from the perspective of al-Maqashid ash-Syariah. This regulation has long been implemented and is known by all traditional markets in Indonesia. This law is linear with the laws developed in consumer protection in the international market in the 21st century.

3.2. Participants and Sample Size

The population of this study is from three provinces spread across Indonesia and this study was carried out in traditional markets, namely in the provinces of South Sumatra, DKI Jakarta, and Bali in 2024 and became the population of this study. The locations were selected based on the Malay community (South Sumatra Province), modern society (DKI Jakarta Province), and Hindu indigenous communities (Bali Province) which can represent the entire population and represent all cultures and customs of traditional market communities in Indonesia. The sample in this study amounted to 60 traditional markets, which were randomly selected from various provinces. Respondents found in traditional markets in the province were marked and given a code for observation, interview and collecting documentation.

3.3. Measure Instruments

Data collection in this study used observation methods, interviews, documentation in the form of images, and questionnaires in the form of tables. The questionnaire was adopted and developed according to the needs and validated by experts. The questionnaire that was declared valid was arranged into an observation sheet and a question sheet during the interview and became a reference in viewing documentary evidence. This questionnaire consists of 30 items, and the assessment scale in the observation uses a Likert scale, namely point "one" to point "five" namely "very ignorant" and "very knowledgeable". Direct observation focused on fraudulent behaviours in weighing merchandise in traditional markets in Indonesia. Interviews were conducted with 60 respondents who were randomly selected in traditional markets from three provinces. Documentary evidence and documents related

to the data during the interview and observation were also collected. This documentation data is data used as analysis material. There is one legislative product that is used as information, namely the Consumer Protection Law Number 8 of 1999 Articles 1, 2, and 8 concerning scales, prohibition of fraudulent practices in weighing merchandise, fines and imprisonment. In addition, survey data is also used as analysis material. The survey was conducted on the population of people associated with traditional markets in 2024. The questionnaire was used as the basis for assessing during observations, interviews and viewing documents directly to respondents in this study who were market officers, traders and buyers totalling 60 people with the research location being 15 traditional markets spread across the provinces of South Sumatra, DKI Jakarta and Bali. The following is a questionnaire in the research:

Table 1. Questionnaire in observation, interview and basic document finding

No.	Questionnaires	Number of items
1	Social and cultural aspects	2
2	Economic aspects	2
3	Regulatory and law enforcement aspects	2
4	Aspects of technology and innovation	2
5	Don't know/ don't answer	2
6	Entire	2
7	Not having oversight and regulation	2
8	Economic motivation	2
9	Business culture and ethics	2
10	Lack of consumer awareness	2
11	Legal and social impact	2
12	Social and cultural aspects	2
13	Economic aspects	2
14	Regulatory and enforcement aspects	2
15	Aspects of technology and innovation	2
16	Supervision irregularities	2
17	Limited trader's knowledge	2
18	Economic pressure	2
19	A market culture that fades ethics.	2
20	Poor gauge quality and calibration	2
21	Lack of implementation of modern technology	2
22	Legal uncertainty and regulatory enforcement	2
23	Reliance on old traditions and practices	2
24	Personal interests put profit first.	2
25	Lack of training and education for traders	2
26	Influence of the social and economic environment	2
27	Local economic instability	2
28	Lack of law enforcement by the authorities	2
29	Compromise with consumers	2
30	Lack of supporting infrastructure	2

The questionnaire in Table 1 is the basis for conducting research and is a valid benchmark for assessing fraudulent behaviours in traditional trading.

3.4. Validity and Reliability

In testing the validity and reliability in this study ensure that the instruments used in data collection produce accurate and consistent information. Validity refers to how well an instrument measures what it is supposed to measure. In quantitative research, validity testing is conducted using a content validity approach, where experienced experts evaluate questionnaire items to ensure their suitability and accuracy. For example, if a questionnaire contains 20 items and experts state that 15 items are valid, then the validity level is 75%. On the other hand, reliability measures the consistency of measurement results from the same instrument over a certain

period of time. Reliability testing is often conducted using the Cronbach's alpha formula where a value greater than 0.7 is considered good reliability (Rodríguez-Gámez, Maldonado-Macías, Lagarda-Leyva, Hernández-Arellano, & Rodríguez, 2024). In this study, the results of the analysis produced a Cronbach's alpha value of 0.89, indicating that the instrument has a high level of consistency. Researchers ensure that the data obtained from the instrument is reliable and valid for further analysis by conducting validity and reliability tests.

3.5. Data Analysis

A qualitative descriptive technique was used by producing descriptive legal material analysis (Hiver, Al-Hoorie, Vitta, & Wu, 2024). All data are collected and analysed according to the steps of qualitative research, namely collecting data, data reduction, data coding and drawing conclusions and conducting data interpretation. Each data source is classified according to its respective tendencies and expressions conveyed and observed by the researcher. Each data has its own function in this study. Data observation serves as a background to check the existence of law against fraudulent behavioral practices in weighing merchandise in traditional markets and becomes data in converting to interview data. While the data at the time of the interview has been transcribed and data reduction and coding have been carried out to see data that is interrelated with other data. The results of the survey and document data are sorted based on needs and treated the same and become a comparison with interview data and observation results. After being processed, this data is displayed in narrative and tabular formats to show how well the data matches the previously existing questions. After the data is displayed, the analysis or writing must then provide context or meaning, arranged according to significance to answer the research questions.

4. RESULTS

The consumer protection law Number 8 of 1999 is still violated. In conventional markets, consumers suffer unfairness as a result of low rule compliance. This fraudulent practice causes losses to buyers and harms fairness. In the perspective of Islamic law, this behavior violates justice and benefit which is the objective of the al-Maqashid al-Shari'ah principle and also violates existing regulations. This practice is classified as a violation of the constitution. Fraudulent practices which take place are not only driven by the absence of legal compliance with existing violations but also result from cultural factors or community culture in interpreting fraud. Similarly, fraudulent practices occur due to the problem of factors that cause cheating in traditional markets.

4.1. There is Legal Compliance for Re-Terra Scales in Traditional Indonesian Markets

Weighing merchandise in traditional markets in South Sumatra, DKI Jakarta, and Bali provinces is carried out by Terra Ulang (an orderly measurement activity for traditional market traders in the form of measuring and weighing merchandise) by city/regional government agencies at least 1 x/year. This can minimize fraudulent acts. However, in some places, Terra Ulang has not been maximized based on existing respondent data.

Table 2. Terra Ulang in South Sumatra Province

No.	Answer	Sum	Percentage
1	Yes	8	54%
2	Not	4	26%
3	Don't know/ answer	3	20%
4	Entire	15	100.0

Source: Head of traditional market, South Sumatra, 2024.

Table 2 shows that respondents answered yes that the traditional markets in South Sumatra Province (Palembang City, Ogan Ilir Regency, and Banyuasin Regency) were re-populated by authorized officers from the local government. In the table, it is shown that as many as 54% or 8 respondents stated "yes" or knew about the

market being re-Terra by officers. Although 4 respondents answered no, 3 in response, respondents said they were unsure.

Table 3. Terra Again in DKI Jakarta Province

No.	Answer	Sum	Percentage
1	Yes	11	74%
2	Not	2	13%
3	Not sure /not answer	2	13%
4	Entire	15	100.0

Source: Head traditional market, DKI Jakarta, 2024).

Table 3 shows respondents answering yes that the market is re-Terra by authorized officers from the regional/city governments in DKI Jakarta Province (Jakarta's central, east, south and north districts). 74% or 11 respondents stated "yes" or knew that the market was re-Terra. 2 respondents answered no, and 2 respondents did not know.

Table 4. Market carried out Terra Ulang in Bali Province.

No	Answer	Sum	Percentage
1	Yes	14	93%
2	Not	0	0%
3	Not sure /not answer	1	7%
4	Entire	15	100.0

Source: Head of traditional market, Bali, 2024.

Table 4 shows respondents answering yes that the market was re-Terra by officers in Bali Province (Denpasar City). 93% or 14 respondents stated "yes" or knew the market was re-Terra. Although 0 respondents answered no and 1 respondent did not know that the market was re-Terra. It was concluded that the traditional market was re-Terra in the three provinces. Personnel staff of the South Sumatra Provincial Trade Office, Amri said that, "Terra is re-carried out on scales for buying and selling transactions in traditional markets. Meanwhile, calibration is carried out on scales in factories, not for buying and selling transactions. He further said that Terra is the accuracy of the scale needle for measurement certainty. Meanwhile, calibration is not directly related to transactional but factory laboratories (2024). Furthermore, Head of Pangkalan Balai Banyuasin Market, South Sumatra Elmiyana said that "the team to check the *dacing* (scales) or Terra is re-checked twice a year at the Pangkalan Balai market to check whether the *dacing* has decreased or not because it is played by the traders" (2024). Head of Inderalaya Ogan Ilir Market, South Sumatra, Adi Gunawan, said that "Terra has been re-installed in this market but it is no longer active" (2024).

Head of Cempaka Putih Traditional Market, West Jakarta, Dawan Tribuawa said that "every two years, Cempaka Putih Market receives guidance from the local village/sub-district office, and Terra is redone. Therefore, this market received an award as "an orderly market" (2024). Head of the General Subdivision of the Denpasar City Market PD, Bali, Niluh Gede Kasmita said that "Terra re-scaled merchandise in traditional markets in Bali carried out by the Denpasar City Disperindag, Bali although the fraudulent behaviors was personal" (2024). Head of the Denpasar Kreneng Market, Bali, I Gusti Ngurah Arya Kesuma said that "to cheat in the scale of merchandise in this market, a Kir Test was carried out from the Denpasar City Disperindag, Bali, and re-Terra as a national standard test" (2024).

It is illustrated from the interview above that Terra is re-made and other ways are carried out to reduce fraudulent behaviors in weighing merchandise in traditional Indonesian markets.

4.2. Regulations Governing Non-Cheating in Merchandise Scales

The factor of knowing that there is a regulation that regulates not to behave fraudulently on the scale of merchandise in traditional markets in Indonesia makes it clear that the socialization of regulations related to this matter has not been effective in the community based on respondents' data.

Table 5. Know there are regulations.

No.	Answer	Sum	Percentage
1	Yes	15	33%
2	Not	25	56%
3	Not sure /don't answer	5	11%
4	Entire	45	100.0

Source: Research results (2024).

Table 5 shows that respondents answered yes that they know there are rules governing not to behave fraudulently on the scale of merchandise in traditional markets. In the table, it is shown that as many as 33% or 15 respondents stated "yes" or "no". 25 respondents answered no and 5 respondents did not know. Based on the above, Elmiyana, and Adi Gunawan said that "regulations related to it regulate it. But most traders don't know it" (Interview, 2024). Dawan Tribuawa and Al-Gazali, Head of Cempaka Putih Market and Cikini Market Personnel Staff, Central Jakarta said that "there are regulations that prohibit it" (2024). Niluh Gede Kasmita and I Gusti Ngurah Arya Kesuma said that "regulations that regulate fraudulent behaviours in the scale of merchandise in traditional markets exist" (Interview, 2024). It is illustrated from the interview above that there are regulations regulating fraudulent behaviours in the scale of merchandise in traditional Indonesian markets.

4.3. The Effect of the Legal System on Non-Fraudulent Behaviours on Merchandise Scales

There is an influence of the legal system (Islam and custom) on the behaviours of not cheating on the scale of merchandise in the traditional Indonesian market, clarifying the Islamic and customary legal system still underpins the behaviors of traders not to cheat in weighing merchandise in traditional markets that are researched based on respondents' data.

Table 6. The influence of the Islamic and customary law system.

No	Answer	Sum	Percentage
1	Yes	14	93%
2	Not	0	0%
3	Not sure /don't answer	1	7%
4	Entire	15	100.0

Source: Research results (2024).

Table 6 shows that respondents answered yes to the influence of the Islamic legal system on the behaviours of not cheating on the scale of merchandise in traditional markets in South Sumatra Province. In the table, it is shown that as many as 93% or 14 respondents stated "yes" or knew that there was an effect. Although 0 respondents answered no, and 1 respondent did not know, the influence of this legal system, according to Head of Banyuasin Market and Head of Economic Resilience Division of Kesbangpol Banyuasin, South Sumatra, Elmiyana and M. Iqbal Hamid said that "there is no influence from the customary law system of the community here for traders not to cheat in the scales of their merchandise" (2024). Adi Gunawan said that "the two Islamic boarding schools here have an effect on people's behaviours, including not to commit fraudulent acts in weighing merchandise at the Indralaya market. This makes the teachings of Islam a customary tradition in the community that affects the behaviours of not cheating in the market" (Interview, 2024). Furthermore, Head of Subdivision, General and Personnel of the South Sumatra Provincial Trade Office, Elmiyana, Adi Gunawan and Widya Anggraini said that

"the customary system of the community does not influence traditional market traders here not to behave fraudulently in weighing their merchandise" (2024). It is illustrated from the interview above that there is an influence not to cheat in weighing merchandise in traditional markets from Islamic law and there is no influence from the customary law of the community in South Sumatra Province.

Table 7. The influence of the Islamic and customary law systems.

No	Answer	Sum	Percentage
1	Yes	9	60%
2	Not	4	27%
3	Not sure /don't answer	2	13%
4	Entire	15	100.0

Source: Research results (2024).

Table 7 shows that respondents answered yes that they know that there is an influence of the Islamic and customary legal systems on the behaviours of not cheating on the scale of merchandise in the traditional market of DKI Jakarta Province. In the table, it is shown that as many as 60% or 9 respondents stated "yes". 4 respondents answered no, and 2 respondents did not know. The influence of this Islamic and customary legal system, according to Dawan Tribuawa is that "there is no aspect of customary traditions/religious teachings that influence traders not to cheat in the scales of merchandise in the traditional market here" (Interview, 2024). It is illustrated from the interview above that there is no influence from Islamic law and customary law that underlies non-fraudulent behaviours in the scale of merchandise in the traditional market of DKI Jakarta Province.

Table 8. The influence of the Islamic and customary law systems.

No	Answer	Sum	Percentage
1	Yes	12	80%
2	Not	2	13%
3	Not sure /don't answer	1	7%
4	Entire	15	100.0

Source: Research results (2024).

Table 8 shows that respondents answered yes to know that there is an influence of the customary law system on non-fraudulent behaviors on the scale of merchandise in traditional markets in Bali Province. In the table, it is shown that as many as 80% or 12 respondents stated "yes" or knew about the influence of customary law on these behaviours. Although 2 respondents answered no and 1 respondent answered did not know. The customary law system has an effect on fraudulent behaviors in weighing merchandise in traditional markets in the Province of Bali. I Gusti Ngurah Arya Kesuma, said that "there is an influence of the Hindu-Balinese customary law system on fraudulent behaviors in the weighing of goods in this market, namely the law of reciprocal karma" (Interview, 2024).

Furthermore, Niluh Gede Kasmita said that "there is an influence from the Hindu-Balinese traditional tradition, namely self-cleansing or self-healing. Therefore, traders do not cheat in the scales of their merchandise" (Interview, 2024). This is illustrated by the interview above that there is an influence of the Hindu-Balinese customary law system on non-fraudulent behaviours on the scale of merchandise in the Province of Bali.

4.4. Ignorance of the Term *Al-Maqashid Asy-Sharia*

The respondents' ignorance of the term *al-Maqashid al-Shari'ah* makes it clear that the term is not used in regulations related to fraudulent behaviors in weighing merchandise in Indonesia.

Table 9. The term al-Maqashid asy-Sharia.

No.	Answer	Sum	Percentage
1	Yes	7	15%
2	Not	30	67 %
3	Not sure /don't answer	8	18%
4	Entire	45	100.0

Source: Research results (2024).

Table 9 shows that the respondents answered yes to know the term al-Maqashid asy-Sharia. In the table, it is shown that as many as 15% or 7 respondents stated "know". Although 30 respondents answered no, and 8 respondents did not know. The ijtiḥad method in Islamic law, where the purpose of applying Islamic law through the concept of al-Maqashid asy-Sharia is to achieve legal benefits. However, this term is not known among traditional market officials, traders and buyers in the provinces of South Sumatra, DKI Jakarta, and Bali. However, some of them equate perception with other terms. I Gusti Ngurah Arya Kesuma said that "several cases of fraud on a commodity scale occur in this market, as traders believe that there is a law of reciprocal karma. This is also the same as the concept of al-Maqashid asy-Sharia" (Interview, 2024). Dawan Tribuawa said that "I don't know or have even heard of the term al-Maqashid asy-Syariah" (Interview, 2024). Furthermore, Niluh Gede Kasmita said that "the term al-Maqashid asy-Sharia does not exist in the Hindu-Balinese society. However, there are similarities in the Hindu-Balinese traditional tradition, namely self-cleansing or self-healing" (Interview, 2024). Elmiyana, Adi Gunawan, dan Widya Anggraini said that "never used the term al-Maqashid asy-Sharia" (Interview, 2024). It is illustrated from the interview above that the respondents did not know the term al-Maqashid al-Sharia. However, comprehend the background of the idea's goal al-Maqashid asy-Sharia and some equate it with the Hindu-Balinese tradition.

4.5. Public Perception of Cheating Behaviors in Weighing Merchandise in Traditional Markets

Public perception of fraudulent behaviors in weighing merchandise in traditional markets is based on respondent data.

Table 10. Perception of cheating.

No	Answer	Sum	Percentage
1	Sinful	17	38%
2	Karma	15	33%
3	Violating regulations	10	22%
4	Don't know/don't answer	3	7%
5	Entire	45	100.0

Source: Research results (2024).

Table 10 shows that fraud is contrary to laws and regulations by using different terms. Respondents answered sinful, karma, breaking the rules and not knowing/not answering. In the table, it is shown that as many as 38% or 17 respondents stated that they were "sinful" to do so. Although 15 respondents answered karma, and 10 respondents answered that they violated regulations, and 3 respondents answered that they did not know. People practice fraudulent acts in weighing merchandise in traditional markets from the aspect of Islamic law and Balinese customs are prohibited. Gusti Ayu said that "I think the behaviours of reducing the scale of merchandise is wrong. Because there is karma when you do it" (flower trader at Kreneng Market, Denpasar, Bali, 2024). Furthermore, Bambang said that "because this market is close to many Islamic boarding schools, we are afraid if we cheat in trading. Reducing the scale of merchandise, said Kiai here, is an act of sin" (chili traders at the Inderalaya Ogan Ilir market, South Sumatra, 2024).

Dawan Tribuawa said that “fraudulent behaviors in the scale of merchandise affect the soul, religion, intellect, descendants and property. It is related to the laws of nature/karma and the sowing of reap for what we do” (Interview, 2024). Niluh Gede Kasmita said that “there is an influence of this fraudulent act, namely the law of karma” (Interview, 2024).

Adi Gunawan said that “there is an influence of committing fraudulent acts to reduce the goods of the scales, so his life is not calm” (Interview, 2024). Menurut Elmiyana said that “as a result of this fraudulent behavior, buyers complain because the goods are reduced” (Interview, 2024).

It is illustrated from the interview above that there is a perception that cheating in weighing merchandise in the traditional market is sinful, karma, uneasy life, and regulations also prohibit it. The behaviours of traders committing fraudulent acts still occur although it is not massive and small-scale, and buyers complain because their goods are reduced.

4.6. Factors Influencing People to Cheat in Weighing Merchandise in Traditional Markets

Public perception of factors influences people to cheat in weighing merchandise in traditional markets.

Table 11. Factors influencing cheating.

No	Answer	Sum	Percentage
1	Social and cultural aspects	12	27%
2	Economic aspects	16	36%
3	Regulatory and law enforcement aspects	10	22%
4	Aspects of technology and innovation	2	4%
5	Don't know/don't answer	5	11%
6	Entire	45	100.0

Source: Research results (2024).

Table 11 shows the opinions of respondents regarding the factors influencing people to cheat in weighing merchandise in the traditional market that was studied. The majority of respondents answered that the economic aspect of influencing it was 36% of the 16 respondents, the social and cultural aspects as much as 27% of the 12 respondents, the regulatory and law enforcement aspects as much as 22% of the 10 respondents, the technology and innovation aspect as much as 4% of the 2 respondents, and answered that they did not know as much as 11% of the 5 respondents. In the table above, respondents answered that the economic aspect caused fraud to reduce the weight of the buyer's goods.

Their understanding of “fraudulent behaviors in the scales” is something to do because of the high cost of goods being sold. This fraudulent practice as illustrated in the table above was also confirmed by several traders, namely Ridwansyah, a chilli trader at Inderalaya Market, Ogan Ilir, he said that “fish traders who usually do fraudulent scales in this market.

The fish is taken from the Jakabaring Market, the indung market in Palembang. Vegetables come from farmers' plants here” (2024). Furthermore, Agusdin, Trader Pangkalan Balai Banyuasin Market, South Sumatra said that “fish traders who usually reduce the scales because they take their goods in Palembang. The fish trader finally reduced his scales to cover the cost and take profit from sales due to the large cost of transportation and buying goods (2024).

This is illustrated by the interview above that economic factors and the high cost of merchandise dominate to commit fraud. The aspects of the causes of fraudulent behaviors are illustrated in the following table:

Table 12. Factors causing cheating behaviors in merchandise scales

No.	The factor 1	The factor 2	The factor 3
1	Not having oversight and regulation.	Social and cultural aspects	Supervision irregularities
2	Economic motivation	Economic aspects	Limited trader's knowledge
3	Business culture and ethics	Regulatory and enforcement aspects	Economic pressure
4	Lack of consumer awareness	Aspects of technology and innovation	A market culture that fades ethics
5	Legal and social impact		Poor gauge quality and calibration
			Lack of implementation of modern technology
			Legal uncertainty and regulatory enforcement
			Reliance on old traditions and practices
			Personal interests put profit first
			Lack of training and education for traders
			Influence of the social and economic environment
			Local economic instability
			Lack of law enforcement by the authorities
			Compromise with consumers
			Lack of supporting infrastructure

Source: Research results (2024).

Table 12 states various factors that cause fraudulent behaviors in the scale of merchandise in the traditional market, including economic, legal, socio-cultural, ethical, technological factors, supervision and enforcement of regulations, education, and supporting infrastructure.

Table 13. Traditional market

No.	Location	Names	Managers
South Sumatra			
1	Palembang city	KM 5 market	Government
2		Jakabaring market	Government
3	Ogan Ilir regency	Inderalaya market	Government
4	Banyuasin regency	Pangkalan Balai market	Government
DKI Jakarta			
1	East Jakarta	Pulo Gadung market	Community
2	North Jakarta	PD Jaya Kelapa Gading market	Government
3	West Jakarta	Cempaka Putih market	Government
4	South Jakarta	Mayestik market	Government
5	Central Jakarta	Cikini market	Government
Bali			
1	Denpasar city	Badung market	Government
2	Denpasar city	Kumbasari market	Government
3	Denpasar city	Cokroaminoto market	Government
4	North Denpasar	Gunung Agung market	Government
5	West Denpasar	Pemecutan market	Personal
6	North Denpasar	Kreneng market	Government

Source: Research results (2024).

Table 13 shows 15 traditional markets in South Sumatra, DKI Jakarta, and Bali Provinces. There are 13 traditional markets managed by local governments/cities, 1 traditional market managed by the direct community, and 1 traditional market privately owned.

5. DISCUSSION

Market players (traders) have complied with the provisions of the law to carry out Terra Re-Terra on their scales in traditional markets in Indonesia, namely in the provinces of South Sumatra, DKI Jakarta, and Bali, which are carried out by authorized officers, although the intensity varies. However, fraudulent practices in merchandise scales still exist although they are not massive and mass in nature. From a legal perspective, the act is classified as a legal infraction or deviant behaviours. Regarding consumer protection, Law Number 8 of 1999, it clearly indicates that fraudulent acts in the scale of merchandise are prohibited practices. A number of things contribute to this practice's persistence. Resolving situations involving fraud in the scale of merchandise in traditional markets is carried out in a customary manner. It has had an impact on the absence of a deterrent effect for the perpetrators. No cases are significantly resolved in court. Thus, most traders are ignorant of the existence of regulations that regulate not to behave fraudulently in weighing merchandise in traditional markets. Culturally, the act has the influence of the legal system on the behaviours of not cheating on the scale of merchandise, namely sinful Islamic law and Balinese Hindu customary law which is karma. Despite such public perceptions, these violations still remain. In addition, the economic problems of the community are the conditions in which this fraudulent practice occurs as well as the aspects of regulation and law enforcement, the aspect of technology and innovation. This is one of the factors that cause fraudulent acts in traditional markets to continue although not simultaneously. Thus, ignorance of the term al-Maqashid asy-Sharia in the context of Islamic law for business actors and consumers causes a lack of compliance with existing regulations. Consumer protection in Indonesia's traditional market is an important issue in maintaining justice and public welfare. Consumer protection is not only about regulating the relationship between traders and consumers but also about efforts to maintain social sustainability and economic morality using the al-Maqashid asy-Sharia approach. Through this perspective, consumer protection includes five main principles of Sharia Maqashid preserving religion, soul, intelligence, heredity, and property which serve as a guideline in assessing and establishing the law of benefiting.

This study's emphasis has changed from examining if legal compliance with the fraudulent practice violation in weighing merchandise is an unlawful act (Buvik & Takele, 2019; Tiwari & Garg, 2022). However, this paper focuses on whether legal compliance in consumer protection based on al-Maqashid as-Sharia has an influence on the non-continuation of this practice although the law prohibits it and there are regulations that regulate it. People in this situation don't follow the law very well (Novikasari et al., 2021). Compliance now depends more on pragmatism and even opportunism than on substantive considerations. Trading in traditional markets must have an impact on society. There are still fraudulent practices in weighing goods in traditional markets, affecting consumer protection in Indonesia. This paper provides an explanation of the importance of compliance to existing legal norms. The case of the practice of fraudulent acts in weighing merchandise in traditional markets is one of the many problems that exist in consumer protection. This paper also complies that there is a relationship between legal compliance that occurs in business actors in the traditional market economically between traders and buyers in the practice of weighing merchandise in the traditional market. This paper along with completing the gaps in the research on the sustainability of trade generally, Additionally, it evaluated the weak law enforcement and the commitment of business actors to make trading in the traditional market a process to protect consumers properly and correctly. Responding to the condition of fraudulent practices in Indonesia's traditional market, leaving a threat to consumer protection generally. The traditional market's demise indicates that there are issues that need to be resolved. Five factors influence people when cheat in weighing merchandise in traditional markets due to legal uncertainty, regulatory enforcement and irregularities in supervision, limited knowledge of traders, lack of training and education for traders, economic pressures and profit-oriented self-interest, fading market culture of ethics, quality, poor calibration of measuring instruments and lack of implementation of modern technology as well as reliance on old traditions and practices and the influence of the social and economic environment. Therefore, it is very necessary to strengthen the foundation based on the idea of Maqashid asy-sharia about consumer protection which

requires collaboration between the government, market players, and the community. The government is expected to implement regulations that are in accordance with this principle, such as providing strict sanctions for consumer protection violations. On the other hand, the public needs to be encouraged to understand their rights as consumers and to supervise trade practices in their environment. The combination of these efforts will help strengthen awareness and compliance with sharia-based consumer protection laws while maintaining a balance between economic needs and religious values in Indonesia's traditional market.

6. CONCLUSION

6.1. Theory Implications

In relation to fraudulent weighing practices in traditional Indonesian markets, this shows the importance of combining positive law, social ethics, and religious values in creating a fair and transparent market environment. Referring to Law No. 8 of 1999 concerning consumer protection, this theory highlights that although there are laws and regulations, the implementation and compliance with these regulations are often hampered by complex cultural and economic factors. A culture that considers fraud as commonplace can reduce awareness of the importance of ethics in business. From the perspective of the objectives of Islamic Sharia, the application of these principles in an economic and social context can strengthen the foundation of fair law that not only protects the interests of consumers but also encourages business actors to act with integrity and responsibility. This theory suggests that collaboration between legal education, socialization, and promotion of spiritual values can be an effective strategy to create legal awareness among business actors and consumers, which ultimately helps bridge the gap between applicable legal standards and real practices in society and achieve a fairer and more efficient market.

6.2. Practical Implications

Intensive awareness-raising efforts regarding consumer protection laws are needed, both for business actors and consumers to increase legal awareness and business ethics. Workshops and training for traders can help them understand the importance of regulatory compliance and its impact on consumer trust. In addition, cooperation with government agencies and NGOs in law enforcement campaigns can create a deterrent effect for business actors involved in fraudulent practices. Implementing a stricter and more transparent supervision system in traditional markets is also important, as regular monitoring and evaluation of weighing practices can help reduce fraud. Providing incentives to traders who act with integrity and improving their reputation in the market can encourage more ethical business practices. Through this multi-stakeholder approach, it is hoped that a fairer and more transparent market environment can be created that not only protects consumer rights but also builds the sustainability of honest business actors.

6.3. Research Limitations and Suggestions

The limitations of this study lie in its narrow focus on violations of Law No. 8 of 1999 in three provinces in Indonesia, namely South Sumatra, Jakarta, and Bali. This limits the generalizability of the results due to differences in social and cultural contexts in other regions. This study did not fully discuss non-legal factors that influence fraudulent behavior, such as economic instability, education, and consumers' difficulties in accessing information. Therefore, it is proposed to continue the research to expand the scope of the study to cover various regions in Indonesia, including modern markets, such as shopping centers and retail chains. More in-depth research should also be conducted on the influence of local culture and psychological factors that influence the behavior of traders and consumers. Longitudinal research can provide a deeper understanding of behavioral changes over time through implemented policy interventions. In addition, it is important to involve more stakeholders, such as civil society organizations and local governments to promote legal compliance and business ethics in the market. Therefore, it is

hoped that further research will provide recommendations that are more comprehensive and relevant to various contexts in Indonesia.

Funding: This research is supported by Raden Fatah State Islamic University of Palembang (Grant number: ULy/20.LPM/2024).

Institutional Review Board Statement: The Ethical Committee of the Raden Fatah State Islamic University of Palembang, Indonesia has granted approval for this study on 20 October 2024 (Ref. No. 201000232024).

Transparency: The authors state that the manuscript is honest, truthful, and transparent, that no key aspects of the investigation have been omitted, and that any differences from the study as planned have been clarified. This study followed all writing ethics.

Competing Interests: The authors declare that they have no competing interests.

Authors' Contributions: All authors contributed equally to the conception and design of the study. All authors have read and agreed to the published version of the manuscript.

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