

THE LEGAL PROTECTION FOR CONSUMERS IN THE PURCHASE OF BAKERY PRODUCTS BASED ON THE CONCEPT OF *MAQĀṢID SYARI'AH*: A Case Study in Banda Aceh, Indonesia

T. Habibi¹, Mahdalena Nasrun², Zaiyad Zubaidi³

^{1,2,3}Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia

Email: 210102179@student.ar-raniry.ac.id

Abstract

This study was motivated by the rapid development of the *bakery* industry in Banda Aceh, which has not been fully accompanied by the fulfillment of the obligation to provide product information to consumers. Problems arise when *bakery* products still lack important information, such as ingredient composition, expiry date, and a halal label, thereby potentially posing health risks, harming consumers, and contradicting the principles of consumer protection. This study examines the practice of providing *bakery* product information to consumers in Kuta Alam District, Banda Aceh, the forms of consumer protection implemented by business actors, and their conformity with the concept of *maqāṣid al-syari'ah*. This study uses a qualitative method with field *research*. Primary data was obtained through interviews with business actors and bakery employees. In contrast, secondary data was sourced from the Consumer Protection Law, sharia economic law literature, scientific journals, and other written sources relevant to the concept of *maqāṣid al-syari'ah*. The results show that most *bakery* business actors have not met the standards of information transparency and food safety, resulting in information asymmetry between producers and consumers. These practices are not in line with the principles of *maqāṣid al-syari'ah*, particularly in the aspects of *ḥifẓ al-nafs*, *ḥifẓ al-'aql*, and *ḥifẓ al-māl*. This study concludes that consumer protection for *bakery* products in Kuta Alam Subdistrict remains suboptimal, requiring increased awareness among business actors, strengthened government supervision, and the internalisation of Islamic business ethics to realise food safety, honesty, and public welfare.

Keywords: Consumer Protection, Product Purchasing, *Bakery*, *Maqāṣid Syari'ah*

Abstrak

Penelitian ini didorong oleh perkembangan pesat industri *roti* di Banda Aceh, yang belum sepenuhnya diiringi dengan pemenuhan kewajiban penyediaan informasi produk kepada konsumen. Masalah timbul ketika produk *roti* masih ditemukan tanpa informasi penting, seperti komposisi bahan, tanggal kadaluwarsa, dan label halal, sehingga berpotensi menimbulkan risiko kesehatan, merugikan konsumen, dan bertentangan dengan prinsip perlindungan konsumen. Penelitian ini mengkaji praktik penyediaan informasi produk roti kepada konsumen di Kecamatan Kuta Alam, Banda Aceh, bentuk-bentuk perlindungan konsumen yang diterapkan oleh pelaku usaha, serta kesesuaiannya dengan konsep *maqāṣid al-syarī'ah*. Penelitian ini menggunakan metode kualitatif dengan penelitian lapangan. Data primer diperoleh melalui wawancara dengan pelaku usaha dan karyawan toko roti, sementara data sekunder bersumber dari Undang-Undang Perlindungan Konsumen, literatur hukum ekonomi syariah, jurnal ilmiah, dan sumber tertulis lain yang relevan dengan konsep *maqāṣid al-syarī'ah*. Hasil menunjukkan bahwa sebagian besar pelaku usaha *toko roti* belum memenuhi standar transparansi informasi dan keamanan pangan, sehingga terjadi ketidakseimbangan informasi antara produsen dan konsumen. Praktik-praktik ini tidak sejalan dengan prinsip-prinsip *maqāṣid al-syarī'ah*, khususnya dalam aspek *ḥifẓ al-naḥs*, *ḥifẓ al-'aql*, dan *ḥifẓ al-māl*. Studi ini menyimpulkan bahwa perlindungan konsumen untuk produk *roti* di Kecamatan Kuta Alam masih belum optimal, sehingga memerlukan peningkatan kesadaran di kalangan pelaku usaha, penguatan pengawasan pemerintah, dan internalisasi etika bisnis Islam guna mewujudkan keamanan pangan, kejujuran, dan kesejahteraan masyarakat.

Kata Kunci: Perlindungan Konsumen, Pembelian Produk, *Roti*, *Maqāṣid Syari'ah*

INTRODUCTION

The food industry in Indonesia is experiencing increasingly competitive dynamics, especially amid the diversification of food products by food business actors. Fierce competition requires producers to continue innovating by offering products that are not only delicious and nutritious but also safe and aligned with consumer needs. In this context, food business operators are required to understand the increasingly critical market demands for product quality, safety, and transparency of information. Therefore, business

operators' ability to ensure product quality is essential to maintaining their existence and consumer trust.¹

Food businesses must understand the importance of legal compliance as a foundation for conducting production and distribution activities. This legality is not only about business licensing but also about food safety standards that must be met to ensure products are truly fit for consumption. Compliance with these regulations includes meeting technical production requirements, product labelling, and halal certification, which assures consumers, especially the Muslim community, which constitutes the majority of Indonesia's population.²

Business operators' compliance with food safety standards is directly relevant to the concept of *maqasid syari'ah*. From a Sharia perspective, every economic activity must be directed towards the welfare of humanity, including consumption. The principles of *maqasid syari'ah*, which include protection of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage (*hifz al-nasl*), and wealth (*hifz al-mal*), form the normative basis for the creation of safe, halal, and high-quality food products.³

Maqasid syari'ah places significant emphasis on the principles of fairness and transparency of information. Clear information about products, including composition, quality, and expiry dates, is part of protecting consumers' intellectual and property rights. Thus, a lack of transparency in product labelling can lead to unfairness, material losses, and potential danger to consumers' safety.⁴

The Hanafi school of thought emphasises the importance of clarity in contracts and prohibits elements of *gharar* in transactions. In the context of *bakery* products, the omission of information regarding expiry dates or ingredients used can be categorised as a form of ambiguity that violates the principle of fairness in transactions. Affected consumers have the right to cancel the contract based on the principle of *khiyar*. The Maliki school of

¹Tengku Putri Lindung Bulan, 'Pengaruh Diversifikasi Produk Dan Harga Terhadap Kepuasan Konsumen Pada Juragan Jasmine Langsa', *Jurnal Manajemen Dan Keuangan* 6, no. 1 (2012): 679-87.

²Rahmanisa Anggraeni, 'Pentingnya Legalitas Usaha Bagi Usaha Mikro Kecil Dan Menengah', *Eksaminasi: Jurnal Hukum* 1, no. 2 (2022): 77-83.

³Rinitami Njatrijani, 'Pengawasan Keamanan Makanan', *Journal Law and Development* 4, no. 1 (2021): 12-28.

⁴Wahyu, Moh. Adib Sya'bani, and Syahrul Permana, 'Hak Waris Dan Keadilan: Menggagas Reformasi Hukum Keluarga Dengan Prinsip Maqasid Syariah', *Junral Studi Inovasi* 4, no. 2 (2024): 11-21.

thought emphasises *maslahah* as the main consideration in economic activities. The state or authorities may intervene if business practices have the potential to harm the wider community. In the context of food products, this intervention includes supervision of prices, quality, distribution, and product labelling.⁵

The Shafi'i school of thought, the most dominant in the Acehese people's religious practices, places greater emphasis on transparency and honesty in every transaction. Clarity of information and product quality are among the moral and legal obligations that business actors must fulfill. Food products that do not list all ingredients or an expiry date are considered not to meet the *muamalah* ethical standards that support consumer protection.⁶

In Indonesian law, consumer protection is explicitly regulated by Law No. 8 of 1999 on Consumer Protection. This law provides legal guidelines regarding the rights and obligations of consumers and business actors. This regulation aims to ensure that consumers obtain accurate and clear information about the products they consume. Business actors are required not to mislead or harm consumers and to provide legal certainty through labelling that complies with standards. Before the UUPK existed, consumers were in a weak position and vulnerable to fraudulent practices in trade. The lack of information meant that consumers were often unaware of the risks they faced. With the enactment of this regulation, a balance between the interests of consumers and business actors can be achieved through a mechanism of supervision and law enforcement.⁷

In the food industry, such as *bakeries*, bread production is one of the rapidly growing sectors with consumers from various backgrounds. Bread products are a type of fast food widely consumed by urban communities because they are practical and readily accessible. With such high consumption levels, food safety and transparency of information are very important to the community, especially in areas that apply sharia principles, such as the city of Banda Aceh. As one of the regions that implements Islamic law, Aceh has a

⁵ Muhammad Achyar, Chairul Fahmi, and Riadhus Sholihin, 'ISLAMIC LAW REVIEW OF MONOPOLY PRACTICES IN MODERN ECONOMICS', *Al-Mudharabah: Jurnal Ekonomi Dan Keuangan Syariah* 5, no. 2 (2024): 288-308.

⁶M Ihsan Hasanudin, Fathur Rochim, and Msyakur, 'Keabsahan Sistem Uang Muka (Down Payment) Dalam Akad Jual Beli Sapi Ditinjau Dari Sudut Pandang Hukum Islam', *Jurnal Online Mahasiswa (JOM) Hukum Tata Negara* 2, no. 2 (2024): 87-98.

⁷Undang-Undang Republik Indonesia Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen (1999).

greater responsibility to ensure that food products meet halal and safety standards.⁸

Initial interviews with several *bakery* businesses in Kuta Alam District revealed that there are still shortcomings in the implementation of product labelling standards. Some products do not include expiry dates or complete ingredient lists. This situation can reduce consumer confidence and potentially pose health risks if products are consumed beyond their shelf life. In addition, some *bakery* products in the area do not yet have halal certification, even though the majority of consumers are Muslims.⁹ The absence of halal labels can lead consumers to doubt whether products are safe and in accordance with Islamic law. This also indicates that business operators' awareness of their obligations to protect consumers remains inadequate.¹⁰

Consumers have the right to certainty regarding the products they consume. Unclear information can make it difficult for consumers to make the right decisions. Consumer rights, as stipulated in the UUPK, must be fulfilled to create an equal transaction relationship between business actors and the community. The phenomenon of low *product* labelling in Kuta Alam shows a gap between regulations, business actors' understanding, and their implementation in practice.¹¹

Several previous studies, including one by Rendi Yudha Bhaskara, show that consumer protection regulations, particularly those related to halal product guarantees, are normatively aligned with the principles of *maqāṣid al-syarī'ah* because they aim to protect consumers' lives, minds, and property. The study also revealed a gap between normative provisions and practices in the field, with some business actors still failing to comply with product labelling and information disclosure obligations fully. These findings indicate that although a consumer protection legal framework is in place, its implementation continues to face various challenges, especially in the food sector. This research is important for deepening the study of consumer

⁸Syaifuddin Yana, 'Analisis Pengendalian Mutu Produk Roti Pada Nusa Indah Bakery Kabupaten Aceh Besar', *Malikussaleh Industrial Engineering Journal* 4, no. 1 (2015): 17–23.

⁹Hasil Wawancara Dengan Teguh Rizki Oktora, Pemilik Pabrik Roti Ikhlas Bakery, Pada Tanggal 24 Mei 2025 Di Warung Kopi Taufik, Lamdigin. (n.d.).

¹⁰ Wahyu Akbar et al., 'Optimization of Sharia Banking Regulations in Developing the Halal Cosmetic Industry in Indonesia', *Jurnal Ilmiah Al-Syir'ah* 22, no. 1 (June 2024): 1–12, <https://doi.org/10.30984/JIS.V22I1.2611>.

¹¹Andini, Muhammad Iqbal Asnawi, and Nur Asyiah, 'Perlindungan Konsumen Terhadap Informasi Yang Jelas Tentang Produk Yang Dikonsumsi', *Meukuta Alam : Jurnal Ilmiah Mahasiswa* 6, no. 2 (2024): 249–58.

protection in bakery products by examining practices in the field and analysing their conformity with the principles of *maqāsid al-syarī'ah*, thereby contributing to strengthening consumer protection oriented towards food safety, transparency, and public welfare.¹²

Research on consumer protection in *bakery* products is important to provide scientific contributions to the development of Sharia economic law and consumer protection. The *maqasid syari'ah* approach not only emphasises formal legal aspects but also moral, ethical, and public welfare dimensions relevant to the current needs of the people of Aceh. Given this reality, research on legal protections for consumers of bakery products that lack expiry dates and ingredient information is crucial.

RESEARCH METHOD

This study utilises a qualitative research method, with field research, to describe and gain an in-depth understanding of consumer protection practices for bakery products in Kuta Alam District, Banda Aceh, particularly regarding the provision of key information such as expiry dates and product composition. This approach was chosen to obtain a factual picture of the reality in the field and the perceptions of business actors and consumers regarding the obligation to provide product information.¹³ Primary data in this study were obtained through direct interviews with consumers, *bakery* owners, and employees. Meanwhile, secondary data were obtained from laws and regulations, the literature on sharia economic law, scientific journals, books, and other written sources relevant to the concept of *maqāsid al-syarī'ah*. All collected data were analysed using qualitative descriptive analysis techniques by processing, classifying, connecting, and interpreting the data systematically.¹⁴

¹²Rendi Yudha Bhaskara, 'Perlindungan Konsumen Muslim Dalam Uu No. 33 Tahun 2014 Tentang Jaminan Produk Halal Perspektif Maqasid Syariah Jāser 'Audah Serta Implementasinya Dalam Toko Ritel' (Universitas Islam Indonesia, 2023). pp. 1-2.

¹³ Muhammad Siddiq Armia, *PENENTUAN METODE & PENDEKATAN PENELITIAN HUKUM*, ed. Chairul Fahmi (Banda Aceh: Lembaga Kajian Konstitusi Indonesia, 2022).

¹⁴Bambang Sunggono, *Metode Penelitian Hukum* (Jakarta: Rajawali Pers, 2009). pp. 43-122.

RESULTS AND DISCUSSION

A. Definition of *Maqasid Syari'ah*

The word *maqasid* derives from *qashada*, which means “goal, purpose, or target,” while *syari'ah* refers to the legal system established by Allah to regulate human life. Terminologically, *maqasid syari'ah* is understood as the basic objectives to be achieved by Islamic law to realise benefit (*mashlahah*) and reject harm (*mafsadah*).¹⁵

Classical scholars such as Al-Ghazali and Al-Syathibi explained that *maqasid syari'ah* aim to maintain the sustainability and quality of human life. This is reflected in the concept of *al-daruriyyat al-khamsah*, which protects religion, life, reason, lineage, and property. *Maqasid syari'ah* is the basic principle for assessing whether an action, product, or transaction benefits or harms people. The Shafi'i, Maliki, Hanafi, and Hanbali schools of thought agree that the purpose of sharia is to protect humans from harm and provide benefits. The fiqh rule of *dar'ul mafasid muqaddam' ala jalbil mashalih* emphasises that preventing harm must take precedence over pursuing benefits.¹⁶

Transparency of information is a principle that is strongly emphasised to avoid *gharar* (uncertainty). Food products without clear labels fall into the category of *gharar*, which is prohibited by Sharia law. Hifz al-din, the first *maqasid*, emphasises that Muslims must have assurance that the food they consume is in accordance with religious provisions. Halal labels and ingredient traceability are indicators of compliance with these *maqasid*. Uncertainty regarding the halal status of a product can cause spiritual concerns for Muslim consumers who are worried about doing something contrary to their religion.¹⁷

Islamic law emphasises that all human activities must ensure safety, health, and sustainability. This includes the principle of preventing anything that could harm humans, directly or indirectly. This concept prioritizes safety

¹⁵Moh Toriquddin, 'Teori Maqashid Syariah Perspektif Ibnu Ashur', *Ulul Albab* 14, no. 2 (2013): 195–99, https://doi.org/10.1007/978-3-030-58292-0_10897.

¹⁶Nirwan Nazaruddin and Farhan Kamilullah, 'Maqashid As-Syariah Terhadap Hukum Islam Menurut Imam As-Syatibi Dalam Al-Muwafaqat', *Jurnal Asy-Syukriyyah* 21, no. 1 (2020): 106–23, <https://doi.org/10.36769/asy.v21i1.101>.

¹⁷Muhammad Siddiq Armia et al., 'Legal Transformations in Governance, Security and Technology', *PETITA: Jurnal Kajian Ilmu Hukum Dan Syariah (PJKIHDs)* 10 (2025): i.

in all aspects of life, including consumption patterns, social interactions, and economic activities.

Hifz al-'aql (preservation of reason) emphasises the importance of accurate information, adequate education, and an environment that supports human thinking abilities. From a Sharia perspective, reason is the primary instrument for understanding religious teachings, making decisions, and living life responsibly. Any form of misleading, manipulative, or non-transparent information is considered contrary to this maqasid because it can hinder human beings' ability to act rationally.

Sharia requires the protection of future generations from physical, moral, and social threats that could disrupt the development of healthy and high-quality offspring. This protection is not only about family issues but also about social and cultural mechanisms that could affect the development of future generations. In this context, maqasid ensures that any policy or action that has the potential to undermine the sustainability of future generations is considered a must-avoid.¹⁸

Hifz al-māl (protection of property) is an effort to ensure that human property rights are protected from loss, fraud, or exploitation. This principle underlies the importance of honesty, transparency, fairness, and balance in transactions. Within the framework of Islamic economic theory, *hifz al-māl* serves as the basis for business ethics, consumer rights protection, and the obligation to maintain the integrity of transactions to avoid harming either party. Any form of fraud, concealment of information, or reduction in quality without the knowledge of the other party is considered contrary to this maqasid.

The objectives of Sharia law are not only understood normatively but also applicable and flexible, so they can be applied in various contexts of modern life. Contemporary scholars of maqasid, such as Ibn Ashur and Yusuf al-Qaradawi, emphasise that maqasid are the universal objectives of Sharia law, intended to bring about benefits and eliminate harm in the social order. Their thinking broadens the understanding that maqasid can be translated into

¹⁸ Chairul Fahmi, 'Transformasi Filsafat Dalam Penerapan Syariat Islam (Analisis Kritis Terhadap Penerapan Syariat Islam Di Aceh)', *Al-Manahij: Jurnal Kajian Hukum Islam* 6, no. 2 (1970), <https://doi.org/10.24090/mnh.v6i2.596>.

public policy, quality standards, oversight mechanisms, and various systems that guarantee justice and protection for society.¹⁹

Maqasid syari'ah provides a philosophical and methodological framework for the development of Islamic law that is responsive to the times. By focusing on universal values such as safety, honesty, transparency, sustainability, and justice, maqasid becomes an important tool for comprehensively viewing contemporary issues. These principles ensure that Sharia is not merely a set of ritual rules but also an ethical framework that shapes a harmonious and beneficial social system. *Maqasid al-Shariah* provides a broad and deep theoretical foundation for understanding moral, social, and economic obligations in Islam.²⁰

The maqasid framework helps assess whether an action, policy, or mechanism is in line with the basic objectives of sharia or contrary to the value of *maslahah*. The use of maqasid as a theoretical basis is relevant across various academic disciplines, particularly in ethics, the protection of rights, and the promotion of safety and the welfare of society.

B. Legal Basis of *Maqasid Sharia*

Maqasid Syariah, as a fundamental concept in Islamic law, refers to the noble objectives of Sharia revealed by Allah SWT to realise *maslahah* (goodness) and reject *mafsadah* (harm) for humanity. Its roots are widely spread throughout the Qur'an and Hadith, which were later developed in depth by classical and contemporary scholars, thereby forming a strong theoretical foundation for modern Islamic economic practice.²¹

The verses of the Qur'an, both explicit and implicit, form the main foundation for the principles of Maqasid Syariah. For example, Allah SWT's command in Surah An-Nisa verse 29, which prohibits consuming the wealth of others unjustly and killing oneself, provides a very strong normative basis.

¹⁹Musolli Musolli, 'Maqasid Syariah: Kajian Teoritis Dan Aplikatif Pada Isu-Isu Kontemporer', *AT-TURAS: Jurnal Studi Keislaman* 5, no. 1 (2018): 60-81, <https://doi.org/10.33650/at-turas.v5i1.324>.

²⁰Saddam Askara, 'Maqasid Syariah Sebagai Filsafat Hukum Islam : Sebuah Pendekatan Sistem Menurut Jasser Auda', *JRISS : Journal Review of Islamic and Social Studies* 1, no. 1 (2025): 29-36.

²¹Muhammad Alvin Algifari and Rozi Andrini, 'Maqasid Syariah Dalam Pengembangan Ekonomi Islam (Analisis Komprehensif Dan Implementasi)', *JoSES: Journal of Sharia Economics Scholar* 2, no. 3 (2024): 95-100.

"O you who believe, do not consume one another's wealth unjustly, except in a manner that is mutually agreed upon. Do not kill yourselves. Indeed, Allah is Most Merciful to you." (QS. An-Nisa: 29).

This verse provides a strong normative basis for establishing Islamic economic principles, including consumer protection and fairness in transactions. This verse prohibits all forms of unjust economic practices, namely transactions that are dishonest, deceptive, unclear, or detrimental to others. The prohibition "do not kill yourselves" in this verse is also understood by scholars as a universal principle that prohibits anything that endangers human life, whether physical, material, or moral.²²

The Hadith of the Prophet Muhammad SAW plays a crucial role as the second source in shaping the understanding of Maqasid Syariah. The words, actions, and approvals of the Prophet serve as practical guidelines for interpreting and applying the teachings of the Qur'an in everyday life.

"From Abu Sa'id Sa'd bin Malik bin Sinan al-Khudri, may Allah be pleased with him, the Messenger of Allah, peace and blessings be upon him, said, "There should be no harm or reciprocating harm." (Malik in al-Muwatta' (II/571, no. 31)

This hadith reflects the objectives of Islamic law (*maqāṣid al-syarī'ah*) which are oriented towards protecting interests and preventing harm. This hadith forms the basis of the principle of *dar' al-mafāṣid* (repelling harm), which affirms that every provision of the Shariah aims to protect the fundamental interests of human beings, particularly the protection of life (*ḥifẓ al-naḥs*) from harmful actions, the protection of property (*ḥifẓ al-māl*) from loss and exploitation, and the protection of honour and social rights in community life.

Contemporary scholars have expanded the understanding of *maqasid syariah* to make it relevant to the context of modern life. They emphasise that Maqasid is the universal goal of syariah to bring about benefit and eliminate harm in the social order, which can be translated into public policy, quality standards, oversight mechanisms, and systems that guarantee justice and protection for society.²³

²²Lena Ishelmiani Ziarahah, Rosihon Anwar, and Ending Solehudin, 'Akad Mudharabah Dan Relevansinya Dengan Tafsir Qur'an Surah an-Nisa Ayat 29 Tentang Larangan Mencari Harta Dengan Cara Yang Bathil', *Equality: Journal of Islamic Law (EJIL)* 1, no. 1 (2023): 26–38, <https://doi.org/10.15575/ejil.v1i1.480>.

²³Julian Maharani;dkk, 'Pemikiran Ibnu Asyur Tentang Maqashid Syariah Dalam Ekonomi Kontemporer', *Jurnal Ilmiah Ekonomi Islam* 8, no. 3 (2022): 2495–500.

Maqasid al-Shariah serves as a dynamic Islamic legal philosophy, not only as a theoretical framework, but also as a methodological tool for legal and governance reconstruction rooted in Islamic principles. This enables the development of legal solutions that are adaptive to contemporary issues. The application of Maqasid in the issuance of Sharia fatwas requires a deep understanding of various disciplines to determine the benefits that truly derive from the spirit of Sharia. This is important to ensure that the fatwas issued reflect the fundamental objectives of Islamic law and provide true benefits for the people.²⁴

Originating in the foundations of the Qur'an and Hadith, systematically developed by classical scholars, and adapted by contemporary scholars, Maqasid remains relevant as a dynamic ethical and legal framework. The core of Islamic law is that all laws and practices aim to protect and promote the good of all humanity in all aspects of life.

C. Definition of Consumer Protection

Consumer protection is a fundamental concept in modern society that safeguards consumers' rights and interests against unfair, deceptive, or harmful business practices. In an era of increasingly complex, fast-paced trade, where transactions can occur with just one click, every individual is constantly a consumer, from purchasing everyday goods to using telecommunications services and transportation.²⁵

Law No. 8 of 1999 concerning Consumer Protection (UUPK) in Indonesia, the main legal basis, defines consumer protection as all efforts that guarantee legal certainty and protect consumers. This law aims to create a balance between the interests of consumers and business actors. This definition emphasises legal certainty as the main pillar, ensuring that consumer rights can be upheld.²⁶

Consumer protection is a universal branch of law, driven by the need to protect the weaker party in economic transactions, namely, consumers. This law covers various aspects, ranging from product safety and accurate,

²⁴Hasbi Umar, Husin Bafadhal, and Emilia Putri, 'Pendekatan Maqasid Al -Syariah Dalam Studi Hukum Islam', *Jurnal Inovasi Hukum Dan Kebijakan* 6, no. 4 (2025): 59-68.

²⁵Fiorenza Adelia Dome dkk, 'Perlindungan Konsumen Dalam Hukum Bisnis', *Jurnal Kajian Hukum Dan Kebijakan Publik* 3, no. 1 (2025): 394-400.

²⁶Hani Riadho Nasution and Abd Harris, 'Kedudukan Konsumen Dalam Hubungan Hukum Dengan Pelaku Usaha Di Indonesia', *Locus Journal of Academic Literature Review* 4, no. 6 (2025): 470-84.

transparent information to the right to compensation or damages in the event of loss. This legal protection is also a manifestation of the legal ideal that embodies the values of justice.²⁷

From a sociological perspective, consumer protection is about creating clear rules to protect consumers from harm, which the government enforces through legislation. This emphasises the state's role in maintaining social welfare and ensuring that economic forces do not dictate the market solely.²⁸

One of the basic principles underlying the concept of modern consumer protection is Article 2 of the UUPK, which regulates the principles of consumer protection, including benefits, fairness, balance, consumer safety and security, and legal certainty. These five principles are the main pillars for building an effective legal framework and ensuring that every consumer protection measure aligns with these fundamental values.

Consumer rights are at the heart of consumer protection. The Consumer Protection Law explicitly regulates various rights, including the right to accurate, clear, and honest information about the conditions and guarantees of goods and/or services. Consumers have the right to safety and security when consuming goods or services, as well as the right to obtain an appropriate resolution to any problems encountered, including compensation, damages, and/or replacement if the product does not comply with the agreement.

Article 7, letter b of the UUPK requires business actors to provide accurate, clear, and honest information about the goods being traded. This obligation is reinforced by Article 8 paragraph (1) letter i of the UUPK, which prohibits business actors from trading goods without including information or instructions for use in Indonesian in accordance with the provisions of laws and regulations. Business actors are also required to provide guarantees and/or warranties for the products they sell.²⁹

The institutions involved in consumer protection in Indonesia have various functions. The three main institutions are the National Consumer

²⁷ Chairul Fahmi, 'Analysis Of Legal Aspects On Capital Investment Fraud In Indonesia', *Proceeding of International Conference on Sharia Economic Law (ICoShEL)* 1, no. 1 (September 2024): 1.

²⁸ Muhammad Miftahul Ikhsan, Tajul Arifin, and Abdal Abdal, 'Perlindungan Konsumen Dalam Pandangan Sosiologi Dan Antropologi Hukum Ekonomi Syariah', *Jurnal Hukum Ekonomi Syariah: AICONOMIA* 2, no. 1 (2023): 55-64, <https://doi.org/10.32939/acm.v2i1.3121>.

²⁹ Undang-Undang Republik Indonesia Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen.

Protection Agency (BPKN), the Independent Consumer Protection Agency (LPKSM), and the Consumer Dispute Settlement Agency (BPSK). The BPKN, as a government institution, is tasked with providing advice and recommendations to the government in formulating consumer protection policies and actively assessing readiness across various sectors. The LPKSM, like the LPKNI, is committed to providing education, legal assistance, and advocacy for consumer rights. Meanwhile, the BPSK plays a role in resolving consumer disputes outside of court.³⁰

Although the legal framework for consumer protection in Indonesia already exists, its implementation is not yet as optimal as in developed countries. This shows that there are still challenges in law enforcement and awareness raising, both on the part of consumers and business actors. The lack of discipline among business actors in meeting product labelling standards and the lack of supervision by local governments are among the contributing factors.

The definition of consumer protection encompasses legal, economic, and sociological dimensions, with the main objective of balancing the rights and obligations of consumers and business actors. Although regulations are in place, effective implementation still requires continuous efforts from all parties, including the government, business actors, and consumers themselves, to create a fair and ethical market.

D. Consumer Protection Efforts in the Purchase of Bakery Products in Kuta Alam District, Banda Aceh

Consumer protection is an important pillar of the modern trading system, ensuring consumer safety, comfort, and legal certainty when purchasing goods and services. This principle arose from the need to minimise practices that could harm consumers physically or financially. Business activities in the trade sector place business owners as legal subjects who have a responsibility to ensure that the production and distribution of goods are carried out in accordance with applicable regulations. Business owners bear legal obligations and responsibilities, including compliance with trade standards.³¹

³⁰Ubaid Aisyul Hana and Putri Bilqhis, 'Peran Lembaga Perlindungan Konsumen Dalam Menjamin Hak-Hak Konsumen Di Indonesia', *Jurnal BANSI - Jurnal Bisnis Manajemen Akuntansi* 5, no. 1 (2025): 31-37.

³¹Novia Amanda Lestari and Siti Hamidah Rustiana, 'Pengaruh Persepsi Owner Dan Pengetahuan Akuntansi Dalam Penggunaan Sistem Informasi Akuntansi Terhadap Kinerja

Consumer protection is enforced through Law No. 8 of 1999, which emphasises the obligation of business actors to provide clear, accurate, and honest information about the products traded. This regulation serves as the legal foundation for all business sectors, including the food industry.³²

Legal protection for consumers is regulated by Law Number 8 of 1999 on Consumer Protection. Article 4, letter c of the UUPK emphasises that consumers have the right to accurate, clear, and honest information regarding the condition and warranty of goods and/or services. Article 7, letter b of the UUPK requires business actors to provide accurate, clear, and honest information about the goods being traded. This obligation is reinforced by Article 8 paragraph (1) letter i of the UUPK, which prohibits business actors from trading goods without including information or instructions for use in Indonesian in accordance with the provisions of laws and regulations.³³

One sector that requires particular attention in consumer protection is the processed food sector, as food is a basic human need directly related to health and safety. Food products such as bakery goods are highly sensitive to hygiene, ingredient quality, and storage conditions. Even minor carelessness in processing can have a major impact on consumer health.

Providing information on ingredient composition, expiry dates, and storage methods is an important obligation for bakery businesses under food safety standards. In addition, transparency in product information is an integral part of business ethics, requiring honesty in transactions. Without such information, consumers cannot make rational decisions. This principle of information disclosure aligns with the spirit of muamalah in Islam, which requires transactions to be conducted on a basis of mutual consent and without any ambiguity (*gharar*) that could harm either party. When the principle of consumer protection is ignored, the risk of loss increases, leaving consumers in a weaker position when making choices and assessing product quality.³⁴

Based on interviews with consumers, most bakery customers in Kuta Alam District, Banda Aceh, purchase products based on practical needs and

Usaha Mikro, Kecil Dan Menengah Di Pamulang', *Journal of Business and Entrepreneurship* 1, no. 2 (2019): 67–80.

³²Wahyu Simon Tampubolon, 'Upaya Perlindungan Hukum Bagi Konsumen Ditinjau Dari Undang Undang Perlindungan Konsumen', *Jurnal Ilmiah Advokasi* 4, no. 1 (2016): 53–61, <https://doi.org/10.1111/socf.12355>.

³³ Law No. 8 of 1999 concerning Consumer Protection

³⁴Anna S. Wahongan, Yumi Simbala, and Vecky Yanny Gosal, 'Strategi Mewujudkan Keamanan Pangan Dalam Upaya Perlindungan Konsumen', *Lex et Societatis* 9, no. 3 (2021): 41–66.

habits, without clear information about the products they consume. Some consumers stated that the *bakery* products they purchased generally did not list ingredients, expiry dates, or halal information, so they relied solely on the seller's trust. This situation caused concern among consumers, especially regarding the safety and certainty of the products they consumed regularly in their daily lives.³⁵

Based on an interview with one of the *bakery* owners in Kuta Alam District, Banda Aceh, it was found that in carrying out their production activities, the business owners had actually implemented standard operating procedures (SOPs). However, these SOPs were not documented in writing. The business owner explained that work rules are communicated verbally to employees, such as the obligation to maintain the cleanliness of the production area, to wash hands before processing dough, to use ingredients that are still usable, and to sell products within a short period of time so they do not go stale. The business owner emphasised that products that are not sold out on the same day are usually not resold to consumers.³⁶

One of the main problems is that ingredient lists are not provided for some of the *bakery* products on sale. In fact, information on composition is very important, especially for consumers who have allergies or certain dietary restrictions. Unclear composition can cause consumers to consume ingredients that are harmful to them without them realising it. This clearly shows that business operators do not fully understand their ethical and legal responsibilities.

Based on an interview with an employee, it was revealed that providing product information has not been a major concern in business activities. The employee said that, so far, there has been no specific policy from the business owner regarding the inclusion of product information, because the products are considered to be made and sold in a short period. The business focuses more on the production and sales processes, so that consumer protection aspects, particularly the fulfilment of the right to clear and accurate information, have not been optimally implemented.³⁷

³⁵Hasil Wawancara Dengan Muhajir Dan Irfan Maulana Mahasiswa Universitas Islam Negeri Ar-Raniry, Pada Tanggal 25 Mei 2025. (n.d.).

³⁶Hasil Wawancara Dengan Teguh Rizki Oktora, Pemilik Pabrik Roti Ikhlas Bakery, Pada Tanggal 24 Mei 2025 Di Warung Kopi Taufik, Lamdigin.

³⁷Hasil Wawancara Dengan Bang Roji Yaitu Salah Satu Karyawan Menara Bakery, Pada Tanggal 12 Juni 2025 Di Toko Menara Bakery, Lamdigin. (n.d.).

This condition reflects weak consumer protection in commercial practices in Kuta Alam. Although the regulations are very clear, in reality, business actors are still lacking in discipline. The lack of local government supervision has contributed to the emergence of these non-compliant practices. Many small business actors still carry out production traditionally without following standard operating procedures.

This phenomenon shows that there is a considerable gap between the ideal concept of consumer protection in theory and its practice in the field, which remains far from expectations. This gap needs to be studied in greater depth. Some small business operators view labelling as cumbersome, prolonging the production process and adding costs, so it is often ignored. Meanwhile, on the consumer side, low literacy levels mean that people rarely demand complete product information. The habit of buying goods without paying attention to or reading the product information further exacerbates the existing market conditions.

The low awareness of both businesses and consumers has created a pattern of behaviour that reinforces each other, allowing unsafe trading practices to continue. From an economic perspective, this condition creates a phenomenon of information asymmetry, where businesses have more information than consumers. This condition makes transactions unfair.

Information asymmetry causes consumers to make decisions without full knowledge of the goods they are buying, thereby increasing the risk of consumer loss. When business actors provide incomplete information, they are actually violating the basic principle of fairness in transactions, which is emphasised in both positive law and Islamic law.³⁸

Local governments have a strategic role in ensuring that food safety standards are met by all micro-businesses, including home-based *bakery* businesses, which are quite numerous in Kuta Alam. Technical assistance and training related to food safety, such as PIRT, kitchen hygiene and business management, are very important to improve product quality. However, conditions on the ground show that the level of business operator participation in this training is still low, so the results are not optimal. This requires a more persuasive and targeted approach.³⁹

³⁸Setyo Budiutono, 'Analisis Asimetris Informasi: Perilaku Konsumen Pada Pasar Online', *Jurnal Kajian Pendidikan Ekonomi Dan Ilmu Ekonomi* 7, no. 2 (2023): 645–58.

³⁹Andini, Asnawi, and Asyiah, 'Perlindungan Konsumen Terhadap Informasi Yang Jelas Tentang Produk Yang Dikonsumsi'.

Business operators who begin to implement complete labelling will gain added value in terms of consumer trust and the professionalism of their business. In the long term, improving food safety standards through consumer protection will not only benefit the community, but also increase the competitiveness of *bakery* businesses in the area. Strong consumer protection efforts will create a healthy, sustainable, and ethical economic ecosystem in accordance with the principles of muamalah.⁴⁰

When all parties perform their respective roles properly, the risks of poisoning, fraud, and consumer losses can be significantly minimised. Thus, this analysis shows that although consumer protection is a general principle that has been regulated nationally and is in line with *maqasid syari'ah*, its implementation in the *bakery* sector in Kuta Alam Subdistrict still requires serious efforts to ensure safety and fairness for the community as consumers.

E. Review of *Sharia Maqasid* on Consumer Protection in the Purchase of Bakery Products in Kuta Alam District, Banda Aceh

Maqasid Syari'ah, as the main corridor in the Islamic legal system, provides a normative basis for consumer protection, including in the food sector such as *bakery* products. The principles of maintaining benefit and preventing harm are the main foundations of how a product should be produced, marketed, and consumed. In the modern context, *maqasid* are not only normative-theological in nature, but also operational, making them relevant for evaluating business practices at the local level.⁴¹

In the food sector, *maqasid* serves as a measuring tool to ensure that every food supply process maintains safety, health, and consumer rights. *Bakery* products as processed foods have their own risks, ranging from the use of food additives, hygiene in production facilities, to transparency of information. Therefore, *maqasid* becomes a strategic evaluative instrument.⁴²

⁴⁰Syahira Rachmadina et al., 'Dampak Label Halal Palsu Terhadap Kepercayaan Konsumen Dan Reputasi Bisnis Lokal', *PENG: Jurnal Ekonomi Dan Manajemen* 2, no. 2 (2025): 4183-91.

⁴¹Nurhotia Harahap, *Mengenal Lebih Dekat Hukum Ekonomi Syariah* (Sukabumi: CV. Haura Utama, 2022).

⁴²Fina Kholij Zukhrufin and Shinta Maharani, 'Dampak Alih Fungsi Lahan Pertanian Menjadi Kawasan Industri Terhadap Ketahanan Pangan Dalam Perspektif Maqashid Syariah Studi Pada Kecamatan Pilangkenceng, Madiun', *Jurnal Ekonomi Dan Bisnis* 17, no. 1 (2025): 163-69, <https://doi.org/10.55049/jeb.v17i1.411>.

Consumer protection evaluation from a maqasid perspective not only assesses formal compliance with government regulations but also evaluates the extent to which producers embody Islamic business ethics. The maqasid approach is able to broaden the scope of analysis from merely meeting health standards to developing the moral responsibilities of producers. Consumer protection for *bakery* products in the Kuta Alam sub-district of Banda Aceh must be placed within the broader framework of maintaining public welfare. This sub-district has a fairly high level of economic activity, including a large number of small and medium-sized *bakery* businesses, which increases the potential risks to consumers.⁴³

The study's results reveal issues related to hygiene, the use of ingredients not fully listed on the label, and suboptimal consumer education. These issues are relevant to be studied within the maqasid framework, particularly the dimensions of *hifz al-nafs* (protection of life) and *hifz al-mal* (protection of economic rights). The principle of *hifz al-nafs* requires producers to maintain food safety strictly. *Bakery* products that are not protected from contamination, use expired ingredients, or are stored at inappropriate temperatures can endanger consumer health. From a maqasid perspective, this condition constitutes a violation of Sharia obligations.

Hifz al-'aql is relevant when producers are not transparent about product content. Unclear labelling prevents consumers from making informed decisions, thereby weakening their ability to choose wisely. Consumer protection mechanisms are also related to *hifz al-mal*, because consumers are entitled to products of the promised quality. Practices such as reducing weights, inconsistent quality, or the use of cheap ingredients that lower quality are violations of maqasid.⁴⁴

From the perspective of *Hifz al-Din*, any form of cheating, dishonesty, or fraud in transactions is an act that contradicts Islamic teachings. *Bakery* products marketed without distribution permits or that do not meet halal standards can raise concerns among Muslim consumers. Within the framework of *hifz al-nasl*, food safety is also related to the protection of future generations. The consumption of harmful foods by children, such as non-

⁴³Sara Mutammima Rohmati and Fitrotul Khasanah, *Evaluasi Praktik Pinjaman Online Melalui Pendekatan Maqasid Al- Syari ' Ah Dalam Perspektif Hukum Islam*, 11, no. 1 (2025): 256–68.

⁴⁴Suhaila Alifiya, 'Etika Produksi Dalam Kerangka Maqashid Syariah', *Jurnal Perbankan Syariah* 3, no. 2 (2024): 248–56.

food-grade colourings or excessive preservatives, has a long-term impact on the health of future generations.

Based on findings in the field, some small-scale *bakery* producers still have limitations in implementing sanitation standards. This is a concern in *maqasid* because unhygienic production conditions can directly threaten consumer safety. Some producers also do not include expiry dates on packaging because they are considered to only produce small quantities. In fact, from a sharia perspective, transparency is part of protecting consumer rights.

When viewed from the perspective of *maqasid*, protecting consumer rights is a form of implementing the value of trustworthiness. *Bakery* producers who are honest about the quality and shelf life of their products are upholding this trust. In addition to the responsibility of producers, *maqasid* emphasises the role of government agencies in ensuring that all businesses comply with standards. Food regulatory agencies in the Banda Aceh region have a moral and legal obligation to guarantee the safety of *bakery* products.⁴⁵

Collaboration between the government, business actors, and consumers is a collective manifestation of the implementation of *maqasid*. All parties have a role in maintaining economic and social welfare. The government, for example, must provide regular education to small producers who do not yet understand food safety procedures. A guidance approach is more in line with *maqasid* than a repressive punitive approach.

Business actors in Kuta Alam District need to understand that food safety is not merely administrative compliance, but an ethical requirement in Islam. Businesses built on sharia values have greater blessings and sustainability. *Maqasid Syari'ah* also demands continuous innovation in the *bakery* business so that the community obtains safer products. The use of natural ingredients, reduction of additives, and improvement of packaging quality are steps that are in line with *maqasid*. Consumers also have a role in accordance with *maqasid*, namely protecting themselves from harmful things by paying attention to the composition, label, and distribution permit of

⁴⁵Rendi Yudha Bhaskara and M. Roy Purwanto, 'Perlindungan Konsumen Muslim: Jaminan Produk Halal Perspektif Maqasid Syari'ah Jasser Auda', *Cakrawala: Jurnal Studi Islam* 18, no. 2 (2023): 103–12, <https://doi.org/10.31603/cakrawala.9691>.

products. Consumer awareness is directly proportional to the level of protection they give themselves.⁴⁶

Based on the results of the maqasid analysis, the most prevalent issues with *bakery* products in Kuta Alam are aspects of *hifz al-nafs* and *hifz al-mal*, as there are still health risks and unclear product information. Some producers have made positive efforts, such as maintaining hygiene, improving ingredient quality, and continuing to learn about food production standards. This attitude shows that maqasid is beginning to be internalised, although not yet to the fullest extent. However, the aspect of education is still considered weak. Many small producers start their businesses self-taught, without knowledge of food health standards. Maqasid requires the transfer of knowledge from the authorities.

Regular inspections by the relevant agencies have also not been conducted regularly. In maqasid, the supervisory function is the guardian of public welfare and must be carried out consistently. Some producers still use unregistered additives. From the maqasid perspective, the use of ingredients with unclear status is an act that may cause mafsadah.

Consumers who suffer losses due to poor product quality have essentially lost their rights. From a maqasid perspective, economic rights (*hifz al-mal*) must be protected through clear complaint mechanisms. Bakery products involve extensive social interaction as they are consumed by families and children. In some cases, *bakery* products are sold exposed to the open air, without covers or packaging. This is a clear violation of maqasid, as it has the potential to cause contamination.⁴⁷

Consumer protection is also closely related to the principle of *al-ghurm bil ghuḥm*, which states that profits must be proportional to the risks and responsibilities borne by business actors. If they want to make a profit, producers must maintain product quality. The principle of *al-dharar yuzal* (e hazards must be eliminated) is an important basis for improving sanitation standards in food production. In the context of *bakeries*, all forms of danger, whether physical or chemical, must be eliminated before the product reaches consumers. Not only that, maqasid demands clarity in pricing and quality. If

⁴⁶Neni Hardiati and Ayu Yunus Rusyana, 'Etika Bisnis Rasulullah SAW Sebagai Pelaku Usaha Sukses Dalam Perspektif Maqashid Syariah', *Jurnal Ilmiah Ekonomi Islam* 7, no. 1 (2021): 513-18.

⁴⁷Faqih El Wafa, 'Implikasi Teori Maqasid Al-Syari'ah Al-Syatibi Terhadap Perilaku Konsumen', *Jurnal Hadratul Madaniah* 9, no. I (2022): 38-47.

there is a discrepancy between the advertised quality and the actual quality, then this contradicts the principle of *ṣidq* (honesty).

Some *bakery* producers have demonstrated their compliance efforts through halal certification or P-IRT permits. From a maqasid perspective, these actions reflect a strong commitment to consumer protection. However, others still consider distribution permits to be unimportant because they are small businesses. This view is not in line with maqasid, which places consumer safety above business scale. Maqasid also provides a framework for improving local regulations to better support consumer protection. For example, the government can provide free training on hygienic food processing.

Business actors need to understand that increasing consumer awareness is an opportunity, not a threat. Safe, high-quality products tend to have a wider market. Maqasid analysis also shows that safe production practices are a long-term investment. Consumer trust is an important asset in the food industry.⁴⁸

The application of maqasid can create a healthy economic ecosystem in Kuta Alam District. All parties' benefit: producers gain sustainable profits, consumers feel safe, and the government can maintain regional economic stability. The comprehensive application of maqasid will create safe, high-quality *bakery* business practices that are in accordance with Sharia principles. This effort is not only a legal obligation but also a form of economic worship. A review of *Sharia Maqasid* shows that consumer protection in *bakery* products is not only a technical matter but also part of safeguarding public interest and producers' moral responsibility within an Islamic food ecosystem.

CONCLUSION

Based on the analysis, it can be concluded that consumer protection for bakery products in the Kuta Alam sub-district of Banda Aceh remains suboptimal, mainly due to the omission of key information such as ingredient composition, expiry dates, and halal certification. This condition not only violates the provisions of the Consumer Protection Law, but also contradicts the principles of maqasid sharia, particularly in protecting life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), and property (*ḥifẓ al-māl*). These findings indicate that business actors' awareness of consumer protection obligations remains low,

⁴⁸Mahira, Prasetyo Hadi, and Heni Nastiti, 'Pengaruh Kualitas Produk Dan Kualitas Pelayanan Terhadap Kepuasan Pelanggan Indihome', *Korelasi 2*, no. 1 (2021): 1267–83.

and that government supervision is not yet effective. Efforts are needed to improve education, supervision, and the application of Islamic business ethics so that *bakery* products on the market are safe, transparent, and in accordance with sharia principles and positive law in order to protect the interests of society.

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