

## PRODUCT SALES USING AN AFFILIATE SYSTEM AMONG STUDENTS IN BANDA ACEH VIA THE TIKTOK APP: A PERSPECTIVE FROM FIQH MUAMALAH

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### Abstract

This study focuses on the affiliate system mechanism on TikTok, potential deviations from Sharia principles in its implementation, and an analysis of its compatibility with fiqh muamalah based on the concepts of *ju'alah* and *wakalah bil ujah* contracts. The method used is qualitative research. Primary data was obtained through interviews with five students from various universities in Banda Aceh who are active as TikTok affiliates and observations of the promotional content they created. Meanwhile, secondary data was obtained through a literature review of Islamic jurisprudence, economics, and contract law. The study results indicate that the TikTok affiliate system is fundamentally acceptable under Islamic law, provided it meets the valid contract requirements, such as clarity of the subject matter, compensation, and mutual consent between the parties. However, it was found that most affiliates lack an understanding of the contract concept, there is ambiguity in commission distribution, and promotional practices often mislead consumers.

**Keywords:** *Sales, Products, Affiliate, TikTok, and Fiqh Muamalah*

### Abstrak

Penelitian ini memfokuskan kajiannya pada mekanisme sistem *affiliate* di TikTok, potensi penyimpangan dari prinsip syariah dalam pelaksanaannya, serta analisis kesesuaiannya dengan fikih muamalah berdasarkan konsep akad *ju'alah* dan *wakalah bil ujah*. Metode yang digunakan adalah penelitian kualitatif. Data primer diperoleh melalui wawancara dengan lima orang mahasiswa dari berbagai perguruan tinggi di Banda Aceh yang aktif sebagai *affiliator* TikTok, serta observasi terhadap konten promosi yang mereka buat. Sementara itu, data sekunder diperoleh melalui studi pustaka terhadap literatur fikih muamalah, ekonomi syariah, dan hukum akad. Hasil penelitian menunjukkan bahwa sistem *affiliate* TikTok pada dasarnya dapat diterima secara syariah apabila memenuhi syarat akad yang sah, seperti kejelasan objek, upah, dan kerelaan antar pihak. Namun, ditemukan bahwa mayoritas *affiliator* belum memahami konsep akad, terdapat ketidakjelasan dalam pembagian komisi, dan praktik promosi sering kali menyesatkan konsumen.

**Kata Kunci:** *Penjualan, Produk, Affiliate, TikTok dan Fikih Muamalah*

### INTRODUCTION

Digital commerce is growing rapidly alongside technological advances, including product marketing through affiliate marketing. Among the most popular platforms today is TikTok, which serves not only as a medium for entertainment but also as a means of buying and selling products through a commission-based system. Affiliate marketing on TikTok enables users to promote products and earn a profit from each sale through special links.<sup>1</sup> In this practice, TikTok users act as third parties who bridge the gap between producers and consumers without having to own the products themselves. In Islamic law, economic activities such as this need to be reviewed through fiqh muamalah to ensure they do not conflict with sharia principles.<sup>2</sup>

In buying and selling, Islam strongly emphasizes honesty and clarity, as ambiguity is a form of *gharar*, which is prohibited. Many people also pursue profit without ensuring the quality of the product or whether it is halal, safe, and beneficial. When affiliates promote inappropriate or misleading products to consumers, elements of fraud that harm others may arise. Islam places great

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<sup>1</sup> Wahidin dan Safaruddin, "Pemberian Imbalan Via Aplikasi TikTok Perspektif Hukum Ekonomi Syariah: Analisis Terhadap Program TikTok Affiliate Safaruddin," *Jurnal Syariah dan Hukum* 06, no. 01 (2024): 1-5, <http://jurnal.uinsu.ac.id/index.php/taqnin/article/view/20730>.

<sup>2</sup> Sarah Sobrina Balqis dan Achmad Ali Mustofa, "Analisis Program Tiktok dan Shopee Affiliate Perspektif Masalah Mursalah," *Jurnal Ilmiah Ekonomi Islam* 9, no. 3 (November 2023): 3581, doi:10.29040/jiei.v9i3.10878.

emphasis on ethical conduct in business transactions, including in digital marketing activities that do not explicitly display the terms of the agreement.<sup>3</sup>

Muhammad Syafii Antonio, an Indonesian expert in Islamic economics, opines that digital business systems like affiliate marketing can be categorized under the contracts of *ju'alah* or *wakalah bil ujah*, depending on the mechanism and structure of the agreement. He emphasizes the importance of clarity regarding the object, compensation, and roles of the parties involved to ensure the contract is valid under Islamic law. As technology and marketing systems like affiliate marketing on TikTok continue to evolve, it is crucial to review and evaluate such practices from a fiqh muamalah perspective to ensure Muslim communities can participate in the digital economy while remaining within the bounds of Sharia law.<sup>4</sup>

The initial data for this study began with field data collection through interviews and observations of several TikTok creators (affiliates), consumers, and product providers involved in the affiliate marketing system on TikTok. The initial data shows that the affiliate system on TikTok has become a popular and highly sought-after marketing method, especially among young people who are active on social media. TikTok creators, who act as affiliates, usually utilize features. TikTok Shop promotes various products through short videos that attract the audience's attention. In this process, affiliates earn commissions from every successful transaction made through the affiliate links they share. However, from initial interviews with several affiliates, it was found that most of them did not completely understand the agreement or contract between them and the product providers.

From the consumer's perspective, some respondents admitted that they were unaware that their purchases through affiliate links provided financial benefits to the creators. This raises the potential for dishonesty (*tadlis*) if creators do not openly disclose that they receive commissions from the products they promote. On the other hand, product providers also do not always have specific procedures to ensure that products sold through affiliates align with Sharia principles, such as product halal status, accuracy of information, and ethical marketing practices. Observations of TikTok video content also show that many promotions emphasize virality and entertainment without explaining the products offered.

Based on interviews with five students from various universities in Banda Aceh, namely Abulyatama University, Syiah Kuala University, UIN Ar-Raniry,

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<sup>3</sup> Fika Novi Annisa dan Nurliya Apriyana, "Pengaruh Fitur TikTok Affiliate terhadap Pembelian Impulsif pada Produk Fast Fashion," *Jurnal Bisnis Mahasiswa* 5, no. 2 (Maret 2025): 578-87, doi:10.60036/jbm.598.

<sup>4</sup> Mufatikhatun Risqiyanti dan Mohamad Maftuh Fauzi, "Strategi Pemasaran Produk Fashion dengan Menggunakan TikTok Affiliate," *SANTRI: Jurnal Ekonomi dan Keuangan Islam* 2, no. 4 (Agustus 2024): 207-14, doi:10.61132/santri.v2i4.820.

Muhammadiyah Aceh University, and Serambi Mekkah University, it was found that the TikTok Affiliate program is increasingly popular among students as a flexible alternative source of income that does not interfere with their academic activities. They promote various products, such as beauty, fashion, and household items, through short videos or live streams, accompanied by affiliate links to earn commissions from each purchase. Although they consider the activity permissible as long as the promoted products are halal and do not involve fraud, the five respondents acknowledged that they lack a deep understanding of Islamic law governing affiliate practices and tend to rely on general principles of honesty and not harming others.<sup>5</sup>

As one form of modern muamalah development, this system requires a sharia-based foundation to ensure Muslims remain on the right path. TikTok, as a global platform, presents both challenges and opportunities for Muslims to preach and do business in a halal manner. Therefore, it is important to research whether affiliate marketing practices on TikTok have fulfilled the principles and requirements of muamalah.<sup>6</sup> This research can also provide insight to digital business practitioners on maintaining the halal nature of transactions and the blessings of their business.

## RESEARCH METHOD

This study uses a qualitative method to analyze the practice of affiliate marketing systems on the TikTok application and its conformity with the principles of fiqh muamalah. The study analyzes the contractual agreements between affiliates and sellers and potential deviations from Sharia principles in implementing the system. Additionally, the research aims to evaluate whether the TikTok affiliate system can be categorized as a *ju'alah* or *wakalah bil ujrah* contract, and how such contracts are implemented in practice. The data sources for this study consist of primary and secondary data. Primary data was obtained through direct interviews with five students from various universities in Banda Aceh, namely Abulyatama University, Syiah Kuala University, UIN Ar-Raniry, Muhammadiyah Aceh University, and Serambi Mekkah University, who are active as TikTok affiliates.

Additionally, observations were conducted on the promotional content they created, including short videos and live streams, and documentation of interactions occurring on their TikTok accounts. Secondary data was obtained through a literature review covering literature related to Islamic economics, fiqh muamalah,

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<sup>5</sup> This report presents the findings of student interviews conducted in Banda Aceh during the year 2025.

contract law, as well as scientific journals and books relevant to affiliate marketing from an Islamic perspective. The literature was used to strengthen the analysis of contract forms, valid contract requirements, and Islamic marketing ethics standards in the digital system.<sup>6</sup>

## RESULTS AND DISCUSSION

### A. The Affiliate Sales System for Products on the TikTok App

#### The Affiliate Sales System for Products on the TikTok App

TikTok is one of the fastest-growing video-based social media platforms, now also integrating e-commerce features through TikTok Shop. One of its standout features is the affiliate marketing system, where users can earn commissions from every product sale they promote through a special link. This system enables individuals without inventory to participate in the digital commerce ecosystem by sharing product links in their content.<sup>7</sup>

Affiliate marketing on TikTok works through a relatively simple yet effective mechanism. First, users (in this case, affiliates) select products from sellers available on TikTok Shop. These products are then linked to the affiliate's account and embedded in their videos as links. When viewers purchase the products through these links, commissions are automatically credited to the affiliate's account based on the percentage set by the seller.

This system utilizes TikTok's robust algorithm to target users based on their interests and behavior, so videos containing affiliate promotions have a high chance of reaching the right audience. Not only that, TikTok also facilitates transparency in the sales process with a special dashboard for affiliates, which records the number of clicks, purchases, and total commissions earned. This provides an easy and efficient user experience for affiliates. Although the system sounds simple, in practice, many users do not fully understand the details of the commission agreement. Many affiliates follow trends without understanding the binding rights and obligations mechanism between them and the seller. As a result, there is a potential discrepancy between what happens in practice and the principles of *fiqh muamalah*, emphasizing clarity of contract and transparency in transactions.<sup>8</sup>

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<sup>6</sup> Syafrida Hafni Sahir, *Metodologi Penelitian* (Yogyakarta: KBM Indonesia, 2021) hlm. 4-8

<sup>7</sup> Nurul Azizah, "Etika Promosi Produk dalam Konten TikTok Menurut Pandangan Islam," *Jurnal Komunikasi Islam* 5, no. 1 (2022): 76-90, <https://journal.umy.ac.id/index.php/jki/article/view/13034>.

<sup>8</sup> Muhammad Fahmi, "Tinjauan Hukum Islam terhadap Affiliate Marketing pada Marketplace Shopee," *At-Tadbir: Jurnal Ilmiah Manajemen Bisnis Syariah* 5, no. 1 (2023): 1-16, <https://ejournal.stiesyariahbangkalis.ac.id/index.php/attadbir/article/view/348>.

In the affiliate marketing ecosystem on TikTok, three main parties are interconnected in product sales transactions: affiliates, sellers, and buyers. All three play important roles in the system's sustainability and have interdependent relationships. Affiliates act as the parties who promote products, sellers as the owners of the products, and buyers as the end consumers of the goods offered through TikTok videos.

In this study, many affiliates are students who act as informal intermediaries between sellers and buyers. They utilize creative content in the form of short videos to attract viewers. Their role is highly significant in influencing purchasing decisions, as it is based on emotional closeness or trust between followers and the affiliates. In practice, affiliates receive compensation in the form of commissions from each successful sale they generate.<sup>9</sup>

Sellers are parties who own and manage product inventory and determine the commission amount for affiliates. They also have control over the payment system and product delivery to buyers. Sellers typically allow anyone to become an affiliate without a specific written contract, simply through digital approval within the TikTok Shop system. This working model makes it easy for anyone to get involved, but it is also prone to contractual ambiguity from a fiqh perspective.

In addition to sharia issues, the affiliate marketing system on TikTok also intersects with positive law in Indonesia, particularly in consumer protection, transparency obligations, and electronic commerce. One relevant regulation is Law No. 11 of 2008 on Information and Electronic Transactions (ITE), as amended by Law No. 19 of 2016. Article 9 of the ITE Law states that businesses offering products through electronic systems must provide complete and accurate information about the products being offered. In practice, many affiliates fail to disclose their status as parties receiving commissions from sales, or do not. Provides detailed descriptions of the promoted goods, raising concerns about consumers' right to clear information.

In the context of supervising digital economic activities, the Indonesian government, through Minister of Trade Regulation (Permendag) No. 31 of 2023 concerning Business Licensing, Advertising, Guidance, and Supervision of Business Actors in Electronic System Trading (PMSE), has also regulated the roles of parties in the e-commerce ecosystem, including sellers, platform providers, and intermediaries. Although affiliates are not always categorized as formal business actors, their role as product promoters in exchange for economic compensation

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<sup>9</sup> Ahmad Sholihin, "Transaksi Affiliate Marketing Perspektif Syariah," *Jurnal Ekonomi Syariah Teori dan Terapan* 9, no. 3 (2022): 523–35, <https://jurnal.unmer.ac.id/index.php/jesya/article/view/9415>.



remains within the scope of these regulations. This indicates that, from both a Sharia and national legal perspective, affiliate marketing practices must be conducted with due regard to legal compliance, transparency, and consumer protection.<sup>10</sup>

In many cases, buyers are unaware that they are purchasing through affiliate links and that some of the funds they pay will become commission for a third party. This raises ethical questions in transactions, especially in the principle of transparency upheld in *fiqh muamalah*. This lack of awareness can create an information imbalance between parties. The involvement of three parties creates a complex relationship within the digital trading system. Interactions between them should be based on the principles of fairness, openness, and clarity of rights and obligations, so as not to conflict with Sharia values.<sup>11</sup>

Based on interviews and field observations, it was found that many students in Banda Aceh have utilized the TikTok affiliate system as an additional source of income. They see significant opportunities in this model because it does not require a significant initial investment and does not necessitate owning their products. They only need to create creative content. Moreover, they can earn commissions by directing viewers to purchase through the links they provide.

Atrita Syahfira, a student in Banda Aceh with a TikTok account named @fasyaaa, revealed that she has been consistently working as a TikTok affiliate. Despite having a relatively small following of 403 followers, she generates sales of approximately 3 million rupiah per week, though the figures are unstable. Atrita's strategy is simple yet effective: she creates creative videos featuring product names and uploads them to TikTok. She says the key is presenting product information engagingly to encourage viewers to purchase through the links she shares.

Nurul Fadilah, owner of the TikTok account @flowershop\_07 with 1,742 followers, has chosen a more intensive marketing method. She conducts four-hour live streaming sessions daily and regularly uploads videos mentioning product names in her content. She has earned around 7 million rupiah from this effort monthly, though the income fluctuates. Nurul states that consistency in live streaming and direct interaction with the audience are crucial elements for increasing sales, as potential buyers feel more confident when they can see the products directly and receive quick responses.

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<sup>10</sup> Rena Rena, Iftitah Dian Humairoh, dan Mia Rosmiawati, "Problematika Normatif Dalam Peraturan Menteri Perdagangan Nomor 31 Tahun 2023 Terkait Larangan Social Commerce Pada TikTok Shop," *Cepido* 5, no. 2 (2023): 184–95.

<sup>11</sup> Siti Nur Rahman, "Analisis Transaksi Marketing Afiliasi dalam Perspektif Etika Bisnis Islam," *Jurnal Ekonomi Syariah* 14, no. 1 (2022): 45–57, <https://journal.iainlangsa.ac.id/index.php/jesya/article/view/2391>.

Through her TikTok account @frestyia, Via Amelia utilizes the affiliate system as an additional income source. With 354 followers, she can generate sales worth around 500,000 rupiah per week. Her strategy includes daily two-hour live streams and uploading videos mentioning product names. Although the numbers are not yet significant, Via believes that the affiliate system offers a realistic opportunity for students to earn income without needing to stock products themselves, provided it is executed consistently and creatively.

Ismawati, a TikTok user with the account name @ismaastore, revealed that she has only recently begun to explore the world of affiliate marketing slowly. With 283 followers, she can only earn around 500,000 rupiah per month. Her marketing activities are limited to one weekly live session and creating promotional videos with product names. Although still on a small scale, Ismawati believes. Growth opportunities remain wide open, especially if she can build a stronger connection with her audience and gradually improve the quality of her content.

Siti Maulida, a TikTok affiliate with the account @amertapkcyyu and 3,000 followers, has pursued this activity more professionally and consistently. She can achieve monthly sales of 4 million rupiah, although the amount varies. Her strategies include posting videos consistently three times a day, always featuring products in the "yellow cart," and hosting live streams at least once a day at the same time. According to Siti, consistency in timing and frequency of content marketing significantly impacts TikTok's algorithm while establishing viewer habits to follow every video she shares.

The author found that most students involved as affiliates did not fully understand the contract concept. They believed being an affiliate was simply about sharing links and earning money from each transaction. However, from the perspective of Islamic jurisprudence, every form of economic cooperation must be based on a clear contract, including the object of the transaction, compensation, and each party's obligations.

Some affiliates are unaware that they are morally and religiously obligated not to promote products that are haram or harmful to others. In some cases, it was found that the products they promote are unclear in terms of halal status or even misleading. The lack of attention to this issue highlights the weakness of fiqh awareness in digital economic practices. It is important to integrate digital technology knowledge with Sharia principles to ensure that the evolving digital economy does not deviate from Islamic values.<sup>12</sup>

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<sup>12</sup> Fathurrahman Siregar, "Afiliasi Produk di TikTok: Telaah Etika Bisnis Islam," *Al-Masharif: Jurnal Ekonomi dan Perbankan Syariah* 8, no. 2 (2023): 115–29, <https://jurnal.iainpadangsidempuan.ac.id/index.php/almasharif/article/view/4210>.



## B. Potential Sharia Deviations in TikTok Affiliate Marketing Practices

In affiliate marketing practices on TikTok, it was found that most affiliates, especially students, engage in activities. Promoting products without understanding the basic principles of contracts in Islam. Contracts are a central element in Islamic jurisprudence, forming the basis for the validity of transactions between two or more parties. When contracts are not understood or even ignored, the legal relationship between the affiliate and the seller becomes unclear, potentially leading to material and moral losses.<sup>13</sup>

Most affiliates only follow technical procedures in the application, such as clicking the "Agree to become an affiliate" button without reading and understanding the applicable terms and conditions. They are unaware that this action is a contract involving rights and obligations between both parties. In Sharia law, a contract must fulfill the elements of *ijab qabul* (offer and acceptance), clarity of the subject matter of the contract, and mutual consent between the transacting parties.

One of the important aspects of business collaboration, including affiliate marketing systems, is clarity in the distribution of results or commissions. Commissions are typically determined by the seller and displayed in the system; however, they are often not explained in detail regarding the amount, payment schedule, and conditions that may cause the commission to be canceled or delayed. This lack of clarity in the contract can lead to disputes and is inconsistent with Sharia principles.<sup>14</sup>

When commissions are not clearly explained, transactions become ambiguous and prone to *gharar* (uncertainty), which Islam prohibits. Affiliates may feel aggrieved if the promised commission is not paid in full or changes at any time without explicit notification.

This issue of ambiguity is further complicated by the fact that digital systems often do not provide written agreements or formal contracts between affiliates and sellers. Many affiliates are unaware whether they are working under a *ju'alah* contract (a promise of payment for a specific result) or a *wakalah bil ujah* contract.

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<sup>13</sup> Laili Nurhayati, "Marketing Digital Berbasis Affiliate dalam Perspektif Hukum Islam," *Mazahibuna: Jurnal Hukum Islam* 4, no. 2 (2022): 103-17, <https://jurnal.iainponorogo.ac.id/index.php/mazahibuna/article/view/3942>.

<sup>14</sup> Rini Yunus, "Tinjauan Fiqih Muamalah terhadap Sistem Komisi Afiliasi Produk di Media Sosial," *Al-Mashlahah: Jurnal Hukum Islam dan Pranata Sosial* 11, no. 1 (2023): 25-39, <https://ejournal.staisumatera.ac.id/index.php/al-mashlahah/article/view/195>.

(representation in exchange for compensation). This lack of knowledge has resulted in uncertainty regarding their legal status as participants in muamalah.<sup>15</sup>

In the digital world, marketing strategies heavily rely on visual content and compelling narratives to capture attention. Many affiliates leverage creativity to persuade audiences to purchase specific products. However, it is common to encounter misleading promotions, such as exaggerating product quality, hiding flaws, or even recommending items they have never tried.

Such practices directly contradict the principle of honesty (*sidq*) in Islamic law. Islam emphasizes that in every transaction, there must be information transparency and honesty in explaining the condition of goods. Misleading consumers through false promotions, intentional or due to lack of information, still falls under the category of *tadlis* (fraud).<sup>16</sup>

Some affiliates admit that they only rely on the seller's narrative or copywriting provided without verifying the accuracy of the product information. This is exacerbated by TikTok's system that encourages viral trends, causing affiliates to focus more on views and commissions than on maintaining content integrity. As a result, many consumers feel deceived after receiving products that do not meet their expectations. In some cases, affiliates are unaware of the origin of the products they promote, including their halal status or the validity of their permits. When affiliates promote products without knowing their validity, they potentially contribute to the sale of questionable goods.

Status. This certainly violates the principle of *ihthiyath* (caution) in Islam.

Islam emphasizes clarity and honesty in every transaction as part of the fundamental principles of muamalah. This emphasis is necessary to prevent disputes or losses among the parties involved. This is emphasized in Allah's verse in Surah Al-Baqarah, verse 282, which commands the recording of debts, the presence of witnesses, and the upholding of justice in contracts. Thus, recording transactions and regulating rights and obligations serve as preventive measures to maintain justice and protect the parties involved in the agreement.

The principles of documentation and clarity taught in the Qur'an are also relevant to modern practices, including digital transactions such as affiliate marketing. This is important because the absence of a written contract or detailed explanation of rights and obligations can lead to uncertainty (*gharar*), which Islam

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<sup>15</sup> Ahmad Hafid, "Sistem Bisnis Afiliasi dalam E-Commerce Ditinjau dari Akad Ju'alah," *IQTISHADIA: Jurnal Ekonomi dan Perbankan Syariah* 10, no. 1 (2023): 55–70, <https://ejournal.iainmadura.ac.id/index.php/iqtishadia/article/view/4598>.

<sup>16</sup> Syamsul Amin, "Hukum Jual Beli Produk melalui Link Afiliasi Perspektif Syariah," *Al-Huquq: Journal of Indonesian Islamic Economic Law* 5, no. 2 (2022): 123–36.

prohibits. Wahbah az-Zuhaili in *al-Fiqh al-Islāmī wa Adillatuh* emphasizes that *gharar* is prohibited in contracts, namely any transaction that contains elements of uncertainty regarding the object, price, or result. Therefore, applying clear and documented contracts in the affiliate system is a business ethical requirement and a Sharia obligation to avoid *gharar*.

Affiliate practices that do not clarify commission amounts, payment times, and wage cancellation mechanisms can be categorized as a form of *gharar* that invalidates the contract. A system that relies on unilateral agreement without thorough reading of the terms and conditions does not fulfill the principle of valid consent in Sharia, but is merely an administrative formality.

The Prophet Muhammad (peace be upon him) also strongly warned against dishonest promotional practices, as stated in his saying:

مَنْ غَشَّائَنَا فَلَيْسَ مِنَّا، وَالْمَكْرُ وَالْخِدَاعُ فِي النَّارِ

"Whoever deceives is not one of us. The one who commits treachery and deception, his place is in Hell." (HR. Ibn Hibban 2: 326. This hadith is authentic as stated by Sheikh Al Albani in *Ash Shahihah* no. 1058).

This hadith applies to physical transactions and encompasses all forms of economic interaction, including digital ones. When an affiliate uploads promotional content with misleading narratives or hides product flaws, this violates the principles of *ṣidq* (truthfulness) and *amanah* (trustworthiness) in Islam. Ignorance about a product's authenticity or halal status does not exempt an affiliate from moral responsibility. Islam upholds the *laa yusmahu bil jahli fil mu'amalat* (ignorance is not an excuse in contractual transactions). A person's lack of knowledge cannot be used as justification for violating Islamic ethical standards.

Given the realities uncovered in this study, it is evident that affiliate marketing practices on TikTok are inconsistent with fiqh principles. Muamalah is not caused by structural systems, but rather by a weak understanding among practitioners of the sharia values that should underpin every transaction. The lack of clarity regarding commissions and minimal documentation of agreements makes this practice vulnerable to elements of *gharar* and *tadlis*. An active role is needed from platform providers to improve sharia literacy and build legal awareness in every economic activity. In this way, the affiliate marketing system on TikTok can become a productive tool that is financially beneficial and in line with the values of honesty and blessings as emphasized in Islam.

### C. The Affiliate Sales System for Products on TikTok from the Perspective of Fiqh Muamalah

In fiqh muamalah, two contract forms are relevant to reviewing the affiliate marketing system: *wakalah bil ujah* and *ju'alah*. *Wakalah bil ujah* is a contract of representation granted by one party to another to carry out a matter in exchange for a sure reward. Meanwhile, a *ju'alah* is a contract promising payment to anyone who can achieve a particular result, without the obligation of performance by the party offered.<sup>17</sup>

According to the Hanafi and Shafi'i schools of thought, *wakalah bil ujah* contracts are permissible as long as the object of the *wakalah* is clear, the wage has been determined, and both parties agree willingly. Meanwhile, in *ju'alah* contracts, the ulama from the Maliki and Hanbali schools of thought see flexibility suitable for open systems such as affiliate marketing, where anyone can work without formal obligations. The commission is only paid if the work produces the intended output, such as a sale.

When examining TikTok affiliate marketing practices, sellers do not specifically designate affiliates but rather open opportunities to the public. Therefore, this relationship resembles a *ju'alah* agreement, as compensation is only provided if there is a tangible outcome in product purchases. However, if there is a specific collaboration agreement governing content Promotion, sales targets, and specific time frames can be categorized under *wakalah bil ujah*. Both contracts have their basis in the Quran and Sunnah and are permitted as long as they do not violate the conditions established in Islamic law.<sup>18</sup>

In Islamic jurisprudence, a valid contract must meet specific requirements, namely the presence of an offer and acceptance, legally competent parties, a straightforward subject matter, and the absence of elements of fraud (*tadlis*), uncertainty (*gharar*), and usury (*riba*). These four conditions apply to all transactions, including digital transactions such as affiliate marketing. The contract may be considered invalid (*fasid*) or even null and void if these elements are unmet.<sup>19</sup>

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<sup>17</sup> Dewi Salamah, "TikTok sebagai Media Promosi Halal: Analisis Fiqh dan Etika Islam," *Jurnal Dakwah dan Komunikasi* 6, no. 2 (2023): 145–59, <https://jurnal.iainbengkulu.ac.id/index.php/dakwah/article/view/5871>.

<sup>18</sup> Ilham Maulana, "Peran Influencer Muslim dalam Menjaga Etika Bisnis di TikTok Shop," *Jurnal Ilmu Dakwah dan Komunikasi Islam* 8, no. 1 (2024): 91–105, <https://jurnal.uin-suska.ac.id/index.php/dakwah/article/view/9476>.

<sup>19</sup> Aditya Rizki, "Transaksi Komisi Afiliasi Digital dalam Perspektif Maqashid Syariah," *Jurnal Hukum Ekonomi Syariah* 11, no. 1 (2023): 60–74, <https://jurnal.staibu.ac.id/index.php/hukumekonomi/article/view/4017>.

Implementing valid contract requirements in the TikTok affiliate system still faces various challenges. Although there is digital consent (by clicking the consent button in the app), the explicit exchange of offers and acceptance (*ijab* and *qabul*) does not occur between the affiliate and the seller. Second, the subject matter of the contract—the promotional tasks and their compensation—is often not clearly defined, and is sometimes merely listed as a percentage commission without detailed terms for its disbursement. Furthermore, many affiliates do not understand their rights and obligations within this system. They rely solely on the automated system, without legal awareness of their status in the contract. However, in Islamic law, a contract is not merely an administrative formality but a moral and legal commitment that must be fulfilled.<sup>20</sup>

When examined from the fundamental principles of fiqh muamalah, affiliate marketing practices as they occur on the TikTok app are fundamentally permissible (halal) and valid (sahih), provided they are conducted by the principles of a valid contract (akad). Classical and contemporary ulama have recognized the *ju'alah* and *wakalah bil ujrah* contracts that form the basis of this practice. They can be applied in the context of the digital economy. However, it must be acknowledged that practices in the field often deviate from ideal sharia principles. Lack of knowledge of affiliators. Issues such as the validity of contracts, ambiguity in commissions, and the potential for consumer misinformation require serious attention.

Substantively, there is no prohibition in Islam against earning income from product promotion activities, provided they are conducted honestly and fairly. Islam encourages its followers to be active in the economy, provided it does not involve haram elements. Therefore, it is not the affiliate system itself that is problematic, but rather its implementation, which must be aligned with Sharia values.<sup>21</sup>

Various concrete steps must be taken to ensure the affiliate marketing system complies with Sharia principles. Improving the understanding of contracts among affiliates is very important. They must understand the types of contracts they enter, their rights and obligations, and the Sharia consequences of every promotional action they take. This can be done through short training sessions or educational modules on the TikTok platform.

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<sup>20</sup> Hanafi Marzuki, "Keabsahan Akad pada Program TikTok Affiliate Menurut Ulama Fiqih," *Al-Amwal: Jurnal Ekonomi dan Perbankan Syariah* 13, no. 1 (2023): 42–55.

<sup>21</sup> Nurul Fitriani, "Affiliate Marketing dan Potensinya terhadap Gharar dan Tadlis dalam Bisnis Online," *Jurnal Hukum dan Ekonomi Islam* 9, no. 2 (2023): 88–104, <https://jurnal.uinsu.ac.id/index.php/jhei/article/view/3928>.

Platform providers such as TikTok Shop need to provide transparent digital contract features, where all terms of cooperation, commission rates, payment terms, and legal responsibilities are explained in detail. These documents must be easily accessible to all affiliates, not hidden in rarely read help pages. This transparency is part of the principles of *bayan* and *itqan* in Islamic commercial law. Furthermore, Islamic promotional ethics should be a guideline for Muslim affiliates. They should avoid misleading marketing tactics, exaggerating product benefits, and promoting products with unclear halal status. In this regard, universities or digital da'wah communities can play a significant role in developing an ethical code for Muslim affiliates. This guideline can serve as a reference for platforms, affiliates, and consumers in creating a digital commerce ecosystem aligned with Islamic jurisprudence.<sup>22</sup>

## CONCLUSION

Based on field findings and in-depth analysis of Islamic jurisprudence on commercial transactions, affiliate marketing practices on the TikTok app among students in Banda Aceh have become an attractive alternative source of income due to their flexibility and ease of access. Affiliators utilize TikTok Shop features by uploading creative videos or conducting live streams to promote specific products and earn commissions from transactions made through affiliate links. Economically, this system offers inclusive opportunities, even for students with limited capital. From an Islamic commercial law perspective, the practices carried out by most affiliators are not entirely in line with Sharia principles. There is still a lack of understanding regarding the concept of a valid contract, whether in the form of *ju'alah* or *wakalah bil ujah*. Important elements such as clarity of the transaction object, compensation transparency, and mutual consent between parties have not been fully met.

In some cases, there is ambiguity regarding commissions and promotional content that may be misleading or fail to mention the halal status of products, thereby containing elements of *gharar* and *tadlis*, which are prohibited in Islam. According to the author, there is a need to enhance Islamic jurisprudence literacy among affiliates, particularly in understanding the forms and valid conditions of digital contracts. Platforms like TikTok are also encouraged to provide explicit and easy-to-understand contract systems, including detailed explanations regarding both parties' commission distribution, rights, and obligations. Furthermore,

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<sup>22</sup> Muhammad Darmawan, "Urgensi Literasi Akad bagi Mahasiswa Muslim Pelaku Afiliasi Digital," *Jurnal Fiqh Muamalah* 5, no. 2 (2022): 73–87, <https://jurnal.umj.ac.id/index.php/fiqhm/article/view/1221>.



guidelines for Islamic promotional ethics should be established as standards for Muslim affiliates, ensuring that affiliate marketing practices yield economic benefits and bring blessings and align with the values of justice, honesty, and responsibility as mandated by Islamic commercial law.

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