



Discriminatory Practices Against Sellers by the Shopee Marketplace from the Perspective of Law Number 5 of 1999 and the Principle of Al-'Adālah According to Sayyid Qutb

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Abstract: This study examines the practice of seller discrimination by the Shopee marketplace, which emerges through algorithmic policies, paid promotional services, and platform features that tend to favor certain sellers. This issue is analyzed based on Law No. 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition, as well as the principle of justice in Islamic economics, which emphasizes distributive fairness and balance in commercial transactions (muamalah). This research employs a normative juridical with a constitutional and philosophical approach to identify the impact of such approach discrimination on small and medium-sized enterprises (SMEs) that operate as sellers on the Shopee platform. The findings show that the existence of paid promotions, store rankings, and Shopee's algorithmic recommendations potentially leads to unfair business competition, as these systems prioritize sellers who can afford to pay more for greater visibility. This directly weakens the position of smaller sellers, limits their market access, and creates disparities that contradict the principles of justice in Islamic economics, which call for equal opportunities and fair treatment for all business actors. Therefore, stricter oversight from competition authorities and regulatory evaluation are needed to ensure fair, healthy competition that aligns with both legal norms and Islamic economic values. This research is expected to contribute to strengthening digital business competition policies based on the values of Sharia justice.

Keywords: Seller Discrimination; Marketplace; Business Competition; Law No. 5 Of 1999; Justice In Islamic Economics.

1. Introduction

The phenomenon of seller discrimination on marketplace platforms has increasingly attracted attention in studies of digital competition law in Indonesia. Shopee Indonesia, as one of the largest marketplace platforms, implements algorithm-based systems and paid promotional features such as Top Ads and Flash Sale, which are considered to create disparities in visibility among sellers. Large sellers affiliated with Shopee Mall or those with greater financial capacity are able to purchase premium positions in search results, while Micro, Small, and Medium Enterprises (MSMEs) face difficulties in obtaining equal exposure. This condition reinforces a non-competitive market structure, as platform algorithms are not entirely neutral with respect to business scale (Kennedy, 2024).

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Other studies also indicate that promotional models and progressive administrative fee policies on marketplace platforms tend to favor capital-intensive sellers, thereby weakening the principle of fair competition as stipulated in Law Number 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition (Prasetyo et al., 2024). In addition to being examined from the perspective of competition law, marketplace management practices are also relevant to be analyzed within the framework of contemporary Islamic law. Harahap & Hasanah (2025) emphasize that digital platforms bear a normative responsibility to maintain a balanced legal relationship between consumers and sellers. Internal marketplace policies that lack transparency and potentially create unequal access may give rise to legal implications, particularly for small-scale business actors. Therefore, the analysis of marketplace practices must be conducted comprehensively by considering both positive law and the values of Islamic economic justice. The issue of seller discrimination not only results in declining income and limited market access for MSMEs, but also potentially violates Article 19 letter (d) of Law Number 5 of 1999, which prohibits business actors from engaging in discriminatory practices against certain business entities (KPPU 1999).

Competition law is understood as a set of legal norms governing economic activities to ensure they operate in a healthy, efficient, and fair manner by prohibiting monopolistic practices and the abuse of dominant positions that may harm other business actors and consumers. From the perspective of Islamic economics, such practices are also inconsistent with the concept of distributive justice proposed by Sayyid Qutb, which emphasizes the importance of equal opportunity in economic activities to maintain social balance and public welfare (Qutb, 1999). This phenomenon becomes increasingly significant given Shopee's role as one of the largest marketplace platforms in Indonesia, with a continuously growing number of active users each year.

According to a report by (Katadata Indonesia, 2023), in the third quarter of 2023 Shopee recorded an average of more than 150 million monthly visits, far surpassing its main competitors. Shopee's popularity and scale mean that every policy it implements has a substantial impact on the structure of business competition and the sustainability of MSMEs within the national digital ecosystem. Such practices pose the risk of creating an imbalanced market structure in which only a small number of large business actors obtain optimal benefits. MSMEs, which constitute the majority of economic actors in Indonesia, become less competitive due to their inability to afford additional promotional costs, despite contributing more than 60% of national GDP and absorbing approximately 97% of the workforce (KPPU, 2022). This type of inequality is feared to have systemic effects on the national economy and to harm consumers through reduced product diversity and less competitive pricing (Adeola N. Raji et al., 2023). Accordingly, algorithms that benefit large sellers while marginalizing small sellers contradict the spirit of distributive justice and equality as taught in Islam. This study examines Sayyid Qutb's theory of distributive justice, which emphasizes balanced ownership, the protection of vulnerable parties, and the equitable distribution of economic access. Furthermore, the study analyzes how potential discriminatory practices by Shopee—such as the dominance of Shopee Mall and Star Seller in search results—may marginalize small sellers. According to (Rokan, 2010), discriminatory practices constitute one of the

prohibited forms of conduct in competition law because they hinder certain business actors from obtaining equal opportunities in the market. Such discrimination may take the form of price differentiation, facilities, or trading conditions that are not based on objective considerations.

Previous studies have examined business competition and alleged discrimination in digital marketplaces, particularly on the Shopee platform; however, most of them rely on normative competition law analysis and do not incorporate the perspective of Islamic distributive justice. Tando (2025) analyzes Shopee's market structure and platform dominance under Law Number 5 of 1999 but does not relate these findings to the principle of *al-'adālah* in Islamic law. Similarly, studies on self-preferencing and algorithm-based discrimination reveal potential violations of competition law yet remain limited to positive legal analysis without addressing social justice or the protection of small business actors from an Islamic perspective (Khumaira, 2025; Samariadi, 2025). Therefore, this study fills the research gap by integrating Law Number 5 of 1999 with the principle of *al-'adālah* as articulated by Sayyid Qutb in analyzing seller discrimination practices on the Shopee marketplace.

Based on these issues, this study seeks to further examine two main aspects. First, it analyzes the impact of Shopee's algorithmic policies and promotional features, which tend to be discriminatory, on MSMEs in terms of income, market access, and business sustainability. Second, it explores legal solutions and approaches based on the principles of Islamic justice that can be formulated to create healthier and fairer business competition on digital platforms. It is expected that this research will provide both theoretical and practical contributions to strengthening e-commerce regulation, enhancing oversight by competition authorities, and serving as a reference for integrating Islamic justice values into modern business practices in Indonesia.

2. Materials and Methods

The study employs a normative juridical method combined with digital observation, using statutory and philosophical approaches. This approach is applied to analyze seller discrimination practices by the Shopee marketplace based on the provisions of Law Number 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition, as well as to examine how Shopee's algorithmic policies practically affect micro, small, and medium enterprises (MSMEs) with non-Star seller status.

The study utilizes both secondary and primary data obtained through online observation and brief interviews. The primary legal material used in this research is Law Number 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition. Secondary legal materials include competition law textbooks, scientific articles, and academic journals related to algorithmic discrimination. Non-legal materials consist of official reports from the Shopee Seller Centre (2025), concerning the Shopee Mall, Star+, and Star features, reports published by Katadata Indonesia (2023), as well as testimonials from Shopee sellers.

Data collection is conducted through library research by systematically reviewing the provisions of Law Number 5 of 1999 and relevant academic literature to establish the applicable legal framework. In addition, digital observation is carried out by examining the display of search results on the Shopee platform for Shopee Mall, Star+, Star, and non-Star stores, with particular attention to product ranking, visual labels, and appearances within recommendation features. To complement these observations, limited qualitative interviews are conducted using structured questions delivered via chat applications (WhatsApp) to four Star and non-Star sellers in order to document their experiences related to product visibility in search results.

The data are analyzed using descriptive qualitative analysis. This analysis involves identifying Shopee’s algorithmic features and policies that influence seller product visibility in search results, examining their conformity with the provisions of Article 19 letter (d) of Law Number 5 of 1999, and comparing empirical findings derived from seller testimonials and search result observations with theories of competition law. Based on this process, normative conclusions are drawn regarding the potential violations and their impacts on small or non-Star sellers.

3. Results and Discussion

3.1 Forms of Seller Discrimination by the Shopee Marketplace

a. Algorithmic Preference for Shopee Mall in Recommendations and Product Listings

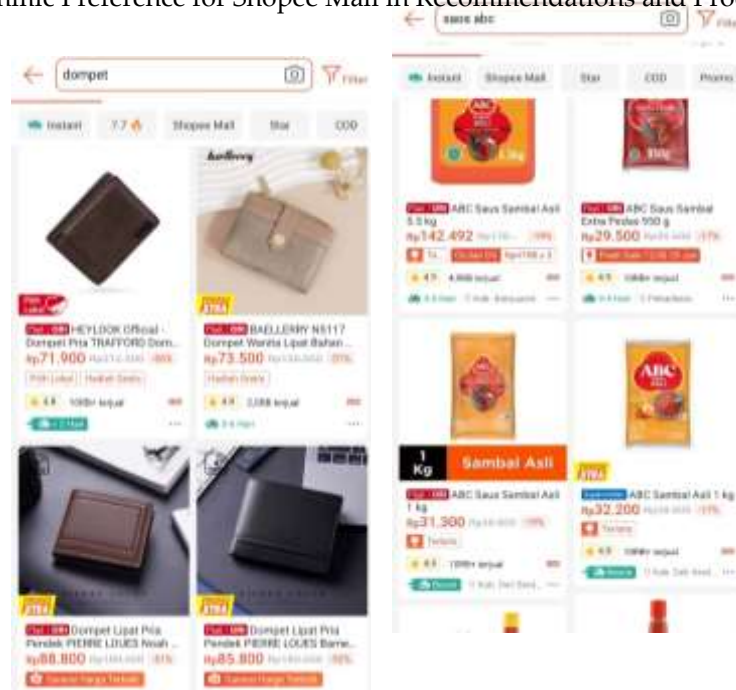


Figure 1. Product ranking on Shopee based on search results, illustrating the operation of the recommendation algorithm that prioritizes Shopee Mall.

Healthy business competition constitutes a fundamental prerequisite for the realization of economic justice. In practice, however, business actors holding dominant positions frequently engage in discriminatory conduct that harms small business actors as well as consumers. Law Number 5 of 1999 was enacted as a legal instrument to prevent

monopolistic practices and unfair business competition, including various forms of discrimination. Article 19 letter (d) of Law Number 5 of 1999 explicitly stipulates that:

“Business actors are prohibited from carrying out one or more activities, either individually or jointly with other business actors, which may result in monopolistic practices and/or unfair business competition in the form of discriminatory practices against certain business actors.” (UU No. 5 Tahun 1999)

Law Number 5 of 1999 prohibits all forms of monopolistic practices and unfair business competition that have the potential to generate economic injustice. In the context of marketplace platforms, platform dominance over sellers may create excessive economic dependence. Mahira Fadyah et al. (2023) argue that Shopee’s internal systems and policies, particularly those related to certain features, have the potential to place users in economically imbalanced positions. Such positional inequality becomes particularly relevant when associated with seller discrimination practices, as algorithmic policies, account sanctions, and promotional arrangements may influence competition among sellers in an unfair manner. Accordingly, marketplace practices must be examined to assess their conformity with the principles of healthy business competition as regulated under Law Number 5 of 1999.

Based on Figure 1, search results across various product categories demonstrate that products from Shopee Mall consistently appear at the top of product listings and are frequently accompanied by special labels or icons. Regular sellers or MSMEs tend to appear in subsequent positions with significantly lower visibility. This condition indicates the existence of algorithmic preferences that prioritize Shopee Mall over other sellers, constituting a contemporary form of discrimination within e-commerce algorithmic practices. According to Rokan (2010), business actors holding a dominant position are prohibited from using their power to control the market or eliminate competitors. Policies that appear neutral on their face but produce exclusive benefits for certain parties may be classified as an abuse of dominant position. In the marketplace context, algorithmic policies that consistently place Shopee Mall products at the top of search results represent a form of digital dominance analogous to the abuse of dominant position.

The Shopee platform’s algorithm demonstrably exhibits a stronger preference for products originating from Shopee Mall compared to those offered by regular sellers. This preference is evident in the consistent placement of Shopee Mall products at the top of search listings, even when other sellers offer lower prices or comparable consumer reviews. Such algorithmic preference gives rise to discriminatory practices because not all sellers are afforded equal opportunities to be accessed by consumers. Consequently, this practice may be qualified as an abuse of dominant position under competition law (Dewi et al., 2025)

b. Differences in Administrative Fees

Table 1. Administrative Fees Applied to Non-Star Sellers Who Have Achieved a Minimum of 50 Completed Orders Since Joining Shopee

Category	Administrative Fee (Base Non-Star)	Administrative Fee (Final Non-Star)
A	10.0%	8.0%

B	7.5%	7.5%
C	5.75%	5.75%
D	4.25%	4.25%
E	2.5%	2.5%

Source: Shopee seller centre

Table 2. Administrative Fees Applied to Sellers Participating in the Star/Star+ Program

Category	Administrative Fee (Base Star/Star+)	Administrative Fee (Final Star/Star+)
A	10.0%	8.0%
B	7.5%	7.5%
C	5.75%	5.75%
D	4.25%	4.25%
E	2.5%	2.5%

Source: Shopee seller centre

Table 3. Administrative Fees Applied to Shopee Mall Sellers Category

Category	Administrative Fee (Base Shopee Mall)	Administrative Fee (Final Shopee Mall)
A	10.2%	10.2%
B	9.7%	9.7%
C	7.2%	7.2%
D	6.2%	6.2%
E	5.2%	5.2%
F	3.2%	3.2%
G	2.5%	2.5%

Source: Shopee seller centre

Differences in administrative fees and promotional policies implemented by digital platforms such as Shopee have the potential to generate structural injustice for small business actors. According to Kurniasari & Rahman (2023), variations in service fees and commission systems among Shopee Mall, Star Seller, and Non-Star Seller categories result in unequal economic access, whereby large business actors obtain greater competitive advantages due to their ability to bear higher advertising and additional commission costs. Such cost structures may weaken the competitiveness of Micro, Small, and Medium Enterprises (MSMEs) by compressing profit margins and limiting their capacity to utilize paid promotional features.

This finding is consistent with Kennedy (2024) who explains that progressive fee policies on marketplace platforms tend to reinforce the dominance of large business actors and create barriers to entry for new or smaller market participants. From the perspective of competition law, such practices potentially violate the non-discriminatory principle as stipulated in Article 19 letter (d) of Law Number 5 of 1999, which prohibits business actors from engaging in conduct that may hinder other business actors from competing. Furthermore, Latifah et al. (2025) emphasize that algorithmic models and disproportionate cost structures within digital ecosystems may give rise to new forms of abuse of dominant position, which are contrary to the principles of economic justice in a healthy market system.

Differences in administrative fees across seller categories therefore warrant critical review, as they may fulfill the element of discrimination under Article 19 letter (d) of Law Number 5 of 1999, namely differential treatment of business actors without objective justification. Shopee should consider implementing a more proportional fee system that takes into account the capacities of MSMEs in order to avoid creating barriers

to entry in the digital market. Accordingly, the application of differentiated administrative fees within marketplace platforms not only has the potential to violate Article 19 letter (d) of Law Number 5 of 1999 concerning the prohibition of discriminatory business practices, but also contradicts the principle of equitable distribution in Islamic economics (Taufiqurrohman et al., 2025).

c. Differences in Promotional Features, Benefits, and Badges

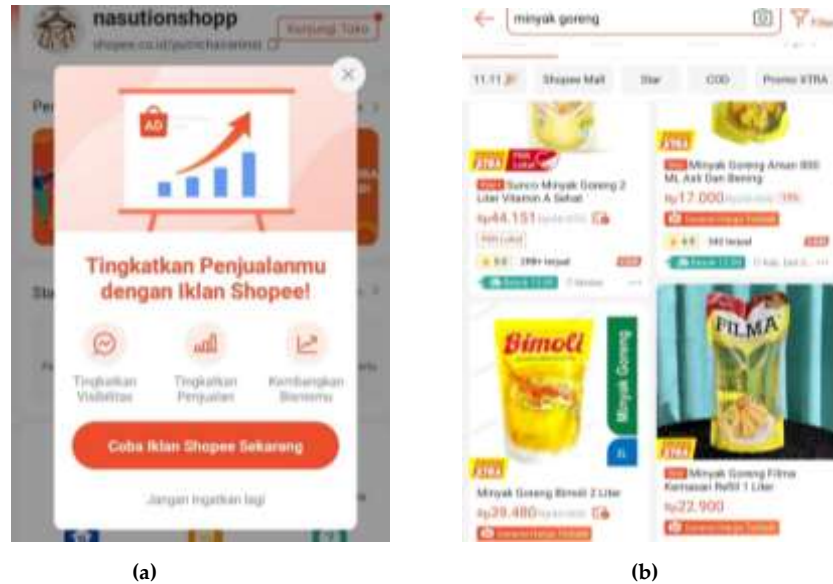


Figure 2. (a) Shopee Advertising Feature; (b) Product search results displaying Star+ or Star Seller stores in top positions with special badges.

Shopee classifies its sellers into three main categories, namely Non-Star Sellers, Star Sellers, and Shopee Mall. This classification directly determines access to promotional features and the allocation of badges, which function as symbols of trust for consumers. The differences in benefits provided by Shopee to Non-Star Sellers, Star Sellers, and Shopee Mall indicate a significant stratification in access to promotional features and consumer trust (Shopee Seller Centre, 2025).

Non-Star Sellers face limitations in utilizing paid promotional features, such as advertisements and shop vouchers, and do not receive special identification badges that could enhance their credibility in the eyes of consumers. In contrast, sellers with Star Seller status enjoy broader access to promotional programs, including additional shipping discounts, greater exposure in search results, and special badges that strengthen consumer trust. Shopee Mall, which is designated for major brands or official partners, receives the highest level of benefits, including exclusive badges, product authenticity guarantees, and priority placement in product searches. Ye et al. (2023) demonstrate that many sellers and their products receive insufficient exposure to consumers in online marketplaces, underscoring the need for fairer reward mechanisms within recommendation systems to reduce exposure bias that disadvantages small sellers. Policies that differentiate promotional features and badge allocation on e-commerce platforms may result in unequal access among sellers. Studies in the context of Indonesian MSMEs indicate that although digital marketing features are available on marketplace platforms,

MSMEs continue to face significant challenges in achieving visibility comparable to that of larger business actors or those with greater resources (Ardiansyah, 2021).

Furthermore, research on the adoption of e-commerce technology by MSMEs highlights that promotion and competition serve as critical mediating factors in the success of digital sales. This implies that when promotional access is limited to certain seller categories, competition becomes inherently unbalanced (Siregar et al., 2025). Consequently, the provision of exclusive badges and promotional access to only a subset of sellers has the potential to create asymmetric competition, a condition in which small business actors face difficulties entering or competing effectively on the platform—constituting a practice that may conflict with the principles of fair competition.

Figure 2(a) illustrates the “Shopee Ads” promotional feature, which encourages sellers to enhance product visibility through paid services. This supports the argument that promotional access on Shopee is not fully equitable, as higher exposure is primarily available to sellers who utilize paid features. Figure 2(b) presents search results for the product category “cooking oil,” where stores with Star+ or Star Seller status appear in the top positions and are accompanied by special badges. This further reinforces the finding that Shopee grants display priority and greater consumer trust to specific seller categories.

d. Creating Barriers to Competition (Restraint of Trade)

Article 19 letter (d) of Law Number 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition contains an element stating “in the form of engaging in discriminatory practices against certain business actors.” This element constitutes the core of the provision, which prohibits differential treatment without objective justification. In the context of Shopee, discrimination is evident in the unequal provision of promotional facilities, administrative fees, and special badges that are accessible only to certain categories of sellers. Rokan (2010) emphasizes that such treatment constitutes discriminatory practice because it subjects business actors to unequal treatment without rational and justifiable reasons. To strengthen these normative findings, the author conducted interviews with several Shopee sellers to obtain an empirical overview of the impact of algorithmic policies on visibility and market access. The interviews were conducted via WhatsApp with four informants using structured questions addressing the duration of selling activities on Shopee, current account status, perceived difficulties in competing with Star or Star+ sellers, the frequency with which Star+ or Shopee Mall products appear in search results, experience with Shopee Ads and their impact, perceptions of whether Shopee’s algorithm favors large sellers, and suggestions for improving fairness within the Shopee system.

Based on the interview results, diverse experiences were identified regarding competitive constraints on the Shopee platform. The first informant, who has been selling for eight years with Star Seller status, stated that they have never experienced significant difficulty in competing, even though products from Star+ stores or Shopee Mall frequently appear in search results. The informant acknowledged that Shopee’s algorithm tends to benefit large sellers, although they have never used Shopee Ads.

According to this informant, Shopee should enhance the visibility of non-Star sellers, provide training and easier access to resources, and reduce the costs and requirements for achieving Star Seller status so that smaller sellers have greater opportunities to compete. The second informant, who began selling in 2022 and holds Non-Star status, reported experiencing difficulty competing due to the frequent appearance of products from Star+ sellers and Shopee Mall in search results. Although they have never used Shopee Ads, they perceived that the platform's algorithm clearly favors large sellers. As a recommendation, the informant suggested that Shopee should reduce tax burdens and provide fairer opportunities for small sellers..

The third informant, who began selling in March and also holds Non-Star status, stated that they have not directly experienced significant difficulty competing, despite the consistent dominance of Star+ and Shopee Mall products in search results. They have never used Shopee Ads and believe that the algorithm does not always favor large sellers. Nevertheless, they suggested that Shopee standardize sales percentages across all sellers in order to create fairer competition. The fourth informant, who began selling in mid-2024 with Non-Star status, acknowledged experiencing difficulty competing because Shopee Mall products appear more frequently in search results. They had previously used Shopee Ads but still perceived that Shopee's algorithm favors large sellers. The informant suggested that sellers should maintain store ratings and ensure product descriptions are accurate in order to remain competitive despite existing limitations.

From the interviews with the four informants, it can be understood that Shopee's algorithmic policies and seller ranking system generate varying impacts depending on the status and experience of each seller. The first informant, who has operated for eight years as a Star Seller, reported no significant obstacles to competition and perceived the algorithm and ranking system as a form of reward for consistent store performance, despite acknowledging the frequent visibility of Shopee Mall and Star Seller products. Conversely, Non-Star sellers presented more diverse perspectives. The second informant reported difficulty competing due to the dominance of large and official stores, while the fourth informant experienced similar challenges even after utilizing paid promotional features. Both emphasized that the algorithm disproportionately benefits large sellers, particularly in terms of product visibility. However, the fourth informant also noted that maintaining high ratings and consistent product descriptions could help small sellers remain competitive. In contrast, the third informant offered a more moderate perspective, stating that they did not experience substantial difficulty despite acknowledging the dominance of Shopee Mall products in search results. According to this informant, the algorithm does not exclusively benefit large sellers but still provides opportunities for smaller sellers who are able to adapt their sales strategies. This indicates that although perceptions of unfairness exist, some small sellers are still able to identify opportunities to compete within a market dominated by large sellers.

Overall, the interviews suggest that Shopee's system provides structural advantages to large sellers through algorithmic mechanisms and promotional features, while not entirely eliminating opportunities for small sellers. For some Non-Star sellers, the system is perceived as discriminatory due to limited visibility, whereas for more adaptive sellers, it remains a tool that can be leveraged to survive in the competitive

environment. Accordingly, a balanced conclusion may be drawn that Shopee's policies simultaneously present challenges and opportunities: they function as mechanisms for maintaining market dominance for large sellers, while serving as incentives for smaller sellers to improve quality, creativity, and the effective use of promotional features. To foster a fairer and healthier competitive climate, it is essential for Shopee to balance incentives for large sellers with affirmative support for small sellers.

Decision of the Business Competition Supervisory Commission (KPPU) Number 07/KPPU-I/2020 in the Lion Air Group case serves as an important precedent in assessing discriminatory business practices in Indonesia. In this case, KPPU held that the granting of exclusive rights to a single cargo service provider effectively closed market access for other business actors, thereby constituting a violation of Article 19 letter (d) of Law Number 5 of 1999 (KPPU, 2021). This decision underscores that any form of differential treatment that restricts equal competitive opportunities may be classified as business discrimination. The decision illustrates a broader pattern of vertical discrimination in business relationships, wherein an entity holding a dominant position employs internal policies to grant exclusive treatment to specific partners. A similar phenomenon can be observed within the Shopee marketplace ecosystem, where algorithmic policies and paid promotional features such as Top Ads or Flash Sale tend to benefit Shopee Mall sellers with substantial capital capacity. Platform policies that prioritize consumer protection without adequately considering the position of sellers risk generating practices that disadvantage certain business actors within the digital ecosystem (Afifah & Hidayat, 2024). Accordingly, algorithmic practices that prioritize Shopee Mall and highly badged sellers without proportional mechanisms to support MSMEs have the potential to violate the principle of business fairness as reflected in KPPU jurisprudence. Therefore, oversight of marketplace algorithms should not be limited to contractual aspects alone but must also address the substantive dimension of economic justice in order to prevent digital dominance by large business actors.

3.2 Seller Discrimination Based on Sayyid Qutb's Concept of Al-'Adālah

Islamic economic law is fundamentally constructed upon the principles of justice (al-'adālah), public welfare (maṣlaḥah), and the balance of rights and obligations among parties in every economic activity. Rokan and Zulham explain that Islamic economic law functions not merely as a religious norm, but also as a legal system aimed at preventing exploitation and inequality within modern economic relations. Consequently, any form of economic practice that places one party in a dominant position and systematically disadvantages another party is contrary to the fundamental principles of Islamic economic law (Zulham & Rokan, 2023).

In Islamic thought, justice (al-'adālah) represents the most essential foundation for regulating social and economic life. Sayyid Qutb emphasizes that social justice (al-'adālah al-ijtimā'iyah) is not limited to formal equality, but encompasses distributive justice, moral balance, and the protection of vulnerable groups from oppressive economic domination (Qutb, 1999). This principle requires that every individual be afforded equal opportunities to earn a livelihood and benefit from economic activities, free from structural barriers that are discriminatory in nature.

Within the context of the digital economy, injustice frequently emerges in the form of algorithms or platform policies that disproportionately benefit certain parties. The phenomenon of seller discrimination on Shopee, for instance, can be observed through recommendation algorithms and product visibility systems that prioritize large-scale stores or sellers who utilize paid features such as Shopee Ads. This condition makes it difficult for small sellers to obtain comparable exposure, even when their products and services are of similar quality. Moreover, the imposition of higher administrative fees and the reliance on paid promotional mechanisms further reinforce disparities between large and small business actors within the e-commerce ecosystem.

According to the principles of Islamic social justice articulated by Qutb, such practices contradict the Islamic spirit that rejects economic exploitation (*al-istighlāl al-iqtisādī*). Islam affirms that wealth and economic resources must be distributed proportionally so that they do not circulate exclusively among certain groups (Qur'an, Al-Hasyr [59]: 7). Qutb interprets this verse as a corrective measure against monopolistic and unethical economic systems, as such systems risk eroding the social balance that forms the foundation of an Islamic society (El-Aziz, 2018). Qutb further explains that justice in Islam must be realized through a social order that enables all members of society to obtain their economic rights fairly, without domination by excessive market power or capital accumulation (Mubarok, 2022). This principle imposes a moral responsibility upon administrators of digital economic systems to pursue not only efficiency and profit, but also social balance. Accordingly, Islamic social justice demands that e-commerce platforms such as Shopee develop algorithmic systems and fee policies that are transparent, inclusive, and oriented toward the sustainability of small business actors as part of their broader social responsibility.

4. Conclusions

The key conclusion that can be drawn is that Shopee, through its algorithmic policies and paid promotional mechanisms, indirectly creates a market structure that tends to favor large-scale sellers. This condition may weaken the position of small and medium enterprises, despite their vital role in the national economy. To foster a healthier digital ecosystem, stricter oversight by the Business Competition Supervisory Commission (Komisi Pengawas Persaingan Usaha/KPPU) is required, particularly with regard to marketplace algorithmic practices. In addition, greater transparency in ranking and promotional systems, as well as the implementation of affirmative policies that are more supportive of small and medium enterprises, are essential. Shopee should therefore re-evaluate its algorithmic systems and promotional policies to ensure greater transparency and to provide equal opportunities for all sellers, including micro, small, and medium enterprises. The Business Competition Supervisory Commission (KPPU) is expected to strengthen its supervision of algorithmic practices that may lead to discriminatory effects. Furthermore, the government needs to promote e-commerce regulations that prioritize economic justice. Through these efforts, a digital ecosystem that is healthy, fair, and sustainable can be achieved. This study has several limitations, as it employs a normative juridical approach based on secondary data and focuses

exclusively on the Shopee platform, while limiting the analysis of distributive justice to the concept of al-'adālah as articulated by Sayyid Qutb. Therefore, future research is recommended to adopt empirical approaches and comparative analyses in order to broaden the generalizability of the findings.

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