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Analysis of Buying and Selling Used Mobile Phones from the Perspective of Sharia Economic Law

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Abstract

The development of communication technology has increased public demand for mobile phones, including used mobile phones that are more affordable than new products. This condition has encouraged the growth of used mobile phone trading in various stores, one of which is Garasi Phone Counter Jember. This study aims to determine the transaction mechanism of buying and selling used mobile phones and to analyze the practice based on Islamic economic law. This research uses an empirical qualitative method with a descriptive approach. Data were collected through observation, interviews, and documentation involving the store owner, employees, and consumers. The results of the study show that the buying and selling process of used mobile phones at Garasi Phone Counter Jember is carried out through product inspection, price determination, bargaining, agreement, and handover of the goods. From the perspective of Islamic economic law, the practice is generally permissible because it fulfills the pillars and conditions of sale and purchase. However, transparency regarding the condition of the mobile phones, especially refurbished products, must be clearly conveyed to avoid elements of fraud and uncertainty that may harm consumers. Therefore, honesty and transparency are essential principles in creating transactions that are in accordance with Islamic economic law.
Keywords: buying and selling; used mobile phones; Islamic economic law; consumer protection.

Abstrak

Perkembangan teknologi komunikasi menyebabkan meningkatnya kebutuhan masyarakat terhadap handphone, termasuk handphone bekas yang memiliki harga lebih terjangkau. Kondisi ini mendorong berkembangnya praktik jual beli handphone bekas di berbagai counter, salah satunya Counter Garasi Phone Jember. Penelitian ini bertujuan untuk mengetahui mekanisme transaksi jual beli handphone bekas serta menganalisis praktik tersebut berdasarkan hukum ekonomi syariah. Penelitian menggunakan metode kualitatif empiris dengan pendekatan deskriptif. Data diperoleh melalui observasi, wawancara, dan dokumentasi terhadap pemilik toko, karyawan, dan konsumen. Hasil penelitian menunjukkan bahwa proses jual beli handphone bekas di Counter Garasi Phone Jember dilakukan melalui pemeriksaan barang, penentuan harga, tawar-menawar, hingga akad dan serah terima barang. Dari perspektif hukum ekonomi syariah, praktik tersebut pada dasarnya diperbolehkan karena telah memenuhi rukun dan syarat jual beli. Namun, keterbukaan informasi mengenai kondisi handphone, terutama barang rekondisi, harus dilakukan secara jelas agar tidak menimbulkan unsur penipuan maupun ketidakjelasan yang dapat merugikan konsumen. Dengan demikian, kejujuran dan transparansi menjadi prinsip utama dalam mewujudkan transaksi yang sesuai dengan hukum ekonomi syariah.
Kata Kunci: jual beli; handphone bekas; hukum ekonomi syariah; perlindungan konsumen

INTRODUCTION

Trade is an economic activity that has been going on for a long time and is an important part of meeting the needs of human life. In practice, buying and selling activities involve the relationship between the seller and the buyer through the process of offering and requesting goods. Along with the development of technology, people's needs for communication tools are increasing, especially in the use of mobile phones as a modern means of communication. The high demand has caused the mobile phone trade to grow rapidly, including the sale of used mobile phones that are in demand by the public because the price is more affordable than new products. From the perspective of sharia economic law, trade activities must be carried out based on the principles of justice, honesty, openness, and protection of consumer rights so as not to cause losses to one party.[1]

Consumer protection in buying and selling used cellphones is an important issue, especially for refurbished goods whose quality is often not in accordance with the information provided. Law Number 8 of 1999 concerning Consumer Protection prohibits business actors from trading damaged, defective, or used goods without providing clear information to buyers. One of the mobile phone sales places in Jember is the Phone Garage Counter which provides various types of new and used mobile phones with a direct purchase system in the store. However, in practice, it was found that there were sales of refurbished mobile phones, namely used items that have been repaired with certain components to make them look suitable for use. This condition has the potential to cause unclear information about the quality of goods so it is interesting to study further from the perspective of sharia economic law and consumer protection.[2]

Based on this background, this research is focused on two main things, namely the transaction mechanism of buying and selling used cellphones at the Jember Garage Phone Counter and the analysis of sharia economic law on this practice. This research aims to find out the transaction process carried out and assess its conformity with sharia principles, especially related to honesty, transparency, and fairness in buying and selling. In addition to providing theoretical benefits in the development of the study of sharia economic law, this research is also expected to be an evaluation material for business actors to be more open in explaining the condition of goods, increasing consumer awareness of their rights, and becoming an academic reference regarding the practice of buying and selling used goods in people's lives.

In sharia economic law, buying and selling transactions must meet the principles and conditions that have been set in order to avoid elements of gharar (ambiguity), tadlis (fraud), and ghabn (value imbalance that harms one of the parties).[3] The seller has an obligation to

[1] Bung Hijaj Sulthonuddin, Tegar Abdul, and Fatah Muttaqin, "Perspectives of Sharia Economic Law on Consumer Protection in Buying and Selling Transactions on Tiktok Shop Live Streaming," *Journal of Sharia Economic Law* 03, no. 02 (2025).

[2] Andreas Dwi Hermawan, Irwan Yulianto, and Ide Prima Hadiyanto, "Legal Protection for Consumers in Used Mobile Phone Buying and Selling Transactions through Social Media from the Perspective of Law Number 8 of 1999 concerning Consumer Protection," 2024.

[3] Nurinayah, "The Practice of Gharar in Islamic Economic Transactions: An Analysis of Fiqhiyah Rules," *TADAYUN: Journal of Sharia Economic Law* 4, no. 1 (2023): 63–78.

explain the condition of the goods honestly, including if the goods sold are used goods or have undergone certain repairs. Unclear information about the condition of the refurbished cellphone can cause buyers to not obtain complete information before making a contract, thus potentially reducing the validity of transactions according to sharia principles. Therefore, information transparency is an important aspect in maintaining justice and the benefit of the parties to the transaction. Gausian and Robinina's research shows that the practice of selling used goods that are not explained in real condition to consumers is contrary to the principle of honesty in sharia economic law because it can harm the buyer.[4]

In addition, the development of the second-hand trade in the community shows an increase in consumer interest in products that have more economical prices than new goods. This phenomenon does not only occur in used clothes, but also in electronic devices such as mobile phones. From a sharia perspective, buying and selling second-hand goods is basically allowed as long as it meets the principle of willingness (an-taradhin), clarity of the transaction object, and does not contain elements of fraud.[5] Several recent studies confirm that the existence of khiyar rights for consumers is an important instrument in providing protection against the possibility of finding defects in goods after transactions are made. Thus, information disclosure and providing opportunities for buyers to check the condition of goods are an integral part of buying and selling practices in accordance with sharia economic law.

Research on the practice of buying and selling used cellphones is important because electronic goods have different characteristics compared to other consumer goods. Internal component damage, replacement of parts, decreased battery capacity, and the reconditioned status of a device are often difficult for ordinary consumers to know. As a result, there is an inequality of information between sellers and buyers that can cause losses for consumers. In the context of consumer protection, business actors have the responsibility to provide true, clear, and honest information about the condition of the goods being traded. If the information is hidden or conveyed incompletely, then the action can be categorized as a violation of consumer rights as well as contrary to Islamic business ethics values that uphold trust and honesty.[6]

Based on this background description, it can be understood that the practice of buying and selling used mobile phones, especially refurbished mobile phones, is a phenomenon that is growing amid the high public need for communication devices at more affordable prices. Although in principle the buying and selling of used goods is allowed under sharia economic law, its implementation must still comply with sharia provisions that emphasize honesty, information disclosure, and protection of consumer rights. In practice, there is still a possibility of a discrepancy between the actual condition of the goods and the information

[4] Gini Gaussian and Ai Roviyana, "A Review of Sharia Economic Law on the Buying and Selling of Used Goods at the Price of New Goods (Case Study in Sukarasa Village, Samarang District, Garut Regency)," *Journal of Sharia Economic Law* 2, no. 1 (2023).
[5] Nuhbatul Basyariah, "The Prohibition of Buying and Selling Gharar: A Study of Thematic Economic Hadith of Business in the Digital Era," *Mukaddimah: Journal of Islamic Studies* 7, no. 1 (2022).
[6] Eka Syafrina Monica et al., "Consumers' Rights to Product Information in the Perspective of Law and Business Ethics," *INNOVATIVE: Journal Of Social Science Research* 5, no. 4 (2025): 3786–3801.

submitted by the seller, especially related to the status of reconditioning, usage history, component replacement, and the quality of the device marketed. This condition has the potential to cause elements of gharar and harm consumers if the information provided is incomplete or not transparent. On the other hand, the existence of Counter Garasi Phone Jember as one of the business actors who sell new and used cellphones is interesting to be further researched to find out how the transaction mechanism is applied in the buying and selling activity. In addition, it is necessary to examine whether the practice carried out is in accordance with the principles of sharia economic law which include justice, willingness of the parties, information disclosure, and avoidance of transactions from elements of fraud and ambiguity. Therefore, this study is directed to identify in depth the process of carrying out the sale and purchase of used mobile phones at the Jember Garage Phone Counter and analyze its suitability with the provisions of sharia economic law so that a clear picture can be obtained of the trading practices that take place and the level of protection provided to consumers in these transactions.

Furthermore, this research is expected to contribute to the development of the study of sharia economic law related to the practice of trading in used electronic goods. This study has become relevant because technological developments and the increasing need of the public for communication devices have created an increasingly wide market for used mobile phones. The results of the research are expected to be able to provide an overview of the implementation of sharia principles in the practice of buying and selling used mobile phones, as well as being an input for business actors to improve the quality of service and information disclosure to consumers. Thus, a fair, transparent, and beneficial transaction relationship is created for both parties in accordance with the objectives of sharia economic law (maqashid al-sharia), which is to realize benefits and prevent losses in people's economic activities.

THEORETICAL FOUNDATIONS

In the study of sharia economic law, buying and selling transactions are not only seen as an economic activity to obtain profits, but also as a form of muamalah that must be carried out in accordance with the provisions of Islamic law. The main basis used in assessing the validity of a transaction is the fulfillment of the principles of justice, benefit, and willingness of the contracting parties. According to the theory of contract in the fiqh of muamalah, a transaction is considered valid if it fulfills the principles and conditions of buying and selling, namely the existence of the contracting party (aqidain), the object of the contract (ma'qud 'alaih), the purpose of the contract (maudhu' al-'aqd), and ijab and kabul as a form of agreement. In addition, the object being traded must be clearly known by both parties, both regarding its type, quantity, quality, and condition. This clarity aims to avoid the occurrence of gharar which can cause disputes and losses in the future.[7]

The gharar theory is one of the main theories used in this study. Terminologically, gharar is defined as the ambiguity, uncertainty, or speculation contained in a transaction so

[7] Gaussian and Roviyana, "A Review of Sharia Economic Law on the Buying and Selling of Used Goods at the Price of New Goods (Case Study in Sukarasa Village, Samarang District, Garut Regency)."

that it has the potential to harm one of the parties.[8] In the context of buying and selling used or reconditioned mobile phones, the element of gharar can arise when the seller does not provide complete information about the condition of the goods, the history of damage, the status of reconditioning, or the replacement of certain components that have been carried out. If the buyer does not know the actual state of the purchased goods, then the willingness that appears in the contract becomes imperfect because it is based on incomplete information. Therefore, the gharar theory is very relevant to analyze the level of information disclosure provided by sellers in the practice of buying and selling used cellphones at the Jember Phone Garage Counter.

In addition to the gharar theory, this study also uses the theory of tadlis or fraud in transactions. Tadlis is the act of hiding defects in goods or providing information that is not in accordance with the actual conditions so that other parties suffer losses. In the perspective of sharia economic law, the practice of tadlis is prohibited because it is contrary to the principles of honesty and trust that are the basis for muamalah activities. The Prophet PBUH emphasized the importance of honesty in trade through a hadith that states that honest and trustworthy traders will be with the prophets, the righteous, and the martyrs.[9] Based on this theory, the study will examine whether there is a practice of concealing information related to the condition of refurbished mobile phones sold to consumers and how this implications for the validity of transactions according to sharia economic law.[10]

Another theory that supports this research is the theory of consumer protection. Consumer protection theory emphasizes that consumers have the right to obtain true, clear, and honest information about the goods or services used. In the Indonesian legal system, the protection is regulated in Law Number 8 of 1999 concerning Consumer Protection which provides legal guarantees for consumer rights. This provision is in line with sharia principles which require justice and balance between the rights and obligations of the parties in the transaction.[11] Thus, the theory of consumer protection is used to analyze the extent to which consumer rights have been fulfilled in the practice of buying and selling used mobile phones, especially related to information disclosure regarding the condition of goods on the market.

This research is also supported by the theory of maqashid al-sharia which places benefit as the main goal in the formation of Islamic law. According to this theory, every economic activity must provide benefits and prevent humans from losses.[12] In the context of buying and selling used mobile phones, benefits can be realized through honest,

[8] Heny May Widiyawati and Mohammad Zen, "The Types of Gharar (Gharar Katsir and Khofi) and Their Applications in Sharia Financial Institutions: Akad in Sharia Transactions and Their Application in Sharia Banks," *Maro: Journal of Sharia Economics and Business* 7, no. 2 (2024): 294–301.
[9] Nahdiatur Rahman et al., "A Review of Fiqh Muamalah on the Potential of Tadlis Mystery Box in Shopee E-Commerce," *Tambusai Education Journal* 9, no. 3 (2025): 34039–47.
[10] Dipo Surya Pratikno and Ahmad Faqih, "The Principle of Transparency and Justice in Sharia Economic Contracts," *MANOBIZ* 1, no. 1 (2026): 27–37.
[11] M. Umar Ahfad, M. Syafi'i Budi, and Choirunnisa, "The Application of the Right to Correct Information in Shop Buying and Selling Transactions and Convection of Anies Jombang School Uniforms in Review from Islamic Law and UUPK Number 8 of 1999," *TIJAROTANA: Journal of Sharia Economics and Business* 02, no. 02 (2021).
[12] Muhammad Nur Iqbal, Faisar Ananda Arfa, and Abi Waqqosh, "A Review of Islamic Law in the Perspective of Maqashid Al-Syari'ah," *Journal of Education and Counseling* 5, no. 1 (2023): 4887–95.

transparent, and legal certainty for the parties. On the other hand, the practice of fraud or concealment of information can cause losses that are contrary to the purpose of the sharia. Therefore, the theory of maqashid al-sharia is the normative basis in assessing whether the practice of buying and selling has fulfilled the purpose of Islamic law in preserving property (hifz al-mal) and realizing benefits for society.

Previous research shows that the issue of transparency and consumer protection in buying and selling used goods is still a problem that is often found in trade practices. Research conducted by Gausian and Roviyana found that the practice of selling second-hand goods without adequate explanation of the condition of the goods can give rise to gharar elements and is contrary to the principle of honesty in sharia economic law. The results of the study show that information disclosure is an important factor in determining the validity of transactions and the protection of consumer rights.

Another research conducted by Hidayah and Abdurrahman regarding the buying and selling of used goods from the perspective of fiqh muamalah shows that transactions in used goods are allowed as long as the condition of the goods is clearly known by the buyer and there is no element of fraud. The research emphasizes that information transparency is an important requirement to realize the willingness of the parties in the contract.[13] Meanwhile, the research of Nur Izzah and Fauziah concluded that the practice of buying and selling used goods that is carried out openly and accompanied by an explanation of the condition of the goods can provide better legal protection to consumers and in accordance with the legal principles of sharia economics.[14]

In addition to the research described earlier, there are several other studies that are related to the study of buying and selling used goods and consumer protection from the perspective of sharia economic law. Other research also discusses the practice of buying and selling used mobile phones shows that information disclosure regarding the condition of goods is the main factor in realizing transactions in accordance with sharia principles. The results of the study explained that many consumers experienced losses due to a lack of information about the history of damage, component replacement, and the quality of the products purchased.[15] Therefore, the researcher emphasized the importance of applying the principles of trust and transparency in every transaction to avoid the occurrence of gharar and tatlis elements. Furthermore, research conducted by Fitriani regarding consumer protection against the sale of used electronic goods found that business actors have a moral and legal responsibility to provide complete information about the condition of goods before

[13] Okti Nur Hidayah and M. Iqbal Abdurrahman, "Buying and Selling Used Clothes from the Perspective of Fiqqh Al-Bi'ah," *El Uqud: Journal of Sharia Economic Law Studies* 2, no. 1 (2024): 1–10, https://doi.org/10.24090/eluqud.v2i1.9512.

[14] Nur Izzah and Nurul Izzati Fauziah, "Analysis of the Practice of Buying and Selling Used Clothes on Tiktok Accounts According to the View of Sharia Economic Law," *Al-Mizan* 8, no. 1 (2024): 181–98.

[15] Robby Novan Saputra, Abdul Gafur, and Rabiatul Adawiyah, "Business Ethics of Buying and Selling Used Mobile Phones According to Islamic Economic Views in Samarinda City," *JESM: Journal of Sharia Economics Mulawarman* 1, no. 2 (2022): 131–40.

the contract is made.[16] The study concluded that the right of consumers to obtain correct and clear information is part of the legal protection that must be fulfilled by business actors in accordance with sharia provisions and laws and regulations. The two studies have similarities with this study because they both discuss aspects of transparency and consumer protection in second-hand goods transactions. However, this study has a more specific focus, namely on the practice of buying and selling used mobile phones and reconditioning at the Jember Phone Garage Counter with an approach to sharia economic law, so that it is expected to provide a deeper picture of the implementation of the principles of honesty, information disclosure, and fairness in these transactions.

However, most previous research has mostly discussed buying and selling used goods in general, used clothes, and transactions through online media. Research that specifically examines the practice of buying and selling used mobile phones or reconditioning at the local business level is still relatively limited. Therefore, this study has novelty because it focuses on the transaction mechanism of buying and selling used mobile phones at the Jember Garage Phone Counter and analyzing its conformity with the principles of sharia economic law. Using the theory of contract, gharar, tadlis, consumer protection, and maqashid al-sharia, this study is expected to be able to provide a more comprehensive picture of the practice of buying and selling used mobile phones and their contribution to the development of the study of sharia economic law in Indonesia.

METHOD

The research method used in this study is empirical or sociological qualitative research, which is research conducted directly in the field to obtain data based on facts and conditions that occur in society. Empirical research focuses on legal behavior that occurs in the practice of daily life, so that researchers can find out how a legal provision is applied and implemented by society. In this study, the focus of the study is directed at the practice of buying and selling used mobile phones at the Jember Garage Phone Counter and its conformity with the principles of sharia economic law. The approach used is a qualitative descriptive approach, which is an approach that aims to describe, explain, and analyze a phenomenon in depth based on data obtained in the field.[17] Through this approach, the researcher seeks to understand the mechanism of used cellphone buying and selling transactions, the form of consumer protection provided, and the implementation of the principles of honesty, information disclosure, and fairness in these transactions.

The location of the research was carried out at the Jember Phone Garage which is located at Jalan Riau Number 38, Jember Regency. The selection of the research location was based on the consideration that the store is one of the business places that provides various types of new and used mobile phones, including refurbished mobile phones that are the focus of the research. In addition, the location is considered relevant to the problem

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[16] Nike Fitriani, "Legal Protection for Consumers of Online Buying and Selling Transactions in the Event of Losses," *Nusantara: Journal of Education, Arts, Science and Social Humanities* 1, no. 2 (2023): 1–15, https://doi.org/10.11111/nusantara.xxxxxxx.

[17] Marinu Waruwu, "Qualitative Research Approach: Concepts, Procedures, Advantages and Roles in the Field of Education," *Source: Journal of Educational Research and Education* 5, no. 2 (2024): 198–211.

being researched because there are used cellphone buying and selling activities that involve direct interaction between sellers and consumers. Thus, researchers can obtain data that suits the needs of the research and describes the actual conditions that occur in the field.

The research subjects were determined using the purposive sampling technique, which is a technique for determining informants based on certain considerations that are adjusted to the research objectives. Informants are chosen because they are considered to have knowledge, experience, and information directly related to the object of research. The informants in this study consisted of the owner of the Jember Garage Phone Counter, employees involved in the process of selling used cellphones, and consumers who had made transactions to purchase used cellphones at the store. The selection of informants from various parties aims to obtain more comprehensive data on transaction mechanisms, the condition of goods sold, and the forms of consumer protection applied by the store.

The data collection techniques used in this study include observation, interviews, and documentation.[18] Observation was carried out by directly observing the buying and selling activities that took place at the research site. Through observation, researchers can find out the transaction process, the way the seller explains the condition of the goods to consumers, the pricing system, and the form of service provided to buyers. In addition, observations are also made on the physical condition of used cellphones on the market, the availability of purchase notes, store warrants, and other information related to consumer protection.

The interviews were conducted in-depth interviews with the informants to obtain more detailed information about the practice of buying and selling used cellphones. Interviews with owners and employees focused on the procurement mechanism, mobile phone quality inspection process, reconditioning practices, pricing, and the application of sharia principles in transactions. Meanwhile, interviews with consumers were conducted to find out their experience during the transaction, the level of satisfaction with the information provided by the seller, and their views on the condition of the goods purchased. This interview technique allows researchers to obtain data that cannot be directly observed through observation.

Documentation is used as a complementary technique to reinforce data obtained through observation and interviews. Documentation is carried out by collecting various documents related to the object of research, such as transaction memorabilia, warranty cards, photos of the condition of goods, business profiles, and other relevant documents. The documentation data serves as supporting evidence that can assist researchers in analyzing and verifying data.

The data that has been obtained is then analyzed using the Miles and Huberman interactive analysis model which consists of three stages, namely data reduction, data presentation, and conclusion drawn. At the data reduction stage, the researcher conducts the process of selecting, simplifying, and grouping data that is relevant to the focus of the research. The next stage is data presentation, which is to systematically compile data in the form of descriptive descriptions so as to facilitate the analysis process. After the data is

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[18] Heni Julaika Putri and Sri Murhayati, "Qualitative Data Collection Methods," *Tambusai Education Journal* 9, no. 2 (2025): 13074–86.

presented, the researcher draws conclusions based on patterns, relationships, and findings obtained from the field. The resulting conclusions are then used to answer the formulation of the problem and achieve the research objectives.

To ensure the validity of the data, this study uses credibility, dependability, and triangulation test techniques. The credibility test is carried out by extending observation time, increasing the researcher's diligence, and reconfirming to informants about the data obtained. The dependency test is carried out by ensuring that the entire research process is carried out consistently and traceable. Meanwhile, triangulation is carried out by comparing data from various sources, techniques, and different times to obtain more valid and reliable data. With the application of these various techniques, the results of the research are expected to have a high level of accuracy and can be accounted for scientifically and academically.[19]

RESULTS AND DISCUSSION

Transaction Process Mechanism for Buying and Selling Used Cellphones at the Jember Phone Garage Counter

1. Mechanism of Selling Used Cellphones at the Jember Phone Garage Counter

The buying and selling of used cellphones at the Jember Phone Garage Counter shows the development of transaction patterns that adapt to the needs of modern society. Not only relying on direct sales in stores, Garasi Phone also utilizes digital media as a means of marketing and communication with consumers. The sales mechanism is an important part of creating ease of transactions, expanding market reach, and increasing business competitiveness in the midst of the increasingly rapid development of electronic commerce.

Offline marketing is carried out through direct sales activities at the counter or physical store of Garasi Phone Jember. In practice, consumers come directly to the store to see the condition of used cellphones sold. This system provides an advantage for consumers because they can physically check the goods before the transaction is made. Consumers can check the condition of the screen, battery, camera, network, and device performance directly, reducing the potential for misunderstandings between sellers and buyers. The offline transaction mechanism at Garasi Phone starts when consumers come to the store and see the available mobile phone units. Furthermore, the seller provided an explanation of the specifications, physical condition, storage capacity, completeness of the goods, and the history of using the cellphone. After consumers feel suitable, a price negotiation process is carried out until an agreement is reached between the two parties. After payment is made, the goods are handed over directly to the buyer.

In terms of analysis of sharia economic law, this mechanism reflects the element of information disclosure in the sale and purchase agreement. The seller provides an opportunity for buyers to find out the condition of the goods in real terms so that they can minimize the element of gharar or ambiguity in the transaction.[20] In addition, the

[19] Diah Ayu Rahmani, Sri Muhayati, and Idham Kholis, "Qualitative Data Analysis," *Tambusai Education Journal* 9, no. 2 (2025): 13037–48.
[20] Aulia Rahmi and Baidhowi, "Gharar Analysis in Online Buying and Selling from the Perspective of Sharia Economic Law," *Global Research and Innovation Journal* 1, no. 2 (2025): 972–77.

existence of a direct checking process also strengthens the principle of willingness of both parties (an-taradhin), which is one of the legal conditions for buying and selling in Islam. Offline sales also show social interaction between sellers and buyers. In practice, direct communication facilitates the deliberation process related to the price and condition of goods. This creates a closer relationship between business actors and consumers so that the level of buyer trust can increase.

In addition to direct sales in stores, Garasi Phone Jember also conducts online marketing through various social media such as Instagram with the account "Garasi Phone", Facebook "Garasi Phone", TikTok "Garasi Phone", and Shopee "Garasi Phone". The use of social media shows that the marketing system has kept up with the development of digital technology and current people's consumption patterns. In online marketing practices, sellers upload photos and videos of used cellphones to be sold. Published content usually contains information about the type of mobile phone, physical condition, RAM and internal memory capacity, battery health, completeness of goods, and prices offered. In addition, sellers also list the lack of goods if there are certain abrasions, scratches, or obstacles on the device. Through Instagram and TikTok, Garasi Phone utilizes visual displays to attract the attention of potential consumers. Meanwhile, Facebook is used as a medium of communication and promotion to the wider community. Shopee is used as a safer means of transaction because it provides an integrated payment and delivery system.

The online transaction mechanism begins when consumers see products marketed through social media. Furthermore, buyers contact the seller through a private message or the marketplace chat feature to ask for the details of the goods. After a price agreement occurs, the buyer makes the payment and the seller delivers the goods according to the consumer's destination address. From the perspective of sharia economic law, these online transactions can be categorized as modern buying and selling that are allowed as long as they meet the principles and conditions of buying and selling. Clear information about the condition of the goods is an important element so that there is no fraud or unclear object of the transaction. In this context, Garasi Phone seeks to maintain transparency by providing original documentation of the condition of the cellphone sold.[21] In addition, the use of marketplaces such as Shopee also provides additional protection to consumers due to the existence of a joint account system and a complaint feature if the goods do not match the description. This shows that there are efforts to maintain fairness and security in transactions.

2. Principles of Selling Used Cellphones in Jember Phone Garage

In running its business, Garasi Phone is not only profit-oriented, but also applies several principles that are the basis for maintaining good relationships with consumers. These principles are an important part of building a business image and maintaining customer loyalty. The principle of trust is one of the main values in the practice of buying and selling according to Islam. Amanah means trustworthy, honest, and

[21] Tuti Nadhifah, Heni Risnawati, and Dian Rosita, "Online Buying and Selling in the Perspective of Islamic Law," *Journal of Master of Sharia Economics* 3, no. 1 (2024): 125–34.

responsible for what is traded. In practice at Garasi Phone Jember, the principle of trust can be seen from the way the seller explains the condition of the used cellphone openly to consumers. The seller not only conveys the advantages of the goods, but also explains the shortcomings of the cellphone. For example, if there are abrasions on the body, battery health decreases, or certain spare parts have been replaced, the information is conveyed to the buyer before the transaction takes place.

The application of this principle of trust is very important in buying and selling used cellphones because the goods sold are not new goods so they have different conditions. If the seller hides defects in goods, then the transaction can contain elements of fraud which is prohibited in Islam. The principle of trust is part of Islamic business ethics which aims to create fair and mutually beneficial transactions. The honesty of the seller will increase consumer trust so that the business relationship can last in the long term.[22]

In addition, trust is the main factor in used mobile phone transactions, especially in online sales.[23] Garasi Phone strives to build consumer trust through good service, quick response, and consistency in maintaining the quality of the goods sold. Trust is also built through customer testimonials published on social media. The existence of positive reviews from previous buyers makes potential consumers feel more confident to make a transaction. In addition, the seller's consistency in providing goods according to the description is also an important factor in maintaining the reputation of the business. Trust is part of the muamalah relationship that must be maintained. Islam emphasizes the importance of protecting the rights of others and avoiding actions that can harm others. Therefore, maintaining consumer trust is not only business-worthy, but also morally and religiously valuable.

In practice, in Garasi Phone, there is also a principle of deliberation seen in the process of price negotiation and the resolution of obstacles that occur after the transaction. Garasi Phone provides an opportunity for consumers to discuss prices, the condition of goods, and solutions if there is a problem with the purchased cellphone. Deliberation is carried out politely and openly so that both parties can reach an agreement that does not harm one of the parties. This principle reflects the willingness and mutual agreement in the sale and purchase agreement. In sharia economic law, deliberation is one way to maintain justice and avoid disputes. With good communication between sellers and buyers, the potential for conflict can be minimized.

3. Marketing Techniques in Maintaining Consumer Trust

The success of the used mobile phone business is not only determined by the quality of the goods, but also by marketing strategies that are able to create a sense of

[22] Kasmawati, Mahyarni, and Kiki Hardiansyah Siregar, "The Application of Muslim Producer Morals in the Perspective of Islamic Business Ethics: Efforts to Build Consumer Trust and Business Sustainability," *El-Iqtishady: Journal of Sharia Economic Law* 7, no. 2 (2025): 983–94.

[23] Novi Julianti and Helmy Ivan Taruna, "The Influence of Trust Factors, Transaction Security and Service Quality on Online Purchase Decisions on the Shopee Application for Users in Depok City," *Latest Digital Business Management Journal* 1, no. 3 (2024).

security and comfort for consumers. Garasi Phone applies several marketing techniques to maintain customer trust. One of the strategies applied is to provide detailed and honest descriptions of the goods. The seller explains the physical condition and function of the cellphone in detail so that consumers understand the condition of the goods before buying. The description includes the condition of the screen, battery, camera, speakers, network, to the presence of certain abrasions or defects. This strategy is important to avoid consumer disappointment after the goods are received. A clear description of the goods is a form of information disclosure that can avoid transactions from the gharar element.

Garasi Phone also provides a personal warranty to consumers as a form of seller responsibility for the goods sold. This warranty is usually given for a certain period of time to ensure that the mobile phone can be used properly after it is received by the buyer. The provision of a warranty shows the seller's good faith in maintaining consumer satisfaction. In addition, the warranty also increases the buyer's sense of security because they have protection in case of damage in the near future after purchase.

Garasi Phone provides convenience to consumers if they want to return items due to certain non-conformities or damage. A fast and open service system makes consumers feel more comfortable in transactions. This ease of return is one of the important factors in maintaining customer loyalty. Consumers will trust sellers who are willing to take responsibility for the goods sold. The policy reflects the principles of justice and protection of consumer rights.

Garasi Phone strives to ensure that the goods sent to consumers match the photos and descriptions published on social media. This is done to maintain buyer trust, especially in online transactions. The compatibility between the goods and the description is an important aspect of online buying and selling because buyers cannot see the goods directly. Therefore, the honesty of the seller is the main factor in creating healthy transactions. The practice reflects the application of the principles of transparency and the prohibition of fraud in muamalah. Thus, the sales mechanism implemented by Garasi Phone can be said to have tried to fulfill the values of fairness, openness, and responsibility in the transaction of buying and selling used mobile phones.

Analysis/Discussion

Analysis of Sharia Economic Law on the Mechanism of Buying and Selling Used Mobile Phones at the Jember Phone Garage Counter

The practice of buying and selling used cellphones at the Jember Garage Phone Counter is basically a form of muamalah activity that is allowed in Islam as long as it fulfills the principles and conditions of buying and selling. In sharia economic law, buying and selling is understood as an agreement to exchange goods for goods or goods with money that is carried out on the basis of willingness between the two parties.[24] Trade activities like this are part of human efforts to meet the needs of life while making halal profits. The

[24] Novica Lintang Fitriana and Baidhowi, "The Application of Buying and Selling Contracts in Modern Business According to Sharia Economic Law," *Multidisciplinary Journal of Academic Sciences* 2, no. 2 (2025): 194–204.

transaction mechanism carried out by Garasi Phone includes offline marketing in stores and online marketing through social media such as Instagram, Facebook, TikTok, and Shopee. In offline practice, buyers can see the condition of the mobile phone directly before the transaction is made. Meanwhile, in the online system, sellers provide descriptions of goods, photos, videos, and specification information to potential buyers before the contract occurs. From a sharia perspective, the mechanism can be categorized as a valid sale and purchase contract because there are elements of sellers, buyers, objects of goods, prices, and ijab kabul or agreements between the two parties. This is in accordance with the words of Allah SWT. in the Qur'an Surah Al-Baqarah verse 275:

...And God allowed the sale and forbade usury

"Allah has legalized buying and selling and forbidding usury."

This verse shows that trading activities are permissible as long as they are carried out correctly and do not contain elements that are prohibited by sharia. Buying and selling used cellphones is a halal transaction because the object being traded has benefits and is not a prohibited item. In addition, the sales practice at Garasi Phone also shows the principle of information disclosure. The seller explains the condition of the goods, physical shortcomings, battery quality, and device completeness to consumers. In sharia economic law, this kind of openness is very important to avoid elements of gharar or ambiguity in transactions.

The Prophet (peace and blessings of Allaah be upon him) said. He said:

The two are sold by choice, unless they are separated, if they are truthful and righteous in their sale, and if they are concealed and false, the blessing of selling .them is justified

"Sellers and buyers have the right to vote as long as they have not separated. If both are honest and explain the state of the goods, then both are endowed in buying and selling." (HR. Bukhari and Muslim)

The hadith emphasizes that the blessing of transactions lies in honesty and openness between the seller and the buyer. Therefore, a detailed description of the condition of mobile phones in offline and online sales is a form of implementation of Islamic teachings in economic activities. In the context of positive law in Indonesia, the practice of buying and selling is also in line with the principles contained in the Compilation of Sharia Economic Law (KHES), especially regarding the principles of transparency, willingness, and fairness in contracts. Article 21 of the KHES explains that the contract is carried out on a voluntary basis without coercion, fraud, or elements that are detrimental to one of the parties.[25] In addition to KHES, Law Number 21 of 2008 concerning Sharia Banking also emphasizes that sharia principles in economic activities must be based on the values of justice, balance, benefit, and freedom from elements of gharar, maysir, and usury. Although the law focuses more on Islamic financial institutions, its basic values are still relevant in general trading activities including buying and selling used mobile phones. Likewise, in the view of fiqh scholars, it also strengthens the transaction ability of used goods as long as the condition of

[25] Farhan Asyhadi, Lia Amaliya, and Ahmad Saprudin, "Comparative Analysis of the Concept of Agreement According to the Civil Code (KUHPERCIVIL) and Akad according to the Compilation of Sharia Economic Law (KHES)," *ESSIE: Legal Scientific Journal* 4, no. 1 (2025): 71–83.

the goods is clearly known. Imam An-Nawawi explained that buying and selling is allowed if the object of the transaction can be known its nature, form, and benefits so that it does not cause disputes in the future. Thus, a detailed explanation of the condition of used cellphones is an important part of maintaining the validity of the contract according to sharia.

In the practice of buying and selling used cellphones, the principle of trust is the main value that determines the level of consumer trust. Amanah means maintaining honesty and responsibility in carrying out transactions. At Garasi Phone Jember, this principle can be seen from the way the seller conveys the condition of the goods openly without hiding the shortcomings of the cellphones sold. The seller explained if there are abrasions, decreased batteries, service marks, or other defects in the device. This attitude shows the existence of moral responsibility in trade. In Islam, honest behavior is an important part of sharia business ethics.

Allah Swt. says in Surah An-Nisa verse 29:

The Messenger of Allaah (peace and blessings of Allaah be upon him) said: "O Messenger of Allaah (peace and blessings of Allaah be upon him) and I am the Messenger of Allaah (peace and blessings of Allaah be upon him) ."

"O you who have believed, do not eat each other's property in a wrong way, except in a way of trade that is done on the basis of mutual consent between you."

The paragraph explains that economic transactions must be carried out correctly and must not contain elements of falsehood such as fraud or information manipulation. Therefore, hiding defects in buying and selling used mobile phones is an act that is contrary to sharia principles.

The Prophet (peace and blessings of Allaah be upon him) said. He also said:

I am deceived and deceived

"Whoever deceives is not of my group." (HR. Muslim)

This hadith shows that Islam strongly rejects the practice of fraud in trade. In the context of buying and selling used cellphones, sellers are required to explain the actual conditions so that consumers do not feel disadvantaged after the transaction is made.

In addition to the principle of trust, Garasi Phone also applies the principle of deliberation in the process of price negotiation and the settlement of consumer complaints. Deliberation is carried out through communication between sellers and buyers to reach a mutually beneficial agreement. This principle reflects the willingness of both parties in the sale and purchase agreement. In the view of fiqh muamalah, willingness is an important condition for the validity of the contract. Imam Ibn Qudamah explained that a contract that is made without the will of one of the parties can cause the transaction to be imperfect. Therefore, the bargaining process that is carried out openly is a form of implementation of the principle of justice in Islam. The application of mandate and deliberation is also seen in providing personal guarantees to consumers. The warranty is proof that the seller is willing to be responsible if there is a problem with the goods after the transaction. This shows that there is protection of consumer rights in line with the principles of sharia maqashid, especially in maintaining property (hifz al-mal).

Garasi Phone's marketing strategy is not only aimed at attracting buyers, but also building consumer trust. One of the marketing techniques applied is to provide detailed descriptions of goods on social media. The seller conveys the physical condition, specifications, completeness, and shortcomings of the goods so that the buyer understands the condition of the cellphone before buying. In sharia economic law, information disclosure is a form of protection for consumers. Islam teaches that transactions must be done clearly so as not to cause disputes in the future. Therefore, honest marketing is part of Islamic business ethics. In addition, Garasi Phone also provides easy returns or returns if there is a discrepancy with the description. This policy shows the seller's responsibility in maintaining the rights of the buyer. In fiqh muamalah, the buyer has the right of khiyar, which is the right to choose to continue or cancel the transaction if a defect is found in the goods.

The concept of khiyar is explained in the hadith of the Prophet PBUH:

Selling by option unless they are separated

"Both parties who buy and sell have khiyar rights as long as they have not separated." (HR. Bukhari)

The right of khiyar is a form of sharia protection for consumers so that they are not harmed in transactions.[26] With warranties and returns, Garasi Phone's sales practices demonstrate the application of the principles of fairness and responsibility in trade. From the point of view of sharia economic law in Indonesia, consumer protection is also in line with the principle of benefit in KHES which emphasizes the importance of maintaining a balance of rights and obligations between sellers and buyers. Trading activities should not only be profit-oriented, but should also pay attention to moral, ethical, and social justice values.

CONCLUSION

This study concludes that the mechanism for buying and selling used cellphones at the Jember Garage Phone Counter generally complies with the fundamental principles of buying and selling under both commercial practice and Sharia Economic Law. The transaction process, which includes product inspection, price determination based on the condition and specifications of the cellphone, bargaining, contractual agreement, and the transfer of ownership, reflects the principles of mutual consent (*taradhi*) and transparency. Buyers are given sufficient opportunity to examine the condition of the goods before completing the transaction, thereby minimizing uncertainty and ensuring that both parties willingly agree to the terms of the sale.

From the perspective of Sharia Economic Law, the transaction fulfills the essential pillars (*rukun*) and conditions (*syarat*) of a valid sale, including competent contracting parties, a clearly identifiable object of sale, an agreed price, and a lawful contract (*akad*). Furthermore, the practice upholds the Islamic principles of honesty (*sidq*), trustworthiness (*amanah*), justice (*'adl*), and mutual benefit (*maslahah*), provided that sellers fully disclose any defects or limitations of the products. Therefore, the buying and selling of used cellphones is considered permissible (*mubah*) under Islamic law as long as it remains free from elements of *gharar* (uncertainty), *tadlis* (fraudulent concealment), coercion, and other prohibited practices.

[26] Nurjannah, Muhammad Fadel, and Mulham Jaki Asti, "The Existence of Khiyar Rights in the Buying and Selling of Consumer Protection in Islam," *Al-Kharaj* 3, no. 1 (2023).

These findings highlight the importance of transparency and ethical business conduct in fostering consumer trust and ensuring that commercial transactions remain consistent with the objectives of Sharia (*maqashid al-shariah*), particularly in protecting property (*hifz al-mal*) and promoting fairness in market transactions.

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