
Brokerage in Islamic Economic Transactions

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ABSTRACT

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Brokers, as intermediaries in economic transactions, play a crucial role in facilitating meetings between sellers and buyers. This study presents a literature review of the role of brokers in various economic contexts. First, we explore the concept and definition of brokers and the evolution of their role over time. Next, we discuss the key functions of brokers, including seller-buyer matching, negotiation, information gathering, document management, risk management, and after-sales service provision. The literature analysis also highlights the role of information technology and online platforms in transforming the economic intermediation landscape, with the emergence of electronic platforms that directly connect sellers and buyers. In addition, we explore factors that influence brokers' success in economic transactions, including trust, reputation, and service quality. This study also identifies several challenges faced by brokers, including increased competition, regulatory changes, and technological risks. Finally, we summarize the implications of this study for practitioners and policymakers, highlighting the importance of innovation, sustainability, and adaptation to changing business environments. Thus, this study provides a better understanding of the role of brokers in economic transactions and the challenges and opportunities they face in the context of an evolving global economy.

INTRODUCTION

Nowadays, many people are busy with their own activities. As social creatures, humans cannot fulfill their own needs; therefore, they need the help of others, which is what is called social beings. Therefore, the interdependence that humans possess leads to an attitude of mutual assistance, mutual cooperation, and so on, as a form of social solidarity. Islam is a comprehensive system and way of life. It provides dynamic and straightforward guidance for all aspects of life, including business and transactions. On the other hand, in line with the development of human civilization, thanks to advances in modern science and technology, many forms of transactions have emerged that have not yet been discussed in classical Islamic jurisprudence. In such cases, a Muslim must consider and consider whether the newly emerging transaction aligns with the fundamentals and principles of Islamic muamalah (Antonio, 2001).

The existence of a public mindset, which is still very supportive of the broker industry, makes it more difficult for brokers to maintain its existence. This means that social media platforms like Facebook and internet networks can facilitate buying, selling, and making purchases. Facebook has a marketplace and many groups that are used by the public as a means of transaction. Conversely, the mentioned social media platform facilitates the buying process without the need to travel to the market and makes it easier for buyers and sellers to interact with each other (Diva et al., 2024).

The function of brokers in the current era is very important because it is difficult to make buying transactions. However, there are also many fraudulent brokers who make very little reasonable profits from the results of selling other people's goods or their own goods by

providing information on the state of the goods being sold. As an example of the phenomenon that occurs in the Kapasan market, many people purchase gold but do not purchase it directly from the shop. Instead, they purchase gold from retail traders who are posing as brokers with the lure of so that they choose the best quality gold jewelry, in fact the information that is provided. Let's say that the goods being sold are not gold (DM Harwika, 2021).

Trading through *simsar* is permissible in religion as long as it does not involve fraud. Therefore, the owner of the goods and the broker can establish specific terms regarding the amount of profit the broker will receive. To avoid any untoward incidents, the goods to be offered and the goods required must be clearly stated. Likewise, the compensation for services must be mutually agreed upon in advance, especially for large amounts. Typically, for large amounts, the agreement is signed in advance before a notary. In practice, brokers must be honest, sincere, and open, not engage in fraud, and avoid conducting dubious business (those whose *halal/haram* status is unclear). A broker is entitled to receive compensation after fulfilling their contract, while the party using the broker's services must provide compensation because wages or worker compensation can improve the welfare of the workers concerned.

The amount of compensation that must be given to the broker is determined by the agreement. (P Tjiptoherijanto, 1997). From an Islamic economic perspective, the practice of *samsarah* (brokerage) is a form of *muamalah* (transactional transaction) based on the principle of mutual assistance (*ta'awun*) between parties. This activity involves a third party acting as an intermediary between the seller and buyer in a sale and purchase transaction. Studying this practice is increasingly relevant with the expansion of digital transactions, which require clear contracts and information transparency.

The development of digital business has also transformed the way modern brokers operate. Islamic business ethics serve as a crucial reference for business actors to ensure that their transactions do not conflict with *Sharia* principles. Honesty, transparency, and trustworthiness are core values that must be upheld by every Muslim businessperson, including in the increasingly competitive digital business ecosystem. The transformation of e-commerce has opened up new opportunities for digital-based economic intermediation. *Fiqh muamalah* provides a normative framework to ensure these transactions are fair and beneficial to all parties.

The application of *fiqh muamalah* principles in the context of e-commerce, particularly in Malaysia and Indonesia, demonstrates that Islam is not in conflict with advances in modern transaction technology. Trust is a critical element in the relationship between brokers and their clients. In the context of Islamic finance, trust serves as a mediating variable that influences customer loyalty to Islamic financial institutions. Without well-established trust, intermediation transactions will not proceed optimally and sustainably (Albaity & Rahman, 2021).

One of the problems that frequently occurs in brokering practices is the presence of individuals who manipulate information for personal gain. This goes against Islamic business ethics, which prohibit all forms of fraud and cheating in the sale and purchase of agricultural products and other commodities. This situation requires in-depth study to ensure that brokering practices are carried out in accordance with *Sharia* principles (Prasetyo et al., 2023).

Islamic moral principles provide a strong ethical foundation for sustainable economic governance. Values such as justice (*'adl*), honesty (*sidq*), and responsibility (*amanah*) are key

pillars of every Islamic economic activity, including intermediation or brokerage. Internalizing these principles is essential to realizing equitable economic development (Kalkavan & S Yüksel, 2021). Classical muamalah fiqh studies must now address the challenges of digital business, including the application of contracts on marketplaces and e-commerce platforms. The digitalization of the economy demands a renewed understanding of classical concepts such as the samsarah contract to ensure their relevance and applicability in the ever-evolving digital business ecosystem.

METHOD RESEARCH

This study employs a qualitative approach with the aim of analyzing the potential of brokering in Islamic economic transactions. This method incorporates data collection through a review of related literature and library studies. The research process is carried out in order to understand and identify brokers in Islamic economic transactions. By using this method, researchers can provide complex descriptive images, analyze words, and conduct research in natural contexts. This method makes it possible for researchers to clearly identify the problems that need to be investigated, and it also makes it easier for readers to understand the issues that are being discussed. Searching for the reference location is in the Unzah Genggong campus library by reviewing the literature and online through online libraries such as Google Scholar, data collection techniques through comprehensive and orderly descriptive analysis, and we use the concept of techniques with the main review analysis, namely brokers in Islamic economic transactions.

The literature review method was chosen because it allows researchers to systematically discover, analyze, and synthesize relevant previous research. This approach is considered appropriate for building a strong theoretical foundation and identifying research gaps that require further investigation in the study of brokerage in Islamic economic transactions (H Snyder, 2019). This qualitative, literature-based research also draws on efforts to reconstruct Islamic jurisprudence (fiqh) in dealing with the challenges of the digital era. Sources used include classical fiqh texts, DSN-MUI fatwa regulations, and scholarly articles from reputable journals to ensure the validity and relevance of the findings in the context of contemporary Islamic economics.

RESULT AND DISCUSSION

Definition of Broker

A broker is an intermediary in trade who acts as a bridge between sellers and buyers. Their importance is even greater today than in the past, due to the interconnected trade between collective and individual traders. Therefore, brokers play a crucial role in this regard. A trade intermediary (between sellers and buyers) is someone who sells goods or finds buyers for others in exchange for wages or commission for their services (Felinda, 2019). The party acting as an intermediary in a buying and selling transaction is often referred to as a *simsar*. The practice is known as *samsarah*. The definition of *samsarah* is acting as an intermediary between a seller and a buyer.

Simsar is defined as a party that acts as an intermediary between a seller and a buyer to facilitate a sale Sarwat, (2018) 5 A broker, according to the Big Indonesian Dictionary (KBBI),

is an individual or legal entity that functions as a trade intermediary. They act as a bridge between buyers and sellers, assisting in selling goods or finding buyers for the parties involved in the transaction. It's important to note that brokers can operate in various types of trade, including securities or goods. They play a key role in ensuring that transactions proceed smoothly and comply with applicable regulations.

The concept of *samsarah* has long been recognized in classical Islamic jurisprudence as a lawful form of intermediation grounded in the principle of mutual assistance (*ta'awun*). Contemporary studies affirm that *samsarah* is categorized as permissible (*mubah*) work within Islamic commercial law, given that the contract fulfills the essential pillars of *akad*, including the presence of two competent contracting parties, a clearly defined object of transaction, and an agreed-upon compensation. From this standpoint, the broker (*simsar*) functions not merely as a commercial agent but also as a facilitator of economic justice by connecting parties who would otherwise face information asymmetries in the market (Muayyad et al., 2023). The permissibility of *samsarah* is thus rooted both in its alignment with the higher objectives of Islamic law (*maqasid al-shariah*) and in its demonstrated social and economic utility.

In the modern context, the role of the broker has evolved significantly alongside advancements in Islamic commercial finance. Studies on the application of Shariah-compliant service contracts demonstrate that the broker's function closely mirrors the *ijarah* (service leasing) and *ju'alah* (reward-based task) frameworks, in which the broker undertakes a specific task — connecting buyers and sellers — and receives a predetermined compensation (*ujrah*) upon successful completion of the intermediation. The *ju'alah* contract, in particular, aligns structurally with brokerage practices by offering a flexible, results-based compensation mechanism that protects both the principal and the agent from *gharar* (uncertainty) in the transaction (Mohamed et al., 2024). This contractual flexibility makes Islamic brokerage highly adaptable to modern market conditions without compromising Shariah compliance.

Legal Basis of Brokerage

The results of the study show that Islamic law permits the profession of broker (*samsarah*), based on QS. Yusuf verse 72, wages for a broker are halal because brokering is a profession in the form of services with the basic principle of mutual assistance, so the law is permissible (Rara Berthania NPM, 2017).

قَالُوا نَفِدُ صَوَاعِ الْمَلِكِ وَلِمَنْ جَاءَ بِهِ حِمْلُ بَعِيرٍ وَأَنَا بِهِ زَعِيمٌ ﴿٧٢﴾

They answered, "We lost the king's cup, and who can returning it will result in (food items as heavy as) a camel's load and I guarantee that." (QS. Yusuf: 72)

Imam Malik, in his book *Al-Mudawanah*, Volume 3, page 466, states that the wages received by brokers are permissible (*la ba'tsa bi dzalik*). Therefore, according to him, it is permissible. Imam Bukhari (may Allah have mercy on him) stated the following in his authentic book:

وَلَمْ يَرَ ابْنَ سِيرِينَ وَعَطَاءَ وَإِبْرَاهِيمَ وَالْحَسَنَ بِأَجْرِ السِّمْسَارِ بَأْسًا وَقَالَ
 ابْنُ عَبَّاسٍ : لَا بَأْسَ أَنْ يَقُولَ : بَعْ هَذَا الثَّوْبَ فَمَا زَادَ عَلَيَّ كَذَا وَكَذَا
 فَهُوَ لَكَ وَقَالَ ابْنُ سِيرِينَ : إِذَا قَالَ بَعُهُ بِكَذَا فَمَا كَانَ مِنْ رِبْحٍ فَهُوَ لَكَ ،
 أَوْ بَيْنِي وَبَيْنَكَ فَلَا بَأْسَ بِهِ وَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :
 (الْمُسْلِمُونَ عِنْدَ شُرُوطِهِمْ)

"Ibn Sirin, Atha, Ibrahim and Al-Hasan stated that the reward of samsarah is no danger (mubah). Ibn Abbas also stated: "It's okay for someone to say to another person: sell this shirt for that price! If you sell more than this, then the excess is yours." Ibnu Sirin also said: "If someone says to another person (sell this item for this price. If there is another profit, then it is yours, or the profit is shared by both of us), then the law is fine. The Prophet sallallaahu 'alaihi wasallam said: A Muslim always keeps the promises he makes." (Sahih Bukhari).

Brokerage Rules

From the explanation above, we can conclude that the pillars of samsaroh consist of:

1. Al-Muta'qidani (broker and owner of the property)
2. Mahall al-ta'aqud (type of transaction carried out and compensation)
3. Al-Shigat (wording or something that indicates approval for the brokerage transaction).

The pillars of brokerage (*Ju'alah*) are as follows

1. Word (agreement)

The word means permission for the one who will work and the time is not specified. If *ju'alah* is done without the permission of the person who ordered it (the owner of the goods), then he is not entitled to receive a reward if the goods are found. There are 2 people who make a contract in *ju'alah*, namely:

- a. Ja'il, namely the person who holds the competition. It is required for ja'il to be a mukallaf person in the sense of being mature, sane, and intelligent.
 - b. 'Amil, namely the person who holds the competition. It is not required for 'amil, namely certain people (free).
2. The person who promises to provide wages. This can be the person who lost the item or another person.
 3. Work (something required by the person who has the property in the competition)
 4. The wages must be clear, determined, and known to the person before carrying out the work (finding the item).

The Commercial Code explains the rights and obligations of brokers, which include:

1. Brokers are required to immediately record every action they take in their pocket books, and then transfer it daily to their diaries, without blank spaces, lines, or marginal notes, clearly stating the names of the parties involved, the time of the action or time of delivery, the nature, quantity and price of the goods, and all requirements for the action taken.

2. Brokers are obliged to provide the parties involved at any time and as soon as they wish, extracts from their books containing everything they have recorded relating to actions involving those parties.
3. Complete the affairs that have been started when the person giving the power of attorney dies.
4. The proxy has the right to receive compensation and damages that he incurred while exercising his power even though his affairs were not successful.
5. Has the right to retain everything that belongs to the person giving the power of attorney in his hands, for a long time until he has been paid in full what he can claim as a result of the granting of power of attorney.

Broker Legal Requirements

1. The parties to a transaction must have the competence to conduct transactions (*ahliyyah al-tasharruf*), namely being sane, mature, and not under guardianship. Therefore, a transaction is not valid for an insane person or a minor.
2. The promised reward (*ja'il*) must be clearly stated in its amount. If the reward is unclear, the transaction contract is void due to the uncertainty of compensation. For example, whoever finds my lost car is entitled to clothes. Furthermore, the promised reward must not be something forbidden, such as alcohol.
3. Activities that will be compensated must be permissible, not forbidden, and permissible according to Islamic law. It is not permissible to hire paranormal workers to expel jinns, practice black magic, or other forbidden practices. The principle is that any asset that can be used as a transaction object in a *ji'alah* contract.
4. The compensation (material) provided must be clearly stated in terms of type and amount (*ma'lum*) and must of course be halal.

The legal requirements governing broker competency and transaction validity in Islamic law reflect a broader commitment to protecting the contractual rights of all parties. The requirement that both the *ja'il* (the party offering compensation) and the *'amil* (the worker or broker) must meet the conditions of *ahliyyah al-tasharruf* — including being sane, mature, and legally unencumbered — serves to preserve the integrity of the intermediation process. This emphasis on legal capacity is consistent with the Islamic principle of *hifz al-mal* (protection of wealth), which demands that every economic transaction be conducted in a manner that is free from coercion, deception, or exploitation. Research on Islamic commercial arbitration further confirms that Shariah compliance in contract formation requires not only the fulfillment of formal legal criteria but also adherence to substantive ethical obligations that protect the weaker party in the transaction (El Maknouzi et al., 2023).

The contemporary practice of brokerage in Islamic economics must also be understood within the framework of Islamic business ethics, which requires brokers to uphold the values of honesty (*sidq*), trustworthiness (*amanah*), and transparency (*tabligh*) in every transactional interaction. Empirical research on the practice of buying and selling intermediaries in Islamic contexts confirms that brokers who operate with full adherence to Islamic business ethics principles — including truthful disclosure of product conditions, avoidance of manipulative

pricing, and fair compensation agreements — are more likely to earn the sustained trust of both sellers and buyers (Damirah et al., 2023). This trust-based model of intermediation is not merely a religious obligation but also a strategic competitive advantage that distinguishes ethical Islamic brokers from conventional market intermediaries.

Indicators Of A Successful Broker

1. Master the Product Being Sold

As a broker representing a company, you naturally need to master the product being sold. In addition to product specifications, you also need to understand the industry sector in general. For example, as a car broker, you need to know the specifications, advantages of a particular car, its fuel consumption, engine condition, tax costs, spare part availability, and other supporting information.

2. Expand Your Network

A strong network and extensive connections are key to a broker's success. Having a wide network of connections makes it easier for you to introduce the products you represent to potential customers. Furthermore, the broader your network, the easier it is for you to find potential clients selling products. This means you can find more potential clients and customers.

3. Benefits of Digital Marketing:

Have you ever watched a video reviewing a house or apartment? If so, there's usually a contact information within the video or in the description that you can contact if you're interested in purchasing the property. This is a clear example of how digital marketing can be used to increase commissions. You can use any platform to promote your clients' products. Don't hesitate to use creative methods and social media to reach a wider market.

4. Promote Regularly

After finding the right platform, you need to promote regularly. This is done to inform potential customers or clients about your products. Furthermore, promotions are also used to update existing information, such as whether the products you're selling are sold out or still available. Simply put, you can share informative posts on social media.

5. Build a Positive Image

As a broker, you must have a positive image and character. This is because potential clients and buyers will be very careful in choosing a broker. You can introduce yourself as a trusted broker by showing your educational background, official licenses, portfolio, and other documents that can help build customer trust.

6. Pay Attention to Appearance

A broker must look neat, smell good, and be pleasing to the eye. Therefore, pay attention to your appearance when meeting clients or potential buyers. You should wear neat and formal attire. This is because a person's appearance is the first thing that creates a positive impression. If you can project the appearance of a professional broker, clients will naturally be more likely to trust you.

7. Uphold Business Ethics

By definition, business ethics refers to standards of morally right and wrong behavior in business. Business ethics keep businesses operating within the bounds of the law, ensuring that

they do not commit crimes against employees, customers, consumers in general, or other parties.

Deep product knowledge is a core competency that distinguishes professional brokers from amateurs. In the context of Islamic financial services, a thorough understanding of products and the ability to provide accurate information to clients has been shown to significantly increase customer loyalty. Quality service, supported by professional competence, is a key factor in building long-term trust between brokers and clients (Kadir et al., 2023). Network expansion in the digital age can be effectively achieved through the adoption of digital marketing strategies. The use of social media platforms and digital marketplaces has been proven to improve the performance of small and medium-sized businesses, including brokers, in reaching a wider market.

The use of digital technology allows brokers to expand business connections without being limited by geographic boundaries. Consistent and ongoing promotion is a crucial strategy for brokers in maintaining their presence in the market. The digital transformation of MSMEs in Indonesia demonstrates that regular promotion through digital channels has a positive impact on transaction volume and market expansion, while still adhering to Islamic ethical standards in all promotional content disseminated. Building a positive image is closely linked to the value of trust, a key pillar of Islamic financial transactions. Customer trust in Islamic financial institutions is influenced by religiosity, perceived value, and customer satisfaction. For brokers, a consistently positive image built through a good track record will strengthen client trust and streamline the intermediation process.

A neat and professional appearance reflects the value of *karamah* (*self-respect*) recommended in Islam. Ethical leadership in Islamic organizations, based on the perspective of the Quran, emphasizes the importance of physical and spiritual integrity for every businessperson. Brokers who maintain a professional appearance demonstrate a commitment to Islamic values and build initial trust with potential clients. Islamic business ethics are not simply a set of moral norms but also a strategic asset that distinguishes Islamic businesses from conventional businesses. Consistent application of business ethics has been proven to contribute to business sustainability and long-term reputation. For brokers, adherence to Islamic business ethics standards ensures that every transaction is free from *gharar*, *maysir*, and *riba* (*usury*).

The transformation of digital commerce has fundamentally reshaped the landscape of intermediary transactions, compelling brokers to adapt their practices within the framework of Islamic jurisprudence. The application of *fiqh muamalah* principles in digital marketplace platforms requires a contextual and contemporary *ijtihad* approach so that classical contract provisions remain relevant and applicable in the evolving digital business ecosystem. Core principles such as justice (*'adl*), transparency (*amanah*), honesty (*shiddiq*), and mutual consent (*'an taradhin minkum*) serve as foundational guides that ensure digital brokerage activities do not violate the boundaries of Islamic law (Assulthoni et al., 2025). This normative framework is crucial in ensuring that digital broker practices, from property intermediation to commodity trading, continue to comply with the requirements of *akad samsarah* as defined by DSN-MUI Fatwa No. 151/DSN-MUI/VI/2022.

The emergence of digital platforms as new intermediary spaces raises important *fiqh muamalah* questions regarding the validity of contracts (*akad*) conducted without direct

physical interaction between parties. Research on marketplace and e-commerce transactions demonstrates that digital transaction practices can be categorized under contracts such as bai' (sale), wakalah (agency), and ju'alah (reward-based service), each of which can be adapted to Islamic legal provisions provided that transparency, clarity of the object of transaction, and dispute resolution mechanisms are properly established (Hakim & FL Nisa, 2024). For modern brokers operating on digital platforms, ensuring that these contractual elements are fulfilled is an absolute prerequisite for the legitimacy of their intermediation activities from an Islamic legal perspective.

One of the most critical challenges facing contemporary brokers is the risk of information asymmetry and potential fraud (*tadlis*) in digital transactions, which directly contradicts the principle of honesty and transparency mandated in Islamic business ethics. Studies on Shariah-compliant e-commerce confirm that the absence of clear information disclosure, fraudulent product descriptions, and manipulation of consumer reviews constitute violations of the *gharar* prohibition under *fiqh muamalah*, ultimately undermining the *maslahah* (*public interest*) that Islamic commercial law seeks to uphold. Therefore, brokers who operate in digital environments are obligated to proactively ensure the accuracy and completeness of all transactional information conveyed to both sellers and buyers, consistent with the *amanah* (trustworthiness) principle central to Islamic intermediation.

The integration of *Shariah-compliant financial technology* (*fintech*) presents significant opportunities for brokers in the Islamic economy to expand their intermediation functions while maintaining adherence to Islamic principles. Islamic fintech platforms that operate on profit-and-loss sharing models, such as *mudharabah* and *musyarakah*, provide ethically grounded alternatives to conventional interest-based financing, enabling brokers and their clients to access financial services without violating the *prohibition of riba* (Anatan & Nur, 2023). In the context of Indonesian MSMEs, digital transformation that incorporates Sharia compliance standards has been shown to positively impact transaction volume, market expansion, and long-term business sustainability, reinforcing the importance of integrating Islamic ethical values into every dimension of the digital brokerage ecosystem.

CONCLUSION

The definition of a broker according to Islamic commercial law is essentially an intermediary who facilitates economic transactions between parties through a Shariah-compliant agency contract. The legal framework governing brokerage activities emphasizes the relationship between intermediaries, entrepreneurs, and third parties, establishing clear responsibilities for all stakeholders involved. These relationships determine liability structures, particularly concerning product defects and legal compliance in commercial transactions. Brokerage represents a significant business innovation in Islamic economic systems, designed to facilitate efficient market operations while adhering to fundamental Islamic jurisprudence principles. The practice is permissible within Islamic law provided it does not contradict core *fiqh* principles governing commercial transactions. The National Council of Indonesian Ulemas plays a crucial regulatory role in ensuring brokerage practices align with Islamic legal requirements. The issuance of Fatwa DSN MUI No. 151/DSN-MUI/VI/2022 concerning Samsarah Contracts established a comprehensive legal foundation for brokerage operations in

Indonesia, providing clear guidelines for practitioners and ensuring Shariah compliance across the industry.

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