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The Sale and Use of Second-Hand Clothing in Islamic Law

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Abstract

Objective: This study aims to analyze the sale and use of second-hand clothing from the perspective of Islamic law, with particular attention to the growing practice of trading imported used clothing through social media platforms in Indonesia. The study examines whether such transactions comply with the principles and requirements of Sharia in commercial activities. **Theoretical framework:** The research is grounded in Islamic commercial jurisprudence (fiqh al-muamalah), emphasizing the principles of lawful trade, transparency, mutual consent, fairness, and the prohibition of uncertainty (gharar) and deception in economic transactions. **Literature review:** Previous studies generally acknowledge that Islam permits trade and encourages economic activities that fulfill legal and ethical requirements. However, scholars have highlighted concerns regarding transactions involving ambiguity in product quality, quantity, ownership, and condition, particularly in the context of second-hand goods and online commerce. These concerns are closely associated with the concept of gharar, which may undermine transactional justice. **Method:** This study employs a descriptive qualitative approach. Data were analyzed through a Sharia review of second-hand clothing transactions conducted via Instagram and compared with the realities of market practices. The analysis focuses on the conformity of such transactions with Islamic legal principles governing trade and exchange. **Results:** The findings indicate that Islam fundamentally permits buying and selling activities, including transactions involving used goods, provided that all contractual pillars and conditions are fulfilled. Nevertheless, the widespread practice of selling imported second-hand clothing in bulk packages often involves items whose quantity, quality, size, and physical condition are unknown to buyers at the time of purchase. This uncertainty creates speculative elements and increases the possibility of deception. Consequently, such transactions may contain gharar and are therefore inconsistent with Sharia principles governing commercial dealings. **Implications:** The findings encourage traders and consumers to improve transparency and product disclosure in second-hand clothing transactions to ensure Sharia compliance. **Novelty:** This study contributes by specifically examining Instagram-based imported second-hand clothing transactions through the lens of Islamic commercial law and the concept of gharar.

Keywords: second-hand clothing, islamic law, sharia compliance, online transactions, gharar.

INTRODUCTION

Fashion is one of the primary needs of clothing to protect the body from sun exposure and cold air, and to complement and beautify the appearance. By looking good and neat, a person becomes more pleasing to the eye and confident. Our country's fashion industry is currently developing rapidly, as can be seen from the emergence of several inventions in various fashion trends. Therefore, the fashion or clothing business can be an opportunity for those of you who want to try your luck as an entrepreneur. Moreover, the Thrifting trend is just one example of how today's rapid technological innovations are contributing to the growing fashion development in Indonesia. Thrift comes from thrifty, which means how to use money and other goods properly and efficiently (frugally). The most common form of thrifting in Indonesia is fashion thrifting. But this activity is not limited to buying used goods, but rather how consumers can find personal satisfaction if they get cool or rare items at prices below the original price. One business idea that is getting more popular every year, especially among millennials, is thrift. It serves as the foundation for the early growth of people opening businesses selling imported goods or old clothing (thrift) [1], [2].

Sale and purchase is an agreement to exchange goods and valuables voluntarily between two parties; one party accepts the goods and the other party accepts the goods in accordance with the agreement or terms evidenced by Shara 'and Agreement. According to the law, what is meant by fulfilling requirements, getting along, and other matters related to buying and selling, so that if these conditions and pillars are not met, it means that it is not in accordance with laws and regulations. Shara's decision and some other things. There are three conditions of sale allowed by Shara' for goods traded: (1) The buyer can see it; (2) The buyer can know the nature of the goods; (3) Sacred and also beneficial. The exchange of invisible and unknown goods is prohibited. The goods traded must be sacred and beneficial to those who buy them. Unclean or useless things, such as wine, corpses, dogs, pigs, gods, etc., cannot be exchanged [3], [4].

In buying and selling to practice perfect or legal trading based on Islamic law, certain pillars and conditions must be adhered to. In buying and selling to make it a perfect or legitimate buying and selling practice based on Islamic law, several pillars and conditions must be met. With this in mind, the subject of the contract is the first element that must exist because it is impossible for an engagement without the maker of the engagement, other than the subject of the contract (the parties) which is one of the elements that make the sale and purchase perfect, the existence of the object being traded and the existence of sigah, namely ijab kabul is a statement of the will of the first party while kabul is a statement of will from the second party. Because if there has been ijab and kabul, there must be people who perform contracts as well as objects that are proposed [5], [6].

Buying and selling as a means of helping fellow human beings has a strong foundation in the Qur'an and the Sunnah of the Messenger of Allah, namely: the Qur'an, ijma', and the Decree of the Indonesian Minister of Trade. Since the millennial generation is characterized by a certain environmental awareness and its increased purchasing power, it is assumed to have the knowledge and possibility to change environmental sustainability in the fashion industry. Therefore, in buying and selling, there are four conditions, namely the conditions for the occurrence of the contract (in'iqad), the conditions for the validity of the contract, the conditions for the implementation of the contract, and the conditions for lujum [7], [8].

Islam has explained that a buying and selling transaction must meet the conditions, namely the fulfillment of the conditions and pillars of buying and selling. Previous studies of secondhand shopping have shown multidimensional motivations, including fashion interest and environmental concern. Explain that buying and selling are protected from defects, such as unclear exchange criteria, both in terms of type, quality, and quantity, unclear total price, buying and selling There are elements of coercion, fraud, prejudice, and other conditions that cause sales to be disrupted. Islamic teachings, especially in the field of muamalah, are clear that buying and selling must pay attention to aspects of interest and must not hide the shortcomings of an item when buying and selling. So one might wonder if second-hand clothing consumption really represents the sustainable consumption habits of Generation Y or just a means to promote their sustainable lifestyle [9], [10].

Given these facts, the aim was to investigate the underlying causes of their involvement in reusing clothing, as it is considered a sustainable consumption practice as well as current fashion trends. It will focus on how these aspects affect the consumption of second-hand clothing by millennials. Previous studies challenged general environmental awareness as a driving force for consuming second-hand clothing. Based on this, it should be examined whether the potential for environmental awareness leads millennials to buy second-hand clothes or instead is used as justification for higher prices of consumption. Further, it is questionable whether this is a medium to promote sustainable lifestyles when shopping for second-hand clothes. This study aims to explain in the review of Islamic law on buying and selling used goods that are widely found in Indonesia, especially used clothes/imported clothes, with clear legal provisions, sellers and buyers there is no doubt in carrying out buying and selling activities [11], [12].

LITERATURE REVIEW

Research conducted entitled Islamic Legal Perspectives on Buying and Selling Used Clothes in the Perumnas Way Halim Market Bandar Lampung results showed that:

The practice of buying and selling used clothes at the Perumnas Way Halim Market, Bandar Lampung, has fulfilled the pillars and requirements in mu'amalah. In this sale and purchase transaction, some people are contracted, namely sellers of used clothes and buyers of used clothes, who have met the requirements, namely puberty or reason, then able or able to distinguish good things from bad things. Then there is ma'qud 'alaih, or goods that are bought and sold, in this case, used clothes.

The Islamic legal perspective on buying and selling used clothes in Pasar Perumnas Way, Halim Bandar Lampung, in practice is valid or shahih because the pillars and conditions in buying and selling have been fulfilled. However, it was canceled in terms of its object because used clothes are included in illegal goods, although they are still relatively safe for use in daily life by buyers, but they are still prohibited because they are in accordance with the regulation of the Minister of Trade regarding the ban on the import of used clothes that can cause harm to many parties because they have the potential to endanger human health, damage domestic industries and reduce the nation's self-esteem [13], [14].

Research conducted entitled "Review of Islamic Law on buying and selling used clothes in the Beringharjo market, Yogyakarta", the results of the study showed that:

There are two models of buying and selling used clothes in the Beringharjo market, namely retail and plastic wholesale. In the system of buying and selling used clothes with retail models, buyers go to the used clothing stall they want, then they ask the seller about the clothes they want. The seller will allow buyers to look at the used clothes they sell first, after getting the clothes they choose, and then there is bargaining for a price, until a mutual agreement is reached. As for the system of buying and selling used clothes with plastic borogan models, traders sell their plastic bags at a price of 8 thousand to 10 thousand rupiah. But in stark contrast to the retail model, here consumers are not allowed to choose; all clothes in plastic have been determined by the traders themselves, both the number and model of clothing. There is uncertainty regarding the quality and quantity of objects for sale and purchase by traders to consumers [15], [16].

Based on the analysis carried out by the compiler using the normative approach of Islamic law both from the Qur'an and hadith as contained in the previous discussion about gharar, hereby the compiler states that the practice of buying and selling used clothes in the Beringharjo market using a wholesale system is not in accordance with the provisions of Islamic law, especially in the field of muamalah, because of the vagueness of the objects being traded, encourage speculation and fall into the element of fraud [17], [18].

Research conducted by the University of North Sumatra Communication Science Study Program, Self-Concept of Preloved Branded Fashion Users (Qualitative Study of Self-Concept of Preloved Fashion Branded Users Among Communication Science Students of Fisip USU). The conclusion of the thesis was that the informant examined the self-concept of preloved fashion users among Communication Science students of FISIP USU. Research conducted by Online Shop Phenomenon on Instagram (Phenomenological Study of Online Shop on Consumers on Instagram). The conclusion of the thesis is that the informant examines the elements of phenomena and noumena that occur in online shop consumers [19].

Figure 1. Examples of Second-Hand Clothing Displayed for Sale in a Thrift Market Through Organized Product Arrangement

Figure 1 illustrates a variety of second-hand clothing arranged according to type, color, and style in a thrift market. The products are displayed openly, allowing consumers to inspect their condition before purchasing. Such presentation supports transparency by enabling buyers to evaluate quality, identify visible defects, and compare available options. From the perspective of Islamic economic law, this practice reduces uncertainty (*gharar*), strengthens mutual consent, promotes fair transactions, and encourages ethical commercial behavior between sellers and consumers.

METHODOLOGY

This study employs a qualitative research approach to examine the practice of buying and selling second-hand clothing (thrift products) through Instagram and to analyze its conformity with the principles of Islamic economic law. A qualitative method was selected because the research seeks to understand social phenomena, perceptions, and transactional practices in their natural setting rather than measuring them quantitatively. The approach enables an in-depth exploration of how second-hand clothing transactions are conducted and how the principles of Sharia are applied in contemporary online commerce [20], [21].

The data utilized in this research consist of primary and secondary sources. Primary data were obtained through interviews and online surveys, while secondary data were collected from academic literature, journal articles, books, legal documents, and previous studies related to Islamic commercial law, online transactions, thrift shopping, and the concept of gharar (uncertainty) in trade. The combination of these sources allows for a comprehensive understanding of both theoretical and practical aspects of second-hand clothing transactions. The study focuses on consumers and sellers involved in second-hand clothing transactions through Instagram. Data collection was conducted using two principal techniques: Instagram polling and semi-structured interviews [22].

Instagram Polling Method

Instagram polling was employed as an online survey tool to gather preliminary information regarding consumer attitudes, intentions, and purchasing behavior toward second-hand clothing. The questionnaire was distributed through Instagram features to

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respondents aged between 18 and 30 years, representing the demographic group most actively engaged in social media-based commerce. Since the survey was conducted online, respondents were individuals with internet access and familiarity with Instagram shopping activities. The polling instrument explored consumer motivations, purchasing frequency, perceptions of product quality, awareness of transaction risks, and understanding of ethical considerations in online thrift shopping [23].

Semi-Structured Interviews

To obtain richer and more detailed information, semi-structured interviews were conducted with selected consumers and online sellers. This technique provided flexibility for participants to express their experiences and perceptions regarding second-hand clothing transactions. The interviews focused on transaction procedures, product disclosure practices, consumer expectations, and potential issues related to uncertainty, misrepresentation, and dissatisfaction. Interview data contributed significantly to understanding whether such transactions meet the requirements of transparency and fairness prescribed by Islamic law [24], [25].

Literature Study and Data Analysis

The literature study involved reviewing relevant scholarly works, including journal articles, books, and research reports concerning Islamic jurisprudence (fiqh al-muamalah), e-commerce, consumer behavior, and second-hand markets. The collected data were analyzed using descriptive qualitative analysis. Data reduction, categorization, interpretation, and triangulation techniques were employed to identify recurring themes and patterns. The findings were subsequently evaluated through the framework of Islamic economic law, particularly the principles governing lawful trade, transparency, mutual consent, and the prohibition of gharar. This analytical framework enabled the study to assess the extent to which Instagram-based second-hand clothing transactions comply with Sharia principles and ethical standards in commercial activities [26].

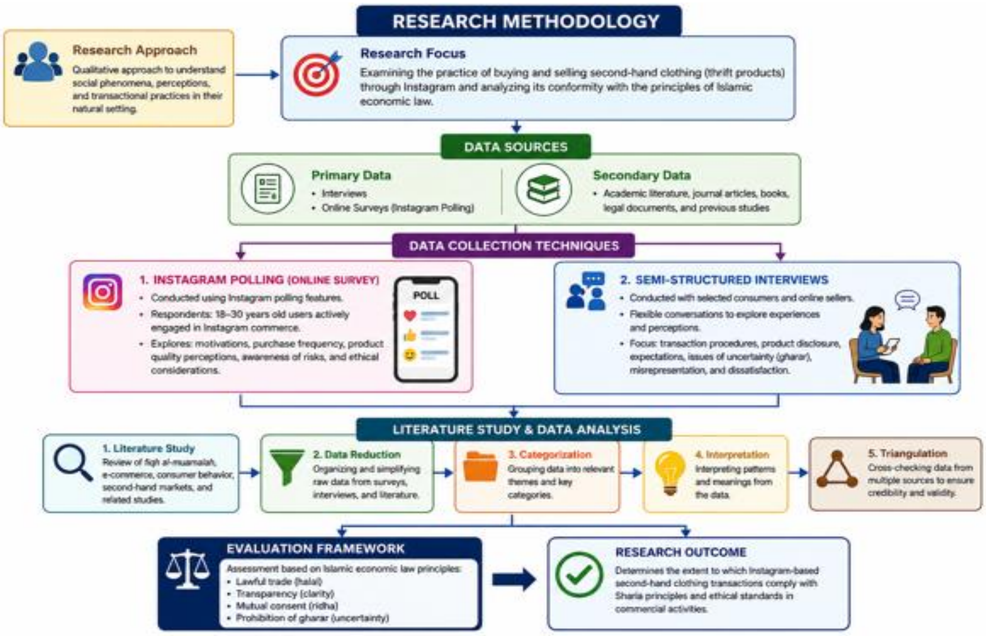

Figure 2. Consumer Perceptions and Transaction Practices in Instagram-Based Second-Hand Clothing Commerce from an Islamic Economic Law Perspective

Instagram has become an important marketplace for second-hand clothing, attracting consumers through affordability, unique fashion styles, and convenient transactions. Most buyers rely on product photographs, seller descriptions, and customer reviews before making purchasing decisions. However, incomplete information regarding product condition may create uncertainty and dissatisfaction. From the perspective of Islamic economic law, transparent communication, mutual consent, and honest disclosure are essential to ensure transactions remain fair, ethical, and consistent with Sharia commercial principles.

RESULTS AND DISCUSSION

Trade or buying and selling, according to the language, means al-ba'i, at-tijarah. About the word at-tijarah, as explained in Q.S Fathir (35): Sale and purchase, according to Sayyid Sabiq, is the exchange of objects for other objects by giving up each other or transferring property rights with their successors in a permissible way. 5 Based on some of the above understandings, it can be concluded that sale and purchase is an agreement to exchange objects or goods that have value voluntarily between the two parties; one receives objects, and the other party accepts them in accordance with the agreement or provisions that have been justified by Shara and agreed upon. In accordance with legal provisions, it means fulfilling requirements, getting along, and other things that have to do with buying and selling, so that if the conditions and pillars are not met, it means that it is not in accordance with the provisions of Shara' [26].

Frugality is something similar to the saying, except for the junk part. Simply put, frugality means shopping at thrift stores, where you will find second-hand clothing items at discounted/affordable prices. Used items are well-liked by previous owners, but are usually in good condition with enough remaining life to be useful to new owners. Thrift stores also have different types and purposes, such as chain thrift stores run by large and international chains that vary in the selection and price of goods, self-contained/family-run thrift stores, antique/antique stores that stock only antiques. items and positioned high when compared to other stores, such as screaming deals, speciality thrift stores, consignment stores that act as intermediaries between sellers and buyers who ultimately earn profit margins when products are sold, and pre-loved stores. Non-profit mission-based stores are also called charity shops, where profits earned from the sale of second-hand items are used for charity. Internet thrift store. Thrift shop and preloved are semantically related. In some cases, you can use "Thrift store" instead of the adjective "Preloved" [27].

The legal basis of buying and selling, buying and selling as a means of helping between fellow human beings, has a strong foundation in the Qur'an and the Sunnah of the Messenger of Allah. SAW. There are several verses of the Qur'an and the Sunnah of the Prophet SAW that Nasrun Haroen, Jurisprudence of Muamalah, relates to buying and selling, namely, the Qur'an is the legal basis that occupies the first level in determining the laws that apply in religious life. In the issue of buying and selling, there are several explanations behind buying and selling, including in Q.S. Al-Baqarah (2) verse 275 in general, but firmly provides an overview of the law of halal buying and selling and the haram of usury. Allah Almighty strictly justifies buying and selling and forbids usury, although both (buying and selling and usury) both seek economic benefits; there are fundamental and significant differences, especially from the point of view of how to obtain profits, in addition to the responsibility for the risk of losses that may arise from the economic business itself. Allah has also affirmed the legal basis of buying and selling in Surah An-Nisa, verse 29 [28].

The content of the above paragraph emphasizes the necessity to heed the established regulations and not to do what is termed al-Bathil, which is a violation of religious provisions or agreed requirements. Hadith is the second source, which is a guide to stimulating a law. The hadith that states about buying and selling includes: Ijma‟ is the agreement of the majority of mujtahid scholars among Muslims at some time after the death of the Prophet (peace be upon him) on the Sharia law regarding an event or a case. Ijma‟ is the third source of Islamic law after the Qur'an and Sunna. Decree of the Indonesian Minister of Trade. The government reinforces the regulation prohibiting the import of used clothing by issuing a

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Regulation of the Minister of Trade (Permendag), which is effective from September 2015. The prohibition rules are contained in the Regulation of the Minister of Trade Number 51/M-DAG/PER/7/2015 concerning the Prohibition of Import of Used Clothing. The Ministerial Regulation was formed to reinforce similar regulations that had been issued previously, namely the Regulation of the Minister of Industry and Trade Number 230/1997 and the Regulation of the Minister of Trade Number 64/2012 [29], [30].

Based on observations and data collection that the compiler did on several used clothing traders today is basically carried out traditionally. This means that as usual, first the buyers come to the relevant second-hand clothing merchant to have a look, and then about the condition of the used clothes are still feasible or not, after finding used clothes that are considered suitable after checking and trying them on, then move on to the issue of bargaining prices when between the two parties have agreed on the specified price followed by the delivery of the object of sale and purchase, namely used clothes and some money as a medium of exchange. Buying and selling are engagements (iltizam), which are always related to the parties who make the engagement. In buying and selling, to make it a perfect or legitimate buying and selling practice based on Islamic law, several pillars and conditions must be fulfilled. The subject of the contract is the element that must first exist because there can be no engagement without the maker of the engagement, other than the subject of the contract (the parties), which is one of the elements that make the sale and purchase perfect; the existence of objects that are traded and the existence of sigah, namely ijab kabul. Ijab is a statement of the will of the first party, while kabul is a statement of will from the second party. Because if there has been ijab and kabul, there must be someone who does the contract and also the object proposed [31], [32].

The second-hand market began to show early signs of recovery in the 1980s. This trend once again increased rapidly throughout the 2000s. The Great Recession in 2008 is believed to have had a significant impact on attitudes towards the resale industry. At this time, it helps the image of second-hand consumption to be more reasonable than desperate. In addition, changes in consumption patterns have a lot to do with consumptive culture. The twenty-first century marks an ethical and sustained awareness in customers' shopping habits. Millennials and Generation Z play a major role in the shift in perception, as they engage in consumption 2.5 times faster than other age groups. 77 per cent of this customer group prefer to buy from sustainable brands. However, since eco-fashion is considered luxury, thrift is becoming their favorite choice. Consequently, second-hand clothing is living its golden age due to the purchasing power of young customer groups. The value of lifestyle is another reason for the shift in perception in the twenty-first century. Lifestyle is defined as "a pattern of consumption that reflects a person's choices about how they spend their time and money, but in many cases, it also refers to the attitudes and values attached to those behavior patterns". More and more modern consumers prefer to make statements that a person wants to be identified with in society. Customers also appreciate the type of shopping that is not excessive and anti-consumption. Second-hand consumption is considered a simple consumption that can meet the value of this lifestyle [33], [34].

The ideology of reprocessing, reuse, and improvement was intrinsically present in everyone during 1500-1800. The second-hand market in the early modern period was not only important for the economy but also dominant, with the diversity of actors participating in this industry. They went to great lengths to get into the organization and maintain the circulation of the second-hand trade. At first, women were among the specialists in union underwear, but were later replaced by men at the end of the 18th century. Prostitutes are also big traders in these markets because they have large quantities of household goods and clothing gifted from their clients. This "gift" is considered their saving strategy when they can sell it in hard times, or as their contribution to their attractiveness. Migrants, especially Jews, also participated in this international trade route. With their network, they connected different places and clients to buy used clothes, sorted and then shipped to various marketplaces. The scale of trade has changed from regional markets to the globalization of trade channels [35], [36].

The distribution and consumption of second-hand clothing between the seventeenth and nineteenth centuries flourished in England. Lemire shows the various commercial circuits of professionals in the second-hand clothing trade. They are specialists and non-specialists, both formal and informal retailers, who are looking for used garments from second-hand goods. These retailers are divided into three groups: clothing brokers–tailors who change or remake used clothes for most of the middle class, pawnshops–sellers who buy and sell used clothes for underworld consumers and the masses, and "peddlers"–those who hold auctions. Some second-hand clothing trades are recorded in irregular and informal forms, such as word of mouth or local advertising. Even stolen goods such as accessories, wigs, and apparel are altered and then circulated on the second-hand market for longer use. Because these commercial transactions were profitable, the clothes were stolen and sold to pawnshops, which contributed tremendously to the resale and exchange circuit. Despite these illegal operations of union-organised merchants, pawnshops and hawkers, and even official shopkeepers, the second-hand clothing trade was widespread in London and even other metropolitan areas during the early eighteenth century [37], [38].

First: If it is sold without sorting or knowing what the contents of the shipment are, then it is not allowed to buy it, because it belongs to the category of ambiguity, which is forbidden because of the narration narrated by Muslims 1513 from Abu Hurayrah. He said: The Prophet (peace and blessings of Allah be upon him) forbade ambiguous transactions. These clothes are usually sold in large containers or bags that are tightly closed, so the contents are unknown; They may contain low- or high-quality items, good things and bad things. This unknown factor makes the transaction invalid, because one of the legal conditions of a sale is that it is known what is being sold, either by looking at it for itself or by describing it, and here it is not so [39].

Second: If these garments are sold after they are known for themselves, and the buyer is no longer aware of what they are, then, in principle, they may buy them, except those that are forbidden, such as garments worn only by pagans, such as yarmulkes (head coverings) worn by Jews, or garments on which there is a revered cross or image. Third: If the clothes of the unbelievers have been washed, then it is okay to use them, according to the agreement of the scholars. Instead, the difference of opinion is whether it is considered sacred or unclean before washing. The most correct opinion is that it is permissible to use something that is not known to be unclean, because the basic principle is sacred. But it is better and more appropriate to wash it before wearing it, so as not to contradict the opinion of scholars who say that it is mandatory, and as a health precaution [40], [41], [42].

Table 1. Transparency and Sharia Compliance in Instagram-Based Second-Hand Clothing Transactions

Aspect	Findings and Discussion
Consumer Motivation	Consumers prefer second-hand clothing because it is affordable, fashionable, and supports sustainable consumption.
Islamic Legal Status	The sale of second-hand clothing is permissible (halal) when contractual pillars, mutual consent, and lawful objects are fulfilled according to Islamic commercial law.
Main Challenge	Transactions involving sealed bundles or insufficient product information create gharar (uncertainty), making them inconsistent with Sharia principles.
Sharia Recommendation	Sellers should provide complete product descriptions, disclose defects, and ensure transparency to establish fairness, trust, and compliance with Islamic economic law.

The findings indicate that second-hand clothing transactions conducted through Instagram are generally permissible under Islamic law when sellers provide accurate product information, disclose defects, and ensure mutual consent. Consumer interest is primarily

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influenced by affordability and sustainability. However, transactions involving sealed packages or inadequate product descriptions may contain elements of *gharar* (uncertainty), reducing Sharia compliance. Therefore, transparency, honesty, and complete disclosure remain essential principles for establishing fair, ethical, and legally acceptable online commercial transactions.

Analysis of the Sale and Use of Second-Hand Clothing in Islamic Law

The increasing popularity of second-hand clothing transactions reflects significant changes in consumer behavior, particularly among younger generations who seek affordable fashion alternatives. The development of social media platforms such as Instagram has transformed the way thrift products are marketed and distributed, making second-hand clothing more accessible to a broader audience. From an economic perspective, this trend creates opportunities for entrepreneurship and supports sustainable consumption through the reuse of clothing products. However, from the perspective of Islamic law, the permissibility of such transactions depends not only on the products being sold but also on the manner in which the transactions are conducted [43], [44].

Compliance with the Principles of Islamic Commercial Law

Islam recognizes trade as a lawful and encouraged economic activity. The legitimacy of buying and selling is based on the fulfillment of essential contractual pillars, including the existence of competent parties, a lawful object of exchange, mutual consent, and a clear contractual agreement. In the context of second-hand clothing, the products themselves are generally permissible because they are beneficial and lawful for use. Therefore, the sale of used clothing is not inherently prohibited under Islamic law. The findings indicate that many second-hand clothing transactions conducted through Instagram can satisfy the basic requirements of Islamic commercial law when sellers provide detailed information regarding product characteristics. Transparency regarding size, quality, defects, condition, and pricing enables buyers to make informed decisions and ensures that mutual consent is achieved. Under these circumstances, the transaction fulfills the objectives of fairness and justice emphasized in Islamic economic principles [45], [46].

The Problem of Gharar in Bulk Transactions

Despite the general permissibility of second-hand clothing sales, the study highlights a significant concern regarding the widespread practice of selling imported thrift clothing in bundles or wholesale packages. In many cases, buyers purchase sealed packages without knowing the exact contents. The quantity, quality, size, and condition of the garments remain uncertain until the package is opened after purchase. This situation introduces the element of gharar, which refers to excessive uncertainty or ambiguity in contractual transactions. Islamic law prohibits transactions involving substantial uncertainty because they may lead to disputes, deception, and unfair outcomes. When buyers cannot properly identify the goods being purchased, the transaction becomes speculative and may resemble a gamble rather than a transparent exchange of value. The existence of gharar is particularly evident when sellers themselves do not provide sufficient information regarding the products or when buyers are required to accept unknown goods without inspection. Such practices undermine consumer protection and conflict with the Islamic objective of preserving justice in economic relationships [47], [48].

Transparency as the Key to Sharia Compliance

The analysis demonstrates that transparency serves as the determining factor in evaluating the legality of second-hand clothing transactions. The issue is not the second-hand nature of the products but rather the availability of accurate information concerning the goods being sold. When sellers disclose relevant details, provide photographs, explain defects, and allow consumers to understand product conditions before purchase, uncertainty is significantly reduced. Moreover, transparent business practices contribute to trust between buyers and sellers. Trust is an essential component of Islamic commerce because it strengthens ethical behavior and reduces the likelihood of disputes. Social media platforms can facilitate this process through product descriptions, customer reviews, live presentations, and direct communication between parties [49].

Implications for Contemporary Online Commerce

The findings suggest that online thrift businesses should prioritize disclosure and honesty to ensure compliance with Islamic principles. Sellers should avoid marketing methods that conceal important product information or encourage speculative purchasing decisions. Consumers, on the other hand, should exercise caution and seek sufficient information before engaging in transactions. Overall, the study demonstrates that second-hand clothing transactions are permissible in Islam when conducted transparently and fairly. However, transactions involving substantial uncertainty, particularly in bulk-package sales, risk falling into the category of gharar and therefore require greater attention to ethical and legal standards in Islamic commercial practice [50], [51].

CONCLUSION

This study examined the sale and use of second-hand clothing, particularly imported thrift clothing marketed through Instagram, from the perspective of Islamic economic law. The findings demonstrate that Islam fundamentally permits buying and selling activities as a legitimate means of economic exchange and wealth generation. Trade is recognized as a lawful activity in Sharia, provided that all contractual pillars and legal requirements are fulfilled. Islamic commercial law emphasizes principles such as transparency, fairness, mutual consent, honesty, and the avoidance of harm in every transaction. Therefore, economic activities are not merely evaluated based on profitability but also on their compliance with ethical and legal standards established by Islamic teachings. The analysis revealed that the growing popularity of second-hand clothing transactions through social media has created new opportunities for consumers and entrepreneurs. Instagram, in particular, has become an effective platform for marketing thrift products because of its accessibility, visual presentation features, and broad consumer reach. Many consumers are attracted to second-hand clothing due to its affordability, uniqueness, and potential environmental benefits associated with the reuse of products. However, despite these advantages, the study identified several Sharia-related concerns regarding the implementation of such transactions. A significant issue arises in the sale of imported second-hand clothing through packages, wholesale, or bundle systems. In many cases, buyers are unable to inspect the products directly before completing the transaction. The exact quantity, quality, size, condition, and characteristics of the clothing often remain unknown at the time of purchase. This lack of clarity creates uncertainty regarding the object of sale and limits the buyer's ability to make an informed decision. Such practices increase the possibility of dissatisfaction, disputes, and financial loss after the transaction has been completed. From the perspective of Islamic jurisprudence (fiqh al-muamalah), transactions containing substantial uncertainty are categorized as involving gharar. The prohibition of gharar aims to protect both parties from deception, injustice, and exploitation. The findings indicate that when second-hand clothing is sold without adequate disclosure and transparency, the transaction may contain elements of speculation and ambiguity that conflict with Sharia principles. Consequently, such practices cannot be considered fully compliant with Islamic commercial law. The study, therefore, concludes that the permissibility of second-hand clothing transactions in Islam depends not on the nature of the products themselves but on the manner in which the transactions are conducted. When sellers provide complete and accurate information regarding product condition, quantity, quality, and other relevant characteristics,

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the transaction may be considered lawful and ethically acceptable. Conversely, when significant uncertainty and lack of disclosure exist, the transaction risks falling into gharar and becoming inconsistent with the objectives of Islamic economic law. Future efforts should focus on improving transparency, consumer protection, and ethical business practices to ensure that online thrift commerce aligns with Sharia principles and promotes justice for all parties involved.

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Author Contribution

Tiara Dika Satiti served as the principal author by developing the research concept, collecting and analyzing data, and preparing the manuscript. Muthoifin acted as the academic supervisor, providing methodological guidance, critical review, theoretical refinement, and final editorial evaluation. Both authors discussed the findings, approved the final manuscript, and accepted responsibility for its content.

Conflicts of Interest

The authors declare that there are no financial, professional, institutional, or personal conflicts of interest related to this research, authorship, or publication of this manuscript. The study was conducted independently, and all interpretations, findings, and conclusions presented reflect the authors' academic judgment without external influence or competing interests.

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