

## Dispute Resolution in Consumer Protection in the Financial Services Sector Perspective *Sadd al-Zari'ah*

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### Abstract

The misuse of personal data by third parties on fintech lending platforms—without consent through a written statement—poses a serious threat to data security and consumer rights. This study aims to offer a conceptual framework for financial service providers and the public concerning the regulation of personal data usage. Employing the *Sadd al-Zari'ah* approach, this research highlights the importance of preventing actions that may lead to disputes in the financial services sector. The study adopts a normative legal research method with two approaches: the statutory approach and the conceptual approach. The primary legal reference is Financial Services Authority Regulation (POJK) Number 22 of 2023. Data were obtained through literature review and analyzed qualitatively using descriptive techniques. The findings show that consumer protection dispute resolution in the financial services sector can be pursued through both preventive and repressive efforts by applying the concept of *Sadd al-Zari'ah*. This approach aims to block potential harm at its root by closing avenues that may lead to legal violations or injustice.

**Keywords:** Dispute Resolution; Financial Services Sector; *Sadd al-Zari'ah*; Consumer Protection

### Abstrak

*Penyalahgunaan data pribadi oleh pihak ketiga pada platform fintech lending—tanpa persetujuan melalui pernyataan tertulis—menimbulkan ancaman serius terhadap keamanan data dan hak-hak konsumen. Penelitian ini bertujuan untuk menawarkan kerangka konseptual bagi pelaku usaha jasa keuangan dan masyarakat terkait pengaturan penggunaan data pribadi. Dengan menggunakan pendekatan *Sadd al-Zari'ah*, penelitian ini menekankan pentingnya pencegahan terhadap tindakan yang berpotensi menimbulkan sengketa di sektor jasa keuangan. Penelitian ini merupakan penelitian hukum normatif dengan menggunakan dua pendekatan, yaitu pendekatan perundang-undangan dan pendekatan konseptual. Rujukan hukum utama yang digunakan adalah Peraturan Otoritas Jasa Keuangan (POJK) Nomor 22 Tahun 2023. Data diperoleh melalui studi pustaka dan dianalisis secara kualitatif dengan teknik deskriptif. Hasil penelitian menunjukkan bahwa penyelesaian sengketa perlindungan konsumen di sektor jasa keuangan dapat dilakukan melalui upaya preventif dan represif dengan menerapkan konsep *Sadd al-Zari'ah*, yang bertujuan menutup jalan-jalan yang dapat mengarah pada pelanggaran hukum atau ketidakadilan.*

**Kata Kunci:** *Penyelesaian Sengketa; Sektor Jasa Keuangan; Sadd al-Zari'ah; Perlindungan Konsumen*

## **Introduction**

The development of digital technology in the current era has an impact on loan services (Demraoui et al., 2022; Hafizd, 2020; Muhammad et al., 2024), technology and information facilities create online lending services or what is called fintech lending (Wang, 2018), this service can be accessed by the public with the aim of facilitating and providing practical and efficient loan services, by using telecommunications tools the public can access these services easily (Pazarbasioglu et al., 2020; Riivari, 2005; Xia et al., 2024). However, on the other hand, this era has also given birth to various forms of crime in online lending services, such as fraud, selling illegal or counterfeit products, and breaches of personal data (Abdul Aziz, 2021). Criminal incidents like this are a problem in the development of fintech lending services.

Disputes between consumers and service providers often occur due to an imbalance of information, ambiguity in agreements, or abuse of market power by service providers (Fatmawati, 2024). For example, many consumers do not fully understand the terms of the service contracts they sign, or they are trapped in detrimental transactions due to high loan interest rates, hidden fees, or financial products that do not suit their needs. Although there are several dispute resolution mechanisms provided by Indonesian positive law, such as the Consumer Dispute Resolution Agency (BPSK) or the Alternative Dispute Resolution Institution (LAPS), consumers often find it difficult to access fair and transparent justice (Yohannes Unggul Julius, 2024).

Consumer protection in the financial services sector is becoming an increasingly relevant issue along with the development of the financial industry in Indonesia (Bakhri et al., 2019). In recent years, the financial services sector has experienced rapid growth, with the presence of various financial products and services that make it easier for people to make transactions. However, along with this progress, there is concern for the community, namely the lack of literacy facilities provided by the Financial Services Authority and Financial Services Business Actors regarding the form of responsibility of the PUJK in providing services and binding legal certainty. Because in practice it is clear on the Shopee Paylater Platform that does not provide a written statement regarding the use of other people's personal data. While this is an important element that must be facilitated by the PUJK in order to create transactions that are free from fraud.

Cases of consumer data leaks in Indonesia have occurred several times, such as in the case of the leak of personal data of e-commerce consumers Lazada, resulting in huge losses. One of its consumers, Amir Salim, stated that the electronic system on e-commerce Lazada was

not optimal in protecting its consumers' personal data. Then Amir sued Lazada to compensate for losses with Article 28 of the Minister of Communication and Information Regulation Number 20 of 2016 concerning Protection of Personal Data in Electronic Systems. As regulated in Article 1365 of the Civil Code, which explains that every act that violates the law and causes losses to another party must compensate for the losses (Rikson Simarmata, Rory Jeff Akyuwen, 2024).

This ambiguity has an impact on consumer rights and obligations in financial transactions and a lack of understanding of applicable legal provisions, often becoming a source of conflict between financial service providers and consumers. One crucial issue is how to resolve these disputes in a fair and effective manner. Although consumer protection regulations have been regulated in various laws, the implementation of dispute resolution mechanisms in accordance with the principles of justice, ethics, and Islamic law is still a major challenge. This reflects the need for a stronger legal approach to protect consumers from these risks.

Therefore, the author uses the principle of *sadd al-zari'ah* as a form of effort that can be done to avoid conflict between financial service providers and consumers (Nada & Ghozali, 2024). *Sadd al-zari'ah*, which means "closing the path to damage," emphasizes prevention as the main step to maintain justice and balance in society. This principle is in line with the function of criminal law which aims to prevent and overcome crime, including in protecting consumer rights (Hifdhotul Munawaroh, 2018). In consumer protection practice, this *sadd al-zari'ah* approach can be applied through strict regulation of products in circulation, supervision of unfair trade practices, and the application of sanctions against perpetrators of crimes (Gibtiah dan Yusida Fitriati, 2015).

This study aims to be used as an academic reference regarding protection in the use of other parties' personal data. Seeing the importance of protecting consumers' personal data in the financial services sector, as well as the relevance of *Sadd al-Zari'ah* in providing solutions so that unlawful acts in fintech lending services do not occur. This study is expected to contribute to the development of a more effective consumer protection system in Indonesia, especially in the financial services sector, by integrating Islamic legal principles that can strengthen the principles of justice and prevention of losses for consumers.

## **Methods**

This research method is normative legal research, This type of research includes library research, namely research based on literature or libraries. Therefore, the approach used is the statutory approach (Ibrahim Jhonny, 2006). The statutory approach is carried out to examine

the laws and regulations related to consumer and community protection in fintech lending services through a review of *Sadd al-Zari'ah*. The primary data used is the Financial Services Authority Regulation Number 22 of 2023 and secondary data in the form of books, scientific papers, legal research journals, laws and regulations and literature related to the problem being studied. The data collection technique used is a literature study. And analyzed using qualitative descriptive.

### **Forms of Consumer and Community Protection in the Financial Services Sector**

Black's Law Dictionary defines consumer protection as regulations that protect consumers in the use of goods and services (Bryan A. Garner, 2004). Consumer protection laws are rules established to safeguard customers' rights, enhance product availability, and prevent deceptive practices (The Law Dictionary, 2025). Regulations related to consumer protection include the rights and obligations of consumers and producers that arise to ensure the realization of consumer protection itself. This term is widely used in business activities to meet the needs of problems that cause losses.

The problem of misuse of personal data in fintech lending services directly reflects the weakness of preventive and repressive legal protection that should be implemented by service providers (Feng et al., 2025; Guo et al., 2024). In the context of preventive legal protection as stated by Piliphus M. Hadjon, there should be a strict and clear mechanism or procedure to prevent violations of consumer rights, including protection of personal data. However, in reality, many online lending services platforms do not provide legal instruments such as a statement of consent to the use of personal data from the legitimate owner of the data. This indicates that the preventive aspect has not been implemented optimally (Piliphus M. Hadjon, 1987). Problems like this give rise to unlawful practices such as in the case of leaks on fintech lending platforms.

Meanwhile, in terms of repressive legal protection, namely protection given after a violation of the law has occurred, many victims of personal data abuse face difficulties in seeking justice (Crawford & Schultz, 2014). The legal process that must be gone through in court is often time-consuming, costly, and not all victims understand or have access to legal aid (Bergeson, 2010; Rikson Simarmata, Rory Jeff Akyuwen, 2024). Thus, the implementation of repressive legal protection has not been effective, especially in the context of law enforcement against violations committed by fintech organizers or illegal users of personal data.

In fact, regulations as stated in POJK No. 22 of 2023 Article 23 paragraph 3 have explicitly stipulated that Financial Services Business Actors (PUJK) are required to obtain

written consent from the owner of personal data before the data is used. This provision is actually an important legal basis in providing legal certainty and protection for consumers. However, in practice, these provisions are often ignored or not implemented seriously by digital financial services business actors. strengthening of regulations, stricter supervision by the OJK, and education for the public are needed so that they better understand their rights as consumers (Bakhri et al., 2021). On the other hand, fintech service providers must also be required to provide formal legal documents in the form of a statement of consent to the use of personal data as a form of concrete implementation of preventive legal protection.

The mechanism created by the Financial Services Authority in regulating transaction services in fintech lending begins with the role of financial service business actors in providing education on understanding the services that can be provided to consumers and legal protection that can be facilitated by PUJK, the role of PUJK in providing education is a form of facility to minimize disputes between consumers and business actors, unlawful acts and defaults often occur due to disputes at the beginning where consumers are not given information openly and transparently by PUJK so that disputes arise that can tarnish fintech lending services.

The same case occurred in 2020, there was a massive data leak from the e-commerce platform Tokopedia. Data of around 91 million users was reportedly leaked and traded on online forums. The leaked data includes full names, email addresses, telephone numbers, dates of birth, and password hashes. At that time, Tokopedia was considered non-transparent in conveying information regarding the scope of the affected data, user data management, and the possible involvement of third parties (CNN, 2020). This lack of transparency shows the weakness of the personal data protection system and reflects the importance of stricter supervision by the OJK of digital business actors, including in the fintech lending sector. This incident emphasizes the urgency of the active role of the OJK and PUJK in creating a strong preventive mechanism, starting from consumer education, strengthening information transparency, to enforcing legal protection. This effort is expected to prevent the recurrence of personal data violations and maintain the integrity of fintech services in the eyes of the public (Herwastoeti, 2019).

The principles of consumer protection as outlined in Article 3 of the Financial Services Authority Regulation (POJK) Number 22 of 2023 serve as the foundation for ethical and accountable financial services. These principles include sufficient consumer education, transparency in product and service information, fair treatment and institutional responsibility, protection of consumer assets and data privacy, effective complaint handling and dispute resolution, and the promotion of healthy business competition.

The article above can be used as a guideline to determine the direction of how the development of fintech lending services can run effectively. Because disputes that occur in fintech lending services are inseparable from the problem of using personal data without the consent of other parties or can also be called illegal use of personal data. This incident often occurs so that effective and efficient handling of complaints and dispute resolution is a step of strength to create healthy transactions that are free from unlawful acts or defaults.

Differences in interests can arise from what consumers want and expect as users of fintech lending services. Legal efforts that can be taken are in accordance with OJK Regulation Number 22 of 2023 concerning legal sanctions intended for parties who do not fulfill the provisions on the misuse of consumer data and information. The administrative sanctions explained therein include: written warnings, fines in the form of money, prohibitions as the main party and reassessment (removal of directors), restrictions on business activities, revocation and freezing of service/product permits, and revocation of business permits. The sanctions mentioned above can be carried out with or without being preceded by a written warning.

The imposition of sanctions in OJK Regulation Number 22 of 2023 is included in repressive protection efforts, which in the form of imposing sanctions can be carried out after there are problems such as imprisonment, fines, and other sanctions that aim to resolve the problems that occur (Benuf, 2019). When compared to the Financial Services Authority Regulation Number 06/POJK.07/2022 concerning Consumer and Community Protection in the Financial Services Sector, the regulation on imposing sanctions does not include sanctions for financial service business actors who misuse consumer personal data. The regulation is only aimed at violators who cause financial losses to their consumers, both in the fields of banking, pension funds, financing, life insurance, capital markets, pawn companies, guarantees, and general insurance (Ii & Ginting, 2022). Therefore, the sanctions contained in the previous OJK Regulation did not explain in detail the rules for violations committed when a consumer dispute occurs.

The form of PUJK's obligation in creating a financial environment for fintech lending services in the form of complaint facilities as a repressive effort. Article 77 is as follows (Komisioner & Jasa, 2022).

1. PUJK is required to provide a Complaint Response to Consumers regarding the Complaints received.
2. In the case of a Complaint submitted in writing, PUJK submits a Complaint Response in writing.

3. In the case of a Complaint submitted verbally, PUJK submits a Complaint Response verbally and/or in writing.
4. PUJKs that violate the provisions as referred to in paragraph (1) will be subject to administrative sanctions as explained above.
5. The sanctions as referred to in paragraph (4) letters b to g shall be imposed with or without being preceded by the imposition of a written warning sanction as referred to in paragraph (4) letter a.
6. The fine as referred to in paragraph (4) letter e shall be imposed at most Rp15,000,000,000.00 (fifteen billion rupiah).
7. In the event that the PUJK does not fulfill the implementation of the administrative sanctions as referred to in paragraph (4) within the time period stated in the determination of the sanctions, the PUJK may be subject to sanctions in accordance with the law concerning the development and strengthening of the financial sector.

In the process of handling peer to peer lending complaints, Financial Services Business Actors (PUJK) may not reach a settlement agreement with consumers for the problems submitted. For this, the regulator, namely the OJK, provides complaint resolution facilities or through the Financial Services Sector Dispute Resolution Alternative Institution. With the facilities provided, complaints or disputes can be resolved outside the court simply, quickly, and at an affordable cost. Information regarding the procedure for submitting complaints to the regulator is as follows. (Peraturan Otoritas Jasa Keuangan, n.d.):

1. In the event that no agreement is reached to resolve the complaint with an online loan, consumers can resolve the dispute outside the court or through the court.
2. In the event that consumers choose to resolve the complaint through an out-of-court route, the settlement can be made through an alternative dispute resolution institution in the financial services sector, namely through the Alternative Dispute Resolution Institution.
3. In the event that efforts to resolve the dispute outside the court as mentioned above are not made through an alternative dispute resolution institution, consumers can submit an application to the regulator to facilitate the resolution of the complaint for consumers who are harmed by online loans.
4. Consumers can submit complaints that indicate a dispute with an online loan or there are indications of violations of the provisions of laws and regulations in the financial services sector to the regulator.

Based on the description above, Financial Services Authority Regulation No. 22 of 2023 aims to strengthen consumer and public protection in the financial services sector. This

regulation encourages transparency of information in financial products and services, ensuring that consumers have sufficient access to the information needed to make the right decisions (Onggianto & Soemartono, 2024). First, increasing the obligations of service providers, this regulation stipulates the obligation for financial service providers to provide clear and accurate information to consumers, and to ensure that the products and services they offer are in accordance with the needs and risk profiles of consumers.

This regulation emphasizes the responsibility of financial service providers in providing adequate protection for consumers, including through effective and transparent dispute resolution mechanisms. Second, regulating fair business practices, this regulation also sets clear standards for fair and non-discriminatory business practices in the financial services sector, so that consumers are protected from detrimental practices. Third, increasing financial literacy by encouraging increased financial literacy among the public, so that consumers can make smarter and more responsible financial decisions. Overall, Financial Services Authority Regulation No. 22 of 2023 aims to create a safer, fairer, and more transparent environment for consumers and the public in transacting in the financial services sector.

Thus, strengthening consumer protection in fintech lending, it is necessary to carry out massive public education regarding the rights to personal data, increasing digital literacy, and collaboration between institutions in prosecuting perpetrators of law violations. In addition, regular compliance audits of fintech providers, the implementation of strict digital security standards, and consistent law enforcement are essential so that digital lending practices can develop healthily, responsibly, and based on strong legal protection.

### **Implementation of *Sadd al-Zari'ah* in Consumer Protection in the Financial Services Sector**

The financial services sector plays a very crucial role in a country's economy. However, this sector is also vulnerable to various practices that can harm consumers, such as fraud, embezzlement, exploitation, and unfairness in transactions. Therefore, consumer protection in the financial services sector is very important. In this context, the principle of *Sadd al-Zari'ah* ("closing the path that leads to damage") can be applied to increase the effectiveness of consumer protection (Intan arafah, 2020). *Sadd al-Zari'ah is one of the principles in Islamic law that focuses on preventing harm and evil by closing or limiting all means that can lead to harmful actions.*

The implementation of this principle can be seen in various policies and regulations aimed at preventing practices that are detrimental to consumers. For example, the Financial Services

Authority (OJK) through OJK Regulation (POJK) Number 22 of 2023 requires Financial Services Business Actors (PUJK) to obtain written consent from consumers before using their personal data. This is in line with the *Sadd al-Zari'ah* principle which closes loopholes for misuse of personal data that can harm consumers.

Apart from that, this principle is also implemented through PUJK's obligation to carry out financial literacy education activities periodically to the public. This education aims to increase people's understanding of financial products and services, so that they can make wiser decisions and avoid potential losses. Thus, the application of the *Sadd al-Zari'ah* principle in the financial services sector not only functions as a preventive measure to protect consumers from potential losses, but also as an effort to create a fairer and more transparent financial system.

Ushul fiqh scholars divide *sadd al-zari'ah* into two categories. First, *zari'ah* viewed from the quality of its *mafsadah* (harm); second, *zari'ah* viewed from the type of *mafsadah*. According to Imam al-Syatibi, when assessed based on the quality of the *mafsadah*, *sadd al-zari'ah* is further classified into four types.

1. The actions carried out will definitely lead to evil.
2. Actions that are likely to lead to disaster.
3. Actions that are done rarely or have little possibility of causing harm.
4. The action is permissible or contains benefits, but it is also possible that the action also leads to harm (Al-Syatibi, 1997).

Abuse in this sector is often rooted in consumer ignorance, information imbalance between financial service providers and consumers, and lack of adequate supervision. Criminal acts such as fraudulent investment schemes, money laundering, or financial reporting manipulation pose a real threat to consumers who are often in a weaker position (J. Widiyantoro, 2019). This is where the role of criminal law is important to provide more effective protection, by providing strict sanctions to perpetrators of crimes and closing legal loopholes that can be exploited to harm consumers.

Supervision carried out by the Financial Services Authority (OJK) plays a very important role in preventing practices that are detrimental to consumers in the financial services sector. With the authority they have, OJK and Bank Indonesia (BI) can impose administrative sanctions on financial institutions that violate applicable provisions (Kusumaningsih, 2024). This is an application of the principle of *Sadd al-Zari'ah*, namely preventive efforts to prevent further damage or violations.

In the context of consumer protection in the financial services sector, the application of the *Sadd al-Zari'ah* principle is carried out by referring to the Financial Services Authority

Regulation (POJK) Number 22 of 2023, which includes the principles of consumer protection listed in Article 3. This article regulates four main principles that must be implemented by financial service providers (PUJK), namely: adequate education, openness and transparency of product and/or service information, fair treatment and responsible business behavior, and protection of consumer assets, privacy, and data (OJK, 2023).

Financial education is one of the most crucial aspects in creating effective consumer protection. This education aims to improve people's ability to manage personal finances in a smarter and wiser way. Adequate education must cover various aspects, including knowledge and awareness of various financial products and services available in the market (Ernayani et al., 2024). In addition, consumers also need to be given an understanding of the risks associated with these financial products, so that they can make more informed decisions and avoid potential losses.

Furthermore, this education should also include information about customer protection and how they can safeguard their rights in financial transactions. Finally, financial education also includes practical skills in managing finances, such as budget planning, investment, and debt management, which are essential to improving people's financial well-being (Kusuma & Asmoro, 2021). With effective education, it is hoped that consumers can avoid detrimental practices and be better prepared to face the increasingly complex dynamics of the financial services sector.

Article 11 regulates the implementation of adequate financial education and literacy in order to improve consumer and public understanding regarding financial services practices on peer-to-peer lending platforms. In this article, it is stipulated that Financial Service Providers (PUJK) have an obligation to carry out activities to improve financial literacy for consumers and the public as an annual program. These activities must be carried out at least once a semester to ensure that consumers obtain clear and accurate information regarding the financial services sector. In addition, PUJK is also required to document each implementation of these financial literacy activities as a form of accountability (OJK, 2023).

The obligations carried out by PUJK in carrying out adequate education as a step in implementing principles that prioritize educational values and actions. Because the purpose of using fintech lending for people in Indonesia is still dominated by short-term goals to meet daily life and to maintain life (Rohman, 2018). Meanwhile, to achieve financial goals, the main efforts that people can choose tend to be short-term efforts that are in line with the tendencies of their financial goals (Rahmawati, D., & Prasetyo, 2020).

Openness and transparency of product and/or service information utilizes the principle of information transparency that always accompanies the development of consumer protection in general. It can be seen that the consumer protection system also grows along with the development of economic patterns that are increasingly rapid (Ahmad Miru, 2000). Attention to consumer protection has experienced very significant development and has become an object of study in the economic, social, political and legal fields.

The consumer protection principles set by the Financial Services Authority can be applied by peer to peer lending organizers with the aim of preventing system negligence and any unavoidable dangers (Laela, 2022). Efforts made by financial services business actors to provide effective information transparency can guarantee consumer protection and can lead to benefits. This benefit is in the form of consumer rights and protection of unlawful acts which are in line with the principle of muamalah in Islam (Wahyuni T, 2019).

These provisions are emphasized and expanded in the explanation of Article 29 concerning the provision of product and service information as follows (OJK, 2023):

1. PUJK is required to provide information regarding products and/or services that is clear, accurate, honest, easily accessible, and does not have the potential to mislead prospective Consumers and/or Consumers.
2. PUJK is required to use simple terms, phrases, and/or sentences in Indonesian that are easily understood by prospective Consumers and/or Consumers in every document regarding product and/or service information.

OJK Regulation Number 22 of 2023 which regulates the obligations of financial service business actors to provide written and oral explanations regarding the objectives and consequences of consumer actions, agreeing to provide access to their personal data and information. Financial service business actors are also required to use reliable information technology in managing their consumers' personal data and information to ensure the security of consumers' personal data and information (Michellie et al., 2025). If a financial services business actor obtains personal data and information belonging to consumers from other parties, then in order to use the personal data and information, the business actor must have a written statement that the other party in question has agreed from the relevant consumer and the business actor must also inform the consumer regarding the source of the personal data and information obtained from the business actor. With that, the Financial Services Authority Regulation Number 22 of 2023 concerning Consumer and Community Protection in the financial services sector provides repressive legal protection (Piliphus M. Hadjon, 1987).

*Sadd al-Zari'ah* as a preventive measure can apply the principle of consumer protection with fair treatment and responsible business behavior. (Gibtiah dan Yusida Fitriati, 2015) Fair treatment includes attitudes and actions that ensure all individuals are treated with fairness and equality without discrimination. Fair treatment can provide equal opportunities to all consumers regardless of race, gender, religion, age, or other background. Responsible business behavior includes actions that consider the social, environmental, and economic impacts of business activities (David & David, 2016). By giving responsibility for transparency and accountability in reporting business performance, consumers can receive positive impacts and give full trust to financial service business actors.

Another important aspect besides justice and responsibility in business is the aspect of supervision of PUJK market behavior related to personal data protection (Sutadji, 2024). Following Article 28, paragraph 1 of the 1945 Constitution, where everyone has the right to protect themselves, their family, honor, and property under their authority, and has the right to feel safe and protected from threats and fears to do or not do. So that personal data protection includes human rights or basic human rights.

Technological freedom is vulnerable to unhealthy business practices. Therefore, healthy competition is included in the principles of consumer protection that must be applied. Healthy competition is competition between PUJK in carrying out business activities that are carried out in an honest manner or not against the law or not hindering business competition. According to the big Indonesian dictionary, competition is a competitive activity carried out by a person or a certain group of people who aim to obtain victory or results competitively. Competition is also a fact of life in the business world, the nature, form, and intensity of competition that occurs and the methods taken by strategic decision makers to face a more dominant level can affect the level of profit of a company (Siagian, 2003).

The implementation of OJK Regulation No. 22 of 2023 concerning supervision of consumer protection in the financial services sector has strengthened existing regulations with a more proactive, preventive, and technology-based approach. By integrating the principle of *Sadd al-Zari'ah*, this regulation not only focuses on dealing with violations after they occur, but also seeks to close loopholes that can be exploited to harm consumers. Transparency of information, strict supervision, regulation of unfair business practices, and strengthening complaint and dispute resolution mechanisms are steps that are in line with the principle of *Sadd al-Zari'ah* in preventing losses early on. Through these efforts, OJK plays a role not only as a regulator that ensures compliance, but also as a guardian so that the financial services market remains healthy and functions fairly for all parties. Thus, consumer protection can be

more assured, and losses caused by unfair practices can be minimized, in accordance with the spirit of *Sadd al-Zari'ah* which emphasizes the importance of prevention before damage occurs.

## **Conclusion**

This study concludes that *Sadd al-Zari'ah* offers a new paradigm in creating a more proactive and preventive legal system. *Sadd al-Zari'ah*, which focuses on closing the path that can lead to damage or badness, provides the basis for the formation of policies and regulations that not only regulate actions after losses occur, but rather prevent damage before it harms consumers through broader preventive efforts, such as: Preparation of Strict and Transparent Regulations with regulations that require transparency of information about financial products, consumers can be better protected from potential abuse. This is in accordance with the principle of *Sadd al-Zari'ah*, which emphasizes the importance of closing loopholes for manipulative practices that have the potential to harm consumers. Continuous Supervision supervision carried out by the Financial Services Authority (OJK) through regulations such as OJK Regulation No. 22 of 2023 shows concrete steps in identifying and preventing potential violations before they harm consumers.

Future research is recommended to develop a dispute resolution model for consumer protection in the financial services sector with the *Sadd al-Zari'ah* principle approach, namely the principle of preventing damage or harm before it occurs. This study can be directed at formulating a more preventive dispute resolution mechanism in digital financial services, including peer-to-peer lending, by emphasizing the integration of sharia values such as transparency, education, and protection of personal data.

This article makes an important contribution to the development of consumer protection studies by integrating the *Sadd al-Zari'ah* principle as the basis for dispute prevention, an approach that has not been widely reviewed in conventional consumer law literature. This approach not only adds a new perspective, but also strengthens the preventive legal basis in the context of protecting consumers of financial services, especially in the fintech lending sector.

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