

## **Inappropriate Behavior in Buying and Selling Usernames on Twitter: An Islamic Law Perspective**

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### **Abstract**

Transformations in the digital world allow illicit transactions such as buying and selling usernames, which are currently popular among social media users, especially on Twitter. The more people who use Twitter, the more usernames are used, and the system will automatically reject new user requests with usernames that have already been used. This research examined username buying and selling transactions and inappropriate behavior by users on Twitter. This research used qualitative methods with an approach to Islamic legal norms. Data were obtained from document studies and interviews with sellers and buyers of usernames via Twitter direct messages. The results of the research showed that buying and selling usernames are an illegal and prohibited sale because many inappropriate behaviors, such as hacking, are found, resulting in nonfulfillment of the conditions for the objects bought and sold. Islamic law stipulates that traded objects must meet requirements such as perfect ownership, clear,



useful, and halal. This means that there is no element of *gharar* in every buying and selling transaction because it can cause disputes between the seller and the buyer.

**KEYWORDS** *Buying and Selling; Islamic Law; Username; Twitter.*

### **Abstrak**

Transformasi dalam dunia digital memungkinkan terjadinya transaksi terlarang, seperti jual beli username, yang saat ini populer di kalangan pengguna media sosial, terutama Twitter. Semakin bertambahnya orang yang menggunakan Twitter maka semakin banyak pula *username* yang digunakan, dan secara otomatis sistem akan menolak permintaan *user* baru dengan *username* yang telah digunakan. Tulisan ini mengkaji transaksi jual beli username dan perilaku-perilaku yang tidak pantas oleh para *users* di Twitter. Penelitian ini menggunakan metode kualitatif dengan pendekatan norma hukum Islam. Data diperoleh dari studi dokumen dan wawancara terhadap penjual dan pembeli username melalui *direct message* Twitter. Hasil penelitian menunjukkan bahwa jual beli *username* merupakan jual beli yang ilegal dan dilarang, karena banyak ditemukan perilaku yang tidak pantas seperti *hacking*, sehingga mengakibatkan tidak terpenuhinya syarat objek yang diperjual belikan. Hukum Islam mengatur bahwa objek yang diperjualbelikan harus memenuhi syarat seperti milik sempurna, jelas, bermanfaat, dan halal. Artinya, tidak mengandung unsur *gharar* dalam setiap transaksi jual beli karena dapat menimbulkan perselisihan antara penjual dan pembeli.

**KATA KUNCI** *Jual beli; Hukum Islam; Username; Twitter.*

### **Introduction**

Digital transformation offers unparalleled convenience, connectivity, and access to global markets, but it also raises concerns regarding privacy, security, and the potential for unethical practices<sup>1</sup> and illicit and illegal

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<sup>1</sup> M Rafi et al., “Transformation of Public Services through Digital Services in the Covid-19 Era: Efforts Towards Good Governance in Indonesia,” in *International Conference on Public Organization (ICONPO 2021)* (Atlantis Press, 2022), 168–76.

transactions.<sup>2</sup> In the realm of Sharia-compliant economics, the digital wave has facilitated faster and more efficient transactions, expanding financial inclusion and broadening investment opportunities.<sup>3</sup> However, it demands vigilant oversight to ensure compliance with Islamic principles because the virtual landscape can blur ethical boundaries.<sup>4</sup> Therefore, balancing the benefits and challenges of this digital era is crucial, necessitating a comprehensive approach that preserves the ethical foundations of Islamic economics while harnessing the potential of a hyperconnected digital world.

In the growing digital era, online buying and selling have become a significant trend where businesses utilize electronic media, especially social media, as a platform for the promotion and buying and selling transactions.<sup>5</sup> The digital shift has developed rapidly in muamalah transactions through new models and methods that are not found in traditional fiqh literature. For example, trading social media usernames raises technical and legal questions untouched by classical Islamic jurisprudence.<sup>6</sup> Scholarly input is vital for crafting pertinent and accepted legal views, particularly for modern society's social media transactions

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<sup>2</sup> José Cabrero-Holgueras and Sergio Pastrana, "A Methodology For Large-Scale Identification of Related Accounts in Underground Forums," *Computers & Security* 111 (2021): 102489, <https://doi.org/https://doi.org/10.1016/j.cose.2021.102489>; Kalyanapu Srinivas and V Janaki, "A Novel Approach For Generation of OTP'S Using Image's," *Procedia Computer Science* 85 (2016): 511–18, <https://doi.org/https://doi.org/10.1016/j.procs.2016.05.206>.

<sup>3</sup> Amrin Barata, "Strengthening National Economic Growth and Equitable Income through Sharia Digital Economy in Indonesia," *Journal of Islamic Monetary Economics and Finance* 5, no. 1 (2019): 145–68. Alwahidin, "A New Economic Perspective: Understanding The Impact Of Digital Financial Inclusion On Indonesian Households Consumption," *Buletin Ekonomi Moneter Dan Perbankan* 26, no. 2 (2023): 333–60, <https://doi.org/10.59091/1410-8046.2070>.

<sup>4</sup> Brigitte Jordan, "Blurring Boundaries: The " Real" and the " Virtual" in Hybrid Spaces," *Human Organization* 68, no. 2 (2009): 181–93.

<sup>5</sup> Tira Nur Fitria, "Bisnis Jual Beli Online (Online Shop) Dalam Hukum Islam Dan Hukum Negara," *Jurnal Ilmiah Ekonomi Islam* 3, no. 01 (2017): 52–62.

<sup>6</sup> Mervan Selcuk and Suleyman Kaya, "A Critical Analysis of Cryptocurrencies from an Islamic Jurisprudence Perspective.," *Turkish Journal of Islamic Economics* 8, no. 1 (2021).

with regulatory and ethical implications.<sup>7</sup> Integrating financial activities on platforms such as social media, including username trading, demands meticulous analysis for alignment with Islamic principles.

Social media is a platform created specifically to facilitate online human social interaction through the internet and web technology.<sup>8</sup> Businesses can take advantage of the convenience and wide reach offered by social media to reach a wider target market, minimize marketing costs, and increase accessibility for consumers. Twitter, as one of the most popular social media platforms, is an effective tool for business purposes.<sup>9</sup>

Twitter is a versatile social networking platform that facilitates various interactions for personal, political, and business purposes. Its ease of use makes it an effective promotional tool, enabling users to directly reach their followers with promotional messages without the expenses of traditional physical advertisements.<sup>10</sup> Twitter is now a popular choice for businesses to expand their audience and increase sales, creating new opportunities such as username trading.<sup>11</sup> The limited number of Twitter usernames used has led to the phenomenon of buying and selling

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<sup>7</sup> Pauzi M., Darul Hipni, and Anwar M Radiamoda, "The Importance of the Ijtihad Jama'i Method in Contemporary Fiqh Formulations," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 23, no. 1 (2023): 13–20, <https://doi.org/10.30631/alrisalah.v23i1.1322>. A G Makhlof, "Evolution of Islamic Law in the 20th Century: The Conception of Collective Ijtihad in the Debate between Muslim Scholars," *Oxford Journal of Law and Religion* 9, no. 1 (2020): 157–78, <https://doi.org/10.1093/ojlr/rwaa019>.

<sup>8</sup> Arum Wahyuni Purbohastuti, "Efektivitas Media Sosial Sebagai Media Promosi," *Tirtayasa Ekonomika* 12, no. 2 (2017): 212–31. N Jones, "Impact of Social Media on Small Businesses," *Journal of Small Business and Enterprise Development* 22, no. 4 (2015): 611–32, <https://doi.org/10.1108/JSBED-09-2013-0133>.

<sup>9</sup> Fabián Riquelme and Pablo González-Cantergiani, "Measuring User Influence on Twitter: A Survey," *Information Processing & Management* 52, no. 5 (2016): 949–75. See, Jordi Paniagua and Juan Sapena, "Business Performance and Social Media: Love or Hate?," *Business Horizons* 57, no. 6 (2014): 719–28.

<sup>10</sup> Ulil Amri Nasron and Muhammad Habibi, "Analysis of Marketplace Conversation Trends on Twitter Platform Using K-Means," *E-Journal STTA* 9, no. 1 (2020): 50–61. R Rutter, "Social Media Interaction, the University Brand and Recruitment Performance," *Journal of Business Research* 69, no. 8 (2016): 3096–3104, <https://doi.org/10.1016/j.jbusres.2016.01.025>.

<sup>11</sup> Yefeng Ruan, Arjan Durrezi, and Lina Alfantoukh, "Using Twitter Trust Network for Stock Market Analysis," *Knowledge-Based Systems* 145 (2018): 207–18.

usernames, and even Twitter users are willing to spend money just to obtain the username that they want.<sup>12</sup>

According to Islamic law, buying and selling practices that cause harm, such as deception (*gharar*), are strictly prohibited. *Gharar* refers to fraud, uncertainty, and activities that create doubt or harm to others.<sup>13</sup> In the context of Islamic jurisprudence (fiqh), a transaction is considered *gharar* if it involves ambiguity, lack of clarity regarding the goods sold, inability to deliver, or unwillingness.<sup>14</sup> That means that if the buyer is left with vague information regarding the nature and condition of the product, it contradicts the Islamic legal requirements for buying and selling.

Previous research that is relevant to this research theme, for example Niken, Azzahrah, and Berliana's research discusses consumers' understanding of the concept of *gharar* in online transactions in the marketplace.<sup>15</sup> Basyariah's research discusses buying and selling and prohibited business transactions due to the presence of *gharar* or unclear elements.<sup>16</sup> Marisani's research discusses Islamic economic law related to the implementation of buying and selling of Twitter accounts on the site [www.jualakuntwitter.com](http://www.jualakuntwitter.com).<sup>17</sup> Haniyah's research on buying and selling illegal premium accounts on Twitter with a research location in Medan

<sup>12</sup> Ilona V Oisina Situmeang, "Pemanfaatan Media Internet Melalui Situs Twitter Sebagai Media Komunikasi Dan Bisnis," *SNIT 2013* 1, no. 1 (2013): 37–38.

<sup>13</sup> Diana Ali Miftah, "Sale and Purchase Twitter Username According to Consumer Protection Law and Sharia Contract Law," *Journal of Islamic Business Law* 6, no. 2 (2022).

<sup>14</sup> Angga Syahputra and Yoesrizal M Yoesoef, "Praktek Gharar Pada Endorsement Produk Di Media Sosial Instagram," *Al-Mustashfa: Jurnal Penelitian Hukum Ekonomi Syariah* 5, no. 2 (2020): 117–26. Aneeka Kanwal, "The Prohibition of Speculation in Islamic Finance: Fairness and Framing," *International Journal of Islamic and Middle Eastern Finance and Management* 15, no. 1 (January 1, 2022): 146–57, <https://doi.org/10.1108/IMEFM-01-2021-0034>.

<sup>15</sup> Niken Ari Pertiwi, Iqrima Azzahrah, and Sherly Berliana, "Pemahaman Konsumen Terhadap Konsep Gharar Dalam Transaksi Online Di Market Place," *PROSIDING PEKAN ILMIAH MAHASISWA UNIS* 1, no. 1 (2021): 434–52.

<sup>16</sup> Nuhbatul Basyariah, "Larangan Jual Beli Gharar: Kajian Hadist Ekonomi Tematis Bisnis Di Era Digital," *Mukaddimah: Jurnal Studi Islam* 7, no. 1 (2022): 40–58.

<sup>17</sup> Risma Nurmala Marisani, "Pelaksanaan Jual Beli Akun Sosial Media Twitter Di Situs Www. Jualakuntwitter. Com: Kajian Hukum Ekonomi Syariah" (UIN Sunan Gunung Djati Bandung, 2017).

City, uses the perspective of the Fatwa of the National Shariah Council-Indonesian Ulema Council.<sup>18</sup>

This discussion starts from the process and model of buying and selling transactions carried out by users so that the forms of deviation are known. The next discussion is to analyze this fact from the perspective of Islamic law.

## **Methods**

This research used qualitative methods with an approach to Islamic legal norms. Data collection was carried out by interviewing four sellers and four buyers of usernames via Twitter direct messages. Documentation studies were also used to search for relevant literature. The analysis technique used an interactive model with a continuous process starting from data collection to conclusions in accordance with the research objectives.

## **Discussion**

### **Facts regarding Inappropriate Behavior in Buying and Selling Usernames on Twitter**

A username is a distinct identifier generated by users within a platform. Apart from serving as a means to access an account, it also functions as an identity that simplifies the search and identification of other users' accounts. Owing to its exclusivity, each username can only be associated with a single user. Some people use usernames as a form of

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<sup>18</sup> Rizqina Haniyah, "Perlindungan Hukum Terhadap Jual Beli Akun Premium Ilegal Di Media Sosial Twitter Perspektif Fatwa DSN MUI No. 110/DSN-MUI/IX/2017 Tentang Akad Jual Beli (Studi Kasus Pengguna Twitter Di Kota Medan)" (Universitas Islam Negeri Sumatera Utara, 2022).

branding so that their accounts are easily remembered and recognized by many people.<sup>19</sup>

As a platform gains more users, the availability of usernames becomes increasingly limited, making potential users struggle in creating new ones. Consequently, the practice of buying and selling usernames has emerged, particularly on social media platforms such as Twitter. It is essential to recognize that Twitter does not endorse or facilitate username trading. Instead, users independently engage in this activity. As such, Twitter holds no responsibility for these transactions.

Twitter imposes specific requirements for usernames, such as a character limit of 4 to 15, consisting only of letters, numbers, and underscores, with no spaces, and excluding the terms “Twitter” or “admin.” Not all usernames are eligible for trading on Twitter, but certain categories serve as a reference for users on the platform. One such category is “username mulchar” (multicharacter), which includes everyday words such as objects, fruits, colors, and food. Examples include usernames such as @rabbit, @marine, and @classy. Users find these usernames appealing because they reflect their interests and passions.

Another category is “Usernames by character,” which includes usernames associated with popular names, characters, anime figures, or famous idols. Examples include usernames such as @jennie, @kento, and @anya. These usernames are highly sought after by fans of the character or idol, making them prime targets for buying and selling transactions.

The “Username 4-5 chara” category includes usernames with character domains totaling four letters, such as @star, @cute, and @funny. The appeal of this category lies in the limited character domains, making these usernames interesting and rare. It is worth noting that currently, users cannot register an account using four-character usernames, further

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<sup>19</sup> Dzikri Azqiyah, “Penjelasan Apa Itu Username Dan Alasan Penggunaannya,” accessed June 17, 2023, <https://www.leskompi.com/penjelasan-username/>.

increasing the attractiveness of this category in username trading practices.

The high demand for certain usernames results in them being sold at high prices. In many cases, sellers resort to conducting auctions to obtain the best possible price. Other usernames can also command high prices if they are deemed good and interesting and if they have a substantial fan following. To assess a username's value, sellers often rely on a criterion known as the "username formula," which is an agreed-upon method used within the username-selling community.

There are several formulas used by sellers when selling usernames on Twitter. The first one is "Username on point," where the username sold is the real word or name of the character in question, such as @jennie or @kelinci. Next, there is "Username semi on point," where the username is almost similar to the name of the character sold, for example, @jennle or @keullnci. If the letters are changed to capital letters, it will look similar to the original character name, such as @JENNIE or @KELINCI.

There are also "Flat Usernames," where the domain characters contain the letters weruioaszxcvnm, for example, @jenniex or @keslinci. This type of username is more desirable because it is considered more esthetically pleasing and is often traded. Meanwhile, "Uneven usernames" are usernames that contain the letters qtypdfghjkb, such as @jenniq or @kelincip. In addition, there are "Letter change usernames," where one of the letters in the sold character's name is replaced, such as @jcinnie or @keuinci.

"Username add letter" adds a letter between characters, such as @jennsie or @kelincis. Lastly, "Username move letters" shifts one letter in a character's name to another position, such as @ejenni or @kelinic. Sellers use these formulas to create appealing and unique usernames that attract potential buyers.

Username buying and selling happen online, without direct interactions between the parties involved. Owing to this indirect nature of



transactions, buyers and sellers lack clear knowledge regarding the condition and existence of the usernames traded. There are three methods of obtaining usernames for sale: manual, reseller, and hacking methods. The manual approach involves searching for available or unused usernames that meet specific criteria and formulas. Once found, the seller saves the username on an empty account and then sells it.

Conversely, resellers acquire usernames from other parties and then resell them to potential buyers. Lastly, the hacking method involves gaining unauthorized access to other users' accounts to obtain the desired username (see Table 1). The hacked accounts are typically inactive or no longer in use.<sup>20</sup> However, it is important to remember that this hacking is against the law and ethics because it is illegal to access someone else's account without permission.

**Table 1.** Interview results with the seller

Name	Duration of Selling	Username for Sale
Aca	2 months	@watzashi (watashi) from manual
Sinha	2 years	@dubess (duchess) from manual
@kyungpsoo	4 months	@selaosa (selasa) from manual
Rara	3 years	@kentod (kento) from hacking

*Source:* Interviews With Sellers

Once the seller obtains a desirable username for sale, the next step is to determine the selling price. The process of determining the price in username buying and selling is similar to regular buying and selling transactions. The seller sets the price for the desired username, and potential buyers can make offers or can negotiate the price if allowed by the seller.

The primary distinction in username trading compared to other types of trading lies in the uncertainty surrounding the pricing of usernames. Username prices are not fixed and constantly fluctuate over time. Sellers

<sup>20</sup> Account Own by @kyungpsoo, Interview with Username Seller on Social Media Twitter Via Direct Message, July 8, 2022.

can set a wide range of prices, spanning from thousands to tens of millions of rupiah. Several factors influence the high and low selling prices of a username, including its form, quality, number of enthusiasts, and rarity. These variables lead to rapid and unpredictable changes in username prices, making them difficult to predict with certainty.<sup>21</sup>

In username buying and selling, goods can be promoted through two methods: autobase and hashtags. Autobase is a platform where Twitter users can submit anonymous tweets via direct messages (DMs) using a specific format. These DMs will then appear on the account's tweet page until they become a confession mention.<sup>22</sup>

The seller promotes the product sold by sending DMs to the trading base account with specific keywords. These DMs are then forwarded until they become anonymous confession mentions. Potential buyers interested in the promoted item will respond to the confession with inquiries regarding the price, specifications, and other details. Subsequently, the seller will contact the prospective buyer via DM to answer these questions. If both parties come to an agreement, a transaction can take place.<sup>23</sup>

Promotion through hashtags is similar to autobase promotion, with the main difference being the platform used. In autobase, confession mentions are sent anonymously to a base account for spreading the promotion. Conversely, promotion through hashtags is conducted directly on individual Twitter accounts by sending tweets with specific hashtags as search keywords.

Potential buyers can find desired items by searching for the hashtag keywords in the Twitter search field. Common hashtags used in buying and selling transactions include #zonaba and #zonauang. Buyers can also

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<sup>21</sup> Rara, Interview with Username Seller on Social Media Twitter Via Direct Message, June 2, 2022.

<sup>22</sup> Lisa Mardiana and Anida Fa'zia Zi'ni, "Pengungkapan Diri Pengguna Akun Autobase Twitter@ Subtanyarl," *Jurnal Audience: Jurnal Ilmu Komunikasi* 3, no. 1 (2020): 37.

<sup>23</sup> Rara, Interview with Username Seller on Social Media Twitter Via Direct Message June 2, 2022.

search for desired usernames using hashtags. Sellers will then promote according to the username searched, replying to the tweet's comment section with relevant offers and details.<sup>24</sup>

After the promotion, interested buyers continue the process through DM. They negotiate the price, check the availability of the username, and proceed with online payment via transfer. The buyer must send the username payment transfer receipt to the seller as a proof of payment and to prevent fraud.

After payment, the seller provides the username to the buyer. Username delivery can be performed in two ways: with an account and without an account. With account delivery, the seller provides account data such as the password, verification email, and verification number. For accountless delivery, the username is directly transferred without providing a Twitter account. The seller and buyer make an agreement on the time or hours of username exchange. The following information is provided by username buyers regarding the practice of buying and selling usernames:

Sal, or @fantasiestheme, has been actively involved in buying and selling usernames on Twitter since 2019. One of the usernames that she purchased was @watzashi, derived from the Japanese word “watashi,” which means “I” or “me.” The transaction took place through DMs with Aca, and the price was Rp. 13,000. She found the suitable username by searching the hashtag #zonaba and base and then negotiated the price with the seller. After they agreed, she made the payment through ShopeePay and received the username. According to her, buying this username had the advantage of uniqueness, representing her identity and making it easily remembered by her followers.<sup>25</sup>

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<sup>24</sup> Sinha, Interview with Username Seller on Social Media Twitter Via Direct Message, July 2, 2022.

<sup>25</sup> Sal, Interview with Username Buyer on Social Media Twitter Via Direct Message, July 2, 2022.

Next is Ren, or @k1ndacute, who has been actively engaged in buying and selling usernames since 2019. One of the usernames that she acquired is @hyunjirn, named after the Korean idol Hyunjin, which she bought a while ago for Rp. 400,000. Another username that she purchased is @ducness, inspired by the word “duchess,” a royal title, for Rp. 10,000 from Sinha through a hashtag search. After finding the desired usernames, she contacted the sellers via DM to initiate the transactions. Ren aims to establish these usernames as account identities so that users with similar interests will follow her account when using a username related to those interests.<sup>26</sup>

The third informant is the owner of the @musuhgemini account, Cece, who has been actively engaged in username buying and selling since 2020. She purchased the username @jutyek for Rp. 200,000–Rp. 300,000 and the username @selaosa from @kyungpsoo for Rp. 5,000. Before the transactions, she ensured the safety of the usernames by inquiring regarding any past suspensions by Twitter. Payment was made through transfer, and the usernames were given after providing the proof of transfer. Username delivery was conducted without an account, with an agreement to release or transfer at a specific time. Cece bought @selaosa because she found it inexpensive, appealing, and convenient because there is no need for her to think of a new username for her account.<sup>27</sup>

The fourth buyer, Ipow or @dearlykento, has been actively participating in username trading since 2020. Being an anime lover, she purchased the username @kentod, named after her favorite character Kento Nanami. Ipow acquired the username from Rara at the price of Rp. 50,000. During the transaction, she negotiated the price until they both reached a satisfactory agreement. Payment was made through fund transfer, and the username was smoothly handed over. Ipow expressed

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<sup>26</sup> Ren, Interview with Username Buyer on Social Media Twitter Via Direct Message, July 8, 2022.

<sup>27</sup> Cece, Interview with Username Buyer on Social Media Twitter Via Direct Message, July 10, 2022.

that she always wanted a username with the name Kento, so when she found one, she did not hesitate to buy it. The username is now used to enhance her profile and serves as her account identity.<sup>28</sup>

The advantage for buyers in buying and selling usernames is that they can resell the username if they no longer want to use it. The number of enthusiasts makes the username more sought after and makes it easier for buyers to benefit from sales. The price of a username can increase significantly if it is in demand by many people but can drop dramatically if there is no interest. For sellers, buying and selling usernames can be an additional daily income, even without the need for capital. This provides an opportunity for sellers to benefit from this buying and selling practice.

Buying and selling usernames also have obstacles that can harm various parties. One of the obstacles that buyers often encounter is an account that is suspended by Twitter. Not infrequently, many buyers complain that after changing the username, the account used is suspended by Twitter so that the account cannot be used again. There are Twitter rules or policies regarding buying and selling and username usage:

1. *Username squatting policy*

Username grabbing is prohibited by Twitter rules. It constitutes copyright and trademark infringement. This occurs when individuals use someone else's trademark in a manner that can potentially mislead or can confuse others regarding any affiliation. Attempts to sell, buy, or solicit other forms of payment in exchange for usernames are also violations and may result in permanent account suspension. Therefore, it is evident that trading usernames is against Twitter's rules.<sup>29</sup>

2. *Misleading and deceptive identity policy*

Twitter users are not allowed to impersonate individuals, groups, or organizations to mislead, confuse, or deceive others, or to use false

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<sup>28</sup> Ipow, Interview with Username Buyer on Social Media Twitter Via Direct Message, June 6, 2022.

<sup>29</sup> Twitter, "Twitter's Policy on Username Squatting |Twitter Help," accessed June 23, 2023, <https://help.twitter.com/id/rules-and-policies/twitter-username-squatting>.

identities in a way that disrupts other users' experience on Twitter. An account identity is considered deceptive under this policy if it uses false profile information such as using a username, account name, profile picture, and bio that belongs to or represents another individual.<sup>30</sup>

3. *Illegal or certain regulated goods or services*

Users may not use Twitter services for unauthorized purposes or to promote illegal activities. This includes selling, buying, or facilitating transactions of illegal goods or services and certain types of regulated goods or services. These include counterfeit goods and services, highly regulated drugs and chemicals, human trafficking, products made from endangered or protected species, sexual services, stolen goods, and weapons.<sup>31</sup>

4. *Financial scam policy*

Twitter will take action against accounts that engage in misdirection scams, phishing, or other financial fraud tactics. However, Twitter does not intervene in financial disputes between individuals using Twitter, such as claims related to the sale of goods on Twitter, disputed refunds from individuals or brands, and complaints of low quality of goods received.<sup>32</sup>

Trading usernames can lead to potential issues such as Twitter account suspension or shadowbanning, especially when usernames are frequently transferred between devices. Shadowbanning can limit conversational activity on Twitter. Furthermore, the risk of usernames being installed by bots or hacked by irresponsible parties poses a threat to buyers and sellers because these usernames might end up with other users without consent.

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<sup>30</sup> "Misleading and Deceptive Identities Policy," accessed June 23, 2023, <https://help.twitter.com/en/rules-and-policies/twitter-impersonation-and-deceptive-identities-policy>.

<sup>31</sup> "Our Policy on Illegal or Certain Regulated Goods and Services," accessed June 23, 2023, <https://help.twitter.com/en/rules-and-policies/regulated-goods-services>.

<sup>32</sup> "Twitter's Financial Scam Policy | Twitter Help," accessed June 23, 2023, <https://help.twitter.com/en/rules-and-policies/financial-scam>.

The numerous obstacles that can result in losses for buyers necessitate responsibility from involved parties. Twitter, however, will not be held accountable for any obstacles or losses arising from buying and selling usernames because it is considered illegal. As the seller, Rara will offer assistance to buyers if they encounter difficulties during the username delivery process. However, once the goods have been delivered and the username is in the hands of the buyer, Rara is no longer responsible for any subsequent issues.<sup>33</sup>

This opinion is supported by Aca and Sinha. According to them, the seller does not need to provide a guarantee for errors that occur when the goods are already in the hands of the buyer. This is because the ownership of the goods has already been transferred. However, a guarantee will be given if the fault is on the seller's side. The seller will also always provide assistance to the buyer if the fault occurs before the goods are in the buyer's hands.<sup>34</sup>

@kyungpsoo, the account owner, added that if the buyer's account is deleted by Twitter, it is not the seller's responsibility because the issue pertains to the respective account devices. However, if the username is not retained by the buyer and is possibly botted (hacked) by someone else, neither the buyer nor the seller is at fault. In such cases, 50% of the money will be returned to the buyer, even though the goods were not received.<sup>35</sup> On the basis of this explanation, once the username is in the hands of the buyer, all subsequent risks will be the responsibility of the username owner.

## **What is the View of Islamic Law regarding Buying and Selling Usernames on Twitter?**

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<sup>33</sup> Rara, Interview with Username Seller on Social Media Twitter Via Direct Message, June 2, 2022.

<sup>34</sup> Sinha, Interview with Username Seller on Social Media Twitter Via Direct Message, July 2, 2022.

<sup>35</sup> Pemilik akun @kyungpsoo, Interview with Username Seller on Social Media Twitter Via Direct Message, July 8, 2022.

In Islamic jurisprudence, the act of buying and selling is referred to as *al-bai'*, *al-tijārah*, or *al-mubadalah*. Linguistically, *al-bai'* is derived from the word *bā'ā-yabi'u-bai'an*, which denotes exchange or sale. In certain contexts, *al-bai'* is used to denote the opposite of *al-syirā*, which signifies buying.<sup>36</sup> The term “*al-bai'*” in Islamic law has dual meanings, referring to both “selling” and “buying” activities. According to this terminology, buying and selling are considered a contractual arrangement between the seller (the party delivering/selling the goods) and the buyer (the party paying/buying the goods) in a legally binding manner.<sup>37</sup>

Fiqh scholars have varying interpretations regarding the definition of buying and selling. According to the Hanafi school of thought, there are two distinct meanings: general buying and selling, and specific buying and selling. In the specific sense, buying and selling are defined as the exchange of goods for two currencies such as gold and silver or goods for money using a particular method. Conversely, in the general sense, buying and selling involve the exchange of property (goods) for property based on a permissible method.

According to the Maliki, Shafi'i, and Hanbali schools of thought, buying and selling fundamentally involve the exchange of property for property, resulting in the transfer of ownership.<sup>38</sup> The property can be in the form of goods or money. However, Sayyid Sabiq, in his book “*Fikih Sunah*,” presented a distinct explanation, stating that buying and selling are the exchange of property based on mutual willingness, where ownership rights are transferred through a justifiable exchange.<sup>39</sup>

The above definitions highlight that buying and selling involve an agreement between parties to exchange or transfer property based on

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<sup>36</sup> Artiyanto Ikit and Muhammad Saleh, “Jual Beli Dalam Perspektif Ekonomi Islam,” *Yogyakarta: Gava Media*, 2018, 70.

<sup>37</sup> Sri Sudiarti, *Fiqh Muamalah Kontemporer* (Medan: FEBI UIN SU Press, 2018), 74.

<sup>38</sup> Mardani, *Fiqh Ekonomi Syariah: Fiqh Muamalah* (Jakarta: Prenada Media, 2015).

<sup>39</sup> Sabiq Sayyid, *Fikih Sunnah*, 5th ed. (Jakarta: Cakrawala Surya Prima, 2009), 159.



mutual willingness. Transactions must adhere to the legal provisions and regulations justified by Islamic law (*shara'*). The value of the exchanged goods should be balanced, and a contract should establish ownership based on mutual consent. Fulfilling the pillars and conditions is crucial, and any failure to meet them renders the transaction not in accordance with Islamic law.<sup>40</sup>

In the contemporary world, trade is no longer confined to traditional methods but has also expanded to online platforms. Numerous websites and social media offer opportunities for buying and selling goods. Online transactions occur in the virtual realm, enabling sellers and buyers to interact without direct face-to-face meetings. In Islam, conducting business online is permissible, provided that it adheres to principles that avoid usury, injustice, monopoly, and *gharar*. The online market has provided a convenient and accessible platform for commercial activities in line with Islamic principles.

Online buying and selling have significant *gharar* potential due to the lack of face-to-face interactions between sellers and buyers, leading to uncertainty and possible disadvantages.<sup>41</sup> Islamic law prohibits *gharar* in every sale and purchase transaction because it contains an element of doubt that might cause disputes between sellers and buyers.

*Gharar* literally means risk, uncertainty, and danger. In fiqh terms, *gharar* is the ignorance of the consequences of a matter, event or event in a trade or buying and selling transaction, or the uncertainty between good and bad. Imam as-Sarakhsi from the Hanafi school of thought described *gharar* as “something that is hidden in its consequences.” Imam al-Qarafi from the Maliki school stated that *gharar* is “something that is not known

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<sup>40</sup> Hariman Surya Siregar and Koko Khoerudin, *Fikih Muamalah Teori Dan Implementasi* (Bandung: PT Remaja Rosdakarya, 2019), 117.

<sup>41</sup> Wahab Abdul, *Gharar Dalam Transaksi Modern* (Jakarta: Rumah Fikih Indonesia, 2019), 14. L Gupta, “Gharar-Free ReBittance: Powered by Blockchain,” *Fintech, Digital Currency and the Future of Islamic Finance: Strategic, Regulatory and Adoption Issues in the Gulf Cooperation Council*, 2020, 107–25, [https://doi.org/10.1007/978-3-030-49248-9\\_6](https://doi.org/10.1007/978-3-030-49248-9_6).

whether it will be obtained or not.” Imam Shirazi from the Shafi'i school of thought described *gharar* as “something whose affairs are unknown and whose consequences are hidden.”<sup>42</sup>

Ibn Taymiyyah expounded on the prohibition of *gharar* transactions, rooted in Allah's prohibition of unjustly taking others' property or property rights (*batil*). According to him, *gharar* involves consuming others' property in a forbidden manner. He based his argument on the verse of Allah Swt in Surah an-Nisa' (4) verse 29:

“O believers! Do not devour one another's wealth illegally, but rather trade by mutual consent. And do not kill each other or yourselves. Surely Allah is ever Merciful to you.”

In Surah an-Nisa, verse 29, Allah Swt explicitly prohibits believers from unlawfully consuming each other's wealth.<sup>43</sup> *Batil* in the verse encompasses anything that is prohibited by Allah. In Islamic law (*shara'*), *batil* refers to spending money in an improper and forbidden manner. Examples of transactions falling under the category of *batil* include corruption, usury (*riba*), gambling, fraud, and robbery.<sup>44</sup>

Surah an-Nisa' verse 29 emphasizes the importance of mutual willingness and honesty in buying and selling transactions to achieve *maslahat* (benefit) for both parties involved. Both sellers and buyers must enter the contract willingly and without coercion. However, if there are indications of fraud in the transaction, the *maslahat* will be compromised, leading to harm.<sup>45</sup>

In conclusion, any buying and selling involving *gharar* (uncertainty) are prohibited in Islam because of the absence of mutual consent. Clear

<sup>42</sup> Hadist Shohih and Ro'fah Setyowati, “Perspektif Hukum Islam Mengenai Praktik Gharar Dalam Transaksi Perbankan Syariah,” *Dialogia Iuridica: Jurnal Hukum Bisnis Dan Investasi* 12, no. 2 (2021): 74.

<sup>43</sup> Shobirin Shobirin, “Jual Beli Dalam Pandangan Islam,” *BISNIS: Jurnal Bisnis Dan Manajemen Islam* 3, no. 2 (2016): 243.

<sup>44</sup> Taufiq Taufiq, “Memakan Harta Secara Batil Perspektif Surat An-Nisa: 29 Dan At-Taubah: 34,” *JURIS (Jurnal Ilmiah Syariah)* 17, no. 2 (2018): 250.

<sup>45</sup> Muhammad Yusuf and Irvan Iswandi, “Praktik Jual Beli Jahe Menurut Hukum Islam; Studi Kasus Di Usaha Dagang Areba Jahe, Jakarta Timur,” *Mizan: Journal of Islamic Law* 5, no. 1 (2021): 59.

and deliverable goods are essential for a valid transaction, and any resemblance to gambling is forbidden. The validity of a contract is not solely based on words or actions but on the presence of mutual consent as required by Allah. Therefore, any means leading to mutual agreement render the contract valid, emphasizing fairness and justice in Islamic commercial transactions.

*Gharar* is categorized into two types: *gharar* fahish (excessive *gharar*) and *gharar* yasir (minor *gharar*). Examples of *gharar* fahish in contracts are numerous and a primary reason for its prohibition. On the contrary, *gharar* yasir, being minor or trivial, is always present in all buying and selling transactions, and its existence is tolerated. Scholars unanimously agree that every transaction involves some level of *gharar*, but they differ in assessing its extent.<sup>46</sup>

In Islam, a sale and purchase transaction is considered valid if it fulfills predetermined conditions, including clarity of the object, price agreement, and the presence of *ijab* and *kabul* (offer and acceptance). If any of these conditions are not met, the transaction is deemed invalid. *Gharar*, which refers to uncertainty or ambiguity, can render a sale and purchase transaction invalid. Some scholars believe that transactions involving *gharar* may be considered haram (forbidden) because they violate the principle of economic justice.<sup>47</sup>

Transactions that involve uncertainty can lead to losses and disputes in the future, so it is important to avoid or minimize *gharar* in buying and selling. However, there is another view that permits buying and selling with *gharar* in certain situations, such as in future trading or investments.

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<sup>46</sup> M U Akhter, "Principles of Islamic Finance: Prohibition of Riba, Gharar and Maysir," *Munich Personal RePEc Archive*, 2015, 4.

<sup>47</sup> Dewi Maharani and Muhammad Yusuf, "Implementasi Prinsip-Prinsip Muamalah Dalam Transaksi Ekonomi: Alternatif Mewujudkan Aktivitas Ekonomi Halal," *Jurnal Hukum Ekonomi Syariah* 3, no. 1 (2020): 137. Nafis Alam, Lokesh Gupta, and Bala Shanmugam, "Prohibition of Riba and Gharar in Islamic Banking BT - Islamic Finance: A Practical Perspective," ed. Nafis Alam, Lokesh Gupta, and Bala Shanmugam (Cham: Springer International Publishing, 2017), 35–53, [https://doi.org/10.1007/978-3-319-66559-7\\_3](https://doi.org/10.1007/978-3-319-66559-7_3).

In these situations, uncertainty is acceptable as a part of a legitimate economic activity.

When buying and selling usernames on Twitter, *gharar* becomes a complex issue that affects the transaction's validity. *Gharar* arises from uncertainty regarding the contract object, which is the username. To avoid future disputes, sellers and buyers must ensure clarity regarding the form, nature, quality, and price of the username. If there is uncertainty regarding the condition and price of the username, the transaction can be considered invalid because of fraud (*gharar*). In this research, the seller and buyer are aware of the username details before the transaction. However, the seller does not provide clarity regarding the origin of the username, whether it was obtained legally or not.

This lack of clarity can harm the buyer if the username was obtained through unauthorized means such as hacking. Sellers typically do not offer guarantees for problems arising after the buyer receives the username, leaving all risks on the buyer.

Uncertainty regarding the condition of the goods sold can result in losses for buyers, especially for those unfamiliar with username buying and selling transactions. In these online transactions, transparency from sellers regarding the goods' condition is vital because of the absence of direct meetings between buyers and sellers. Implementing relevant regulations becomes crucial to safeguard consumer rights in online transactions.

When buying and selling usernames on Twitter, transactions occur online without direct meetings between sellers and buyers. The agreement is made through written statements indicating both parties' consent. Sellers can obtain usernames manually, from resellers, or through hacks. However, it is essential to emphasize that buying and selling usernames through hacking violate Twitter's regulations and policies and go against the principles of Islamic law.

The practice of buying and selling usernames through hacking also violates the Electronic Information and Transaction Law (ITE Law) in various countries, including Indonesia. The ITE Law strictly prohibits unauthorized access to computer systems and illegal data retrieval. Therefore, buying and selling usernames through hacking are not only an unethical act but also an illegal act that can lead to legal consequences.

Furthermore, this practice puts buyers at risk of fraud and uncertainty regarding the ownership, quality, and price of the username. To protect consumers, it is essential to safeguard buyer rights, such as refund rights, product quality assurance, and fair dispute resolution.

Purchasing a Twitter username serves the purpose of displaying the account's identity and branding. Although the benefits are intangible, having an appealing username brings pride and personal satisfaction. Opting for a unique username can attract other users' attention and ensures easy remembrance. Nonetheless, one must be cautious of the risks involved in this trading activity, including the potential for cybercrime, such as impersonating a character to deceive others.

Twitter strictly prohibits users from selling, buying, or trading accounts or usernames. Impersonating others to deceive, mislead, or confuse is also not allowed. False identities disrupting other users' experiences are prohibited. The platform forbids illegal activities, such as buying and selling of stolen goods, including usernames obtained through hacks involving stolen goods.

Twitter takes action against accounts that are involved in fraud, phishing, or financial fraud tactics. However, Twitter does not intervene in financial disputes between users, including disputed claims of item sales or refunds. Users must be cautious in their transactions and must comply with applicable laws and regulations. Twitter's policy against username trading aims to uphold integrity, safety, and a positive user experience. The platform does not endorse or take responsibility for username trading practices that violate rules and laws.

## Conclusion

The transformation within digital worlds allows illicit transactions, such as buying and selling usernames, which is currently popular among social media users, especially on Twitter. Buying and selling usernames on Twitter contain elements of *gharar* because the conditions of the object traded are not fulfilled, that is, the username obtained through hacking, thus making the sale and purchase law void. The username seller also does not provide detailed clarity regarding the username condition, which can harm the buyer if there are problems with the username obtained by illegal means. This transaction is a trade that is prohibited by Twitter and can lead to permanent account suspension, but the seller does not provide guarantees for the risks that might occur after the username changes hands. Thus, the practice of buying and selling usernames causes more harm than benefit. In the context of Islamic law, the practice of buying and selling usernames on Twitter contains elements of *gharar* and is considered invalid. This study highlights how digital transformation can result in *gharar*-based transactions that must be monitored. Furthermore, future research should focus on the core concept of *gharar* to set a foundation for identifying the extent of *gharar* elements present in a transaction.

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