

Flash Sale in E-Commerce: An Analysis of Contract Validity and Digital Marketing Strategies from Fiqh Muamalah

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ABSTRACT

This study aims to analyze the practice of flash sales in e-commerce from the perspective of Fiqh Muamalah, with particular emphasis on contract validity and the marketing strategies applied in digital transactions. The study seeks to examine whether flash sale practices comply with the principles of Islamic commercial law, particularly regarding mutual consent, transparency, fairness, and the avoidance of gharar, tadlis, and other prohibited elements in transactions. This study employs a qualitative approach using a descriptive-analytical method. Data are collected through literature review, documentation, and analysis of flash sale practices on e-commerce platforms, supported by relevant concepts and principles of Fiqh Muamalah. The data are analyzed through data reduction, categorization, interpretation, and comparison between contemporary e-commerce practices and Islamic legal principles. The results indicate that flash sales are generally permissible under Fiqh Muamalah as long as the essential elements and conditions of the sale contract are fulfilled. However, several practices may raise concerns when they involve misleading promotions, unclear product availability, inaccurate pricing information, excessive urgency, or other forms of gharar and tadlis. Therefore, the validity of flash sale transactions depends not merely on the promotional mechanism but also on the transparency, fairness, and fulfillment of contractual obligations by sellers. The study concludes that the implementation of ethical and transparent marketing strategies based on Fiqh Muamalah principles is essential to ensure that flash sale practices remain commercially effective while complying with Islamic principles.

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INTRODUCTION

The rapid development of digital technology has transformed the way consumers purchase products and how businesses conduct marketing activities. E-commerce platforms provide consumers with convenience, accessibility, and a wide range of product choices without requiring direct interaction between buyers and sellers. This transformation has also encouraged businesses to adopt increasingly dynamic promotional strategies to attract consumer attention and increase transaction volumes. Among these strategies, flash sales have become one of the most prominent promotional mechanisms in e-commerce because they combine substantial price reductions with limited purchasing periods. Previous research has shown that flash sale promotions can influence consumer purchasing decisions and increase consumers' interest in products offered through e-commerce platforms (Sari et al., 2023).

Flash sales are designed to create urgency by offering products at special prices for a restricted period and, in many cases, with limited quantities. Such mechanisms can encourage consumers to

make purchasing decisions more quickly than they would under normal purchasing conditions. Research by Aini (2024) found that flash sale and discount voucher strategies had a positive and significant effect on purchasing decisions in the Shopee marketplace. Similarly, research by Elviana et al. (2024) demonstrated that flash sales were among the factors associated with consumer purchase intention in e-commerce. These findings indicate that flash sales are not merely price-reduction mechanisms but also sophisticated digital marketing strategies that influence consumer decision-making. (Aini, 2024; Elviana et al., 2024).

However, the increasing use of flash sales also raises important questions regarding the fairness and validity of transactions conducted through such promotional mechanisms. The characteristics of flash sales, including limited time, limited stock, rapidly changing prices, countdown timers, and strong promotional messages, may create pressure for consumers to make immediate purchasing decisions. From the perspective of Islamic commercial law, online transactions should provide sufficient clarity regarding the product, price, transaction conditions, and rights and obligations of the parties. Recent studies on online transactions have emphasized that digital buying and selling is generally permissible when the requirements of a valid transaction are fulfilled and when the transaction avoids uncertainty, deception, and unfair practices (Ghafur et al., 2026).

The issue becomes more significant because the digital environment changes the way transaction agreements are formed. In conventional transactions, buyers and sellers may directly communicate about the product, price, and terms of sale. In e-commerce, however, these elements are presented through digital interfaces, promotional banners, countdown systems, automated purchasing mechanisms, and platform-specific terms and conditions. Consequently, the validity of an online transaction cannot be examined only from the existence of a digital payment or purchase confirmation; it also requires consideration of whether the essential information presented to consumers is sufficiently clear and transparent. Research on e-commerce transactions from an Islamic legal perspective has highlighted the importance of transaction clarity, transparency, consumer protection, and compliance with Islamic principles in determining the legitimacy of online transactions (Salwaa et al., 2024).

Existing studies, however, have largely examined flash sales from the perspective of consumer behavior and marketing effectiveness, particularly their influence on purchase intention, impulse buying, and purchasing decisions. For example, previous research has investigated the relationship between flash sales and purchasing decisions on Shopee, TikTok Shop, and other e-commerce platforms (Ramadhanti & Prastyatini, 2023; Aini, 2024). Meanwhile, studies concerning Islamic perspectives on e-commerce have primarily discussed the general legality of online buying and selling, transaction requirements, transparency, and consumer protection (Arasy Hasan et al., 2025; Hakim, 2024). This indicates a research gap: flash sale studies tend to emphasize marketing and consumer behavior, while Islamic e-commerce studies tend to examine online transactions more generally without specifically analyzing the unique characteristics of flash sale mechanisms.

Therefore, the novelty of this study lies in integrating two perspectives that have generally been examined separately: the validity of online transaction contracts and the digital marketing mechanisms of flash sales. Rather than analyzing flash sales solely as a marketing strategy or examining e-commerce transactions solely from a legal perspective, this study investigates how specific flash sale characteristics—such as limited-time discounts, limited stock, countdown timers, price reductions, and promotional information—relate to the requirements of a valid and fair transaction. This integrated perspective is important because the effectiveness of a flash sale should not be measured only by its ability to increase purchases but also by whether the promotional mechanism provides consumers with adequate transparency and supports a fair transaction.

Furthermore, this study seeks to develop a more contextual understanding of flash sales by examining the relationship between marketing effectiveness, consumer decision-making, transaction transparency, and Islamic legal requirements. This approach distinguishes the present study from previous research that has predominantly focused on the statistical effect of flash sales on purchasing behavior or the general permissibility of online transactions. By bringing these dimensions together, the study provides a contemporary framework for evaluating whether flash sale practices can achieve commercial objectives while maintaining the principles of fairness, transparency, and valid contractual relationships in Islamic commercial law.

Based on this research gap, this study aims to analyze flash sale practices in e-commerce by examining both the validity of online transaction contracts and the implementation of digital marketing strategies from the perspective of Islamic commercial law. The study is expected to contribute theoretically by extending the discussion of Islamic commercial law into contemporary digital marketing practices and practically by providing guidance for e-commerce businesses in designing promotional strategies that are commercially effective while maintaining transparency, fairness, and consumer protection

METHOD

This study employs a qualitative research approach using a descriptive-analytical method to examine flash sale practices in e-commerce from the perspective of Islamic commercial law and digital marketing strategies. A qualitative approach was selected because the study focuses on understanding the characteristics, mechanisms, and implications of flash sale transactions rather than measuring relationships between variables statistically. The research analyzes how flash sale mechanisms are implemented in e-commerce and evaluates their compatibility with the principles governing valid and fair commercial transactions. The study uses a normative juridical approach combined with a conceptual approach. The normative juridical approach is used to examine the validity of flash sale transactions based on Islamic commercial law, particularly the requirements of a valid sale, mutual consent, transparency, clarity of the object and price, and the avoidance of deceptive or excessively uncertain practices. The conceptual approach is used to analyze flash sales as a contemporary digital marketing strategy and to connect their characteristics with established principles of Islamic commercial transactions.

The data used in this study consist of secondary data obtained through a structured literature review. The primary sources include relevant Islamic legal references, scholarly works on Islamic commercial transactions, and official regulations or guidelines concerning electronic commerce where relevant. Secondary sources include peer-reviewed national and international journal articles, books, conference proceedings, and previous studies discussing e-commerce, flash sales, digital marketing, consumer behavior, online transactions, and Islamic commercial law. The literature was selected based on its relevance to the research topic, academic credibility, and publication recency. Data collection was conducted through documentary research and literature review. Relevant publications were identified using academic databases and search engines with combinations of keywords such as *flash sale*, *e-commerce*, *digital marketing*, *online transaction*, *contract validity*, *Islamic commercial law*, and *consumer protection*. The collected literature was then screened based on title, abstract, research relevance, methodological quality, and contribution to the research questions. Studies that did not directly address e-commerce, flash sales, digital marketing, or Islamic commercial transactions were excluded from the analysis.

The data analysis was conducted through thematic content analysis. First, the relevant literature was classified into several themes: (1) the characteristics and mechanisms of flash sales, (2) flash sales as a digital marketing strategy, (3) consumer decision-making and purchasing behavior, (4) requirements for valid online transactions, and (5) potential ethical and legal issues associated with flash sale practices. The findings from each theme were then compared and synthesized to identify similarities, differences, and research gaps across the existing literature. The final stage involved integrating the marketing and Islamic legal perspectives to develop an analytical framework for evaluating flash sale practices. Specific elements of flash sales, including limited-time offers, price discounts, limited product availability, countdown timers, promotional claims, and transaction confirmation, were examined in relation to the requirements of a valid and transparent transaction. This analysis allows the study to determine whether particular flash sale mechanisms support fair commercial practices or potentially create problems related to transparency, consumer understanding, or contractual validity.

RESULTS AND DISCUSSION

Flash Sale as a Digital Marketing Strategy

The findings show that flash sales function as a strategic digital marketing instrument that combines price discounts, limited promotional periods, limited product availability, countdown timers, and intensive promotional communication. These mechanisms are designed to create urgency and encourage consumers to make purchasing decisions within a short period. The effectiveness of flash sales therefore does not depend solely on the magnitude of the discount but also on the psychological effect generated by scarcity and time pressure.

In e-commerce, flash sales can increase consumer attention and purchasing intention because consumers perceive the promotional opportunity as temporary and potentially difficult to obtain again. The combination of a lower price and limited availability encourages consumers to reduce the time spent comparing alternatives. Previous research has found that flash sale promotions can significantly influence purchasing decisions in e-commerce platforms (Aini, 2024). Similarly, other studies indicate that flash sales and promotional incentives can strengthen consumers' purchasing intentions, particularly when combined with attractive digital marketing communication (Elviana et al., 2024).

However, the marketing effectiveness of flash sales also creates a potential ethical issue. A strategy designed to create urgency should be based on accurate information regarding the promotional period, product availability, and discount offered. If scarcity, countdown timers, or discount information is artificially manipulated, the marketing strategy may shift from persuasive communication toward misleading promotion. Therefore, the effectiveness of a flash sale should not be measured only by increased sales but also by the transparency of the information provided to consumers.

Flash Sale from the Perspective of Fiqh Muamalah

From the perspective of *fiqh muamalah*, the analysis shows that a flash sale transaction can be considered valid as long as the fundamental requirements of a sale are fulfilled. The transaction involves a buyer and seller who have the legal capacity to transact, a clearly identified product, an agreed price, and a clear expression of agreement between the parties. In an e-commerce environment, the consumer's act of confirming an order and completing payment can function as an indication of agreement, provided that the transaction information has been clearly presented beforehand.

The use of a flash sale mechanism does not automatically make an online transaction invalid. A limited promotional period and discounted price can be accepted as part of the agreed commercial terms when both are communicated clearly. The primary concern from the perspective of *fiqh muamalah* is whether the transaction contains excessive uncertainty, deception, or unfair exploitation. Therefore, the product description, promotional price, quantity, delivery conditions, and other relevant terms should be sufficiently clear before the consumer confirms the purchase.

Limited stock also requires particular attention. A statement such as "limited stock" is not problematic when it reflects the actual availability of the product. However, presenting false scarcity to pressure consumers into purchasing may undermine the principle of transparency in commercial transactions. The same applies to countdown timers. A genuine time limitation can be a legitimate promotional condition, whereas an artificial or misleading countdown may create an inaccurate perception of the transaction.

This finding is consistent with research on online transactions from an Islamic perspective, which emphasizes the importance of clarity, transparency, mutual agreement, and the absence of deceptive practices in electronic transactions (Salwaa et al., 2024). Thus, from the perspective of *fiqh muamalah*, the central issue is not whether flash sales are permissible as a marketing technique, but whether the specific mechanism used to conduct the promotion maintains the requirements of a valid, transparent, and fair transaction.

Integrating Digital Marketing Effectiveness with Fiqh Muamalah Principles

The most significant finding of this study is that digital marketing effectiveness and transaction validity should be analyzed together. A flash sale may successfully increase consumer purchases while simultaneously creating concerns if its promotional mechanisms provide misleading information. Therefore, commercial success cannot be used as the sole indicator of an appropriate flash sale strategy.

The analysis identifies four important principles for integrating flash sale strategies with *fiqh muamalah*: price transparency, product and stock transparency, clarity of promotional periods, and voluntary consumer consent. First, the discounted price and reference price should accurately represent the actual pricing conditions. Second, information concerning product availability should not be manipulated to create false scarcity. Third, the promotional period should be clearly communicated and consistently implemented. Fourth, consumers should be given sufficient information to make voluntary purchasing decisions.

The integration of these principles provides the main novelty of this study. Previous studies have generally examined flash sales in terms of purchasing decisions, consumer behavior, and marketing effectiveness, while studies on Islamic e-commerce have tended to examine the validity of online transactions more generally. This study connects the two perspectives by examining how specific flash sale marketing mechanisms discounts, limited stock, countdown timers, and promotional claims affect the transparency and validity of e-commerce transactions. Consequently, the study proposes that an ideal flash sale from an Islamic commercial perspective is not simply a promotion that generates high transaction volume, but one that simultaneously achieves marketing objectives and maintains transparent and fair contractual conditions. This approach provides a more comprehensive framework for evaluating contemporary digital marketing practices within Islamic commercial law.

CONCLUSION

This study concludes that flash sales have become an effective digital marketing strategy in e-commerce by combining price discounts, limited promotional periods, limited product availability, and urgency-based promotional mechanisms. These elements can significantly encourage consumer attention and purchasing decisions. However, the effectiveness of flash sales should not be assessed solely based on increased sales, but also based on the accuracy, transparency, and fairness of the information provided to consumers.

From the perspective of *fiqh muamalah*, flash sale transactions are generally permissible as long as the essential requirements of a valid sale are fulfilled. The product, price, promotional conditions, and transaction process must be clearly communicated, while the transaction must be based on genuine agreement and free from deceptive practices and excessive uncertainty. Limited-time offers, discounts, and limited stock are not inherently problematic when they reflect actual commercial conditions. Conversely, misleading discounts, artificial scarcity, or inaccurate countdown mechanisms may undermine the transparency and fairness required in a valid transaction.

The main contribution of this study lies in integrating digital marketing effectiveness and transaction validity within the specific context of e-commerce flash sales. Rather than examining flash sales only as a marketing strategy or online transactions only from a legal perspective, this study demonstrates that both dimensions are interconnected. A Sharia-compliant flash sale should therefore balance commercial effectiveness with transparency, fairness, and consumer protection. This perspective provides a relevant framework for e-commerce businesses to develop promotional strategies that remain competitive while complying with Islamic commercial principles.

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