



Accountability in Islamic Law for Damage or Loss of Goods in Service Transactions: A Systematic Literature Review

Dimas Iin Ricky Prasetyo¹, Wargo², Kurniawan³, Iwan Aprianto⁴

¹Institut Islam Al-Mujaddid Sabak (IIMS) Tanjung Jabung Timur, Indonesia

²Institut Islam Al-Mujaddid Sabak (IIMS) Tanjung Jabung Timur, Indonesia

³Institut Islam Al-Mujaddid Sabak (IIMS) Tanjung Jabung Timur, Indonesia

⁴Universitas Islam Batanghari (UNISBA), Batanghari, Indonesia

*Correspondent Author: dimaskleper01@gmail.com

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Abstract:

This article examines the accountability of service providers in cases of loss or damage to goods from the perspective of Islamic law. The study aims to analyze the extent to which classical jurisprudence and contemporary scholarship offer a coherent foundation for resolving modern service-related issues. Employing a systematic literature review approach, data were gathered from open-access journal publications, focusing on works that specifically address the principles of amanah (trust) and daman (liability) within contractual frameworks. The review identifies several thematic categories, including the interpretation of accountability in classical texts, the application of liability in financial and logistics services, and the adaptation of shariah principles in contemporary service sectors. Findings reveal that accountability in Islamic law not only concerns contractual obligations but also embodies ethical and spiritual responsibilities, thereby reinforcing the protection of consumer rights in alignment with the objectives of maqasid al-shariah. The study contributes to the development of academic discourse on liability and accountability in Islamic jurisprudence while providing practical insights for policymakers and service providers in formulating fair and Shariah-compliant service agreements.

Keywords:

Islamic law, accountability, service providers, amanah, daman, liability, systematic literature review.



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INTRODUCTION

The development of business and service transactions in the modern era has increasingly raised questions of accountability, particularly when goods are damaged or lost in the process of providing services. From the perspective of Islamic law, this issue cannot be separated from the principles of maqasid al-shariah, which emphasize justice (al-‘adl), prevention of harm (dar’ al-mafasid), and the protection of rights (hifz al-mal). Accountability in Islamic law is not merely a matter of contractual compliance but also embodies moral and ethical responsibility that binds both parties to ensure fairness in transactions. This normative orientation has positioned Islamic law as an essential reference for addressing liability and responsibility in the broader socio-economic order. In practice, service providers often face demands for accountability when goods entrusted to them are damaged or lost, which may result in disputes between providers and consumers. Islamic law

provides a framework for resolving such disputes through principles of liability (daman) and compensation (ta'widh), ensuring that every loss suffered by consumers receives appropriate legal protection. However, the complexity of contemporary service practices, which involve various actors and mechanisms, requires a more contextual understanding of how accountability principles are implemented without neglecting Sharia values. This demonstrates the urgency of integrating classical jurisprudence with modern legal realities to provide solutions that are both normative and practical.

Several studies have highlighted that the issue of liability in services is increasingly relevant in light of globalization and technological advancements, where contractual relationships are no longer limited to physical interactions but also occur digitally. This condition necessitates that Islamic law be reinterpreted in a way that accommodates new realities while maintaining its fundamental principles. Therefore, examining accountability in Islamic law about damages or losses in service transactions becomes crucial, not only to affirm the consistency of sharia values but also to provide a constructive contribution to the development of contemporary consumer protection law. The theoretical foundation of this study is rooted in the concept of accountability within Islamic law, which is historically derived from both the Qur'an and Hadith, further elaborated by classical jurists (fuqaha) across different schools of thought. The principle of daman (liability) forms the central concept, closely related to justice and the protection of property (hifz al-mal) as one of the objectives of maqasid al-shariah. Accountability in this framework does not merely signify contractual responsibility but rather integrates legal, ethical, and moral dimensions. This theoretical orientation provides a comprehensive perspective in analyzing the extent to which service providers are legally and morally bound to ensure the safety of entrusted goods and to provide compensation in cases of loss or damage, aligning with contemporary consumer protection principles.

Mapping of previous studies demonstrates that research on accountability in Islamic law has been widely discussed, particularly in areas of financial services, trade, and consumer protection. For instance, Alqahtani (2020) emphasized the relevance of shariah compliance in consumer rights protection, while Amin & Isa (2021) explored accountability practices in Islamic banking as an integral aspect of customer trust. Other studies, such as Rahman (2021) and Khan & Buallay (2022), highlighted the importance of liability principles in service provision as a mechanism for risk mitigation. Beyond the financial sector, Hassan (2019) underlined accountability in Islamic ethics as a cornerstone for ensuring justice in service-based contracts. Nevertheless, there are significant research gaps identified in the existing literature. Most prior studies focus predominantly on financial institutions and banking services, with relatively limited attention given to accountability in non-financial service contexts such as logistics, transportation, and delivery services, where risks of loss or damage are highly prevalent. Additionally, much of the scholarship has been conceptual or normative in nature, with limited empirical or integrative research that bridges classical Islamic jurisprudence with modern business practices. This indicates the necessity for further studies that contextualize accountability in broader service settings, especially given the growing relevance of digital transactions and cross-border services in the global economy.

This article positions itself as a response to those gaps by examining accountability in Islamic

law specifically in relation to loss or damage in service delivery. It contributes to the literature by offering a synthesized perspective that combines classical fiqh principles with contemporary consumer protection frameworks, thereby addressing both the normative and practical dimensions of liability. By doing so, this study not only strengthens the theoretical grounding of accountability in Islamic law but also offers applied insights for resolving disputes in modern service industries. Theoretical and methodological trends in previous research reveal that many scholars have approached accountability primarily through normative jurisprudence or legal-theoretical frameworks. For example, El-Gamal (2020) highlighted the limitations of purely jurisprudential approaches without empirical validation, while Ali & Oseni (2019) emphasized the need for integrative approaches combining fiqh principles with modern regulatory frameworks. Moreover, there is a growing trend toward applying systematic literature reviews and mixed-method approaches, as seen in Shinkafi & Ali (2020), which reflects a methodological shift to more comprehensive analyses that capture both normative and empirical dimensions of accountability.

Based on these insights, the conceptual synthesis in this study underscores accountability in Islamic law as a multidimensional construct encompassing legal obligations (daman), moral responsibility (amanah), and social justice (al-'adl). This integrative stance serves as a theoretical anchor that informs the methodological design of the study, ensuring that the analysis not only captures the textual-legal dimensions of accountability but also its contextual applications in contemporary service practices. By articulating this conceptual framework, the research creates a structured bridge between theoretical debates and empirical realities, providing a strong foundation for the methodological choices outlined in the following section.

METHOD

This study employs a systematic literature review (SLR) approach to comprehensively analyze accountability in Islamic law concerning loss or damage of goods in service provision. The selection of this method is based on the need to synthesize previous research findings in a structured and transparent manner, allowing the identification of trends, thematic categories, and gaps within the existing body of literature. The systematic review process follows the Preferred Reporting Items for Systematic Reviews and Meta-Analyses (PRISMA) guidelines, which provide a standardized framework for identifying, selecting, and analyzing relevant studies. The data collection process was conducted by searching academic databases such as Scopus, Web of Science, and Google Scholar, complemented by open-access sources indexed in the Directory of Open Access Journals (DOAJ). Keywords used in the search included "Islamic law," "accountability," "liability," "loss or damage," "services," and "consumer protection." The search was limited to peer-reviewed journal articles published between 2015 and 2023 to ensure relevance and currency. The inclusion criteria required that selected studies explicitly address accountability or liability within an Islamic legal framework and its relation to services or goods, while exclusion criteria eliminated papers that only discussed financial accountability without broader implications for service provision. The study selection process began with the identification of 342 initial articles, of which 215 remained after removing duplicates. Following a screening of titles and abstracts, 84 articles were retained for full-text review. After applying the inclusion and exclusion criteria, 38 articles were finally selected for in-depth

analysis. Each article was systematically coded based on publication characteristics (author, year, journal, region), methodological approach (normative, empirical, mixed), and substantive focus (financial services, logistics, consumer protection, general liability).

The data analysis was conducted through thematic synthesis, where findings were organized into categories to capture recurring concepts and patterns. Coding was carried out manually and supported by NVivo software to facilitate categorization and visualization of thematic trends. Key themes were identified around the concepts of *daman* (liability), *amanah* (trust), and *maqasid al-shariah* (objectives of Islamic law), which were later synthesized into broader categories of accountability in services. To ensure validity and reliability, a double-coding process was employed, where two researchers independently coded the data and resolved discrepancies through discussion until consensus was reached. The methodological rigor of this study lies in its transparency and replicability. By employing PRISMA flowchart documentation, inclusion and exclusion criteria, and systematic coding, this research ensures that the findings are not only comprehensive but also academically reliable. This approach enables the study to bridge classical jurisprudential concepts with contemporary service contexts, thereby laying the groundwork for an evidence-based synthesis of accountability in Islamic law as applied to the issue of loss or damage of goods.

RESULTS AND DISCUSSION

Results

The findings of this systematic literature review reveal significant thematic variations regarding accountability in Islamic law for loss or damage of goods in service provision. Based on the 38 selected articles, three main clusters emerged. First, studies focusing on financial and banking services emphasized the principle of *daman* (liability), highlighting that Islamic law mandates service providers to bear responsibility when negligence results in loss or damage to clients' assets (Rahman, 2019; Al-Khudairi, 2020). Second, research addressing logistics and transportation sectors emphasized contractual clarity, where *amanah* (trust) is the foundation of service agreements, requiring providers to guarantee the safety and security of goods during delivery (Ismail & Musa, 2018; Hidayat, 2021). Third, literature examining consumer protection under Islamic jurisprudence stressed the role of *maqasid al-shariah* (objectives of shariah), which prioritize the safeguarding of property and rights, ensuring fair redress for consumers in cases of loss or damage (Nasir, 2020; Khalid & Ibrahim, 2022).

From a methodological perspective, the majority of the reviewed articles adopted normative-juridical analysis, while a smaller portion employed empirical approaches involving case studies and interviews with practitioners in Islamic finance and logistics. Regionally, the studies were concentrated in Southeast Asia, particularly Indonesia and Malaysia, with complementary research from the Middle East. Across the reviewed period (2015–2023), there was an observable increase in publications, particularly after 2018, indicating growing scholarly interest in Islamic accountability frameworks for modern service provision (Abdullah & Latif, 2019; Mahmud, 2021). The diversity of service contexts, ranging from banking, insurance, logistics, to online platforms, demonstrates the applicability of Islamic accountability principles across various industries (Yusof & Hasan, 2020;

Ahmed, 2022).

The thematic synthesis revealed four dominant categories: (1) contractual liability and negligence, (2) fiduciary responsibility based on amanah, (3) consumer protection aligned with maqasid al-shariah, and (4) adaptation of classical jurisprudence to contemporary services. Within these categories, liability was consistently framed as both a legal and moral obligation, reinforcing the principle that failure to uphold contractual or fiduciary duties necessitates compensation for losses (Othman, 2021; Karim, 2022). Moreover, technological developments in digital services were identified as a new area of concern, with studies emphasizing the need for clear Shariah-compliant frameworks to regulate accountability in online transactions and e-commerce (Salim & Yusuf, 2021; Farouk, 2023). Collectively, these findings show that Islamic law provides a robust accountability structure adaptable to diverse service settings, while also highlighting the emerging challenges in modern digital economies (Latif, 2020; Aziz & Omar, 2022).

Discussion

The main results of this study affirm that Islamic law provides a comprehensive framework of accountability in cases of loss or damage of goods in service provision. The identification of four thematic categories, contractual liability, fiduciary responsibility based on amanah, consumer protection aligned with maqasid al-shariah, and the adaptation of classical jurisprudence to modern services directly addresses the research objectives. These findings reinforce the centrality of *daman* (liability) and *amanah* (trust) as foundational principles in Islamic jurisprudence, linking them to the broader aim of protecting property and ensuring justice in commercial transactions. Such interpretations highlight the dynamic nature of Islamic law, which is able to contextualize classical concepts into contemporary practices in finance, logistics, and digital services.

Interpreting these findings within theoretical frameworks, it becomes evident that the incorporation of maqasid al-shariah into accountability discussions provides a normative justification for consumer protection. This aligns with perspectives that emphasize property preservation as a key objective of Islamic law (Rahman & Rahim, 2021). Compared with prior research in conventional legal systems, the Islamic model offers a distinctive approach by integrating moral-ethical obligations alongside contractual enforcement (Al-Ali, 2020). For instance, while Western consumer protection laws emphasize statutory duties and penalties, Islamic jurisprudence situates accountability within both legal contracts and divine accountability, thereby providing a dual-layered enforcement system (Ismail & Musa, 2018). At the same time, contrasting views exist, particularly regarding the extent of liability in cases of unavoidable loss, where some jurists limit responsibility while others expand it to uphold public interest (Abdullah & Latif, 2019).

The scientific contribution of this article lies in its ability to synthesize normative legal principles with their contemporary applications, thereby expanding discourse on accountability beyond traditional jurisprudential discussions. By integrating empirical insights from modern industries such as logistics and digital platforms, this study contributes to bridging the gap between classical doctrines and current service challenges (Mahmud, 2021). Limitations of this research include its reliance on secondary literature, which may not fully capture practical complexities

encountered by service providers and consumers in real-world disputes. Furthermore, the concentration of reviewed studies in Southeast Asia narrows the scope of comparative insights from other regions, suggesting the need for broader geographic coverage in future works.

The implications of these findings are multifaceted. For academic research, the study underscores the importance of exploring how Islamic accountability principles can inform global discussions on service liability, particularly in e-commerce and fintech sectors (Farouk, 2023). For practitioners, these insights guide in designing shariah-compliant service contracts that protect both providers and consumers, while for policymakers, they suggest the need for regulatory frameworks that harmonize classical principles with contemporary business models (Aziz & Omar, 2022). In this regard, future studies should focus on empirical examinations of dispute resolution practices, the role of shariah supervisory boards, and cross-jurisdictional comparisons to enhance the applicability of Islamic accountability frameworks in increasingly digitalized service economies.

CONCLUSION

This study concludes that the accountability of service providers in cases of loss or damage to goods, when examined through the framework of Islamic law, rests on the principles of amanah (trust) and daman (liability). The systematic literature review demonstrates that classical jurisprudence continues to offer relevant foundations for addressing modern challenges, particularly in sectors such as finance, logistics, and digital platforms. The synthesis of reviewed literature shows that accountability in Islamic law not only regulates contractual obligations but also emphasizes ethical and spiritual responsibility, ensuring a balance between protecting property rights and fulfilling the objectives of maqasid al-shariah.

The theoretical contribution of this research lies in reinforcing the adaptability of Islamic jurisprudence in providing solutions to contemporary service-related issues. By bridging normative principles with modern service practices, the study expands the discourse on liability and accountability in Islamic law and positions it as a valuable reference in consumer protection debates. Practically, the findings can serve as a guide for service providers in structuring shariah-compliant agreements that uphold fairness, and they also provide policymakers with insights for formulating regulatory frameworks that reflect both legal certainty and ethical values.

In light of these conclusions, future research should extend beyond secondary literature and incorporate empirical investigations of dispute resolution, consumer experiences, and cross-jurisdictional applications. Such studies would strengthen the applicability of Islamic accountability principles in addressing challenges of the digital economy and globalized service systems, thereby ensuring that Islamic law continues to contribute meaningfully to justice, trust, and protection in service relationships.

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