



# LEGAL PROTECTION FOR MICRO, SMALL, MEDIUM, CULINARY BUSINESS ACTORS THE IMPACT OF FOOD REVIEWS BY FOOD VLOGGERS FROM IMAM IBNU QUDAMAH'S PERSPECTIVE

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#### **ABSTRACT**

The development of social media has transformed marketing communication patterns in the culinary sector, particularly through the emergence of food vloggers who possess the capacity to influence public perception, business reputation, and the sustainability of micro, small, and medium enterprises (MSMEs). While positive reviews may generate promotional benefits and increased sales, negative and non-objective reviews have the potential to cause economic losses and threaten business continuity. This phenomenon indicates a gap in legal knowledge and protection among MSME actors when dealing with the impact of digital reviews, as well as a lack of academic studies that integrate positive law and Islamic legal principles as ethical foundations in public assessment. This research aims to analyze the forms of legal protection available to culinary MSMEs affected by food vlogger reviews and to examine the views of Imam Ibn Qudamah within the framework of Islamic law as an ethical reference. The study employs an empirical legal method with a sociological approach, utilizing in-depth interviews, field observations, and reviews of relevant regulations (the ITE Law, Consumer Protection Law, and Civil Code), which are analyzed qualitatively and comparatively. The findings reveal that legal protection for MSMEs can be pursued through litigation (civil and criminal) as well as non-litigation avenues (mediation and clarification), with the main challenges stemming from limited legal knowledge, the burden of proof, and the complaint-based nature of legal provisions. Ibn Qudamah's perspective emphasizes principles of honesty, the prohibition of tadlis (deception), the obligation to avoid ghibah (backbiting), and moral responsibility in delivering criticism that may affect business reputation and sustainability. This research underscores that legal protection for MSMEs is not solely dependent on regulatory instruments, but also ethical public communication that upholds transparency and justice. The practical implications of this study highlight the need for regulatory dissemination, ethical review standards, and adaptive

dispute resolution mechanisms to foster a fair and sustainable digital culinary ecosystem

Keywords: Legal protection, culinary MSMEs, food vloggers, Islamic law, Ibn Qudamah.

#### 1. INTRODUCTION

The development of social media has introduced a new model of communication that is interactive, persuasive, and influential toward consumer decision-making in the culinary industry. One prominent phenomenon is the emergence of food vloggers, individuals who produce and share food reviews through digital platforms such as YouTube, Instagram, and TikTok. The popularity of food vloggers not only generates entertainment, but also transforms consumption patterns through the construction of digital narratives that shape consumer preferences, brand image, and business reputation, particularly within the micro, small, and medium enterprise (MSME) sector (Safitri et al., 2023).

Culinary MSMEs represent a strategic sector within Indonesia's economic growth that is vulnerable to shifts in public perception. The high dependency on business reputation makes digital reviews a determinant factor of business success or failure. Positive reviews can expand market reach and boost sales, whereas negative reviews especially those that are disproportionate, tendentious, or factually unfounded have the potential to cause significant economic losses, damage business reputation, and even lead to business closure (Hendrayati, 2025). This vulnerability is exacerbated by the limited legal literacy of MSME actors in understanding their rights and mechanisms of protection against harmful information disseminated through digital platforms (Zen, 2024).

Previous studies have largely examined the influence of food vloggers on consumer purchase intention and brand image, yet have insufficiently explored the dimension of legal protection for MSME owners affected by negative reviews (Marquerette et al., 2023). Moreover, existing research predominantly focuses on digital marketing perspectives, while the contexts of legal accountability, communication ethics, and Islamic principles remain underexamined. Meanwhile, Indonesia's positive legal framework, including the Electronic Information and Transactions Law (UU ITE), Consumer Protection Law, and Article 1365 of the Civil Code, provides clear boundaries regarding misleading information, defamation, and unfair business practices relevant to this phenomenon (Maulida & Aisyah, 2024).

In contrast, Islamic law offers ethical foundations for public communication practices. The thought of Imam Ibn Qudamah in al-Mughni emphasizes honesty, the prohibition of tadlis (deception), and caution to prevent criticism from turning into ghibah or slander that harms business reputation. Islamic principles regard the expression of opinion as a legitimate form of public advice, provided that it is conveyed objectively, proportionally, and without causing harm (Ibn Qudamah, n.d.). This indicates a space of articulation between ethical da'wah and freedom of expression within culinary criticism as a contemporary social practice.

Viral cases in Indonesia demonstrate that negative reviews by food vloggers can have serious socio-economic consequences. The case of Bang Madun's restaurant illustrates how a negative review can trigger a drastic decline in customers, significant financial

losses, and even psychological distress for the owner (Rahmatika, 2023). This phenomenon highlights the dilemma between freedom of expression in digital spaces and the protection of economic rights, which currently lack comprehensive regulatory mechanisms and mitigation strategies.

Based on these issues, two key questions arise: how can legal protection for culinary MSME owners be ensured against the impact of food vlogger reviews, and how can Ibn Qudamah's views be used as an ethical framework for evaluating public criticism in digital culinary spaces? This research is important to address the academic gap linking social-media phenomena, positive law regulation, and Islamic ethical principles in the context of MSME protection.

This study aims to analyze the legal protection mechanisms available to culinary MSME actors in facing the impact of food vlogger reviews, and to examine Ibn Qudamah's views on honesty, the prohibition of deception, and ethical criticism. Theoretically, the study contributes to enriching discourse on digital content regulation from both positive law and Islamic perspectives. Practically, it offers policy recommendations and mitigation strategies for MSME actors in building a fair, ethical, and sustainable digital culinary ecosystem.

#### 2. RESEARCH METHOD

This research uses an empirical legal approach, focusing on understanding how Islamic regulations and ethical principles are applied in the context of culinary review practices by food vloggers and their implications for MSMEs. This empirical approach was chosen because the research not only analyzes legal norms textually but also examines how these norms are enforced, understood, and experienced by legal subjects in social reality (Muhammad, 2020). Thus, this research positions law as a social phenomenon influenced by interactions, perceptions, and the construction of meaning between business actors, consumers, and digital content creators.

The research design uses a sociological legal approach to illustrate the relationship between digital review practices and legal protection for MSMEs. This approach is relevant because it can identify dimensions of MSME behavior, responses, and experiences in dealing with the impacts of reviews, and connect these to the positive legal framework and Islamic ethical values. A sociological approach in legal research is generally used to assess regulatory effectiveness, implementation gaps, and the responses of social actors to prevailing norms (Hasan, 2019).

The data sources in this research consist of primary and secondary data. Primary data was collected through in-depth interviews with culinary MSMEs who had experienced the impact of food vlogger reviews, both positive and negative. The interviews were semi-structured to provide flexibility in exploring informants' experiences, perceptions, and response strategies to digital reviews. Informants were selected using purposive sampling based on the criteria of direct involvement with the phenomenon being studied, ensuring relevant and contextual data (Sugiyono, 2017).

In addition to interviews, the study also conducted field observations of business activities to understand the operational context, service quality, and social interactions that could potentially be subject to criticism. Observations were conducted non-

participatory, recording physical, social, and digital narrative aspects related to the business's image. This technique allowed researchers to capture empirical realities that do not always emerge in interviews, while also validating informants' claims (Creswell, 2018).

Secondary data was obtained from various legal documents, academic literature, news articles, and related laws and regulations, such as the Electronic Information and Transactions Law, the Consumer Protection Law, and the Civil Code. Islamic legal literature, particularly the thoughts of Imam Ibn Qudamah in al-Mughni, was analyzed as a normative basis for evaluating ethical principles in conveying public criticism. Secondary data was used to build an analytical framework and compare field findings with applicable legal norms (Maulida & Aisyah, 2024).

The data analysis process was conducted qualitatively using thematic analysis techniques, which included the identification, categorization, and interpretation of key themes emerging from the field data. Thematic analysis was chosen because it systematically organizes narrative data and allows researchers to connect empirical patterns with Islamic legal concepts and ethical values. The analysis process began with interview transcription, marking units of meaning, organizing themes, and interpreting the themes' relationships to theoretical and regulatory frameworks (Braun & Clarke, 2006).

To enhance data validity, the study employed source triangulation, which involves comparing interview results, observations, and documentation. Triangulation was conducted to reduce subjective bias, test the consistency of findings, and strengthen the credibility of research interpretations. This approach is commonly used in qualitative empirical legal research, especially when the analysis is based on social experience and interpretation of meaning (Creswell & Poth, 2017).

#### 3. RESULT AND ANALYSIS

### **Legal Protection for MSMEs: The Impact of Food Vlogger Reviews**

The increasing practice of culinary reviews by food vloggers has created a new dynamic in the MSME business ecosystem, where business image is no longer constructed through direct consumer experiences, but through digital representations created by third parties. This representation can be advantageous when reviews are objective, informative, and positive, but poses significant vulnerabilities when negative reviews circulate widely without adequate verification. This vulnerability is even greater for MSMEs, who depend on reputation and consumer trust to maintain their business continuity (Hendrayati, 2025).

In the regulatory context, legal protection against the impact of digital reviews has been regulated through several Indonesian legal instruments, although their implementation has not fully accommodated the dynamics of digital communication. The Electronic Information and Transactions Law (ITE Law), specifically Article 27 paragraph (3), provides a legal basis for businesses to sue parties who commit defamation through electronic media, including if food vlogger reviews are deemed to contain defamatory, manipulative, or attack the business's reputation without sufficient evidence (Zen, 2024). However, the ITE Law distinguishes constructive criticism from defamation, so not all

negative reviews are considered a violation of the law. This provision aims to maintain a balance between freedom of expression and reputation protection (ITE Law, 2024).

Furthermore, the Consumer Protection Law (UUPK) defines reviews as public information that can influence consumer behavior, and therefore must be conveyed accurately, clearly, and not misleadingly. The behavior of food vloggers who spread inaccurate information can be categorized as misleading information practices, which have legal consequences, especially if they cause economic losses to businesses (Maulida & Aisyah, 2024). Conversely, the UUPK also places the responsibility on businesses to provide quality and safe products, so fact-based criticism can be viewed as a legitimate social control mechanism (Putri et al., 2025).

From a business competition perspective, Law No. 5 of 1999 prohibits unfair competition practices, including intentionally harming competitors' businesses through misleading information. This is relevant when negative reviews are used as a commercial strategy to benefit certain parties, either through hidden endorsements or coordinated campaigns (Marquerette et al., 2023). This regulation emphasizes that digital reviews are not simply entertainment content, but entities with business and legal implications.

Empirically, research findings indicate that the impact of food vlogger reviews on MSMEs is ambivalent. Informants from Angkringan P2K explained that positive reviews can expand market exposure, but excessive visualization in the content often triggers unrealistic consumer expectations, creating a reciprocal risk of further negative reviews when actual experiences do not align with the digital narrative (Interview P2K, 2025). Conversely, informants from BURNI Coffee emphasized that the effects of virality tend to be temporary, while reputational risks resulting from misinformation have long-term impacts. This demonstrates the imbalance between the short-term benefits and potential long-term harms of digital reviews.

These empirical findings indicate that available legal protection is not fully adapted to the social realities of MSMEs operating in the digital ecosystem. Litigation procedures often require complex evidence, are expensive, and take a long time, while the economic losses for MSMEs occur quickly and instantly after a viral review. This situation strengthens the argument that formal legal protection needs to be complemented by non-litigation mechanisms, such as mediation, public clarification, and digital communication codes of ethics to ensure proportionate, efficient, and fair dispute resolution (Creswell, 2018).

Conceptually, this dynamic highlights the misalignment between legal norms and digital communication practices. Positive law operates on the post-factum principle, acting after the loss has occurred, while social media shapes public opinion in real time. This temporal imbalance places MSMEs in a vulnerable position and demands regulatory updates and digital education for both businesses and content creators.

Thus, legal protection for MSMEs in dealing with the impact of food vlogger reviews depends not only on the existence of regulations but also on the effectiveness of their implementation in addressing rapid losses and digital reputation loss. This research emphasizes the need for a regulatory framework and public ethics that not only protects business actors from irresponsible communication practices but also encourages the formation of a fair, transparent, and productive digital ecosystem for the growth of MSMEs.

# Imam Ibn Qudamah's Views on the Impact of Food Vlogger Reviews on MSMEs

Imam Ibn Qudamah is a prominent Hanbali scholar known for his landmark work, "Al-Mughni." Al-Mughni (6th-7th century AH) did not discuss "vlogs" literally, but instead drew on the principles of buying and selling, honesty, backbiting, advice, and the prohibition of harm, which Hanbali scholars use to assess similar behavior, namely criticizing/evaluating food products.

a) Honesty & the Prohibition of Fraud in Buying and Selling
Ibn Qudamah wrote in the chapter "Al-Bay," "Every form of tadlis
(fabrication/disguise) that results in a price difference establishes the buyer's
right of khiyar (option to cancel)."

تَدْلِيسٌ بِمَا يَخْتَلِفُ الثَّمَنُ بِاخْتِلَافِهِ فَأَتْبُتَ الْخِيَارِ

He exemplified "polishing the appearance of goods to make them look better," and the like. This demonstrates the sharia standard: product information must be honest; otherwise, buyers may be discredited. The hadith used by scholars reads, "Whoever deceives, uses a thing that is not of me."

# من غشنا فليس منا

The implications for reviews are that if vloggers expose culinary fraud (e.g., ingredients that don't match claims, defective polishing, unhygienic practices) correctly and proportionally, this aligns with the spirit of al-mughni, which aims to protect consumers from tadlis.

b) Backbiting, Advice, and Etiquette in Addressing Disgrace in Public Space In addressing the mistakes of others, Ibn Qudamah also cites the advice to cover up disgrace, for example, for those who hold hudud (legal) convictions: "It is better not to uphold them (cover them up), but it is permissible if the hadith used by the fugaha (jurists) is correct: 'Religion is advice.'"

# الدبن النصبحة

The implication for reviews is that criticism/referencing of bad things is permissible if the intent is advice and protecting the public from tadlis/harm, based on facts, and limited to relevant matters. It is not permissible if the purpose is sensationalism/ridicule, exaggeration, or unverified gossip, which is prohibited.

- c) Standards of Evidence & Caution (Shahadah) Ibn Qudamah strongly emphasizes caution in testimony due to the potential for misjudgment, forgetfulness, or lying. Sharia prioritizes preventing doubtful matters in matters that could damage honor. This serves as an ethical basis for ensuring that accusations must be proven and used as evidence. The implication for vlogger reviews is that a martyr (witness-reporter to the public), so avoid the generalization that "all branches are bad."
- d) Harm and Responsibility
  In al-Mughni (the book of al-Daman), the principle is that whoever causes the prohibited harm bears the consequences. The rule

This is the general basis for the prohibition on seeking content that harms others. If a false/deceptive review causes real harm to the merchant,

A summary of Imam Ibn Qudamah's opinion from the book Al-Mughni is that food vlogging is permissible if there is a clear danger or danger to the product/practice, requiring a warning from the public. It should be conveyed honestly, professionally, as needed, and with the intention of good faith, not sensationalism/hostility. Verification and thorough discussion should be carried out to avoid sweeping verdicts without data. What is prohibited, according to Imam Ibn Qudamah, is slander, exaggeration, or insults, which constitute backbiting. Seeking fame by harming MSMEs. Data is invalid if proven false and detrimental. The perpetrator is responsible.

Best practices for vloggers and MSMEs (in accordance with Islamic jurisprudence). Verified vloggers should cite measurable facts, avoid personal insults, limit criticism to aspects that impact buyers (safety/honesty), and begin with private efforts if possible, followed by public warnings if there is benefit. MSMEs must be transparent (avoid tadlis), respond calmly and factually, and correct deficiencies. If there is any harmful slander, gather evidence according to Islamic jurisprudence (daman/ta'zir) through the authorities/judges.

The hadith and evidence related to this food vlogger are as follows:

1. (Quran, Surah Al-Hujurat, verse 21)

Meaning: "Don't gossip about others"

Relevance to food vlogger reviews that insult or expose the shame of business owners is considered backbiting, which is forbidden.

2. (Quran, Surah Al-A'raf, verse 85)

Meaning: "Do not harm people's rights"

Relevance to fake food vlogger reviews that cause MSMEs to lose customers = oppressing people's rights

3. (Qur'an, Surah Al Ahzab, verse 70)

Meaning: "Be devoted to Allah and speak truthfully"

Food vlogger reviews must be truthful and based on reality, not exaggerated.

### Legal Actions If an MSME Is Harmed by a Food Vlogger Review

Food vloggers must seek permission and seek clarification from the MSME business owner before uploading a review. If the review is conducted without permission and in bad faith by conveying false information, the MSME has legal grounds to sue for violation. Indeed, MSMEs have legal grounds to sue for violation. This emphasis on good faith is important to prevent unlawful harm from the review. As a business owner, if a food vlogger uploads a video that does not conform to the initial statement, the business owner can save a recording of the video review, such as screenshots, netizen comments, sales decline data, and other evidence that demonstrates the negative impact. They should also record the date, chronology, and those involved.

Non-litigation efforts (mediation and peaceful resolution), before taking formal legal action, MSMEs can submit mediation through the Consumer Dispute Resolution Agency (BPSK) or other peaceful resolution channels. This can be faster and more efficient in avoiding prolonged conflict. Criminal and civil lawsuits for defamation. If a food vlogger's review contains information that is not in accordance with the facts or is slanderous and detrimental, MSMEs can file a lawsuit for defamation or violation of the Electronic Information and Transactions Law (ITE Law). Article 27 paragraph (3) of Law No. 11 of 2008 and the amendment to Law No. 19 of 2016 provides criminal sanctions in the form of imprisonment of up to 4 years and a fine of up to 750 million for the dissemination of defamatory information via electronic media. Civil lawsuits can also be filed to demand compensation for business losses incurred. The government and business actors are advised to conduct outreach regarding rights and obligations in transactions and the creation of responsible reviews. Education for food vloggers is also important so that they are ethical and maintain good faith in providing reviews.

# The Impact of Food Vlogger Reviews

The viral phenomenon of digital content has created a new power structure in the culinary ecosystem, where food vloggers act as gatekeepers who can elevate or undermine a business's reputation through widely consumed visual narratives. The case of Bang Madun's food stall demonstrates how negative reviews that go viral can have significant economic and social consequences. Reviews regarding cleanliness, prices, and dining room comfort not only shape public perception but also lead to a drastic decline in customer numbers, employee layoffs, and even psychological distress for business owners (Rahmatika, 2023). In the context of MSMEs, where profit margins and capital resilience are relatively small, this shock poses a structural threat that disrupts business sustainability.

This case demonstrates that the power of digital reviews is not neutral, but is generated through the logic of a platform economy that prioritizes attention, sensationalism, and "brutal honesty" as entertainment commodities. Criticism delivered without considering the asymmetric impact on MSMEs can result in what is known as "disproportionate reputational damage," meaning losses greater than the value of the operational error (Hendrayati, 2025). Within the framework of persuasive communication theory, negative narratives conveyed by sources deemed credible have the potential to shape public opinion more quickly than corrective information from businesses (Kotler & Keller, 2016).

On the other hand, data analysis shows that negative reviews are not always caused by MSMEs' inability to maintain product quality, but rather often stem from an imbalance in consumer expectations triggered by the visualization of digital content. Content featuring hyperbolic scenes in food reviews subconsciously establishes standards of experience that are difficult to achieve in the reality of small-scale culinary businesses. This creates a gap between perceived value and actual experience, which then leads to public disappointment and the reproduction of further negative narratives (Putri et al., 2025).

The psychological impact on MSME owners is also an important aspect in the case study. The narratives in this study demonstrate how stall owners experience mental stress and feelings of failure due to public stigmatization. This perspective is relevant to the theory of emotional labor, where business owners are forced to manage negative feelings in response to public expectations (Hochschild, 2012). This situation suggests that the

impact of digital reviews is not only economic but also threatens the emotional well-being of business owners.

Beyond Bang Madun's case, research findings also note that several MSMEs experienced increased popularity after receiving positive reviews from food vloggers. For example, an informant from Angkringan P2K reported an increase in visitor numbers and brand awareness after review content spread on social media, although they also faced challenges from consumer behavior that expects experiences as good as digital visualizations (P2K Interview, 2025). On the other hand, the owner of BURNI Coffee chose not to actively use the services of food vloggers because he considered the effects of digital promotion to be short-term, while the risk of excessive expectations and misperceptions could potentially harm the business's image in the long term.

The impact of negative reviews from food vloggers is reputational damage and reduced revenue. Viral negative reviews can immediately diminish consumer interest, leading to decreased revenue and even the risk of business closure, especially for MSMEs (Nurisma Rahmatika, 2023). Consumer decisions are strongly influenced by review ratings on social media or digital platforms. Bad ratings tend to discourage consumers from visiting (Heny Hendrayati, 2025). Negative reviews delivered unethically and without providing space for clarification can potentially kill the livelihoods of MSMEs. Both positive and negative reviews from food vloggers have a significant impact on MSMEs.

According to the Indonesian Ulema Council (MUI) regarding the impact of business actors being reviewed by food vloggers, the main principle is to maintain honesty and avoid slander or gossip. The MUI divides the law on food vloggers into two: if the review contains honest praise without lies, then it is permissible. However, if the review contains insults or mentions shame, then it is absolutely forbidden because it is classified as forbidden gossip. In addition to moral and ethical aspects, the MUI and its interpretation of Islamic law emphasize that reviews must be conducted in good faith and must not unfairly harm business actors. For example, if a food vlogger delivers objective criticism that has been confirmed with the business owner, then this is considered a permissible action and even important for consumer transparency. However, if the review is published without permission or without clarification, especially if it contains harsh comments that are detrimental, then it can have negative impacts not only from a religious perspective but also under the Indonesian Consumer Protection Law, which regulates the rights of business actors to protection from consumer actions that are not in good faith. In summary, according to the Indonesian Ulema Council (MUI), the impact of food vloggers on businesses should be directed towards ensuring that reviews are conducted honestly, objectively, and without causing disgrace, thus preventing unnecessary reputational damage. Businesses also have the right to clarification and legal protection if they feel harmed by unethical or bad-faith content.

From a legal perspective, these two cases demonstrate the limitations of regulations in responding to the immediate impact of digital reviews. The ITE Law and the Consumer Protection Law allow businesses to sue for the dissemination of misleading information, but the litigation process is slow and complex compared to the speed of negative narratives spreading on social media (Zen, 2024). This situation creates a paradox: businesses have legal rights, but lack the time, resources, and rapid mechanisms to restore damaged reputations.

Theoretically, this dynamic confirms that the symbolic authority of food vloggers operates in a digital space where ethics, accuracy, and social impact are often subordinated to algorithmic interests. Therefore, the cases analyzed demonstrate the need for a responsive, collaborative, and preventative approach to legal protection, including the development of content ethics guidelines, digital literacy for businesses, and a swift and proportionate dispute resolution mechanism.

### 4. CONCLUSION

This research confirms that the phenomenon of food vlogger reviews is an external factor that significantly determines the success and vulnerability of culinary MSMEs in the digital era. Positive reviews can expand market reach, enhance business image, and encourage product innovation, but these benefits are unstable because they depend on public expectations shaped by visual representations and entertaining narratives. Conversely, negative reviews that are sensational, disproportionate, and unverified can cause significant economic losses quickly, resulting in layoffs, reduced consumer trust, and psychological distress for business owners. These findings suggest that the social media ecosystem is creating new power relations, where the symbolic authority of food vloggers often outweighs the capacity of MSMEs to manage their reputations. Although positive legal frameworks such as the ITE Law, the Consumer Protection Law, and the Civil Code have provided a basis for protection against defamation and misleading information, law enforcement mechanisms tend to be slow, formalistic, and require resources that MSMEs do not always have. Consequently, the effectiveness of legal protection is limited in the face of the rapid virality of digital content.

On the other hand, Islamic ethical thought, particularly as formulated by Imam Ibn Qudamah, provides a relevant normative alternative for managing public criticism in the digital space. The principles of honesty, the prohibition of tadlis (religious gossip), the obligation to avoid backbiting, and an orientation toward the public good offer an ethical framework that balances freedom of expression and justice for business actors. These principles imply that culinary reviews need not only be accurate and objective but also consider the social and moral impacts inherent in the practice of conveying criticism. The theoretical contribution of this research lies in the integration of positive law and Islamic ethics approaches in analyzing the dynamics of digital communication, while its practical contributions include recommendations for strengthening legal literacy, digital ethics, and the development of non-litigation resolution mechanisms that are fast, affordable, and proportional. Future research should focus on designing regulations responsive to the ecology of social media, evaluating the effectiveness of ethical guidelines in practice, and the role of digital platforms in facilitating dispute resolution as part of technological social responsibility.

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