

Forms of Misleading Information in Sharia Fintech Marketing and Their Implications For Consumer Protection: A Maqashid Sharia Analysis

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Abstract:

The use of Instagram as a promotional tool for sharia fintech has the potential to lead to misleading information practices, particularly in the form of profit overclaim, omission of risk disclosure, and the use of ambiguous "sharia-compliant" labels without adequate explanation, such as claims of profits without properly explaining the risks. The purpose of this study is to analyze the forms and patterns of misleading information practices in the marketing of sharia fintech on Instagram and their implications for consumer protection according to applicable law and maqashid sharia principles, particularly the protection of wealth (*hifdz al-mal*) and intellect (*hifdz al-'aql*). This study applies a normative legal method with an approach to legislation and conceptual thinking, complemented by a qualitative content analysis of selected Instagram promotional materials to identify concrete misleading patterns. The findings show that the marketing methods used still have weaknesses in meeting the principles of transparency and honesty, as reflected in recurring patterns such as selective information disclosure, emphasis on guaranteed returns, and insufficient explanation of potential losses, which have the potential to harm consumers. Therefore, there needs to be improvements in supervision, increasing consumer knowledge, and implementing marketing ethics in line with sharia values to achieve fairer consumer protection.

Kata Kunci:

Informasi yang
Menyesatkan;
Fintech Syariah;
Perlindungan
Konsumen

Abstrak:

Penggunaan Instagram sebagai alat promosi untuk fintech syariah berpotensi memicu praktik informasi yang menyesatkan (*misleading information*), terutama dalam bentuk klaim keuntungan yang berlebihan (*profit overclaim*), tidak dicantumkan pengungkapan risiko (*omission of risk disclosure*), dan penggunaan label "patuh syariah" yang ambigu tanpa penjelasan yang memadai, seperti klaim keuntungan tanpa menjelaskan risikonya dengan benar. Tujuan dari penelitian ini adalah untuk menganalisis bentuk dan pola praktik informasi yang menyesatkan dalam pemasaran fintech syariah di Instagram serta implikasinya terhadap perlindungan konsumen menurut hukum yang berlaku dan prinsip-prinsip maqashid syariah, khususnya perlindungan harta (*hifdz al-mal*) dan akal (*hifdz al-'aql*). Penelitian ini menerapkan metode hukum normatif dengan pendekatan perundang-undangan dan pendekatan konseptual, yang dilengkapi dengan analisis isi kualitatif terhadap materi promosi Instagram terpilih untuk mengidentifikasi pola penyesatan yang konkret. Temuan penelitian menunjukkan bahwa metode pemasaran yang digunakan masih memiliki kelemahan dalam memenuhi prinsip transparansi dan kejujuran, yang tercermin dari pola berulang seperti pengungkapan

informasi secara selektif, penekanan pada jaminan imbal hasil, dan penjelasan yang tidak memadai mengenai potensi kerugian, sehingga berpotensi merugikan konsumen. Oleh karena itu, perlu adanya peningkatan pengawasan, peningkatan pengetahuan konsumen, serta penerapan etika pemasaran yang sejalan dengan nilai-nilai syariah demi mewujudkan perlindungan konsumen yang lebih adil.



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Introduction

A. Background

In today's digital age, technological advances have transformed the financial industry by creating efficiency, transparency, and fairer access to finance. These changes have led to the emergence of an Islamic-based digital economy that combines technology with Sharia values. One important innovation in this regard is Sharia fintech, which is the application of financial technology in accordance with Islamic principles. Sharia fintech not only simplifies financial transactions but also offers modern financial services that are ethical, sustainable, and aligned with community needs without violating Islamic law (Adipurno, 2025).

The role of financial technology in transforming the Islamic finance sector is evident in its contribution to providing technology-based financial products and services that remain compliant with Islamic principles. Sharia-compliant fintech serves to improve financial access, enhance operational efficiency, and ensure that financial services do not violate rules on usury, excessive speculation, and prohibited transactions. In the context of the Islamic economy, fintech is a very important tool for expanding access to finance, supporting social justice, and promoting sustainable Islamic economic growth (Norrahman et al., 2023).

The use of Instagram as a digital marketing tool has a positive impact on increasing business visibility, customer relations, and product sales. Marketing methods that are regularly applied through images, the use of hashtags, the use of Instagram features, and active communication with followers have been proven to support successful promotions. Moreover, Instagram serves as a flexible tool for business people in adjusting their marketing strategies to changes in consumer behavior and market conditions (Zamzami et al., 2024).

Social media plays an important role in shaping consumer perceptions of fintech products by providing educational, interactive, and trustworthy information. Consistent content presentation on social media helps consumers better understand fintech products, while the involvement of influential figures with relevant expertise reinforces positive perceptions and trust levels. The combination of marketing content and social influence on social media platforms supports the creation of brand awareness and consumer perceptions of fintech (Intan & Fadilah, 2025).

Claims about excessive profits or returns in fintech services can create an unbalanced view in the eyes of consumers regarding the risks. The disproportionate presentation of information between potential profits and risks can influence consumers' decisions and increase the possibility of misunderstanding the nature of

fintech products. Therefore, clarity and balance in information regarding outcomes are crucial in shaping more rational consumer perceptions (Nur et al., 2025).

The lack or ambiguity of information regarding risks in the marketing of sharia fintech products can prevent consumers from understanding the characteristics of available products. The lack of transparency regarding risks can reduce consumer confidence and impact the process of making wise financial decisions. A clear explanation of the risks is very important in marketing sharia fintech in order to maintain the principles of transparency and consumer protection (Lampung et al., 2024).

The use of promotional terms, sharia-related words, and unclear or overly tempting visual elements in fintech product marketing can influence consumers' misperceptions about the nature and risks of these products. Presenting information that focuses more on emotional aspects without in-depth explanations can cause confusion, especially if sharia-related words are used without explaining their meaning and application. Clarity in conveying messages and a balance between information and persuasive elements are crucial in fintech marketing communications (Wardiman, 2025).

Consumers may misunderstand Sharia fintech products due to a lack of knowledge about the Islamic legal principles underlying these products. Although awareness of the existence of sharia fintech is quite high, this is not always accompanied by sufficient understanding of how it works, sharia compliance, and the risks involved, which in turn influences consumers' perspectives and choices (Nursiwan et al., 2023).

The development of Islamic finance technology in the digital era has shown significant progress in line with the increasing public demand for technology-based financial services that are in accordance with Islamic principles. To expand their market reach, Islamic fintech businesses use Instagram as a marketing tool, considering it effective due to its visual and persuasive nature and its ability to reach many consumers. However, the use of this platform is often not accompanied by the provision of accurate and balanced information. In practice, there are still promotions that contain misleading information, such as exaggerated claims of profits, lack of explanation of risks, and the use of unclear language and visuals in the name of sharia concepts. This situation has the potential to cause confusion among consumers, especially when the level of understanding of digital finance and sharia is relatively low, thus opening up the possibility of losses and a decline in trust in the sharia fintech industry. This practice of conveying misleading information is fundamentally contrary to the principles of transparency and honesty that form the basis of consumer

protection in applicable law, and is not in accordance with the values of Sharia economic law, which prohibits the elements of gharar and tadhlis in muamalah activities. Therefore, the phenomenon of Islamic fintech marketing through Instagram, which has the potential to contain misleading information, needs to be a focus of legal attention that requires in-depth study (Articles, 2023).

B. Previous Research

Previous research conducted by Asep Nursiwan (2023) examined public perceptions of the use of sharia fintech from an Islamic law perspective. The results showed that although public awareness of the existence of sharia fintech was relatively high, understanding of sharia principles, product mechanisms, and inherent risks was still limited. This limited understanding has implications for potential consumer misunderstandings about the characteristics of sharia fintech products. This study confirms that the level of knowledge about Islamic law influences public attitudes, trust, and acceptance of sharia fintech, making education and information transparency important factors in shaping consumer perceptions (Nasution et al., 2025).

Another study conducted by Waluyo, Nurlita Olyvia, et al. (2024) examined the regulation and supervision of sharia electronic money in the context of fintech innovation and sharia compliance. The results of the study show that fintech innovation plays an important role in the development of sharia electronic money through the provision of more efficient, inclusive, and technology-based financial services, while still referring to the principles of prohibiting riba, gharar, and maysir. This study also confirms that transparency, system security, and clarity of contracts are key factors in building public trust in sharia e-money products, while the effectiveness of consumer protection is highly dependent on the synergy between regulators, industry players, and sharia supervisors (Inovasi et al., 2024).

Previous research conducted by Tamrin (2024) examined sharia marketing ethics in the context of business in the digital era. The results showed that sharia marketing ethics play an important role in building trust, loyalty, and a positive company image. The application of the principles of honesty, transparency, balance of interests, and social responsibility contributes to increased consumer satisfaction and sustainable business growth. However, this study also found challenges in integrating digital technology with sharia values, particularly regarding data management, consumer privacy protection, and competition with non-sharia companies that are more aggressive in their marketing strategies (Mikraj et al., 2024).

Research conducted by Putri et al. (2025) examined the role of social media as a digital marketing tool for MSMEs through a deductive qualitative literature study

approach. The results of the study show that social media such as blogs, microblogs, video sharing sites, image sharing sites, and social networks have a significant contribution in increasing the effectiveness of MSME marketing, especially in building brand awareness, reaching potential consumers, strengthening closeness with consumers, becoming an effective and targeted promotional medium, and exploring market information from consumers and potential consumers. These findings confirm that the use of social media can expand the marketing reach of MSMEs at a relatively low cost and increase business competitiveness in the digital era (Putri et al., 2025).

Previous research conducted by Minhaj et al. (2025) examined the digital marketing strategies of Islamic financial institutions in attracting millennial customers. The results showed that the use of social media as the main marketing platform, the development of user-friendly mobile banking applications, and collaboration with Muslim influencers contributed significantly to increasing awareness, engagement, and trust in Islamic financial products. In addition, the application of modern Islamic branding, the use of attractive visual designs, and a simpler and more relevant communication language in line with the millennial lifestyle helped bridge the gap in public understanding of Islamic financial products. However, this study also found challenges in the form of low understanding of sharia principles among millennials and fierce competition with conventional financial institutions, requiring continuous innovation and strengthening of education so that the digital marketing strategies of Islamic financial institutions become more effective (Islam & Parepare, 2025).

The novelty of this study lies in its emphasis on examining misleading information practices in Islamic fintech marketing on Instagram by integrating perspectives from positive law and Islamic economic law. This research not only examines aspects of consumer protection regulations but also links them to Islamic principles such as the prohibition of *gharar* and *tadlīs* in digital marketing activities. Thus, this research offers a new perspective in the study of Islamic fintech consumer protection in the age of social media.

This study aims to investigate the application of misleading information in Islamic fintech marketing on Instagram and examine consumer protection according to applicable law and Islamic economic law principles. In addition, this study is expected to provide normative suggestions to strengthen ethics in Islamic fintech marketing and improve consumer protection in a fair manner.

Methodology

This research is a normative legal study, with an emphasis on analyzing legal norms that regulate consumer protection and sharia economic principles in sharia

fintech marketing. The methodology used includes a legal approach (statute approach) and a conceptual approach. The legal approach is applied to examine regulations related to consumer protection, financial services marketing, and regulations on Islamic fintech, while the conceptual approach is used to analyze the concepts of misleading information, transparency, honesty, and the prohibition of *gharar* and *tadlis* from the perspective of Islamic economic law.

The legal sources used in this study consist of three types, namely primary, secondary, and tertiary legal materials. Primary legal materials include regulations related to consumer protection and financial services, as well as provisions from the Financial Services Authority regarding financial technology and financial product promotion. Meanwhile, secondary legal materials consist of books, scientific articles, previous research results, and writings related to the topics of sharia fintech. Meanwhile, tertiary legal materials include legal dictionaries, encyclopedias, and other supporting sources.

The technique of collecting legal materials is carried out through library research by searching for, inventorying, and classifying relevant legal materials. After that, the collected legal materials are analyzed qualitatively using descriptive-analytical analysis methods, which involve explaining existing normative facts and relating them to existing concepts and theories. This analysis process is carried out regularly to draw conclusions about the forms of misleading information practices in sharia fintech marketing on Instagram and their impact on consumer protection.

Results and Discussion

Literature Review

Digital marketing is currently an important part of business strategy, including in the financial services sector. Social media platforms not only serve as communication tools, but also as a primary means of shaping consumer perceptions of products or services. Various studies show that the use of social media for marketing has advantages, such as the speed of information dissemination, wide reach, and the ability to display attractive visual content. However, these advantages can also lead to incomplete, unbalanced, or even misleading information (Khairunnisa, 2022). The research findings indicate that these marketing practices contain misleading information that can be classified into several main categories.

To protect consumers, information from businesses must meet the principles of accuracy, clarity, and integrity. Studies show that misleading information can arise when businesses overemphasize product advantages without explaining limitations and risks, or by using exaggerated promotional claims that create unrealistic

expectations for consumers. Such actions can limit consumers' ability to make smart and informed decisions (Harahap et al., 2019).

In consumer protection law studies, the financial services sector faces greater risks than other sectors because it deals directly with public funds. Therefore, the obligation to provide transparent information when marketing financial services products is very important. Transparency does not only mean providing clear information, but also includes a balanced, easy-to-understand manner of delivery that leaves no room for diverse interpretations (Arkarizki et al., 2023).

From the perspective of Islamic economic law, marketing is viewed as part of muamalah (transactions) that must be based on ethical values. The principles of honesty (ṣidq) and trustworthiness (amanah) are the main foundations of every transaction. In addition, Islamic teachings prohibit ambiguity (gharar), fraud (tadlīs), and deception (taghrīr), as these can be detrimental. Several studies show that the use of the term "sharia" on products is not just a symbol, but must also be manifested in all aspects of business, including marketing strategies.

Previous studies have examined the ethical aspects of marketing from a sharia perspective, including consumer protection in the fintech industry. These studies generally emphasize the importance of compliance with applicable regulations and consistent application of sharia principles. However, most of these studies focus more on the operations or institutions of fintech itself, and have not specifically addressed misleading information practices in Sharia-compliant fintech marketing on social media, particularly Instagram. Therefore, further research combining positive law and Sharia economic law is needed to understand this phenomenon in greater depth.

Following up on the investigation of sharia fintech promotional material on Instagram and a review of literature and regulations, it was revealed that marketing practices on social media still show that the information provided does not fully comply with the principles of transparency and balance. One of the most common forms is the emphasis on claims of profits or returns that are presented persuasively, while explanations of the risks, terms, and conditions of the product are presented minimally or not explained clearly.

The practice of overstating returns is evident in the use of promotional statements such as: "Earn up to 10% per month consistently" or "Safe Sharia-compliant investments with stable returns." These statements are not accompanied by explanations regarding the possibility of losses or market fluctuations, and thus have the potential to mislead consumers. The findings indicate that the practice of providing misleading information does not only take the form of conveying false information, but also involves the omission of important information and the use of persuasive

communication strategies. This pattern has the potential to create the perception that the Islamic fintech products offered are safe and without significant risk.

In addition, the use of Sharia terms, such as specific contracts, free from usury, and in accordance with fatwas, was found to be a major selling point in promotions. However, many promotional materials that use these terms do not clearly explain the contract mechanism, the rights and obligations of each party, and the details of the fund management scheme. This shows a tendency to use Sharia symbols and words symbolically without adequate supporting information.

Other findings show that visual elements and narratives in advertisements often emphasize the emotional side of consumers, such as promises of convenience, quick disbursement processes, and the possibility of an improved quality of life, without providing adequate explanations about the impact of using these services. This type of content can create unrealistic expectations among consumers, especially those with a low understanding of digital and sharia financial literacy.

In addition to content, it was also found that some promotions did not include important information such as administrative costs, margins or profit sharing, financing duration, and dispute resolution mechanisms. The absence of such information can make it difficult for consumers to fully understand the characteristics of a product and assess its suitability for their needs.

Overall, the findings of this study indicate that sharia fintech marketing strategies on Instagram still face problems related to misleading information, both in terms of incomplete information, imbalance, and methods of delivery that have the potential to cause misunderstanding. These findings are important for further research on the extent to which these practices comply with applicable regulations and the principles of sharia economic law.

Findings regarding the tendency to emphasize profit claims without adequate explanation of risks indicate that sharia fintech marketing practices on Instagram do not yet fully comply with consumer protection principles. From a positive law perspective, consumers have the right to obtain correct, clear, and accurate information about the conditions and guarantees of products or services. Information that is incomplete or unbalanced can be considered a violation of this right, as it has the potential to influence consumers' ability to make rational decisions.

Furthermore, the lack of important data such as costs, contract procedures, and financing terms reflects the weak implementation of the principle of transparency in online marketing. Transparency not only provides clear information, but it must also be easily understood by consumers. Therefore, if promotions only highlight the

benefits without providing an explanation of the risks, this can be considered misleading information, even if it is not always intended to deceive directly.

From an Islamic economic law perspective, this practice contradicts the principles of honesty (*ṣidq*) and trustworthiness (*amanah*), which require businesspeople to convey data honestly and accountably. In addition, the lack of clarity about how the product works causes *gharar*, or uncertainty that could harm one of the parties to the agreement. The use of Sharia terminology without adequate explanation also has the potential to cause *tadlīs*, which is the act of concealing the true nature of a product.

This study emphasizes that the application of sharia labels in fintech should not be limited to formalities or mere visual appearances, but should be fully implemented in promotional strategies. Sharia fintech service providers have an ethical and legal obligation to ensure that all information disseminated to the public is consistent with sharia principles and applicable regulations. In addition to the obligations borne by business actors, the supervisory function of the regulator also plays a crucial role in suppressing the dissemination of misleading information. Efforts to tighten monitoring of online promotional material, along with the enforcement of severe penalties for any violations, are essential in order to produce an effective preventive impact. Not only that, increasing public understanding of digital finance and sharia principles is also part of an anticipatory measure so that consumers can be more vigilant in responding to fintech advertisements on various social media platforms.

Thus, this analysis confirms that the practice of *misleading information* in Islamic fintech marketing on Instagram is not only a matter of business ethics, but also a legal issue that directly impacts consumer protection and the sustainability of the Islamic fintech industry.

This study contributes academically by enriching the body of legal research on consumer protection in the Islamic fintech sector, particularly in relation to digital marketing practices through Instagram social media. This study confirms that the issue of *misleading information* is not only relevant in the context of conventional marketing but also an important issue in Islamic fintech marketing, which should uphold the values of honesty and transparency.

Theoretically, this research contributes to integrating the perspectives of positive law and Islamic economic law in analyzing Islamic fintech marketing practices. This integration provides a more comprehensive conceptual framework for understanding how consumer protection principles and Islamic values can complement each other in regulating business behavior in the digital era.

In practical terms, the results of this study can be used as a reference for regulators, particularly the Financial Services Authority and related institutions, in formulating policies for supervising Islamic fintech marketing on social media. In addition, this study also provides input for Islamic fintech business actors to pay more attention to ethical and transparency aspects in developing marketing strategies. For consumers, this research is expected to increase awareness and literacy in critically responding to sharia fintech promotional content.

Therefore, this study contributes not only to the advancement of knowledge but also has a significant impact on promoting a sharia fintech ecosystem that is fair, open, and prioritizes user safety.

Conclusion

Based on the analysis results, this study concludes that Islamic fintech marketing practices through Instagram still show a tendency to convey information that does not fully comply with the principles of transparency and honesty, thus potentially containing *misleading information* that could harm consumers. This condition indicates that the application of consumer protection principles and Islamic economic law values in digital marketing has not been optimal. Therefore, it is necessary to strengthen the commitment of Islamic fintech business actors in conveying accurate, balanced, and easy-to-understand information, accompanied by the active role of regulators in conducting supervision and increasing digital and Islamic financial literacy for the community, in order to create a fair, trustworthy, and consumer protection-oriented Islamic fintech ecosystem.

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