

Kulliyah Al-Khams In The Code Of Ethics Of Social Media: An Analysis Of Maqashid Al-Syari'ah

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Abstract

Islamic law aims to safeguard five fundamental human needs: *hifz ad-din* (protection of religion), *hifz an-nafs* (protection of life), *hifz al-aql* (protection of intellect), *hifz al-mal* (protection of wealth), and *hifz an-nasl* (protection of lineage). In line with this, the social media code of ethics formulated by the government and Islamic organizations in Indonesia is expected to reflect the same principles. Norms and laws do not emerge arbitrarily but serve a purpose to ensure their practical benefits. Given the extensive influence of social media, this study examines the ethical framework through a philosophical lens, specifically using *maqashid as-syari'ah* as an analytical tool. As a literature study, this research relies on sources from academic references. The findings indicate that the formulation of the social media code of ethics aligns closely with the concept of *maqashid as-syari'ah*. The five essential protections—*hifz ad-din*, *hifz an-nafs*, *hifz al-aql*, *hifz al-mal*, and *hifz an-nasl*—are inherently embedded within its provisions. The use of prohibitive terms, such as “haram,” explicitly aims to maintain and protect *kulliyah al-khamsiyah* or *ad-dharuriyah al-khamsiyah* from negative things or harm caused by social media users.

I. Introduction

Social media has become a trending topic today due to its significant influence on various aspects of life, including the economy, culture, politics, and religion. According to a report by the Indonesian Internet Service Providers Association (APJII), the number of internet users in Indonesia continues to grow each year. In 2024, internet penetration reached 79.5%, supported by various digital facilities. This number is expected to keep increasing as public enthusiasm for the internet remains high. Social media offers numerous benefits, serving as a source of information and education, facilitating activities, and enabling boundless creativity.

However, not all social media users utilize these platforms wisely. Many individuals exploit social media for fraudulent activities, spreading fake news (hoaxes), inciting provocation, and promoting hate speech, which leads to unrest, hatred, and conflict. According to Yudhi Kukuh, Founder of Awan Pintar.id, cybercrime in Indonesia increased sixfold in the first half of 2024 compared to the same period in 2023. This alarming trend highlights the urgent need for regulations and ethical guidelines to govern social media usage and mitigate its negative impacts.

To counter these digital threats, the government and several Islamic organizations, such as Muhammadiyah and the Indonesian Ulema Council (MUI), have established social media codes of ethics. These guidelines set boundaries for users and outline permissible and prohibited behaviors. Regulations such as Law No. 19 of 2016 on Electronic Information and Transactions, Muhammadiyah's *Fiqh Informasi*, and MUI Fatwa No. 24 of 2017 on social media serve a clear purpose. Legal norms and regulations exist to achieve specific objectives, ensuring that laws provide solutions to contemporary societal issues. The concept of *maqashid* (objectives of Islamic law) signifies an ongoing dialectical relationship between legal texts and real-life contexts, ensuring that laws remain relevant and beneficial.

The question that arises is whether the formulation of the intended code of ethics adequately covers the five fundamental human needs (*kulliyah al-khamsiyah*), namely *hifz ad-din* (protection of religion), *hifz an-nafs* (protection of life), *hifz al-'aql* (protection of intellect), *hifz al-mal* (protection of wealth), and *hifz an-nasl* (protection of lineage), as outlined in *maqashid as-syari'ah*. This issue is particularly intriguing to study and analyze, considering the increasingly uncontrollable negative impacts of social media, which have now affected all aspects of human life. Furthermore, understanding and applying *maqashid* is expected to encourage social media users to

be more intelligent in utilizing digital platforms to protect and preserve these five essential human needs.

Studies on the application of *maqashid as-syari'ah* as a legal methodology have been widely conducted. Among them is Amin Muhtar's work, "Maqashid as-Syari'ah: Independensi Ilmu dan Metodologi", which argues that *maqashid as-syari'ah* offers a dynamic approach to *ushul fiqh*, countering its tendency to stagnate. Within the Muslim intellectual community, *maqashid* has emerged as a new spirit in addressing increasingly complex contemporary legal issues.¹ Another relevant study is Aftoni Yazid's "Tinjauan Maqashid al-Syari'ah Terhadap Fiqh Lalu Lintas di Era Global", which discusses how traffic regulations, though not explicitly mentioned in Islamic texts (*nash*), are formulated based on general principles derived from the texts. These regulations, when followed, provide *maslahah* (benefit) to road users, as roads serve a public interest.²

Mahfud Junaidi, in his work "Maqashid Syariah Upaya Membentuk Peraturan Daerah: Pendekatan Sistem Perspektif Jasser Auda," applies Jasser Auda's *maqashid as-syari'ah* principles to analyze regional regulations formulated by local governments. His analysis reveals that the establishment of regional regulations, despite being rooted in local wisdom, still considers the universal values of religious teachings. In Jasser Auda's framework, justice and civility serve as the foundation for these regulations (*Perda*), ensuring societal well-being on both macro and micro levels.³ Similarly, Muhammad Nanda Fanindy, in "Formulasi Maqashid Syari'ah Perspektif Jamaluddin Athiyah: Studi Kasus Perda Daerah Istimewa Yogyakarta (DIY) No 7 Tahun 2018 Tentang Ketahanan Keluarga," examines Yogyakarta's Regional Regulation No. 7 of 2018 on Family Resilience using Jamaluddin Athiyah's *maqashid as-syari'ah* framework. His findings indicate that every article in the regulation aligns with *syari'ah* objectives.⁴

The same applies to the theme of social media codes of ethics. However, most studies in this area focus on how individuals should use social media in accordance with religious teachings and avoid its misuse so that its functions and benefits remain evident in daily life. One such study is by Uud Wahyudin and Kismayati El Karimah, "Etika Komunikasi di Media Sosial," which explores the ethical standards that

¹ (Muhtar 2015)

² (Yazid 2019)

³ (Junaidi 2017)

⁴ (Fanindy 2020)

communicators and audiences should adhere to, covering aspects such as communication techniques, content, and objectives.⁵

Dikdik Baehaqi Arif et al., in "Akhlakul Medsosiyah: Membangun Warga Negara Cerdas Bermedia Sosial," emphasize the importance of religious values in guiding social media use. They argue that unrestricted social media usage can threaten honesty, unity, solidarity, and individual rights.⁶ Additionally, Athoillah Islamiy's "Nilai-Nilai Pancasila Dalam Kode Etik Netizen Muhammadiyah" analyzes the Pancasila values embedded in Muhammadiyah's netizen code of ethics. His findings indicate that (1) religious teachings as a guide for social interactions in digital spaces align with the first and second principles of Pancasila; (2) the prohibition of bullying in the code of ethics corresponds to the third principle; and (3) the implementation of *amr ma'ruf nahi munkar* (commanding good and forbidding evil) in social media usage reflects the fourth and fifth principles.⁷

Based on the various studies mentioned above, the application of *maqashid as-syari'ah* as a legal methodology remains partial, primarily centered on individual thoughts and lacking a comprehensive representation of *kulliyah al-khamsiyah* or *ad-dharuriyah al-khamsiyah* as outlined in *maqashid as-syari'ah*. Similarly, studies on social media ethics have largely focused on the necessity of using social media in accordance with religious guidelines. In contrast, this study focuses on identifying the presence of *kulliyah al-khamsiyah* within the ethical codes formulated in *Fiqh Informasi Muhammadiyah*, the *Fatwa* of the Indonesian Ulema Council (MUI) No. 24 of 2017 on social media, and Law No. 19 of 2016 on Electronic Information and Transactions.

2. Research Method

This study was library-based and employed a philosophical approach. It is classified as a library study because the data sources are derived from literature, making them secondary data.⁸ The philosophical approach refers to the use of *maqashid as-syari'ah* as an analytical tool to examine the ethical codes established by the government and Islamic organizations. Therefore, *Fiqh Informasi Muhammadiyah*, *Fatwa MUI* No. 24 of 2017 on Social Media, and Law No. 19 of 2016 on Electronic Information and Transactions serve as the primary legal sources in this study. To

⁵ (Wahyudin 2016)

⁶ (Arif et al. 2019)

⁷ (Islamiy 2021)

⁸ (Soekanto and Mamudji 2013)

determine the extent to which these ethical guidelines align with *kulliyah al-khamsiyah* or *ad-dharuriyah al-khamsiyah* in *maqashid as-syari'ah*, this study utilizes content analysis as the analytical method.⁹

3. Results and Discussion

The Urgency of Maqashid as-Syari'ah in Legal Construction

The term *maqashid as-syari'ah* consists of two words: *maqashid* and *as-syari'ah*. *Maqashid* means purpose, strong intention, or the objective of something. In his book *Maqashid al-Shari'ah as Philosophy of Law: A System Approach*, Jasser Auda defines *maqashid* as the wisdom behind a law, the goal of legal rulings, divine objectives, and moral concepts that serve as the foundation of law, as well as *masalih*.¹⁰ Ibn Ashur, in his work *Maqashid as-Syari'ah al-Islamiyah*, describes *maqashid* as objectives, targets, desired outcomes, or the ultimate purpose of Islamic law.¹¹

Meanwhile, *as-syari'ah* means path, *sunnah*, religion, or the legal rulings contained in *nash* (scriptural texts). Thus, *maqashid as-syari'ah* can be understood as the objectives of religious rulings or *syari'ah*. Scholars have offered various definitions that, in essence, share the same meaning. Jasser Auda defines *maqashid as-syari'ah* as the intended meanings in legal rulings established through textual sources (*nash*).¹² Ibn Ashur states that *maqashid as-syari'ah* refers to the meanings and wisdom embedded in every legal ruling.¹³

From these definitions, *maqashid as-syari'ah* can be understood as the ultimate objectives contained within *nash*, whether from the Qur'an or *hadith*, or the underlying meanings behind the establishment of a legal ruling. *Maqashid as-syari'ah* explores the purpose and rationale behind legal rulings. Law does not emerge arbitrarily; rather, there are significant factors that justify its necessity. A law is not created for its own sake but serves a greater purpose. Without a clear objective, legal rulings would be meaningless and ineffective.

Scholars of *ushul fiqh* assert that Islamic legal rulings, as documented in *nash*, inherently reflect *maqashid* across various aspects of life. These objectives can be identified either explicitly or implicitly within the texts. When legal objectives are not

⁹ (Creswell 2014)

¹⁰ (Haqan 2018)

¹¹ (Ashur 2005)

¹² (Auda 2008)

¹³ (Ashur 2005)

explicitly stated in *nash*, scholars (*mujtahid*) are required to interpret and uncover the underlying intent. Wahbah az-Zuhaili emphasizes that knowledge of *maqashid as-syari'ah* is essential for *mujtahid* in the process of *istinbath* (deriving legal rulings).¹⁴ Similarly, Abdul Wahab al-Khallaf states that Islamic legal texts cannot be properly understood without comprehending *maqashid as-syari'ah*.¹⁵

Al-Juwaini, in his book, states that a person cannot be considered a *mujtahid* unless they understand the purpose behind every command and prohibition in *nash*. He argues that disagreements among scholars often arise due to a lack of awareness regarding the fundamental objectives of *syari'ah* in these rulings.¹⁶ A similar view is expressed by As-Syatibi, who asserts that a comprehensive understanding of *maqashid as-syari'ah* is a prerequisite for a *mujtahid*. According to him, one cannot attain the rank of *mujtahid* without perfect knowledge of *maqashid* and the ability to use it as a methodological framework in formulating legal rulings.¹⁷ The significance of *maqashid as-syari'ah* is so great that a *mujtahid's* credibility is largely determined by their mastery of this concept.

The urgency of understanding *maqashid as-syari'ah* is closely related to the limited number of textual sources in the Qur'an and *sunnah*. Al-Khadimi highlights its crucial role in the development of *syari'ah* law, particularly in areas not explicitly covered by *nash*. Since the revelation has ceased, the transmission of divine rulings to the Muslim community must rely on returning to the texts while considering their underlying philosophy.¹⁸ Similarly, Abdurrahman Babakr argues that *maqashid* serves as a guarantee for the continuity of Islamic law, given the finite number of scriptural texts. He warns that neglecting *maqashid* would distort religion by treating it as rigid and static, whereas legal matters continue to evolve.¹⁹

The application of *maqashid as-syari'ah* in legal development beyond *nash* has historically held a significant position. This is evident in various methods used by classical scholars in deriving legal rulings. The Hanafi school, through its theory of *istihsan*, demonstrates the importance of *maqashid as-syari'ah*, as legal transitions are based on considerations of *maslahah* (public interest). Similarly, the Maliki school,

¹⁴ (az-Dzhuhaili 1986)

¹⁵ (Khallaf 1968)

¹⁶ (Al-Juwaini n.d.)

¹⁷ (as-Syatibi 2000)

¹⁸ (Kholqi 2017)

¹⁹ (Babakr 2002)

with its concept of *maslahah mursalah*, aligns with *maqashid as-syari'ah* by emphasizing *maslahah* as the core objective of legal determinations.²⁰

Imam Al-Shafi'i also introduced the *qiyas* (analogy) theory, which is closely related to *maqashid as-syari'ah*, as the legal reasoning (*'illat*) used in *qiyas* is connected to the objectives of Islamic law. *Maqashid as-syari'ah* not only discusses legal purposes but also examines motives, both of which ultimately lead to public interest (*maslahah*). Similarly, the *sadd ad-dzari'ah* theory proposed by the Hanbali school aligns with *maqashid as-syari'ah*. The concept of *dzari'ah* addresses the consequences of actions in terms of benefits and harms, just as *maqashid as-syari'ah* focuses on the ultimate objectives of legal rulings, which aim to achieve *maslahah* and prevent *mafsadah* (harm).²¹

The implementation of *maqashid as-syari'ah* in Islamic legal formulation has been systematized by *ushul* scholars under the concept of *kulliyah al-khamsiyah* or *ad-dharuriyah al-khamsiyah*. These five essential necessities represent the fundamental reasons behind the revelation of *syari'ah* to ensure human well-being. Every legal text, whether explicitly or implicitly, contains elements of these five necessities. These five aspects serve as the core principles of human rights within the framework of Islam. The following section provides an overview of these necessities:²²

1. *Hifz ad-din* refers to the protection of religion, including the right to practice religious teachings and to foster harmonious relationships among people of different faiths (*haq at-tadayyun*). Safeguarding and preserving religion means engaging in actions that strengthen its existence while avoiding anything that distorts or undermines its foundation.
2. *Hifdz an-nafs* concerns the protection of life, including the right to live and to achieve a complete quality of life (*haq al-hayat*). To ensure human survival, Islamic teachings emphasize fulfilling essential needs and prohibit actions that threaten life, such as suicide, murder, or any other acts that endanger human existence.
3. *Hifdz al-'aql* is the preservation of intellect (*haq al-ta'lim*). This principle entails protecting the mind from anything that could harm or corrupt it. The prohibition of alcohol in Islamic law serves as a measure to prevent damage to

²⁰ (Babakr 2002)

²¹ (Kholqi 2017)

²² (al-Ghazali 1997)

the intellect, as the ability to reason is what distinguishes humans from other creatures.

4. *Hifdz al-mal* pertains to the protection of wealth and the right to work and create economic opportunities (*haq al-amal*). This principle ensures the safeguarding of human assets from destruction, fraud, extortion, theft, robbery, gambling, monopoly, and other harmful financial practices.
5. *Hifdz an-nasb* focuses on the protection of lineage and personal dignity, including family and descendants (*haq al-intirom al-insani*). Islamic law regulates social conduct to prevent disorder that could damage family lineage and honor. Any actions that threaten genealogical integrity—such as sodomy, lesbianism, homosexuality, bisexuality, and adultery—are strictly prohibited. Conversely, Islam encourages marriage as a means to sustain human lineage and social stability.

Code of Ethics for Social Media

Freedom of expression, access to information, and the use of various media platforms are fundamentally rights granted to every individual. Article 28E, paragraph 2 of the 1945 Constitution guarantees every person the freedom to express their thoughts and opinions through social media platforms. However, the use of these platforms is often misused. Social media today has become a space where users vent their thoughts, frustrations, and emotions, whether in written form or through photos, without considering ethical boundaries. Ethics, which was once considered important, has gradually lost its significance. The rapid advancement of digital technology has shifted the way many users think, leading to discomfort, unintended consequences, and the rise of new forms of cybercrime.

In response to this phenomenon, the government and Islamic organizations such as Muhammadiyah and the Indonesian Ulema Council (*Majelis Ulama Indonesia*) have established guidelines on the ethical use of social media to ensure that digital technology is utilized positively and does not lead users into harmful practices. In 2008, the government enacted Law No. 11 on Electronic Information and Transactions (*Undang-Undang Informasi dan Transaksi Elektronik*, or *UU ITE*), which was later amended by Law No. 19 in 2016. This law not only guarantees the right to access and use digital technology but also imposes certain limitations on these rights and freedoms based on moral considerations, religious values, security, and public order in a democratic society.

This law consists of 13 chapters and 42 articles, with several provisions outlining prohibitions regarding social media usage. Among them are Article 27 (Paragraphs 1–4), which prohibits the distribution, transmission, and accessibility of electronic information or documents containing obscene content, gambling, defamation, extortion, or threats. Article 28 (Paragraphs 1–2) forbids the dissemination of false information and any content that incites hatred or hostility based on ethnicity, religion, race, or intergroup relations. Article 29 prohibits threats of violence or intimidation, while Article 30 (Paragraphs 1–3) prohibits unauthorized access, retrieval, and intrusion into another person’s electronic system by any means.²³ These regulations aim to ensure that social media remains a safe and ethical platform, protecting users from harmful content and cybercrimes.

A similar approach has been taken by several Islamic organizations. In 2017, Muhammadiyah, through its *Majelis Pustaka dan Informasi*, introduced *Fikih Informasi* as a guideline for ethical social media use. This document outlines key ethical principles, including prohibitions against *ghibah* (gossip), *fitnah* (slander), *namimah* (tale-bearing), and spreading hostility. It also forbids hate speech, bullying, and inciting inter-ethnic, racial, or religious conflict. Additionally, the guideline restricts the distribution of pornographic materials, immoral content, and anything deemed unlawful under Islamic teachings. Furthermore, the spread of hoaxes and false information is prohibited, even if done with good intentions. The guideline also discourages sharing appropriate content in an unsuitable context or at an improper time.²⁴

Similarly, in the same year, the *Majelis Ulama Indonesia* (MUI) issued Fatwa No. 24 concerning the legal and ethical guidelines for social media interactions. This fatwa outlines several prohibitions for social media users, such as refraining from exposing others’ flaws, mistakes, or any undesirable aspects of their lives. It also prohibits *ghibah*, *fitnah*, *namimah*, *bullying*, *hate speech*, and inciting hostility based on ethnicity, race, or religion. Users are forbidden from spreading hoaxes, false information, pornography, or immoral content. Additionally, the fatwa restricts the creation and dissemination of misleading content, as well as sharing content that justifies falsehood or distorts the truth. Lastly, it prohibits the circulation of inappropriate

²³ (Pemerintah Pusat Indonesia 2016)

²⁴ (Arif et al. 2019)

content, including images exposing *aurat* (body parts that should be covered according to Islamic teachings).²⁵

These regulations and ethical guidelines serve as the foundation for upholding social norms and values in Indonesia's diverse society. Social media users are expected to adhere to these principles to ensure that technology remains a tool for positive engagement rather than a platform for misinformation, hate speech, or defamation. By following these ethical standards, social media can contribute to the well-being of society, fostering harmony in religious, national, and social life. The implementation of these guidelines encourages responsible digital behavior, promoting the beneficial use of technology while preventing the spread of misleading or harmful content.

Kulliyah Al-Khamsiyah in the Code of Ethics for Social Media

Islamic law (Shari'ah) aims to preserve five fundamental human necessities: *hifz ad-din* (protection of religion), *hifz an-nafs* (protection of life), *hifz al-mal* (protection of property), *hifz al-'aql* (protection of intellect), and *hifz an-nasl* (protection of lineage). The ethical codes formulated by the government and Islamic organizations in Indonesia are expected to align with these principles. These codes are designed to bring benefits to social media users while preventing potential harms. Therefore, the ethical guidelines set forth are consistent with the objectives of *maqashid as-shari'ah*—the preservation of these five fundamental needs (*kulliyah al-khamsiyah* or *ad-dharuriyah al-khamsiyah*). By adhering to these principles, social media regulations contribute to the moral and social well-being of individuals and society, ensuring that digital platforms are used responsibly and ethically.

The meaning and purpose embedded within each norm can often be understood through the language used in legal and ethical provisions. Words that indicate "commands" usually promote good values, while words that denote "prohibitions" are meant to prevent harm. *Undang-Undang No. 19 Tahun 2016* on Electronic Information and Transactions (UU ITE), *Fiqh Informasi Muhammadiyah*, and *Fatwa MUI No. 24 Tahun 2017* on Social Media consistently use words like "prohibition" or "haram" to emphasize restrictions. These terms carry significant ethical and legal weight, reflecting the intent to safeguard *kulliyah al-khamsiyah* from the negative impacts of social media. By incorporating these prohibitions, the established ethical

²⁵ Komisi Fatwa Majelis Ulama Indonesia, "Hukum Dan Pedoman Bermuamalah Melalui Media Sosial," Fatwa Majelis Ulama Indonesia 24 Tahun 2017 (2017).

guidelines aim to prevent digital misconduct, misinformation, and other harmful consequences, ensuring that social media serves as a constructive and beneficial tool for individuals and society.

a. Hifz ad-Din or Haq at-Tadayyun

The development of digital technology has provided a valuable medium for strengthening the existence of religion. Through social media, *da'i* (Islamic preachers) can easily and quickly disseminate religious teachings to a broad audience. Additionally, Islamic scholars (*ulama*) and religious legal institutions can address legal issues, deliver fatwas, and explain religious rulings through online platforms. In fact, online fatwas have become a growing trend among the public today. Therefore, social media serves as an essential space for *da'i* and *ulama* to introduce and deepen Islamic teachings, ensuring that religious values remain preserved and relevant in society.²⁶

However, the misuse of social media has also contributed to the weakening and disruption of religious harmony. Some users exploit digital platforms to spread content that incites hatred and hostility based on religious differences, as well as to circulate hoaxes (*fake news*) related to religion. The Cyber Crime Directorate of the Indonesian National Police (*Dittipidsiber Bareskrim Polri*) recorded 6,556 cases of hate speech and religious defamation reported by the public over five years, and this number is expected to increase significantly.²⁷ Recently, social media has been flooded with posts and news that promote religious intolerance. Provocative narratives of hatred have triggered religious conflicts, unrest, sectarian divisions, and fanaticism within society. Many groups use social media to support their own beliefs while demeaning others, leading to disharmony, weakening religious unity, and threatening national integration.

Similarly, the spread of religious hoaxes has severe consequences, including fueling conflicts, intolerance, and even acts of terrorism. The Director-General of Islamic Community Guidance at the Ministry of Religious Affairs of Indonesia, Ahmad Syamsuddin, stated in an online seminar (03-06-2021) that religious hoaxes have an extremely negative impact. Not only do they distort rational thinking and mental clarity, but they also make it difficult for individuals who have been

²⁶ (Pitchan, Abd Rahman, and Mohd Kashim 2018)

²⁷ (Armayanto and Cidah 2023)

influenced by such misinformation to change their views.²⁸ Many people tend to believe and react emotionally to religious hoaxes without verifying the facts. For this reason, social media ethics emphasize strict prohibitions against spreading religiously motivated hate speech and false information. These regulations aim to safeguard religious harmony and prevent the rise of intolerance in society.

b. Hifz an-Nafs or Haq al-Hayat

Protecting human life, the right to live, and ensuring a high quality of life are fundamental human needs. In addition to serving as a communication tool, social media also functions as a source of information, including crime-related news that can affect human safety. Through social media, information about crimes and criminal suspects can spread rapidly, helping the public remain vigilant and avoid becoming victims. Furthermore, social media can assist law enforcement and government authorities in resolving criminal cases more effectively. By facilitating the dissemination of important information, social media plays a crucial role in safeguarding lives and enhancing public security.

However, social media also harbors various dangers that threaten life and disrupt individuals' right to safety. Acts such as *ghibah* (gossip), *fitnah* (slander), *namimah* (malicious gossip), and cyberbullying are common occurrences that can severely impact victims' mental and physical well-being. Studies indicate that individuals subjected to these forms of online harassment often suffer from paranoia, loss of self-confidence, increased aggression, and may even engage in criminal activities as a means of coping with their trauma. In extreme cases, the psychological distress caused by cyberbullying and online defamation can lead to suicidal tendencies.²⁹ The widespread presence of harmful online behaviors highlights the urgent need for ethical guidelines that protect users from such threats.

Another significant issue that endangers human life and well-being is the dissemination of pornographic content on social media. The spread of explicit material can have severe mental health consequences for victims, including self-blame, shame, long-term depression, and persistent fear. Research has shown that individuals affected by the non-consensual distribution of pornographic content often experience overwhelming guilt, panic, prolonged anxiety, self-harm, and, in some

²⁸ (Assifa 2021)

²⁹ (Hadi et al. 2020)

cases, suicidal thoughts.³⁰ Given these harmful effects, social media regulations must emphasize the prohibition of sharing pornographic content to protect users' mental and emotional well-being.

c. *Hifz al-A'ql* atau *Haq al-Ta'lim*

Hifz al-A'ql or *Haq al-Ta'lim* refers to the importance of preserving and developing the intellect through media that can enrich knowledge. Online media offers many benefits to its users, particularly in terms of improving skills and academic knowledge. The knowledge platforms available today are easily accessible by anyone, whether students, academics, or professionals. As a result, many individuals take advantage of social media to meet their educational needs, aiming to continuously improve themselves. The ease of access to various forms of information makes learning more flexible and effective, allowing people to sharpen their minds in various fields.

However, behind these advancements, technology also brings negative impacts that can damage the intellect and creativity of individuals. For example, phenomena such as gambling and the spread of pornography, which can easily be accessed via the internet, have serious effects on mental and physical health. Addiction to online gambling, for instance, can impair an individual's mindset, making them dependent on speculation and uncertain hopes. Research shows that gambling addiction can be more harmful than addiction to drugs or alcohol, as those involved lose concentration in engaging in productive activities and focus solely on unprofitable endeavors. This can lead to more severe mental health issues, such as stress and depression, disturbing their life balance.³¹

In addition to gambling, another negative impact that can damage the intellect is addiction to pornography and immoral behavior. Studies show that addiction to pornography can result in various psychopathological symptoms, such as depression, anxiety, stress, and low self-esteem. Those trapped in this addiction often find it difficult to stop the behavior, even though they are aware of its negative effects. In many cases, pornography addiction has a damaging effect equivalent to drug addiction, reducing concentration, memory, and the productivity of an individual.

³⁰ (Rosidi, Mokhtar, and Abdul Majid 2022)

³¹ (Rosidi et al. 2022)

Therefore, the spread of such content is extremely harmful to the development of the intellect and the physical and psychological well-being of a person.³²

d. *Hifz mal* atau *haq al-amal*

Hifz mal or haq al-amal refers to the protection of wealth and the right to gain employment and create job opportunities, which are fundamental human rights. Social media has become one of the primary platforms to access financial information. Various social media platforms offer literacy and knowledge about sound financial management, such as saving, investing, or lending. In addition, these platforms also provide opportunities to earn more income or accumulate wealth. Entrepreneurs and traders take advantage of social media to promote their products, ranging from small items to large-scale goods. However, in doing so, some may ignore ethical considerations, leading to practices that may violate norms. For instance, spreading false news disguised as fraud or gambling in the form of games is one way that could potentially damage or ruin wealth.

False or fake news can cause significant financial losses for individuals or even companies. It is stated that fake news can make people believe in fraudulent schemes or false offers, leading to the loss of money or financial damage. According to the OJK, from 2011 to 2020, the public suffered a loss of IDR 114.9 trillion through illegal investments triggered by hoaxes. Moreover, fake news can lead to the destruction of a company or significant losses for economic players who heavily depend on information.³³ The spread of fake information, especially in financial matters, poses a serious threat to the integrity of wealth and can severely impact individuals or organizations involved.

Another prohibition that can threaten wealth and lead to financial loss via social media is distributing, transmitting, or making accessible electronic information or documents that contain gambling content. In the modern era, the opportunities for gambling are widespread due to technology. There are various forms of gambling, ranging from games to real betting and gambling. For instance, social casino games are often promoted and sold through applications as video games. Players may spend real money to have a chance to win larger amounts of cash. Most individuals

³² (Saifullah 2024)

³³ (PuskoMedia Indonesia 2024)

involved in gambling face financial problems because online gambling games often lead to financial losses or even bankruptcy.³⁴

e. *Hifz an-Nasb* atau *Haq al-Intirom al-Insani*

In social media, there is a wide range of information that can be both directly or indirectly beneficial for preserving personal and family honor, such as avoiding promiscuity. Through various platforms, users, particularly teenagers, are exposed to the dangers of high-risk sexual practices, infections, and the threat of HIV. This information can raise awareness, especially among teenagers and adults, about the importance of protecting personal and family honor from destruction. Therefore, it is prohibited to distribute, transmit, or make accessible information containing immoral or pornographic content on social media. For those involved in immoral and pornographic activities, this can threaten not only their own honor but also that of their family. These individuals, by engaging in such behavior, have tarnished the dignity of their family and future generations, leaving behind a negative legacy since digital footprints are difficult to erase.³⁵

Another issue that can damage the honor of an individual and their family is defamation. Defamation is an act that diminishes the rights of others, where a person's reputation becomes tarnished. Characteristics that were once known positively by the public become damaged, and this not only affects the individual but also their extended family and even the wider community.³⁶ Honor or reputation is an inherent right of every person. Every individual has the right to privacy, which includes their reputation, and this must be protected, respected, and not violated by others.

4. Conclusion

The development of digital technology has, in essence, provided benefits and advantages for the five basic human needs (*kulliyah al-khamsiyah* or *ad-dharuriyah al-khamsiyah*). However, in reality, many people misuse this technology for personal gain. As a result, both the government and Islamic organizations (*Muhammadiyah* and MUI) have issued guidelines to serve as a framework for social media usage. These guidelines (code of ethics) align closely

³⁴ (Rosidi et al. 2022)

³⁵ (Nur and Muttaqin 2020)

³⁶ Abdul Hadi dkk, Undang-Undang Informasi dan Transaksi Elektronik Dalam Konteks Maqashid as-Syari'ah, *Al-Manahij: Jurnal Kajian Hukum Islam*, vol.14, No. 2, Desember 2020, h. 217-218

with the concept of maqashid syari'ah, where the five basic human needs—hifz ad-din, hifz an-nafs, hifz 'aql, hifz mal, and hifz an-nasl—are all addressed. The term "prohibition" or other words indicating prohibition, such as "haram," explicitly aim to protect and preserve these five essential human needs from negative impacts or harm caused by the misuse of social media.

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