

THE LAW HAS BEEN MUAMALAH THROUGH SOCIAL MEDIA (STUDY OF MUI FATWA ANALYSIS NUMBER 24 OF 2017)

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Abstract

The digital era is an era in which all human life can be carried out easily, one of which is in the process of communication and information dissemination. The widespread use of social media as a tool for disseminating information and communication has had many positive impacts. In addition to the positive impact, many also have a negative impact on its users. One of the impacts that is increasingly being felt these days is cyber bullying or bullying through cyberspace. Therefore, to find out how existing regulations in Indonesia view cyber bullying cases, this research is more specific and based on MUI Fatwa No. 24 of 2017. The method used in this research is a library study type. research. This type of research is carried out by observing various sources and literature related to the problem to be studied. The results of this study are in fatwa no. 24 of 2017, the Indonesian Ulema Council regulates the use of the internet for social media purposes. Instead, the contents of this fatwa emphasize the wise use of social media to avoid namimah, bullying, slander, and hoaxes. However, the use of the internet by e-commerce for trading purposes is only one aspect of the overall picture. In fact, according to a 2016 survey, more people use the internet for e-commerce than they use social media. MUI's response to the needs of the community in dealing with muamalah in the online world is another important aspect.

Keyword: Social Media, Bermuamalah, Fatwa MUI.

INTRODUCTION

Social media, also known as social network, is a type of online media where users can easily participate, join, share and create blogs or other virtual social networks that they can use in their social life (Nurfritri & Mulawarman, 2017). There is interaction activity between people on social media which is included in the muamalah category, or friendship between people. Social networking sites are the most used form of social media. On this site, anyone can create an account and even a personal web to connect with other people and share information. Facebook, Twitter, Instagram, YouTube, Line, KakaoTalk, and others are examples (Fadilah, 2017). We Are Social and social media management platform Hootsuite created a report entitled Digital 2021: According to the latest insights into the digital state, 170 million out of 274.9 million Indonesians are already using social media. This number has increased by 10 million

or around 6.3% since the beginning of 2020. The majority of users are young people between the ages of 25 and 34, and almost all of them access them via smartphones or mobile devices (Stepahni, 2021). Meanwhile, the latest report from marketing agency We Are Social shows that for 2022, the number of active social media users in Indonesia will increase rapidly, increasing by around 12.35% compared to the previous year which increased by around 6.3%. As of January 2022, it is known that 191 million out of 275.77 million people use social media (Mahdi, 2022).

In essence, the use of social media in society is intended to facilitate virtual communication and contact. With the hope of bringing benefits, social media, for example, can be used for various purposes, including for entertainment, information dissemination, business, educational activities, and so on. Social media has the potential to present negative things that lead to criminal acts, as well as positive things such as progress and prosperity for mankind (Satriani, 2018). According to CNN Indonesia, the Digital Civility Index (DCI) report, which is based on research findings conducted by Microsoft throughout 2020, places Indonesia in 29th place out of 32 countries surveyed in terms of the level of decency. featured on social media. This shows that Indonesia is the least polite in Asia (Ikhsan, 2021). People's behavior is influenced by the level of sophistication of current technological advances. Cybercrime is one of the many deviant acts committed by a few people on social media. This term is the international equivalent of cyber law, which refers to laws relating to the use of information technology (Information Technology Law) and cyber law. This term emerged as a result of the large number of internet activities and the use of virtual-based information technology (Satriani, 2018).

The case of Audrey, a junior high school student in Pontianak, Sulawesi, is an example of a case that was widely reported in Indonesia in 2019. It all started with reporting on social media, especially the Twitter application. Twelve female students at his high school are said to have beaten him, according to reports (Maidha, 2021). The hashtag, #JusticeForAudrey, was created by the community to express their sympathy for Audrey regarding this incident. The public also insulted and threatened the perpetrators after the hashtag became popular on Twitter, posting hateful messages or comments on each perpetrator's account until it was blocked. However, public sympathy for Audrey began to wane over time. This was because negative information about Audrey's personality had spread. Finally appeared the new hashtag #AudreyJugaBersalah. This new hashtag came about because she is also not worth defending, and as a result she ended up being the target of bullying. (Maidha, 2021). The Indonesian Ulema Council finally issued a fatwa on how Muslims should use social media properly after seeing the many acts of cyberbullying or bullying in cyberspace. The Indonesian Ulema Council is concerned with the growth of social media content that is simultaneously positive and negative. This is the motivation behind the issuance of this fatwa. As KH. "There... (social media) has benefits but there are sins," said Ma'ruf Amin when he served as Chair of the Indonesian Ulema Council the previous period (Fadilah, 2017).

This fatwa was issued during the month of Ramadan, which is used as an opportunity to avoid negative use of social media, which in turn creates division and animosity. This fatwa was issued because the danger must be removed. In accordance with MUI Fatwa No. 24 published in 2017, both the first point of the General Provisions and the second point of the Legal Provisions: Hospitality, outreach, da'wah, education, recreation, and positive cultural,

political, economic and social activities can all be achieved through social media. Therefore, every Muslim is prohibited from backbiting, namimah, slander, bullying, spreading hoaxes, spreading hostilities, or other activities that spread content that is not true. As a result, every Muslim who uses social media is expected to behave properly and refrain from bullying and hatred based on ethnicity, race or group. The third point contains and describes muamalah guidelines, such as how someone's ethics are in muamalah, what content may and may not be uploaded, and so on. In addition to the first and second points which discuss general provisions and special provisions (Fadilah, 2017).

IMPLEMENTATION METHOD

This research is included in the category of library research or library research. According to (Fadilah, 2019), this kind of research is carried out by observing various sources and literary works related to the problem at hand. Document studies are used to apply data collection techniques, namely data collection procedures that involve the collection and analysis of relevant documents (Akbar, 2018). The data collected is in the form of journals regarding muamalah through social media based on the MUI Fatwa number 24 of 2017.

RESULTS AND DISCUSSION

1. Be friendly on social media

Muamalah are general or specific rules that have been set in general or globally and detailed to guide people in the exchange of benefits between them. They cover everything related to world affairs, including trade, all material things, marriage, divorce, sanctions, justice, and office management (Ibrahim, 2012). Meanwhile, in a narrow sense, the concept of muamalah includes all human transactions or agreements that involve the exchange of benefits (Minhajuddin, 1989). It has become a common practice to do business on social media for all aspects of supporting human life. The widespread use of internet connections to solve interpersonal connectivity problems, which is the main foundation of muamalah, shows this fact. Muslims in Indonesia began using the internet for muamalah in 1997 by connecting the Center for Appropriate Technology (PUSTENA) of Salman ITB Mosque with a number of Islamic boarding schools in Indonesia via e-mail (Khalik, 2012). Even though they only communicated with Muslims in Indonesia via email, the progress made by ITB students at that time had a significant positive impact on the way they used social media in muamalah interactions.

Even though it was still offline at that time, the use of software to search and quote hadiths with their translations from software made by the nation's children called "Hadis Nine Imams" shows the other side of using social media to support the muamalah of Muslims in Indonesia. Even though this software is web-based, at that time it was still used offline to make it easier for Muslims to upload the Prophet's hadiths, study the history of relevant hadiths, and decipher the transmission paths. It can be said that Muslim scholars working in hadith and hadith research have been able to reduce their research time by about 70% thanks to this software (Lidwa, 2010). This software brings together people who are far apart with colleagues, family and close friends. Facebook, WhatsApp, Instagram, and a number of other

applications that turn email and telephone functions into virtual gathering places. This is because it also causes business patterns to change from completely manual to social media-based and information-based system. In 2017, Indonesia grew to become the largest country in the expansion of online media-based trade (e-commerce) (Abdurrahman, 2017).

The use of Muslim social media for muamalah has also increased significantly along with the development of internet infrastructure in Indonesia. Fiber optic network is now available for Indonesian internet connection. Users can take advantage of internet services with speeds of more than 10 Mbps thanks to this network. With this connection, social media users can take advantage of video calls without worrying about being cut off or having the video play slowly. Meanwhile, the 4G network can now be accessed by any device with speeds of up to 10 Mbps. Even if you want to use this advanced internet service with speeds over 20 Mbps, PT, everything is affordable. Telekomunikasi Indonesia (Telkom) only sets a monthly rate of 350-500 million rupiah and unlimited quota (Khalik, 2018). Considering that 45 percent of Indonesians have new bank accounts and 85 percent of the population already have cell phones or other mobile devices, the 40% growth rate is expected to continue. This indicates the existence of online business opportunities (e-commerce) with potential growth rates of up to 40% when credit or debit cards are used for transactions (Mahatma, 2016).

Entrepreneurs in the e-commerce industry are driven by this data to continue flying high and develop increasingly reliable e-commerce systems. The online transportation service industry has also entered the market significantly, even slowly eliminating many taxi companies. Seize. Gojek and Uber have entered the Indonesian transport market and provide a cheaper alternative to traditional taxis. Meanwhile, Gojek provides instant courier services (Go Seng), paid services with a balance (Go Pay), and food delivery services (Go-food). The business revolution in online business (e-commerce) has developed so rapidly that decision makers and service users are unable to measure the social impact of online behavior and transaction patterns (Khalik, 2018).

While the revolution in online business has had a significant positive impact on the industry, it has also had a significant negative impact on businesses in Indonesia. The various forms and formats of cybercrimes have also changed, raising serious concerns. The online world seems to be a scourge and no man's land so that business people can innovate without worrying about breaking the rules. The use of online businesses for illegal purposes such as prostitution is the most significant impact. This business context is now something that anyone can do and use, not just highly skilled individuals. In this illegal trade, even housewives can become prostitutes. Housewives can fulfill their role as child pimps with gadgets (hp). They use Facebook to pretend to be women and market masher men to satisfy their lust. Women's calls are also made for girls who are students but not half-hearted (Surry, 2018).

(Twitter's role in disseminating various points of view is the next illustration. Through its microblogging platform, Twitter is able to spread conversations about social and political issues every year (Triwijanarko, 2016). The assertion that there has been a revolution in the digital world which has a direct impact on pattern the life of the nation and state community is supported by all the facts mentioned above. This also happens in the socio-cultural context and practices of the Indonesian telematics user community. Along with the development of internet infrastructure, the main pillar of Indonesia's online world, almost every aspect of life has

changed. As the highest authority of the state, the government must be a fair arbiter in enforcing online regulations to prevent their expansion. In line with that, the Indonesian Ulema Council which is in charge of religious policy in Indonesia is expected to take a firmer stance to ensure that the online world is not devoid of moral content.

2. Social media criticism of the Indonesian Ulema Council's response to Muamalah

In fatwa no. 42 of 2017, which was issued on May 13 2017 and signed by Prof. Dr. H. Hasanuddin AF, MA, the Indonesian Ulema Council issued a fatwa on Muamalah Through Social Media. As Chairman of the Fatwa Commission DR and MUI. As secretary, H. Asrarun Ni'am Sholeh, MA This fatwa is MUI's response to various developments in cyberspace (online). No MUI Fatwa The use of online cyberspace for muamalah is covered in Article 24 of 2017. The topic of using social media in cyberspace (online) is more prominent in the content of this fatwa. Since the use of social media really needs proper regulation so that it is not used negatively, it is natural to be in the spotlight.

The findings of the 2010 MUI National Information Conference and Halaqah with the Ministry of Communication and Information of the Republic of Indonesia on 23 January 2017 became the basis for this MUI fatwa. One aspect that is quite basic, the inclusion of e-commerce (online trading) in the fatwa amar, has been excluded from criticism of the MUI fatwa regarding the use of social media on the internet for muamalah needs. According to internet user data in Indonesia, 71.6 million people tend to visit social media sites and 82 million people usually visit online shops. At the same time, the data gives the impression that social media users in cyberspace do represent the majority of users; however, they ignore the vast majority of users, who primarily shop online, and rightly so (Khalik, 2018). According to (Isparmo, 2016) In the visualization of the user diagram, the following can be seen: The majority of internet users shop online, according to the average. indicates that the MUI should regulate this section in this sector. The use of the internet in the online shop industry has resulted in many victims of fraud, causing substantial material losses for customers. It is reasonable to assert that MUI must respond widely to the use of cyberspace in muamalah because of this trend among users. Considering that the e-commerce industry makes a major contribution to increasing national per capita income, social media and e-commerce need serious attention.

According to (Khalik, 2018) based on the fact that the internet has revolutionized the way online transactions are carried out. Even though ideally, MUI needs to prepare an online desk that can solve all problems immediately. For example, legal considerations regarding halal marketing, payment and sales patterns that e-commerce marketers will use to sell their goods. It is recommended that people usually ask for legal considerations and fatwas in online media such as YouTube at this time. MUI's status as Indonesia's fatwa authority is slowly but surely being eroded by the tendency of people to ask for fatwas and legal advice via YouTube videos. This tendency has negative consequences, leading to the formation of exclusive communities that often refer to truth in religious terms. The content of religious radicalism has gradually become a frightening specter that depicts Islam as a religion of violence.

The following are four websites highlighted by the National Counterterrorism Agency (BNPT) as sites that have the potential to promote radicalism: 1. The desire to make quick changes through the use of violence in the name of religion. 2. Takfiri, or distrust of others. 3.

Spread support for ISIS/IS 4 and invite others to join Limited understanding of jihad (Adzkie & Indra, 2015). To defeat radicalism which is a common enemy, all parties must work together and be careful. In order for people to live safely and peacefully in the Unitary State of the Republic of Indonesia which they adore, it is hoped that the MUI will be at the forefront in efforts to eradicate this ideology. By uniting all corners of the country for early detection, radicalism can be conquered. As religious leaders, MUI has the authority to fight radicalism. Against religious radicalism, MUI's capacity to change more impulsively in response to developments and issues of Muslims in Indonesia will become a strong bond.

3. Existence of MUI Fatwa No. 24 of 2017

In Islamic law, one of the institutions that provide responses and solutions to the problems faced by the people is a fatwa. Fatwas are used as guidelines for behavior and attitudes by all Muslims. The position of the community in a fatwa is analogous to the position of the mujtahid (al-Fatwa fi Haqqil 'Ami kal Adillah fi Haqqil Mujtahid), or the position of the community is analogous to the argument of the mujtahid (Zainuddin, 2008). From the Companions to the generations afterward, Islamic law with all its reference texts and rules has never subsided in the face of the ever-changing realities of life (Misbahuddin, 2011). In Islam, fatwas play an important role. Fatwa or fatwa of the clergy is considered as an alternative that can help break the ice in the development of Islamic law. Al-nushush al-shari'iyah, the foundation of Islamic law, states that it cannot be distinguished from religious arguments. As a result, Islamic law faces serious difficulties when it comes to developing issues which are not addressed in religious texts. The number of religious texts is decreasing, but the number of problems and cases continues to increase with the times (Dimiyati, 2015).

Fatwas are an alternative method of solving problems and incidents in such circumstances. Fatwas carry out the functions of *tabyîn* and *tawjîh* at a functional level. *Tabyin* means to give an explanation of the law, which serves as a rule of thumb for people, especially those who really anticipate its existence. *Taujih*, especially educating the general public about current religious issues and providing direction. *Syar'iyah* fatwas have been issued since the generation of companions, *tabi'in*, *tabiuttabi'in*, and the next generation to the current generation of scholars because the function of *tabi'in* and *tawjih* fatwa is associated with the function of the clergy. Classical fatwas are more unique and independent than the fatwas made during the *mazhab* period, when the fatwa was limited to a particular *fiqh mazhab*. In contrast, the existing fatwas are often inter-school or mixed (*taufiq*) between schools (Riadi, 2010). In monumental works, fatwas are often discussed by *ushul fiqh* scholars. *Ulama ushul fiqh* view fatwa as an opinion expressed by a mujtahid as an answer to a question raised by a *mustafti* in a case that has no legal force. *Mustafti* can be individuals, organizations, or groups in society. Because *mustafti* is not required for fatwa products, fatwas do not have binding power (Riadi, 2010).

As a result, based on its position in Islamic law, a fatwa is referred to as "*ikhtiyariyah*" for those who are not *mustafti* and means "*ilamiyah*", or informative, which refers to more than informative discourse. The position of fatwas, which in essence do not have binding legal force for Muslims in Indonesia, must be considered first when discussing the implementation of fatwas, especially in Islamic societies and especially among social media users. Because it

is relatively new and lacks socialization, the fatwa is generally misunderstood by the general public. However, they understand hadith, or the content of fatwas, and things in the Koran. Therefore, they always act indirectly according to the contents of the fatwa. Muslims are reminded by the fatwa to avoid doing things that are contrary to religious teachings. so that everyone's awareness can continue to increase. (Satriani, 2020).

In using social media, you should know how to communicate effectively, use polite language, and then use media that is in accordance with religious teachings in everyday life. Going back to tracing examples of censure that have occurred in society, if one pays attention there are parties who deliberately convey the results of WhatsApp group conversations that are closed outside the meeting area which should contain jockeying and this is a demonstration that is clearly prohibited by religion and include activities that are prohibited and unlawful in the fatwa. In addition, there are cases where a person expresses an opinion unintentionally which angers others. This should be a concern, and the enthusiasm of the MUI to remind the public of this has been shown by issuing fatwas regarding laws and muamalah guidelines through social media. So far, students and lecturers who use social media occasionally get involved in small fights that make people disappointed and cut off friendships.

However, apologies, mutual understanding and awareness of each other's sometimes uncontrollable emotions helped to solve this problem gradually. and the hadiths that they always follow throughout their daily lives (Satriani, 2020).

CONCLUSION

It can be concluded that the MUI Fatwa views Muamalah through online media as a means of socializing Indonesian Muslims by establishing friendship and utilizing social media as an intermediary, based on the findings of muamalah legal research through social media in MUI Fatwa number 24 of 2007. By utilizing the internet, Muamalah helps people to develop their full potential in the fields of education, business, and services. The other side paints a bleak picture of how the trade and service industries use the internet. MUI must intervene to anticipate this problem with religious language due to the misuse of online media for prostitution, pornography, and fraud. In fatwa no. 24 of 2017, the Indonesian Ulema Council regulates the use of the internet for social media purposes. Instead, the contents of this fatwa emphasize the wise use of social media to avoid namimah, bullying, slander, and hoaxes. However, the use of the internet by e-commerce for trading purposes is only one aspect of the overall picture. In fact, according to a 2016 survey, more people use the internet for e-commerce than they use social media. MUI's response to the needs of the community in dealing with muamalah in the online world is another important aspect.

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