

DIGITAL ETHICS IN SOCIAL MEDIA: AN ISLAMIC JURISPRUDENCE STUDY ON *AL-KITĀBU KA AL-KHIṬĀB*

*1NAVIS YUSRIZAL, NAVISAMN90@GMAIL.COM

*1MA'HAD MIHROBUL MUHIBBIN JAKARTA, TANGERANG SELATAN, BANTEN, INDONESIA
(whatsapp number: 085737406288)

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ABSTRACT

The diversity of interactions in the digital world has given rise to numerous problems. Therefore, this study aims to examine and navigate the ethics of social media or the digital world through the approach of *fiqh al-kitab ka al-khitab*. This is a qualitative study using a descriptive analytical method. The sources of this research come from classical books that discuss *fiqh* rules, *tafsir al-Quran* and *hadith*. The research question of this study is what digital ethics exist in social media. This study shows that through the *al-kitab ka al-khitab* approach, digital ethics are divided into two categories: interaction ethics related to the prohibition of gossip and spreading hoaxes on social media, and transaction ethics related to *muamalah*, which emphasises knowledge of the conditions and pillars of buying and selling, and *munakahat*, which emphasises that husbands should not divorce their wives arbitrarily through writing. This paper contributes to the knowledge and Muslim society at large.

Keywords: Digital Ethics, Social Media, *al-Kitab ka al-Khitab*, and Transactions.

BACKGROUND

The phenomenon of children secretly making online purchases on marketplaces is becoming increasingly common and causing concern among the public. One example was reported by Okezone, in which a young child managed to purchase a number of items through an online shopping app without their parents' knowledge (Taqiyya, 2022). This incident is not only financially damaging, as parents' funds are used without planning, but also reveals gaps in the system for monitoring children's use of devices. This phenomenon illustrates how easy it is for children to access digital technology, while their ability to understand the legal and ethical consequences of a transaction is still very limited. From a social perspective, this shows the great challenge families face in guiding the younger generation to use technology wisely. From a legal perspective, this situation highlights the urgent need for regulations and education related to child consumer protection in the digital age. Thus, this case is not merely an individual problem, but a reflection of structural problems in parenting patterns, digital literacy education, and the strengthening of electronic transaction regulations.

The phenomenon of digital technology abuse does not stop at children, but also touches a wider layer of society, including public interactions on social media (Noventa, 2023). In recent years, there have been more and more cases of artists or public figures reporting netizens for negative comments on social media. A number of big names such as Ruben Onsu, Ayu Ting Ting, Prilly Latuconsina, and Shandy Aulia have taken cases of cyberbullying to court, especially when the insults were not only directed at them personally, but also at their children and families. Ruben Onsu, for example, reported an account that insulted his son, Bertrand Peto, while Ayu Ting Ting took legal action after her child, Bilqis, became the victim of slander. Similarly, Prilly Latuconsina has reported the spread of slander and edited photos that were detrimental to her. This phenomenon shows that hate speech and bullying in the digital space are not just ethical issues, but can also have legal consequences. At the same time, these cases show how artists as public figures are trying to draw a clear line between freedom of expression and speech that harms the dignity and character of individuals.

Both phenomena, namely children conducting transactions secretly and artists reporting netizens for negative comments, underline the complexity of digital life. They show that in the era of social media

and online marketplaces, interactions and transactions are no longer bound by space and time. However, the absence of physical boundaries also creates risks: for children, the risk of lack of control and understanding; for artists or public figures, the risk of vulnerability to hate speech. This indicates that the digital space is not essentially a value-free void, but rather a new arena that still requires clear rules, norms, and ethics. Writings, comments, and contractual agreements in digital form must be understood as representations of real speech or actions that are socially binding and, in many cases, legally binding as well.

Thus, today's digital phenomenon is not merely a technological transformation, but also a cultural shift and a moral challenge. When someone writes a comment, message, or even a contract digitally, there are invisible elements that remain: intention, honesty, clarity, and consequences. Online writing can be as impactful as direct speech—both positively and negatively. Hoax messages spread through WhatsApp or social media, for example, can cause slander, division, or unrest even though the writer is not physically present in front of the reader. The same goes for online transactions made based on unclear product descriptions or agreements made only through a ‘checkout’ button without direct dialogue. All of this proves that digital reality is an extension of real interactions, the consequences of which cannot be underestimated.

Social media itself has become a kind of second world for most people. In this space, various interactions and transactions take place with only typing, without the need for face-to-face contact. There are many positive aspects to be gained, such as the ease of shopping in marketplaces, cash on delivery payments, online court hearings, and online learning. However, on the other hand, there are also negative aspects that cannot be ignored, ranging from the spread of hoaxes, mutual insults, gossip, racist remarks, threats of violence, to verbal abuse such as cat calling. The digital space ultimately reflects the dual nature of modern life: on the one hand, it presents opportunities, while on the other, it harbours potential threats.

In the context of Islam, there is a clear foundation for mediating this issue. Both speech and writing are viewed as means of communication that have moral and legal consequences. Islam teaches us to guard our speech (Arifin, 2022), As stated in the hadith of the Prophet Muhammad, whoever believes in Allah and the Last Day should speak good words or remain silent (HR. Bukhari and Muslim). This concept shows that uncontrolled speech can lead to sin or harm, just like irresponsible writing. Furthermore, Islamic jurisprudence through muamalah fiqh, ushul fiqh, and qawa'id fiqhiyyah has regulated the conditions for the validity of contracts and transactions, including those not conducted directly. Normatively, the use of written media or intermediaries is permissible if the conditions of the contract are met. In other words, in Islamic legal tradition, the difference between spoken and written words is not fundamental as long as the substance of the contract and ethical principles are upheld.

From this, we can see a common ground between today's digital phenomena and classical principles in Islam. Digital writing that appears in the form of online contracts, social media comments, or private messages is essentially a continuation of the concept of writing in the fiqh tradition. It can be considered valid, can have positive value, or can even bring sin, depending on how it is used. Thus, the relevance of Islamic teachings becomes even more important in the modern era, because it is able to provide normative and moral guidance to keep human interactions within the corridor of benefit.

Previous research shows that the principle of al-kitābah ka al-khiṭāb/al-kitabu ka al-khitabah in Islamic jurisprudence places writing on the same footing as spoken words. This principle explains that written expressions have the same legal force as spoken expressions, with the pen even being referred to as one of two tongues that enable a person to convey a message despite being separated by distance. This rule also serves as a reminder and evidence in muamalah practices, including sales and purchase transactions, borrowing and lending, leasing, and pawning. Its relevance is even stronger in the digital age, as seen in sales and purchase practices through online marketplaces such as Shopee, where contracts are made through a written system and remain valid according to the rules of muamalah fiqh (Patahuddin et al., 2022). In addition, other studies show that the ‘checkout’ or ‘buy now’ button feature is valid as long as it fulfils the conditions and requirements of a sales contract (Khasan & Tarlam, 2025).

Studies on social media ethics from an Islamic perspective have been conducted by many researchers. Nurasih, Rasidin, and Witro (2020) emphasise that digital ethics for the millennial generation can be supported through an understanding of QS. Al-‘Asr, which emphasises the values of patience, truthfulness, and mutual exhortation in goodness (Nurasih et al., 2020). In line with this, Amelia and Nasrulloh (2023) emphasise that communication on social media must be based on the principles of the Qur'an, particularly in guarding one's speech and avoiding behaviour that harms others (Amelia & Nasrulloh, 2024). Research by Ramadhan, Enjang, and Bahrudin (2023) highlights the urgency of communication ethics on social media as an effort to avoid the spread of hoaxes, hate speech, and gossip (Ramadhan et al., 2022). Meanwhile, Sakdiah et al. (2025) emphasise the concept of prophetic communication, which encourages the public to be critical yet wise in their use of digital space. In general (Sakdiah et al., 2025), The results of this study indicate that social media ethics in Islam is not merely a technical matter of communication, but also a moral and spiritual dimension that is in harmony with Qur'anic and prophetic values.

Therefore, from previous studies, no one has researched the ethics of transacting and interacting on social media using the approach of al-Kitab ka al-Khitab. This study aims to examine the ethics that Muslims should follow in the digital world using the approach of fiqh rules. Thus, the results of this study are expected to contribute to Muslims so that they can use social media more wisely.

RESEARCH METHOD

This study utilises a qualitative method with a library research approach and descriptive-analytical analysis. The qualitative method was chosen because this study focuses on understanding the meaning and values contained in religious texts, rather than quantitative data or statistical figures. The library research approach was used because the main sources of this research came from classical and contemporary literature relevant to the research theme. The primary data in this study were obtained from fiqh books that discuss the rules of al-kitābah ka al-khiṭāb and the principles of Islamic law in muamalah. Meanwhile, secondary data includes classical fiqh books, tafsir ahkam, hadith ahkam, credible scientific articles, and online sources whose validity can be accounted for.

The data collection process was carried out through a critical and in-depth review of the literature, which was then classified according to the theme of discussion, namely the principle of al-kitābah ka al-khiṭāb and its relevance to interactions on social media. After all the data was collected, the author conducted content analysis by describing the substance of the text and comparing it with social phenomena occurring in social media practices in the digital age. Descriptive-analytical analysis was used to explain the philosophical, legal, and ethical meanings contained in the fiqh texts, while also connecting them to the social realities developing in today's social media (Ali, 2009, p. 223).

The final stage of this research is to synthesise the findings in classical literature with the actual conditions of social media use. From this analysis, the author draws conclusions regarding the relevance and contribution of the fiqh rules of al-kitābah ka al-khiṭāb to the ethics of interacting on social media. Thus, this research method not only emphasises the study of classical texts, but also attempts to provide contextual answers to the issues of digital ethics faced by Muslims in the modern era.

AL-KITAB KA AL-KHITAB

Ethics, etiquette, and morals are three interrelated concepts in human life, especially when discussing individual behaviour in society. In general, ethics is understood as a set of normative principles that guide humans in determining what is good and bad in their actions. Morals are often interpreted as values internalised by individuals from social norms and religious teachings, which then become the standard for judging whether a behaviour is right or wrong. Meanwhile, etiquette can be seen as the practical manifestation of morals and ethics, namely the rules of manners or etiquette that govern social

interactions in concrete terms. Thus, ethics provides a normative framework, morals provide values, and etiquette becomes an external manifestation in everyday life (Kanabawi, 2024).

In the context of modern society, these three concepts face increasingly complex challenges. Globalisation, technological developments, and the rapid flow of information in the digital age have led to major changes in the way humans interact. Social life, which used to take place mostly in person, has now moved to the virtual space through social media, messaging applications, and other digital platforms. These changes mean that the practice of ethics and morals is not only necessary in face-to-face relationships, but also in the digital space, which involves millions of interactions without geographical boundaries. Research in the field of Islamic education, for example, emphasises that the application of ethics must be developed not only in the classroom, but also in online interactions so that the character of students is maintained amid the tide of digitalisation (Hafid & Wildan, 2025).

The importance of ethics and morals in the modern era can be seen from the negative impacts that arise when both are neglected. For example, the increasing phenomenon of hate speech, online bullying, the spread of hoaxes, and the consumptive behaviour of children through online transactions without parental supervision. This phenomenon shows that morality is not only related to individual decency, but also has social and legal dimensions. In other words, morals and ethics are not merely ideals, but practical necessities in maintaining harmony in communal life. Etiquette is also an important means of realising ethics and morals in everyday behaviour, for example, through the use of polite language, maintaining the privacy of others, and respecting diversity in public spaces.

From an Islamic perspective, the integration of ethics, morals, and etiquette is very clear. Islam not only teaches normative principles through the Qur'an and hadith, but also internalises them into practical behaviour known as *adab*. The hadith of the Prophet ﷺ which encourages a person to speak kindly or remain silent is a simple example of how speech, as a form of etiquette, reflects deeper morality and ethical values. The emphasis on *adab* education in Islamic tradition also shows that morality is not merely a product of thought, but the result of habit, role modelling, and self-control. This is in line with research that emphasises the role of education in shaping moral awareness from an early age so that the younger generation not only understands ethical concepts but is also able to apply them in real social interactions. Thus, in this study, the author attempts to explore the ethics that exist in the digital world through the approach of *kaidah al-kitabu ka al-khitab*.

The term *al-Kitabu ka al-khitab* is linguistically derived from the word 'al-Kitabu' from the verb *kataba-yaktubu*, which means writing, then "Ka" is a preposition (letter) which means like, and 'al-Khitab' is a word derived from the verb *khataba-yakhtubu*, which means to speak. Therefore, *al-kitabu ka al-khitab* means that writing is like speech.

Another phrase from the rule of *al-Kitabu ka al-Khitab* is *al-bayan bi al-kitab bi manzilah al-bayan bi al-lisan*, which means that an explanation in writing has the same degree as an explanation given verbally, and *al-bayan bi al-kitab ka al-bayan bi al-lisan*, which means that communication in writing is the same as communication verbally (al-Zuhaili, 2006, p. 339).

The purpose of this rule is to allow two people to enter into an agreement. This includes buying and selling, leasing, guaranteeing, debt transfer, pawning, and other agreements that involve direct verbal interaction. In addition to doing so verbally, the parties to the agreement may also do so in writing (Afandi, 1991, p. 69). Writings between parties who are not present have the same degree or status as statements between parties who are present. This statement is based on how the Prophet conveyed his message to all of humanity, sometimes through writing and sometimes through speech. The legal basis of Islam, the Qur'an, was also preserved and conveyed in writing (al-Zuhaili, 2006, p. 339).

There are three types of writing:

- 1) Clear and official writing (*al-mustabnah al-marsumah*) is writing that can be read properly in accordance with the rules and customs of society, and has a title or identity attached to it. The stamp or seal at the top of the paper is official writing, while writing that does not have a stamp or seal is unofficial writing (Afandi, 1991, p. 69). This type of writing, sent by someone who was not present, has the same status as a direct statement from someone who was present (al-Zarqa, 1989, p. 349).

The term clear (al-mustabih) excludes unclear writings, such as those written on water or air, which are considered invalid, while official (al-marsumah) refers to those that meet the commonly accepted criteria (al-Zarqa, 1989, p. 349). The medium used must be in accordance with customary practice, such as paper. If a document is written on an unusual medium, such as a wall or a leaf, then that document cannot be used as evidence or is invalid unless witnesses are present or it is dictated to another person to be written down. However, if a document is created in the present day and is not on paper, it is valid if it is customary, and invalid if it is not, meaning that the medium depends on the customs of the community (Afandi, 1991, p. 69). Therefore, in the contemporary context, digital files are a common medium in today's society.

In the prevailing writing tradition, it is customary for a letter or writing to begin with the names of the sender and recipient, for example with the phrase 'from so-and-so to so-and-so.' In addition, the writing must also be authenticated with a signature or official stamp from the sender. However, in contemporary practice, it is sufficient for the writing to be closed with a signature or stamp without having to use the opening sentence 'from so-and-so.'

Meanwhile, it is customary to use writing paper. If a writing is inscribed on a wall, leaf, or even on paper but does not conform to the usual writing format, then the writing has no legal force unless it is accompanied by witnesses or made through *imlā'* (dictation) to another person. In the current context, what is recognised as valid is writing on paper or official writing media, not on bone plates, leaves, or similar media (al-Zuhaili, 2006, p. 340).

- 2) A clear but unofficial document (al-mustabihah ghayr al-marsumah) is a document created in an unusual manner, such as being carved on a wall, tree leaf, or stone slab. Such documents essentially have no legal force and cannot be used as evidence by the writer. The only exception is if the writing is made with sincere intent or in the presence of witnesses at the time of writing. In some circumstances, even the utterance (*imlā'*) accompanying the writing process can replace the function of testimony. This is because such writing generally arises from mere experimentation or play, thus requiring reinforcement in the form of clear intent, testimony, or explicit statements in order to be accepted as valid (Afandi, 1991, p. 69).
- 3) An unclear writing (ghayr al-mustabihah) is like writing on water or in the air, which is considered equivalent to an inaudible statement, thus not resulting in legal consequences for the writer even if accompanied by a specific intention. For example, if someone writes the sentence 'I owe so many pounds to so-and-so' on the surface of a river or simply scribbles it in the air, this act cannot be considered a valid acknowledgement of debt. What is meant by writing on water or in the air is a hand movement that forms letters without leaving a permanent trace, unlike writing with a pen on paper that can be read and used as evidence (Afandi, 1991, p. 70).

Therefore, it can be concluded that a written document can be used as a legal basis if it meets two qualifications: 1) The writing must be clear or *mustabihah*, i.e. it must be something that can be seen and can also be determined. Writing on water or air and the like are examples of writing that is not *mustabihah*, and 2) it must be official or *marsumah*, i.e. written in a manner that is customary or commonly used by the community, either in writing or in the media used (al-Zuhaili, 2006, p. 339).

Examples of the application of this rule are as follows:

- 1) The validity of a written contract begins when the letter reaches the recipient of the offer (al-qabil). This applies to contracts that require the testimony and consent of both parties. Such as buying and selling, leasing, partnership, and marriage.
- 2) This rule also applies to the delegation of divorce rights, which is limited by the *majlis* and considered upon receipt of the letter.
- 3) As for contracts that only require al-ilm (knowledge), such as *wakalah*, the *majlis* is not a requirement; it is sufficient to read the contents of the document.
- 4) Independent actions are those that do not require a second party, such as *iqrar*, divorce, freeing slaves, and *al-ibra'*. For example, if someone writes, 'My wife is divorced' or 'My slave is free,' it is valid, whether accompanied by intention or not, as long as the writing is clear and official.

5) If a man wishes to propose and marry a woman, and he expresses his intention in a letter, then when the letter reaches the woman, she can bring witnesses, read it to them, and then declare, 'I marry myself to him.' In this way, the marriage contract is still considered valid.

6) Similarly, in judicial practice, a judge has the right to use records or documents left by previous judges, as long as those documents are officially recorded in the applicable court archives (al-Zuhaili, 2006, pp. 340–341).

INTERACTION AND TRANSACTIONS ON SOCIAL MEDIA

Imam al-Qurthubi, in his *Tafsir al-Qurtubi*, interprets Allah SWT's words prohibiting backbiting with a very sharp analogy: 'Would any of you like to eat the flesh of your dead brother?' According to him, this analogy carries a profound meaning, namely that backbiting is likened to eating the flesh of a dead person because both are done without the knowledge of the person who is the object of the backbiting (al-Qurṭubī, 1964, p. 335). The dead are certainly unaware that their bodies are being eaten, just as the living are unaware that they are being gossiped about behind their backs. The analogy used by al-Qurthubi shows how despicable and vile gossip is in the eyes of Sharia law, to the extent that it is described as a repulsive act that no sane person would commit.

Furthermore, Imam al-Nawawi in his commentary on *Sahih Muslim* also emphasises another dimension of the prohibition against spreading hoaxes. He emphasises that a believer is not permitted to convey every piece of news he hears, because the news that circulates is often mixed with truth and falsehood. If someone conveys everything he hears without verifying it, then indirectly he has lied because he has spread something that is not true (al-Nawawī, 1972, p. 75). The dead are certainly unaware that their bodies are being eaten, just as the living are unaware that they are being gossiped about behind their backs. The analogy used by al-Qurthubi shows how despicable and vile gossip is in the eyes of Sharia law, to the extent that it is described as a repulsive act that no sane person would commit.

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Furthermore, there are several conditions under which gossip is permissible. First, *at-tazhallum* or complaining about injustice that has befallen someone, where a victim may mention the injustice that has befallen them to the authorities. Second, *al-isti'anah*, which is asking for help to eliminate wrongdoing, for example by saying to the competent authorities: 'So-and-so has committed this sin, stop him.' Third, *al-istifta'*, which is asking for a fatwa or advice from a mufti regarding a particular issue, even if it involves mentioning the bad deeds of another party. Fourth, *at-tahdzīr*, which is warning Muslims against despicable deeds or advising them to avoid evil. Fifth, when someone openly displays their wickedness and immorality, such as drinking alcohol or committing adultery openly, then their bad deeds may be revealed without being considered *ghibah*. Sixth, giving someone a nickname that is already attached to them, for example, 'the blind man' or 'the mute man,' as long as it is intended for clarity of identity, not to demean them (al-Nawawī, 1998, p. 432).

From the overall views of these scholars, it can be concluded that backbiting is essentially a major sin that is highly reprehensible, but Islamic law provides strict exceptions for noble purposes. These exceptions are never intended to open the door to insults or the spreading of shame, but rather to preserve the public interest, uphold the truth, and protect society from evil. Therefore, the general principle is that backbiting remains haram, except when there is a *shar'ī* necessity that cannot be fulfilled except by means of backbiting. This explanation shows how Islam regulates verbal etiquette and social behaviour very carefully, so that its followers are always guided to uphold justice, prudence, and right intentions in every word and deed.

Even when spreading hoaxes, according to Imam Nawawi's opinion, once the news reaches the listener, it is necessary to cross-check and fully verify the news that has reached them. This opinion shows that Islam has emphasised the importance of always verifying the news.

Thus, there is a correlation between the kaidah al-kitab ka al-khitab and several prohibitions that often occur on social media: 1) ghibah and 2) spreading hoaxes without tabayyun. Although the focus of the kaidah al-kitab ka al-khitab is more on the practice of fiqh muamalah, the example of the application of the rule given by al-Zuhaili in his work shows that this rule also applies to practices that do not require a second (independent) party, so that someone who commits ghibah on social media, even if they are not directly in the same gathering, is still judged to have violated Sharia law if they exceed the limits of permissibility given by the scholars. Similarly, someone who has spread hoaxes is judged as if they had spoken them.

In the context of digital transactions, as mentioned earlier, parents need to supervise their children so that they do not buy unnecessary things. Parents need to be aware of and knowledgeable about the pillars and conditions of buying and selling beforehand. Considering the highly flexible practices today, in domestic matters, a husband has the authority to divorce his wife through writing, as per the principle that divorce can be effected without the need for intention. It must be understood that there are ethical considerations regarding transactions that encompass two aspects: muamalah and munakahat.

CONCLUSION

Social media ethics through the al-kitab ka al-khitab approach are divided into two categories: first, interaction ethics, where gossiping on social media can be considered a sin, so awareness and religious guidelines are needed to refrain from doing this; second, transaction ethics, awareness of the terms and conditions of buying and selling must be observed by all parties involved in the contract, and emotional intelligence applies to husbands towards their spouses, because divorce can occur simply through writing without the need for intention. Although some experts say that a valid divorce can only occur in court, words must still be guarded for the sake of a harmonious family, both verbally and in writing.

Thus, it can be concluded that ethics in social media through the approach of al-kitab ka al-khitab are divided into two categories: interaction ethics, which cover the field of worship, such as not engaging in gossip or spreading hoaxes, and transaction ethics, which cover the areas of muamalah and munakahat.

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