

The Transformation of Islamic Law in Response to the Development of Digital Society in Indonesia

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ABSTRACT

This study aims to analyse the evolution of Islamic law in reacting to the growth of the digital society in Indonesia, especially changes in patterns of contact, transaction, communication, and technology-based religious rituals. This study uses a normative juridical approach with a conceptual and statutory approach. The data were gathered via a literature review on the Qur'an, hadith, Islamic legal maxims, fatwas, legislation and related scientific material. The results reveal that Islamic law has an adaptable nature through the process of ijtihad, maqasid al-sharia, maslahah, and fatwa revision. This is evident in the regulation of digital transactions, protection of personal data, platform-based Islamic economics, usage of artificial intelligence, and the transmission of religious information via social media. But these advancements also bring along a number of difficulties such as misinformation, privacy breaches, cybercrime, confusion in electronic contracts and poor levels of digital legal literacy. Islamic law reform must therefore be contextual and collaborative, firmly anchored in the concepts of justice, public benefit, rights protection and moral responsibility. There is a need for a stronger synergy between religious scholars, academics, government institutions, technology industry actors and society in formulating applicable regulations and fatwas that are in harmony with national law and capable of anticipating rapidly evolving and increasingly complex technological developments. The study indicates that the reform of Islamic law is a strategic requirement for the relevance, responsiveness, and ability of sharia rules to provide legal certainty for the digital society of Indonesia.

INTRODUCTION

The rise of digital technology has changed almost all aspects of life in Indonesian society, including: the pattern of communication, economic activity, public services, education, and religious life. The rise of internet, social media, electronic commerce, AI, digital financial services and many

application-based platforms has created a new social space, no longer limited by geographical boundaries and time. In this setting society is not only a consumer of technology, but also a producer of new habits, norms and legal connections. These changes have complex implications for Islamic law because many activities that were previously held face-to-face are now in digital spaces, such as buying and selling transactions, zakat payments, waqf collection, religious consultations, the dissemination of fatwas, online marriage practices, and the use of algorithms in decision-making processes. (K. Ariansyah, E.R.E. Sirait, B.A. Nugroho, and M. Suryanegara, 2021).

The Islamic law, in essence, has dynamic and adaptive features through the mechanism of *ijtihad*, *qiyas*, *maslahah*, *istihsan* and *maqasid al-sharia* approach. These features allow Islamic law to adapt to social change without losing its normative basis. But the digital society is developing with more rapid and complicated issues than those coming from past social changes. The topics are electronic contracts, personal data protection, use of identity, application-based loans, digital assets, artificial intelligence, religious disinformation, religious authority on social media, and the risk of information manipulation. This shows that the change of Islamic law is not achieved by just reciting classical legal provisions. Instead, it demands a contextual approach to legal sources, technical realities and the needs of Indonesian society. (R. Rahayu, and J. Day, 2017).

The change of Islamic law in Indonesia is also in relation to a diverse legal system comprising state law, Islamic law and customary law. Thus, any attempt to modify Islamic law in the digital space must take into account the harmonisation with national laws, the authority of religious organisations and the evolution of social practices. Some of the digital challenges, especially in the fields of Islamic economics, electronic transactions, consumer protection and the usage of information technology, have been addressed by several fatwas and laws. But these answers are still quite sectoral, fragmentary and reactive to individual circumstances. Still, there is a lack of comprehensive conceptual framework on how Islamic law can be systematically altered to tackle the changes taking place within Indonesia's digital society. (E.F. Nisa, 2018).

In this context, this research contends that Islamic law remains relevant to the digital society, if the transition is done through *maqasid al-sharia* method integrated with contextual *ijtihad*, technology analysis and harmonisation with the national law. The hypothesis is founded on the notion that the main goals of Islamic law, for example, protection of religion, life, intellect, lineage, property, dignity and information security might provide a basis for evaluating diverse digital behaviours. Therefore, the rule of Islam should not be used only as a tool to decide what is lawful or forbidden. It should also be an ethical and legal framework competent to ensure protection, justice, legal certainty and public benefit in digital environments. (W.W. Hew, 2018).

This research is normative juridical research with conceptual, statutory and comparative approach. The conceptual method is applied to the analysis of ideas of legal transformation, *ijtihad*, *maqasid al-sharia*, and the principle of public benefit. The statutory approach is employed in the examination of the national legislation on electronic transactions, personal data protection, consumer protection, Islamic economics, and digital technologies. In the meantime, comparative technique is utilised to compare Islamic legal principles with the development of positive legal standards in dealing with the digital concerns. The research data are extracted from the Qur'an, hadith, traditional books of Islamic

jurisprudence, fatwas issued by religious authorities, laws, court decisions and pertinent pieces in the literature. The data are qualitatively analysed by means of legal interpretation, systematisation of legal principles and prescriptive analysis. (H.A. Campbell, and G. Evolvi, 2020).

This study addresses the research gap of the limited number of studies that extensively explore the transformation of the Islamic law inside the digital world. Most of the previous studies are on specialised themes such as Islamic financial technology, electronic contracts, electronic commerce, social media or personal data protection. While these studies are important, they have not been able to adequately explain the relationship between technological progress, changes in religious authority, the need for legal protection and initiatives for revising Islamic law in the Indonesian setting. Moreover, some earlier studies have continued to see technology as an item to be appraised by current legal norms rather than as a factor that induces changes in the processes of legal reasoning, institutional structures, and the process of norm-formation. (A.R. Arifianto, 2020).

The novelty of this work is an attempt to construct a model of transformation of Islamic law which is integrated with three main parts, namely *maqasid al-sharia* principles, the features of the digital society and the national legal system of Indonesia. This study not only reveals legal challenges that occur due to digitalisation but also suggests paths of reform in terms of legal substance, methodologies of *ijtihad*, fatwa institutions, digital legal literacy and collaboration among stakeholders. Another novelty is the consideration of data protection, digital security, algorithmic transparency and platform accountability as elements of public benefit for the development of modern Islamic law. (L. de Rooij, 2020).

The expected output of this study is the establishment of a comprehensive mapping of Islamic legal issues in the digital society, the analysis of the ability of Islamic legal concepts to respond to these issues, and the formulation of a transformation model that is responsive to technological change. This study is also expected to provide recommendations to religious institutions, government agencies, academics, and actors of the digital economy to formulate more adaptive fatwas, policies, and laws. (E. Muratova, 2024).

Ultimately, the study will reinforce the status of Islamic law as a system of values and norms that is capable of responding to contemporary developments, protecting individual and collective rights, preventing the misuse of technology, and promoting justice and public interest in Indonesia's digital society. The proposed approach is supposed to be used as a guideline from a practical point of view for appraising the new digital breakthroughs before they cause a wider legal problem. From an academic standpoint, this study can contribute to the discourse on Islamic law reform by situating technological development as an integral component of social change that needs to be critically, multidisciplinary, and in the public interest explored in present-day Indonesia. (M.Z. Abbasi, 2025).

METHOD

This study uses the normative legal research method in the study of Islamic legal norms, principles, and constructions to respond to social changes due to the development of the digital society in

Indonesia. (T.A.S. Negara, 2023). The research approaches adopted are the legislative approach, the conceptual approach and the socio-religious approach. The statutory approach is used to assess national rules on electronic transactions, data protection, the digital economy and religious activity in digital spaces. The conceptual approach is employed to analyse notions of *ijtihad*, *maqashid al-shariah*, *maslahah* and legal change in Islam. The socio-religious method, on the other hand, is utilised to examine the relationship between technology advancement, social behaviour and the necessity for the Islamic law reform. (M.M. Rohman, N. Mu'minin, M. Masuud, and E. Elihami, 2024).

Research data is gathered through library research, reviewing the Qur'an, hadith, ancient Islamic jurisprudence books, fatwas issued by religious institutions, laws and regulations, books, scientific journals and other official documents pertinent. Data collection strategies involve identification, inventory, classification and documenting of primary and secondary legal sources. The data gathered are analysed by means of qualitative descriptive analysis, legal interpretation and content analysis. Then the data is methodically arranged to find the forms of transformation, problems, and relevance of Islamic law in responding to the dynamics of digital society in Indonesia. The conclusions are derived deductively by combining general principles of Islamic law with different digital problems to create legal notions that are flexible, contextual and public benefit orientated in current Indonesian society. (H. Morgan, 2022).

RESULT AND DISCUSSION

Reactualization of Islamic Law through Ijtihad in Addressing Digital Issues

The findings show that the reactualization of the Islamic law through *ijtihad* is an imperative to face the developments of digital society. The technological advancement has produced patterns of social, economic and religious interactions which are very different from those of the classical societies. The proliferation of electronic transactions, Islamic financial technology, cryptocurrency, artificial intelligence, personal data protection, and religious activities on digital media have raised new legal questions that are not explicitly addressed in the Qur'an, hadith, or classical Islamic jurisprudence. This condition does not mean that Islamic law is incapable of satisfying the claims of the present challenges. Instead, it highlights the need to employ contextual *ijtihad* procedures that are directed towards public good. (M. Kooria, 2018).

Ijtihad is essential in electronic transactions to realise the aspect of mutual consent, the goal of the transaction is clear, the pricing is certain, the payment is secured, and consumer protection. A contract concluded without a physical meeting may also be regarded lawful if there is an agreement between the parties, transparent information, and absence of fraud, usury, significant uncertainty, and gambling. Therefore, the form of a contract may evolve in accordance with technological growth, yet the ideals of fairness, honesty and responsibility must continue to be upheld. This shows that the Islamic law is flexible in the issues of business and social dealings, provided such dealings do not go against the ideals of *sharia*. (H.A. Campbell, and G. Evolvi, 2020).

In Islamic fintech, *ijtihad* plays a role in evaluating the compliance of financing models, digital payment systems, investment mechanisms, and application-based financial services with *sharia*

principles. The use of technology in financial services has the potential to promote ease, drive financial inclusion and improve efficiency. However, these methods should be appropriately supervised to prevent abuse, obscure contractual agreements, hidden interests or misappropriation of user data. Therefore, the *maqāṣid al-syarī'ah* approach is vital because it does not only assess the formal validity of a contract, but also examines the impact of financial services on the protection of wealth, economic fairness and public good. (B. Ahmed, 2021).

Cryptocurrency has become a topic of discussion as it may be used for digital asset, medium of exchange and investment tool but it also involves dangers of volatility, speculation and uncertainty of value. Therefore, Ijtihad on cryptocurrency must be done with caution by differentiating its qualities, functions and uses. Legal review should not be limited to the technological form of cryptocurrencies but should also take into account benefits, hazards, degree of certainty, manipulation potential and consequences on economic stability. Therefore, the legal verdict on cryptocurrency can differ depending on the objective of use and the extent of damage it can do. (M.K.I. Mukmin Hakim, and M. Mat Jubri Shamsuddin, 2024).

Artificial intelligence has also given rise to questions of responsibility, algorithmic fairness, plagiarism, spread of misleading information and replacement of human responsibilities in decision making. From an Islamic legal point of view, artificial intelligence is just a tool and its legal standing relies on its purpose and way of use. Its implementation can be justified if it improves education, public services, healthcare and improvements in the quality of life. On the other hand, it must be limited when it is harmful, intrudes privacy, disseminates slander, or leads to discriminating decisions. (A.M.M. Ali, and M.A.I. Aljahsh, 2025).

The protection of personal data is intimately linked to respect for human dignity, security and individual rights. The values of safeguarding human dignity and preventing harm are incompatible with the exploitation of data, hacking, revealing of identity and unauthorised surveillance. Meanwhile, religious activities through digital media like as preaching, legal advice, online religious lectures, and transmission of fatwas might widen the public's access to religious information. However, digital spaces can also lead to the reduction of legal difficulties, the dissemination of inaccurate religious knowledge, and the establishment of religious authorities that cannot be held accountable. (U.M.M. Kannike, and A.O. Fahm, 2025).

Therefore, the *maqāṣid al-syarī'ah* method is a very significant foundation for digital ijtihad since it emphasises the protection of religion, life, intellect, lineage, wealth, dignity and human security. The reactualization of Islamic law does not involve a change of the essential principles of sharia but its translation into new settings. Islamic law can be relevant and adaptive through the collective ijtihad of Islamic scholars, legal professionals, economists, academics and technology specialists, while at the same time offering legal certainty, justice and public benefit for digital society. It can also help to avoid legislative rigidity and at the same time ensure the development of technical innovation that is ethical, responsible and humane.

Strengthening the Integration of Islamic Law with National Law and Digital Regulations

The change of Islamic law in Indonesia should be orientated towards enhancing the integration of the principles of sharia, fatwa of religious institutions, national law and digital regulations. This

integration is important, because the technology growth has generated many types of economic and social activities that were not fully known in classical legal practices. The legal framework for electronic commerce, technology-based financial services, digital contracts, electronic payments, personal data protection and online dispute resolution must be transparent, flexible and capable of safeguarding all parties. (S. Fenwick, 2018).

The fundamentals of Islamic law are inherently adaptable in adapting to social change. Principles such as justice, public benefit, transparency, balance, mutual consent and prohibitions against usury, excessive uncertainty, gambling, fraud and exploitation can serve as basis for the formulation of legislation controlling digital activity. But the implementation of these ideas cannot be limited to religious rules. In order to have binding legal force, to be enforced by the state institutions and to provide legal certainty to the society, the Sharia principles need be incorporated into positive legislation. (S. Butt, 2018).

Fatwas produced by religious institutions, especially those relating to Islamic economic transactions, play an essential role in explaining the legal status of various digital products and activities. Fatwas can serve as guidance for financial institutions, corporate actors, consumers and regulators to determine whether a transaction is compliant with sharia principles. However, fatwas often do not have the same legal authority as legislative regulations. Therefore, a harmonisation procedure is essential to ensure that applicable fatwa provisions are included in national legislation, the norms of regulatory authorities, banking statutes and policies related to financial technology and e-commerce. (H.B.A. Sani, (2020).

The integration of Islamic law into national law is also needed for the growth of digital Islamic financial services. There should be explicit contractual rules for application-based finance, Islamic digital wallets, crowdfunding services, digital asset trading, and electronic payment systems. The parties engaged should know the goal of the transaction, the price, the rights, obligations, risks, cancellation mechanisms and dispute resolution procedures. This clarity is necessary to avoid behaviours of confusion, manipulation, misappropriation of data and imbalance of power between the service provider and the user. (M. Aulia, A.F. Yustiardi, and R.O. Permatasari, 2020).

Better consumer protection can be achieved by integrating Islamic law with digital rules in e-commerce. Business players must give correct information on items, prices, quality, payment systems, shipping, guarantees and return policies. From the point of view of sharia, information disclosure is one of the honesty and fairness in dealings. At the same time such disclosure is the basis for the protection of the rights of consumers from the point of view of national legislation. (H.A. Campbell, and G. Evolvi, 2020).

Hence, both legal systems can complement each other to avoid fraud, deceptive ads, misuse of personal data and transactions that are to the detriment of the public. Strengthening integration must also be represented in digital dispute settlement processes. Courts, sharia arbitration, mediation and computerised dispute resolution processes may be used to resolve disputes arising from sharia transactions. Each mechanism should have simple, efficient and economical methods that can ensure justice. The use of electronic documents, digital signatures and online transaction records must also be explicitly recognised so that they can be used as evidence in judicial processes. (K. Miichi, 2025).

Therefore, the transformation of Islamic law is not meant to replace national law but to complement it with relevant sharia norms in the digital society. Harmonisation will provide legal stability, enhance public confidence, protect consumers and encourage the creation of a fair, safe and sustainable Islamic digital economy.

Improving Legal Literacy and Digital Ethics Based on Islamic Values

The progress of digital technology has dramatically changed the patterns of communication, the transmission of information, transactions, education, and social interaction in Indonesian society. Easy access to social media, digital platforms and a lot of communication tools gives a lot of benefits but also poses legal and moral issues. The spread of false information, defamation, hate speech, privacy violations, digital fraud, cyberbullying and abuse of personal data show that technological skill does not always go hand in hand with sufficient legal and ethical knowledge. (S. Khan, and H.M.M. Rahman, 2026).

Therefore, it is necessary to increase legal literacy and digital ethics based on Islamic values to form responsible behaviour in utilising technology. The answer of Islamic law to the digital evolution not only mentions whether an activity is halal, haram, valid or invalid. Islamic law also contributes to the development of an ethical consciousness that directs human behaviour in the digital world. Before society and Allah Swt use of technology must take into consideration the benefits, impacts, the rights of others and moral duty. (N., Ma, M. K, Ahmad, S.F. Abd. Rahman, S.R. Syed Mahmood, N. A. Zuhamad Razak, and S.NA. Mohamad, 2025).

Therefore, Islamic law not only regulates the formal part of an action but also develops the character of technology users, so that they act wisely, responsibly and ethically. Honesty is a core virtue that must be practiced in digital communication. All are obliged to speak the truth and not to twist facts for personal benefit or to hurt others. Honesty is reflected in the open display of product information, prices, quality, risks and terms of transactions in electronic commerce. At the same time, honesty in using social media means that users do not create false identities, do not spread misleading information or make assertions that are contradictory with reality. (A. Alhaji Rabi, A.M. Mohd Noor Merican, and G. Al Murshid, 2025).

Responsibility is also crucial as every post, comment and shared information may influence other individuals. Technology users should know that freedom of expression is not freedom without limits. All forms of speech must respect human dignity, the social order and the rights of others. This principle demands that people think about the possible results before uploading or sharing content. (T. Zubair, and A. Raquib, 2020).

Moreover, privacy protection is an important element of Islamic digital ethics. Revealing secrets, distributing private images, sharing personal chats or accessing another person's data without permission can injure and undermine their dignity. Therefore, technology users should respect the bounds of privacy and guard the information entrusted to them. The digital platform providers and business actors also have the responsibility to protect the user data from leaks, theft and unauthorised usage. (L. Pangrazio, and N. Selwyn, 2019).

The principle of *tabayyun* or verification must guide the receiving and dissemination of knowledge. People need to check the source, context, date and correctness before believing or passing on

information. Passing on information too fast might lead to strife and misunderstanding and libel. Thus, *tabayyun* is a type of digital literacy that promotes critical, thoughtful and responsible attitudes. Justice also demands that prejudice, manipulation, exploitation, and bullying be avoided in the online environment. The ban of slander, gossip, insults and unfounded charges has a moral basis for the protection of human dignity. Families, schools, universities, religious institutions and public digital literacy programs should be places where education instills these values. (B.A. Buchholz, J. DeHart, and G. Moorman, 2020).

Thus, the improvement of legal literacy and digital ethics based on Islamic values is not only to avoid legal infractions, but also to create a digital culture that is ethically responsible. Islamic law acts as both a normative and moral basis for the use of technology. The implementation of honesty, responsibility, protection of privacy, *tabayyun*, justice and the ban to spread slander will help the development of Indonesian digital society that is safe, just, intelligent and civilised.

CONCLUSION

Islamic law can adjust the application of it to the innovations of technology and the changes of the patterns of modern social life. Such adaptation does not undermine the basic ideas of sharia but rather provides strategies for implementing them so that Islamic law remains relevant, fair and geared to public good. The factors that are vital in handling diverse challenges that appear in the digital domains include contemporary *ijtihad*, *maqāṣid al-syarī'ah* approach, harmonisation with national law, and promoting digital ethics. The findings of this study point to the need for collaborative and multidisciplinary *ijtihad*, involving the scholars of Islam, the authorities of the government, the academics, the legal practitioners, the economists and the specialists of technology. Such collaboration is required to establish fatwas, rules and policies that are sensitive to technology change while still ensuring legal clarity. Educational and religious organisations must also be a source of legal literacy and digital ethics. Society must not just know how to use technology but the moral and legal responsibilities that come with it. In addition, the integration of Islamic values with statutory rules should be strengthened to ensure consumer protection, privacy of personal data, fairness in transactions and effective digital dispute resolution. These initiatives can help to achieve meaningful development of a secure, just, adaptive, responsible and civilised digital society through Islamic law.

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