

Digital Ethics and Regulation in the Light of Islamic Ethical and Judicial Framework: A Users Perspective on Social Media

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Abstract

In an age where digital ecosystems define human interaction, the moral and regulatory challenges of social media use have become a pressing global concern. From misinformation and data manipulation to online harassment and consumer exploitation, the digital sphere reveals ethical fractures that transcend ethical and legal boundaries. This paper explores digital ethics and regulation through the lens of Islamic ethical and judicial frameworks, emphasizing the consumer's moral agency and responsibility in online spaces. Drawing upon Qur'anic injunctions, Prophetic traditions and Jurisprudence (*Fiqh*), the study argues that Islamic ethics, grounded in the eternal ethical principles of Islam, offers an integrative moral and legal foundation for governing digital behaviour. The research situates social media ethics within both normative morality and regulatory necessity, proposing models of accountability that link personal virtue with institutional oversight. Through an applied-policy perspective, it develops a framework for digital user conduct and state regulation inspired by Islamic jurisprudential maxims and contemporary legislative approaches. The paper also discusses the case studies of ethical and legal framework for digital use that are in practice in selected countries, thus portraying the relevance of Islamic digital ethics and legislation today.

Keywords: Digital Ethics, Islamic Law, Consumer Regulation, Social Media, Moral Accountability, Digital Behaviour

1. Introduction

The digital era has redefined the moral parameters of human behaviour, especially in the domain of social media. As billions of users interact through online platforms, ethical and legal questions regarding privacy, misinformation, consumption and social manipulation have become central to modern governance. From a consumer

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perspective, social media presents both empowerment and vulnerability—offering access to global information while simultaneously exposing users to psychological, social and moral risks.

Islamic ethical and judicial thought provides a deeply rooted moral compass for evaluating such dilemmas. Unlike secular digital ethics, which often focuses on utilitarian or rights-based paradigms, Islamic ethics integrates spiritual, moral, social and legal dimensions, forming a holistic system that governs not just actions but intentions (*niyyah*) and consequences (*nata'ij*). This approach is essential for shaping both personal conduct and public regulation of online behaviour.

This paper situates digital ethics within the Islamic moral and legislative framework, focusing particularly on how Islamic jurisprudence (*Fiqh*) and ethical theory can guide social media consumers and inform digital regulation. It argues that Islamic moral philosophy, combined with its judicial mechanisms, can contribute to the development of digital laws that protect both individual and collective interests, aligning digital behaviour with moral accountability and societal well-being. The paper demonstrates this claim through case studies of Islamic Digital regulations that are currently in practice in selected Muslim countries such as Indonesia, Malaysia, Saudi Arabia, and others.

2. Digital Ethics in the Muslim User Context

As society navigates through the complexities of the digital landscape, understanding and upholding digital ethics are paramount for fostering trust, responsibility and accountability. As we live in an age where technology permeates every aspect of our lives, the concept of digital ethics has become increasingly crucial. Digital or electronic ethics refers to the moral principles and standards governing the ethical behaviour and responsibilities of individuals, organizations and governments in the digital realm¹.

Recent research on social media usage have introduced many negative experiences of social media platform users including social media addiction, fatigue, exhaustion, Fear of Missing out (FoMo) and fake news sharing. Such adverse experiences, often cumulatively called as the *dark side of social media* (DoSM) have been increasingly implicated in creating detrimental consequences in the personal and professional lives of SMP users². Hence, social media consumption involves complex ethical challenges. As the consumer is not merely a passive recipient of information but an active participant in producing, sharing and interpreting digital content. This participatory nature of social media thus increases moral responsibility.

Consequently, modern digital ethics highlights key principles such as transparency, accountability and respect for privacy. However, from an Islamic perspective, these principles are not merely social conventions, they are moral imperatives grounded in divine accountability. Although various ethical communication guidelines exist in the general society, the Islamic perspective offers a more comprehensive approach by emphasizing moral aspects, character (*akhlāq*) and social responsibility³. Principles such as *Maqasid al-Shariah*, the concept of *Hisbah*, and *Adab* in communication are foundational in defining media ethics for Muslims⁴. The Qur'an repeatedly warns against spreading falsehoods (*Fitnah*) and emphasizes truthful communication (*Sidq*) as a foundation of social trust:

*And do not mix the truth with falsehood, nor conceal the truth while you know it.*⁵

The consumer's role thus extends beyond self-regulation to social responsibility. When users share unverified information or engage in defamation, they violate ethical norms akin to '*Ghībah*' (backbiting) and '*Namīmah*' (slander), both of which are explicitly condemned in Islam⁶. From the Islamic perspective, receiving information involves more than merely hearing or reading information. It encompasses a deep understanding of ethics, responsibility and the principles outlined in the Qur'an and Hadith. One critical aspect of receiving news is practicing *Tabayyun*, which means verifying or clarifying any information before spreading it. In this context, the Qur'an, particularly in *Surah al-Nur* emphasizes that those who spread false news will face punishment and that those who receive information must authenticate that information through '*Tabayyun*' to confirm its authenticity. This demonstrates Islam's strong emphasis on truthfulness and accuracy in communication⁷. The social media usage results various dilemmas among the consumers such as addiction, privacy, trust, mental health issues and much more. In the context of digital media, Muslim users must ensure that their media usage aligns with Islamic teachings, for example, avoiding the dissemination of false information and *Fitnah*, refraining from *Ghībah* (gossip or backbiting) and steering clear of content that contradicts Islamic values⁸.

From a behavioural perspective, social media algorithms commodify attention, shaping moral perception and consumer desire. Islamic ethics, therefore, challenges such commodification by insisting on the principles of (1) '*Amānah*' which means that all resources, including information and time, are trusts from God to be used responsibly⁹, (2) '*Haya*' which means the element of modesty is to be taken into consideration while consuming contents from social media and above all the ethical principle of (3) '*Privacy*', that is to protect the dignity, reputation and personal space of individuals¹⁰.

Besides, the Qur'an's communication ethics rest on three interrelated principles: verification (*Tabayyun*), justice (*'adl*) and sincerity (*ikhhlās*). These principles translate seamlessly into digital ethics. Users are called to verify information before sharing it, speak truthfully and justly even against themselves and communicate with wisdom and kindness¹¹.

Prophetic guidance reinforces these virtues. The Prophet ﷺ said, "Whoever believes in Allah and the Last Day, let him speak what is good or remain silent."¹² This Hadith establishes a moral threshold for all communication—whether in speech or text—where silence is preferable to harm. In the digital era, this maxim discourages impulsive posting, trolling and digital aggression, urging Muslims to adopt mindful and beneficial online expression. Moreover, the Qur'an commands:

*Invite to the way of your Lord with wisdom and good instruction, and argue with them in a way that is best*¹³

This verse establishes *Adab al-Hiwār*—the ethics of dialogue—essential for maintaining civility on social media platforms. Ethical communication thus involves both truthful content and virtuous delivery, rooted in sincerity, humility and respect. Therefore, ethical digital consumption requires not only adherence to technical guidelines but an inner moral awareness i.e., *Taqwa* (piety, consciousness of Allah) which restrains excess, deceit and exploitation in the digital realm.

3. Islamic Ethical foundations for Digital Use

Islamic ethics (*Akhlaq*) rests on the interplay of moral intention, divine accountability and societal harmony. Its primary sources i.e., the Qur'an, Sunnah and Juristic Reasoning (*Qiyas* and *Ijtihād*) offer enduring principles applicable to new technological context as well as that guide human behaviour across time and context. In the realm of digital communication, these principles offer a framework for ethical engagement, emphasizing integrity, responsibility and restraint. These principles are adapted to modern technology and guide Muslims in the usage of digital tools with social responsibility and intention. The core ethical principles guiding digital behaviour of consumers include:

3.1. The Principle of Justice (*'Adl*)

Justice (*'Adl*) in Islam is the cornerstone of ethical conduct, encompassing fairness, truth and equity in all forms of interaction. Justice in Islam transcends legal formalism to encompass moral balance and equity. The Qur'an declares:

*Indeed, Allah commands justice, excellence, and giving to relatives, and forbids immorality, bad conduct, and oppression.*¹⁴

Justice in digital behaviour implies equitable treatment of information, protection of individuals from online harm and truthful representation in communication. This principle obligates both consumers and content producers to avoid distortion, slander and manipulation in the dissemination of digital information. Regulatory policies must thus ensure fairness in data usage, advertising and algorithmic recommendation systems.

3.2. The Principle of Truthfulness (*Sidq*)

Truth (*al-ḥaqq*) occupies a central position in Islamic ethics and is inseparable from the moral integrity of communication. Digital environments often amplify misinformation, propaganda, and moral ambiguity, making the commitment to *ṣidq* (truthfulness) more critical than ever. The Qur'an cautions:

*And do not mix the truth with falsehood, nor conceal the truth while you know it*¹⁵.

Al-Qaradawi, in *Al-Halal wa al-Haram fi al-Islam*, emphasizes that media and communication must be founded upon *al-ḥaqq* (truth), *mas'uliyah ijtima'iyah* (social responsibility) and the avoidance of *Fitnah* (discord) and falsehood¹⁶. He underscores that Muslims are obliged to verify the authenticity of any information before believing or disseminating it, referring to the Quranic injunction:

*O you who believe, if a wicked person comes to you with news, verify it, lest you harm people in ignorance and become regretful for what you have done*¹⁷.

This verse lays the ethical foundation for information verification and responsible communication in digital spaces. It parallels modern principles of media literacy and fact-checking, yet transcends them by grounding truthfulness in divine accountability. The Prophet Muhammad ﷺ said, "It is enough falsehood for a person to narrate everything he hears."¹⁸ This Hadith encapsulates the essence of moral restraint in communication, discouraging impulsive sharing without authentication—a principle highly relevant to today's social media behaviour.

Truth in communication, from an Islamic lens, is not merely factual accuracy but also moral honesty, sincerity of intent (*Ikhlaṣ*) and avoidance of deception (*Ghish*). The Prophet ﷺ declared, "The truthful and trustworthy merchant will be with the Prophets, the truthful and the martyrs."¹⁹ By analogical extension, the truthful

digital communicator, one who respects accuracy and sincerity, occupies a position of moral distinction.

In this sense, ethical digital communication becomes an act of *‘Ibādah* (worship) when it aligns with divine values of honesty and social responsibility. Thus, ethical digital conduct is not an optional moral preference but a form of faith-based duty (*farḍ kifāyah*), safeguarding the integrity of communal discourse.

3.3. The Principle of Trust (*Amānah*)

The Qur’an defines trust (*Amānah*) as a sacred responsibility:

*Indeed, We offered the Trust to the heavens and the earth and the mountains, and they declined to bear it and feared it; but man undertook it*²⁰

Trust, in the digital realm, pertains to the ethical use of information, confidentiality and privacy. Consumers who handle or share digital data bear an *Amānah* that must not be breached. In this light, unauthorized use of other’s content, cyber-theft or invasion of privacy all violate the moral trust that underpins social media relations. This aligns with Al-Qaradawi’s warning against *Ikhfā’ al-Haqīqah* (concealing truth) and exploiting public trust for personal or political gain. Regulation must therefore treat user data and digital consent as sacred trusts, integrating *Amānah* into the framework of data governance and digital consumer protection. Social media platforms thrive on data trust. Users surrender personal information in exchange for connectivity, often unaware of privacy violations. The Qur’an enjoins believers as follows:

*Verily! Allah commands that you should render back the trusts to those, to whom they are due; and that when you judge between men, you judge with justice*²¹

This verse establishes a moral and legal precedent for data protection and ethical information management. The Quran also prohibits betraying a trust²², as the misuse of user data constitutes a violation of *‘Amānah’*, making data governance both a moral and regulatory obligation.

3.4. The Principle of God-Consciousness (*Taqwa*)

Taqwā or God-consciousness forms the spiritual foundation of self-regulation. It represents continuous awareness of divine oversight, leading to self-regulation even in the absence of external authority. In digital contexts characterized by anonymity, *Taqwā* serves as the internal moral compass that deters unethical behaviour. The Qur’an reminds believers: *He knows what is within yourselves, so beware of Him.*²³

Taqwā cultivates awareness that one's online actions are not hidden from divine scrutiny, encouraging sincerity, restraint, and humility in digital engagement. Digital spaces, characterized by anonymity, test this principle. The believer is encouraged to maintain ethical restraint, avoiding deceit, voyeurism and harmful content, guided by the awareness that *God knows what you reveal and what you conceal*.²⁴

Adherents of Islam are expected to embody the Islamic principle of “*Taqwa*” consistently, whether interacting face-to-face or online. Practicing responsible online conduct is not merely a matter of etiquette but a duty grounded in faith, reflecting one's *Taqwa* and is essential to our accountability before Allah.

3.5. The Principle of Public Interest (*Maṣlaḥah*)

The concept of ‘*Maṣlaḥah*’—public welfare—forms the ethical bridge between individual rights and collective good. It legitimizes the development of digital regulations that preserve communal harmony, prevent harm (*ḍarar*), and promote beneficial digital engagement. Contemporary Islamic scholars argue that the principle of ‘*maṣlaḥah mursalah*’ (considerations of public interest) allows policymakers to legislate in areas not explicitly mentioned in scripture, provided such laws align with Sharī‘ah’s objectives (*maqāṣid al-sharī‘ah*)²⁵. This aligns the digital behaviour of Muslim users with the Islamic values of *Adab*, privacy, modesty to encourage and ensure more harmonious and peaceful society that aligns with the public interests.²⁶

As such, these principles form an integrated ethical matrix for digital behaviour. They bridge the gap between personal morality and collective regulation. Consumers who internalize these values become ethical agents in cyberspace, while policymakers who embed them into legislation ensure justice, transparency and accountability in digital interactions.

Islamic ethics thereby transforms digital communication from a morally ambiguous space into an arena of responsibility, faith and social harmony. Its regulatory vision unites spiritual virtue with social justice, ensuring that digital life remains faithful to the divine command: *And cooperate in righteousness and piety, but do not cooperate in sin and aggression*.²⁷

4. Judicial Foundations for Digital Regulation for Social Media Use

The Islamic judicial system provides a robust framework for ethical regulation and responsibility in contemporary situations such as digital technology and social media. Instead of dictating particular technology regulations, Islamic jurisprudence

offers a set of general, morally grounded standards that might influence public policy and consumer conduct.

The universal precepts from the Quran, Sunnah and jurisprudence serve as the foundation for this flexible approach. The juridical foundation for regulating social media use within Sunni Islamic jurisprudence rests upon the broader *Maqasid al-Shari'ah* (objectives of Islamic law), which seek to preserve religion (*dīn*), intellect (*'aql*), life (*nafs*), lineage (*nasl*) and property (*māl*). Sunni jurists conceptualize this responsibility through the principles of *Hisbah* (moral accountability and public oversight) and *Siyasah Shar'iyyah* (Shari'ah-based policy), both of which serve as mechanisms for maintaining public ethics and preventing harm (*darar*) in public life. Moreover, other legal theories and methods also found the basis for establishing a robust Legal Framework for Digital regulation in Islam. The *Qawaid al-Fiqqiyah* or the Islamic Legal Maxims serve as the blueprint framework upon which the Digital Regulation in Islamic Jurisprudence is established. For example, the maxim “Harm must be eliminated” (الضَّرَرُ يُزَالُ) in principle forbids inflicting or retaliating with harm. In the realm of digital ethics, it obliges companies to safeguard consumer information to avert damage from data breaches and misuse. Similarly, “custom is an arbiter” (الْعَادَةُ مُحْكَمَةٌ) suggests that societal customs and established practices may serve as a foundation for legal judgments. For digital regulatory purpose, this concept underscores the ethical tension between consumers’ established expectations of privacy, transparency and fairness, and the data-driven practices employed by digital companies. Similarly, “certainty is not overruled by doubt” (الْيَقِينُ لَا يَزُولُ بِالشَّكِّ) this principle can serve as a guide for Muslims in addressing uncertainties related to data, authenticity and the ethical utilization of technology. Besides, the legal traditional reliance on *Ijtihād* (juristic reasoning) and *Maslahah Mursalah* (public interest) allows for adaptive interpretation in the face of technological change²⁸. This flexibility legitimizes the creation of legal instruments and policies that address algorithmic manipulation, misinformation, and digital defamation while remaining grounded in Shari'ah objectives. As Al-Faruqi argues, the essence of Islamic ethics lies in the integration of value and action—ethics must manifest in social life, not remain theoretical²⁹. However, it is the *Hisbah* institution which provides the mechanism in an efficient manner.

4.1. The Historical Role of *Hisbah* and its Role in Digital Regulation

The institution of *Hisbah* represents one of the most enduring ethical and regulatory mechanisms in Islamic civilization. Rooted in the Quranic injunction to “enjoin the good and forbid the evil” أَلْأَمْرُ بِالْمَعْرُوفِ وَالنَّهْيُ عَنِ الْمُنْكَرِ, the *Hisbah* historically functioned as a public office dedicated to ensuring moral, economic and social

justice. While traditionally associated with market regulation and moral oversight, the *Hisbah* principle possesses immense potential for contemporary application, especially in the digital sphere. In the age of social media, where content dissemination, commercial transactions and identity performance occur instantaneously, revisiting *Hisbah* provides a moral-legal framework that balances freedom with accountability.

The term *Hisbah* derives from the Arabic root *h-s-b*, implying accountability and reckoning. Jurists such as, al-Mawardi in *al-Ahkam al-Sultaniyyah* defines *Hisbah* as “a duty of the state to ensure adherence to public morality, honesty in trade, and protection of communal welfare”, and as “a public duty of oversight that ensures moral integrity, economic justice, and societal welfare”³⁰. The *Muhtasib*, the official entrusted with *Hisbah*, supervised markets, monitored behaviour in public spaces and intervened against practices deemed socially or religiously harmful. Al-Ghazali in *Ihya’ Ulum al-Din* expanded its scope beyond commercial regulation to include moral and intellectual aspects too, situating it within the broader ethics of *Maslahah* (public interest), arguing that the health of a society depends on its collective moral vigilance³¹. Ibn Taymiyyah in *Hisbah fi al-Islam* emphasized its preventive dimension—ensuring justice and protecting society from deception, fraud and social harm³².

The *Muhtasib* (market inspector) traditionally supervised public markets, monitored trade practices, verified the accuracy of weights and measures and curtailed exploitative or immoral behaviour. However, the spirit of *Hisbah* extended beyond commerce; it embodied a proactive moral consciousness embedded within social governance. This preventive philosophy is particularly relevant to the digital ecosystem, where algorithmic manipulation, misinformation and unethical advertising parallel historical concerns of deceit, exploitation and public harm.

Unlike coercive control, it functions as moral guardianship—ensuring that the rights of God (*Huquq Allah*) and the rights of people (*Huquq al-‘Ibād*) coexist harmoniously.

In the digital era, the traditional public space that the *Hisbah* once monitored has migrated to virtual environments—social media platforms, online forums and digital marketplaces. These platforms shape public morality, amplify voices, and influence values, often beyond the control of conventional regulatory systems. The *Hisbah* model, when reinterpreted, provides a valuable framework for addressing emerging ethical dilemmas: misinformation, online harassment, hate speech, data manipulation and moral degradation through obscenity or exploitation. The *Muhtasib* for a digital world may be in the form of ethical committees, digital

oversight bodies or AI-driven moderation systems as compared to an office that was headed by a single officer.

The *Hisbah* framework offers corrective potential by emphasizing four main dimensions relevant to social media:

1. Truthfulness and Verification (*Tathabbut*): The Qur'an commands believers to verify news before accepting it³³. In social media contexts, *Hisbah*-based ethics promote fact-checking, prevention of disinformation, and the moral obligation to avoid slander and defamation.
2. Privacy and Dignity (*Hurmat al-Insān*): Protecting personal data, avoiding voyeuristic content, and respecting human dignity align with *Hisbah*'s function to preserve public morality and social harmony.
3. Civility and Respect (*Al-Hiwar*): Encouraging respectful discourse and discouraging hate speech reflect the moral spirit of *Hisbah*'s non-coercive guidance.
4. Accountability and Transparency (*Amanah*): Just as the *Muhtasib* ensured transparency in trade, digital regulators must ensure algorithmic and data transparency.

In each of these areas, *Hisbah* provides not merely prohibitive rules but a moral philosophy aimed at nurturing ethical consciousness—a moral ecology of digital life³⁴. Thus, the *Hisbah* would guide Prevention of online defamation (*ghibah* and *namimah*), curbing cyber-bullying, hate speech and disinformation, promoting digital *Akhlaq* (ethics) that align with *Maslahah* (public good).

The *Hisbah* institution operationalizes *Fard al-Kiffayah*, which embodies the communal obligation to safeguard social morality. In digital contexts, this principle translates into a shared responsibility among users, regulators and platform providers to ensure ethical conduct.

For example, spreading false information, cyber-bullying or promoting indecent content constitutes *Munkar* (wrong) in both classical and digital *Hisbah* frameworks. Similarly, advocating for truth, transparency and respect online constitutes *Ma'rūf* (good). The enforcement of public ethics thus becomes a collective enterprise, sustained through education, awareness, and legal sanction where necessary.

One of the primary critiques of *Hisbah*-based governance in modern contexts lies in its perceived conflict with individual liberties and human rights. Secular frameworks prioritize autonomy, freedom of expression and privacy, while *Hisbah*

emphasizes collective moral accountability. However, this dichotomy can be reconciled when *Hisbah* is interpreted through *Maqasid al-Shariah*—the higher objectives of Islamic law, which aim to protect religion, life, intellect, property and honour.

From a secular perspective, digital regulation often operates within human rights instruments such as Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which recognizes limitations on speech when necessary to protect public order or the rights of others. Similarly, *Hisbah* establishes boundaries to protect communal integrity. When interpreted through *Maqasid*, *Hisbah* complements human rights rather than contradicting them, it ensures that rights are exercised responsibly within ethical limits.

The challenge lies in operationalizing *Hisbah* without infringing on pluralism or dissent. In contemporary governance, this can be achieved by institutionalizing transparent, consultative and participatory regulatory bodies that embody the spirit, not the authoritarian form, of *Hisbah*.

As such, *Hisbah* represents an ethical architecture that integrates personal accountability and institutional oversight. Unlike secular digital governance models, which often prioritize procedural legality over morality, *Hisbah* situates regulation within a transcendental moral order. It promotes the moral self as both subject and participant in digital regulation, encouraging community-led responsibility alongside institutional enforcement³⁵.

5. Case Studies: Modern Ethical Oversight and *Hisbah* Principles

This section discusses the cases of four regulatory authorities that work in alliance with the principle of *Hisbah* and portray the scope of Islamic ethical and juristic principles applicable for digital ethics and regulation.

5.1. Committee for the Promotion of Virtue and Prevention of Vice (CPVPV) – Saudi Arabia

Saudi Arabia's Committee for the Promotion of Virtue and Prevention of Vice (*al-Hay'ah li'l-Amr bi'l-Ma'rūf wa al-Nahy 'an al-Munkar*) remains the most direct institutional legacy of classical *Hisbah*. Historically empowered to police public morality—including dress codes and social behaviour, the committee has been restructured since 2016 to focus more on advisory and educational roles rather than coercive enforcement³⁶.

In the digital realm, the Committee collaborates with the Saudi Cybercrime Authority to monitor online moral violations, including blasphemy, fraud and harassment³⁷. This evolution represents a shift from coercive policing to ethical oversight, aligning with Ibn Taymiyyah's notion of *Hisbah* as a preventive rather than punitive institution³⁸. Ethically, CPVPV's role illustrates both the continuity of *Hisbah* ideals viz. preserving public morality and the challenge of human-rights compliance, as earlier enforcement often infringed on personal privacy and freedom of expression. The recent reforms demonstrate an attempt to align moral oversight with international standards of governance and proportionality.

5.2. Malaysian Communications and Multimedia Commission (MCMC) – Malaysia

Malaysia's MCMC reflects a modern adaptation of *Hisbah* principles within a constitutional democracy. Department of Islamic Development (JAKIM) and the Mufti Councils of various states have issued fatwas and guidelines regarding ethical social-media use. These include discouragement of slander (*ghibah*), fake news and indecent content thus reflecting *Hisbah* principles of moral supervision and truthful communication³⁹. MCMC (The Malaysian Communications and Multimedia Commission) integrates these ethical imperatives into its cyber-wellbeing campaigns. The result is a hybrid system blending legal regulation with religious guidance—a *Hisbah* model compatible with human-rights standards due to its educational rather than punitive approach. While not explicitly religious, MCMC's framework integrates Islamic moral values in its “*Klik Dengan Bijak*” (Click Wisely) campaign, which promotes digital etiquette, civility and truthfulness⁴⁰.

This initiative aligns closely with *Hisbah*'s preventive and educative ethos, emphasizing moral literacy rather than punitive control. It embodies *al-Amr bi'l Ma'rūf* through digital ethics education, thereby maintaining public morality without infringing freedom of expression. However, challenges persist in balancing pluralism with Islamic ethics in a multi-religious society.

5.3. Majelis Ulama Indonesia (MUI) Digital Fatwas – Indonesia

Indonesia's MUI provides another instance where *Hisbah*-like moral oversight operates in the digital sphere. The Fatwa No. 24/2017 on “Guidelines for Social Media Use” prohibits slander (*ghibah*), hoaxes, incitement and immoral content while encouraging truthfulness and respectful discourse. These norms shape community moderation, public shaming mechanics and informal enforcement by religious groups⁴¹. Indonesia's regulatory architecture combines formal law (Information and Electronic Transactions Law) with influential religious guidance

from the *Majelis Ulama Indonesia* (MUI). MUI fatwas are not state law but carry social and institutional weight; the government and platforms often take them into account. While non-binding, these fatwas exert moral authority and reinforce the ethical dimensions of digital behaviour. MUI pronouncements have prompted platform takedowns and community sanctions even without formal legal proceedings. Here, *Hisbah* operates as societal self-regulation—encouraging digital morality through persuasion, not coercion. It strengthens the moral agency of individuals while affirming the state’s responsibility to curb harmful content in accordance with Islamic ethics.

5.4. The Online Safety Bill (2023): United Kingdom

The UK’s Online Safety Bill (2023) represents a secular parallel to *Hisbah*-like oversight. Though rooted in liberal democratic values, it mandates digital platforms to prevent harmful content, disinformation and exploitation⁴². The Bill exemplifies how Muslim and non-Muslim societies alike grapple with preserving moral order in digital communication.

Moreover, the United Kingdom’s ethics-based oversight of artificial intelligence through bodies such as the *Centre for Data Ethics and Innovation*, embodies a secular analogue of *Hisbah*. It seeks to ensure fairness, transparency and harm prevention in digital systems⁴³. This convergence illustrates *Hisbah*’s universal applicability as an ethical framework for accountability. Both systems aim to prevent exploitation and preserve the moral integrity of public space—showing that *Hisbah* principles can transcend confessional boundaries when translated into universal ethical language.

The UK’s approach, based on accountability and transparency rather than religious morality, nonetheless reflects *Hisbah*’s universal spirit: protecting communal welfare while balancing freedom and responsibility. This case underscores the potential for *Hisbah* to engage in global ethical discourse beyond its Islamic origins.

The key strength of applying *Hisbah* to digital ethics lies in its preventive and moral orientation. Unlike purely legalistic frameworks, *Hisbah* integrates law with virtue. It promotes ethical awareness, community responsibility and the pursuit of justice as a divine imperative. In an era of digital misinformation and moral fragmentation, *Hisbah* provides a transcendent ethical compass grounded in the unity of moral purpose. When interpreted through the lens of *Maqasid al-Shariah*, *Hisbah* harmonizes with modern regulatory principles, including human rights and procedural justice. Its preventive, educative and moral nature makes it adaptable to digital governance systems seeking to restore ethical balance in virtual spaces.

However, limitations arise from its historical context and potential for misuse. Classical *Hisbah* presupposed a relatively homogenous moral community, whereas digital societies are pluralistic, global and decentralized. Implementing *Hisbah* principles today demands procedural safeguards, plural engagement and human rights compatibility. Overemphasis on moral policing risks authoritarianism and public resistance, while under emphasis dilutes its ethical force. As such, the challenge lies not in replicating the medieval *Muhtasib*, but in reimagining *Hisbah* as a participatory, transparent, and ethically guided institution capable of navigating the complex moral terrains of the digital age.

6. Integrating Islamic Ethics into Digital Regulation: Conceptual Framework

The integration of Islamic ethical principles into modern regulatory systems requires both normative and institutional mechanisms. The goal is to develop policies rooted in Islamic teachings that can adapt to rapid technological changes and address issues like artificial intelligence (AI), data privacy and digital communication.

Normative mechanisms establish the ethical guidelines and jurisprudential principles, while institutional mechanisms create the bodies and processes to enforce those principles and issue rulings. Some of the ethical guidelines and principles that can be adopted at the individual as well as the social level are discussed as under:

6.1. Ethical Education and Digital Literacy

Ethical regulation begins with proper moral education. Islamic pedagogy emphasizes ‘*Tarbiyyah*’ i.e., holistic moral upbringing, as the foundation of righteous action. Educational curricula must therefore include digital ethics grounded in Islamic values, training users to exercise self-restraint and social responsibility online.

6.2. Regulatory Bodies and Accountability Mechanisms:

Drawing from the ‘*Hisbah*’ model, modern Muslim societies could establish Digital Ethics Councils responsible for monitoring harmful content, ensuring corporate transparency and promoting digital fairness. Such councils would operate alongside existing cybercrime laws but with an ethical mandate rooted in *Maqāṣid al-Sharī‘ah*—preserving faith, life, intellect, progeny, and property⁴⁴.

6.3. Data Protection

Privacy violations in digital economies directly contravene *Amanah*. Islamic legal theory recognizes informational trust as part of personal rights (*Huqūq al-‘Ibād*). Therefore, privacy regulations should classify user data as inviolable property, with consent and confidentiality protected by law. In this regard, the Qur’an instructs the believers:

*O you who have believed, do not enter houses other than your own until you ascertain if they are welcome and greet their inhabitants. That is best for you; perhaps you will be reminded.*⁴⁵

Analogously, entering someone’s digital space without consent breaches ethical and legal trust.

6.4. Misinformation and Digital Harm

The Qur’an warns:

*O you who believe, if a wicked person comes to you with news, verify it, lest you harm people in ignorance*⁴⁶.

This verse forms the ethical basis for combating fake news and online misinformation. Regulators should promote verification protocols and penalize deliberate disinformation campaigns, harmonizing moral education with legal enforcement.

7. Conclusion

Digital behaviour is not morally neutral; it reflects the ethical health of society. As social media reshapes human consciousness, and in context this paper has argued that Islamic ethical and judicial thought offers a robust, holistic and spiritually grounded framework for navigating the complex moral terrain of the digital age. In an era where social media consumption presents both unprecedented empowerment and profound vulnerability, secular digital ethics, with its often utilitarian or rights-based focus, can be usefully complemented by the transcendent and comprehensive nature of the Islamic paradigm.

The analysis demonstrates that core Islamic ethical principles—*‘Adl* (Justice), *Sidq* (Truthfulness), *Amanah* (Trust), *Taqwa* (God-Consciousness) and *Maslahah* (Public Interest)—provide a timeless moral compass for digital conduct. These principles transform online interaction from a morally neutral activity into an act of worship

(*'Ibādah*) governed by divine accountability. They compel the user to move beyond passive consumption to become an ethical agent responsible for verifying information (*Tabayyun*), engaging in civil dialogue (*Adab al-Hiwār*) and protecting the dignity and privacy of others.

Beyond individual morality, the paper establishes that Islamic jurisprudence possesses the dynamic legal and institutional mechanisms to inform modern digital regulation. The principles of *Maqasid al-Shari'ah* (Objectives of Islamic Law) and *Qawaid al-Fiqhiyyah* (Legal Maxims) provide a flexible blueprint for legislation that protects human welfare from digital harms. Crucially, the classical institution of *Hisbah* – re-imagined not as a coercive force but as a model for ethical oversight— offers a powerful template for ensuring accountability, transparency and public good in the digital sphere. The case studies of Saudi Arabia, Malaysia, Indonesia and the United Kingdom reveal a spectrum of regulatory approaches, each reflecting, to varying degrees, the preventive, educative and morally-conscious spirit of the *Hisbah* model.

The integration of Islamic ethics into digital regulation is not an anachronistic imposition but a relevant and necessary endeavour. It calls for a synergistic approach that combines normative mechanisms with institutional mechanisms such as Digital Ethics Councils. This framework ensures that technological progress is aligned with moral and spiritual well-being, safeguarding the intellect, lineage, property and honour of the individual and the community.

In conclusion, the Islamic ethical and judicial system provides more than just a set of prohibitions; it offers a positive, holistic vision for a digital ecosystem characterized by trust, responsibility and social harmony. By internalizing its principles and adapting its judicial wisdom, Muslim consumers, policymakers and societies at large can contribute to the development of a digital world that is not only technologically advanced but also morally accountable, just and ultimately, humane. This paper affirms that in the quest for a more ethical digital future, the rich intellectual heritage of Islam is an indispensable and vital resource.

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