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## Muhammadiyah Information Jurisprudence : A Guide Freedom of Expression in Maqoshid Sharia-Based Social Media

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**Abstrak:** *This study aims to find out the guidelines for freedom of expression on social media according to Muhammadiyah Information Fiqh and to know the limitations of freedom of expression on social media based on maqoshid syariah in Muhammadiyah Information Fiqh. This research is a qualitative research in the form of library research. This research includes qualitative research which is research aimed at analyzing the research object holistically, descriptively without statistical analysis methods. The main object of this research is various basic principles or values in Muhammadiyah Information Jurisprudence. The research approach used is a philosophical approach (philosophy of Islamic law). Because as we all know, Indonesia adheres to a civil law system where on the principle of legality it states that the applicable law is only written law, while producing a written law takes quite a long time to be heard and promulgated. Therefore this study aims to explore legal formulations regarding freedom of expression in Indonesian legal regulations; to know the effectiveness of Muhammadiyah Information Fiqh accommodation in the concept of freedom of expression in Indonesia. The presence of Maqoshid Syariah is expected to be able to regulate freedom of expression behavior in accordance with the principles of Islamic law. This specificity is what makes freedom of expression must be regulated separately outside the realm of positive law. To achieve this goal, research was carried out using normative methods to find a rule of law, legal principles, and legal doctrines to answer the legal issues that are faced next in answering the problem through an Islamic legal philosophy approach, namely by exploring problems in social media, then identifying Muhammadiyah information fiqh and Islamic law canons based on maqasidu syari'ah.*

*Finally, elaborating on Muhammadiyah information fiqh and Islamic law principles based on maqasidu syari'ah to answer as well as give direction in social media In this study it was found that according to Muhammadiyah information fiqh, every human being has freedom in using social media as long as it does not cause harm to the goals of maqasidu syari'ah. Even if the information is factual, if it can cause harm, then it must be abandoned. This is in accordance with the rules of fiqh "avoiding damage takes precedence over taking advantage.*

**Keywords: Fiqh information, Muhammadiyah, Maqasidu Syari'ah**

## **INTRODUCTION**

The existence of social media (medsos) in the digital era makes it easier for people to interact socially. The role of social media also has a big impact on all lines of life, both in the economic, political, cultural, political and religious fields. Because of its great influence in the development of all aspects of modern life, it is not surprising that the use of social media has become a globalization trend in the field of information and communication media in various countries, including Indonesia<sup>1</sup>.

Behind its big role for the benefit of modern society, there are also many problems with the use of social media. This happens when the fusion of personal (individual) private freedom spaces in social media as public spaces is not matched by proper control over their use, such as conveying messages, and cross opinions without respect, tolerance and empathy between users. There are also not a few social media users who easily express negative opinions and prejudices. Even judging a case or other person, without a valid basis on social media which incidentally is a public space<sup>2</sup>. It doesn't stop here, the spread of fake news (hoaxes) on social media is also increasingly widespread, which in turn causes anxiety and skepticism in the community regarding the information circulating<sup>3</sup>. In addition to hoax news, various forms of hate speech, such as insults, inciting, political provocation, defamation, religious blasphemy, and spreading fake news (hoaxes) also occur on social media<sup>4</sup>. The lack of public awareness of the use of social media, it is not surprising that in 2020 there was an increase in criminal cases related to social media use activities in Indonesia, which recorded around 59 cases from the previous 24 cases that occurred in 2019<sup>5</sup>.

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<sup>1</sup> Daniel Susilo, Teguh Dwi Putranto. 2017 . "Indonesian Youth on Social Media: Study on Content Analysis,"Advances in Social Science, Education and Humanities Research, International Seminar on Social Science and Humanities Research, vol. 113.hal. 94

<sup>2</sup> Uud Wahyudin, Kismiyati El Karimah. 2016. "Etika Komunikasi Di Media Sosial," (Prosiding Seminar Nasional Komunikasi). Hal. 216

<sup>3</sup> Christiany Juditha. April 2018. "Interaksi Komunikasi Hoax di Media Sosial serta Antisipasinya," Jurnal Pekommas, Vol. 3 No. 1. Hal. 31-44

<sup>4</sup> Dian Junita Ningrum, Suryadi, dan Dian Eka Chandra Wardhana, "Kajian Ujaran Kebencian Di Media Sosial," Jurnal Ilmiah Korpus, Vol. II, No. III (2018) : 241

<sup>5</sup> <https://www.cnnindonesia.com/teknologi/20201020160620-185-560594/safenet-kebebasan-berpendapat-di-medsos->

Muhammadiyah as an Islamic social organization, since its inception has paid attention to the importance of information as a determinant of human civilization. This can be traced from the history of the formation of the Hoofd Bestuur Muhammadiyah Part Taman Pustaka on June 17, 1920<sup>6</sup>, which is currently known as the Library and Information Council. . Through the Tarjih Council, they also felt that it was necessary to compile Information Fiqh Al-'Ilam which did not only have a Juridical dimension, but also had a thicker religious touch. For this reason, it is the duty of a Muslim to confirm any news he receives in order to avoid spreading Hoax news. This is in line with the message of the Qur'an in sura al hujurat verse 6.

يا ايها الذين آمنوا ان جاءكم فاسق بنبأ فتبينوا ان تصيبوا قوما بجهالة فتصبحوا على ما فعلتم نادمين  
*"O you who believe! If someone who is wicked comes to you with some news, then research the truth, so that you do not harm a people because of stupidity (carelessness), in the end you regret what you did."*

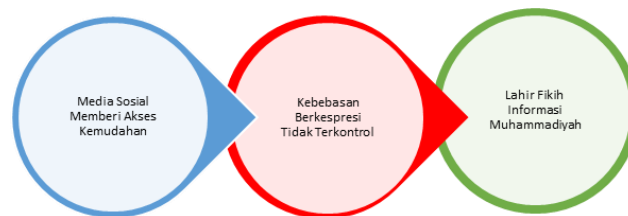


Diagram 1  
 Ket. Problem Flow

Islamic Shari'a will never be stale all the time and will not be obsolete all the time. The obsolescence of Islam because Islamic law always maintains benefit and eliminates harm (damage) to Nature. So that Islamic law is always and remains shalih likulli wa makaan. Maintaining benefit and eliminating harm according to Syatibi and Jaser Audah is maqasidu syariah<sup>7</sup>

The purpose of Islamic law which is read in maqasidu syariat is very universal and can be recorded in various aspects of life, including in traditional and contemporary muamalah practices. . In contemporary practice, the use of Maqashid Syariah cannot be separated from Muslim needs so that it is implemented in the care of the soul (hifz an-nafs); such as from death threats in the practice of buying and selling gecko bile which is efficacious for curing HIV AIDS. Another implementation is the safeguarding of assets (hifz al-mal) which are recorded in Islamic insurance practices and Islamic mutual funds. This can guarantee that someone's property will return according to the agreement that was agreed upon in the

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<sup>6</sup> Encyclopedia of Muhammadiyah 2005

<sup>7</sup> Novi Rizka Amalia, Penerapan konsep maqashid syariah untuk realisasi identitas politik islam di Indonesia, Dauliyah, Vol. 2, No. 1, Januari 2017 (DOI: <http://dx.doi.org/10.21111/dauliyah.v2i1.806>)

event of a disaster<sup>8</sup>. Furthermore, the implementation of maqasid Shari'ah in terms of protecting the mind (hifz aqal) does not only prohibit things that damage the mind such as prohibiting Khamar,

According to Jassir Auda himself<sup>9</sup>, to answer the dynamic problems of Islamic law, one of which is the many hoax news on social media, a holistic legal logic is needed. Auda proposed the importance of a systems philosophy approach in Islamic law. For Auda, the system approach is a holistic approach that views each entity as a unified system<sup>10</sup>. In this study, the Islamic legal system approach as offered by Auda above will be used as an analytical theory in exploring, analyzing as well as identifying guidelines for freedom of expression on social media based on sharia maqoshid in the Muhammadiyah Information Fiqh.

## LITERATURE REVIEW

Based on the author's search, no previous research was found that discussed Muhammadiyah Information Jurisprudence, especially the focus of his study on freedom of expression on sharia-based social media. However, the researcher found previous studies that were similar to the theme above, as follows. Research by Dikdik Baehaqi Arif, Yusuf Sapto Nugroho, Millatina, and Linda Nurmalasari (2019)<sup>11</sup> states that Muhammadiyah Central Executive, through the Library and Information Council, has published the Fiqh Information book as a guideline for society to be able to use social media wisely. The formulation of the Information Fiqh book is the answer to the importance of a code of ethics in the digital information age.

It is different from the researchers above, Niki Alma Febriana Fauzi (2017)<sup>12</sup> in her research actually provides critical notes on Muhammadiyah information fiqh. According to Niki, the existence of information fiqh as a product of the collective ijtihad of the Muhammadiyah Tarjih Council has limitations, both in its framework and in its content. Therefore, it must always be updated following developments in the use of social media in the midst of the life of a digital society. Based on various previous studies as above, it can be said that globally in studying Muhammadiyah Information Jurisprudence regarding in the use of information media and digital communication, there has not been found any research that focuses on studying freedom of expression on sharia-based maqoshid social media. Therefore this research can fill in the blanks and complement existing research

### 1. Muhammadiyah Information Fiqh

Information jurisprudence is a result of the process of istimbath using sources

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<sup>8</sup> Haqiqi Rafsanjani, Etika produksi dalam kerangka maqashid syariah. Jurnal Perbankan Syariah Vol. 1 No. 2, November 2016 ISSN: 2527 – 6344 (DOI: <http://dx.doi.org/10.30651/jms.v1i2.763>)

<sup>9</sup> Muhammad Iqbal Fasa , Reformasi pemahaman teori maqAshid syariah Analisis Pendekatan Sistem Jasser Auda, Hunafa: Jurnal Studia Islamika, Vol. 13, No. 2 Desember 2016: 218-246

<sup>10</sup> Ibid, Muhamad Iqbal Fasa

<sup>11</sup> Dikdik Baehaqi Arif , Yusuf Sapto Nugroho , Millatina , Linda Nurmalasari, Akhlakul medsosiyah: membangun warga negara cerdas bermedia sosial, Posiding Seminar Nasional Pendidikan Kewarganegaraan 2019 "Penguatan Pendidikan Kewarganegaraan Perguruan Tinggi, Persekolahan, dan Kemasyarakatan Di Era Disrupsi"

<sup>12</sup> Niki Alma Febriana Fauzi, Menggagas fiqh media sosial, Harian Republika, 9 Januari 2017

of Islamic law to address how to use information technology in a polite and civilized manner. Information fiqh is needed so that people can intelligently sort and choose the various types of information that are scattered in cyberspace<sup>13</sup>. Islam as a religion that is *shalih li kulli masa wa eat* has contributed to preventing the spread of hatred which could trigger divisions among the people in particular and divisions of the nation. Information Jurisprudence initiated by the Muhammadiyah Community Organization is here as a form of Islamic grace for the people in facing the swift flow of information in the era of social media.

Discussing the issue of Jurisprudence, it is not only a set of taklifi legal provisions such as Halal, Haram, Obligatory, Mubah, Makruh but Jurisprudence as a whole consists of tiered norms which include Basic Values *al Qiyam al Asasiyah* Universal Principles of *al Ushul al Kulliyah* and Legal Provisions *onkrit al Ahkam al Far'iyah* Values The basic values are the universal principles of Islam both in the field of *aqidah* law and ethics (morals).

Fiqh Framework Information can be briefly summarized as follows: discussion of Basic Values (*al Qiyam al Asasiyah*) talks about: monotheism, good morals, and *mashlahah*. While on the universal principle (*al-ushul al-kulliyah*) includes discussions on: Transparency, Prudence, Balance, Freedom of Expression and Access, and Rationality and Proportionality. Furthermore, the discussion of Concrete Legal Provisions (*al-Ahkam al-Far'iyah*) reviews the halal-haram aspects of using social media.

Unlimited freedom of information through social media has the potential to threaten the principles of honesty, unity, togetherness and individual rights. This is where a religious approach needs to be taken to see and provide guidelines for living in cyberspace or online media, more specifically social media. Religious guidance in solving problems is seen as effective, because it is believed to still be a source of guiding behavior that must be guided. Society needs to get a guide that contains values, principles and rules on how to utilize and use social media as a new world.

In order not to get caught up in using social media to disseminate information whose truth is unclear, even including the category of fake news (hoax), Muhammadiyah Central Executive, through the Library and Information Council, has published a Fiqh Information book as a guide for the public to be able to use social media better. The formulation of this Information Fiqh book is the answer to the need for guidance in life in the information age, where everything changes rapidly due to the swift flow of information<sup>14</sup>.

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<sup>13</sup> Hendra A. Setyawan. 2017. "Fikih Informasi Di Era Media Sosial Dalam Membangun Komunikasi Beretika (Studi Kajian Fikih Informasi Sudut Pandang Ormas Muhammadiyah). Disampaikan Pada Seminar Nasional Tentang Membangun Etika Sosial Politik Menuju Masyarakat Yang Berkeadilan. Diselenggarakan Oleh FISIP Universitas Lampung Pada Tanggal 18 Oktober 2017 Di Hotel Swiss bell Bandar Lampung

<sup>14</sup> Kumparan, "Muhammadiyah rilis 'Fikih Informasi', Buku Panduan bermedia sosial," Kumparan, 2019. [Daring]. Tersedia pada:

Information Jurisprudence also contains a formulation of a code of ethics for social media specifically aimed at netizens within Muhammadiyah circles (NetizMu) and generally for the general public, so that social media can be used based on good morals (akhlaqul karimah) in accordance with the guidance of the Koran and Hadith, also use social media as a means of preaching amar ma'ruf nahi munkar with wisdom and mauizhah hasanah. Through a code of ethics known as akhlakul medsosiyah<sup>15</sup>, social media users are expected not to do the following: (1) commit backbiting, slander, namimah, and spread hostility; (2) making hate speech, bullying, and hostility based on ethnicity, race, or between groups; (3) spreading pornographic materials, immorality and all that is prohibited by syar'i; (4) spreading hoaxes and false information even with good intentions; (5) spreading content that is correct but not in accordance with the place or time. More than that, social media is actually used as a medium to stay in touch, together to exchange information and preach amar ma'ruf nahi munkar collectively. The content delivered is enlightening and educating, does not conflict with social norms, religion, and in accordance with Indonesian ethics and does not violate the rights of others. Social media can also be used as a medium for reminding each other, advising goodness with high ethics in accordance with Islamic teachings, being able to correct and apologize when making mistakes<sup>16</sup>.

## 2. Maqasidu syari'ah

The existence of maqasid syariah is a core feature which is the goal of Islamic law enforcement. the existence of maqasid shari'ah should not be neglected in the determination of Islamic law<sup>17</sup>. Maqasid itself is taken from the word 'maqsid' (plural: Maqasid) refers to the meaning of goals, objectives, principles, things of interest, or ends in English, telos in Greek, finalité in French, or Zweck in German<sup>18</sup>. As for the science of shari'ah, al-Maqasid can show several meanings such as al-hadhf, al-gard, al-mathlub, or al-ghayah of Islamic law<sup>19</sup>.

Maqasid syari'ah as a stated main objective "A part of Islamic law, which is based on shari'a, cannot be considered as al-Maqasid, unless it is attached to a legitimate target and can achieve benefit or prevent mafsada"<sup>20</sup>. As for Islamic law, Imam Ibn al-Qayyim said that "the basic building of the law is laid upon the wisdom and well-being of humans, in this world and in the hereafter.

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<https://kumparan.com/@kumparannews/muhammadiyah-rilis-fikih-informasibuku-panduan-bermedia-sosial-1550191228873371638>

15 A.Rasyid, "Akhlakul medsosiyah: Cerdas bermediasosial di tahun politik," Selasar, 2018. [Daring]. Tersedia pada: [https://www.selasar.com/jurnal/43049/A\\_khlaqul-Medsosiyah-Cerdas\\_Bermediasosial-di-Tahun-Politik](https://www.selasar.com/jurnal/43049/A_khlaqul-Medsosiyah-Cerdas_Bermediasosial-di-Tahun-Politik)

<sup>16</sup>Dikdik Baehaqi Arif1 dkk, Akhlakul medsosiyah: membangun warga negara cerdas bermedia sosial, Posiding Seminar Nasional Pendidikan Kewarganegaraan 2019 "Penguatan Pendidikan Kewarganegaraan Perguruan Tinggi, Persekolahan, dan Kemasyarakatan Di Era Disrupsi"

<sup>17</sup>Jasser Auda. Maqasid al-Shari'ah as Philosophy of Islamic Law: a Systems Approach. Hal....54

<sup>18</sup>Ibid ....hal. 2

<sup>19</sup>Ibid ....hal. 6

<sup>20</sup>Ibid ....hal. 7

Shari'a, everything is justice, mercy, wisdom and kindness. Therefore, if there is a rule (in the name of Shari'a) that replaces justice with injustice, mercy and its opposite, general benefit with mafsada, or wisdom with nonsense, then that rule is not included in Shari'a<sup>21</sup>. Therefore From the various interrelated explanations and definitions above, at least Maqasid Al-Syari'ah can be understood as the goal of a set of Islamic law in the formation of justice and the benefit of society, not a series of rules that lead to the destruction of social order.

The dynamics of Islamic law can be seen from its movement space, namely first, there are texts that have come down globally whose implementation requires further interpretation and elaboration. Second, we can give a law to a new event by looking at the text of the law on other events that have the same 'illat. In the language of fuqaha, legal legitimacy, such as this is called qiyas or analogical legal taking. Third, there are Islamic legal principles and mashlahah principles in accordance with maqashid sharia<sup>22</sup>.

The principles of Islamic law based on the principle of maslahat must be in line with maqashid shari'ah. Pencyari'atan Islamic law aims to achieve benefit and avoid damage to humans. As written:

درء المفساد مقدم علي جلب المصالح

*Dar'ul mafasid muqaddamun ala jalbi masalih*(Avoiding harm takes precedence over taking advantage). So that the principles of Islamic law that are in line with maqasidu shari'ah are needed in dealing with contemporary problems such as

Mastery of Maqasid Syari'ah mutlaq is required in an effort to perform istinbath al-aḥkam. This Maqasid Shari'ah will make it easier for mujtahids to determine the obsession with legal regulations as well as maṣlaḥah and mafsadah. It is important for mujtahid to prioritize fiqh al-Maqasidi because it places benefit as a legal consideration. Thus the concept of Maqasid Shari'ah is a necessity for the realization of the existence of humanist, elastic and egalitarian fiqh.

The paradigm shift in the study of Islamic jurisprudence with a maqāṣid perspective, from the old maqāṣid theory to the new maqāṣid theory lies at the point of emphasis of both. The old maqāṣid's emphasis was on protection and preservation, while the new maqāṣid's theory emphasized development and

<sup>21</sup>Syukur Prihantoro Maqasid al-syari'ah dalam pandangan jasser auda (sebuah upaya rekonstruksi hukum Islam melalui pendekatan sistem),At-Tafkir Vol. X No. 1 Juni 2017

<sup>22</sup>Muannif Ridwan, Ijtihad Pada Era Kontemporer (Konteks Pemikiran Islam dalam Fiqih dan Maqashid al-Syariah) Jurnal Masohi, Volume 1(2), 2020, hlm 110-121

rights<sup>23</sup>.

## DISCUSSION

### 1. Freedom of Expression on Social Media in Muhammadiyah information fiqh

In the perspective of Muhammadiyah, the existence of digital information and communication media, such as social media, is something that cannot be avoided, but must be addressed while maintaining ethical signs in its use, especially for Muslims. This is none other than so that social media does not just become a medium for spreading hatred and slander. Not only that, so that the existence of information on social media does not mislead the public<sup>24</sup>. Social media or better known as social media (social media) is an internet-based (online) social interaction medium that provides facilities for its users to be able to share, participate, and create various content in the form of blogs, wikis, forums, social networks<sup>25</sup>. With its various advantages, social media can be a medium for social interaction that is not limited by distance, time and even place. Not only that, social media is also able to remove barriers that limit social class status which sometimes becomes an obstacle in social interaction in society. Therefore, the existence of social media in today's modern era can be said to have brought a new paradigm and way of social interaction.

The existence of social media in this digital era has become a new medium of social interaction for the community, both as a medium of communication and information. Through social media, a person can communicate, comment, and even argue in various discourses or events that occur. Through social media, someone can also have the same opportunity to get and disseminate information. It doesn't stop there, the existence of social media has also diverted the culture of communication and information from modern society which initially only took place in the physical space (print media column), finally it can take place in the virtual space (virtual sphere)<sup>26</sup>. Thus it is not surprising that the existence of social media has become an urgent medium for modern society in carrying out activities and meeting their daily needs.

Behind its big role for the benefit of modern society, there are also many problems with the use of social media. This happens when the fusion of personal (individual) private freedom spaces in social media as public spaces is not matched by proper control over their use, such as conveying messages, and cross opinions without respect, tolerance and empathy between users. There are also not a few social media users who easily express negative opinions and prejudices. Even judging a case or other

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<sup>23</sup>Muhammad Iqbal Fasa .Reformasi pemahaman teori maqāṣid syariah : Analisis Pendekatan Sistem Jasser Auda, Hunafa: Jurnal Studia Islamika, Vol. 13, No. 2 Desember 2016: 218-246

<sup>24</sup> Hendra A. Setyawan. 2017. "Fikih Informasi Di Era Media Sosial Dalam Membangun Komunikasi Beretika (Studi Kajian Fikih Informasi Sudut Pandang Ormas Muhammadiyah). Disampaikan Pada Seminar Nasional Tentang Membangun Etika Sosial Politik Menuju Masyarakat Yang Berkeadilan. Diselenggarakan Oleh FISIP Universitas Lampung Pada Tanggal 18 Oktober 2017 Di Hotel Swiss bell Bandar Lampung

<sup>25</sup>GA Guritno dkk, Panduan Optimalisasi Media Sosial Untuk Kementerian Perdagangan RI, 25

<sup>26</sup>Watie, Errika Dwi Setya. 2011. "Communication And Social Media", The Messenger, Vol.III, No.1.Hal. 72-73



person, without a valid basis on social media which incidentally is a public space<sup>27</sup>. It doesn't stop here, the spread of fake news (hoaxes) on social media is also increasingly widespread, which in turn causes anxiety and skepticism in the community regarding the information circulating<sup>28</sup>. In addition to hoax news, various forms of hate speech, such as insults, inciting, political provocation, defamation, religious blasphemy, and spreading fake news (hoaxes) also occur on social media<sup>29</sup>. The lack of public awareness of the use of social media, it is not surprising that in 2020 there was an increase in criminal cases related to social media use activities in Indonesia, which recorded around 59 cases from the previous 24 cases that occurred in 2019<sup>30</sup>.

Seeing the phenomenon of massive use of social media by the community, many of which have negative excesses. Muhammadiyah as part of civil society has a moral responsibility to provide directives for good use of social media. Fiqh Framework Information on Muhammadiyah's offer can be briefly summarized as follows: discussion of Basic Values (al Qiyam al Asasiyah) talks about: monotheism, good morals, and mashlahah. While on the universal principle (al-ushul al-kulliyah) includes discussions on: Transparency, Prudence, Balance, Freedom of Expression and Access, and Rationality and Proportionality<sup>31</sup>.

Whatever use of social media must lead to achieving benefits, but sometimes at a certain point avoiding damage is prioritized over taking benefits as set out in the rules of Islamic law

درء المفاسد مقدم علي جلب المصالح

"Avoiding damage takes precedence over taking the right thing"<sup>32</sup>

In practice, people are often in a hurry to convey information on social media without being careful and balanced. Even though the news was true after being cross-checked according to the mandate of Surah Al Hujurat verse 6

"O you who believe, if someone who is wicked comes to you with a message, then examine the truth of the news (crosscheck)...."

From this verse it is concluded that the news that comes to us must first be checked for truth. Even though the news is true, we don't necessarily share it with

<sup>27</sup>Uud Wahyudin, Kismiyati El Karimah. 2016. "Etika Komunikasi Di Media Sosial," (Prosiding Seminar Nasional Komunikasi). Hal.216

<sup>28</sup>Christiany Juditha. April 2018. "Interaksi Komunikasi Hoax di Media Sosial serta Antisipasinya," Jurnal Pekommas, Vol. 3 No. 1. Hal. 31-44

<sup>29</sup>Dian Junita Ningrum, Suryadi, dan Dian Eka Chandra Wardhana, "Kajian Ujaran Kebencian Di Media Sosial," Jurnal Ilmiah Korpus, Vol. II, No. III (2018) : 241

<sup>30</sup><https://www.cnnindonesia.com/teknologi/20201020160620-185-560594/safenet-kebebasan-berpendapat-di-medsos-memburuk>

<sup>31</sup>Hendra A. Setyawan, 2017, Fikih informasi di era media sosial dalam membangun komunikasi beretika (Studi Kajian Fikih Informasi Sudut Pandang Ormas Muhammadiyah), Disampaikan Pada Seminar Nasional Tentang Membangun Etika Sosial Politik Menuju Masyarakat Yang Berkeadilan. Diselenggarakan Oleh FISIP Universitas Lampung Pada Tanggal 18 Oktober 2017 Di Hotel Swiss Bell, Bandar Lampung

<sup>32</sup>Abu Yasid, Logika hukum ( dari mazhab Rasionalisme hukum Islam hingga positivisme hukum Barat, Saufa, Situbondo, 2016, hlm 236

the public. As believers, we must weigh whether the news brings benefit or harm. If the true news has a lot of harm reaching the public, then a believer doesn't immediately share it with the public. This is in accordance with the rules above<sup>33</sup>. This is also in line with other fiqh rules, namely:

إِذَا اجْتَمَعَ الصَّرَّازَانِ فَعَلَيْكُمْ بِأَخْفَاهُمَا

"When two dangers come together, take the lighter one"<sup>34</sup>

From the above principles it can be explained that in fiqh Muhammadiyah information leads to maqasid sharia which does not protect religion, soul, lineage, property and mind. But also on development and development of rights. As is known, the use of social media that does not pay attention to the above rules will cause damage and violate the rights of other people<sup>35</sup>.

Therefore the freedom to use social media in Muhammadiyah fiqh must be based on aspects of prudence, balance and proportionateness so that benefits are achieved which are in line with maqasidu shari'ah.

## 2. Corridor of freedom of expression on social media in Muhammadiyah Information Fiqh based on maqosid shariah

Freedom of expression on social media for Muhammadiyah is a person's right and this is in line with the new maqasid perspective offered by maqasidu jaser mudah, namely development and development of individual rights to obtain and share information on social media.

However, this freedom does not violate the rights that must be protected in maqasidu syari'ah, especially to the point of causing harm without regard to benefit.. The rights that must be protected are religion, life, property, lineage and reason<sup>36</sup>. This means that in expressing on social media these five things must be maintained and protected and even must have the spirit to build these five things in a better direction.

In expressing on social media if it is related to these five<sup>37</sup>, you have to be very careful. In terms of religion, don't disgrace certain religions with narratives of hatred that can trigger hatred between adherents of religions, especially given that Indonesia is heterogeneous. Instead, we have to build a narrative of togetherness in difference with the spirit of *fastaqul khoiroh* for the sake of the nation.

As for protecting the soul, the use of social media must be wise by not using

<sup>33</sup> Abdullah ibn abdurrahman al bassam, Al ilham fi ushul ahkam (memahami dasar dasar hukum), pembela Islam, Jakarta, 2014, hlm 71.

<sup>34</sup> Teungku Muh Hasbi Ash shidiqy, Falsafah Hukum Islam, Pustaka Rizki Putra, Semarang, 2001, hlm 283

<sup>35</sup> Ibid, Hendra A setyawan

<sup>36</sup> Dikdik Baehaqi Arif, dkk, Akhlakul medsosiyah: Membangun warga negara cerdas bermedia sosial, Posiding Seminar Nasional Pendidikan Kewarganegaraan 2019 "Penguatan Pendidikan Kewarganegaraan Perguruan Tinggi, Persekolahan, dan Masyarakat Di Era Disrupsi"

<sup>37</sup> Zaenudin Mansyur, Implementasi teori maqashid syari'ah asy-syatibi dalam muamalah kontemporer, Jurisdiction: Jurnal Hukum dan Syariah Vol. 11 No.1 Tahun 2020

hateful and provocative sentences that can cause riots and destruction. Meanwhile, in terms of maintaining and developing family and offspring, it is a necessity that must be considered in expression on social media. Freedom of expression on social media should not be misused by spreading information that can undermine family resilience by sharing pornographic things that can encourage adultery so that it can disrupt the resilience of families and the younger generation. For the maintenance and development of reason and property is no less important. Reason is a very valuable gift from God. With a clean and educated mind, you will create a great person who can achieve wealth in a lawful way and does not violate state regulations. Therefore, in expressing on social media, don't share things that damage and weaken the mind, such as spreading pornographic content and building narratives that can weaken the mind to learn, and even damage it.

From the explanation above, it can be explained that the limits of expression in social media must pay attention to the benefits and harms based on maqasid sharia, namely maintaining and building side of religion, heredity (family), soul, wealth, and mind. The five things above must be a top priority that must be considered in expression on social media, if this is ignored it will cause harm to a community

## **CONCLUSION**

Freedom of expression in Muhammadiyah fiqh must pay attention to aspects of prudence, balance and proportion. In practice, you have to cross-check a piece of news before sharing it. Even though the news is true, it can cause damage, so the news should not be shared according to the rules Dar'ul mafasid muqaddamun ala jalbi masalih (Avoiding harm takes precedence over gaining a benefit).

Freedom of expression corridor on social media according to Muhammadiyah information fiqh. For Muhammadiyah, freedom of expression on social media is a person's individual right. However, this freedom must have corridors and not absolute freedom without limits. In expressing on social media, one must pay attention to the benefits and harms based on maqasid syari'ah, namely maintaining and building the side of religion, family (heredity), soul, wealth and reason. If these five things are not paid attention to and even violated, it will cause damage and destruction to a group.

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