

 **As-Sunnah**
Jurnal Ilmu Dirayah



سنة

Diterbitkan oleh:
Program Studi Ilmu Hadis
Sekolah Tinggi Dirasat Islamiyah
Imam Syafi'i Jember



Volume 1 Nomor 2, Maret 2026

Program Studi Ilmu Hadits

Sekolah Tinggi Dirasat Islamiyah Imam Syafi'i Jember

Jawa Timur - Indonesia

PIMPINAN REDAKSI

Salman Zulfahmi, S.Ag., M.Ag.

MITRA BESTARI

Nur Kholis bin Kurdian, Lc, M.Th.I

Dr. Emha Hasan Ayatulloh Asyari, M.A.

Muhammad Ilyas, BA., M.Ag.

Nandang Husni Azizi, S.Ag., M.Ag.

Mohammad Kurnaini, S.Ag., M.Ag.

Arya Bima Setia Laksana, B.A., MA.

Dr. Irsyad Hasan Isa Ansori, B.A., M.A.

TIM EDITOR & LAYOUT

Hastowohadi., M.Pd

Ruston Kumaini, S.Pd., M.A.

Marwan Mas'ud, S. Ag.

Muhammad Yusriel Amien, S.Ag.

Humaidulloh Sahlan

Ivan Prasetya, S.Ak.

Muhammad Erlan Mauludi, S.H.

ALAMAT REDAKSI

Sekolah Tinggi Dirasat Islamiyah Imam Syafi'i Jember

JL. MH Thamrin Gang Kepodang No 5 Jember, Jawa Timur - Indonesia

Telp/Fax 0331-326831. Email: assunnahjurnal@gmail.com

MUQADDIMAH

Alhamdulillah, segala puji bagi Allah yang Maha Pemurah yang telah memudahkan proses terbitnya As-Sunnah: Jurnal Ilmu Hadits volume 1 nomor 2 pada bulan Maret 2026.

As-Sunnah: Jurnal Kajian Hadis adalah jurnal ilmiah yang memfokuskan kajiannya pada kajian hadis yang meliputi fiqhul hadis, implementasi hadis, Living hadis, diskursus inkar sunnah, hadis dan isu kontemporer.

As-Sunnah memuat artikel-artikel ilmiah yang telah melalui proses per-review dan diterbitkan sebanyak dua kali dalam setahun, yaitu pada bulan September dan Maret. Jurnal As-Sunnah berkontribusi dalam pengembangan ilmu keislaman khususnya dalam upaya memahami, menafsirkan, dan mengaktualisasikan sunnah Nabi Muhammad *shallallahu ‘alaihi wa sallam*.

Pada edisi ini tim redaksi mengangkat 5 judul penelitian ilmiah yang berkaitan dengan tokoh hadis, fikih hadis, kitab hadis, kritik hadis, living hadis dan aplikasi hadis. Kami mewakili tim redaksi Jurnal Al-Sunnah mengucapkan terima kasih kepada semua pihak yang telah berpartisipasi dalam proses penerbitan jurnal ini. Semoga kehadiran Jurnal As-Sunnah dapat menambah khazanah keilmuan Islam yang bermanfaat. Aamiin.

Jember, 11 Maret 2026

Pimpinan Redaksi As-Sunnah

Jurnal Ilmu Hadits

Salman Zulfahmi, S.Ag., M.Ag.

PEDOMAN PENULISAN JURNAL

1. Tulisan dapat berbentuk konseptual dan lebih baik berbentuk hasil penelitian dalam lingkup ilmu keislaman, baik penelitian lapangan maupun penelitian kepustakaan.
2. Naskah diketik dengan *Microsoft Word* pada kertas ukuran A.4.; font *Times New Arabic*, size 12, spasi 1,5 dengan panjang antara 15 - 25 halaman. Jika tulisan artikel menggunakan bahasa Arab, maka menggunakan font *Sakkal Majalla*, size 14 dan spasi 1,5 dengan panjang antara 6.000 - 8.000 kata.
3. Sistematika penulisannya sebagai berikut:

Judul : padat, jelas, dan mencerminkan substansi penelitian.

Penulis: nama, program studi, asal institusi dan email penulis.

Abstrak dalam bahasa Inggris dan bahasa Indonesia, masing-masing antara 150 - 200 kata.

Kata kunci: 3 - 5 kata.

A. PENDAHULUAN: berisi informasi yang menjadikan munculnya masalah penelitian dan alasan mengapa masalah tersebut penting untuk diteliti yang didukung dengan landasan teoritis dan data empiris. Uraian dalam pendahuluan bersifat konvergen, yaitu dari yang umum menuju yang khusus.

B. METODE PENELITIAN: menjelaskan tentang cara yang digunakan dalam melakukan penelitian. Metode penelitian berisi deskripsi tentang; pendekatan penelitian dan jenis penelitian.

C. HASIL DAN PEMBAHASAN: penyajian hasil dan pembahasan dalam bentuk narasi dan sistematis yang isinya mengarah langsung pada analisis dan temuan penelitian berdasarkan perspektif teori yang digunakan oleh penulis.

D. KESIMPULAN: berisi kesimpulan dalam menjawab masalah penelitian yang telah dirumuskan.

E. DAFTAR PUSTAKA: memuat referensi yang digunakan.
4. Setiap kata asing atau istilah lokal ditulis miring (*italic*), dan untuk kata-kata arab harus ditransliterasi sesuai pedoman.

5. Penulisan rujukan dengan menggunakan *footnote* mengikuti format yang ada di *reference manager* (seperti: Mendeley dan Zotero), dengan font *Times New Arabic*, size 10 dan spasi 1. Jika tulisan artikel menggunakan bahasa Arab, maka footnote dengan font *Sakkal Majalla*, size 14 dan spasi 1. Berikut contoh penulisan untuk referensi buku, jurnal, sumber dari internet dan hasil wawancara;

¹ Muhammad al-Zarqani, *Syarh al-Zarqani ‘ala Muwaththa’ al-Imam Malik* (Beirut: Dar al-Fikr, 1995) jld. 3. hlm 41.

² Al-Zarqani, *Syarh al-Zarqani*, jld. 3. Hlm. 35.

³ Bisri Tujang, “Pengaruh Pemikiran Ibnu Taimiyah Terhadap Pemikiran Ibnu Abdulwahab Tentang Syirik (Studi Komparasi),” *Al-Majaalis : Jurnal Dirasat Islamiyah*, Vol. 3, No. 2 (2016).

⁴ <http://www.sunnah.net>. Diakses 20 Mei 2014.

⁵ Iskandar, *Wawancara* (Jember, 24 Agustus 2014).

6. Penulisan daftar pustaka dengan menyebut nama akhir penulis, judul buku, kota, penerbit dan tahun, tidak perlu mencantumkan halaman. Kemudian mengurutkannya secara alfabetis, seperti contoh berikut:

Al-Bukhari, Muhammad bin Isma’il. *Shahih al-Bukhari*. Cet. I; Kairo: Maktabah al-Imam Muslim, 1436 H.

Parwanto, Wendi. “Teologi Bencana Perspektif Hadis: Mendiskusikan antara yang Menghujat dan yang Moderat.” *Al-Bukhari: Jurnal Ilmu Hadis*. Vol. 2, No. 1, 2019. <http://www.sunnah.net>.

7. Artkel ditulis berdasarkan pedoman transliterasi yang telah disepakati oleh Kementrian Agama dan Kemendikbud no 158 tahun 1987.

PEDOMAN TRANSLITERASI

Surat Keputusan Bersama Menteri Agama dan Menteri Pendidikan dan Kebudayaan Nomor 158 tahun 1987 - Nomor: 0543 b/u/1987.

ا	=	a - i - u	ع	=	'
ب	=	b	غ	=	g
ت	=	t	ف	=	f
ث	=	ś	ق	=	q
ج	=	J	ك	=	k
ح	=	ḥ	ل	=	l
خ	=	kh	م	=	m
د	=	d	ن	=	n
ذ	=	ẓ	و	=	w
ر	=	r	ه	=	h
ز	=	z	ء	=	'
س	=	s	ي	=	y
ش	=	sy			
ص	=	ṣ	MAD		
ض	=	ḍ	aa	=	ā
ط	=	ṭ	uu	=	ū
ظ	=	ẓ	ii	=	ī

DAFTAR ISI

DAFTAR ISI.....	vi
GIG ECONOMY DALAM TIMBANGAN SUNNAH: Analisis Hadis tentang Hak Pekerja dalam Hubungan Kemitraan anatar Pengemudi Ojek Online dan Aplikator Yusrial Rahman; Irfan Yuhadi	1
THE URGENCY OF PREVENTING ONLINE GAMBLING IN ENSURING FAMILY STABILITY FROM THE PERSPECTIVE OF THE PROPHETIC ḤADITH (A Thematic Study Based on the Hadiths in Al-Kutub al-Sittah) Marwan Mas'ud; Roy Grafika Penataran; Dimas Hutomo Putra	25
AN ANALYSIS OF THE HADITH ON THE TREATY OF HUDAYBIYAH REGARDING THE PROHIBITION OF INTERFAITH MARRIAGE FROM THE PERSPECTIVE OF ISLAMIC FAMILY: A Study of <i>Sharḥ</i> , <i>Takhrīj</i> , and Its Relevance to the Compilation of Islamic Law in Indonesia Maryam Ibnata Imran; Catur Maulana Icsan; Ilyas	49



AS-SUNNAH: Jurnal Ilmu Dirayah
Volume 01 Nomor 02 Maret 2026
Email Jurnal : assunnahjurnal@gmail.com
Website Jurnal : ejournal.stdiis.ac.id



***GIG ECONOMY* DALAM TIMBANGAN SUNNAH:
Analisis Hadis tentang Hak Pekerja dalam Hubungan Kemitraan anatar Pengemudi
Ojek Online dan Aplikator**

Yusrial Rahman

Program Studi Ilmu Hadits
Sekolah Tinggi Dirasat Islamiyah Imam Syafi'i Jember
abumuadzyusrial12@gmail.com

Irfan Yuhadi

Program Studi Ilmu Hadits
Sekolah Tinggi Dirasat Islamiyah Imam Syafi'i Jember
irfan.yuhadi@gmail.com

ABSTRACT

The gig economy phenomenon introduces a digital partnership-based employment pattern that, in practice, frequently places workers in a vulnerable position. This study aims to analyze the compatibility of online motorcycle taxi platform management with the principles of justice, contractual certainty, and the protection of workers' rights from the perspective of the Prophet's Sunnah. The study focuses on the analysis of hadiths concerning workers' rights as the primary subject, while supporting aspects include algorithmic control mechanisms and bogus employment practices within digital work systems. This research employs an Islamic moral economy approach through a qualitative case study method located in Jember Regency, reinforced by the utilization of nationwide digital data. Data were collected through with online motorcycle taxi drivers and a literature review based on digital sources. The results indicate that the established work relationship is characterized by a lack of information transparency, particularly regarding wage regulations and work access, which gives rise to elements of contractual uncertainty that potentially undermine the dignity of workers. Based on the hadith review, digital platform-based partnership systems need to be restructured by emphasizing transparency, fair income distribution, and the protection of workers' rights to align with the values of the Sunnah.

Keywords: gig economy, hadith, workers' rights.

ABSTRAK

Fenomena *gig economy* menghadirkan pola ketenagakerjaan berbasis kemitraan digital yang dalam praktiknya sering menempatkan pekerja pada posisi rentan. Penelitian ini bertujuan menganalisis kesesuaian pengelolaan platform ojek online dengan prinsip keadilan, kepastian akad, dan perlindungan hak pekerja dalam perspektif Sunnah Nabi ﷺ. Kajian ini memusatkan perhatian pada analisis hadis-hadis tentang hak pekerja sebagai fokus utama, sementara aspek pendukungnya mencakup mekanisme kontrol algoritmik dan praktik kemitraan semu dalam sistem kerja digital. Penelitian ini menggunakan pendekatan ekonomi moral Islam melalui pendekatan kualitatif dengan studi kasus yang berlokasi di Kabupaten Jember, serta diperkuat oleh pemanfaatan data digital berskala nasional. Data dikumpulkan melalui wawancara pengemudi ojek online di lapangan dan studi pustaka berbasis sumber digital. Hasil penelitian menunjukkan bahwa relasi kerja yang terbangun ditandai oleh kurangnya transparansi informasi, khususnya dalam pengaturan upah dan akses kerja, sehingga memunculkan unsur ketidakjelasan akad yang berpotensi mencederai martabat pekerja. Berdasarkan tinjauan hadis, sistem kemitraan berbasis platform digital perlu ditata ulang dengan menekankan transparansi, keadilan pembagian pendapatan, dan perlindungan hak pekerja agar selaras dengan nilai-nilai Sunnah.

Kata Kunci: *gig economy*, hadis, hak pekerja.

A. PENDAHULUAN

Istilah *gig* pada mulanya merujuk pada penampilan jangka pendek, dan dalam konteks ekonomi modern menggambarkan pergeseran dari hubungan kerja tetap menuju tugas-tugas lepas yang bersifat temporer dan berbasis proyek. Andrew Stewart dan Jim Stanford melihat model ini sebagai sistem kerja yang sepenuhnya dimediasi oleh platform digital, di mana tenaga kerja dipanggil untuk menyelesaikan layanan spesifik dengan skema upah per hasil.¹ Aplikasi berfungsi sebagai makelar digital yang mempertemukan permintaan dan penawaran melalui algoritma otomatis, sementara perusahaan platform memosisikan diri bukan sebagai majikan tradisional, melainkan perantara teknologi. Pada dekade ketiga abad ke-21, *gig economy* menjadi kekuatan transformatif yang dipuji karena menawarkan fleksibilitas, otonomi, dan

¹ Andrew Stewart dan Jim Stanford, "Regulating Work in the Gig Economy: What Are the Options?" *The Economic and Labour Relations Review* 28, no. 3 (2017): 382–401.

peluang pendapatan tambahan, namun di saat yang sama menggeser hubungan kerja formal menuju pola kerja yang lebih tidak stabil dan rentan.²

Di Indonesia, situasi ini berjalan beriringan dengan kenyataan bahwa pada tahun 2024 terdapat sekitar 83,8 juta pekerja informal yang hidup dalam kondisi kerja yang rentan. Pola kerja berbasis platform memang menjanjikan fleksibilitas, tetapi dalam praktiknya sering kali justru menghadirkan ketidakpastian pendapatan dan memperlebar ketimpangan digital yang dialami para pengemudi.³ Relasi kerja yang dikemas sebagai kemitraan tidak jarang berubah menjadi bentuk kemitraan semu. Pengemudi berada di bawah kendali sistem algoritmik yang ketat, sementara kepastian hukum dan perlindungan ketenagakerjaan tidak disediakan secara memadai.⁴ Akibatnya, akses terhadap jaminan sosial menjadi terbatas dan risiko ekonomi semakin besar, terutama karena aplikator memiliki kendali penuh atas penentuan tarif serta pemberian sanksi secara sepihak.

Kondisi tersebut tampak jelas di Kabupaten Jember. Ketegangan relasi kerja mencapai puncaknya pada aksi mogok massal yang dilakukan oleh Forum Komunikasi Jember Online Bersatu (FKJOB) pada 20 Mei 2025,⁵ yang sempat melumpuhkan layanan transportasi daring. Aksi ini mencerminkan kekecewaan pengemudi terhadap tarif yang tidak mengalami penyesuaian sejak 2016, sementara biaya hidup dan Upah Minimum Regional terus mengalami kenaikan.⁶ Temuan lapangan di Jember menunjukkan ketimpangan yang cukup tajam dalam sistem bagi hasil. Potongan komisi oleh aplikator dapat mencapai 40 persen, sehingga dari tarif konsumen sebesar Rp10.000, pengemudi hanya menerima sekitar Rp6.000. Tekanan ekonomi ini semakin berat ketika terjadi kelangkaan BBM, yang berdampak langsung pada penurunan pendapatan harian pengemudi hingga separuhnya.⁷

² Septiana Dwiputrianti dkk., "Gig Economy or Digital Inequality? Lessons for Indonesia's Labour Future," *Jurnal Ketenagakerjaan* 20, no. 3 (2025), <https://doi.org/10.47198/jnaker.v20i3.616>.

³ R. M. Simanungkalit, et al. "Gig Economy in Indonesia: Strategies for Well-being and Long-Term Sustainability." *ResearchGate* (2026), diakses 28 Januari, 2026.

⁴ I Gde Sandy Satria. "Perlindungan Hak Pekerja Gig Economy melalui Perspektif Hukum Ketenagakerjaan." *Nomos: Jurnal Penelitian Ilmu Hukum*, Vol. 5 No. 1 (2025), diakses 28 Januari, 2026.

⁵ <https://beritajatim.com/fkjob-desak-pemkab-jember-terbitkan-perda-khusus-ojol>, diakses 28 Januari, 2026.

⁶ <https://surabaya.kompas.com/read/2025/05/20/133740078/demo-ojol-di-jember-driver-minta-pemkab-tanggung-kepesertaan-bpjs>, diakses 28 Januari, 2026.

⁷ <https://www.youtube.com/watch?v=KDBvXKGDDeGA>, diakses 28 Januari, 2026.

Dampak sosial dari sistem ini juga meluas. Kehadiran ojek online menekan keberlangsungan ekonomi tukang becak, sementara pengemudi perempuan menghadapi bentuk-bentuk diskriminasi verbal yang menghambat rasa aman dan martabat kerja.⁸ Dengan demikian, persoalan ojek online tidak hanya berkaitan dengan efisiensi pasar, tetapi juga menyentuh dimensi etika, keadilan sosial, dan penghormatan terhadap nilai kemanusiaan. Membicarakan hak-hak pekerja di era modern sering kali membuat penulis lupa bahwa nilai-nilai kemanusiaan dalam bekerja sebenarnya sudah berakar jauh dalam tradisi Islam. Upaya untuk mendudukan kembali ajaran Nabi ﷺ di tengah hiruk-pikuk ekonomi digital telah menarik perhatian banyak peneliti sebelumnya. Berikut adalah beberapa penelitian terdahulu yang menjadi pijakan dalam penelitian ini:

Razak dkk. (2025) menegaskan bahwa relasi kerja pada platform digital perlu ditimbang dengan prinsip Al-Qur'an dan hadis, khususnya yang berkaitan dengan keadilan upah, kejelasan akad, serta larangan eksploitasi. Meskipun penelitian tersebut berfokus pada pekerja muda, kerangka syariah yang dibangun tetap relevan bagi *gig workers* secara umum, termasuk pengemudi ojek online, karena menempatkan perlindungan hak sebagai bagian dari tanggung jawab moral dalam hubungan kerja.⁹

Sementara itu, Novemyanto dan Nur Rismawati (2025) menunjukkan adanya problem ketidakjelasan status hukum pengemudi sebagai mitra, yang berdampak pada lemahnya perlindungan hak-hak normatif. Penelitian tersebut menyoroti celah dalam hukum positif, namun belum meninjaunya dari perspektif Sunnah. Oleh karena itu, hal ini membuka ruang bagi penelitian ini untuk menganalisis relasi kemitraan pengemudi ojek online dalam timbangan hadis tentang hak pekerja.¹⁰

⁸ W. H. Prasetyo. "Bentuk Perilaku Diskriminatif yang Diterima Oleh Para Pengemudi Ojek Online Perempuan." *Skripsi KPI IAIN Metro* (2024). diakses 28 Januari, 2026. <https://repository.metrouniv.ac.id/id/eprint/9912/>

⁹ Siti Suraya Abd Razak dkk., "LABOUR RIGHTS PROTECTION FOR YOUNG WORKERS ON DIGITAL LABOUR PLATFORMS: AN ISLAMIC PERSPECTIVE," *Malaysian Journal of Syariah and Law* 13, no. 1 (2025): 100–109, <https://doi.org/10.33102/mjssl.vol13no1.665>.

¹⁰ Alfin Dwi Novemyanto dan Rismawati Nur, "Rekognisi Status dan Perlindungan Hukum Pekerja Gig Economy: Tinjauan Tuntutan Kolektif Pengemudi Ojek Online di Indonesia," *JURNAL HUKUM PELITA* 6, no. 1 (2025): 211–24, <https://doi.org/10.37366/jhp.v6i1.5789>.

Lebih lanjut, I Gde Sandy Satria (2025) mengidentifikasi adanya kesenjangan signifikan dalam perlindungan pekerja dalam *gig economy* di Indonesia. Ia mencatat bahwa hukum ketenagakerjaan masih tertinggal dalam mengimbangi pesatnya perkembangan teknologi yang kerap kali berimplikasi pada terpinggirkannya hak-hak pekerja.¹¹

Pada tataran praktis, Arlupi Madyasari dan Khamim Khamim (2023) mengkaji implementasi hadis-hadis tentang upah dalam lembaga kontemporer. Hasil penelitian mereka menunjukkan bahwa skema penggajian yang kompleks sekalipun harus tetap tunduk pada prinsip keadilan yang telah diatur oleh Fatwa DSN-MUI.¹²

Kerentanan pengemudi ojek online juga tampak nyata dalam praktik di lapangan. Yulia Catur Lestari dkk. (2023) menyoroti keprihatinan serupa dengan menegaskan urgensi perlindungan hukum yang lebih konkret agar mitra pengemudi tidak terus berada dalam posisi tawar yang lemah di hadapan perusahaan platform berskala besar.¹³

Berdasarkan pemetaan tersebut, terdapat ketegangan antara nilai-nilai normatif dalam Islam dan realitas yang dihadapi pengemudi ojek online saat ini. Jika penelitian sebelumnya cenderung mengkaji persoalan ini dari perspektif hukum negara atau ekonomi, penelitian ini menawarkan pendekatan yang berbeda. Secara khusus, penelitian ini menggunakan pendekatan *ma'ānī al-ḥadīth* untuk menilai secara moral apakah sistem kerja *gig economy* kontemporer selaras dengan Sunnah Nabi ﷺ atau justru menyimpang dari prinsip-prinsip tersebut.

Secara umum, kajian akademik yang ada menempatkan isu ojek online dalam kerangka hukum positif dan ekonomi konvensional. Pendekatan tersebut cenderung terbatas pada aspek regulatif dan statistik, tanpa menyentuh dimensi moral yang mendasari relasi kerja berbasis platform. Akibatnya, kritik struktural yang berakar pada nilai-nilai keislaman, khususnya yang bersumber dari hadis, masih relatif terbatas. Dalam konteks ini, terdapat kekosongan literatur

¹¹ I. Gde Sandy Satria, "Perlindungan Hak Pekerja Gig Economy melalui Perspektif Hukum Ketenagakerjaan," *Nomos: Jurnal Penelitian Ilmu Hukum* 5, no. 1 (2025): 127–34, <https://doi.org/10.56393/nomos.v5i1.2723>.

¹² Arlupi Madyasari dan Khamim Khamim, "HADIS TENTANG PEMBERIAN UPAH: Studi Kasus Pemberian Upah Karyawan Di Yatim Mandiri Kota Kediri Berdasarkan Fatwa DSN MUI No: 09/DSN-MUI/IV/2000," *Holistic al-Hadis* 9, no. 2 (2023): 143–54, <https://doi.org/10.32678/holistic.v9i2.9864>.

¹³ Yulia Catur Lestari dkk., "PERLINDUNGAN HUKUM DRIVER OJEK ONLINE TERHADAP MITRA KERJA TRANSPORTASI ONLINE," *Jurnal Ilmu Hukum Wijaya Putra* 1, no. 2 (2023): 249–56, <https://doi.org/10.38156/jihwp.v1i2.148>.

yang signifikan, terutama pada kajian yang berfokus pada wilayah lokal seperti Kabupaten Jember.

B. METODE PENELITIAN

Penelitian ini berangkat dari upaya untuk memahami secara mendalam realitas kemitraan semu dan pola kendali digital yang dialami oleh para pengemudi ojek online di Kabupaten Jember. Pendekatan yang digunakan adalah kualitatif dengan orientasi eksploratif-kritis, guna menelaah ketimpangan relasi kuasa dalam model hubungan kemitraan berbasis platform, sebagaimana telah dikaji dalam literatur mengenai distorsi hubungan kemitraan dalam ekonomi *gig* serta praktik manajemen algoritmik yang menciptakan kontrol tidak langsung terhadap pekerja.¹⁴ Fokus kajian ini tidak berhenti pada deskripsi fenomena, melainkan mengujinya melalui kerangka *Islamic Moral Economy* dengan memosisikan Sunnah Nabi ﷺ sebagai rujukan normatif untuk menilai sejauh mana prinsip keadilan, kejelasan akad (*'aqd*), dan kelayakan upah (*ujrah*) tetap terjaga dalam sistem kerja berbasis algoritma yang berpotensi melahirkan eksploitasi struktural.

Untuk memperoleh data yang kaya dan autentik, penelitian ini melibatkan narasumber berupa pengemudi aktif yang telah beroperasi di wilayah Jember selama minimal dua tahun sebagai informan kunci. Mereka dipilih melalui teknik *purposive sampling*, dengan pertimbangan bahwa rekam jejak dan keterlibatan mereka dalam komunitas lokal mampu merepresentasikan pengalaman pekerja yang terdampak langsung oleh kebijakan platform. Pengumpulan data dilakukan melalui wawancara mendalam dan observasi di pangkalan ojek online. Selain itu, penelitian ini juga menganalisis dokumen kontrak elektronik (*click-wrap agreement*)¹⁵ yang kerap luput dari perhatian dalam kajian sebelumnya. Secara paralel, penelusuran hadis dilakukan dengan memanfaatkan perangkat digital seperti *Maktabah Syamilah* dan *Jawami' al-Kalim* untuk memastikan validitas sanad dan matan hadis yang berkaitan erat dengan etika relasi kerja.

¹⁴ Nabiyila Risfa Izzati, "Ketidakseimbangan Kewajiban Para Pihak dalam Regulasi Ojek Online: Distorsi Logika Hubungan Kemitraan Ekonomi Gig," *Undang: Jurnal Hukum* 5, no. 2 (2022): 325–56, <https://doi.org/10.22437/ujh.5.2.325-356>.

¹⁵ Andri Herman Setiawan dkk., "Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation," *International Journal of Law, Crime and Justice* 2, no. 3 (2025): 54–64, <https://doi.org/10.62951/ijlcr.v2i3.723>.

Seluruh data yang terkumpul selanjutnya diolah melalui tahapan kondensasi data dan triangulasi metode untuk menjamin keabsahan temuan. Proses analisis dilakukan dengan mengintegrasikan temuan empiris di lapangan dengan pendekatan *Fiqh al-Hadīth* yang berorientasi pada nilai-nilai ekonomi Islam. Integrasi ini bertujuan untuk menghasilkan sintesis kritis mengenai sejauh mana realitas kerja pengemudi ojek online di Jember selaras dengan prinsip etika profetik. Pada akhirnya, hasil penelitian ini diharapkan tidak hanya berkontribusi pada pengembangan kajian akademik, tetapi juga dapat menjadi landasan normatif bagi para pemangku kebijakan dalam merumuskan regulasi yang lebih berkeadilan serta menjamin kesejahteraan dan kepastian hak bagi mitra platform digital.

C. HASIL DAN PEMBAHASAN

Praktik dan Dinamika Kemitraan dalam Ekosistem Gig Economy

Relasi antara perusahaan aplikator dan pengemudi secara formal ditempatkan dalam kerangka perjanjian kemitraan, bukan hubungan kerja konvensional yang didasarkan pada relasi majikan–buruh. Konstruksi ini menjadi fondasi utama dalam praktik *gig economy* yang menekankan fleksibilitas kerja serta peran platform teknologi sebagai mediator. Dalam kerangka tersebut, perusahaan diposisikan sebagai penyedia sistem digital, sedangkan pengemudi dipahami sebagai mitra yang beroperasi secara mandiri. Kerangka relasi ini merupakan konteks sosial yang penting untuk dibaca secara kritis, terutama ketika dikaitkan dengan nilai-nilai hadis Nabi ﷺ mengenai keadilan dalam hubungan kerja, tanggung jawab, serta perlindungan terhadap pihak yang berada dalam posisi rentan.¹⁶ Adapun poin-poin krusial yang mendasari hubungan tersebut adalah sebagai berikut:

1. Landasan Legalitas dan Mekanisme Persetujuan Elektronik

Dalam kerangka hukum positif, hubungan kerja sama ini diklasifikasikan sebagai perjanjian bagi hasil yang tunduk pada syarat sah perjanjian sebagaimana diatur dalam Pasal 1320 Kitab Undang-Undang Hukum Perdata. Kesepakatan para pihak diwujudkan melalui perjanjian elektronik (*e-agreement*) yang berlandaskan Undang-

¹⁶ Siti Hawa Hasibuan, dkk. “Analisis Penerapan Hubungan Kemitraan Antara Perusahaan Gojek dan Driver.” *Jurnal Ilmu Sosial, Humaniora dan Seni (JISHS)*, Vol. 1 No. 3 (2023). hlm. 542.

Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik. Persetujuan mitra pengemudi dianggap sah ketika diberikan secara digital melalui aplikasi, dengan mengacu pada prinsip konsensus dan kebebasan berkontrak. Namun demikian, model persetujuan semacam ini perlu dicermati lebih lanjut, khususnya dalam kaitannya dengan makna kerelaan (*riḍa*) dan kejelasan akad dalam perspektif *mu'amalah*.¹⁷

2. Prinsip-Prinsip Dasar dalam Skema Kemitraan

Secara konseptual, skema kemitraan dirumuskan dengan bertumpu pada tiga prinsip utama, yaitu kesetaraan, transparansi, dan saling menguntungkan. Prinsip-prinsip tersebut ditujukan untuk membangun tatanan kemitraan yang adil bagi seluruh pihak yang terlibat, termasuk investor dan mitra kerja. Keberadaannya berfungsi sebagai tolok ukur normatif untuk menilai apakah kemitraan dijalankan secara seimbang atau justru mereproduksi relasi yang timpang dan bersifat dominatif.¹⁸

3. Perbedaan Kemitraan Digital dan Hubungan Kerja Konvensional

Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan menegaskan bahwa hubungan kerja ditandai oleh unsur pekerjaan, upah, dan perintah, yang menempatkan pekerja di bawah kendali pemberi kerja. Dalam konteks kemitraan digital, ketiga unsur tersebut mengalami pergeseran. Instruksi kerja dan pemberian imbalan tidak lagi dilakukan secara langsung oleh perusahaan, melainkan dimediasi melalui sistem digital yang menghubungkan pengemudi dengan konsumen. Ketiadaan perintah langsung dari perusahaan inilah yang secara yuridis membedakan posisi mitra pengemudi dari status karyawan tetap. Pada saat yang sama, kondisi tersebut membuka ruang bagi refleksi kritis terkait keadilan dalam relasi kerja, khususnya jika ditinjau dari perspektif *mu'amalah*.¹⁹

4. Realitas Kontrak Standar dan Otoritas Platform

¹⁷ Hasibuan dkk., "Analisis Penerapan Hubungan Kemitraan Antara Perusahaan Gojek dan Driver." *Jurnal Ilmu Sosial, Humaniora dan Seni* 1, no. 5 (2023): 542-546, <https://doi.org/10.62379/jishs.v1i5.829>.

¹⁸ Izzati, "Ketidakseimbangan Kewajiban Para Pihak dalam Regulasi Ojek Online."

¹⁹ Satria, "Perlindungan Hak Pekerja Gig Economy melalui Perspektif Hukum Ketenagakerjaan." *Nomos: Jurnal Penelitian Ilmu Hukum* 5, no. 1 (2025): 127-134, <https://doi.org/10.56393/nomos.v5i1.2723>.

Meskipun dirumuskan atas dasar kesetaraan, perjanjian kemitraan dalam praktiknya beroperasi sebagai kontrak baku (*adhesion contract*), dengan seluruh klausul ditetapkan secara sepihak oleh perusahaan aplikator. Dalam kondisi tersebut, pengemudi pada dasarnya hanya dihadapkan pada pilihan menerima seluruh ketentuan atau kehilangan akses terhadap pekerjaan. Selain itu, perusahaan juga memiliki kewenangan yang luas untuk mengubah kebijakan dan menjatuhkan sanksi berupa pemutusan akses secara sepihak, baik melalui mekanisme algoritmik maupun berdasarkan laporan konsumen. Pola ini menunjukkan adanya konsentrasi otoritas pada pihak platform, yang perlu dikaji secara kritis dalam kerangka keadilan akad dan perlindungan terhadap pihak yang berada dalam posisi lebih lemah.²⁰

Rangkaian pembahasan di atas membentuk gambaran dasar relasi kemitraan dalam kerangka hukum positif. Keberadaan kontrak standar yang kaku, bersamaan dengan pergeseran mekanisme pemberian perintah dan imbalan, membuka ruang diskursus yang signifikan. Kondisi ini menjadi pijakan awal untuk menelaah bagaimana Sunnah memandang hak-hak pekerja, keadilan dalam akad, serta keseimbangan posisi tawar antara pemilik modal, teknologi, dan pihak penyedia tenaga kerja.

Gambaran Umum Temuan Lapangan sebagai Konteks Penelitian

Hasil penelitian menunjukkan bahwa praktik kemitraan digital masih dihadapkan pada sejumlah persoalan mendasar yang berdampak langsung terhadap kondisi kerja pengemudi. Permasalahan tersebut meliputi ketidakjelasan konstruksi akad, ketidakpastian mekanisme pengupahan, ketimpangan relasi kuasa antara platform dan mitra pengemudi, serta pengalihan beban dan risiko kerja yang sepenuhnya ditanggung oleh pengemudi. Sebagian besar informan menyatakan bahwa persetujuan terhadap perjanjian kemitraan dilakukan melalui sistem digital tanpa disertai penjelasan yang memadai dari pihak platform. Akibatnya, pengemudi tidak sepenuhnya memahami implikasi hukum maupun konsekuensi praktis dari klausul-klausul

²⁰ Nurul Miftahul Jannah dan Imam Yazid, "Perlindungan Driver terhadap Kebijakan Fitur Hemat Ojek Online di Kota Medan Perspektif al-Maslahah," *Borneo : Journal of Islamic Studies* 6, no. 1 (2025): 170–83, <https://doi.org/10.37567/borneo.v6i1.4455>.

yang disepakati, serta tidak memiliki ruang untuk melakukan negosiasi terhadap ketentuan yang telah ditetapkan secara sepihak.

Temuan empiris dalam penelitian ini tidak diarahkan untuk membangun analisis ekonomi maupun kajian hukum positif secara normatif. Temuan tersebut diposisikan sebagai konteks sosial aktual yang digunakan untuk membaca dan menafsirkan hadis-hadis Nabi ﷺ, khususnya yang berkaitan dengan hak-hak pekerja, prinsip keadilan dalam *mu'amalah*, serta etika dalam relasi kerja. Dalam kerangka ini, realitas *gig economy* yang dikaji berfungsi sebagai *waqi' mu'aşir* yang menjadi medan uji bagi pendekatan *ma'ani al-hadith* dan *fiqh al-ḥadith*, sehingga pemaknaan teks hadis dapat dikaitkan secara relevan dengan kondisi kerja kontemporer.

Hasil temuan lapangan di Kabupaten Jember mengungkap adanya kontras yang signifikan antara narasi kebebasan mitra yang dipromosikan oleh platform dengan realitas yang dihadapi para pengemudi ojek online. Dalam praktik kontrak kerja, para informan mengaku terjebak dalam skema *click-wrap agreement*, di mana persetujuan terhadap klausul-klausul perjanjian dilakukan secara instan tanpa adanya ruang untuk memahami, apalagi menegosiasikan hak dan kewajiban mereka. Keterbatasan pemahaman informan terhadap isi akad tersebut diperparah oleh ketiadaan mekanisme dialog dua arah. Akibatnya, tindakan menyetujui perjanjian melalui layar ponsel tidak sepenuhnya merepresentasikan kerelaan (*tarāḍī*) yang utuh, melainkan lebih mencerminkan kondisi keterpaksaan ekonomi, mengingat platform menjadi salah satu akses utama kehidupan bagi para pengemudi.

Ketidajelasan kontrak tersebut berdampak langsung pada mekanisme pengupahan yang sepenuhnya dikendalikan oleh sistem algoritmik yang bersifat tertutup. Para informan mengeluhkan skema pendapatan yang sangat fluktuatif, di mana tarif dan bonus dapat berubah sewaktu-waktu tanpa pemberitahuan yang transparan. Triangulasi data dengan dokumen perjanjian kemitraan mengonfirmasi bahwa perusahaan aplikator memiliki otoritas dominan dalam menentukan tarif dan besaran potongan secara sepihak. Kondisi ini menciptakan ketidakpastian yang bersifat sistemik, di mana para pengemudi tidak memiliki kepastian mengenai nilai kerja yang akan mereka terima di masa mendatang. Pola pengupahan berbasis algoritma tersebut tidak hanya mengaburkan transparansi, tetapi juga cenderung mendorong

pengemudi untuk bekerja lebih keras guna mencapai target pendapatan minimal yang terus mengalami penurunan dari waktu ke waktu.²¹

Relasi kuasa yang terbangun antara platform dan pengemudi menunjukkan pola subordinasi yang tajam. Meskipun secara hukum mereka dikategorikan sebagai mitra mandiri, para informan hidup dalam ketidakpastian yang ditandai oleh kekhawatiran terhadap sanksi pemutusan hubungan secara sepihak, termasuk *suspend*. Dominasi sistem tampak dari cara algoritma mengarahkan perilaku pengemudi di lapangan tanpa disertai mekanisme keberatan atau banding yang memadai. Dalam situasi ini, pengemudi memiliki daya tawar yang terbatas; mereka dituntut memenuhi standar performa yang tinggi, sementara perusahaan cenderung melepaskan diri dari tanggung jawab sebagai pemberi kerja. Ketimpangan tersebut menciptakan bentuk kemitraan semu (*bogus employment*), di mana pengemudi menanggung beban kerja layaknya pekerja formal, tetapi tanpa memperoleh perlindungan hukum dan jaminan sosial yang semestinya melekat dalam hubungan kerja.²²

Selain itu, realitas risiko kerja sepenuhnya ditanggung secara mandiri oleh para pengemudi. Jam kerja yang panjang, bahkan melampaui batas kewajaran fisik, menjadi konsekuensi yang sulit dihindari demi mencapai target pendapatan. Kondisi ini berimplikasi pada kelelahan kronis serta meningkatnya risiko kecelakaan kerja. Di sisi lain, seluruh biaya operasional—termasuk bahan bakar, perawatan kendaraan, dan kuota internet—ditanggung oleh pengemudi, sementara perlindungan jaminan sosial dari pihak aplikasi sangat terbatas. Literatur mengenai *ride-hailing platforms* menunjukkan bahwa pola ini mencerminkan bentuk *precarious work*, di mana fleksibilitas yang dijanjikan justru bertransformasi menjadi mekanisme kerja yang mentransfer risiko bisnis kepada pekerja serta melahirkan bentuk eksploitasi terselubung melalui mekanisme digital.²³

Hak-Hak Pekerja dalam Timbangan Sunnah Nabi ﷺ

²¹ Imran Kadolkar dkk., “Algorithmic Management in the Gig Economy: A Systematic Review and Research Integration,” *Journal of Organizational Behavior* 46, no. 7 (2025): 1057–80, <https://doi.org/10.1002/job.2831>.

²² Nicki James Shepherd, “Gig Economy Workers’ Rights: Legal Classification and Social Protection in Digital Labour Markets,” *International Journal of Law and Societal Studies* 2, no. 1 (2025): 24–35, <https://doi.org/10.61424/ijlss.v2i1.379>.

²³ Simon Dzreke dkk., “Algorithmic exploitation in the gig economy: A living wage analysis of ride-hailing platforms in Lagos and Accra,” *Advanced Research Journal* 9, no. 1 (2025): 26–39, <https://doi.org/10.71350/3062192581>.

Hadis-hadis Nabi Muhammad ﷺ memberikan panduan etis yang sangat terperinci mengenai hubungan perburuhan, yang jika diimplementasikan secara konsisten, dapat menjadi solusi bagi krisis perlindungan pekerja di era digital.

1. Menyegerakan Upah

Prinsip penyegerakan upah dalam Islam dapat ditegakkan melalui hadis shahih:

عَنْ هَمَّامِ بْنِ مُنَبِّهٍ، أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: ((مَطْلُ الْعَمَلِ ظُلْمٌ))

“Dari Hammam bin Munabbih (saudara Wahb bin Munabbih) bahwa ia mendengar Abu Hurairah *radhiyallahu ‘anhu* berkata: Rasulullah ﷺ bersabda: ‘Penundaan pembayaran oleh orang yang mampu adalah suatu kezaliman.’”²⁴²⁵

Hadis ini berstatus *muttafaq ‘alaih* dan menjadi kaidah umum dalam seluruh kewajiban finansial, termasuk pembayaran upah pekerja setelah pekerjaan selesai dan haknya jatuh tempo. Dalam perspektif fikih muamalah, upah yang telah menjadi kewajiban pembayaran dipersamakan dengan hutang (*dayn*), sehingga setiap bentuk penundaan tanpa uzur syar‘i termasuk dalam kategori *zulm* (kezaliman). Ibn Hajar al-‘Asqalani dalam *Fath al-Bari* menjelaskan bahwa:

وَفِي الْحَدِيثِ أَنَّ تَأْخِيرَ قِضَاءِ الدَّيْنِ مَعَ الْقُدْرَةِ عَلَيْهِ ظُلْمٌ

“Dalam hadis ini terdapat dalil bahwa menunda pembayaran hutang padahal mampu adalah suatu kezaliman.”²⁶

Istilah *ظُلْمٌ* pada hadis ini menunjukkan pelanggaran hak yang nyata karena menahan sesuatu yang telah wajib ditunaikan. Dengan demikian, penyegerakan upah bukan sekadar

²⁴ Al-Bukhari Muhammad bin Ismail, *Shahih al-Bukhari*, (cet. 1; Beirut: Dar Tawq al-Najah, 1422 H), jilid 3, hlm. 118, no. hadis 2400.

²⁵ Muslim bin al-Hajjaj, *Shahih Muslim*, (cet. 1; Beirut: Dar Ihya’ al-Turath al-‘Arabi, 1412 H), jilid 3, hlm. 1197, no. hadis 1564.

²⁶ Ibn Hajar al-‘Asqalani Ahmad bin ‘Ali, *Fath al-Bari bi Sharh Shahih al-Bukhari*, (cet. 1; Mesir: al-Maktabah al-Salafiyah, 1380 H), jilid 5, hlm. 87.

etika anjuran, melainkan konsekuensi hukum dari akad ijarah yang telah sempurna. Sementara Imam al-Nawawi dalam *Syarh Shahih Muslim* menegaskan:

فِيهِ تَحْرِيمٌ مَطْلِ الْغَيِّ الْقَادِرِ عَلَى الْوَفَاءِ، وَأَنَّهُ ظَلَمٌ مُّحَرَّمٌ، وَاتَّفَقَ الْعُلَمَاءُ عَلَى أَنَّهُ إِذَا طَلَبَ صَاحِبُ الْحَقِّ حَقَّهُ،
وَكَانَ الْمُدِينُ قَادِرًا عَلَى أَدَائِهِ، لَزِمَهُ أَدَاؤُهُ قَوْرًا

“Di dalam hadis ini terdapat dalil tentang haramnya penundaan pembayaran oleh orang yang mampu melunasi, dan bahwa perbuatan tersebut adalah kezaliman yang diharamkan. Para ulama telah bersepakat bahwa apabila pemilik hak menuntut haknya, sementara orang yang berutang mampu menunaikannya, maka wajib atasnya untuk segera membayarnya saat itu juga.”²⁷

Pernyataan ini menunjukkan bahwa kewajiban pembayaran bersifat segera (*fauran*) ketika telah jatuh tempo dan pihak yang berutang mampu menunaikannya. Penundaan dalam kondisi mampu bukan sekadar pelanggaran administratif, melainkan kezaliman yang diharamkan. Dalam konteks kerja digital, apabila platform memiliki kemampuan sistemik untuk membayarkan hasil kerja secara instan namun memilih menahan saldo pengemudi demi kepentingan likuiditas perusahaan, maka praktik tersebut dapat dikaji dalam perspektif hadis ini sebagai bentuk penundaan hak yang berpotensi masuk dalam kategori kezaliman. Prinsip ini menuntut adanya sistem pembayaran yang transparan, likuid, dan tidak menahan hak pekerja tanpa alasan yang sah secara syar‘i.

2. Peringatan Keras terhadap Pengabaian Hak Pekerja

Keseriusan Islam dalam melindungi hak upah dipertegas melalui Hadis Qudsi di mana Allah ﷻ menjadi penggugat bagi pelaku kezaliman:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: قَالَ اللَّهُ: ((ثَلَاثَةٌ أَنَا حَصْمُهُمْ يَوْمَ الْقِيَامَةِ: رَجُلٌ
أَعْطَى بِي ثُمَّ غَدَرَ، وَرَجُلٌ بَاعَ حُرًّا فَأَكَلَ ثَمَنَهُ، وَرَجُلٌ اسْتَأْجَرَ أَجِيرًا فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِ أَجْرَهُ.))

“Dari Abu Hurairah *radhiyallahu ‘anhu*, dari Nabi ﷺ, beliau bersabda: ‘Allah berfirman: Ada tiga golongan yang Aku akan menjadi musuh (lawan) mereka pada hari

²⁷ Al-Nawawi Yahya bin Syaraf, *Al-Minhaj Syarh Shahih Muslim bin al-Hajjaj*, (cet. 2; Beirut: Dar Ihya’ al-Turath al-‘Arabi, 1392 H), jilid 11, hlm. 37.

kiamat kelak: (1) Seseorang yang bersumpah atas nama-Ku lalu ia berkhianat, (2) Seseorang yang menjual orang merdeka lalu ia memakan hasil penjualannya, dan (3) Seseorang yang mempekerjakan seorang pekerja, di mana pekerja tersebut telah menunaikan seluruh kewajibannya dengan sempurna, namun ia tidak memberikan upahnya.”²⁸

Ibn Hajar al-Asqalani dalam *Fath al-Bari* menjelaskan bahwa status *ḫaṣm* (musuh) dari Allah menunjukkan bahwa dosa ini sangat besar karena melanggar hak hamba yang paling mendasar. Beliau menekankan bahwa istilah mengambil manfaat darinya (*fasy-taufa minhu*) mencakup segala bentuk penggunaan tenaga kerja yang kemudian dikurangi hak upahnya secara tidak sah:

هُوَ فِي مَعْنَى مَنْ بَاعَ حُرًّا وَأَكَلَ ثَمَنَهُ لِأَنَّهُ اسْتَوْفَى مَنَفَعَتَهُ بِغَيْرِ عَوَضٍ وَكَانَهُ أَكَلَهَا وَلِأَنَّهُ اسْتَخْدَمَهُ بِغَيْرِ أُجْرَةٍ وَكَانَهُ
اسْتَعْبَدَهُ

“Perbuatan tersebut secara substansial setara dengan menjual seorang yang merdeka lalu menikmati hasilnya, karena pelaku mengambil manfaat secara penuh tanpa memberikan kompensasi. Pemanfaatan tenaga tanpa upah ini pada hakikatnya merupakan perampasan hak ekonomi dan kebebasan personal, yang secara moral dan hukum dapat dipahami sebagai bentuk perlakuan menyerupai perbudakan.”²⁹

Dalam konteks kontemporer, praktik *wage theft* (pencurian upah) melalui denda-denda yang tidak masuk akal atau pembatalan bonus sepihak oleh sistem merupakan bentuk modern dari tindakan yang membuat Allah ﷻ menjadi musuh bagi pelakunya.³⁰

3. Kewajiban Transparansi Informasi dalam Akad

²⁸ Al-Bukhari Muhammad bin Ismail, *Shahih al-Bukhari*, (cet. 1; Beirut, Dar Tawq al-Najah, 1422 H), jilid. 3, hlm. 82, no. hadis 2227.

²⁹ Ibn Hajar al-Asqalani Ahmad bin Ali, *Fath al-Bari bi Sharh al-Bukhari*, (cet. 1; Mesir, Al-Maktabah al-Salafiyyah, 1380 H), jilid. 4, hlm. 418.

³⁰ <https://www.hrw.org/news/2025/03/07/right-social-security-workers-gig-economy>, diakses pada 1 Februari 2026.

Prinsip transparansi dalam hubungan kerja tidak berdiri semata pada asas etika, melainkan memiliki landasan langsung dalam Sunnah Nabi ﷺ. Dalam hadis shahih Rasulullah ﷺ bersabda:

((الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا، أَوْ قَالَ: حَتَّى يَتَفَرَّقَا، فَإِنْ صَدَقَا وَبَيَّنَّا بُورِكَ لَهُمَا فِي بَيْعِهِمَا، وَإِنْ كَتَمَا وَكَذَبَا مُحِقَّتْ بَرَكَةُ بَيْعِهِمَا))

“Dua pihak yang bertransaksi memiliki hak memilih selama mereka belum berpisah. Jika keduanya jujur dan saling menjelaskan, maka diberkahi transaksi mereka. Namun jika keduanya menyembunyikan dan berdusta, maka dihapuskan keberkahan transaksi mereka.”

Hadis ini menetapkan dua pilar legitimasi akad: *sidq* (kejujuran) dan *bayan* (keterbukaan penjelasan). Keberkahan dan keabsahan suatu transaksi bergantung pada terpenuhinya dua unsur tersebut. Meskipun redaksinya berbicara tentang jual beli, para ulama memasukkannya ke dalam seluruh bentuk akad muamalah, termasuk ijarah (kontrak kerja), karena *illat*-nya adalah keterbukaan nilai dan kejujuran informasi. Ibn Hajar al-‘Asqalani dalam *Fath al-Bari* menjelaskan makna *bayan* dengan tegas:

قَوْلُهُ: (وَبَيَّنَّا) أَي لَمْ يَكْتُمَا مِنْ أَمْرِ الْبَيْعِ شَيْئًا، وَفِيهِ دَلَالَةٌ عَلَى وُجُوبِ بَيَانِ الْعَيْبِ وَتَحْرِيمِ كِتْمَانِهِ.

“Sabda beliau ﷺ ‘وَبَيَّنَّا’ maksudnya adalah tidak menyembunyikan sesuatu pun dari urusan transaksi. Di dalamnya terdapat dalil tentang kewajiban menjelaskan cacat dan haramnya menyembunyikannya.”³¹

Penjelasan Ibn Hajar menunjukkan bahwa larangan menyembunyikan informasi tidak sekadar bersifat anjuran moral, melainkan merupakan kewajiban hukum. Segala aspek yang memengaruhi nilai ekonomi suatu akad—baik berupa cacat, risiko, maupun variabel penentu harga—harus dijelaskan secara memadai kepada para pihak yang bertransaksi. Dalam konteks kerja berbasis platform digital, nominal tarif yang ditampilkan sebelum pengemudi

³¹ Ibn Hajar al-‘Asqalani Ahmad bin ‘Ali, *Fath al-Bari bi Sharh Shahih al-Bukhari*, (cet. 1; Mesir: al-Maktabah al-Salafiyah, 1380 H), jilid 4, hlm. 328.

menerima pesanan secara lahiriah memang telah memenuhi unsur *bayān*. Namun demikian, apabila variabel dasar pembentuk tarif—seperti algoritma penentuan harga, mekanisme *dynamic pricing*, potongan layanan, serta ambang insentif yang dapat berubah secara sepihak—tidak dapat diakses atau diaudit oleh mitra pengemudi, maka keterbukaan tersebut berpotensi menjadi sekadar formalitas.

Ketika sistem menyembunyikan logika perhitungan yang secara langsung memengaruhi pendapatan pekerja, maka unsur *كَتْمَان* (penyembunyian informasi) sebagaimana diperingatkan dalam hadis berpotensi hadir dalam bentuk kontemporer. Transparansi yang dituntut oleh Sunnah tidak berhenti pada penyebutan angka akhir, melainkan mencakup keterbukaan atas struktur nilai yang membentuk angka tersebut. Tanpa keterbukaan tersebut, akad berlangsung dalam kondisi asimetri informasi yang cenderung merugikan pihak yang berada dalam posisi lebih lemah.

4. Kesamaan Kehendak dan Prinsip Kerelaan

Hubungan ekonomi harus dibangun di atas fondasi sukarela tanpa paksaan:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: ((إِنَّمَا الْبَيْعُ عَنْ تَرَاضٍ))

“Rasulullah ﷺ bersabda: “*Sesungguhnya jual beli (transaksi) itu hanyalah didasarkan atas dasar suka sama suka (kerelaan).*”³²

Syaikh Muhammad Nashiruddin al-Albani menyatakan bahwa hadis ini berstatus *Shahih*. Meskipun terdapat pembicaraan mengenai perawi Dawud bin Salih, Al-Albani menilai hadis ini memiliki kedudukan yang sangat kuat karena sejalan dengan perintah Al-Qur’an dalam Surah An-Nisa ayat 29 serta didukung oleh banyak jalur periwayatan lain yang saling menguatkan.³³

Sementara Syaikh Syu’aib al-Arnauth dalam catatan *takhrij* terhadap *Sunan Ibn Majah*, beliau memberikan penilaian yang lebih spesifik. Beliau menyebutkan bahwa sanad Ibnu

³² Ibn Majah Muhammad bin Yazid, *Sunan Ibn Majah*, (cet. 1; Dar al-Risalah al-Alamiyyah, 1430 H), jilid. 3, hlm. 305, no. hadis 2185.

³³ Muhammad Nashiruddin al-Albani, *Sahih al-Jami’ al-Saghir*, (Beirut: al-Maktab al-Islami, 1988), no. hadis 2320.

Majah dalam jalur ini adalah daif karena keberadaan Dawud bin Salih al-Madini yang dinilai kurang dikenal (*majhul al-hāl*). Namun, secara substansi hukum, beliau menegaskan bahwa hadis ini adalah *shahih lighairihi* karena maknanya memiliki landasan yang sangat kuat dalam syariat Islam dan diriwayatkan juga melalui jalur-jalur lain yang lebih terpercaya.³⁴

5. Larangan Transaksi yang Mengandung *Gharar*

Kaidah umum pelarangan *gharar* juga berlaku bagi pola kerja platform sebagaimana dalam hadis :

((نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الْحَصَاةِ، وَعَنْ بَيْعِ الْغَرَرِ))

“Rasulullah ﷺ melarang jual beli *al-hashah* (dengan lemparan kerikil) dan melarang jual beli *gharar* (yang mengandung ketidakpastian).”³⁵

Dalam *gig economy*, *gharar* tercermin dalam ketidakpastian alokasi pekerjaan. Pengemudi seringkali harus berkeliling menghabiskan BBM dan tenaga tanpa kepastian mendapatkan order. Sistem yang membuat nasib pekerja bergantung sepenuhnya pada algoritma kotak hitam yang tidak transparan menciptakan ketidakpastian yang merugikan pihak lemah. Upaya untuk memitigasi *gharar* ini dapat dilakukan dengan penyediaan pendapatan dasar minimal bagi pekerja yang telah *standby* dalam waktu tertentu.³⁶

6. Martabat Pekerja

Islam menganalisis ulang hubungan atasan-bawahan yang berjenjang menjadi hubungan persaudaraan. Imam Bukhari meriwayatkan dengan sanadnya dari Ma'rur:

قال: ((لَقِيتُ أَبَا ذَرٍّ بِالرَّبْدَةِ وَعَلَيْهِ حُلَّةٌ، وَعَلَى غُلَامِهِ حُلَّةٌ، فَسَأَلْتُهُ عَنْ ذَلِكَ، فَقَالَ: إِنِّي سَابَيْتُ رَجُلًا فَعَيَّرْتُهُ بِأَمِّهِ، فَقَالَ لِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: يَا أَبَا ذَرٍّ أَعَيَّرْتَهُ بِأَمِّهِ؟ إِنَّكَ أَمْرٌ فِيكَ جَاهِلِيَّةٌ، إِخْوَانُكُمْ حَوْلَكُمْ، جَعَلَهُمُ اللَّهُ

³⁴ Syu'aib al-Arnauth, dkk., *Takhrij Sunan Ibn Majah*, dalam catatan kaki *Sunan Ibn Majah* (Ar-Risalah al-Alamiyyah), jilid 3, hlm. 305.

³⁵ Muslim bin al-Hajjaj al-Naysaburi, *Shahih Muslim*, (cet. 1; Beirut, Dar Tawq al-Najah, 1433 H), jilid. 5, hlm. 3, no. hadis 1513.

³⁶ Andri Herman Setiawan, dkk. “Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation.” *International Journal of Law, Crime and Justice* (IJLCJ), Vol. 1 No. 1 (2024).

تَحْتَ أَيْدِيكُمْ، فَمَنْ كَانَ أَخُوهُ تَحْتَ يَدِهِ فَلْيُطْعِمَهُ مِمَّا يَأْكُلُ، وَلْيَلْبَسْهُ مِمَّا يَلْبَسُ، وَلَا تُكَلِّفُوهُمْ مَا يَغْلِبُهُمْ، فَإِنْ كَلَّفْتُمُوهُمْ فَأَعِينُوهُمْ))

“Ia berkata: Aku bertemu Abu Dzarr *radhiyallahu ‘anhu*, di Rabadzah dalam keadaan ia memakai satu set pakaian dan budaknya juga memakai satu set pakaian yang serupa. Aku pun bertanya kepadanya tentang hal itu. Ia menjawab: Aku pernah mencaci seseorang dan aku menghinanya dengan menyebut ibunya. Lalu Nabi ﷺ bersabda kepadaku: ‘Wahai Abu Dzarr, apakah engkau menghinanya dengan menyebut ibunya? Sesungguhnya engkau adalah seseorang yang di dalam dirimu masih terdapat sifat jahiliah. Para budak (pekerja) kalian adalah saudara kalian, Allah menjadikan mereka di bawah kekuasaan kalian. Maka barangsiapa yang saudaranya berada di bawah kekuasaannya, hendaklah ia memberinya makan dari apa yang ia makan, memberinya pakaian dari apa yang ia pakai, dan janganlah kalian membebani mereka dengan pekerjaan yang memberatkan (melampaui kemampuan) mereka. Jika kalian membebani mereka, maka bantulah mereka.”³⁷

Imam Nawawi dalam *Al-Minhaj Sharh Sahih Muslim* menekankan bahwa hadis ini melarang sikap sombong dan diskriminatif terhadap pekerja.³⁸ Ibn Hajar al-Asqalani dalam *Fath al-Bari* menjelaskan istilah *تَحْتَ أَيْدِيكُمْ* (di bawah tanganmu) bermakna kekuasaan atau kepemilikan.³⁹ Ini adalah amanah untuk melindungi, bukan kekuasaan untuk mengeksploitasi.

7. Larangan Beban Kerja yang Over-Kapasitas

Nabi ﷺ melarang membebani pekerja di luar batas kemampuannya:

...وَلَا تُكَلِّفُوهُمْ مَا يَغْلِبُهُمْ، فَإِنْ كَلَّفْتُمُوهُمْ فَأَعِينُوهُمْ))

“Telah menceritakan kepada kami Sulaiman bin Harb, ia berkata: Telah menceritakan kepada kami Syu'bah, dari Washil al-Ahdab, dari al-Ma'rur, ia berkata: Aku bertemu Abu Dzarr *radhiyallahu ‘anhu*, di Rabadzah dalam keadaan ia memakai satu set pakaian (hullah) dan budaknya juga memakai satu set pakaian yang serupa. Aku pun bertanya kepadanya tentang hal itu. Ia menjawab: Aku pernah mencaci

³⁷ Al-Bukhari Muhammad bin Ismail, *Shahih al-Bukhari*, (cet. 1; Beirut, Dar Tawq al-Najah, 1422 H), jilid. 1, hlm. 15, no. hadis 30.

³⁸ Al-Nawawi Yahya bin Sharaf, *Al-Minhaj Sharh Sahih Muslim bin al-Hajjaj*, (cet. 2; Beirut, Dar Ihya al-Turath al-Arabi, 1392 H), jilid. 11, hlm. 133.

³⁹ Ibn Hajar al-Asqalani Ahmad bin Ali, *Fath al-Bari bi Sharh al-Bukhari*, (cet. 1; Mesir, Al-Maktabah al-Salafiyah, 1380 H), jilid. 10, hlm. 468.

seseorang dan aku menghinanya dengan menyebut ibunya. Lalu Nabi ﷺ bersabda kepadaku:... Janganlah kalian membebani mereka dengan pekerjaan yang memberatkan (melampaui kemampuan) mereka. Jika kalian membebani mereka, maka bantulah mereka.”⁴⁰

Dalam konteks ojek daring, beban kerja yang memberatkan termanifestasi dalam bentuk target poin yang tidak proporsional, sehingga mendorong pengemudi bekerja lebih dari 12 jam per hari. Kondisi ini berdampak negatif terhadap kesehatan fisik serta keselamatan di jalan. Secara formal, pekerjaan berbasis platform kerap dipandang memberikan otonomi penuh kepada pekerja untuk mengatur waktu istirahat dan jam kerja tanpa terikat pada sistem kerja konvensional. Namun demikian, apabila ditelaah melalui perspektif ekonomi moral, otonomi tersebut sering kali bersifat semu (*pseudo-autonomy*).

Fleksibilitas yang ditawarkan pada dasarnya dibatasi oleh desain algoritma dan skema insentif yang mendorong terjadinya eksploitasi diri (*self-exploitation*). Meskipun secara teknis pengemudi memiliki kebebasan untuk beristirahat, sistem target yang dinamis serta kebijakan berbasis performa kerap menimbulkan konsekuensi ekonomi yang signifikan bagi mereka yang mengambil jeda pada waktu-waktu produktif.⁴¹ Dalam konteks ini, fenomena kerja berkepanjangan—di mana pengemudi menghabiskan belasan jam per hari di jalan—bukan sepenuhnya merupakan pilihan bebas, melainkan respons rasional terhadap tekanan struktural untuk mempertahankan tingkat pendapatan yang layak di tengah tingginya biaya operasional. Dengan demikian, beban kerja yang melampaui kapasitas fisik pengemudi (*yughlibuhum*) muncul ketika sistem hanya memberikan imbalan optimal pada jam-jam tertentu atau pada pencapaian target yang tinggi. Akibatnya, hak atas istirahat menjadi tereduksi dan secara tidak langsung “dihukum” melalui penurunan pendapatan.

8. Kaidah Umum: Tidak Boleh Ada Bahaya dan Membahayakan

⁴⁰ Al-Bukhari Muhammad bin Ismail, *Shahih al-Bukhari*, (cet. 1; Beirut, Dar Tawq al-Najah, 1422 H), jilid. 3, hlm. 149, no. hadis 2545.

⁴¹ Amal Hayati Ishak, dkk. “Analysing the Contemporary Essentials of Sustainable Gig Economy Workforce From the Lenses of Maqasid Shariah.” *Millah: Jurnal Studi Agama*, Vol. 23 No. 2 (2024).

Sebagai penutup dari rangkaian dalil Sunnah, terdapat satu kaidah agung yang oleh para ulama dikategorikan sebagai salah satu pondasi besar hukum Islam, yaitu sabda Nabi ﷺ

((أَلَا ضَرَرٌ وَلَا ضِرَارٌ))

“Tidak boleh ada bahaya dan tidak boleh saling membahayakan.”⁴²

Hadis ini diriwayatkan melalui beberapa jalur, di antaranya dari Abu Sa‘id al-Khudri dan ‘Ubadah bin al-Shamit. Adapun riwayat yang terdapat dalam Sunan Ibn Majah melalui jalur Jabir al-Ju‘fi dari Ibn ‘Abbas dinilai lemah karena keberadaan Jabir al-Ju‘fi yang dilemahkan oleh para ulama jarh wa ta‘dil. Oleh karena itu, sanad Ibnu Majah secara spesifik tidak dijadikan sandaran utama dalam penelitian yang ketat sanadnya.

Namun, hadis ini memiliki banyak jalur periwayatan lain yang saling menguatkan (*syawahid*), sehingga para ulama menilainya sebagai *hasan lighairihi*. Syaikh al-Albani menegaskan bahwa hadis ini sahih dengan keseluruhan jalurnya,⁴³ sementara Syaikh Syu‘aib al-Arnauth menjelaskan bahwa meskipun sebagian sanadnya daif, keseluruhan riwayatnya saling menguatkan sehingga dapat dijadikan hujah.⁴⁴

Kedudukan hadis ini sangat tinggi dalam fikih. Ibn Rajab al-Hanbali dalam *Jami‘ al-Ulum wa al-Hikam* menyatakan bahwa hadis ini termasuk kaidah besar yang mencakup berbagai cabang hukum. Beliau menjelaskan perbedaan makna antara *dharar* dan *dhirar* sebagai berikut:

وَقِيلَ: الضَّرَرُ أَنْ يُدْخَلَ عَلَى غَيْرِهِ ضَرَرًا بِمَا يَنْتَفِعُ هُوَ بِهِ، وَالضِّرَارُ أَنْ يُدْخَلَ عَلَى غَيْرِهِ ضَرَرًا بِمَا لَا مَنَفَعَةَ لَهُ بِهِ، كَمَنْ مَنَعَ مَا لَا يَضُرُّهُ وَيَتَضَرَّرُ بِهِ الْمَمْنُوعُ، وَرَجَّحَ هَذَا الْقَوْلَ طَائِفَةٌ، مِنْهُمْ ابْنُ عَبْدِ الْبَرِّ، وَابْنُ الصَّلَاحِ.

“*Dharar* adalah seseorang menimpakan bahaya kepada orang lain demi memperoleh manfaat bagi dirinya. Sedangkan *dhirar* adalah menimpakan bahaya kepada orang lain tanpa adanya manfaat bagi pelaku, seperti orang yang menahan sesuatu yang tidak

⁴² Ibn Majah Muhammad bin Yazid, *Sunan Ibn Majah*, (cet. 1; Beirut: Dar Ihya’ al-Kutub al-‘Arabiyyah, tt.), jilid 2, hlm. 784, no. hadis 2341.

⁴³ Al-Albani Muhammad Nashiruddin, *Silsilah al-Ahadith al-Shahihah*, (cet. 1; Riyadh: Maktabah al-Ma‘arif, 1415 H), jilid 1, hlm. 307, no. 250.

⁴⁴ Al-Arnauth Syu‘aib, Tahqiq *Sunan Ibn Majah*, (cet. 1; Beirut: Dar al-Risalah al-‘Alamiyyah, 1430 H), jilid 3, hlm. 431.

merugikannya tetapi justru merugikan pihak lain. Pendapat ini dipilih oleh sejumlah ulama, di antaranya Ibn ‘Abd al-Barr dan Ibn al-Salah.”⁴⁵

Penjelasan tersebut menunjukkan bahwa larangan dalam hadis mencakup dua bentuk ketidakadilan. Pertama, eksploitasi yang menghasilkan keuntungan sepihak dengan membebankan kerugian kepada pihak lain. Kedua, tindakan merugikan yang tidak memberikan manfaat apa pun bagi pelaku, selain sekadar menimbulkan mudarat.

Dalam konteks kerja berbasis platform digital, ketiadaan jaminan kesehatan dan keselamatan bagi pengemudi yang terpapar risiko kecelakaan tinggi, pengalihan beban operasional sepenuhnya kepada pekerja, serta sistem yang mendorong jam kerja melampaui batas kewajaran fisik dapat dikaji sebagai bentuk *ḍarar* yang bersifat struktural. Ketika risiko sistemik dialihkan kepada pihak yang lebih lemah tanpa mekanisme perlindungan yang proporsional, maka prinsip *lā ḍarar wa lā ḍirār* menuntut adanya koreksi.

Secara syar‘i, tanggung jawab untuk memitigasi risiko tidak seharusnya dibebankan sepenuhnya kepada individu pekerja, melainkan menjadi kewajiban kolektif bagi pihak-pihak yang memperoleh manfaat dari sistem tersebut, termasuk perusahaan platform dan negara melalui kebijakan perlindungan sosial yang memadai. Dengan demikian, kaidah ini menegaskan bahwa inovasi dalam ekonomi digital tidak boleh bertransformasi menjadi instrumen pemindahan risiko kepada pihak yang rentan, melainkan harus tetap berada dalam koridor keadilan sebagaimana dikehendaki oleh Sunnah.

D. KESIMPULAN

Penelitian ini menunjukkan bahwa praktik *gig economy* di Indonesia masih menyimpan paradoks moral yang signifikan apabila ditinjau dalam perspektif Sunnah Nabi ﷺ. Di balik narasi fleksibilitas yang diusung, para pekerja justru kerap terjebak dalam pola kemitraan semu yang berpotensi mencederai prinsip keadilan, terutama akibat mekanisme persetujuan digital yang cenderung bersifat sepihak.

Ketertutupan sistem algoritmik tidak hanya mereproduksi praktik *gharar* dan *jahālah*, tetapi juga membentuk relasi kuasa yang asimetris, sehingga berimplikasi pada

⁴⁵ Ibn Rajab al-Hanbali ‘Abd al-Rahman bin Ahmad, *Jami‘ al-‘Ulum wa al-Hikam*, (cet. 1; Beirut: Mu’assasah al-Risalah, 1422 H), jilid 2, hlm. 210.

terpinggirkannya martabat pekerja di bawah kendali sistem yang rigid. Di sisi lain, fenomena eksploitasi diri untuk memenuhi target yang melampaui kapasitas fisik menunjukkan bahwa aspek perlindungan jiwa dan kesejahteraan material belum menjadi prioritas dalam ekosistem kerja berbasis platform.

Oleh karena itu, diperlukan langkah strategis untuk merekonstruksi kebijakan ekonomi digital nasional agar lebih berorientasi pada prinsip transparansi dan keadilan. Upaya ini penting untuk memastikan bahwa inovasi teknologi tidak semata-mata diarahkan pada efisiensi pasar, tetapi juga tetap menjunjung tinggi nilai-nilai kemanusiaan sebagaimana diajarkan dalam Sunnah Nabi ﷺ melalui hadis-hadisnya.

E. DAFTAR PUSTAKA

- Al-Albani, Muhammad Nashiruddin. *Sahih al-Jami' al-Saghir*. Beirut: al-Maktab al-Islami, 1988.
- Al-Albani, Muhammad Nashiruddin. *Silsilah al-Ahadith al-Shahihah*. Riyadh: Maktabah al-Ma'arif, 1415 H.
- Al-Arnauth, Syu'aib. *Tahqiq Sunan Ibn Majah*. Beirut: Dar al-Risalah al-'Alamiyyah, 1430 H.
- Al-Bukhari, Muhammad bin Ismail. *Shahih al-Bukhari*. Beirut: Dar Tawq al-Najah, 1422 H.
- Al-Nawawi, Yahya bin Sharaf. *Al-Minhaj Sharh Shahih Muslim bin al-Hajjaj*. Beirut: Dar Ihya' al-Turath al-'Arabi, 1392 H.
- Abd Razak, Siti Suraya dkk. "Labour Rights Protection for Young Workers on Digital Labour Platforms: An Islamic Perspective." *Malaysian Journal of Syariah and Law*. Vol. 13, No. 1, 2025.
- Dwiputrianti, Septiana dkk. "Gig Economy or Digital Inequality? Lessons for Indonesia's Labour Future." *Jurnal Ketenagakerjaan*. Vol. 20, No. 3, 2025.
- Dzreke, Simon dkk. "Algorithmic Exploitation in the Gig Economy: A Living Wage Analysis of Ride-Hailing Platforms in Lagos and Accra." *Advanced Research Journal*. Vol. 9, No. 1, 2025.
- Hasibuan, Siti Hawa, dkk. "Analisis Penerapan Hubungan Kemitraan Antara Perusahaan Gojek dan Driver." *Jurnal Ilmu Sosial, Humaniora dan Seni (JISHS)* 1, no. 5 (2023): 542–46.

Herman Setiawan, Andri dkk. "Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation." *International Journal of Law, Crime and Justice*. Vol. 1, No. 1, 2024.

<https://www.bps.go.id/id/publication/2024/12/09/6f1fd1036968c8a28e4cfe26/keadaan-angkatan-kerja-di-indonesia-agustus-2024.html>. Diakses 5 Februari 2026.

<https://beritajatim.com/fkjob-desak-pemkab-jember-terbitkan-perda-khusus-ojol>. Diakses 28 Januari 2026.

<https://www.google.com/search?q=https://research.utm.my/utm-nexus-research-news/fair-gig-work-islamic-principles>. Diakses 1 Februari 2026.

<https://surabaya.kompas.com/read/2025/05/20/133740078/demo-ojol-di-jember-driver-minta-pemkab-tanggung-kepesertaan-bpjs>. Diakses 28 Januari 2026.

<https://www.youtube.com/watch?v=KDBvXKGDDeGA>. Diakses 28 Januari 2026.

Ibn Hajar al-'Asqalani, Ahmad bin 'Ali. *Fath al-Bari bi Sharh Shahih al-Bukhari*. Mesir: al-Maktabah al-Salafiyah, 1380 H.

Ibn Majah, Muhammad bin Yazid. *Sunan Ibn Majah*. Beirut: Dar al-Risalah al-'Alamiyyah, 1430 H.

Ibn Rajab al-Hanbali, 'Abd al-Rahman bin Ahmad. *Jami' al-'Ulum wa al-Hikam*. Beirut: Mu'assasah al-Risalah, 1422 H.

Ishak, Amal Hayati dkk. "Analysing the Contemporary Essentials of Sustainable Gig Economy Workforce From the Lenses of Maqasid Shariah." *Millah: Jurnal Studi Agama*. Vol. 23, No. 2, 2024.

Izzati, Nabiyla Risfa. "Ketidakseimbangan Kewajiban Para Pihak dalam Regulasi Ojek Online: Distorsi Logika Hubungan Kemitraan Ekonomi Gig." *Undang: Jurnal Hukum*. Vol. 5, No. 2, 2022.

Jannah, Nurul Miftahul dan Imam Yazid. "Perlindungan Driver terhadap Kebijakan Fitur Hemat Ojek Online di Kota Medan Perspektif al-Maṣlaḥah." *Borneo: Journal of Islamic Studies*. Vol. 6, No. 1, 2025.

Kadolkar, Imran dkk. "Algorithmic Management in the Gig Economy: A Systematic Review and Research Integration." *Journal of Organizational Behavior*. Vol. 46, No. 7, 2025.

Lajnah al-Fatwa bi al-Shabakah al-Islamiyyah. *Fatawa al-Shabakah al-Islamiyyah*. Jilid 12. Islamweb.net, 1430 H.

- Madyasari, Arlupi dan Khamim Khamim. "Hadis tentang Pemberian Upah: Studi Kasus Pemberian Upah Karyawan di Yatim Mandiri Kota Kediri Berdasarkan Fatwa DSN MUI No: 09/DSN-MUI/IV/2000." *Holistic al-Hadis*. Vol. 9, No. 2, 2023.
- Muslim bin al-Hajjaj al-Naysaburi. *Shahih Muslim*. Jilid 5. Beirut: Dar Tawq al-Najah, 1433 H.
- Novemyanto, Alfin Dwi dan Rismawati Nur. "Rekognisi Status dan Perlindungan Hukum Pekerja Gig Economy: Tinjauan Tuntutan Kolektif Pengemudi Ojek Online di Indonesia." *Jurnal Hukum Pelita*. Vol. 6, No. 1, 2025.
- Prasetyo, W. H. "Bentuk Perilaku Diskriminatif yang Diterima Oleh Para Pengemudi Ojek Online Perempuan." *Skripsi, KPI IAIN Metro*, 2024.
- Saraswati, Dea Awalia, dkk. "Legal Liabilities of Online Ojek Application Company Related to Person's Transportation Services." *Skripsi, Universitas Lampung*, 2017.
- Satria, I Gde Sandy. "Perlindungan Hak Pekerja Gig Economy melalui Perspektif Hukum Ketenagakerjaan." *Nomos: Jurnal Penelitian Ilmu Hukum* 5, no. 1 (2025): 127–34.
- Setiawan, Andri Herman dkk. "Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation." *International Journal of Law, Crime and Justice*. Vol. 2, No. 3, 2025.
- Shepherd, Nicki James. "Gig Economy Workers' Rights: Legal Classification and Social Protection in Digital Labour Markets." *International Journal of Law and Societal Studies*. Vol. 2, No. 1, 2025.
- Simanungkalit, R. M., dkk. "Gig Economy in Indonesia: Strategies for Well-being and Long-Term Sustainability." *ResearchGate* (2026).
<https://www.google.com/search?q=https://www.researchgate.net/publication/399499566>.
- Stewart, Andrew, dan Jim Stanford. "Regulating Early Experiences with Digital Platform Computing: Lessons for Labour Regulation from the Gig Economy." *Economic and Labour Relations Review* 28, no. 3 (2017): 420–440.



AS-SUNNAH: Jurnal Kajian Hadis
Volume 01 Nomor 02 Maret 2026
Email Jurnal : assunnahjurnal@gmail.com
Website Jurnal : ejournal.stdiis.ac.id



**THE URGENCY OF PREVENTING ONLINE GAMBLING IN ENSURING FAMILY STABILITY FROM THE PERSPECTIVE OF THE PROPHETIC HADITH
(A Thematic Study Based on the Hadiths in *Al-Kutub al-Sittah*)**

Marwan Mas'ud

Program Studi Ilmu Hadits
Universitas Islam Negeri Sunan Ampel
masudmarwan14@gmail.com

Roy Grafika Penataran

Program Studi Ilmu Hadits
Sekolah Tinggi Dirasat Islamiyah Imam Syafi'i
roymadinah@yahoo.co.id

Dimas Hutomo Putra

Fakultas Usuluddin dan Dakwah
Imam Mohammad ibn Saud Islamic University
dhutomo5@gmail.com

ABSTRACT

This research aims to reveal the importance of preventing online gambling in preserving family security from the perspective of Prophetic Hadith. It employs a qualitative method through a library study of secondary data, utilizing the theory of critical discourse analysis and the deductive approach. The results showed that online gambling is one of the most serious social challenges in the digital age due to its easy accessibility via smart devices. Its effects are not limited to the economic aspects but also extend to psychological, social, and ethical dimensions, leading to family disintegration, rising divorce rates, and criminal behavior resulting from debt and addiction. Islam provides a comprehensive treatment for this phenomenon, as both the Qur'an and the Prophetic Sunnah prohibit gambling not only as an unlawful transaction but also because of its destructive impact on individuals, families, and society. The hadith literatures emphasize that even inviting others to gamble requires expiation, reflecting Islam's preventive approach at the earliest stages. It also affirms that wealth obtained through unlawful means lacks blessing and poses a threat to family security, and it

likens those who engage in gambling to individuals who contaminate themselves with what is inherently impure. These hadiths highlight that family security is grounded not only in affection and mercy but also in the purity of sustenance, moral responsibility, and the prevention of harmful practices. In this regard, family leadership bears the responsibility of protecting the household from digital risks, foremost among them online gambling.

Keywords: *Online Gambling; Family Security Stability; Prophetic Hadith.*

ABSTRAK

Penelitian ini bertujuan untuk mengungkap pentingnya pencegahan perjudian daring dalam menjaga stabilitas keamanan keluarga berdasarkan hadis Nabi. Penelitian ini menggunakan metode kualitatif melalui studi kepustakaan terhadap data sekunder, dengan memanfaatkan teori analisis wacana kritis serta pendekatan deduktif. Hasil penelitian menunjukkan bahwa perjudian daring merupakan salah satu tantangan sosial paling berbahaya di era digital, karena kemudahan aksesnya melalui perangkat pintar. Dampaknya tidak terbatas pada aspek ekonomi semata, tetapi juga meluas ke dimensi psikologis, sosial, dan etika, yang berujung pada disintegrasi keluarga, meningkatnya angka perceraian, serta berbagai tindak kejahatan yang diakibatkan oleh utang dan kecanduan. Islam telah memberikan penanganan yang komprehensif terhadap fenomena ini, di mana Al-Qur'an dan Sunnah Nabi melarang perjudian tidak hanya sebagai bentuk transaksi yang diharamkan, tetapi juga karena dampak destruktifnya terhadap individu, keluarga, dan masyarakat. Sejumlah hadis dikemukakan untuk menjelaskan bahwa sekadar mengajak orang lain berjudi sudah mewajibkan adanya kafārah (tebusan), yang menegaskan penekanan Islam terhadap upaya pencegahan fenomena ini sejak tahap awal. Teks-teks hadis tersebut juga menegaskan bahwa harta yang diperoleh secara haram tidak memiliki keberkahan dan mengancam stabilitas keamanan keluarga, serta menganalogikan pelaku perjudian dengan orang yang mengotori tangannya dengan sesuatu yang secara fitrah menjijikkan. Hadis-hadis ini menegaskan bahwa stabilitas keamanan keluarga bertumpu pada kesucian sumber penghidupan, tanggung jawab moral, serta pencegahan terhadap praktik-praktik yang merusak. Dalam hal ini, kepemimpinan keluarga memikul tanggung jawab untuk melindungi rumah tangga dari risiko-risiko digital, dengan perjudian daring sebagai ancaman utama.

Kata Kunci: *Judi Online; Stabilitas Keamanan Keluarga; Hadis Nabi.*

A. INTRODUCTION

The phenomenon of electronic gambling in the digital era has become one of the dangerous social problems in many parts of the world, including Indonesia.⁴⁶ The ease of access to such practices through smart devices has led to its widespread proliferation, making it increasingly difficult to control. Its impact is not limited merely to the economic sphere; rather, it extends to social and psychological dimensions, even reaching the point of undermining the very foundations of the family.⁴⁷ Numerous cases of divorce, criminal acts, and moral crises originate from addiction to electronic gambling, which poses a serious threat to the stability of family life.⁴⁸

From the perspective of Islam, gambling (*al-maysir*) is an act that is forbidden and prohibited by the Qur'ān and the Sunnah of the Prophet.⁴⁹ This prohibition is not limited merely to the transactional aspect, but also encompasses the moral, spiritual, and social consequences that arise from it.⁵⁰ The Prophetic ḥadīths give significant attention to the dangers of gambling by explaining that any gain derived from it is considered unlawful (*ḥarām*) wealth devoid of blessing, and by depicting the condition of gamblers as a state of humiliation. Thus, it becomes clear that gambling is not merely a legal-formal fiqh issue, but an ethical problem that threatens the well-being of both the family and society.

In Islam, the family is regarded as the smallest yet most essential unit in building a strong society.⁵¹ Its stability cannot be realized when one of its members falls into destructive practices such as electronic gambling. The Prophetic ḥadīths emphasize the importance of

⁴⁶ Sriyana Sriyana, "Judi Online: Dampak Sosial, Ekonomi, dan Psikologis di Era Digital," *JURNAL SOCIOPOLITICO* 7, no. 1 (2025): 27–34, <https://doi.org/10.54683/sociopolitico.v7i1.169>.

⁴⁷ Domu Sama Ria Tumangger and Hudi Yusuf, "ANALISIS KRIMINOLOGIS TERHADAP PERKEMBANGAN PERJUDIAN ONLINE DI INDONESIA," *Integrative Perspectives of Social and Science Journal* 2, no. 2 Mei (2025): 2725–34.

⁴⁸ Fadillah Utami et al., "Judi Online : Faktor Pemicu Perceraian dalam Keluarga Modern," *Hidayah : Cendekia Pendidikan Islam Dan Hukum Syariah* 2, no. 1 (March 2025): 14–22, <https://doi.org/10.61132/hidayah.v2i1.759>.

⁴⁹ Rafel Maita et al., "Perjudian dalam Kerangka Hukum Ekonomi Syariah: Tinjauan Terhadap Maysir dan Konsekuensinya," *Media Hukum Indonesia (MHI)* 2, no. 2 (2024): 139–50, <https://doi.org/10.5281/zenodo.11212490>.

⁵⁰ Raja Albar Pandapotan Simatupang Raja, Bunga Amalia Nasution, and Khairil Alfı Syahri, "Judi Online dan Hukum Pidana Islam: Implikasi Hukum dan Moralitas," *Jurnal Sahabat ISNU SU* 1, no. 3 (2024): 206–13, <https://doi.org/10.70826/jsisnu.v1i3.486>.

⁵¹ Miftahul Jannah, "Konsep Keluarga Idaman dan Islami," *Gender Equality: International Journal of Child and Gender Studies* 4, no. 2 (2018): 87–102.

safeguarding the trust within the family, earning a livelihood from lawful (*halāl*) sources, and avoiding major sins that may lead to the collapse of the household. Therefore, efforts to prevent electronic gambling constitute both a *shar'ī* and social necessity to ensure the establishment of a stable, harmonious, and blessed family.

Previous studies related to electronic gambling indicate that various researchers have examined this topic from diverse perspectives. Among them is a study entitled “*Studi Komparatif Antara Hadis Larangan Berjudi dan Hukum Positif di Indonesia*” (“A Comparative Study Between the Prophetic Ḥadiths on the Prohibition of Gambling and Positive Law in Indonesia”), authored by Basri Tujang, Hendri Waluyo Lensa, and Abdul Muthalib.⁵² This study analyzes the psychological, economic, and social impacts of electronic gambling in Indonesia. It shows that national financial losses have exceeded nine hundred trillion rupiahs since 2021, and that 2% of the perpetrators are minors. The study concludes that both Islamic law (*al-sharī'ah*) and positive law prohibit and impose sanctions for gambling. However, *al-sharī'ah* places greater emphasis on ethical and spiritual dimensions, whereas positive law focuses more on legal-formal aspects. The study also recommends enhancing public education, expanding employment opportunities, strengthening legal oversight, and increasing religious awareness.

Another relevant study is entitled “*Perkembangan Judi Online dan Dampaknya Terhadap Masyarakat: Tinjauan Multidisipliner*” (“The Development of Electronic Gambling and Its Impact on Society: A Multidisciplinary Review”), written by Andri Sahata Sitanggang, Redha Subta, and Fanny Yuli Hasiolan.⁵³ This article examines the negative impacts of electronic gambling on society, particularly on individual well-being, family security, and social relations. Using a qualitative method through in-depth interviews, the findings show that electronic gambling leads to addiction, financial crises, and social disintegration. Based on these findings, the study recommends implementing effective preventive measures, such as

⁵² Andri Sahata Sitanggang, Ridho Sabta, and Fani Yuli Hasiolan, “Perkembangan Judi Online dan Dampaknya Terhadap Masyarakat: Tinjauan Multidisipliner,” *Triwikrama: Jurnal Ilmu Sosial* 1, no. 6 (2023): 70–80.

⁵³ Mhd Abror et al., “Fenomena Judi Online dalam Perspektif Hadis Tentang Tanggungjawab dan Pengelolaan Harta,” *Advances in Humanities and Contemporary Studies* 6, no. 1 (2025): 88–95.

improving education about risks, strengthening oversight of gambling platforms, increasing social awareness, and formulating anticipatory policies to address this growing threat.

There is also a study entitled “*Fenomena Judi Online dalam Perspektif Hadis tentang Tanggung Jawab dan Pengelolaan Harta*” (“The Phenomenon of Electronic Gambling in Light of Prophetic Ḥadīths on Responsibility and Wealth Management”), authored by Muhammad Abror, Muhammad Aji Abror, Mery Dwi Astuti, and Prastya Haida Balinda.⁵⁴ This research analyzes the rise of electronic gambling in the digital era, noting that Indonesia is the country with the largest number of users, reaching four million players, with total financial turnover exceeding five hundred and seventeen trillion rupiahs since 2017. Although electronic gambling often promises quick profit, it entails significant risks and various negative consequences for individuals and society. From an Islamic perspective, this practice is prohibited because it contradicts the principles of responsibility in wealth management. The Prophetic hadīths affirm that wealth is a trust (*amānah*) that must be managed lawfully (*ḥalāl*) and productively. Employing a qualitative descriptive-analytical method, this study demonstrates that electronic gambling is incompatible with Islamic financial principles and generates serious social, ethical, and spiritual harms.

Unlike previous studies, the present research—entitled “*The Urgency of Preventing Electronic Gambling in Realizing Family Security Stability in the Perspective of the Prophetic Hadīths (A Thematic Study Based on the Hadīths in Al-Kutub al-Sittah)*”—possesses a distinctive character because it focuses on a more specific aspect, namely prevention as a means of safeguarding family security stability. This study employs a thematic method by collecting the relevant hadīths found in *Al-kutub al-sittah* and extracting (*istinbāṭ*) the Islamic values that serve as the foundation for preventive efforts against electronic gambling. From this point, two central questions arise: What is the true nature of electronic gambling? And what is the urgency of its prevention in maintaining family security stability from the perspective of the Prophetic hadīths?

Accordingly, it becomes evident that this research differs from previous studies in terms of both focus and methodological approach. While earlier research examined electronic

⁵⁴ Abror et al., “Fenomena Judi Online dalam Perspektif Hadis Tentang Tanggungjawab dan Pengelolaan Harta.”

gambling from the perspective of positive law, multidisciplinary approaches, or the responsibility of wealth management, the present study contributes to strengthening family security stability based on the Prophetic hadiths. This research is expected to offer a new dimension to the study of electronic gambling by positioning the family as the primary pillar of social cohesion that must be protected from such threats.

The novelty of this study lies in its particular focus on the preventive dimension directly related to efforts to preserve family security stability. This research is also distinguished by its use of a thematic method grounded in a comprehensive examination of the hadiths contained in *Al-kutub al-sittah*, thereby going beyond studies that are confined merely to legal or social aspects. It is thus able to uncover normative Islamic values associated with the role of the family. An additional contribution is the assertion that electronic gambling is not merely an individual moral problem or an economic loss, but rather a serious threat to family harmony and the continuity of its essential functions. By taking the family as the primary point of departure, this study opens a new horizon by demonstrating that the prevention of electronic gambling is an urgent necessity for safeguarding society, starting from its most fundamental unit. Accordingly, this research provides both clear conceptual and practical foundations and offers solutions derived from the Prophetic hadiths that are relevant to contemporary challenges in the digital age.

B. METHOD

This research employs a qualitative approach, which focuses on understanding and explaining social phenomena from the perspective of individuals or groups. Library research and content analysis are used as data collection methods in this study.⁵⁵ Library research has four main characteristics: first, it requires the researcher to interact directly with texts; second, the data used are already available and ready for analysis; third, it is not limited by space and time; and fourth, it is secondary in nature.⁵⁶ Meanwhile, content analysis is a systematic research method for examining documents and communication artifacts (e.g., text, interviews,

⁵⁵ Loraine Busetto, Wolfgang Wick, and Christoph Gumbinger, "How to Use and Assess Qualitative Research Methods," *Neurological Research and Practice* 2, no. 1 (May 2020): 14, <https://doi.org/10.1186/s42466-020-00059-z>.

⁵⁶ Busetto, Wick, and Gumbinger, "How to Use and Assess Qualitative Research Methods."

media, images, audio, and other materials) with the aim of identifying patterns, themes, and meanings—both hidden and apparent.⁵⁷

This research utilizes secondary sources for data processing. Secondary data are data obtained indirectly— i.e., from second or third parties. In this study, these include scientific journals and contemporary research, as well as classical sources such as books of fiqh, books of fatwas, and so forth.⁵⁸ This research is grounded on the theory of *Maqāṣid al-Syarī'ah*, which concerns the objectives or intentions underlying Sharia in establishing laws, namely for the benefit (*maslahah*) of humankind in both this world and the hereafter.⁵⁹ The analysis method used is descriptive analysis, which aims to describe the condition or specific characteristics of the data under study.⁶⁰ Subsequently, the research results are obtained through a deductive method, i.e., by analyzing general data to draw specific conclusions from it.⁶¹

C. RESULTS AND DISCUSSION

An Overview of Online Gambling

Electronic gambling refers to gambling activities conducted through the internet by means of electronic devices such as computers, tablets, or smartphones.⁶² This activity encompasses various types of betting games, including slots, poker, lottery (toto), and sports betting, which are operated through websites or digital applications.⁶³ In this form of gambling, players are generally required to deposit funds in advance, place their wagers, and—if they

⁵⁷ Tiara Nurfingkan Priantiwi and Maman Abdurrahman, “Analisis Konten Pembelajaran Bahasa Arab pada Media Tiktok,” *Jurnal Ilmiah Profesi Pendidikan* 8, no. 3 (2023): 1365–71, <https://doi.org/10.29303/jipp.v8i3.1502>.

⁵⁸ Sung Jae Park, “Measuring Public Library Accessibility: A Case Study Using GIS,” *Libr. Inf. Sci. Res.* 34, no. 1 (January 2012): 13–21, <https://doi.org/10.1016/j.lisr.2011.07.007>.

⁵⁹ Ahmad Jalili, “Teori Maqashid Syariah dalam Hukum Islam,” *Teraju* 3, no. 02 (2021): 71–80.

⁶⁰ Jennifer L. Green et al., “Descriptive Statistics,” in *International Encyclopedia of Education (Fourth Edition)* (Elsevier, 2023), 723–33.

⁶¹ Theophilus Azungah, “Qualitative Research: Deductive and Inductive Approaches to Data Analysis,” *Qualitative Research Journal* 18, no. 4 (November 2018): 383–400, <https://doi.org/10.1108/QRJ-D-18-00035>.

⁶² Harry Pribadi Fitriani et al., “Implementasi Mikrotik Firewall Sebagai Solusi Filtering Situs Judi Online Dalam Jaringan,” *JATI (Jurnal Mahasiswa Teknik Informatika)* 9, no. 1 (2025): 1685–91, <https://doi.org/10.36040/jati.v9i1.12781>.

⁶³ Ary Hendri Saputra, Ernu Widodo, and Vallencia Nadya Paramita, “Tinjauan Yuridis Tindak Pidana Muatan Perjudian Terhadap Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik,” *Perspektif Administrasi Publik Dan Hukum* 2, no. 1 (2025): 161–82, <https://doi.org/10.62383/perspektif.v2i1.167>.

win—withdraw the funds they have earned.⁶⁴ The essential element of electronic gambling is the pursuit of profit that relies entirely on chance, thereby distinguishing it from productive endeavors or forms of work.

Positive law in Indonesia stipulates that electronic gambling constitutes a criminal act based on several legislative provisions, namely Articles 303 and 303 bis of the *Kitab Undang-Undang Hukum Pidana* (Indonesian Criminal Code), the *Undang-Undang Informasi dan Transaksi Elektronik* (Electronic Information and Transactions Law, UU ITE), as well as the newly enacted Criminal Code that has taken effect following its transitional period. For example, the Electronic Information and Transactions Law states that any person who distributes, transmits, or provides access to electronic gambling content may be subject to criminal sanctions or fines.⁶⁵ Although the legal provisions clearly regulate this matter, the main challenge lies in ensuring the strict and consistent enforcement of these laws in order to achieve the expected effectiveness in combating the widespread practice of electronic gambling.

The phenomenon of *qimār al-īliktrūnī* (electronic gambling) in Indonesia is not merely a moral or legal issue; rather, it has transformed into a tangible threat to the fundamental pillars of the family.⁶⁶ The rapid development of technology and the ease of internet access have enabled people from various social strata to fall readily into this activity. Misleading advertisements, seemingly “safe” applications, and promises of quick profit play a significant role in luring individuals and ultimately leading to their destruction.

Among the most evident impacts of this phenomenon is the financial collapse within families. Many perpetrators of *qimār* (gambling) suffer substantial losses and become trapped in debt; some are even compelled to steal or borrow through unlawful means merely to continue their gambling activities.⁶⁷ The accumulated debts severely disrupt the family budget, which

⁶⁴ Marjianto Marjianto, Ilda Hayati, and Dina Hajjah Ristianti, “Analisis Dampak Judi Online Terhadap Keutuhan Rumah Tangga Masyarakat Islam (Studi Kasus Di Kecamatan Lubuklinggau Timur I)” (PhD Thesis, INSTITUT AGAMA ISLAM NEGERI CURUP, 2024).

⁶⁵ “Hukum Judi Internet Berdasarkan Undang-Undang ITE – PID Polda Kepri,” accessed September 30, 2025, <https://pid.kepri.polri.go.id/hukum-judi-internet-berdasarkan-undang-undang-ite/>

⁶⁶ Ghita Intan, “Menkominfo: Indonesia Darurat Judi Online, Perputaran Uang Capai Rp327 Triliun,” VOA Indonesia, April 22, 2024, <https://www.voaindonesia.com/a/menkominfo-indonesia-darurat-judi-online-perputaran-uang-capai-rp327-triliun/7579998.html>.

⁶⁷ Muhammad Fatkhurudin et al., “Pengaruh Judi Online Bagi Siswa SMA,” *Jurnal Studi Islam Indonesia (JSII)* 3, no. 1 (2025): 109–26.

should otherwise be allocated for basic necessities such as food, education, and healthcare, thereby placing a heavy burden on other family members. In extreme cases, families may even lose their property, homes, or savings that were intended for future needs.

The psychological impacts are likewise extremely harmful. Many individuals addicted to *qimār* (gambling) in electronic forms experience stress, anxiety, shame, and guilt, even to the point of falling into depression.⁶⁸ They may withdraw from their social environment, cut off communication with their spouses or children, lie about their financial situation, or conceal their activities. All of this undermines trust within the household, as family members discover the presence of secrets, debts, and deviant behaviors associated with *qimār* activities.

At the social level, *qimār* (gambling) in electronic forms generates persistent conflict within the family. Disputes between husbands and wives increase significantly, and cases of domestic violence or divorce resulting from *qimār* addiction have also been recorded.⁶⁹ Children, too, become indirect victims of financial instability, the lack of parental attention, and disrupted parenting patterns caused by psychological and economic pressure. The family's value system is likewise endangered, as the principles of honesty, responsibility, and moral exemplarity—which should constitute the foundation of the household—begin to weaken.

The Majelis Ulama Indonesia (MUI) has issued a report affirming that electronic *qimār* “destroys the structure of the family,” “harms the relationships among family members, and damages the moral and economic fabric of society.”⁷⁰ Meanwhile, experts in the Province of Riau have stated that electronic *qimār* leads to “disputes, family conflict, loss of property, and the emergence of debt,” ultimately resulting in the collapse of mutual trust among family members. There have even been tragic cases involving physical violence, and in some instances murder or suicide, due to the economic and psychological pressures arising from such addiction.

⁶⁸ Arnit Kurnia Sari, Moh Al-Fajrih, and Istika Ahdiyanti, “Dampak Judi Online Terhadap Kesehatan Mental dan Hubungan Sosial,” *Al-Hikmah: Jurnal Dakwah dan Komunikasi* 3, no. 2 (2024): 31–44, <https://doi.org/10.47945/al-hikmah.v3i2.1539>.

⁶⁹ Muhammad Rakha Putra Bijaksana, “TINJAUAN KRIMINOLOGI TERHADAP JUDI ONLINE YANG MENGAKIBATKAN TINDAK PIDANA KEKERASAN DALAM RUMAH TANGGA (Studi Kasus Polwan Membakar Polisi Di Mojokerto)” (PhD Thesis, Universitas Sultan Ageng Tirtayasa, 2025).

⁷⁰ “MUI - Majelis Ulama Indonesia - MUI - Majelis Ulama Indonesia,” accessed September 30, 2025, <https://mui.or.id/public/baca/berita/judi-online-dosa-besar-yang-mengancam-moralitas-keluarga-dan-ekonomi-masyarakat?>

In general, this phenomenon that devastates families is not merely an individual problem, but a structural issue connected to economic, social, and moral dimensions. Therefore, efforts toward prevention and intervention should not be confined solely to legal regulations; they must also encompass moral and spiritual education, psychological support, and the development of a social system capable of protecting its members from falling into electronic *qimār* (gambling).

Analysis of the Urgency of Preventing Electronic Gambling in Safeguarding Family Security and Stability in the Perspective of the Prophet's Hadiths

Islam is a comprehensive religion that regulates all aspects of life in this world and the hereafter, including the regulation of family life, so that it stands upon tranquility, affection, and mercy—while preventing anything that may undermine these principles, one of which is *qimār al-iliktrūnī* (electronic gambling). Several Prophetic hadiths elucidate the urgency of preventing electronic gambling and its role in maintaining the security and stability of the family. Among them is the following:

First, as narrated by al-Bukhārī: Ishāq said: Abū al-Mughīrah informed us: al-Awzā'ī informed us: al-Zuhrī, from Ḥumayd, from Abū Hurayrah, who said: The Messenger of Allah ﷺ said: “Whoever among you swears by al-Lāt and al-'Uzzā, let him say: *Lā ilāha illallāh*; and whoever says to his companion, ‘Come, let us gamble,’ let him give charity.”⁷¹

⁷¹ Sulaymān ibn al-Ash'ath Abū Dāwūd, *Sunan Abī Dāwūd*, 1st ed., ed. Shu'ayb al-Arnā'ūṭ and Muḥammad Kāmil Qarah Balalī, Sunan (Beirut, Lebanon: Dār al-Risālah al-'Ālamīyah, 2010). No. 3485, vol. 5, p. 350. Ya'qūb ibn Ishāq Abū 'Awānah al-Isfarā'īnī, *Al-Musnad al-Ṣaḥīḥ al-Mukhrij 'alā Ṣaḥīḥ Muslim*, 1st ed., ed. Graduate theses and al-Jāmi'ah al-Islāmiyyah academic research at the Faculty of Ḥadīth (al-Mamlakah al-'Arabīyyah al-Sa'ūdiyyah: al-Jāmi'ah al-Islāmiyyah, 2014). Vol. 12, p. 375. Sulaymān ibn Ahmad al-Thabrani, *Al-Mu'jam al-Awsath*, I (Kairo: Dar al-Haramain, 1995). No. 116, vol. 1, p. 43. Sulaymān ibn Aḥmad al-Ṭabarānī, *Musnad Al-Syāmiyyīn*, 1st ed., ed. Ḥamdī ibn 'Abd al-Majīd al-Salafī (1984). No. 2074, vol. 3, p. 198. 'Abd Allāh ibn 'Adī Ibn 'Adī, *Al-Tarājim al-Sāqiṭah Min al-Kāmil Fī Ma'rifat Du'afā' al-Muḥaddithīn Wa 'Ilal al-Ḥadīth*, 1st ed., ed. Abū al-Faḍl 'Abd al-Muḥsin al-Ḥusaynī (Cairo, Egypt: Maktabat Ibn Taymīyah, 1993). Vol. 8, p. 144; 'Alī ibn 'Umar al-Dāraqūṭnī, *Sunan Al-Dāraqūṭnī*, 1st ed., ed. Shu'ayb al-Arnā'ūṭ et al. (Beirut, Lebanon: Mu'assasat al-Risālah, 2004) No. 2816, vol. 3, p. 388. Dan disahihkan oleh al-Albani, al-Dhiya', al-Arna'uth dan selainnya dalam Tahqiq Sunan Abi Dawud. Lihat:; Muḥammad Nāṣir al-Dīn al-Albānī, *Irwā' al-Ghāli fī Takhrīj Aḥādīth Manār al-Sabīl*, al-Ṭab'ah al-Thānīyah (Bayrūt: al-Maktab al-Islāmī, 1405). Vol. 5, p. 226. Muḥammad Nāṣir al-Dīn ibn al-Ḥājj Nūḥ al-Albānī, *Ṣaḥīḥ Al-Jāmi' al-Ṣaḥīḥ Wa Ziyādātih* (Beirut: al-Maktab al-Islāmī, 1995). Vol. 1, p. 360. Muḥammad Nāṣir al-Dīn al-Albānī, *Ṣaḥīḥ Al-Tarḥīb Wa-al-Tarḥīb*, 1st ed. (al-Riyād: Maktabat al-Ma'ārif li-al-Nashr wa-al-Tawzī', 2000). Vol. 2, p. 598. Muḥammad 'Abdullah al-Dhiya', *Al-Jami' al-Kamil Fi al-Hadits al-Shahih al-Kamil*, I (Riyadh: Dar al-Salam, 2016). Vol. 5, p. 620.

This hadith, transmitted by al-Bukhārī from Abū Hurayrah *radhiallahu ‘anhu*, contains a fundamental message concerning the prohibition of *qimār* (gambling). The Prophet ﷺ emphasized that even uttering an invitation to gamble—simply saying, “Come, let us gamble”—must be expiated through charity. This indicates that Islam does not confine the prohibition of gambling to its practical act alone, but also extends it to speech and expressions that may normalize such behavior. In other words, Islam establishes a strong barrier against gambling already at the level of discourse.

When this hadith is examined through the lens of critical discourse analysis, its deep relevance to contemporary realities becomes evident, particularly regarding the phenomenon of *qimār al-iliktrūnī* (electronic gambling). At the textual level, the hadith presents a clear dichotomy between gambling, which leads to corruption, and charity, which brings blessing. In terms of discursive practice, this warning was delivered within a society familiar with gambling, prompting the Prophet ﷺ to redirect them toward more ethical social conduct. This context parallels the present situation, where many people perceive electronic gambling as entertainment or an economic opportunity, despite its destructive consequences.

From the perspective of social practice, the hadith affirms that gambling generates moral, economic, and social harms that ultimately destroy family structures. The phenomenon of electronic gambling has demonstrably devastated many households: loss of wealth, erosion of trust among family members, and even divorce. Based on the perspective of the Prophet’s hadiths, early prevention is an urgent necessity that cannot be delayed. Prevention is not merely a matter of legal regulation but also involves cultivating moral and spiritual awareness to safeguard family harmony. Thus, protecting the family from the dangers of electronic gambling aligns with the guidance of the Prophet ﷺ, who urges believers to avoid major sins and engage in productive, blessed behavior.

Second: Abū Dāwūd narrated: Aḥmad ibn Ṣāliḥ said: ‘Abdullāh ibn Wahb said: Mu‘āwiyah ibn Ṣāliḥ reported from ‘Abd al-Wahhāb ibn Bakht, from Abū al-Zanād, from al-A‘raj, from Abū Hurayrah, that the Messenger of Allah ﷺ said: “Indeed, Allah has prohibited

khamr along with its price, prohibited carrion along with its price, and prohibited swine along with its price.”⁷²

The hadith narrated by Abū Dāwūd from Abū Hurayrah *raḍiyallāhu ‘anhu* affirms that Allah سبحانه وتعالى has forbidden *khamr* together with its price, carrion together with its price, and swine together with its price. The central message of this hadith lies in its prohibition of all forms of transactions involving what is unlawful—whether directly related to the object itself or to its economic benefit. This prohibition is not limited to devotional matters; rather, it also extends to social and economic dimensions, because wealth obtained through unlawful means is devoid of blessing, corrupts moral character, and threatens the well-being of families and society at large.

When this hadith is analyzed through the lens of critical discourse analysis, a clear dichotomy emerges between the lawful and the unlawful within the economic sphere. At the textual level, the hadith displays a pattern of repetition that emphasizes that whatever is unlawful, its economic benefit is also unlawful. This illustrates that Islam closes all possible loopholes through which falsehood could be justified via economic mechanisms. At the level of discursive practice, this hadith appeared in a societal context accustomed to engaging in transactions involving prohibited goods, prompting the Messenger of Allah ﷺ to reform this reality by introducing a more ethical and just economic system. At the level of social practice, this hadith underscores the importance of safeguarding family wealth from all forms of impurity and illegitimacy.

When this meaning is applied to the phenomenon of *qimār al-iliktrūnī* (electronic gambling), it becomes evident that the hadith provides a solid ethical foundation for addressing it. Although electronic gambling may appear to be merely a form of digital entertainment, in reality, it constitutes a financial transaction that yields unlawful gains. Such gains are not merely

⁷² Abū Dāwūd, *Sunan Abī Dāwūd*. No. 3485, vol. 5, p. 350. Abū ‘Awānah al-Isfarā’inī, *Al-Musnad al-Ṣaḥīḥ al-Mukhrīj ‘alā Ṣaḥīḥ Muslim*. Vol. 12, p. 375. al-Thabrani, *Al-Mu’jam al-Awsath*, I. No. 116, vol. 1, p. 43. al-Ṭabarānī, *Musnad Al-Syāmiyyīn*. No. 2074, vol. 3, p. 198. Ibn ‘Adī, *Al-Tarājim al-Sāqīyah Min al-Kāmil Fī Ma’rifat Du‘Afā’ al-Muḥaddithīn Wa ‘Ilal al-Ḥadīth*. Vol. 8, p. 144; al-Dāraquṭnī, *Sunan Al-Dāraquṭnī* No. 2816, vol. 3, p. 388. And authenticated by Al-Albānī, al-Dhiya’, al-Arna’uth and others in Tahqīq Sunan Abi Dawud. See:; al-Albānī, *Irwā’ al-Ghālīl fī Takhrīj Aḥādīth Manār al-Sabīl*. Vol. 5, p. 226. al-Albānī, *Ṣaḥīḥ Al-Jāmi’ al-Ṣaḥīr Wa Ziyādātih*. Vol. 1, p. 360. al-Albānī, *Ṣaḥīḥ Al-Targhib Wa-al-Tarhib*. Vol. 2, p. 598. al-Dhiya’, *Al-Jami’ al-Kamil Fī al-Hadīth al-Shahīh al-Kamil*, I. Vol. 5, p. 620.

devoid of blessing; they also trigger conflict, fracture family relationships, and may even lead to the collapse of the household. In the context of the family, expenditures derived from funds obtained through electronic gambling generate suspicion, cause psychological strain, increase the likelihood of divorce, and produce harmful effects on children.

Thus, preventing electronic gambling becomes an essential measure for protecting families. This preventive effort aligns with the spirit of the hadith, which not only prohibits the consumption of unlawful wealth but also forbids all economic gains derived from it. Therefore, preventing electronic gambling means preserving the moral purity of the family, safeguarding its wealth from harm, and ensuring that the sustenance provided to one's wife and children is pure and lawful. This reinforces the understanding that the stability and security of the family in Islam rest not only on affection and mercy, but also on economic principles that are free from all unlawful elements.

Third: *Muslim* narrates: Zuhayr ibn Ḥarb said: ‘Abd al-Raḥmān ibn Maḥdī reported from Sufyān, from ‘Alqamah ibn Marthad, from Sulaymān ibn Buraydah, from his father, that the Prophet ﷺ said: “Whoever plays with *al-nardashīr*, it is as though he has dyed his hand in the flesh and blood of a swine.”⁷³

The hadith narrated by *Muslim* from Buraydah *raḍiyallāhu ‘anhu* states that the Messenger of Allah ﷺ said: “Whoever plays with *al-nardashīr* is as though he has dyed his hand in the flesh and blood of a swine.” This hadith employs a powerful and eloquent form of analogy, whereby the Prophet ﷺ does not merely prohibit the game of *al-maysir*, but rather portrays it as a reprehensible act that is instinctively repulsive—namely, touching the flesh and blood of a swine. Thus, this hadith affirms the ethical, spiritual, and psychological dimensions underlying the prohibition of gambling.

⁷³ Muslim ibn al-Ḥajjāj, *Ṣaḥīḥ Muslim*, Corrected edition compared to several manuscripts and reliable copies, ed. Aḥmad ibn Rif‘at ibn ‘Uthmān Ḥilmī al-Qarah Ḥiṣārī, Muḥammad ‘Izzat ibn ‘Uthmān al-Za‘farān Būlīwī, and Abū Nu‘m Allāh Muḥammad Shukrī ibn Ḥasan al-Anqarawī, Within the Takhrij Service (Turkey: Dār al-Ṭibā‘ah al-‘Āmirah, 1334). No. 2260, vol. 7, p. 50. Muḥammad ibn Ismā‘īl al-Bukhārī, *Al-Adab al-Mufrad*, 2nd ed., ed. Muḥammad Fu‘ād ‘Abd al-Bāqī (Beirut: Dār al-Bashā‘ir al-Islāmiyyah, 1989), 434; Muḥammad ibn Salāmah al-Quḍā‘ī, *Musnad Al-Syihāb*, 2nd ed., ed. Ḥamdī ibn ‘Abd al-Majīd al-Salafī (Beirut: Mu‘assasat al-Risālah, 1986). No. 534, vol. 1, p. 317. Aḥmad ibn al-Ḥusayn al-Bayhaqī, *Shu‘ab al-Īmān*, 1st ed., ed. ‘Abd al-‘Alī ‘Abd al-Ḥamīd Ḥāmid and Mukhtār Aḥmad al-Nadwī, al-Makhtūṭāt al-Ḥadīthiyyah al-Muḥaqqaqah (Riyadh, Saudi Arabia and Bombay, India: Maktabat al-Rushd lil-Nashr wa-al-Tawzī‘ and al-Dār al-Salafiyyah, 2003). Vol. 8, p. 454.

From the perspective of critical discourse analysis, this hadith may be examined at three levels. First, at the textual level, there is a clear contrast between a game presented as mere entertainment (*al-nardashīr*) and its highly repugnant moral consequence (touching a swine). This emphasizes that something perceived as trivial by humans may carry significant ethical weight in Islam. Second, at the level of discursive practice, this hadith emerged within a society accustomed to games of *al-maysir*, prompting the Prophet ﷺ to employ assertive symbolic language to eradicate such practices from their roots. Third, at the level of social practice, the hadith underscores the importance of building a community free from unlawful games, as their consequences undermine social, economic, and moral structures.

When this hadith is related to the contemporary phenomenon of electronic gambling, its timeless relevance becomes evident. Electronic gambling, despite appearing to be a simple digital form of entertainment, possesses the same essence as *al-nardashīr*: a game that produces unlawful gains. The Prophet's ﷺ analogy demonstrates that a change in outward appearance does not alter the inherently impure and corrupt nature of gambling. In the context of family life, the involvement of a family member in electronic gambling introduces unlawful wealth into household expenditures, erodes trust between spouses, triggers conflicts, and may even lead to the complete collapse of the family.

Therefore, preventing electronic gambling is a direct extension of the message of this hadith. Islam does not view *al-maysir* as mere entertainment, but as a gateway to moral and social decay. Protecting families from this digital danger thus entails safeguarding wealth from corruption, preserving the dignity of the household, and ensuring the upbringing of a healthy generation, far removed from contemporary social harms and disorders.

Fourth: *Al-Tirmidhī* narrates: ‘Abdullāh ibn Abī Ziyād al-Qaṭwānī al-Kūfī said: ‘Abdullāh ibn Mūsā reported from Ghālib Abū Bishr, from Ayyūb ibn ‘Āidh al-Ṭā’ī, from Qays ibn Muslim, from Ṭāriq ibn Shihāb, from Ka‘b ibn ‘Ujrah, that the Messenger of Allah ﷺ said: “I seek refuge for you in Allah, O Ka‘b ibn ‘Ujrah, from the leaders who will come after me. Whoever closes his eyes to their wrongdoing, believes their falsehood, and assists them in injustice, then he is not from my community, and I am not from his community, and he shall not approach the Ḥawḍ (*the Prophet's Fountain on the Day of Judgment*). Whoever closes his eyes to their wrongdoing, or does not close his eyes, and does not believe their falsehood, and

does not assist them in injustice, then he is from my community and I am from his community, and he shall approach the Ḥawḍ. O Ka‘b ibn ‘Ujrah, prayer is proof, fasting is a strong shield, and charity extinguishes sins as water extinguishes fire. O Ka‘b ibn ‘Ujrah, no flesh grows from unlawful wealth except that the Fire is more deserving of it.”⁷⁴

The hadith narrated by *al-Tirmidhī* from Ka‘b ibn ‘Ujrah *radīyallāhu ‘anhu* delivers the Prophet’s ﷺ warning to his community not to fall into the trap of unjust rulers, nor to support falsehood or engage in unlawful acts. At the end of the hadith, the Messenger of Allah ﷺ establishes a decisive ethical principle with his statement: “No flesh grows from unlawful wealth except that the Fire is more deserving of it.” This message underscores that any form of illicit income—including profits obtained through gambling—not only contaminates the individual but also corrupts the life of the family and the wider community.

When this prophetic guidance is applied to the contemporary phenomenon of electronic gambling, its relevance becomes clear. Electronic gambling depletes family resources, drives gamblers into cycles of debt, and fosters a lifestyle built upon illegitimate gains. This does not merely affect the family's economic stability; it also removes blessings, disrupts psychological well-being, and erodes spiritual values within the household. Thus, this ḥadīth may be read as a discourse rejecting all forms of normalization of unlawful income that threatens the foundational social structure, namely the family.

⁷⁴ Muḥammad ibn ‘Īsā al-Tirmidhī, *Sunan al-Tirmidhī*, 2nd ed., ed. Aḥmad Muḥammad Shākir (vol. 1–2), Muḥammad Fu‘ād ‘Abd al-Bāqī (vol. 3), and Ibrāhīm ‘Aṭwah ‘Awḍ al-Mudarris fī al-Azhar al-Sharīf (vol. 4–5), al-Jāmi‘ al-Ṣaḥīḥ (Egypt: Sharikat Maktabah wa-Maṭba‘ah Muṣṭafā al-Bābī al-Ḥalabī, 1976). No. 614, vol. 2, p. 512. ‘Abd Allāh ibn ‘Abd al-Raḥmān al-Dārimī, *Musnad Al-Dārimī*, 1st ed., ed. Marzūq ibn Hiyās Āl Marzūq al-Zahrānī (n.p.: Printed at the expense of Shaykh Jam‘ān ibn Ḥasan al-Zahrānī, 2015). No. 2806, vol. 2, p. 918. Muḥammad ibn Ḥibbān ibn Aḥmad al-Tamīmī al-Bustī Ibn Ḥibbān, *Ṣaḥīḥ Ibn Ḥibbān: Al-Musnad al-Ṣaḥīḥ ‘alā al-Taqāsīm Wa-al-Anwā‘ Min Ghayr Wujūd Qaṭ‘ Fī Sanadīhā Wa-Lā Thubūt Jarḥ Fī Nāqilḥā*, 1st ed., ed. Muḥammad ‘Alī Sönmez and Khālīṣ Āy Demir (Beirut: Dār Ibn Ḥazm, 2012). No. 58, vol. 1, p. 158. Muḥammad ibn ‘Abd Allāh Muṣṭafā ‘Abd al-Qādir al-Ḥākim, ed., *Al-Mustadrak ‘alā al-Ṣaḥīḥayn*, al-Ṭab‘ah al-Ūlā, vol. 4 (Bayrūt: Dār al-Kutub al-‘Ilmiyyah, 1990). No. 7163, vol. 4, p. 141. ‘Abd al-Ḥamīd ibn Ḥumayd ‘Abd ibn Ḥumayd, *al-Muntakhab min Musnad ‘Abd ibn Ḥumayd*, 2nd ed., ed. Muṣṭafā al-‘Adawī (Cairo: Dār Balansiyyah li-al-Nashr wa-al-Tawzī‘, 2002). No. 1136, vol. 2, p. 198. ‘Alī ibn Abī Bakr al-Haythamī, *Kashf Al-Astār ‘an Zawā‘id al-Bazzār*, 1st ed., ed. Ḥabīb al-Raḥmān al-‘Azamī (Beirut: Mu‘assasat al-Risālah, 1979). No. 1609, vol. 2, p. 241. Sulaymān ibn Aḥmad al-Tabarānī, *Al-Mu‘jam al-Kabīr*, 2nd ed., ed. Ḥamdī ibn ‘Abd al-Majīd al-Salafī (Cairo: Maktabat Ibn Taymīyah, n.d.). vol. 19, p. 105. Aḥmad ibn ‘Alī ibn al-Muthannā al-Tamīmī Abu Ya‘lā al-Mawṣilī, *Musnad Abī Ya‘lā Al-Mawṣilī*, 1st ed., ed. Sa‘īd ibn Muḥammad al-Sanārī (Cairo: Dār al-Ḥadīth, 2013). Vol. 1, p. 129. Authenticated by al-Tirmidzi Ibn Hibban, al-Hakim, al-Albani, al-Dhiya’, al-Sinari dalam Tahqiq Musnad Abi Ya’la. Lihat:; Muḥammad Nāṣir al-Dīn ibn al-Ḥājj Nūḥ al-Albānī, *Silsilat Al-Aḥādīth al-Ṣaḥīḥah Wa-Shay‘ Min Fiqhīhā Wa-Fawā‘idihā*, 1st ed. (Riyadh: Maktabat al-Ma‘ārif lil-Nashr wa-al-Tawzī‘, 1995). Vol. 6, p. 214. al-Dhiya’, *Al-Jami‘ al-Kamil Fi al-Hadīth al-Shahīh al-Kamil*, I. Vol. 2, p. 350.

From the perspective of critical discourse analysis, this ḥadīth does not remain solely at the normative level; rather, it reveals power relations that sustain injustice. In the context of electronic gambling, a digital economic force emerges, pushing society into an exploitative system. The Prophet's ﷺ words function as a counter-discourse that empowers the community to develop critical awareness: that unlawful income is not merely an individual issue but part of a system that suppresses ethical freedom and endangers the stability and security of the family.

Thus, the urgency of preventing electronic gambling lies in protecting families from contaminated sources of livelihood. Family security is not built solely upon emotional bonds, but also upon the blessing of lawful sustenance. The Prophet ﷺ affirms that flesh nourished by unlawful wealth is inevitably destined for the Fire. Based on this critical awareness, preventing electronic gambling is not merely an ethical campaign, but a social movement aimed at protecting family continuity and safeguarding future generations from destruction caused by unlawful wealth.

Fifth: *Al-Bukhārī* narrates: ‘Abdan said: “‘Abdullāh reported to us: Mūsā ibn ‘Uqbah said from Nāfi’, from Ibn ‘Umar *raḍiyallāhu ‘anhu* that the Prophet ﷺ said: “Each of you is a shepherd, and each of you is responsible for his flock. A leader is a shepherd; a man is a shepherd over his family; and a woman is a shepherd over her husband’s household and children. Each of you is a shepherd, and each of you is responsible for his flock.”⁷⁵

The ḥadīth narrated by *al-Bukhārī* from Ibn ‘Umar *raḍiyallāhu ‘anhu* establishes a foundational principle of leadership and social responsibility through the Prophet’s ﷺ words: “Each of you is a shepherd, and each of you is responsible for his flock.” The Messenger of Allah ﷺ does not restrict the meaning of leadership to rulers or guardians; rather, he extends it to the sphere of the family. A man is responsible for his wife and children, and a woman is responsible for her husband’s household and their children, allowing the younger generation to grow within an environment built upon shared responsibility.

⁷⁵ Muḥammad ibn Ismā‘īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, Sulṭānyyah, ed. Jamā‘a min al-‘Ulamā’ (Būlāq, Cairo (original) / Beirut (reprint): al-Maṭba‘a al-Kubrā al-Amīriyya (original) / Dār Ṭawq al-Najāh (reprint), 1893). No. 5200, vol. 7, p. 31. Muslim ibn al-Ḥajjāj, *Ṣaḥīḥ Muslim*. No. 1829, vol. 6, p. 7. Aḥmad ibn ‘Abd Allāh ibn Aḥmad ibn Iṣḥāq ibn Mūsā ibn Mihrān al-Iṣbahānī (d 430 Abu Nu‘aym, *Ta’rīkh Iṣbahān = Akhbār Iṣbahān*, 1st ed., ed. Sayyid Kasrawī Ḥasan (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1990). Vol. 2, p. 291.

Within the context of the contemporary phenomenon of electronic gambling, this hadith carries significant relevance. Electronic gambling often infiltrates homes covertly, transforming smart devices into gateways to moral and financial collapse. If a father or any family member becomes involved in electronic gambling, its effects are not limited to the individual but extend to the very structure of the family: the loss of lawful sustenance, the accumulation of debt, increased marital conflict, and psychological harm to children. Thus, this hadith may be interpreted as a normative discourse obligating heads of households to actively prevent sources of corruption—such as electronic gambling—in order to safeguard the family’s security and stability.

From the perspective of critical discourse analysis, this hadith unveils the dimensions of power relations within the family and society. Responsibility is not merely an ethical concept but a social position that demands concrete practice. In the digital reality, electronic gambling functions as an instrument of exploitation that drains the economic resources of vulnerable groups, reinforces social inequality, and weakens the resilience of families. When the Prophet ﷺ declares, “Each of you is a shepherd,” he is in fact establishing a framework of critical awareness: that preventing structural harm, including digital gambling, constitutes an inseparable part of the trust (*amānah*) of leadership to be fulfilled at every level—individual, familial, and governmental.

Thus, the urgency of preventing electronic gambling in order to preserve family security rests on two principal dimensions. The first is the normative-religious dimension, which affirms the prohibition of unlawful income and obligates the protection of families from destructive influences. The second is the critical-structural dimension, which explains that electronic gambling is not merely a form of entertainment but an instrument of domination that undermines economic stability, moral integrity, and social relations. By understanding the meaning of this hadith, Muslims can cultivate a collective consciousness that rejects electronic gambling, protects households, and ensures a family life that is harmonious, blessed, and safeguarded from points of collapse.

Sixth: *Ibn Mājah* narrates: Muḥammad ibn Yaḥyā said, “‘Abd al-Razzāq reported to us; Ma‘mar said from Jābir al-Ju‘fī, from ‘Ikrimah, from Ibn ‘Abbās, that the Messenger of Allah ﷺ said: *‘Lā Ḍarar wa Lā Ḍirār’* (There shall be no causing harm, nor reciprocating harm).⁷⁶

The hadith narrated by *Ibn Mājah* from Ibn ‘Abbās, despite its brevity, is profoundly meaningful: “*Lā Ḍarar wa Lā Ḍirār.*” This ḥadith constitutes one of the universal principles within Islamic law. The maxim affirms that any social, economic, or cultural practice that produces harm and corruption is strictly prohibited. Thus, it provides a solid normative foundation for rejecting the phenomenon of electronic gambling that has become widespread in the digital era.

In contemporary reality, the dangers of electronic gambling manifest across multiple dimensions. Individuals who fall into it lose economic stability, suffer psychological pressure, and may reach levels of addiction that deplete their mental health. The harm is not limited to individuals; it extends to families, where wives and children suffer from the loss of lawful sustenance, the rise of domestic conflict, and the breakdown of healthy family communication. Furthermore, electronic gambling produces collective harm by draining societal resources and generating chronic social problems. Based on the principle of the hadith “*Lā Ḍarar wa Lā Ḍirār,*” it is evident that this practice contradicts the Islamic principles of social justice and the protection of family welfare.

Through critical discourse analysis, this ḥadith may also be interpreted as a form of resistance against hegemonic practices that generate structural injustice. Electronic gambling is not merely an individual wrongdoing; it is part of a system exploited by certain actors at the expense of society at large. The dissemination of digital gambling platforms reinforces economic domination and weakens the resilience of Muslim families. In this regard, the hadith “*Lā Ḍarar wa Lā Ḍirār*” becomes a counter-discourse that urges collective critical awareness to reject harmful systems.

Thus, the urgency of preventing electronic gambling in order to safeguard family security rests on two principal dimensions. The first is the normative-religious dimension,

⁷⁶ Muḥammad ibn Yazīd ibn Mājah, *Sunan Ibn Mājah*, 1st ed., ed. Shu‘ayb al-Arnā‘ūṭ et al. (Dār al-Risāla al-‘Ālamiyya, 2009). No. 2341, vol. 3, p. 432. Disahihkan oleh al-Albani, al-Arna’uth dan selainnya dalam Tahqiq Sunan Ibn Majah. Lihat:; al-Albānī, *Silsilat Al-Aḥādīth al-Ṣaḥīḥah Wa-Shay’ Min Fiqihā Wa-Fawā’idihā*. Vol. 1, p. 498.

which asserts that any action producing harm must be prevented to protect individuals and families. The second is the critical-structural dimension, which encourages society to transcend individual consciousness and demand regulations that enforce discipline, social oversight, and collective resistance against destructive economic networks. By understanding the message of this hadith, Muslims can build strong families that are protected from the dangers of electronic gambling and contribute to the establishment of a just and prosperous society.

D. CONCLUSION

Electronic gambling in the digital era represents one of the most dangerous social challenges facing Muslim families, particularly because of its easy accessibility through smart devices and its pervasive spread across all levels of society. Research shows that this practice affects not only economic aspects but also extends to psychological, social, and moral dimensions. In many cases, electronic gambling has led to family fragmentation, rising divorce rates, and various criminal acts resulting from debt and addiction. Within this context, Islam provides a comprehensive response through the Qur'an and the ḥadīth of the Prophet ﷺ, which prohibit gambling—not only in terms of its transactional nature but also with respect to its destructive consequences for individuals, families, and society. The ḥadīth literature emphasizes that even inviting someone to gamble must be expiated through charity, indicating Islam's early preventative approach to this phenomenon at the level of discourse before it materializes into action. Other hadiths emphasize that wealth obtained through unlawful means carries no blessing and poses a threat to family security. The Prophet ﷺ explains that one who engages in gambling stains his hands with that which is detested by sound natural disposition (*fiṭrah*). The Prophet's warnings culminate in his statement that any flesh nurtured through unlawful wealth is more deserving of the Fire. This indicates that introducing unlawful income into the household constitutes a direct threat to the integrity of family values. These hadiths affirm that family security is not built solely on affection and mercy, but also on the purity of sustenance, moral responsibility, and the prevention of destructive practices. A man is a guardian over the members of his family, and a woman is a guardian over her husband's household and children. This form of familial leadership places upon them the responsibility to

protect the home from risks entering through the gateways of the digital era—particularly electronic gambling.

E. REFERENCE

‘Abd ibn Ḥumayd, ‘Abd al-Ḥamīd ibn Ḥumayd. *al-Muntakhab min Musnad ‘Abd ibn Ḥumayd*. 2nd ed. Edited by Muṣṭafā al-‘Adawī. Cairo: Dār Balansiyyah li-al-Nashr wa-al-Tawzī‘, 2002.

Abror, Mhd, M. Ag Abror, Mery Dwi Astuti, and Prasetya Haida Balinda. “Fenomena Judi Online Dalam Perspektif Hadis Tentang Tanggungjawab Dan Pengelolaan Harta.” *Advances in Humanities and Contemporary Studies* 6, no. 1 (2025): 88–95.

Abū Dāwūd, Sulaymān ibn al-Ash‘ath. *Sunan Abī Dāwūd*. 1st ed. Edited by Shu‘ayb al-Arnā‘ūt and Muḥammad Kāmil Qarah Balalī. Sunan. Beirut, Lebanon: Dār al-Risālah al-‘Ālamiyyah, 2010.

Abu Nu‘aym, Aḥmad ibn ‘Abd Allāh ibn Aḥmad ibn Ishāq ibn Mūsā ibn Mihrān al-Iṣbahānī (d 430. *Ta’rīkh Iṣbahān = Akhbār Iṣbahān*. 1st ed. Edited by Sayyid Kasrawī Ḥasan. Beirut: Dār al-Kutub al-‘Ilmiyyah, 1990.

Abu Ya‘lā al-Mawṣilī, Aḥmad ibn ‘Alī ibn al-Muthannā al-Tamīmī. *Musnad Abī Ya‘lā Al-Mawṣilī*. 1st ed. Edited by Sa‘īd ibn Muḥammad al-Sanārī. Cairo: Dār al-Ḥadīth, 2013.

Abū ‘Awānah al-Isfarā‘īnī, Ya‘qūb ibn Ishāq. *Al-Musnad al-Ṣaḥīḥ al-Mukhrij ‘alā Ṣaḥīḥ Muslim*. 1st ed. Edited by Graduate theses and al-Jāmi‘ah al-Islāmiyyah academic research at the Faculty of Ḥadīth. Al-Mamlakah al-‘Arabiyyah al-Sa‘ūdiyyah: Al-Jāmi‘ah al-Islāmiyyah, 2014.

Albānī, Muḥammad Nāṣir al-Dīn al-. *Irwā’ al-Ghālīl fī Takhrij Aḥādīth Manār al-Sabīl*. Al-Ṭab‘ah al-Thāniyah. Bayrūt: Al-Maktab al-Islāmī, 1405.

———. *Ṣaḥīḥ Al-Targhīb Wa-al-Tarhīb*. 1st ed. Al-Riyāḍ: Maktabat al-Ma‘ārif li-al-Nashr wa-al-Tawzī‘, 2000.

Albānī, Muḥammad Nāṣir al-Dīn ibn al-Ḥājj Nūḥ al-. *Ṣaḥīḥ Al-Jāmi‘ al-Ṣaḥīḥ Wa Ziyādātih*. Beirut: Al-Maktab al-Islāmī, 1995.

———. *Silsilat Al-Aḥādīth al-Ṣaḥīḥah Wa-Shay’ Min Fiqhīhā Wa-Fawā’idihā*. 1st ed. Riyadh: Maktabat al-Ma‘ārif lil-Nashr wa-al-Tawzī‘, 1995.

Al-Tabarānī, Sulaymān ibn Aḥmad. *Al-Mu‘jam al-Kabīr*. 2nd ed. Edited by Ḥamdī ibn ‘Abd al-Majīd al-Salafī. Cairo: Maktabat Ibn Taymīyah, n.d.

Azungah, Theophilus. "Qualitative Research: Deductive and Inductive Approaches to Data Analysis." *Qualitative Research Journal* 18, no. 4 (November 2018): 383–400. <https://doi.org/10.1108/QRJ-D-18-00035>.

Bayhaqī, Aḥmad ibn al-Ḥusayn al-. *Shu‘ab al-Īmān*. 1st ed. Edited by ‘Abd al-‘Alī ‘Abd al-Ḥamīd Ḥamīd and Mukhtār Aḥmad al-Nadwī. al-Makhtūṭāt al-Ḥadīthiyyah al-Muḥaqqaqah. Riyadh, Saudi Arabia and Bombay, India: Maktabat al-Rushd lil-Nashr wa-al-Tawzī‘ and al-Dār al-Salafiyyah, 2003.

Bijaksana, Muhammad Rakha Putra. "TINJAUAN KRIMINOLOGI TERHADAP JUDI ONLINE YANG MENGAKIBATKAN TINDAK PIDANA KEKERASAN DALAM RUMAH TANGGA (Studi Kasus Polwan Membakar Polisi Di Mojokerto)." PhD Thesis, Universitas Sultan Ageng Tirtayasa, 2025.

Bukhārī, Muḥammad ibn Ismā‘īl al-. *Al-Adab al-Mufrad*. 2nd ed. Edited by Muḥammad Fu‘ād ‘Abd al-Bāqī. Beirut: Dār al-Bashā‘ir al-Islāmiyyah, 1989.

———. *Ṣaḥīḥ al-Bukhārī*. Sulṭānyyah¹. Edited by Jamā‘a min al-‘Ulamā’. Būlāq, Cairo (original) / Beirut (reprint): Al-Maṭba‘a al-Kubrā al-Amīriyya (original) / Dār Ṭawq al-Najāh (reprint), 1893.

Busetto, Loraine, Wolfgang Wick, and Christoph Gumbinger. "How to Use and Assess Qualitative Research Methods." *Neurological Research and Practice* 2, no. 1 (May 2020): 14. <https://doi.org/10.1186/s42466-020-00059-z>.

Dāraquṭnī, ‘Alī ibn ‘Umar al-. *Sunan Al-Dāraquṭnī*. 1st ed. Edited by Shu‘ayb al-Arna‘ūt, Ḥasan ‘Abd al-Mun‘im Shalabī, ‘Abd al-Laṭīf Ḥarazallah, and Aḥmad Barhūm. Beirut, Lebanon: Mu‘assasat al-Risālah, 2004.

Dārimī, ‘Abd Allāh ibn ‘Abd al-Raḥmān al-. *Musnad Al-Dārimī*. 1st ed. Edited by Marzūq ibn Hiyās Āl Marzūq al-Zahrānī. N.p.: Printed at the expense of Shaykh Jam‘ān ibn Ḥasan al-Zahrānī, 2015.

Dhiya’, Muhammad ‘Abdullah al-. *Al-Jami’ al-Kamil Fi al-Hadits al-Shahih al-Kamil*. I. Riyadh: Dar al-Salam, 2016.

Fatkhurudin, Muhammad, Abdur Rozaq, Muhamat Rifai, and Miftachul Huda. "Pengaruh Judi Online Bagi Siswa SMA." *Jurnal Studi Islam Indonesia (JSII)* 3, no. 1 (2025): 109–26.

Fitrian, Harry Pribadi, Firman Dani, Ikhsan Fadilah, Ragitya Desta Fauzan, and Marshelindo Rizkina Ardhyansyah. "Implementasi Mikrotik Firewall Sebagai Solusi Filtering Situs Judi Online Dalam Jaringan." *JATI (Jurnal Mahasiswa Teknik Informatika)* 9, no. 1 (2025): 1685–91. <https://doi.org/10.36040/jati.v9i1.12781>.

Green, Jennifer L., Sarah E. Manski, Timothy A. Hansen, and Jennifer E. Broatch. "Descriptive Statistics." In *International Encyclopedia of Education (Fourth Edition)*, 723–33. Elsevier, 2023.

Hākim, Muḥammad ibn ‘Abd Allāh Muṣṭafā ‘Abd al-Qādir al-, ed. *Al-Mustadrak ‘alā al-Ṣaḥīḥayn*. Al-Ṭab‘ah al-Ūlā. Vol. 4. Bayrūt: Dār al-Kutub al-‘Ilmiyyah, 1990.

Haythamī, ‘Alī ibn Abī Bakr al-. *Kashf Al-Astār ‘an Zawā’id al-Bazzār*. 1st ed. Edited by Ḥabīb al-Raḥmān al-A‘zamī. Beirut: Mu‘assasat al-Risālah, 1979.

"Hukum Judi Internet Berdasarkan Undang-Undang ITE – PID Polda Kepri." Accessed September 30, 2025. <https://pid.kepri.polri.go.id/hukum-judi-internet-berdasarkan-undang-undang-ite/>

Ibn ‘Adī, ‘Abd Allāh ibn ‘Adī. *Al-Tarājim al-Sāqīyah Min al-Kāmil Fī Ma‘rifat Du‘Afā’ al-Muḥaddithīn Wa ‘Ilal al-Ḥadīth*. 1st ed. Edited by Abū al-Faḍl ‘Abd al-Muḥsin al-Ḥusaynī. Cairo, Egypt: Maktabat Ibn Taymīyah, 1993.

Ibn Ḥibbān, Muḥammad ibn Ḥibbān ibn Aḥmad al-Tamīmī al-Bustī. *Ṣaḥīḥ Ibn Ḥibbān: Al-Musnad al-Ṣaḥīḥ ‘alā al-Taqāsīm Wa-al-Anwā‘ Min Ghayr Wujūd Qaṭ‘ Fī Sanadīhā Wa-Lā Thubūt Jarḥ Fī Nāqilīhā*. 1st ed. Edited by Muḥammad ‘Alī Sönmez and Khālīṣ Āy Demir. Beirut: Dār Ibn Ḥazm, 2012.

Intan, Ghita. "Menkominfo: Indonesia Darurat Judi Online, Perputaran Uang Capai Rp327 Triliun." VOA Indonesia, April 22, 2024. <https://www.voaindonesia.com/a/menkominfo-indonesia-darurat-judi-online-perputaran-uang-capai-rp327-triliun/7579998.html>.

Jalili, Ahmad. "Teori Maqashid Syariah Dalam Hukum Islam." *Teraju* 3, no. 02 (2021): 71–80.

Jannah, Miftahul. "Konsep Keluarga Idaman Dan Islami." *Gender Equality: International Journal of Child and Gender Studies* 4, no. 2 (2018): 87–102.

Maita, Rafel, Vasco Javarison Zacharias, Tomi Hutasoit, Edwardo Cipta Haider, Vehrial Vahzrianur, and others. "Perjudian Dalam Kerangka Hukum Ekonomi Syariah: Tinjauan Terhadap Maysir Dan Konsekuensinya." *Media Hukum Indonesia (MHI)* 2, no. 2 (2024): 139–50. <https://doi.org/10.5281/zenodo.11212490>.

Mājah, Muḥammad ibn Yazīd ibn. *Sunan Ibn Mājah*. 1st ed. Edited by Shu‘ayb al-Arnā‘ūṭ, ‘Adil Murshid, Muḥammad Kāmil Qarah Balalī, and ‘Abd al-Laṭīf Ḥarz Allāh. Dār al-Risāla al-‘Ālamīyya, 2009.

Marjianto, Marjianto, Ilda Hayati, and Dina Hajjah Ristianti. "Analisis Dampak Judi Online Terhadap Keutuhan Rumah Tangga Masyarakat Islam (Studi Kasus Di Kecamatan Lubuklinggau Timur I)." PhD Thesis, INSTITUT AGAMA ISLAM NEGERI CURUP, 2024.

"MUI - Majelis Ulama Indonesia - MUI - Majelis Ulama Indonesia." Accessed September 30, 2025. <https://mui.or.id/public/baca/berita/judi-online-dosa-besar-yang-mengancam-moralitas-keluarga-dan-ekonomi-masyarakat?>

Muslim ibn al-Ḥajjāj. *Ṣaḥīḥ Muslim*. Corrected edition compared to several manuscripts and Reliable copies. Edited by Aḥmad ibn Rifʿat ibn ʿUthmān Ḥilmī al-Qarah Ḥiṣārī, Muḥammad ʿIzzat ibn ʿUthmān al-Zaʿfarān Būlīwī, and Abū Nuʿm Allāh Muḥammad Shukrī ibn Ḥasan al-Anqarawī. Within the Takhrij Service. Turkey: Dār al-Ṭibāʿah al-ʿĀmirah, 1334.

Park, Sung Jae. "Measuring Public Library Accessibility: A Case Study Using GIS." *Libr. Inf. Sci. Res.* 34, no. 1 (January 2012): 13–21. <https://doi.org/10.1016/j.lisr.2011.07.007>.

Priantiwi, Tiara Nurfingkan, and Maman Abdurrahman. "Analisis Konten Pembelajaran Bahasa Arab Pada Media Tiktok." *Jurnal Ilmiah Profesi Pendidikan* 8, no. 3 (2023): 1365–71. <https://doi.org/10.29303/jipp.v8i3.1502>.

Quḍāʿī, Muḥammad ibn Salāmah al-. *Musnad Al-Syihāb*. 2nd ed. Edited by Ḥamdī ibn ʿAbd al-Majīd al-Salafī. Beirut: Muʿassasat al-Risālah, 1986.

Raja, Raja Albar Pandapotan Simatupang, Bunga Amalia Nasution, and Khairil Alfi Syahri. "Judi Online Dan Hukum Pidana Islam: Implikasi Hukum Dan Moralitas." *Jurnal Sahabat ISNU SU* 1, no. 3 (2024): 206–13. <https://doi.org/10.70826/jsisnu.v1i3.486>.

Saputra, Ary Hendri, Ernu Widodo, and Vallencia Nadya Paramita. "Tinjauan Yuridis Tindak Pidana Muatan Perjudian Terhadap Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik." *Perspektif Administrasi Publik Dan Hukum* 2, no. 1 (2025): 161–82. <https://doi.org/10.62383/perspektif.v2i1.167>.

Sari, Arnit Kurnia, Moh Al-Fajrih, and Istika Ahdiyanti. "Dampak Judi Online Terhadap Kesehatan Mental Dan Hubungan Sosial." *Al-Hikmah: Jurnal Dakwah Dan Komunikasi* 3, no. 2 (2024): 31–44. <https://doi.org/10.47945/al-hikmah.v3i2.1539>.

Sitanggang, Andri Sahata, Ridho Sabta, and Fani Yuli Hasiolan. "Perkembangan Judi Online Dan Dampaknya Terhadap Masyarakat: Tinjauan Multidisipliner." *Triwikrama: Jurnal Ilmu Sosial* 1, no. 6 (2023): 70–80.

Sriyana, Sriyana. "Judi Online: Dampak Sosial, Ekonomi, dan Psikologis di Era Digital." *JURNAL SOCIOPOLITICO* 7, no. 1 (2025): 27–34. <https://doi.org/10.54683/sociopolitico.v7i1.169>.

Ṭabarānī, Sulaymān ibn Aḥmad al-. *Musnad Al-Syāmiyyīn*. 1st ed. Edited by Ḥamdī ibn ʿAbd al-Majīd al-Salafī. 1984.

Thabrani, Sulayman ibn Ahmad al-. *Al-Mu'jam al-Awsath*. I. Kairo: Dar al-Haramain, 1995.

Tirmidhī, Muḥammad ibn 'Īsā al-. *Sunan al-Tirmidhī*. 2nd ed. Edited by Aḥmad Muḥammad Shākir (vol. 1–2), Muḥammad Fu'ād 'Abd al-Bāqī (vol. 3), and Ibrāhīm 'Aṭwah 'Awḍ al-Mudarris fī al-Azhar al-Sharīf (vol. 4–5). al-Jāmi' al-Ṣaḥīḥ. Egypt: Sharikat Maktabah wa-Maṭba'ah Muṣṭafā al-Bābī al-Ḥalabī, 1976.

Tumangger, Domu Sama Ria, and Hudi Yusuf. “ANALISIS KRIMINOLOGIS TERHADAP PERKEMBANGAN PERJUDIAN ONLINE DI INDONESIA.” *Integrative Perspectives of Social and Science Journal* 2, no. 2 Mei (2025): 2725–34.

Utami, Fadillah, Siti Patimah, Adenan Adenan, and Darwis Mustakim. “Judi Online : Faktor Pemicu Perceraian Dalam Keluarga Modern.” *Hidayah : Cendekia Pendidikan Islam dan Hukum Syariah* 2, no. 1 (March 2025): 14–22. <https://doi.org/10.61132/hidayah.v2i1.759>.



AS-SUNNAH: Jurnal Kajian Hadis
Volume 01 Nomor 02 Maret 2026
Email Jurnal : assunnahjurnal@gmail.com
Website Jurnal : ejournal.stdiis.ac.id



**AN ANALYSIS OF THE HADITH ON THE TREATY OF HUDAYBIYAH
REGARDING THE PROHIBITION OF INTERFAITH MARRIAGE FROM THE
PERSPECTIVE OF ISLAMIC FAMILY: A Study of *Sharḥ*, *Takhrīj*, and Its Relevance
to the Compilation of Islamic Law in Indonesia**

Maryam Ibnata Imran

Program Studi Hukum Keluarga Islam
Universitas Islam Negeri Sultan Syarif Kasim
ibnatamarri@gmail.com

Catur Maulana Ihcsan

Program Studi Ilmu Hadits
Universitas Islam Negeri Sunan Gunung Djati
officialcmi96@gmail.com

Ilyas

Program Studi Hukum Keluarga Islam
Universitas Islam Negeri Sultan Syarif Kasim
ilyas.husti@uin-suska.ac.id

ABSTRACT

This study aims to analyze the ḥadīth concerning the Treaty of Ḥudaybiyyah regarding the prohibition of interfaith marriage from the perspective of Islamic family law by examining its *sharḥ*, *takhrīj*, and relevance to the Compilation of Islamic Law in Indonesia. This research employs a qualitative methodology with a library research approach, drawing upon secondary data analyzed through a descriptive-analytical method. The findings indicate that the ḥadīth of Ḥudaybiyyah constitutes a strong legal basis that, within Islamic family law, interfaith marriage—particularly when it threatens the unity of faith—is impermissible. The prohibition against maintaining a marital bond with a non-Muslim spouse, as articulated in this ḥadīth, demonstrates that Islam places ‘aqīdah as the primary foundation of the family. Therefore, the prohibition of interfaith marriage in the Compilation of Islamic Law is not merely an administrative regulation, but rather a concrete implementation of Sharī‘ah principles aimed at preserving religion, lineage, family harmony, and public welfare.

Keywords: *Treaty of Hudaibiyah; Prohibition of Interfaith Marriage; Islamic Family Law.*

ABSTRAK

Penelitian ini bertujuan menganalisis hadis perjanjian Hudaibiyah tentang larangan pernikahan beda agama dalam perspektif hukum keluarga Islam dengan mengkaji syarah, takhrij, dan relevansinya terhadap kompilasi hukum Islam di Indonesia. Penelitian ini menggunakan metodologi kualitatif dengan pendekatan studi kepustakaan, yang bersumber dari data sekunder dan dianalisis melalui metode deskriptif-analitis. Hasil penelitian menunjukkan bahwa Hadis Hudaibiyah ini menjadi dalil kuat bahwa dalam Hukum Keluarga Islam, pernikahan beda agama—khususnya yang mengancam kesatuan iman—tidak dibenarkan. Larangan mempertahankan ikatan nikah dengan pasangan non-Muslim dalam hadis ini menunjukkan bahwa Islam menempatkan akidah sebagai fondasi utama rumah tangga. Oleh karena itu, larangan nikah beda agama dalam KHI bukan sekadar aturan administratif, tetapi merupakan implementasi nyata dari prinsip syariat yang bertujuan menjaga agama, keturunan, keharmonisan, dan kemaslahatan keluarga.

Kata Kunci: *Perjanjian Hudaibiyah; Larangan Pernikahan Beda Agama; Hukum Keluarga Islam.*

A. INTRODUCTION

Marriage in Islam constitutes a fundamental institution that functions not merely as a social bond between two individuals, but also as a sacred covenant (*mīṣāqan ghalīzan*) aimed at realizing tranquility, affection, and the continuity of future generations.⁷⁷ Within the framework of Islamic Family Law, marriage is established upon the foundations of faith and unity of values, such that it is understood not merely as a legal contract, but also as a means of preserving religion (*ḥifẓ al-dīn*) and lineage (*ḥifẓ al-nasl*) within the perspective of *maqāṣid al-sharī'ah*.⁷⁸ Therefore, the issue of interfaith marriage has become one of the crucial themes continuously debated, both within the corpus of classical *fiqh* and in the context of modern legal systems, including in Indonesia.

⁷⁷ Asra Nur Hasanah Acha, "Mīṣāqan Ghalīzan Dan Problematika Kotemporer Dalam Pernikahan: Kajian Tafsir Terhadap Ayat-Ayat Al-Qur'an," *Al-Manhaj: Journal of Indonesian Islamic Family Law* 6, no. 1 (June 2024): 44–67, <https://doi.org/10.19105/al-manhaj.v6i1.13839>.

⁷⁸ Taufiqurohman Taufiqurohman and Nelli Fauziah, "The Evaluation of Maqāṣid Asy-Syarī'ah on Discourses of the Islamic Family Law," *El-Ushrah: Jurnal Hukum Keluarga* 6, no. 1 (September 2023): 81, <https://doi.org/10.22373/ujhk.v6i1.13035>.

Within the literature of *fiqh*, Muslim scholars generally agree that a Muslim woman is not permitted to marry a non-Muslim man, whereas the marriage of a Muslim man to a non-Muslim woman—particularly from among the *Ahl al-Kitāb*—constitutes a considerably complex area of debate.⁷⁹ However, in contemporary developments, many scholars maintain that changes in the social context and the increasing potential for harm (*maḍarah*) to family integrity have rendered the practice of interfaith marriage increasingly problematic.⁸⁰ In Indonesia itself, this polemic continues to emerge alongside the increasing number of interfaith marriages and the demands of certain groups for broader legal recognition, despite the prevailing regulations—such as the *Kompilasi Hukum Islam* (KHI)—explicitly prohibiting such practices.

One of the important normative foundations in this discussion is the ḥadīth concerning the Treaty of Ḥudaybiyah narrated by al-Miswar ibn Makhrumah and Marwān ibn al-Ḥakam. This ḥadīth not only records the historical event related to *taḥallul* under circumstances in which the performance of the ‘umrah was obstructed, but also constitutes an integral part of the revelation of the Sharī‘ah provisions concerning believing women who migrated (*hijrah*) and the prohibition against maintaining marital bonds with non-Muslim spouses, as stated in Sūrah al-Mumtaḥanah verse 10. Accordingly, this ḥadīth possesses broad significance in the formulation of the norms of Islamic Family Law, particularly regarding the principle of unity of creed (*‘aqīdah*) as the foundation of the family institution.

Nevertheless, studies on the ḥadīth of Ḥudaybiyah in the context of the prohibition of interfaith marriage often remain descriptive and normative in nature, without being accompanied by a comprehensive analysis that integrates the approaches of ḥadīth studies—such as *takhrīj* and *sharḥ*—with the framework of *maqāṣid al-sharī‘ah* and its relevance to positive law. In fact, such an integrative approach is essential for understanding not only the authenticity of the ḥadīth in terms of its *sanad* and *matn*, but also the legal rationality embedded within it and its application in the contemporary social context.

⁷⁹ Asy’ari Asy’ari and Triansyah Fisa, “Interfaith Marriage in Perspectives of Classical and Modern Scholars,” *Al-Manahij: Jurnal Kajian Hukum Islam*, November 2022, 287–300, <https://doi.org/10.24090/mnh.v16i2.6772>.

⁸⁰ Muhammad Nurfikri Amin, Nasrullah Nasrullah, and Fadil Sj, “Interfaith Marriage from the Perspective of Maqashid Al-Syari’ah Jasser Auda (Analysis of Decision Number 916/Pdt. P/2022/PN. Sby.)” *Mutawasith: Jurnal Hukum Islam* 6, no. 2 (2023): 156–67.

Based on this background, the present study aims to analyze the ḥadīth concerning the Treaty of Ḥudaybiyah related to the prohibition of interfaith marriage through the approaches of *takhrīj* and *sharḥ*, as well as examining its relevance within the perspectives of Islamic Family Law and the *Kompilasi Hukum Islam* in Indonesia. More specifically, this study seeks to address several principal questions: how the quality and meaning of the ḥadīth are understood within the discipline of ḥadīth studies, what principles of family law may be derived from it, and how far it corresponds with the provisions of positive law in Indonesia.

A previous study relevant to this research is the work entitled “*Nikah Beda Agama di Indonesia: Studi Komparasi Hukum Islam dan Hukum Nasional*” written by Amiruddin.⁸¹ This study aims to examine interfaith marriage in Indonesia by comparing the perspectives of Islamic law and national law. In recent years, however, this type of marriage has become increasingly prevalent in Indonesian society, particularly among celebrities. Employing a library research method and a synthesis approach, the article seeks to reinforce the dominant view that marriage between adherents of different religions is prohibited, both according to Islamic law and the norms of national law. As a conclusion, the study finds that regulations prohibiting such marriages in Indonesia should be firmly upheld in order to maintain harmony within social life and the broader community.

Another study entitled “*Nikah Beda Agama dalam Perspektif Maqāṣid al-Sharī‘ah dan Problematika Hukumnya di Indonesia*” written by Nursyamsi Ichsan and colleagues is also relevant to this research.⁸² The findings of the study indicate that interfaith marriage constitutes a crucial issue within contemporary Islamic legal discourse, particularly when examined in light of *maqāṣid al-sharī‘ah* principles. This article analyzes the legal problems surrounding interfaith marriage by emphasizing the principle of *ḥifẓ al-dīn* (the preservation of religion) as the primary normative foundation within Islamic Family Law. In the Indonesian context, the pluralistic and complex social reality has increasingly generated tensions between religious norms and individual freedom, especially following the issuance of the Supreme Court Circular

⁸¹ Amiruddin Amiruddin, “NIKAH BEDA AGAMA DI INDONESIA: STUDI KOMPARASI HUKUM ISLAM DAN HUKUM NASIONAL,” *Jurnal Tahqiqā : Jurnal Ilmiah Pemikiran Hukum Islam* 18, no. 1 (January 2024): 29–43, <https://doi.org/10.61393/tahqiqa.v18i1.207>.

⁸² Nursyamsi Ichsan, Hamzah Hasan, and Abdul Wahid Haddade, “NIKAH BEDA AGAMA DALAM PERSPEKTIF MAQASID AL-SYARI’AH DAN PROBLEMATIKA HUKUMNYA DI INDONESIA,” *Iqtishaduna: Jurnal Ilmiah Mahasiswa Hukum Ekonomi Syari’ah* 6, no. 4 (2025): 1282–88.

Letter (*Surat Edaran Mahkamah Agung / SEMA*) No. 2 of 2023, which explicitly rejects the legality of interfaith marriage. Employing a juridical-normative approach grounded in *maqāṣid al-sharī'ah*, the study finds that interfaith marriage not only has the potential to weaken the principle of *ḥifẓ al-dīn*, but also gives rise to negative implications for the preservation of lineage (*ḥifẓ al-nasl*), intellect (*ḥifẓ al-'aql*), and wealth (*ḥifẓ al-māl*). Therefore, a legal approach is required that is not merely legalistic but also integrative and solution-oriented in addressing the tensions between Sharī norms and the realities of national law.

The primary novelty of this study lies in its specific focus on the ḥadīth concerning the Treaty of Ḥudaybiyah as the principal basis for analyzing the prohibition of interfaith marriage. Unlike previous studies, which generally adopt a normative approach relying on Qur'ānic arguments and general *fiqh* opinions, this research positions a single key ḥadīth as the main object of investigation and examines it thoroughly through the approaches of *takhrīj* and *sharḥ*. Accordingly, this study not only reinforces the normative dimension of the legal ruling, but also verifies the validity of the *sanad* and comprehensively examines both the textual and contextual meanings of the ḥadīth.

The second novelty of this study lies in its integrative approach, which combines the discipline of ḥadīth studies with the perspective of Islamic Family Law within the framework of *maqāṣid al-sharī'ah*. This research does not merely explain the legal prohibition of interfaith marriage but also examines the underlying legal rationality through the objectives of the Sharī'ah, such as *ḥifẓ al-dīn* and *ḥifẓ al-nasl*. Such an approach produces a more profound and systematic analysis, thereby enabling a clearer understanding of the relationship between the text of the ḥadīth, the principles of the Sharī'ah, and their social implications within Muslim family life.

The third novelty lies in the effort to contextualize the findings of the ḥadīth analysis within the reality of positive law in Indonesia, particularly the *Kompilasi Hukum Islam* (KHI). This study does not merely examine the ḥadīth text theoretically, but also investigates its relevance to the prevailing legal regulations and the contemporary social dynamics surrounding interfaith marriage. Accordingly, this research offers a significant contribution by serving as a bridge between classical Islamic scholarship and modern legal practice, while simultaneously

reinforcing the normative legitimacy of the KHI as a representation of the implementation of the Shari‘ah principles within the context of the Indonesian state.

B. METHOD

This study employs a qualitative research design based on library research, utilizing a transparent and systematic data selection procedure.⁸³ The primary data consist of ḥadīth narrations related to interfaith marriage. These ḥadīths were selected from the canonical collections—*Ṣaḥīḥ al-Bukhārī*, *Sunan Abī Dāwūd*, and *Sunan al-Nasā’ī*. Classical *sharḥ* works were utilized to ensure contextual accuracy and depth of interpretation. The secondary data were derived from reputable journal articles and academic books concerning interfaith marriage.⁸⁴ The analytical procedure follows the approach of thematic ḥadīth analysis (*al-dirāsah al-mawḍū‘iyyah*),⁸⁵ which is combined with a *maqāṣid*-based framework to identify normative principles and reconstruct them into a preventive social model.⁸⁶ Through this structured process of selection and analysis, the study maintains methodological rigor and avoids interpretations that are merely subjective in nature.

To analyze the data, this study employs a descriptive-analytical method, namely, an approach that focuses on the systematic presentation of the characteristics and details of the collected data rather than on hypothesis testing or outcome prediction. Following the initial descriptive stage, the findings are subsequently synthesized and interpreted through deductive reasoning, thereby enabling the formulation of logical conclusions grounded in well-established theoretical principles.⁸⁷ General observations are first analyzed before being formulated into specific evidence-based conclusions.

⁸³ Haradhan Kumar Mohajan, “Qualitative Research Methodology in Social Sciences and Related Subjects,” *Journal of Economic Development, Environment and People* 7, no. 1 (2018): 23–48.

⁸⁴ Oranus Tajedini et al., “How to Increase the Loyalty of Public Library Users? A Qualitative Study,” *Journal of Librarianship and Information Science* 52, no. 2 (July 2019): 317–30, <https://doi.org/10.1177/0961000619856081>.

⁸⁵ Irsyad Hasan, Marwan Mas’ud, and Teguh Dwi Prayoga, “Preventing Bullying in Pesantren: A Maqāṣid al-Shari‘ah and Hadith Perspective on the Role of the Sakinah Family,” *Al-Insyiroh: Jurnal Studi Keislaman* 12, no. 1 (2026): 1–17, <https://doi.org/10.35309/alinsyiroh.v12i1.633>.

⁸⁶ M. Ikhwanul Huda, Ummi Fadliyat Kaamilah, and Muhammad Faqihuddin El Hijri, “Jasser Auda’s Maqāṣid al-Shari‘ah: Transforming Professional Zakat for People’s Welfare,” *Al-Muamalat: Jurnal Ekonomi Syariah* 12, no. 1 (March 2025): 77–96, <https://doi.org/10.15575/am.v12i1.40952>.

⁸⁷ Theophilus Azungah, “Qualitative Research: Deductive and Inductive Approaches to Data Analysis,” *Qualitative Research Journal* 18, no. 4 (November 2018): 383–400, <https://doi.org/10.1108/QRJ-D-18-00035>.

C. RESULTS AND DISCUSSION

Text of the Ḥadīth

عن المسور بن مخرمة ومروان رضي الله عنهما في قصة الحديبية: قال رسول الله ﷺ لأصحابه: (قوموا فانحروا ثم احلقوا). قال: فوالله ما قام منهم رجل حتى قال ذلك ثلاث مرات، فلما لم يقيم منهم أحد دخل على أم سلمة، فذكر لها ما لقي من الناس، فقالت أم سلمة: يا نبي الله، أتحب ذلك، اخرج ثم لا تكلم أحدا منهم كلمة، حتى تنحر بدنك، وتدعو حالقك فيحلقك. فخرج فلم يكلم أحدا منهم حتى فعل ذلك، نحر بدنه، ودعا حالقه فحلقه، فلما رأوا ذلك قاموا فنحروا وجعل بعضهم يحلق بعضا، حتى كاد بعضهم يقتل بعضا غما، ثم جاءه نسوة مؤمنات، فأنزل الله تعالى: ﴿يا أيها الذين آمنوا إذا جاءكم المؤمنات مهاجرات فامتحنوهن - حتى بلغ - بعصم الكوافر﴾. فطلق عمر يومئذ امرأتين، كانتا له في الشرك، فتزوج إحداهما معاوية بن أبي سفيان، والأخرى صفوان بن أمية⁸⁸.....

It was narrated from al-Miswar ibn Makhramah and Marwān ibn al-Ḥakam (*raḍiya Allāhu ‘anhumā*) in the account of the Treaty of Ḥudaybiyah that Muḥammad ﷺ said to his Companions: “Stand up, then slaughter your sacrificial animals, and thereafter shave your heads.” The narrator said: “By Allah, none of them stood up until he repeated the command three times. When none of them arose, he entered upon Umm Salamah and informed her of what he had encountered from the Companions. Umm Salamah then said: ‘O Prophet of Allah, do you wish that this matter be carried out? Go out and do not speak a single word to any of them until you slaughter your sacrificial animal and summon your barber to shave your head.’ Thereupon, he went out and did not speak to any of them until he carried out what she had advised: he slaughtered his sacrificial animal and called his barber, who then shaved his head. When the Companions saw this, they immediately arose and slaughtered their sacrificial animals. Some of them shaved the heads of others, to the extent that they almost harmed one another due to the intensity of their sorrow and distress.”

Meaning of the Ḥadīth

In this ḥadīth, there are several *gharīb* expressions:

1. The phrase *fa-inḥarū* (فانحروا) means “slaughter your sacrificial animals (*hadyu*).”

Linguistically, the term derives from *naḥr* (نحر), which denotes slaughtering,

⁸⁸ Muḥammad Fu’ād ‘Abd al-Bāqī, *Miftāḥ Kunūz al-Sunnah* (Internet Archive, 2011), <https://archive.org/details/MiftahKunuzSunah/> V. 30, P. 566.

particularly by cutting the neck of a camel.⁸⁹ In the account of the Treaty of Ḥudaybiyah, this command signifies that the Companions were instructed to slaughter the *hadyu* animals as a sign of *tahallul* from the state of *ihrām*, since they were unable to continue the performance of the ‘umrah. The expression also reflects obedience to the Sharī‘ah despite circumstances of sorrow and hardship.

2. The phrase *iḥliqū* (احْلِقُوا) means “shave your heads” or “cut your hair.” Linguistically, the term derives from *ḥalaqa* (حلق), which means “to shave the hair of the head”.⁹⁰ In the narrative of the Treaty of Ḥudaybiyah, this command signifies that the Companions were instructed to perform *tahallul* by shaving their heads after slaughtering the *hadyu* animals, as a sign of the completion of the state of *ihrām* and as an expression of obedience to the Sharī‘ah despite the difficult circumstances.
3. The term *budnaka* (بُذْنَكَ) refers to large sacrificial animals (*hadyu*), such as camels or cattle, that are brought for slaughter.⁹¹ In the account of the Treaty of Ḥudaybiyah, this term refers to the *hadyu* animal belonging to Muḥammad ﷺ that was slaughtered as part of the *tahallul* process after he had been prevented from completing the ‘umrah. This reflects the completion of the ritual in accordance with the Sharī‘ah and demonstrates the exemplary conduct of the Prophet in practice.
4. The term *ghamman* (غَمًّا) denotes profound sorrow, anxiety, and severe emotional distress.⁹² In the account of the Treaty of Ḥudaybiyah, this term illustrates the sorrow experienced by the Companions due to their inability to complete the ‘umrah, which caused them to feel deeply distressed, although they nevertheless remained obedient to the commands of Muḥammad ﷺ.
5. The phrase *fa-imitāhinūhunna* (فَأَمْتَحِنُونَهُنَّ) means “then test them” or “examine them carefully.”⁹³ In the context of the Treaty of Ḥudaybiyah, this command signifies that the

⁸⁹ Muḥammad ibn Mukarram Ibn Manzūr, *Lisān Al-‘Arab*, 3rd ed. (Beirut: Dār Ṣādir, 1994) V. 5, P. 195.

⁹⁰ Ibn Manzūr, *Lisān Al-‘Arab* V. 10, P. 85.

⁹¹ Ibn Manzūr, *Lisān Al-‘Arab* V. 13, P. 49.

⁹² Ibn Manzūr, *Lisān Al-‘Arab* V. 12, P. 443.

⁹³ Ibn Manzūr, *Lisān Al-‘Arab* V. 12, P. 443.

Muslims were instructed to examine the believing women who migrated (*hijrah*) in order to ensure that their migration was genuinely motivated by faith. This demonstrates the importance of verification so that the rulings of the Sharī‘ah may be implemented justly and appropriately.

6. The term *bi‘iṣām* (بِعِصْمٍ) means “marital bonds” or “matrimonial ties”.⁹⁴ In the verse revealed after the Treaty of Ḥudaybiyah, this term signifies the prohibition against Muslims maintaining marital contracts with polytheist women who do not believe. This demonstrates that marriage in Islam constitutes both a legal and spiritual bond that must be in harmony with the principles of faith.
7. The term *al-shirk* (الشِّرْك) means associating partners with Allah or adhering to polytheistic beliefs. In the ḥadīth concerning the Treaty of Ḥudaybiyah, the phrase “*kānatā lahu fī al-shirk*” indicates that the two wives of ‘Umar ibn al-Khaṭṭāb at that time were still adherents of polytheism. This serves as a legal basis for the dissolution of the marital bond in order to preserve harmony in creed in accordance with the Sharī‘ah.

General Meaning

In an *ijmālī* (general) sense, this ḥadīth contains a number of important principles within Islamic Family Law, affirming that the family institution in Islam is established upon the foundations of faith, obedience, consultation, and public welfare (*maṣlaḥah*).

First, this ḥadīth demonstrates the importance of the wife’s role within family life, particularly in providing advice and counsel to her husband. The attitude of Umm Salamah, who offered a wise solution to Muḥammad ﷺ, reflects that a wife is not merely a domestic companion but also a strategic partner in family decision-making.⁹⁵ This serves as an important foundation indicating that the marital relationship in Islam is established upon the principles of *shūrā* (consultation), mutual support, and cooperation in confronting challenges.

⁹⁴ Ibn Manẓūr, *Lisān Al-‘Arab* V. 12, P. 403.

⁹⁵ حصّة الغنّام، “المبادئ الإدارية النبوية في صلح الحديبية”، *المجلة التربوية لتعليم الكبار* 1–25.6, no. 3 (2024): 1–25.6

Second, this ḥadīth affirms the importance of exemplary leadership on the part of the head of the family in guiding family members. The Prophet ﷺ did not merely issue commands but also provided a direct example through his actions.⁹⁶ Within the family context, this demonstrates that a husband, as the leader of the household, should educate and guide through exemplary conduct, gentleness, and wisdom rather than merely through commands.

Third, this ḥadīth contains the principle that marriage in Islam possesses a profoundly significant creedal (*'aqīdah*) dimension. The revelation of the verse prohibiting the continuation of marriage with polytheist women—which was subsequently implemented by 'Umar ibn al-Khaṭṭāb—demonstrates that harmony in faith constitutes an essential foundation for the integrity of the family institution.⁹⁷ Differences in creed (*'aqīdah*) under certain circumstances may become grounds for the dissolution of the marital relationship in order to preserve religion and safeguard the welfare (*maṣlaḥah*) of the family.

Fourth, this ḥadīth also emphasizes the importance of verifying one's status in family-related matters, as reflected in the command to examine the believing women who migrated (*hijrah*).⁹⁸ Within Islamic Family Law, this serves as a foundation for the principle that the determination of marital status, divorce, *hijrah*, lineage (*nasab*), and family rights must be based upon clear evidence rather than mere assumptions.

Fifth, this ḥadīth demonstrates that Islamic Family Law regulates not only formal legal aspects but also takes psychological and social dimensions into consideration.⁹⁹ The sorrow experienced by the Companions, the wisdom of the Prophet, and the role of revelation in resolving the matter demonstrate that the Sharī'ah of family law exists to preserve tranquility, justice, and the welfare (*maṣlaḥah*) of all parties involved.

⁹⁶ خالد الديب عبدالعزيز، "الدلالات الدعوية في صلح الحديبية"، مجلة كلية أصول الدين والدعوة بأسبوط 37 (2019): 4, no.

3956–4072.

⁹⁷ صباح حسن فلاح البدري، "حوار النبي (ص) مع المشركين في ضوء مرويات الإمام الصادق (عليه السلام) صلح الحديبية

انموذجاً)، "Journal of Education College Wasit University 2, no. 47 (2022): 387–98.

⁹⁸ أسماء خميس صالح الغامدي، "أخلاقيات الحوار النبوي في صلح الحديبية"، "Journal of Arts, no. 25 (2022): 106–27.

⁹⁹ علي حميد إبراهيم and أبو بكر الصديق، "صلح الحديبية تاريخه وبنوده وأثره في بناء الدولة الإسلامية"، "المجلة العربية للعلوم

الإنسانية والاجتماعية. no. 24 (2024).

Accordingly, the *ijmālī* meaning of this ḥadīth from the perspective of Islamic Family Law is that the Muslim household must be established upon the foundations of faith, consultation (*shūrā*), exemplary conduct, legal clarity, and public welfare (*maṣlahah*), thereby enabling the realization of a harmonious, just, and resilient family capable of confronting the various trials of life.¹⁰⁰

Takhrīj of the Ḥadīth

This ḥadīth was narrated by al-Bukhari, Abū Dāwud,¹⁰¹ Al-Nasa'i,¹⁰² Abd al-Razzaq,¹⁰³ Ibnu Hibbān,¹⁰⁴ al-Thabari,¹⁰⁵ dan al-Bayhaqi.¹⁰⁶

The discussion regarding the narrators (*ruwāt*) of this ḥadīth is as follows:

1. ‘Abd Allāh ibn Muḥammad ibn ‘Abd Allāh al-Ju‘fi, known by the epithet *al-Musnadī*. Ibn Hajar al-‘Asqalānī stated: “He is *thiqah* (reliable), a *ḥāfiẓ*, and the compiler of the *Musnad*.”¹⁰⁷
2. ‘Abd al-Razzāq ibn Hammām ibn Nāfi‘ al-Ḥimyarī, a mawlā of them from Yemen. Ibn Hajar al-‘Asqalānī stated: “He is *thiqah* (reliable), a *ḥāfiẓ*, and the author of a well-known work. In the later period of his life, he became blind, which led to changes in his memory, and he had a tendency toward *tashayyu‘*.”¹⁰⁸

¹⁰⁰ Aḥmad ibn ‘Alī Ibn Hajar al-‘Asqalānī, *Fatḥ Al-Bānī Bi-Sharḥ Ṣaḥīḥ al-Bukhārī*, al-Salafīyah al-Ūlā, ed. Muḥammad Fu‘ād ‘Abd al-Bāqī and Muḥibb al-Dīn al-Khaṭīb (Miṣr [Cairo]: al-Maktabah al-Salafīyah, 1960) V. 11, P. 45.

¹⁰¹ Sulaymān ibn al-Ash‘ath Abū Dāwūd, *Sunan Abī Dāwūd*, 1st ed., ed. Shu‘ayb al-Arnā‘ūṭ and Muḥammad Kāmil Qarah Balālī, Sunan (Beirut, Lebanon: Dār al-Risālah al-‘Ālamīyah, 2010) No. 2581, V. 2, P. 974.

¹⁰² Aḥmad ibn Shu‘ayb Al-Nasā‘ī, *Sunan Al-Nasā‘ī (Maṭbū‘ Ma‘a Sharḥ al-Suyūṭī Wa Ḥāshiyat al-Sindī)*, 1st ed., ed. reviewed by Shaykh Ḥasan Muḥammad al-Mas‘ūdī Group of scholars (Cairo: Al-Maktabah al-Tijārīyah al-Kubrā, 1930) No. 1753, V. 3, P. 172.

¹⁰³ ‘Abd al-Razzāq ibn Hammām al-Ṣan‘ānī, *al-Muṣannaḥ*, 2nd ed., ed. Markaz al-Buḥūth wa-Tiqniyyat al-Ma‘lūmāt-Dār al-Ta‘ṣīl (Kairo: Dār al-Ta‘ṣīl, 2013) No. 10564, V. 6, P. 16.

¹⁰⁴ Muḥammad ibn Hibbān ibn Aḥmad al-Tamīmī al-Bustī Ibn Hibbān, *Ṣaḥīḥ Ibn Hibbān: Al-Musnad al-Ṣaḥīḥ ‘alā al-Taqāsim Wa-al-Anwā‘ Min Ghayr Wujūd Qaṭ‘ Fī Sanadīhā Wa-Lā Thubūt Jarḥ Fī Nāqīlīhā*, 1st ed., ed. Muḥammad ‘Alī Sönmez and Khāliṣ Āy Demir (Beirut: Dār Ibn Ḥazm, 2012) No. 6161, V. 7, P. 94.

¹⁰⁵ Sulaymān ibn Aḥmad Al-Ṭabarānī, *Al-Mu‘jam al-Kabīr*, 2nd ed., ed. Ḥamdī ibn ‘Abd al-Majīd Al-Salafī (Al-Qāhirah [Cairo]: Maktabat Ibn Taymiyyah, 1994) V. 20, P. 359.

¹⁰⁶ Aḥmad ibn al-Ḥusayn al-Bayhaqī, *Al-Sunan al-Kubrā*, 3rd ed., ed. Muḥammad ‘Abd al-Qādir ‘Aṭā (Beirut, Lebanon: Dār al-Kutub al-‘Ilmiyyah, 2003) No. 13971, V. 7, P. 277.

¹⁰⁷ Aḥmad ibn ‘Alī Ibn Hajar al-‘Asqalānī, *Taqrīb Al-Tahdhīb*, 1st ed., ed. Muḥammad ‘Awwāmah (Syria: Dār al-Rashīd, 1986), 321.

¹⁰⁸ Ibn Hajar al-‘Asqalānī, *Taqrīb Al-Tahdhīb*, 354.

3. Ma‘mar ibn Rāshid al-Azdī al-Ḥaddānī. Ibn Ḥajar al-‘Asqalānī stated: “He is *thiqah* (reliable), strong in memory, and a person of virtue. However, there are minor reservations regarding his narrations from Thābit, al-A‘mash, and Hishām ibn ‘Urwah, as well as in the narrations he transmitted in Basra.”¹⁰⁹
4. Muḥammad ibn Muslim ibn ‘Ubaydillāh al-Zuhrī. Ibn Ḥajar al-‘Asqalānī stated: “He was a *faqīh* and a *ḥāfiẓ*; the scholars unanimously agreed upon his excellence, precision, and strong memory.”¹¹⁰
5. ‘Urwah ibn al-Zubayr ibn al-‘Awwām. Ibn Ḥajar al-‘Asqalānī stated: “He is *thiqah* (reliable), a *faqīh*, and widely renowned.”¹¹¹
6. Al-Miswar ibn Makhramah ibn Nawfal. Ibn Ḥajar al-‘Asqalānī stated: “He and his father both hold the status of Companions (*ṣaḥābah*).”¹¹²
7. Marwān ibn al-Ḥakam ibn Abī al-‘Āṣ. Ibn Ḥajar al-‘Asqalānī stated: “His status as a Companion (*ṣaḥābī*) is not established.” However, ‘Urwah ibn al-Zubayr ibn al-‘Awwām said: “There is no doubt regarding Marwān’s honesty in the transmission of ḥadīth.”¹¹³

Takhrīj of the Matn / Quality of the Ḥadīth

The *matn* of this ḥadīth is classified as *ṣaḥīḥ* and may be used as a *ḥujjah*, because its chain of transmission (*sanad*) is uninterrupted, its narrators are *thiqah* (reliable), and it is narrated in *Ṣaḥīḥ al-Bukhārī*. In terms of content, this ḥadīth contains no irregularities (*shudhūdh*) and is in harmony with the principles of the Sharī‘ah.

Asbāb Wurūd of the Ḥadīth

The *asbāb wurūd* of this ḥadīth are closely related to the event of the Treaty of Ḥudaybiyah, when Muḥammad ﷺ and his Companions departed from Madinah in the sixth

¹⁰⁹ Ibn Ḥajar al-‘Asqalānī, *Taqīb Al-Tahdhīb*, 541.

¹¹⁰ Ibn Ḥajar al-‘Asqalānī, *Taqīb Al-Tahdhīb*, 490.

¹¹¹ Ibn Ḥajar al-‘Asqalānī, *Taqīb Al-Tahdhīb*, 389.

¹¹² Ibn Ḥajar al-‘Asqalānī, *Taqīb Al-Tahdhīb*, 532.

¹¹³ Ibn Ḥajar al-‘Asqalānī, *Taqīb Al-Tahdhīb* 525.

year of Hijrah with the intention of performing ‘umrah rather than engaging in warfare.¹¹⁴ However, during the journey, the Quraysh prevented them from entering Makkah and dispatched forces to obstruct the Muslim delegation.

After a lengthy process of negotiation, the Treaty of Ḥudaybiyah was eventually concluded between the Prophet ﷺ and the Quraysh.¹¹⁵ One of the provisions of the treaty that weighed most heavily upon the Muslims was the obligation to postpone the ‘umrah until the following year, as well as the clause stipulating that anyone from the Quraysh who came to Madinah without the permission of his guardian was to be returned.¹¹⁶ This provision caused profound sorrow among the Companions, as they had greatly hoped to perform worship at the Ka‘bah at that very time.

It was in this situation that the Prophet ﷺ instructed the Companions to slaughter the *hadyu* animals and shave their heads as a sign of *tahallul*: “*Qūmū fa-inḥarū thumma ihliqū*” (“Stand up, slaughter your sacrificial animals, and then shave your heads”).¹¹⁷ However, because it was extremely difficult for them to accept the situation, the Companions remained silent for a moment and did not immediately carry out the command. The Prophet ﷺ then entered upon Umm Salamah and sought her counsel. Following her advice, the Prophet ﷺ set an example by first slaughtering his own sacrificial animal and shaving his head.¹¹⁸ After witnessing the Prophet’s actions, the Companions then followed him. This part of the ḥadīth appears in order to explain the background of the command to perform *tahallul* when prevented from completing the ‘umrah.

¹¹⁴ Muhammad Fikri and Uswatun Hasanah, “Unsur-Unsur Hadis Dan Asbabul Wurud Hadis Dalam Studi Ilmu Hadits,” *Adabiyah Islamic Journal* 1, no. 2 (2023): 120–28.

¹¹⁵ Abu Abu Haif, “Perjanjian Hudaibiyah (Cermin Kepiawaiian Nabi Muhammad Saw. Dalam Berdiplomasi),” *Rihlah: Jurnal Sejarah Dan Kebudayaan* 1, no. 01 (2014): 119–31, <https://doi.org/10.24252/rihlah.v1i01.673>.

¹¹⁶ أحمد آدم and شرف الدين, “مرحلة السلام بين صلح الحديبية وفتح مكة,” *مجلة كلية الدراسات الإسلامية والعربية للبنات بجامعة الأزهر فرع كفر الشيخ* 3, no. 4 (2019): 347–438.

¹¹⁷ د. عصام محمد أبو سنينة, “صلح الحديبية وحي واجتهاد سياسي,” *مجلة جامعة القدس المفتوحة للبحوث الإنسانية والاجتماعية* 2, no. 44 (2018): 2.

¹¹⁸ محمد الدريس and بدر, “فن التفاوض عند الرسول ﷺ (صلح الحديبية نموذجاً).” *مجلة كلية الشريعة والقانون بتفهيها الأشراف-دقهلية* 21, no. 6 (2019): 4441–80.

Subsequently, after the treaty had been concluded, several believing women migrated (*hijrah*) from Makkah to Madinah. In this context, Sūrah al-Mumtaḥanah verse 10 was revealed, commanding the Muslims to examine the sincerity of their faith and not return them to their disbelieving husbands.¹¹⁹ This verse simultaneously became the legal basis for the prohibition against maintaining marital bonds with polytheistic spouses under certain circumstances. For this reason, ‘Umar ibn al-Khaṭṭāb divorced his two wives who remained in a state of polytheism (*shirk*).¹²⁰ This portion of the ḥadīth was narrated in order to explain the occasion for the revelation of the verse, as well as the implementation of its legal ruling in matters of Islamic family law.

Thus, the *asbāb wurūd* of this ḥadīth lie in the event of Ḥudaybiyah, beginning with the Muslims being prevented from performing ‘umrah, followed by the emergence of the command of *tahallul*, the Prophet’s wisdom in resolving the psychological distress of the Companions, and culminating in the revelation of the legal ruling concerning the migration of believing women and the dissolution of interfaith marriages under Sharī‘ah provisions.

Sharḥ of the Ḥadīth

The ḥadīth concerning the Treaty of Ḥudaybiyah constitutes one of the fundamental evidences in Islamic Family Law affirming the prohibition against maintaining or contracting interfaith marriages, particularly when such differences affect matters of creed (*‘aqīdah*) and the legal status of the family. This ḥadīth not only records a historical event, but also serves as a normative explanation for the emergence of Islamic family law provisions that later developed within classical *fiqh* and were adopted into the positive law of various Muslim countries, including Indonesia.

The event of Ḥudaybiyah was initially related to the performance of the ‘umrah and the dynamics of diplomatic relations between the Muslims and the Quraysh. However, after the peace treaty had been concluded, a new issue emerged with the arrival of believing women who

¹¹⁹ إبراهيم and السعيد شعبان الدسوقي, "التعايش السلمي في ضوء صلح الحديبية," مجلة كلية أصول الدين والدعوة بالمنوفية, no. 42 (2023): 1145–252.42

¹²⁰ الباحث and دكتور عبد الله حقيار, "وثيقة صلح الحديبية دروسها القيمة وفوائدها العظيمة," *Rihan Journal for Science Publishing*, no. 40 (2023).

migrated (*hijrah*) from Makkah to Madinah. They came having embraced faith, while some of them were still bound by marital contracts with their polytheistic husbands in Makkah. It was within this context that Allah revealed His statement: ﴿فَأَمَّا الْمُجْرِمُونَ ... وَلَا تُمَسِّكُوا بِعَصَمِ الْكُوفِرِ﴾, commanding the Muslims to verify the faith of those women while simultaneously prohibiting the maintenance of marital bonds with non-Muslim spouses under such circumstances. The ḥadīth of Ḥudaybiyah functions as a practical explanation (*bayān taḥbīqī*) of the implementation of this verse within social reality.

The phrase “*wa lā tumsikū bi ‘iṣam al-kawāfir*” linguistically signifies a prohibition against maintaining marital bonds with disbelieving women. From the perspective of the *sharḥ* of family *fiqh*, this prohibition implies that a Muslim man is not permitted to continue a marriage with a polytheistic wife who remains in disbelief, and that a marital bond which contradicts the principle of faith may be dissolved for the sake of preserving religion (*ḥifẓ al-dīn*). Its normative implementation is clearly reflected in the action of ‘Umar ibn al-Khaṭṭāb, who immediately divorced his two wives who remained polytheists after the revelation of the verse. This demonstrates that the ruling was legally binding and directly practiced by the generation of the Companions, rather than being merely a moral recommendation.

Within the framework of Islamic Family Law, this ḥadīth affirms that marriage is not merely a social contract, but rather a *mīthāqan ghalīẓan* that encompasses legal, spiritual, moral, and religious dimensions of responsibility. Therefore, unity of creed (*‘aqīdah*) constitutes the primary foundation in establishing a household, so that the family’s vision remains harmonious, the upbringing of children is properly guided, and rights and obligations are fulfilled in a just manner. Differences in religion may potentially give rise to various *mafsadah* (harmful consequences), such as conflicts in religious practice, divergences in values regarding child education, issues of inheritance, and even psychological disharmony. From the perspective of *maqāsid al-sharī‘ah*, the principle of *ḥifẓ al-dīn* (preservation of religion) is regarded as the highest priority; therefore, the preservation of the family’s creed takes precedence over maintaining the formal bond of marriage.

From the perspective of *fiqh*, this ḥadīth reinforces the general principle that Muslim women are unanimously (*ijmā‘an*) prohibited from marrying non-Muslim men, as well as the prohibition upon Muslim men from marrying polytheistic women. Although classical literature

contains differing opinions regarding the permissibility of marrying women from the *Ahl al-Kitāb*, the majority of contemporary scholars tend to restrict or even prohibit such marriages by considering the changes in the modern social context, the increasing potential for familial harm, and the risks posed to the religious upbringing and creed (*'aqīdah*) of children.

The relevance of this ḥadīth is also clearly reflected in the positive law of Indonesia, particularly in the *Kompilasi Hukum Islam* (KHI). Article 40 letter (c) prohibits Muslim men from marrying non-Muslim women, while Article 44 prohibits Muslim women from marrying non-Muslim men. These provisions are consistent with the evidence of the Qur'ān, the ḥadīth of Ḥudaybiyah, as well as the principle of *sadd al-dharā'i'* (blocking the means to harm) and the protection of family integrity. The Indonesian legal system likewise affirms that the validity of marriage for Muslims must conform to religious law, and repeated attempts to legalize interfaith marriage have continued to be rejected, demonstrating the state's consistency in upholding this principle.

Thus, this ḥadīth embodies fundamental *sharī'ah* values, namely that faith (*īmān*) constitutes the primary foundation of the family, that the household must be established upon unity of values, and that the Sharī'ah prioritizes long-term welfare (*maṣlahah*). Under certain circumstances, even divorce may become a legitimate *sharī'ah* solution for the preservation of religion and the protection of the fundamental principles of the family in Islam.

D. CONCLUSION

This study concludes that the ḥadīth of Ḥudaybiyah constitutes a strong proof that, within Islamic Family Law, interfaith marriage—particularly when it threatens the unity of faith—is not permissible. Through the approaches of *takhrīj* and *sharḥ*, the study confirms that the sanad of the ḥadīth is uninterrupted, its narrators are reliable (*thiqah*), and its matn is consistent with the principles and objectives of the Sharī'ah (*maqāṣid al-sharī'ah*). The analysis further demonstrates that the ḥadīth contains important legal and ethical principles concerning family life, including consultation (*shūrā*), exemplary leadership within the household, legal clarity, and the preservation of unity of creed (*'aqīdah*) as the primary foundation of marriage in Islam.

From the perspective of maqāṣid al-sharī‘ah and Islamic Family Law, this ḥadīth affirms that the preservation of religion (ḥifz al-dīn) constitutes a central objective in the establishment of the family institution. Accordingly, interfaith marriage is regarded not merely as a personal matter, but also as an issue closely related to the protection of faith, family harmony, the upbringing of children, and the realization of long-term welfare (maṣlaḥah). The findings of this study also demonstrate the relevance of the ḥadīth to the contemporary legal context in Indonesia, particularly within the *Kompilasi Hukum Islam* (KHI), which prohibits marriages between Muslims and non-Muslims. Thus, this research contributes to the development of ḥadīth studies and Islamic Family Law through an integrative approach that combines textual analysis, maqāṣid-based reasoning, and contemporary legal realities.

E. REFERENCES

Abū Dāwūd, Sulaymān ibn al-Ash‘ath. *Sunan Abī Dāwūd*. 1st ed. Edited by Shu‘ayb al-Arnā‘ūṭ and Muḥammad Kāmil Qarah Balalī. Sunan. Beirut, Lebanon: Dār al-Risālah al-‘Ālamiyyah, 2010.

Acha, Asra Nur Hasanah. “Mitsāqan Ghalīzan Dan Problematika Kotemporer Dalam Pernikahan: Kajian Tafsir Terhadap Ayat-Ayat Al-Qur’an.” *Al-Manhaj: Journal of Indonesian Islamic Family Law* 6, no. 1 (June 2024): 44–67. <https://doi.org/10.19105/al-manhaj.v6i1.13839>.

Al-Nasā‘ī, Aḥmad ibn Shu‘ayb. *Sunan Al-Nasā‘ī (Maṭbū‘ Ma‘a Sharḥ al-Suyūṭī Wa Ḥāshiyat al-Sindī)*. 1st ed. Edited by reviewed by Shaykh Ḥasan Muḥammad al-Mas‘ūdī Group of scholars. Cairo: Al-Maktabah al-Tijārīyah al-Kubrā, 1930.

Al-Ṭabarānī, Sulaymān ibn Aḥmad. *Al-Mu‘jam al-Kabīr*. 2nd ed. Edited by Ḥamdī ibn ‘Abd al-Majīd Al-Salafī. Al-Qāhirah [Cairo]: Maktabat Ibn Taymiyyah, 1994.

Amin, Muhammad Nurfikri, Nasrullah Nasrullah, and Fadil Sj. “Interfaith Marriage from the Perspective of Maqashid Al-Syari‘ah Jasser Auda (Analysis of Decision Number 916/Pdt. P/2022/PN. Sby.)” *Mutawasith: Jurnal Hukum Islam* 6, no. 2 (2023): 156–67.

Amiruddin, Amiruddin. “NIKAH BEDA AGAMA DI INDONESIA: STUDI KOMPARASI HUKUM ISLAM DAN HUKUM NASIONAL.” *Jurnal Tahqiqat: Jurnal Ilmiah Pemikiran Hukum Islam* 18, no. 1 (January 2024): 29–43. <https://doi.org/10.61393/tahqiqat.v18i1.207>.

Asy'ari, Asy'ari, and Triansyah Fisa. "Interfaith Marriage in Perspectives of Classical and Modern Scholars." *Al-Manahij: Jurnal Kajian Hukum Islam*, November 2022, 287–300. <https://doi.org/10.24090/mnh.v1i2.6772>.

Azungah, Theophilus. "Qualitative Research: Deductive and Inductive Approaches to Data Analysis." *Qualitative Research Journal* 18, no. 4 (November 2018): 383–400. <https://doi.org/10.1108/QRJ-D-18-00035>.

Bāqī, Muḥammad Fu'ād 'Abd al-. *Miftāḥ Kunūz al-Sunnah*. Internet Archive, 2011. <https://archive.org/details/MiftahKunuzSunah/>.

Bayhaqī, Aḥmad ibn al-Ḥusayn al-. *Al-Sunan al-Kubrā*. 3rd ed. Edited by Muḥammad 'Abd al-Qādir 'Aṭā. Beirut, Lebanon: Dār al-Kutub al-'Ilmiyyah, 2003.

Fikri, Muhammad, and Uswatun Hasanah. "Unsur-Unsur Hadis Dan Asbabul Wurud Hadis Dalam Studi Ilmu Hadits." *Adabiyah Islamic Journal* 1, no. 2 (2023): 120–28.

Haif, Abu Abu. "Perjanjian Hudaibiyah (Cermin Kepiawaian Nabi Muhammad Saw. Dalam Berdiplomasi)." *Rihlah: Jurnal Sejarah Dan Kebudayaan* 1, no. 01 (2014): 119–31. <https://doi.org/10.24252/rihlah.v1i01.673>.

Hasan, Irsyad, Marwan Mas' ud, and Teguh Dwi Prayoga. "Preventing Bullying in Pesantren: A Maqāṣid al-Sharī'ah and Hadith Perspective on the Role of the Sakinah Family." *Al-Insyiroh: Jurnal Studi Keislaman* 12, no. 1 (2026): 1–17. <https://doi.org/10.35309/alinsyiroh.v12i1.633>.

Huda, M. Ikhwanul, Ummi Fadliyati Kaamilah, and Muhammad Faqihuddin El Hijri. "Jasser Auda's Maqāṣid al-Sharī'ah: Transforming Professional Zakat for People's Welfare." *Al-Muamalat: Jurnal Ekonomi Syariah* 12, no. 1 (March 2025): 77–96. <https://doi.org/10.15575/am.v12i1.40952>.

Ibn Ḥajar al-'Asqalānī, Aḥmad ibn 'Alī. *Fath Al-Bārī Bi-Sharḥ Ṣaḥīḥ al-Bukhārī*. Al-Salafiyyah al-Ūlā. Edited by Muḥammad Fu'ād 'Abd al-Bāqī and Muḥibb al-Dīn al-Khaṭīb. Miṣr [Cairo]: Al-Maktabah al-Salafiyyah, 1960.

———. *Taqrīb Al-Tahdhīb*. 1st ed. Edited by Muḥammad 'Awwāmah. Syria: Dār al-Rashīd, 1986.

Ibn Ḥibbān, Muḥammad ibn Ḥibbān ibn Aḥmad al-Tamīmī al-Bustī. *Ṣaḥīḥ Ibn Ḥibbān: Al-Musnad al-Ṣaḥīḥ 'alā al-Taḳāṣīm Wa-al-Anwā' Min Ghayr Wujūd Qaṭ' Fī Sanadihā Wa-Lā Thubūt Jarḥ Fī Nāqilihā*. 1st ed. Edited by Muḥammad 'Alī Sönmez and Khālīṣ Āy Demir. Beirut: Dār Ibn Ḥazm, 2012.

Ibn Manzūr, Muḥammad ibn Mukarram. *Lisān Al-'Arab*. 3rd ed. Beirut: Dār Ṣādir, 1994.

Ichsan, Nursyamsi, Hamzah Hasan, and Abdul Wahid Haddade. "NIKAH BEDA AGAMA DALAM PERSPEKTIF MAQASID AL-SYARI'AH DAN PROBLEMATIKA HUKUMNYA DI INDONESIA." *Iqtishaduna: Jurnal Ilmiah Mahasiswa Hukum Ekonomi Syari'ah* 6, no. 4 (2025): 1282–88.

Mohajan, Haradhan Kumar. "Qualitative Research Methodology in Social Sciences and Related Subjects." *Journal of Economic Development, Environment and People* 7, no. 1 (2018): 23–48.

Tajedini, Oranus, Ali Akbar Khasseh, Mahin Afzali, and Ali Sadatmoosavi. "How to Increase the Loyalty of Public Library Users? A Qualitative Study." *Journal of Librarianship and Information Science* 52, no. 2 (July 2019): 317–30. <https://doi.org/10.1177/0961000619856081>.

Taufiqurohman, Taufiqurohman, and Nelli Fauziah. "The Evaluation of Maqāsid Asy-Syarī'ah on Discourses of the Islamic Family Law." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (September 2023): 81. <https://doi.org/10.22373/ujhk.v6i1.13035>.

'Abd al-Razzāq ibn Hammām al-Ṣan'ānī. *al-Muṣannaḥ*. 2nd ed. Edited by Markaz al-Buḥūth wa-Tiḳniyyat al-Ma'lūmāt-Dār al-Ta'ṣīl. Kairo: Dār al-Ta'ṣīl, 2013.

ادم, أحمد, and شرف الدين. "مرحلة السلام بين صلح الحديبية وفتح مكة." *مجلة كلية الدراسات الإسلامية والعربية للبنات بجامعة الأزهر فرع كفر الشيخ* 3, no. 4 (2019): 347–438.3

إبراهيم, and السعيد شعبان الدسوقي. "التعايش السلمي في ضوء صلح الحديبية." *مجلة كلية أصول الدين والدعوة بالمنوفية* 42, no. 42 (2023): 1145–252.42

إبراهيم, علي حميد, and أبو بكر الصديق. "صلح الحديبية تاريخه وبنوده وأثره في بناء الدولة الإسلامية." *المجلة العربية للعلوم الإنسانية والاجتماعية*. 24, no. 24 (2024).

الباحث, and دكتور عبد الله حقيار. "وثيقة صلح الحديبية دروسها القيمة وفوائدها العظيمة." *Rihan Journal for Science Publishing*, no. 40 (2023).

البدرى, صباح حسن فلاح. "حوار النبي (ص) مع المشركين في ضوء مرويات الإمام الصادق (عليه السلام) صلح الحديبية انموذجاً." *Journal of Education College Wasit University* 2, no. 47 (2022): 387–98.

الدريس, محمد, and بدر. "فن التفاوض عند الرسول ﷺ (صلح الحديبية نموذجاً)." *مجلة كلية الشريعة والقانون بتفهننا الأشراف-دقهلية* 21, no. 6 (2019): 4441–80.21

الغامدي, أسماء خميس صالح. "أخلاقيات الحوار النبوي في صلح الحديبية: (2022) no. 25 *Journal of Arts*.
106–27.

الغنام, حصّة, حصّة, السحيم and هيفاء. "المبادئ الإدارية النبوية في صلح الحديبية." *المجلة التربوية لتعليم الكبار*
, no. 3 (2024): 1–25.6

سنينة, د. عصام محمد أبو. "صلح الحديبية وحيّ واجتهاد سياسي." *مجلة جامعة القدس المفتوحة للبحوث الإنسانية*
والاجتماعية 2. (2018) no. 44 ,

عبدالعزیز, خالد الديب. "الدلالات الدعوية في صلح الحديبية." *مجلة كلية أصول الدين والدعوة بأسسيوط* no. 37 ,
4 (2019): 3956–4072.