



From classical qadzaf to digital defamation: an Islamic legal perspective on reputation protection

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ABSTRACT

Purpose: to analyze the concept of qadzaf in Islamic law and examine its relevance as a normative framework for protecting reputation in the context of digital defamation.

Method: this study employs a qualitative normative legal research method, drawing on secondary data from Islamic legal texts and academic literature. The data are analyzed descriptively and comparatively to examine the concept of qadzaf and its relevance to digital defamation and Indonesian positive law.

Findings: qadzaf is not only a legal category of false accusation of zina in Islamic law but also a broader principle for protecting human dignity and reputation. In the digital era, its values are relevant to addressing online defamation, emphasizing verification of information, and preventing harm to individuals' reputations. The study also finds a substantive alignment between qadzaf and Indonesian positive law regarding the protection of honor, although they differ in their legal mechanisms and sanctions.

Implications: the principles of qadzaf can serve as an ethical and normative framework for strengthening reputation protection in digital communication.

Originality: lies in its reinterpretation of qadzaf beyond its classical scope as a hudud offense of false accusation of zina, positioning it instead as a broader normative framework for protecting reputation in the digital era. It further contributes by linking Islamic legal principles with contemporary issues of digital defamation and exploring their relevance within Indonesian positive law.



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Introduction

Protection of honor (*hifz al-'ird*) is an important objective of Islamic law, aimed at safeguarding the dignity, reputation, and rights of individuals in social life (Bawono et

al., 2025). Within the framework of Islamic criminal law (*fiqh jinayah*), one instrument designed to protect one's honor is the prohibition of qadzaf, which is the act of accusing someone of adultery without presenting four witnesses who meet the requirements of proof (Isnawan, 2025). Qadzaf is categorized as a hudud crime that carries strict sanctions because it is considered a threat to individual honor and social stability. The provisions regarding qadzaf are explicitly regulated in Surah An-Nur, verse 4 of the Qur'an, which emphasizes the importance of strict proof before someone can be accused of adultery. This regulation demonstrates that Islam provides very strong protection for a person's good name and honor and prevents the spread of slander that can harm individuals and society (Abdurahman, 2023; Amelia et al., 2024; Gunawan, 2021).

In contemporary society, the issue of reputation protection has become increasingly important with the rapid development of information and communication technology (Mashdurohatun et al., 2025). The presence of the internet and social media has transformed people's communication patterns from being limited to being limitless in space and time (Laskar, 2023). Various digital platforms allow individuals to convey information, opinions, and accusations to a wide audience in a matter of seconds (Soliman & Kahila, 2024). This phenomenon brings significant benefits to freedom of expression, but it also increases the risk of spreading unverified information, slander, damaging statements, and accusations without sufficient evidence. Numerous cases of defamation through social media demonstrate that a person's reputation can suffer extensive and long-term damage due to information spread digitally (Husamuddin et al., 2024; Leli et al., 2025).

This phenomenon raises complex legal and ethical issues, particularly when the accusations relate to a person's morality and honor. In practice, many people do not yet understand the boundaries between freedom of expression and actions that can be categorized as qadzaf. Accusations that attack individual honor are often made in the name of freedom of expression, without considering evidentiary issues and the resulting social impact (Mashdurohatun et al., 2025). As a result, various social conflicts, divisions within society, psychological harm to victims, and disruptions to public order arise. This situation demonstrates that the concept of qadzaf is not only relevant in the context of classical society but also remains highly relevant to addressing the challenges of digital communication in the modern era (Efendi, Husamuddin, et al., 2025; Nur & Sa'i, 2025).

In Indonesia, the protection of an individual's good name and honor is regulated by various positive legal instruments, including provisions regarding defamation and criminal acts committed through electronic media (Suhariyanto et al., 2025). However, there are fundamental differences between the concept of qadzaf in Islamic law and that of defamation in positive law, particularly regarding the scope of the act, the standard of proof, and the types of sanctions imposed. Several court decisions indicate that cases with a similar substance to qadzaf are often resolved using positive legal instruments without directly linking them to the principles of Islamic criminal law. This situation poses challenges in efforts to harmonize Islamic legal norms with the national legal system in Indonesia (Andrizal et al., 2023; Anwar, 2018; Zamzani et al., 2026).

Many previous researchers have conducted studies on qadzaf. Abdurahman's (2023) study discusses the basic principles of qadzaf law in Islam and its relevance to the Compilation of Islamic Law. Gunawan (2021) examines qadzaf from a hadith perspective, while Amelia et al. (2024) discuss the relationship between the crime of adultery and the accusation of adultery in Islamic criminal law. Comparative studies between Islamic criminal law and Indonesian positive law have been conducted by Anwar (2018); Sudarti & Najib (2021); and Supriani & Saputra (2021). Meanwhile,

research by Fakhurrrazi (2024); Efendi et al. (2025); and Saifuddin and Harahap (2026) focuses more on the implementation of qadzaf in the context of the Qanun Jinayat. Recent research also reviews the elements of qadzaf, the rules of jinayah jurisprudence, and the sanctions imposed on perpetrators accused of adultery (Egi & Lubis, 2026; Gunawan et al., 2025; Nur & Sa'i, 2025). On the other hand, studies on defamation on social media generally focus on criminological aspects, cyber law and positive law without connecting them in depth with the concept of qadzaf as an instrument for reputation protection in Islamic law (Husamuddin et al., 2024; Leli et al., 2025).

Although research on qadzaf and defamation has progressed, there are still research gaps that require attention. Most previous studies have discussed qadzaf from a normative, historical, comparative, or implemental perspective within specific legal systems. These studies have not comprehensively examined the transformation of the concept of qadzaf as an instrument for reputation protection in the context of a digital society. Furthermore, there are still few studies linking the principles of proof in qadzaf to the phenomenon of digital defamation currently emerging on social media and other digital communication platforms. Therefore, no study has specifically analyzed the relevance of the concept of qadzaf as a normative and ethical basis for addressing the challenges of reputation protection in the digital era.

The novelty of this research lies in its attempt to reconstruct and reinterpret the concept of qadzaf from the perspective of classical Islamic criminal law in the context of contemporary digital reputation protection. This research views qadzaf not only as a criminal act of accusing someone of adultery but also as a normative framework that includes principles of honor protection, information verification, communication responsibility, and the prevention of slander, all of which are relevant to the phenomenon of digital defamation. Thus, this research offers a conceptual approach that connects Islamic legal values with the legal and social challenges arising from the development of digital technology. This research aims to analyze the concept of qadzaf from an Islamic legal perspective, examine its relevance to the phenomena of defamation and digital defamation in the digital era, and explore the possibility of integrating the values of reputation protection in qadzaf into contemporary legal discourse. This analysis is expected to produce a more comprehensive understanding of the position of qadzaf as an instrument for protecting individual honor in modern society.

This research is crucial because the increasing number of defamation cases and the spread of unsubstantiated accusations through digital media have increasingly complex social, psychological, and legal impacts. Theoretically, this research is expected to contribute to the development of Islamic jurisprudence (*fiqh jinayah*), particularly in broadening understanding of the relevance of qadzaf to contemporary legal issues. In practical terms, this research is expected to serve as a reference for academics, legal practitioners, policymakers, and the public in formulating a more equitable approach to reputation protection in the digital era. Furthermore, the results of this research are expected to enrich the discourse on the harmonization of Islamic law and positive law in an effort to maintain individual honor, prevent the spread of slander, and strengthen a culture of responsible communication in a digital society (Dee et al., 2025; Efendi, 2023; Efendi, Akbar, et al., 2025; Zulfadli et al., 2024).

Method

This study uses a qualitative approach with a normative legal research approach. This approach was chosen because the study focuses on the study of legal norms

governing qadzaf in Islamic law and their relevance to the phenomenon of digital defamation in the digital era. Normative legal research positions law as a system of norms, examined through analysis of legal sources, doctrines, and literature related to the research object. Therefore, this study does not aim to measure the phenomenon statistically but rather to understand, interpret, and analyze the concept of qadzaf as an instrument of protecting reputation from an Islamic legal perspective.

The data sources used in this study are secondary data obtained through a literature review. These secondary data consist of three categories of legal materials. First, primary legal materials include the Qur'an, Hadith, classical and contemporary Islamic jurisprudence books, and various legal provisions that directly address the concept of qadzaf and the protection of honor in Islam. Second, secondary legal materials consist of scientific books, national and international journal articles, previous research results, and other academic works relevant to the themes of qadzaf, defamation, Islamic criminal law, and cyber law. Third, tertiary legal materials include legal dictionaries, encyclopedias, scientific indexes, and various supporting references that help explain the terms, concepts, and theoretical frameworks used in this study (Wijaya et al., 2025).

Data collection was conducted through documentation techniques by identifying, selecting, inventorying, and reviewing various literature sources related to the research topic. This process was carried out systematically to obtain relevant data on the concept of qadzaf, its normative basis in Islamic law, the development of academic studies on qadzaf, and the literature on defamation and reputation protection in the context of contemporary law. All collected documents were then classified by theme and substantive content to facilitate the analysis. Data analysis was conducted using a descriptive-analytical method. In the descriptive stage, this study systematically describes the concept of qadzaf, its legal elements, normative basis, the objectives of legal enforcement, and the views of classical and contemporary scholars regarding the protection of individual honor. Furthermore, during the analytical stage, the collected data were critically analyzed to assess the relevance of qadzaf principles to the phenomenon of defamation in the digital space. This analysis was conducted using a conceptual approach and a statutory approach to obtain a comprehensive understanding of qadzaf's position within the modern reputation protection framework.

Furthermore, this study employs a comparative approach to examine the concept of qadzaf in Islamic criminal law alongside positive legal provisions governing defamation, both in conventional criminal law and in laws governing the use of electronic media. This approach aims to identify similarities, differences, and possible common ground between the two legal systems in protecting an individual's honor and reputation. To ensure the validity of the study, it employs source triangulation of comparing various primary and secondary sources with academic authorities in the fields of Islamic and criminal law. Through these stages, this study is expected to produce an in-depth, systematic, and comprehensive analysis of the transformation of the concept of qadzaf from a classical Islamic legal perspective to a reputation protection framework in the digital era.

Results and discussion

The concept of qadzaf as an instrument for protecting honor in Islamic law

The results of normative studies indicate that qadzaf is one of the hudud crimes whose primary purpose is to protect honor (*hifz al-'ird*) and prevent the spread of

slander in society. Terminologically, qadzaf is defined as an accusation of adultery or a denial of lineage directed at someone without valid evidence in the form of four witnesses. This provision has a strong basis in the Qur'an, specifically Surah An-Nur verse 4, which stipulates sanctions for perpetrators of qadzaf as a form of protection of individual dignity (Gunawan, 2021). Based on the perspective of maqashid al-shariah, the protection of honor is one of the fundamental objectives of shariah, holding an important position alongside the protection of religion, life, mind, and property. Therefore, Islam applies very strict standards of proof in cases related to accusations of adultery to prevent criminalization, slander, and irreparable social harm (Abdurahman, 2023). A review of classical and contemporary Islamic jurisprudence (*fiqh*) literature shows that the substance of qadzaf is not limited to explicit accusations of adultery but also includes statements that clearly damage a person's honor through unproven accusations. This finding suggests that reputation protection is a key value embodied in the concept of qadzaf (Egi & Lubis, 2026).

The relevance of qadzaf in the phenomenon of digital defamation

The development of information technology has changed the pattern of information dissemination from physical to digital spaces. The results of this study indicate that various forms of defamation on social media share characteristics with the substance of qadzaf, namely accusations or statements that damage a person's reputation without sufficient evidence (Gunawan et al., 2025). Despite changes in the social context, the basic principles of qadzaf remain relevant as an ethical framework for digital communication. The principles of caution, information verification (*tabayyun*), and the prohibition of spreading baseless accusations are values that can be used to respond to the increasing cases of digital defamation, cyberbullying, and the spread of false information on social media (Leli et al., 2025). The findings of this study indicate that the transformation of communication media has not changed the substance of violations of individual honor. The difference lies in the medium of dissemination and the extent of the resulting impact. While in classical times accusations were made directly within a limited social space, in the digital era they can spread widely and permanently across various online platforms.

Comparison of qadzaf and defamation

The comparative analysis shows similarities between the objectives of the concept of qadzaf in Islamic law and the provisions on defamation in Indonesian positive law, namely, the protection of an individual's honor and reputation. However, they differ in the object of the violation, the standard of proof, and the form of sanctions.

Table 1 results of comparison of qadzaf and defamation

Aspect	Qadzaf in islamic law	Defamation in positive law
Legal basis	Qur'an, hadith, and <i>fiqh jinayah</i>	Criminal code (KUHP) and electronic information and transactions law (ITE law)
Object of accusation	Adultery (<i>zina</i>) or denial of lineage (<i>nasab</i>)	Attacks on honor, dignity, or reputation
Standard of proof	Four qualified witnesses	Legally recognized evidence under procedural law
Type of sanction	<i>Hudud</i> punishment (80 lashes)	Imprisonment or fines
Legal objective	Protection of honor and prevention of false accusations (<i>fitnah</i>)	Protection of reputation and social order
Orientation	Religious, moral, and social	Legal and social

Source: secondary data, processed

Table 1 shows that, despite differences in legal mechanisms, both systems prioritize reputation protection as a primary objective. Therefore, the values embodied in qadzaf have the potential to serve as a source of legal ethics that can strengthen the protection of honor in modern legal systems (Sudarti & Najib, 2021; Supriani & Saputra, 2021).

Harmonization of qadzaf values in digital reputation protection

This study found that harmonization between Islamic law and positive law need not be achieved through the literal adoption of hudud provisions. Harmonization can be achieved by strengthening the substantive values embedded in qadzaf, such as the principle of caution in conveying information, the obligation to verify before accusing someone, the protection of individual honor, and moral responsibility in public communication (Anwar, 2018). In the context of a digital society, these principles are highly relevant because they can form the basis for developing communication ethics and digital literacy. Furthermore, increasing public legal awareness regarding the legal and social consequences of spreading accusations without evidence is a crucial factor in preventing violations that are substantively similar to qadzaf (Lubis et al., 2025).

Discussion

Qadzaf as a reputation protection mechanism from an Islamic legal perspective

The results of this study indicate that qadzaf is essentially an Islamic legal instrument that protects an individual's honor and reputation from all forms of accusations that cannot be legally proven. Although normatively, qadzaf is often understood as the criminal act of accusing someone of adultery without presenting four witnesses, its legal substance is much broader than simply regulating adultery. Qadzaf reflects Islamic law's commitment to upholding human dignity as an inherent right of every individual. This finding aligns with research by Abdurahman (2023), which asserts that the protection of honor (*hifz al-'ird*) is a fundamental principle in the Islamic legal system. However, this study found that the concept of honor protection in qadzaf can be reinterpreted as protecting an individual's reputation in general, including against various forms of character attacks, slander, and accusations that have developed in modern society. Thus, qadzaf functions not only as a repressive instrument through the imposition of sanctions but also as a preventive mechanism to maintain social stability and interpersonal relations.

From a classical Islamic jurisprudence perspective, the regulation of qadzaf demonstrates that Islam treats individual honor as a legal interest of great protective value. Gunawan (2021) explains that the provisions regarding qadzaf in the Qur'an and Hadith emerged in response to the practice of unsubstantiated accusations that often led to social conflict in early Arab society. Similarly, Amelia et al. (2024) state that qadzaf is a form of legal protection for personal rights that serves to prevent the moral criminalization of individuals. Moreover, Egi & Lubis (2026) emphasize that the existence of hudud sanctions in qadzaf demonstrates the seriousness of sharia in maintaining the social integrity of society. Unlike some other crimes that are oriented towards protecting property or physical assets, qadzaf is specifically directed at protecting the non-material dimensions of human dignity, namely good name, honor, and social legitimacy. This shows that Islamic law recognized the importance of protecting reputation long before the concept emerged in modern legal discourse.

Furthermore, the very strict standard of proof in qadzaf cases indicates a protective orientation toward potential victims from false accusations. The requirement to present four witnesses who directly witnessed the act of adultery is a form of application of the precautionary principle in Islamic law. This finding confirms the research of Nur & Sa'i (2025), which states that the evidentiary requirement in qadzaf is not intended to complicate law enforcement, but rather to prevent slander and the wrongful conviction of innocent individuals. A similar view is expressed by Tiya et al. (2025), who argue that the high standard of proof is a manifestation of the principle of substantive justice in Islamic law. From this perspective, qadzaf not only protects the accused individual but also fosters a legal culture that encourages society to exercise caution before making accusations against others. In other words, the law of qadzaf functions as an instrument of social control that encourages responsible communication in society.

When analyzed through the maqashid al-shariah approach, the protection of honor in qadzaf is closely related to the shariah's goal of safeguarding human welfare. Sudarti & Najib (2021) explain that the protection of honor is part of the protection of human rights that has long been substantially accommodated in Islamic law. The findings of this study strengthen this argument by showing that qadzaf aims not only to protect the individual who is the object of the accusation, but also to maintain collective social order. Baseless accusations have the potential to give rise to various forms of mafsadah, such as social conflict, family breakdown, social discrimination, and even acts of violence. In this context, the existence of qadzaf can be understood as a legal mechanism that functions to prevent the emergence of broader social harm. This view is also supported by Zufadli et al. (2024), who state that one of the main functions of fiqh jinayah is to maintain a balance between individual rights and societal interests by preventing actions that could damage the social order.

The findings of this study indicate that the values embodied in qadzaf align with the development of the concept of reputation protection in modern law. Research by Zamzani et al. (2026) found that several principles of Islamic criminal law converge with contemporary legal systems, particularly in the aspect of protecting individual rights. In the context of qadzaf, this similarity is evident in the recognition that reputation is a right that must be protected from unfounded attacks. This finding also builds on the findings of Supriani & Saputra (2021), who previously highlighted the similarity between the objectives of Islamic criminal law and Indonesian positive law in protecting a person's honor. Therefore, qadzaf can be understood not only as a historical and textual legal norm but as a principle of reputation protection with universal relevance. In the context of a digital society characterized by a high flow of information and an increasing risk of defamation, the principles of qadzaf offer an important ethical and normative framework for building a communication culture that is responsible, just, and respectful of human dignity.

Transformation of the meaning of qadzaf in the digital era

The development of information and communication technology has fundamentally changed the way individuals interact, exchange information, and shape public opinion (Asimakopoulos et al., 2025). This transformation has not only created new spaces for freedom of expression but also created new forms of violations of individual honor previously unknown in classical societies (Mubarok et al., 2026). While in the past qadzaf was generally carried out through oral communication within a relatively limited social sphere, the digital era allows accusations and information that

attack a person's reputation to be disseminated instantly to an unlimited audience through social media, content-sharing platforms, and digital communication applications. This condition makes the social impact of an accusation much broader, faster, and more difficult to control than in traditional contexts. These findings indicate that technological developments do not alter the substance of the violations in qadzaf, but rather expand the scope and intensity of their impact on victims. In this context, qadzaf can no longer be understood solely as a legal issue concerning accusations of adultery, but also as a matter of protecting reputation in an increasingly complex digital communication ecosystem (Husamuddin et al., 2024; Leli et al., 2025).

The findings of this study extend the findings of Gunawan et al. (2025), who stated that elements of qadzaf can be found in various forms of modern communication. This study found that digital media has created an information dissemination mechanism that allows unsubstantiated accusations to gain social legitimacy simply because of the high level of user exposure and participation. In many cases, unverified information can quickly become public opinion through the processes of sharing, reposting, commenting, and viralization. This phenomenon indicates a shift from interpersonal to networked communication, in which each individual can act as both a producer and a distributor of information. In line with the findings of Leli et al. (2025), many cases of defamation on social media often begin with accusations lacking sufficient evidence but then gain widespread attention because they are amplified by digital algorithmic mechanisms. As a result, the losses suffered by victims are not only in the form of damage to their reputation, but can also impact their social, economic, professional, and even psychological health.

From an Islamic legal perspective, changes in communication media do not diminish the relevance of the fundamental principles of qadzaf. Rather, the social transformation that has occurred demonstrates the importance of the values embodied in this concept. Research by Nur & Sa'I (2025) asserts that the core prohibition of qadzaf lies in preventing the spread of unsubstantiated accusations that could harm others. A similar view is expressed by Tiya et al. (2025), who state that Islamic law establishes a system of honor protection through strict evidentiary mechanisms to prevent people from making judgments or accusations against others too easily. In the digital context, this principle becomes even more relevant given that the speed of information dissemination often exceeds the process of verifying its truth. Therefore, this study argues that qadzaf possesses normative flexibility that allows for reinterpretation of various forms of modern reputational attacks, including digital slander, the spread of manipulative content, online shaming, and various other forms of digital defamation. This perspective aligns with Anwar's (2018) view, which emphasizes the importance of understanding Islamic law substantively to address evolving social dynamics.

Furthermore, the transformation of the meaning of qadzaf in the digital era is also closely related to the growing tension between freedom of expression and reputation protection. In a digital society, freedom of expression is often understood as a nearly limitless right, leading some social media users to feel legitimate in conveying accusations, opinions, or unverified information (Vese, 2022). However, from both Islamic and modern legal perspectives, freedom of expression is not an absolute right. Research by Sudarti & Najib (2021) shows that protecting individual honor is an integral part of human rights protection and must be balanced with the right to freedom of expression. The findings of this study strengthen this argument by demonstrating that the precautionary principle in qadzaf aligns with the principle of responsibility in freedom of expression that has developed in contemporary legal systems (Mohamad &

Ismail, 2025; Siregar et al., 2025). Thus, qadzaf can be understood as a normative mechanism that maintains a balance between an individual's right to express an opinion and others' right to protect their good name and reputation.

In this context, the principle of tabayyun (verification) is crucial to reconstructing the meaning of qadzaf in the digital era. Research by Gunawan (2021); Zulfadli et al. (2024) shows that information verification is a key principle in Islamic communication ethics, aimed at preventing the spread of fake news, slander, and baseless accusations. This research found that the principle of tabayyun is highly relevant in addressing the challenges of digital communication, especially when information can be produced and disseminated without adequate filtering. Therefore, qadzaf is no longer merely a legal norm governing sanctions against accusers of adultery but also a framework for digital communication ethics that emphasizes accuracy of information, social responsibility, and respect for human dignity. This finding expands on previous studies that have situated qadzaf primarily within the perspective of classical Islamic criminal law (Abdurahman, 2023; Egi & Lubis, 2026; Fakhurrrazi, 2024) by showing that the values contained in qadzaf are highly relevant as a normative foundation for reputation protection and information governance in contemporary digital society.

The relevance of qadzaf to the protection of the right to reputation

The research findings indicate a strong substantive link between the concept of qadzaf in Islamic law and the concept of reputation protection that has developed in modern legal systems. Although born from different historical contexts and legal traditions, both share the same goal: to protect individuals from accusations, slander, and statements that could damage their honor and reputation. In Islamic law, protection of honor is realized through the prohibition of qadzaf and the application of very strict standards of proof. In contrast, in modern law, this protection is realized through various legal instruments concerning defamation, slander, and the protection of personal rights. These findings reinforce the research of Gunawan (2021); Abdurahman (2023); and Nur & Sa'i (2025), which emphasize that the primary purpose of regulating qadzaf is to protect human dignity from baseless accusations. However, this research shows that the protective value of qadzaf is not limited to the context of accusations of adultery as classically understood, but can be extended to encompass principles of reputation protection relevant to various forms of contemporary social interaction.

From a human rights perspective, reputation protection is a fundamental right inherent in every individual. Good name and honor not only have moral value but also have significant social, economic, and psychological consequences. In this context, the research findings support the argument of Sudarti & Najib (2021), who stated that the protection of honor in Islamic law aligns with modern human rights principles. This similarity is evident in the recognition that everyone has the right to protection against unlawful attacks on their reputation. Research by Zamzani et al. (2026) also shows that several principles of Islamic criminal law converge with modern legal developments, particularly in the protection of individual rights. The findings of this study expand on this argument by demonstrating that qadzaf can be understood as an early form of legal protection for reputation that substantially accommodates values currently recognized in human rights discourse, such as the protection of dignity, the right to honor, and protection against social discrimination arising from unproven accusations.

Furthermore, the relevance of qadzaf to the protection of the right to reputation is evident in the balance it establishes between individual freedom and social responsibility. In Islamic law, a person is not prohibited from conveying information or

giving testimony, but every statement made must be based on strong and accountable evidence. This principle demonstrates that freedom of expression is not positioned as an absolute right. This finding aligns with research by Anwar (2018) and Efendi et al. (2025), which asserts that Islamic law always places individual freedom within a broader framework of social welfare. Thus, qadzaf serves as a control mechanism to prevent freedom of speech from becoming a means of harming or discrediting others. This perspective becomes increasingly relevant in modern society, which often faces tensions between protecting freedom of expression and protecting an individual's reputation. In this context, the principles of qadzaf offer an approach that emphasizes the balance between rights and responsibilities as a basis for creating social justice.

The relevance of qadzaf is further strengthened when linked to the development of social media and the digital space. Various studies have shown that the increasing use of digital platforms has increased the risk of defamation and the spread of accusations without adequate verification. Leli et al. (2025) found that most cases of defamation on social media began with the dissemination of unverified information and then developed into public opinion that was difficult to control. Similar findings were reported by Husamuddin et al. (2024), who explained that the characteristics of digital communication allow accusations to spread rapidly and reach a very wide audience in a short time. Under such conditions, the reputational damage suffered by victims is often long-term because digital traces are difficult to erase. This research shows that the principle of prudence in qadzaf is highly relevant in facing these challenges. The requirement to present strong evidence before making accusations can be understood as a form of ethical information verification necessary to prevent the misuse of digital media and to protect an individual's right to reputation.

In addition to its practical relevance, qadzaf also makes a conceptual contribution to the development of reputation protection theory in modern society. Most previous studies have viewed qadzaf as part of Islamic criminal law, focusing on the regulation of adultery accusations and the imposition of hudud sanctions (Egi & Lubis, 2026; Fakhrurrazi, 2024; Supriani & Saputra, 2021). This research demonstrates that qadzaf can be reconstructed as a broader legal principle, namely the protection of honor and reputation as fundamental human rights. This perspective broadens the understanding of qadzaf's social function, from a mere instrument of punishment to an instrument for protecting rights and preventing social harm. In line with the views of Zulfadli et al. (2024) and Nurohim et al. (2025), Islamic criminal law is not only oriented towards imposing sanctions but also towards achieving the welfare and protecting the interests of society. Therefore, in the context of a digital society characterized by high information flows and increasing threats to individual reputations, the values contained in qadzaf are highly relevant as a normative basis for building a reputation protection system that is fairer, more responsible, and oriented towards respect for human dignity.

Harmonization of qadzaf values and Indonesian positive law

The results of this study indicate that the relationship between the concept of qadzaf in Islamic law and the provisions on defamation in Indonesian positive law is not in conflict but rather shares significant common ground in terms of legal objectives. A comparative analysis shows that both legal systems strive to protect the honor, dignity, and reputation of individuals from various forms of accusations or detrimental statements. The main differences lie in the evidentiary mechanisms, normative basis, and the form of sanctions applied. In Islamic law, qadzaf is categorized as a hudud crime with very strict evidentiary standards and normatively determined sanctions. In

contrast, Indonesian positive law regulates it through provisions on defamation in the Criminal Code (KUHP) and the Information and Electronic Transactions Law (UU ITE), with an evidentiary system that follows modern criminal procedure law. This finding confirms the research of Anwar (2018); Supriani & Saputra (2021); and Andrizal et al. (2023) who stated that the differences between Islamic criminal law and positive law lie more in technical and procedural aspects than in the intended goals of legal protection.

Despite differences in normative construction, this study found that both legal systems share a common orientation toward safeguarding an individual's right to honor and reputation. From an Islamic legal perspective, this protection is realized through the strict prohibition of making accusations without valid evidence. In contrast, under positive law, protection is provided of criminalizing actions that damage a person's reputation. This finding strengthens the argument of Sudarti & Najib (2021), who stated that the *maqasid al-shari'ah* in *qadzaf* aligns with the objectives of modern law, which is oriented toward protecting human rights. Research by Zamzani et al. (2026) also shows that the development of national law increasingly opens up space for the integration of universal Islamic legal values, particularly those related to justice, the protection of individual rights, and social order. In this context, *qadzaf* can be understood not only as a particular religious norm but also as a source of values relevant to the development of a just national legal system.

Furthermore, harmonization between *qadzaf* and Indonesian positive law should not be understood as an attempt to formalize or literally adopt *hudud* provisions into national legislation. This study found that a more realistic and applicable approach is to internalize the substantive values embodied in *qadzaf* into legal policy and law enforcement practices. These values include the principle of caution in conveying accusations, the obligation to present strong evidence, protection of human dignity, and moral responsibility in the use of freedom of expression. This view aligns with research by Zulfadli et al. (2024) and Efendi et al. (2025) which emphasizes that the contribution of Islamic law to the modern legal system does not always have to be realized through the formal application of *sharia* norms, but can be done through strengthening the values of justice and welfare, which are the primary objectives of law. Thus, the harmonization in question is more oriented towards value harmonization than normative uniformity.

In the context of the development of digital technology, the need for such harmonization is becoming increasingly important. Various studies have shown that the rise in defamation cases through social media has presented new challenges for the Indonesian legal system. Leli et al. (2025) found that the spread of unverified accusations on digital platforms often has a broader impact than conventional defamation, as information can spread quickly and is difficult to control. Similar findings were presented by Husamuddin et al. (2024), who explained that the characteristics of digital media have blurred the boundaries between freedom of expression and violations of reputation. In this situation, the principles of *qadzaf*, such as prudence, verification of information (*tabayyun*), and the prohibition on spreading accusations without evidence, become highly relevant for strengthening national legal policy. Therefore, harmonization between Islamic law and positive law not only has a normative dimension but also has practical urgency in addressing various legal issues arising from the digital transformation.

In addition to regulatory aspects, harmonizing the values of *qadzaf* and positive law also requires support from law enforcement agencies and educational institutions. Research by Nurohim et al. (2025) shows that legal effectiveness is determined not only

by the quality of regulations but also by the level of public legal awareness. Meanwhile, Efendi et al. (2025) found that understanding Islamic legal norms contributes to increased legal awareness and social compliance. Based on these findings, this study argues that effective harmonization must be achieved through a multidimensional approach that includes the development of just regulations, strengthening the capacity of law enforcement officers, and increasing public legal literacy regarding the importance of maintaining the honor and reputation of others. Thus, the values of qadzaf not only function as normative concepts in the study of Islamic jurisprudence but also serve as an ethical and philosophical foundation for the development of an Indonesian legal system that is responsive to contemporary social challenges. This harmonization ultimately contributes to the creation of a legal system that balances the protection of freedom of expression with the protection of every citizen's right to honor and reputation.

Implications and development of the contemporary concept of qadzaf

The main contribution of this research lies in the conceptual reconstruction of qadzaf as a reputation protection instrument that is adaptive to the dynamics of digital society. In classical literature, qadzaf is predominantly understood as a hudud crime that focuses on the prohibition of accusing someone of adultery without valid evidence and the consequences of punishment that have been explicitly determined in the texts. However, developments in contemporary Islamic legal studies indicate a tendency to expand the meaning of qadzaf into a more substantive realm, namely the protection of human honor and dignity. This finding strengthens the views of Gunawan (2021); Nur & Sa'i (2025); and Tiya et al. (2025), who position qadzaf as a mechanism for protecting *hifz al-'ird*. However, this research goes further by showing that this protection is not limited to the context of accusations of adultery but encompasses all forms of communication that have the potential to damage an individual's reputation, including in the digital space that is not limited by space and time.

From a theoretical perspective, this reconstruction broadens the orientation of Islamic jurisprudence studies from a solely retributive (sanctioning) approach to a preventive and protective approach that emphasizes preventing social harm (preventive justice). This is in line with the development of contemporary Islamic legal thought, which increasingly emphasizes *maqashid al-shari'ah* as the primary framework for understanding law. Research by Abdurahman (2023) and Zulfadli et al. (2024) emphasizes that the primary objective of Islamic criminal law is to uphold the five basic principles (*al-daruriyyat al-khams*), including the protection of human dignity. Thus, qadzaf can be understood as part of a broader system of rights protection, not merely an instrument of punishment. This view is also supported by Efendi (2023), who emphasizes that Islamic criminal law has a strong social dimension in maintaining order and preventing *mafsadah* in society. Therefore, the reconstruction of qadzaf in this study provides a theoretical contribution by shifting the focus from "violation and punishment" to "protection and prevention of social harm."

Furthermore, the development of the contemporary concept of qadzaf demonstrates that its basic principles are highly relevant to regulating communication ethics in the digital era. In this context, social media and digital platforms have created new communication spaces that enable every individual to become a producer of information, thus increasing the risk of spreading unverified accusations. Research by Husamuddin et al. (2024) and Leli et al. (2025) shows that the characteristics of digital communication accelerate the virality of information without adequate verification,

thereby increasing the potential for reputational damage. In this situation, the principle of caution in qadzaf, the obligation to provide proof, and the prohibition on spreading baseless accusations can be reconstructed as principles of digital communication ethics. These findings reinforce the views of Anwar (2018) and Supriani & Saputra (2021) that Islamic legal values can be flexibly adapted to modern social contexts without losing their normative substance.

Furthermore, this study also demonstrates that qadzaf can serve as a normative framework in developing digital legal and regulatory policies oriented toward reputation protection. In Indonesia's positive legal system, the protection of reputation is regulated by the Criminal Code (KUHP) and the ITE Law. However, their implementation still faces challenges in addressing the complexities of digital communication. In this regard, qadzaf values such as information verification (*tabayyun*), moral responsibility in speaking, and the prohibition on spreading accusations without evidence can strengthen the existing positive legal approach. Research by Sudarti & Najib (2021) and Zamzani et al. (2026) confirms that integrating Islamic legal values into the national legal system can enrich the ethical and philosophical dimensions of positive law. Thus, qadzaf functions not only as a normative concept in Islamic jurisprudence (*fiqh*) but also as a source of values that can strengthen the design of legal policies that are more responsive to developments in information technology.

The implications of this reconstruction of the concept of qadzaf demonstrate the need for a multidisciplinary approach to the study of contemporary Islamic law. Qadzaf can no longer be understood exclusively within the framework of classical criminal law, but must be seen as part of a system of social ethics, communication law, and human rights protection in modern society. Research by Nurohim et al. (2025) emphasizes that the development of Islamic law must be able to respond to social and technological changes through a more flexible and contextual methodological approach. In line with this, Efendi et al. (2025) emphasize the importance of integrating sharia values and social reality in building an adaptive legal system. Therefore, the development of the contemporary concept of qadzaf in this study makes an important contribution to the development of a new paradigm of Islamic law that is oriented not only towards normative texts but also towards the social context, communication ethics, and the protection of human dignity in the ever-evolving digital era.

Conclusions

This study found that qadzaf can be understood not only narrowly as a hudud crime in the form of an accusation of adultery without evidence, but also more broadly as an instrument to protect individuals' honor and reputation. In the context of classical and contemporary Islamic law, qadzaf demonstrates the existence of strict standards of proof as a form of protection of human dignity. This finding also confirms that in the digital era, the forms of accusations spread through social media are essentially similar in substance to qadzaf, namely, attacking the honor of individuals without a valid basis for evidence, although not always formally categorized as qadzaf in positive law.

This research contributes by reconstructing qadzaf as a relevant normative principle for digital communication ethics, reputation protection, and strengthening value-based law. Qadzaf is positioned not only as an Islamic criminal norm but also as an ethical framework that can be integrated into modern legal systems, particularly in strengthening defamation regulations in Indonesia. Another contribution lies in efforts to harmonize qadzaf values with positive law, emphasizing the balance between

freedom of expression and the protection of the right to reputation, thereby supporting the creation of a more just, preventive, and responsive legal system in response to developments in information technology.

This study has limitations because it uses a normative-qualitative approach based on a literature review and thus does not involve empirical data, such as in-depth court decisions or interviews with legal practitioners and social media users. Furthermore, the analysis remains conceptual and therefore does not directly test the effectiveness of implementing qadzaf values in digital law enforcement practices. Therefore, further research is recommended to adopt an empirical or socio-legal approach by analyzing concrete cases of defamation on social media and evaluating how the qadzaf principle can be implemented in practice within the modern Indonesian legal system.

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