



DIGITAL KHITBAH AMONG MUSLIMS: NAVIGATING THE LEGAL AND ETHICAL CHALLENGES OF ENGAGEMENT VIA SOCIAL MEDIA

Muhammad Rudi Syahputra*

Sekolah Tinggi Ilmu Hukum Al-Banna Aceh, Indonesia

Tasrizal**

Sekolah Tinggi Ilmu Hukum Al-Banna Aceh, Indonesia

Muksalmina***

Universitas Malikussaleh, Aceh, Indonesia

Muhammad****

Sekolah Tinggi Ilmu Hukum Al-Banna Aceh, Indonesia

Khairul Amri Ismail*****

Universiti Islam Sultan Sharif Ali, Brunei Darussalam

Abstract

This article examines the legal validity and ethical challenges of *khitbah* (marriage proposal/engagement) conducted through social media from the perspective of Shāfi'ī jurisprudence. The study responds to the growing use of digital platforms in Muslim pre-marital communication and the limited

* mohrudisyahputra@gmail.com

** tasrizal@stihalbanna.ac.id

*** munaz@unimal.ac.id

**** muhammadelmisri@gmail.com

***** khairul.amri@unissa.edu.bn

scholarship that specifically analyzes this practice within the doctrinal framework of Shāfi'ī fiqh. Using a qualitative library-based method with a juridical-normative approach, the research analyzes primary Shāfi'iyah legal texts such as *Mughnī al-Muḥtāj* (al-Khaṭīb al-Shirbīnī), *I'ānat al-Ṭālibīn* (al-Shaṭā), *al-Syarqawī 'ala al-Tahrir* (al-Syarqawī), and *al-Fiqh al-Islāmī wa Adillatuh* (al-Zuḥaylī) supported by contemporary fatwas and scholarship on digital communication and religion. Data are examined through a thematic-interpretative analysis focusing on legal expression, intention, written communication, and ethical risk. The study finds that, in Shāfi'iyah jurisprudence, *khitbah* is a recommended (*sunnah*), non-binding pre-marital institution whose legal significance depends on clear communication of intent and compliance with its basic rules and conditions. It further concludes that social media-based *khitbah* is juridically valid, based on the juristic principle *al-kitābah ka al-khiṭāb* (writing is equivalent to speech), provided that the proposal is explicit, the identity of the proposer is verified, and no legal impediment exists (including an existing engagement). At the same time, the article shows that legal validity must be accompanied by ethical safeguards, as digital communication increases the risks of deception, privacy violations, excessive intimacy, and weak family oversight. The article argues that the adaptability of Islamic law to digital media should be understood together with Sharī'ah-based ethical responsibility, especially in protecting honor, ensuring truthfulness, and preserving social accountability in contemporary Muslim marriage practices.

Kata Kunci: *Khitbah*; Ethical Challenge; Social Media

A. Introduction

Marriage in Islam is not merely a social arrangement but a sacred covenant (*'aqd mithāq ghalīz*) intended to preserve lineage, provide companionship, and safeguard moral order. Within this framework, *khitbah* (proposal/engagement) functions as an important pre-marital stage through which intention is expressed, compatibility is initially assessed, and families may participate in guiding the process before the marriage contract is concluded.¹ In many Muslim communities, *khitbah* has traditionally taken place through face-to-face interaction

¹ Mawlūd Mohādī, "Normative Islamic Conceptualizations of Families and Kinship Through Maqasid Perspectives: A Comprehensive Literature Study," *Malaysian Journal of Syariah and Law* 11, no. 2 (December 1, 2023): 290–309, doi:10.33102/mjssl.vol11no2.459.

and family mediation, and its practice is often shaped by both religious norms and local custom (*'urf*), especially regarding propriety, modesty, and communal oversight.² However, contemporary Muslim social life has changed significantly due to the expansion of digital communication. Social media and messaging platforms such as WhatsApp, Facebook, Instagram, and video-call applications now mediate not only everyday communication but also religious learning, *ta'aruf*, and marital introductions.³ As a result, *khitbah* is increasingly initiated or conducted through digital channels rather than exclusively through physical encounters.⁴

Despite the growing prevalence of digitally mediated *khitbah*, scholarly discussion has not fully addressed its legal and ethical implications within the specific framework of Shāfi'iyah jurisprudence. Existing studies on Islamic family law and digital religion have generally examined online matchmaking⁵, Muslim identity formation in digital spaces⁶, or broad questions of technology and religious practice, while studies on *khitbah* tend to remain focused on its social function, normative ethics, or customary implementation in offline settings. This leaves an important gap: there is still limited analysis of whether digital written communication, such as chat messages, direct messages, or video-mediated expressions of intent, can be recognized as valid expressions of *khitbah* in fiqh, particularly in the Shāfi'ī school. Moreover, many discussions do not adequately connect legal validity

² Mesraini Mesraini et al., "Protecting the Rights of Muslim Women in Indonesian Diaspora Marriages in Russia: An Islamic Law Perspective," *HTS Teologiese Studies / Theological Studies* 79, no. 1 (June 8, 2023), doi:10.4102/hts.v79i1.8488.

³ Bouziane Zaid et al., "Digital Islam and Muslim Millennials: How Social Media Influencers Reimagine Religious Authority and Islamic Practices," *Religions* 13, no. 4 (April 8, 2022): 335, doi:10.3390/rel13040335.

⁴ Isnadul Hamdi, "Ta'aruf Dan Khitbah Sebelum Perkawinan," *JURIS (Jurnal Ilmiah Syariah)* 16, no. 1 (June 30, 2017): 43, doi:10.31958/juris.v16i1.959.

⁵ Eva F. Nisa, "Online Halal Dating, Ta'aruf, and the Shariatization of Matchmaking among Malaysian and Indonesian Muslims," *CyberOrient* 15, no. 1 (June 13, 2021): 231–58, doi:10.1002/cyo2.13.

⁶ Giulia Evolvi and Maria Chiara Giorda, "Introduction: Islam, Space, and the Internet," *Journal of Religion, Media and Digital Culture* 10, no. 1 (August 6, 2021): 1–12, doi:10.1163/21659214-bja10047.

with ethical risks in online interaction, such as identity deception, manipulation, privacy violations, and harm to personal honor (*ḥifẓ al-ʿird*).⁷

This article addresses that gap by examining *khitbah* through two integrated lenses: classical Shāfiʿī jurisprudence and contemporary digital communication studies. It aims, first, to explain the Shāfiʿī legal framework of *khitbah*, including its legal nature, essential features, and the role of intention and expression in proposal practices. Second, it analyzes the validity of social media-based *khitbah* by assessing whether digital writing and mediated communication can represent legally recognizable expressions of intent. Third, it discusses the ethical challenges that arise in digital *khitbah*, especially those related to honesty, privacy, dignity, and accountability in online interaction. By combining fiqh analysis with digital communication perspectives, this study seeks to offer a more comprehensive account of *khitbah* in contemporary Muslim life than approaches that focus only on legal formality or only on social practice.

The central claim of this article is that, from the perspective of Shāfiʿī jurisprudence, *khitbah* conducted through digital media is legally valid insofar as the communication clearly expresses intention and is understood by the receiving party, in line with the juridical principle *al-kitābah ka al-khiṭāb* (written communication is equivalent to spoken address).⁸ At the same time, legal validity alone is insufficient to ensure Sharīʿah-compliant practice in digital environments. Because online platforms increase the risk of misrepresentation, exploitation, and moral harm, *khitbah* via social media must also be governed by ethical safeguards rooted in Islamic norms of honesty, modesty, protection of honor, and social responsibility. The novelty of this study, therefore, lies in its effort to

⁷ Daniel Susser, Beate Roessler, and Helen F. Nissenbaum, "Online Manipulation: Hidden Influences in a Digital World," *SSRN Electronic Journal*, 2018, doi:10.2139/ssrn.3306006.

⁸ Askar Patahuddin, Jujuri Perdamaian Dunia, and Fatimah Mursyid, "Kaidah Al-Kitābah Ka al-Khiṭāb Dan Penerapannya Dalam Fikih Muamalah," *AL-KHIYAR: Jurnal Bidang Muamalah Dan Ekonomi Islam* 2, no. 1 (May 26, 2022): 56–69, doi:10.36701/al-khiyar.v2i1.536.

position digital *khitbah* not only as a question of legal permissibility but as a combined legal-ethical issue, and to demonstrate how Shāfi'ī fiqh can remain normatively relevant while responding to technological change.

B. Research Method

This study uses a qualitative library-based research design with a juridical-normative approach.⁹ This approach is appropriate because the focus of the article is not to measure social behavior empirically, but to assess the legal status of social media, based *khitbah* through interpretation of authoritative legal texts and contemporary juristic responses. In this framework, analysis is centered on doctrinal reasoning (*istinbāṭ*), legal concepts, and the application of fiqh principles to new contexts of communication.

The study is guided by two objectives: (1) to examine the legal validity of *khitbah* via social media based on Shāfi'īyah jurisprudence, and (2) to interpret that legal discussion in relation to current digital communication practices. Accordingly, the research combines fiqh-based doctrinal analysis with supporting insights from digital communication and digital religion studies, so that the discussion remains both textually grounded and contextually relevant.

The primary sources of this study are classical texts of Shāfi'īyah jurisprudence, selected on the basis of four criteria: (a) they are recognized as authoritative references within the Shāfi'ī school; (b) they contain discussions relevant to *khitbah*, legal expression, and contractual communication; (c) they are widely used in the broader Shāfi'ī scholarly tradition, including Southeast Asian pesantren circles; and (d) they provide sufficient doctrinal material to analyze the maxim *al-kitābah ka al-khiṭāb*. Based on these criteria, the main texts include *Mughnī al-Muḥtāj* (al-Khaṭīb al-Shirbīnī), *I'ānat al-Ṭālibīn* (al-Sayyid al-Bakrī al-Dimyāṭī), and *Tuḥfat al-Muḥtāj* (Ibn Ḥajar al-Haytamī).

⁹ Muhammad Rudi Syahputra, "Metodologi Penelitian Hukum Dalam Menyelesaikan Problematika Hukum Kontemporer," *Jurisprudensi: Jurnal Ilmu Hukum* 1, no. 2 (December 31, 2024): 89–106, doi:10.70193/jurisprudensi.v1i02.08.

The secondary sources include modern fiqh syntheses, selected contemporary fatwas, and academic works on digital communication. Contemporary fatwas were selected using three criteria: (a) institutional credibility (issued by recognized fatwa bodies), (b) relevance to written/digital communication or electronic transactions, and (c) conceptual usefulness for analogy with digitally mediated *khitbah*.

Data analysis uses a thematic-interpretative method. The thematic process was conducted in a concise but systematic sequence: First, relevant passages were identified from Shāfi'īyah jurisprudence texts and contemporary sources using keywords and legal themes related to *khitbah*, written expression, intention, and legal communication. Second, these materials were coded into recurring themes, such as: (i) legal nature and status of *khitbah*; (ii) intention and expression of will (*qaṣd* and *ta'bīr*); (iii) the status of written communication (*kitābah*) in legal acts; and (iv) ethical risks in mediated interaction (deception, privacy, and harm to honor). Third, the themes were interpreted comparatively by placing classical Shāfi'ī formulations in dialogue with contemporary fatwas and digital communication scholarship. This process allows the study to show both the doctrinal continuity of Shāfi'ī legal reasoning and its adaptive relevance to social media-based *khitbah*.

C. Result and Discussion

1. The Shafi'i Framework of *Khitbah* and Its Essential Features

Khitbah (engagement/proposal) is a preliminary stage before marriage through which a man expresses his intention to marry a woman, either directly or through a representative. In Shāfi'ī jurisprudence, this stage is recognized as a formal and ethically significant declaration of intent, although it is not yet a binding marriage contract.¹⁰ Classical Shāfi'īyah ulama define *khitbah* as a request for marriage addressed to the prospective bride or to the party

¹⁰ Iffatin Nur, "A Humanistic Philosophical Analysis on Women Existence in the Fiqh of Syafii," *Ulumuna* 19, no. 1 (June 29, 2015): 33–58, doi:10.20414/ujis.v19i1.1249.

legally responsible for her marital affairs (such as her guardian). This understanding indicates that *khitbah* is not merely emotional expression, but a legally relevant mode of communication within the pre-marital process.

A representative definition appears in al-Syarqāwī's formulation:

الخطبة هي التماسُ الخاطِبِ النكاحَ من جهةِ المخطوبة، سواءً كان منها أو من وليها أو سيدها.

This definition shows that *khitbah* is a proposal initiated by the suitor and directed to the woman, her guardian (*walī*), or, in classical legal contexts, her master (*sayyid*).¹¹ Wahbah al-Zuḥaylī in *al-Fiqh al-Islāmī wa Adillatuh* similarly describes *khitbah* as the expression of desire to marry a particular woman and informing her guardian, whether directly or through family mediation.¹²

الخطبة هي إظهارُ الرغبةِ في الزواجِ بامرأةٍ معيّنة، وإعلامُ وليِّها بذلك، وقد يتمُّ هذا الإعلامُ مباشرةً من الخاطِبِ أو بواسطةِ أهله.

Both formulations (al-Syarqāwī and al-Zuḥaylī) reinforce the same legal point: *khitbah* is a recognized declaration of marital intent, not a casual interaction.

The practice of *khitbah* is rooted in the Sunnah of Prophet Muhammad, as evidenced by his marriage proposals to ‘A’ishah bint Abī Bakr and Sawdah bint Zam‘ah, both of which were conveyed through intermediaries. These accounts illustrate that *khitbah* was conducted prior to the marriage contract and could involve third parties, reflecting its function as a preliminary and non-binding stage in the marital process.¹³ This historical practice establishes *khitbah* as a recognized normative step in Islamic tradition, emphasizing ethical order, clarity of intent, and social propriety before the conclusion of marriage, without conferring legal enforceability.

¹¹ Abdullah al-Syarqāwī, *Al-Syarqāwī ‘alā al-Taḥrīr* (Surabaya: Haramain, n.d.).

¹² Wahbah al-Zuḥaylī, *Al-Fiqh al-Islāmī Wa Adillatuh*, vol. 7 (Damascus: Dār al-Fikr, 2009).

¹³ Tim FKI Sejarah ATSAR, *Lentera Kegelapan* (Lirboyo: Pustaka Gerbang Lama, 2010).

From the perspective of Islamic law, *khitbah* is recommended (*sunnah*), not obligatory.¹⁴ A marriage contract remains valid even if it is not preceded by a formal engagement. However, ulama classify *khitbah* as part of proper Islamic marital etiquette because it promotes clarity, transparency, and orderly preparation before the *‘aqd nikāh*.¹⁵ Qur’ān 2:235 also supports the permissibility of expressing marital intent, including in indirect form (*ta’rīd*), which indicates that Islamic law recognizes gradations in how marital intention may be communicated. In addition, the Prophetic guidance prohibiting one man from proposing over the proposal of another establishes that *khitbah* has social and moral consequences, even though it does not create binding legal rights.¹⁶

أَنَّ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا . كَانَ يَقُولُ نَهَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَبِيعَ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ ، وَلَا يَخْطُبُ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ ، حَتَّى يَتْرَكَ الْخَاطِبُ قَبْلَهُ ، أَوْ يَأْذَنَ لَهُ الْخَاطِبُ .

“The Prophet decreed that one should not try to cancel a bargain already agreed upon between some other persons (by offering a bigger price). And a man should not ask for the hand of a girl who is already engaged to his Muslim brother, unless the first suitor gives her up, or allows him to ask for her hand”. (Ṣaḥīḥ al-Bukhārī, No. 5142).¹⁷

To address the legal structure of *khitbah* more explicitly, this study formulates the pillars (*rukun*) and conditions (*syarat*) of *khitbah* in the Shāfi‘īyah framework as follows. Although classical fiqh discussions often present *khitbah* through descriptive legal rulings rather than a rigid pillar-condition schema (as in *nikāh*), its operative elements can be systematically identified. The rukun of *khitbah* are: (1) the proposer (*khātib*), namely the prospective groom or his

¹⁴ Ahmad Khatib Al-Syirbiny, *Mughnī Al-Muḥtāj* (Beirut: Dār al-Fikr, 2010).

¹⁵ KECIA ALI, “A Beautiful Example’: The Prophet Muḥammad as a Model for Muslim Husbands,” *Islamic Studies* 43, no. 2 (2004): 273–91, <http://www.jstor.org/stable/20837344>.

¹⁶ Nasiri Nasiri et al., “Continuity and Change in Islamic Law: Debates Among Nahdlatul Ulama Scholars on Misyār Marriage and Its Legal Dynamics in East Java,” *Journal of Islamic Law* 6, no. 2 (August 30, 2025): 338–57, doi:10.24260/jil.v6i2.3857.

¹⁷ Imam al-Bukhārī, *Ṣaḥīḥ Al-Bukhārī*, n.d.

representative; (2) the proposed party (*makhṭūbah*), namely the woman being proposed to, or the legal channel representing her (especially the *walī*); and (3) the expression of proposal (*ṣīghat/ta‘bīr al-raghbah*), namely a clear statement (spoken or written) indicating intention to marry.¹⁸ Meanwhile, the main *syarat* of *khitbah* include: (a) the woman is legally eligible to be proposed to (i.e., not permanently prohibited (*maḥram*), not in a valid existing marriage, and not in a category where direct proposal is prohibited);¹⁹ (b) the proposal does not violate the prohibition of proposing over another valid engagement;²⁰ (c) the expression is sufficiently clear to indicate serious intention (*qaṣd*) and not mere joking or ambiguous social speech;²¹ and (d) the process is conducted in a manner consistent with Shari‘ah ethics, including honesty, propriety, and avoidance of harm. This formulation is important because it clarifies that the legal evaluation of digital *khitbah* depends primarily on whether these essential elements and conditions are fulfilled, rather than on the physical medium used.

Based on the foregoing, several essential features define *khitbah* in the Shāfi‘ī legal framework:

1. Recommended (Sunnah) Practice

Khitbah is encouraged because it clarifies marital intention, helps families and the couple prepare, and reduces social ambiguity. Its absence does not invalidate the marriage contract, but its observance reflects proper Islamic procedure and social decorum.

2. Non-Binding Legal Status

Khitbah is not a binding contract and does not create legal marital consequences. It grants no rights of intimacy, maintenance,

¹⁸ Abdullah al-Syarqawy, *Al-Syarqawy ‘alā al-Taḥrīr* (Surabaya: Haramain, n.d.).

¹⁹ Sayyid Abi Bakr Syatha Al-Dimyathy, *I‘ānah al-Thalibin*, vol. I (Surabaya: Haramain, n.d.).

²⁰ Aḥmad Salāmah al-Qulyūbī and Aḥmad ‘Umairah, *Ḥāshiyatā Qulyūbī Wa ‘Umairah*, vol. III (Surabaya: Haramain, n.d.).

²¹ Wahbah al-Zuhaylī, *Al-Fiqh al-Islāmī Wa Adillatuh*, vol. 7 (Damascus: Dār al-Fikr, 2009).

inheritance, or enforceable claims. Either party may withdraw, although withdrawal may carry social or ethical implications. In this sense, *khitbah* is a morally serious intention, but not yet an enforceable legal bond.

3. Clarity of Intention and Expression

The legal significance of *khitbah* lies in the communication of intent. Shāfi‘ī legal reasoning gives importance to *qaṣd* (intention) and the form of expression (*ta‘bīr*), including explicit and, in some contexts, indirect forms. This is especially relevant to contemporary discussion because the issue of digital *khitbah* depends not on physical presence, but on whether intention is clearly conveyed and understood.

4. Ethical Boundaries and Social Protection

Shāfi‘īyah ulama stress that *khitbah* must be conducted within ethical limits. A man may not propose to a woman already validly engaged to another, unless the first suitor withdraws or permits it.²² Likewise, the engaged couple remain non-*maḥram* until *nikāḥ* is concluded; therefore, Islamic norms of modesty and interaction continue to apply. These rules confirm that *khitbah* is a stage of honorable intention and preparation—not a license for unrestricted intimacy.

In summary, the Shāfi‘īyah framework treats *khitbah* as a recognized, ethically regulated, and non-binding pre-marital institution. Its legal value lies in the clear communication of intention and respect for social and moral limits, not in the creation of contractual rights. This doctrinal structure provides the basis for assessing whether digital communication—such as text messages, social media chats, or video calls—can validly function as a medium of *khitbah*.

2. Validity of Social Media-Based *Khitbah* in Shāfi‘īyah Jurisprudence

²² Aḥmad Salāmah al-Qulyūbī and Aḥmad ‘Umairah, *Ḥāshiyatā Qulyūbī Wa ‘Umairah*, vol. III (Surabaya: Haramain, n.d.).

The development of digital communication raises an important juridical question: can a *khitbah* delivered through social media or electronic messaging fulfill the requirements recognized in Shāfi'iyah jurisprudence? From the perspective of Shāfi'iyah fiqh, the answer is affirmative. A *khitbah* conveyed through platforms such as WhatsApp, Facebook Messenger, email, or similar media may be recognized as valid, provided that it fulfills the legal requirements of clarity of intent, authenticity of the parties, and conformity with the established rules of *khitbah*.

The principal doctrinal basis for this conclusion is the juristic maxim *al-kitābah ka al-khitāb* (written communication is equivalent to spoken communication).²³ In Shāfi'iyah legal reasoning, writing is accepted as a valid medium for conveying intention in legal acts when the meaning is clear and the attribution is verified.²⁴ Classical jurists applied this principle in transactions and declarations conducted through letters, including matters requiring formal expression of will.²⁵ The underlying logic is that legal effect in such cases depends not on physical presence, but on the valid communication of intention (*qaṣd*) through an intelligible form of expression.

This principle is directly relevant to contemporary digital communication. Text messages, emails, and social media chats are functionally a modern form of *kitābah* (writing).²⁶ Therefore, when a digital message explicitly conveys a marriage proposal and is verifiably sent by the proposer, it falls within the same legal category as written correspondence discussed in classical fiqh. In this sense, the shift from handwritten letters to electronic messages does not alter the legal nature of the expression; it only changes the medium.

Within this framework, the validity of social media-based *khitbah* depends on the fulfillment of the same legal conditions that apply to conventional *khitbah*. First, the expression of intent must be

²³ al-Zuḥaylī, *Al-Fiqh al-Islāmī Wa Adillatuh*.

²⁴ Jalāl al-Dīn al-Suyūṭī, *Al-Asybah Wa an-Nazā'ir Fī Qawā'id Wa Furū' Fiqh al-Shāfi'iyah* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1998).

²⁵ Al-Syirbiny, *Mughnī Al-Muḥtāj*.

²⁶ Nora Kalbarczyk, "Explicitly Said or Only Implied?," *Oriens* 46, nos. 1–2 (January 1, 2018): 186–221, doi:10.1163/18778372-04601006.

clear (*ṣarīḥ*) and sufficiently specific to indicate a genuine proposal of marriage, not merely a vague emotional statement. Second, the identity of the proposer must be verifiable, because legal recognition depends on truthful attribution and the absence of impersonation or fraud. Third, the proposal must not contravene an existing valid engagement, in accordance with the prohibition of *khitbah ‘alā khitbah*.²⁷ Fourth, although the proposal may begin through direct digital communication, it should remain compatible with the recognized role of the woman’s guardian (*walī*) in the broader marriage process, especially in the Shāfi’ī mazhab where guardian involvement is integral to the validity of the subsequent *nikāḥ*.²⁸

Contemporary fatwas such as Egypt’s Dār al-Iftā’ and MUI Fatwa Number 24 of 2017 concerning Laws and Guidelines for Transactions via Social Media²⁹ and modern juristic discussions strengthen this reading by acknowledging digital communication as a legitimate medium for legal and pre-legal declarations, while emphasizing verification and procedural caution. Such fatwa-based support does not create a new rule, but rather confirms the continuity of classical fiqh reasoning in a new communicative environment. The legal issue, therefore, is not whether the proposal occurs online or offline, but whether the legal substance of *khitbah*, clear intention, identifiable parties, and valid circumstances is fulfilled.

It is important to note that the legal validity of digital *khitbah* should be analytically distinguished from the ethical risks that may arise in online interaction. Questions relating to deception, excessive intimacy, privacy violations, family supervision, and digital *adab*³⁰ are

²⁷ Aḥmad Salāmah al-Qulyūbī and Aḥmad ‘Umairah, *Hāshiyatā Qulyūbī Wa ‘Umairah*, vol. III (Surabaya: Haramain, n.d.).

²⁸ al-Zuhaylī, *Al-Fiqh al-Islāmī Wa Adillatuh*.

²⁹ Ikhwanuddin Harahap, “Pendekatan Al-Maṣlaḥah Dalam Fatwa Majelis Ulama Indonesia (MUI) Nomor 24 Tahun 2017 Tentang Hukum Dan Pedoman Bermuamalah Melalui Media Sosial,” *Yurisprudencia: Jurnal Hukum Ekonomi* 3, no. 1 (2018): 47–65, doi:10.24952/yurisprudencia.v3i1.679.

³⁰ Yeslam Al-Saggaf, “Males’ Trust and Mistrust of Females in Muslim Matrimonial Sites,” *Journal of Information, Communication and Ethics in Society* 11, no. 3 (August 12, 2013): 174–92, doi:10.1108/JICES-06-2013-0012.

highly significant, but they belong to the ethical dimension of the discussion and are addressed separately in the next subsection. Separating these issues helps maintain doctrinal precision: a *khitbah* may be legally valid in form, while still being ethically problematic in practice if conducted without proper safeguards.

Accordingly, in response to the research question, this study concludes that social media-based *khitbah* is legally valid in Shāfi'iyah jurisprudence, on the basis of the maxim *al-kitābah ka al-khiṭāb*, so long as the proposal clearly expresses the intent to marry, the sender's identity is verified, the woman is legally eligible and not already engaged, and the process remains aligned with the recognized structure of Islamic marital procedure. Thus, digital media does not invalidate *khitbah*; rather, it serves as a contemporary vehicle for a legally recognized form of pre-marital communication.

3. Ethical Challenges in Digital *Khitbah*

This subsection addresses the third research focus of this study, namely the ethical challenges of digital *khitbah* in relation to honesty, protection of honor (*hifz al-ʿird*), privacy, and social responsibility.³¹ While the previous subsection established that social media-based *khitbah* may be legally valid in Shāfi'iyah jurisprudence when its legal conditions are fulfilled, legal validity alone does not guarantee that the process is ethically sound. In practice, digital communication introduces new vulnerabilities that require moral discipline (*adab*), family oversight, avoiding excessive digital interaction (digital *khalwat*)³², and careful social safeguards.

A central ethical issue is truthfulness (*sidq*) and trustworthiness in an online environment. Digital communication can facilitate anonymity, selective self-presentation, and identity manipulation in

³¹ Moh Toriquddin, "TEORI MAQĀSHID SYARĪ'AH PERSPEKTIF AL-SYATIBI," *De Jure: Jurnal Hukum Dan Syar'iah* 6, no. 1 (June 30, 2014), doi:10.18860/j-fsh.v6i1.3190.

³² Muhammad Hasif Mohamad et al., "Reframing Islamic Ethical Boundaries from Physical *Khalwat* to Digital *Khalwat* through Wahbah Al-Zuhayli's Tafsir al-Munir," *Environment-Behaviour Proceedings Journal* 10, no. SI37 (December 2, 2025): 29–33, doi:10.21834/e-bpj.v10iSI37.7616.

ways that are less common in traditional family-mediated proposals.³³ For this reason, the ethical burden in digital *khitbah* is particularly high: the parties must be truthful about identity, marital status, intentions, and family circumstances. Any deception (*ghish*) in these matters undermines the moral basis of *khitbah* as a serious and honorable pre-marital commitment and may expose the other party to emotional, social, and reputational harm.

The ethical concerns discussed here are not merely theoretical. Recent digital relationship practices in Southeast Asia show concrete patterns of deception and exploitation that are directly relevant to social media-based *khitbah* and *ta'aruf*. Studies on online *ta'aruf* in Indonesia, for example, note the commercialization of matchmaking spaces and the use of religious language and symbols in ways that may blur the line between sincere mediation and profit-driven services. Other studies on the "*ikhwan modus*" phenomenon report deception, weak platform safeguards, and low public literacy concerning digital marriage scams, especially where religious framing is used to gain trust.³⁴ Beyond explicitly Islamic matchmaking spaces, broader romance scam patterns in the region also demonstrate how digital intimacy can be manipulated when identity verification and *tabayyun* are weak. These examples support the argument of this article: even where digital *khitbah* is legally valid in form, it remains ethically unsafe if not accompanied by verification, transparency, and accountable mediation.

A second ethical challenge concerns modesty, communication ethics, and digital *adab*. In Islamic ethics, an engaged couple remains non-*maḥram* until the *nikāḥ* contract is concluded. Accordingly, the norms governing interaction between unrelated men and women

³³ Kyoichiro Sugimoto and Betania Kartika Muflih, "Concept of Halal Matchmaking for Muslim Marriage: Fatwa Perspective," *Journal of Fatwa Management and Research* 30, no. 2 (May 30, 2025): 80–101, doi:10.33102/jfatwa.vol30no2.662.

³⁴ Udin Supriadi et al., "CONCEPTUAL ANALYSIS OF MAQĀSHID SYARI'AH ABDUL ATHĪ AND THE IMPLICATIONS IN RESPONDING TO THE SOCIAL PHENOMENON OF TA'ARRUF ONLINE," *Istinbath* 20, no. 2 (January 19, 2022): 386–410, doi:10.20414/ijhi.v20i2.393.

continue to apply during *khitbah*, including in online communication. Digital media can create a false sense of privacy and emotional immediacy, leading to excessive familiarity, flirtation, late-night private communication, or the exchange of inappropriate images. Such practices risk violating the ethical boundaries that *khitbah* is meant to preserve. In this regard, the principle of *sadd al-dharī'ah* (blocking the means to harm or sin) is highly relevant: ethical restraint is required not only to avoid explicit wrongdoing, but also to prevent communicative habits that gradually open the door to moral vulnerability.³⁵

A third challenge relates to family involvement and social accountability. In many Muslim societies, *khitbah* is not merely a private interaction between two individuals but a socially embedded process involving families, especially the woman's guardian (*walī*).³⁶ Digital communication can be useful as an initial bridge, but it can also bypass family mediation too early, which may weaken moral accountability and increase the risk of misunderstanding or exploitation. From an ethical perspective, guardian and family involvement is not only a legal formality for later marriage procedures; it is also a mechanism of protection, transparency, and communal responsibility. Family awareness of the process helps maintain seriousness, reduces private ambiguity, and supports the dignity of both parties.

A fourth challenge concerns privacy and the protection of honor (*ḥifẓ al-ʿird*). Digital *khitbah* often involves the exchange of personal information, photographs, and private conversations. Without ethical safeguards, such data may be misused, exposed, or weaponized, especially if the engagement is later cancelled. This creates risks not only of personal embarrassment but also of reputational harm affecting the individual and family. For this reason, confidentiality,

³⁵ Abū Ishāq al-Shāṭibī, *Al-Muwāfaqāt Fī Uṣūl al-Sharī'ah* (Beirut: Dār al-Maʿrifah, n.d.).

³⁶ M. Fadhil, "Hak Wali Dalam Mengimplementasikan Kafā'ah Pernikahan," *Al-Qawānīn: Jurnal Ilmu Hukum, Syariah, Dan Pengkajian Islam* 1, no. 1 (June 29, 2024): 107–23, doi:10.70193/alqawanin.v1i1.05.

restraint in publicizing engagements, and careful handling of digital records are central ethical requirements in contemporary *khitbah*. The ethical principle here is not secrecy for its own sake, but protection from unnecessary social harm and preservation of personal dignity.

In addition, digital communication can affect the quality of mutual understanding during the engagement process. Although online interaction may help initiate contact efficiently, it may also produce misread signals, emotional over-attachment, or superficial judgments based on curated profiles. Important dimensions such as family culture, character consistency, and interpersonal maturity are often harder to assess through text-based communication alone. For this reason, many scholars and Muslim community practitioners emphasize that digital interaction should function as an initial medium of introduction and communication—not as a complete substitute for structured, supervised, and eventually direct family-based engagement.

As an implication of the ethical analysis above, the permissibility of digital *khitbah* should be accompanied by practical safeguards rooted in Islamic moral values and social responsibility. These include: (1) identity verification and *tabayyun* before deepening communication; (2) early involvement of the family or guardian, especially once serious intent is expressed; (3) communication boundaries (*adab*), including respectful language, avoidance of private excess, and no exchange of inappropriate content; (4) privacy protection, including confidentiality of personal data and restraint in public social media disclosure; and (5) ethical closure procedures if the engagement is discontinued, so that no party is harmed through silence, humiliation, or digital misuse. These recommendations are not separate from Shari'ah values; rather, they operationalize them in a digital environment and ensure that the legal recognition of social media-based *khitbah* is matched by moral integrity and communal welfare.

Therefore, the discussion of ethical challenges complements the legal findings in the previous section by showing that the core issue is not only whether digital *khitbah* is legally valid, but also whether it is

conducted in a manner that preserves honesty, modesty, dignity, and social accountability. In this way, the ethical dimension completes the legal analysis and supports the article's broader argument that the adaptability of Islamic law to digital media must remain inseparable from Shari'ah-based moral responsibility.

D. Conclusion

This study shows that, in Shāfi'iyah jurisprudence, *khitbah* is a recommended (*sunnah*) and ethically regulated pre-marital step, not a binding contract. Its legal significance lies in a clear expression of intent and compliance with the basic conditions of *khitbah*. Based on the juristic principle *al-kitābah ka al-khiṭāb*, this article concludes that *khitbah* conducted through social media or digital messaging is valid in Shāfi'iyah jurisprudence, provided the intention is explicit, the parties are verifiable, and the proposal does not violate established rules (including existing engagements and proper procedural norms). At the same time, digital validity must be accompanied by ethical safeguards. Truthfulness, *adab* in communication, protection of privacy and honor, and family/guardian involvement remain essential to prevent deception, misuse, and moral harm. Practically, this means contemporary Islamic legal guidance on marriage preparation should address digital *khitbah* not only as a matter of legal permissibility, but also as a matter of ethical responsibility in the digital age.

E. Acknowledgment

This research was made possible through financial support from the 2025 Reputable Journal Publication Grant provided by the Directorate General of Research and Development, Ministry of Higher Education, Science, and Technology. The authors express their sincere gratitude to the Directorate of Research and Community Service, the Directorate General of Research and Development, the Ministry of Higher Education, Science, and Technology, and the Institute for Higher Education Services (LLDikti) Region XIII Aceh for the publication assistance provided. Appreciation is also extended to the research team, the Head of the Al-Banna School of Law, and all parties who

contributed to the smooth completion of this study.

References

- al-Bukhārī, Imam. *Ṣaḥīḥ Al-Bukhārī*, n.d.
- Al-Dimyathy, Sayyid Abi Bakr Syatha. *I'annah al-Thalibin*. Vol. I. Surabaya: Haramain, n.d.
- ALI, KECIA. "A Beautiful Example': The Prophet Muḥammad as a Model for Muslim Husbands." *Islamic Studies* 43, no. 2 (2004): 273–91. <http://www.jstor.org/stable/20837344>.
- al-Qulyūbī, Aḥmad Salāmah, and Aḥmad 'Umairah. *Ḥāshiyatā Qulyūbī Wa 'Umairah*. Vol. III. Surabaya: Haramain, n.d.
- Al-Saggaf, Yeslam. "Males' Trust and Mistrust of Females in Muslim Matrimonial Sites." *Journal of Information, Communication and Ethics in Society* 11, no. 3 (August 12, 2013): 174–92. doi:10.1108/JICES-06-2013-0012.
- al-Shāṭibī, Abū Ishāq. *Al-Muwāfaqāt Fī Uṣūl al-Sharī'ah*. Beirut: Dār al-Ma'rifah, n.d.
- al-Suyūṭī, Jalāl al-Dīn. *Al-Asybah Wa an-Nazā'ir Fī Qawā'id Wa Furū' Fiqh al-Shāfi'iyah*. Beirut: Dār al-Kutub al-'Ilmiyyah, 1998.
- al-Syarqawy, Abdullah. *Al-Syarqawy 'alā al-Taḥrīr*. Surabaya: Haramain, n.d.
- Al-Syirbiny, Ahmad Khatib. *Mughnī Al-Muḥtāj*. Beirut: Dār al-Fikr, 2010.
- al-Zuḥaylī, Wahbah. *Al-Fiqh al-Islāmī Wa Adillatuh*. Vol. 7. Damascus: Dār al-Fikr, 2009.
- Azzam, Abdul Aziz Muhammad, and Abdul Wahhab Sayyed Hawwas. *Al-Ussrah Wa Ahkamuha Fi al-Tasyri' al-Islami*. Jakarta: Amzah, 2014.
- Evolvi, Giulia, and Maria Chiara Giorda. "Introduction: Islam, Space, and the Internet." *Journal of Religion, Media and Digital Culture* 10, no. 1 (August 6, 2021): 1–12. doi:10.1163/21659214-bja10047.

- Hamdi, Isnadul. "Ta'aruf Dan Khitbah Sebelum Perkawinan." *JURIS (Jurnal Ilmiah Syariah)* 16, no. 1 (June 30, 2017): 43. doi:10.31958/juris.v16i1.959.
- Harahap, Ikhwanuddin. "Pendekatan Al-Maṣlaḥah Dalam Fatwa Majelis Ulama Indonesia (MUI) Nomor 24 Tahun 2017 Tentang Hukum Dan Pedoman Bermuamalah Melalui Media Sosial." *Yurisprudentia: Jurnal Hukum Ekonomi* 3, no. 1 (2018): 47–65. doi:10.24952/yurisprudentia.v3i1.679.
- Kalbarczyk, Nora. "Explicitly Said or Only Implied?" *Oriens* 46, nos. 1–2 (January 1, 2018): 186–221. doi:10.1163/18778372-04601006.
- Mesraini, Mesraini, Ida Novianti, Sadari Sadari, and Suwito Suwito. "Protecting the Rights of Muslim Women in Indonesian Diaspora Marriages in Russia: An Islamic Law Perspective." *HTS Theologiese Studies / Theological Studies* 79, no. 1 (June 8, 2023). doi:10.4102/hts.v79i1.8488.
- M. Fadhil. "Hak Wali Dalam Mengimplementasikan Kafā'ah Pernikahan." *Al-Qawānīn: Jurnal Ilmu Hukum, Syariah, Dan Pengkajian Islam* 1, no. 1 (June 29, 2024): 107–23. doi:10.70193/alqawanin.v1i1.05.
- Mohadi, Mawloud. "NORMATIVE ISLAMIC CONCEPTUALIZATIONS OF FAMILIES AND KINSHIP THROUGH MAQASID PERSPECTIVES: A COMPREHENSIVE LITERATURE STUDY." *Malaysian Journal of Syariah and Law* 11, no. 2 (December 1, 2023): 290–309. doi:10.33102/mjssl.vol11no2.459.
- Mohamad, Muhammad Hasif, Abdul Hafiz Abdullah, Muhammad Dhiauddin Ahmad Termizi, Mohd Ismail Sulaiman, Siti Aisyah Johan, and Zahin Mohamad Tahir. "Reframing Islamic Ethical Boundaries from Physical Khalwat to Digital Khalwat through Wahbah Al-Zuhayli's Tafsir al-Munir." *Environment-Behaviour Proceedings Journal* 10, no. SI37 (December 2, 2025): 29–33. doi:10.21834/e-bpj.v10iSI37.7616.
- Nasiri, Nasiri, Sahri Sahri, Mutmainah Mutmainah, Muhammad Amin Khalil, and Ahmad Fadhail Ramadhan. "Continuity and Change in Islamic Law: Debates Among Nahdlatul Ulama Scholars on

- Misyār Marriage and Its Legal Dynamics in East Java.” *Journal of Islamic Law* 6, no. 2 (August 30, 2025): 338–57. doi:10.24260/jil.v6i2.3857.
- Nisa, Eva F. “Online Halal Dating, Ta’aruf, and the Shariatization of Matchmaking among Malaysian and Indonesian Muslims.” *CyberOrient* 15, no. 1 (June 13, 2021): 231–58. doi:10.1002/cyo2.13.
- Nur, Iffatin. “A Humanistic Philosophical Analysis on Women Existence in the Fiqh of Syafii.” *Ulumuna* 19, no. 1 (June 29, 2015): 33–58. doi:10.20414/ujis.v19i1.1249.
- Patahuddin, Askar, Jujuri Perdamaian Dunia, and Fatimah Mursyid. “Kaidah Al-Kitābah Ka al-Khiṭāb Dan Penerapannya Dalam Fikih Muamalah.” *AL-KHIYAR: Jurnal Bidang Muamalah Dan Ekonomi Islam* 2, no. 1 (May 26, 2022): 56–69. doi:10.36701/al-khiyar.v2i1.536.
- Sugimoto, Kyoichiro, and Betania Kartika Muflih. “Concept of Halal Matchmaking for Muslim Marriage: Fatwa Perspective.” *Journal of Fatwa Management and Research* 30, no. 2 (May 30, 2025): 80–101. doi:10.33102/jfatwa.vol30no2.662.
- Supriadi, Udin, Wawan Hermawan, Risris Hari Nugraha, and Mohammad Rindu Fajar Islamy. “CONCEPTUAL ANALYSIS OF MAQĀSHID SYARI’AH ABDUL ATHĪ AND THE IMPLICATIONS IN RESPONDING TO THE SOCIAL PHENOMENON OF TA’ARRUF ONLINE.” *Istinbath* 20, no. 2 (January 19, 2022): 386–410. doi:10.20414/ijhi.v20i2.393.
- Susser, Daniel, Beate Roessler, and Helen F. Nissenbaum. “Online Manipulation: Hidden Influences in a Digital World.” *SSRN Electronic Journal*, 2018. doi:10.2139/ssrn.3306006.
- Syahputra, Muhammad Rudi. “Metodologi Penelitian Hukum Dalam Menyelesaikan Problematika Hukum Kontemporer.” *Jurisprudensi: Jurnal Ilmu Hukum* 1, no. 2 (December 31, 2024): 89–106. doi:10.70193/jurisprudensi.v1i02.08.
- Tim FKI Sejarah ATSAR. *Lentera Kegelapan*. Lirboyo: Pustaka Gerbang Lama, 2010.

- Toriquddin, Moh. "TEORI MAQÂSHID SYARÎ'AH PERSPEKTIF AL-SYATIBI." *De Jure: Jurnal Hukum Dan Syar'iah* 6, no. 1 (June 30, 2014). doi:10.18860/j-fsh.v6i1.3190.
- Zaid, Bouziane, Jana Fedtke, Don Donghee Shin, Abdelmalek El Kadoussi, and Mohammed Ibahrine. "Digital Islam and Muslim Millennials: How Social Media Influencers Reimagine Religious Authority and Islamic Practices." *Religions* 13, no. 4 (April 8, 2022): 335. doi:10.3390/rel13040335.

halaman ini sengaja dikosongkan