

The Utilization of Social Media and the Application of Fiqh Methods in Non-Islamic Countries with Regard to Food Issues: A Comprehensive Review

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Abstract

This article discusses the use of social media and *fiqh* method applications (Islamic legal Maxims) in food-related issues in non-Muslim countries. The review aims to examine how social media and *fiqh* method applications can assist Muslims in non-Muslim countries in selecting and identifying halal food for consumption. The article also analyses the role played by social media and *fiqh* method applications in helping Muslims meet their dietary needs in non-Muslim countries and maintain the sanctity of their food in situations where it may be difficult to find halal food. This study employs a qualitative approach, and data is collected specifically regarding the use of social media and *fiqh* method applications in selecting food in non-Muslim countries. The results show that the use of social media and *fiqh* method applications can help Muslims in selecting halal food and meeting their dietary needs in non-Muslim countries. However, there are still several challenges in the use of social media and *fiqh* method applications, such as the reliability of information and the accuracy of *fiqh* methods used. Therefore, this article proposes some improvements that need to be made to enhance the quality of the use of social media and *fiqh* method applications in food-related issues in non-Muslim countries.

Keywords:

Social Media, *Fiqh* Method Applications (Islamic Legal Maxims), Food-Related Issues.

1 Introduction

The question of halal food stands as one of the primary topics frequently deliberated upon in the Islamic faith. This matter is intricately intertwined with Islamic jurisprudence and serves as a guiding principle encouraging every Muslim towards a fulfilling life in this world and the hereafter. The consumption of halal food signifies a crucial facet of compliance and obedience as mandated by the divine law of Allah (SWT) upon all Muslims (Mehdi, 2019; Ilahan-Bakil, 2021). Islam, being the divine directive of Allah (SWT) to all of humanity across the world and throughout time, remains unparalleled in its longevity and relevance. Rooted in divine revelation through its two sanctified sources, namely the Quran and the Sunnah, Islam continues to prevail and endure from its inception to the present day.

Effective communication is highly emphasized in Islam, guided by the teachings of the Quran and the Sunnah, which serve as the highest references in Islamic practice. Various methods and mediums have been employed since the time of Prophet Muhammad (peace be upon him) to convey messages, especially those related to Islamic outreach (*dakwah*) (Omar, 2015; Siregar, 2023). However, in keeping with the contemporary era, Noor Shakirah (2006) explicates that media now serves as the lifeblood of information dissemination, and the success of any societal endeavor relies on how effectively they harness the available mediums of their time.

The use of social media and applications of the *fiqh* method still faces several difficulties, including information accuracy and the validity of the methodologies employed. Thus, to increase the quality of the applications of the *fiqh* method and social media in relation to food-related issues in non-Muslim countries, this article suggests a few changes that should be implemented. Hence, this study employs a qualitative approach, and data is collected specifically regarding the use of social media and *fiqh* method applications in selecting food in non-Muslim countries.

2 Literature Review

2.1 Incorporating social media as a tool for the propagation of *fiqh* methodologies

Dakwah in Islam is a duty to be fulfilled, whether on an individual or collective basis. According to Zulkiple (2001), every Muslim is an ambassador of Islam, meaning that they have a role to play as propagators of the faith and bear the responsibility to convey the message to the best of their abilities. Social media serves as a crucial pillar in society, functioning as an observer, interpreter, and connector, as noted by Md Salleh and Saiful (2000), in disseminating important issues to the public. It is imperative that social media operates in accordance with Islamic principles, offering an understanding of Islamic teachings, especially to the Muslim community, as previously discussed by scholars

(Mohd Nasran, 2009; Mohd Shuhaimi & Sohirin, 2012; Mohd Sabri, 2009; Zulkiple, Musa, Fauziah & Suria, 2012).

One of the initiatives taken by the media to accomplish this goal is the adoption of the concept of Islamic media. This concept underscores the centrality of Islamic principles as the mainstay in disseminating news, information, and novel ideas to guide the public towards the path of truth, advocate for goodness, and prevent wrongdoing, as described by Mohd Nasran (2009). Furthermore, it encourages sensitivity to contemporary issues pertaining to the practice of Islamic jurisprudence. In Malaysia, the initial efforts to actualize the concept of Islamic media can be observed through the utilization of closed social media applications such as WhatsApp and Telegram as novel mediums for disseminating religious issues to the public, as highlighted by (Asyraf Wajdi Dusuki, 2017).

Therefore, the existence of Islamic media provides a platform for propagators to disseminate the teachings of Islam to the public. The government's use of media for the regional and international dissemination of Islamic teachings has the potential to establish Malaysia as a hub for Islamic content. For preachers and religious advocates, they view social media as a highly effective tool for promoting a nuanced understanding of Islam. It serves as a popular and contemporary communication medium for conveying the message, as highlighted by Mohd Shuhaimi and Sohirin (2012).

2.2 Application of Islamic Jurisprudential Methodology in Non-Islamic Countries' Food Issues

In the contemporary era, the pace of global developments is so rapid that various new issues and challenges emerge simultaneously. These circumstances necessitate the issuance of new religious decrees (fatwa) within the Islamic community to address these novel issues. However, determining the legal rulings for these matters cannot solely rely on the primary sources of Islamic law, which are the Quran, Sunnah, Ijma^c (consensus), and Qiyas (analogy). Consequently, Islamic scholars engage in independent reasoning (ijtihad) using additional sources of law, despite the existence of differences of opinion regarding the application of these secondary sources.

Among the secondary sources frequently utilized by scholars are istihsan (juridical preference), qaul sahabi (the statements of the companions of the Prophet), al-masalih al-mursalah (public interest), and sad ad-dhara'^c (blocking the means to harm). These supplementary sources of law serve as valuable tools in addressing contemporary challenges, ensuring that the Islamic legal framework remains relevant and adaptable to the evolving complexities of the modern world. The scholarly discourse surrounding the application of these secondary sources reflects the dynamism and adaptability of Islamic jurisprudence as it grapples with the multifaceted issues of our time.

The understanding of Fiqh principles is of paramount importance. Fiqh principles involve the proper and equitable structuring of matters, encompassing legal rulings, stances, and actions. Fiqh places a strong emphasis on aligning matters with genuine

Islamic Sharia principles, guided by the illumination of divine revelation and reason (Al-Qaradawi, 2014).

Within the framework of Fiqh, there exists a hierarchy, with some matters holding higher precedence than others, and some actions being deemed better than others. The Quran, in clear terms, emphasizes this hierarchy as Allah SWT states in Al-Tawbah (9:19-20):

“[Translation of Quranic verses, Al-Tawbah (9:19-20)]: "Do you consider the giving of drink to pilgrims and the maintenance of al-Masjid al-Haram [the Sacred House] as equal to the deeds of one who believes in Allah and the Last Day and strives in the cause of Allah? They are not equal in the sight of Allah. And Allah does not guide the wrongdoing people. The ones who have believed, emigrated and striven in the cause of Allah with their wealth and their lives are greater in rank in the sight of Allah. And it is those who are the attainers [of success].”

These verses underscore the varying degrees of importance and righteousness within the scope of Fiqh, highlighting the significance of aligning actions with the true principles of Islamic Sharia while recognizing distinctions in the value and merit of different deeds and efforts. Indeed, the issue of food and drink remains a topic of contemporary relevance and discussion. In reestablishing relationships between Islamic and non-Islamic communities, Islam prescribes specific regulations that serve as a framework for defining the climate of these relationships. It is evident that the process of rebuilding connections between minority Muslim communities in non-Islamic countries and the native populations is guided by the principles of Islamic law and ethics.

Consequently, tolerance in the context of "communal dining" can only be fostered when it is understood and embraced as a shared practice. Nonetheless, experiences of tolerance in the relationships between minority Muslim communities in non-Islamic countries and the non-Muslim population demonstrate that both parties are mindful of food matters, including its preparation, the use of utensils, and ensuring that it adheres to Islamic dietary rules (Azarudin Awang et al., 2017).

This attention to food-related considerations reflects the significance of dietary practices in fostering understanding and cooperation among diverse communities, further highlighting the role of Islamic principles and ethics in shaping these relationships.

3 Methodology

This paper provides an academic exploration of the methodology and applications of qualitative research using secondary data offering practical guidance for researcher. This research using secondary data for valuable research approach that extends beyond traditional primary data collection methods. Secondary data, in this context, refers to data that has been previously collected for a different research purpose and involves the process of extracting meaningful information from existing data. It is imperative to

maintain an open and flexible approach during data analysis, allowing new insights to emerge.

4 Discussion and Finding

Issue 1: Difficulty in Ensuring the Purity of Utensils and the Avoidance of Contamination with Prohibited Substances According to Islamic Principles

One significant concern that arises in the context of dietary practices is the challenge of guaranteeing the cleanliness and purity of all utensils used, such as plates, bowls, pots, and other kitchen equipment, to ensure they remain free from major impurities. Additionally, there is the potential issue of utensils coming into contact with substances that are considered haram (forbidden) in Islam. This issue underscores the importance of adhering to Islamic principles and dietary regulations while navigating the complexities of food preparation and consumption in non-Islamic environments.

This issue lends itself well to the application of Fiqh principles, with an emphasis on assessing matters from a Sharia perspective, guided by divine revelation, and balanced with reason. However, it's important to note that in Islam, there is a principle that suggests not delving into intricate details of matters unless their prohibition is clearly evident. Additionally, a related principle states:

"Al-aslu fi al-ashya'i al-ibahah" - The basic rule regarding things is permissibility (*Jalaluddin al-Suyuti 2004*).

These principles imply that in cases where the status of utensils or substances used in food preparation is not explicitly known to be haram (forbidden), they are considered permissible until proven otherwise. This approach maintains a balance between adhering to Islamic dietary guidelines and avoiding excessive doubt or undue hardship in everyday food-related activities. Based on an interview with Informant 1, Ustaz Ahmad Fikri bin Bakar, who serves as the Assistant Director in the Halal Division of JAKIM (Department of Islamic Development Malaysia), he emphasized that, for Muslims, obtaining halal food is fundamentally about seeking the pleasure and approval of Allah SWT. The ultimate goal is to secure a place in paradise (*syurga*), underscoring the spiritual and religious significance that halal food carries in the lives of devout Muslims.

Issue 2: Sourcing of food and consumption involving products derived from pork and prohibited substances, such as the use of alcohol-based vinegar and porcine enzymes, as well as the consumption of foods containing pork and alcoholic beverages like beer and wine, and others.

This issue pertains to the procurement and consumption of food products that have their origins in or contain components derived from pigs, as well as those that involve

prohibited substances like alcohol. It includes concerns such as the use of alcohol-based vinegar, enzymes sourced from pigs, and the inadvertent consumption of foods mixed with pork or alcoholic beverages like Bier Wein. Navigating these dietary challenges while adhering to Islamic dietary guidelines can be complex and requires a careful application of Fiqh principles.

In light of the aforementioned issue, it is incumbent upon the Muslim community, cognizant of the fact that food sources and dietary items originating from prohibited substances such as pork, as well as the use of alcohol-based vinegar and enzymes derived from pork, together with the consumption of foods contaminated with pork and alcoholic beverages such as beer and wine, are unequivocally forbidden in Islamic jurisprudence. Applying the principles of fiqh, it is imperative that the foremost priority in this matter is the obligatory abandonment and abstention from partaking in or utilizing such substances.

الضرر يزال بقدر الامكان

Harm should be avoided to the greatest extent possible (Jalaluddin al-Suyuti, 2004).

Based on an interview with Informant 2, Tan Sri Dato' Seri Harussani Zakaria, who serves as the Mufti of Perak, it is affirmed that as Muslims, it is incumbent upon them to ensure that all food items sold and purchased are halal. Consuming or using non-halal food is considered a transgression against Islamic law, and partaking in such foods and substances is deemed unhealthy. This fact is common knowledge among all Muslims.

Issue 3: Difficulty in obtaining halal food.

Every individual must ensure that their food and beverages are halal. It is an obligation for a Muslim to ensure this. Not only Muslim travelers to non-Muslim countries need to be aware of this issue, but also the products imported into our country should be given attention. The consumption of forbidden and unhealthy food will undermine the five fundamental objectives of Sharia, which are preserving religion, life, intellect, lineage, and property (al-Qaradawi, 2000).

Therefore, in this situation, we can apply the principles of fiqh by giving precedence to customary practice. If a particular food item is not halal, then it is deemed haram to consume or use it. However, in cases of necessity (*daruriyyat*), one may consume non-halal food, as this is necessary to preserve the five fundamental objectives of Sharia, which are safeguarding religion, life, intellect, lineage, and property (al-Qaradawi, 2000). This principle is summarized as follows:

العادة محكمة

Meaning: Customary practice can serve as a legal basis (Jalaluddin al-Suyuti, 2004).

This principle implies that customary practices can be established as legal norms or customs determining legal rulings. Therefore, scholars have determined that customs and customary practices are one of the sources of law in the absence of clear Sharia texts. In conclusion, the concept of *maslahah daruriyyat* serves the purpose of preserving the five essential aspects mentioned above. In its absence, human life cannot be sustained, as these five elements, encompassing religion, life, intellect, lineage, and property, are not safeguarded, ultimately leading to destruction. Therefore, in extreme emergency situations, the consumption of carrion, blood, pork, and animals not slaughtered in the name of Allah SWT is permitted and should be prioritized, in accordance with the principle:

إذا تعارضت مفسدتان روعي أعظمها بارتكاب أخفها

Meaning: When two harmful situations conflict, one should choose the lesser of the two evils to mitigate the greater one (Jalaluddin al-Suyuti, 2004).

Issue 4: The absence of specific halal legislation, the sale and certification of halal products without government oversight and stringent regulations, doubts regarding the integrity of halal product manufacturers, the lack of universal recognition of halal certification bodies in every country, and variations affecting the establishment of halal standards in Islamic countries due to diverse ideological and jurisprudential schools of thought. Additionally, there is a reluctance among some communities to promote halal food or display halal logos in front of their establishments, and there is no uniform global standard for halal despite the presence of numerous halal certification bodies.

In this context, four non-Muslim countries serve as reference points, namely New Zealand, the United States, Germany, and the United Kingdom. Based on previous studies related to the issue of halal food and nutrition, it is evident that all four of these countries face challenges in the provision and processing of halal food. These challenges include the absence of a universal halal standard, easy accessibility of halal certification logos, misuse of halal logos, difficulty in obtaining halal food due to inadequate marketing, lack of branding on food products, and non-recognition of all halal certification bodies by every country. This clearly demonstrates that in these four countries, there are difficulties in accessing halal food. Therefore, the solution to this issue lies in the application of *fiqh* principles, with the objective of creating guidelines for all Muslim communities residing in non-Muslim countries, whether for official purposes or for tourism.

Based on the issue mentioned, it appears that they are unwilling to promote halal food or display halal logos in front of their establishments, but in reality, the food remains halal. Applying the *fiqh* principle, emphasizing that the original state of things

remains as they were, is appropriate, just as it was before. The issue at hand indicates that they already possess halal logos and certification, but they are reluctant to promote halal food or display the logo. Therefore, the suitable principle to resolve this issue is:

الأصل بقاء ما كان على ما كان

Meaning: The original state of things remains according to their previous condition (Jalaluddin al-Suyuti, 2004).

This principle signifies the permanence of a legal ruling based on past circumstances. It can be applied using the fiqh principle of prioritizing the forgiveness of minor harm in pursuit of greater benefit. This aligns with the following principle:

المفسدة الصغيرة تغتفر من أجل المصلحة الكبيرة

Meaning: Minor harm is forgiven in pursuit of greater benefit (Jalaluddin al-Suyuti, 2004).

Hence, based on the issue of the absence of specific halal legislation, it is imperative to study the application of fiqh principles with an emphasis on enacting specialized halal legislation. This would ensure that the certification and sale of halal products are subject to rigorous government oversight and stringent regulations, making halal certification less accessible and completely eradicating doubts about the integrity of halal product manufacturers. This can be applied using the following principle:

الدين مبني على المصالح في جلبها والدرء للقبائح

Meaning: Religion is founded on benefits, both in establishing its laws and in warding off harm (Jalaluddin al-Suyuti, 2004).

According to this principle of *usul al-fiqh*, it is evident that the study of specialized halal legislation becomes obligatory as it can address various interconnected issues, including the absence of uniform halal standards across different countries.

Issue 5: Non-Muslims' methods and witnessing of animal slaughter, the use of non-Islamic slaughtering methods, and the improper slaughter of halal animals. The Muslim Council of Britain (MCB) asserts that 90% of meat labeled with a halal logo is likely not slaughtered in accordance with Islamic Sharia.

In light of the issues related to non-Muslims' methods and witnessing of animal slaughter, the use of non-Islamic slaughtering methods, and improper halal slaughter, the solution to the problem can be found by applying the fiqh principle, emphasizing that the original state of things remains as it was before. The issue at hand indicates that meat labeled with a halal logo is likely not slaughtered in accordance with Islamic Sharia. Therefore, the appropriate principle to address this issue is:

الْيَقِينُ لَا يُزَالُ بِالشَّكِّ

Meaning: Certainty is not overruled by doubt (Jalaluddin al-Suyuti, 2004).

This principle asserts that when there is doubt about the halal status of a product, it should not be considered halal, as certainty in matters of religious compliance is not negated by doubt. Exactly, this principle means that when there is an original certainty about a matter, any subsequent doubt that arises to question that certainty is not considered. It also signifies that the original certainty cannot be overruled or changed by doubt or suspicion. From this principle, if someone initially held a certain belief and a legal ruling was based on that belief, then later on, they become doubtful about the loss of that certainty, whether it has been removed or not, the original certainty cannot be eliminated or changed unless there is a new certainty that can replace it. Consequently, this principle can lead to another related principle, which is:

الأصل بقاء ما كان على ما كان

Meaning: The original state of things remains as it was before (Jalaluddin al-Suyuti, 2004).

This principle underscores the permanence of the original state or certainty unless there is clear evidence to suggest otherwise. It's closely related to the principle of certainty not being overruled by doubt, as it emphasizes the continuity of the original state. Based on the interview with Informant 1, Ustaz Ahmad Fikri Bin Bakar, who serves as the Assistant Director in the Halal Division of the Department of Islamic Development Malaysia (JAKIM), it is emphasized that regarding matters related to slaughter, it is essential to have confidence that the slaughter is carried out in a halal manner. As we are well aware, it is not easy for certain organizations to obtain halal certification.

For instance, not all Islamic bodies issuing halal logos are recognized by JAKIM. However, every Islamic organization issuing a halal logo goes through a similar process as the Halal Division of JAKIM in Malaysia. This variation arises because the processes and procedures for issuing halal certification in other countries differ depending on how the responsible Islamic organizations issue certificates. Every certified location is

monitored, and if it fails to comply with the established processes and procedures, halal certification can be revoked. The researcher also examined the JAKIM website and reviewed the list of halal logos recognized by JAKIM.

5 Conclusion

In general, the application of fiqh principles can be accepted as an argument based on the fact that it promotes benefits and prevents harm to the Muslim community in non-Muslim countries. Furthermore, the use of fiqh principles can address issues that are not explicitly mentioned in religious texts. Fiqh, in its broader sense, is understood as a comprehensive understanding of all aspects and levels of reality with considerations for justice, whether related to actions, thoughts, legal rulings, or noble moral values. In essence, there is a profound similarity in determining a ruling that is not explicitly mentioned in the Quran or Sunnah by using the criterion of *maslahah* (benefit), which is to bring about benefit and repel harm (جلب المصالح و دفع المفاسد), thereby advancing the welfare and averting any evil or harm.

This illustrates that every issue in Islam has a potential solution. Fiqh principles have been introduced by contemporary scholars to address contemporary issues that arise in the present time. Therefore, fiqh principles are not contradictory to Islam; they are one of the sources for establishing Islamic law. As a result, the application of fiqh principles is growing because it offers a way to resolve contemporary issues that exist in the present era. Hence, the application of fiqh principles in daily life should be based on knowledge and not driven by personal desires. Furthermore, Islam has laid down principles and guidelines for interacting with non-Muslims in non-Muslim countries to guide Muslims in ensuring that they determine their rulings according to Islamic Sharia.

In addition to one's carnal desires, combating Satan is of paramount importance after contending with one's own inclinations. Satan will endeavor to instill fear and frequently sow seeds of doubt, anxiety, and apprehension within the hearts of individuals. These efforts serve as impediments for Muslims striving to uphold the faith of Allah, the Most Merciful and the Most Compassionate. Satan takes pleasure in witnessing Muslims in a state of heedlessness. This is conveyed in the Qur'an, specifically in Surah Al-Fatir (35:6):

"Verily, Satan is your enemy; so take him as an enemy. He only invites his party to be among the companions of the Blaze."

In this verse, it is underscored that Satan is indeed an adversary to humanity, and it is imperative to regard him as such, being vigilant against his deceitful tactics. His sole objective is to lead his followers into becoming inhabitants of the Hellfire. Based on the Quranic verse mentioned above, we can understand that it serves as a warning for us to remain vigilant and alert in the face of the threats and qualities of doubt frequently

employed by the enemies of Islam, whether they arise from within one's own desires or from the influence of Satan. These adversaries never cease their efforts to see Muslims weakened and led astray.

Despite social media being the primary medium for the dissemination of information in today's world, certain considerations should be particularly emphasized for the Muslim community and authorities. The issue of trustworthiness in the content found on social media must be scrutinized, and its contents should be evaluated and filtered before being accepted by anyone. This is because the open and unregulated nature of social media, where anyone can share information, often contributes to conflicts and factual inaccuracies (Fazli et al., 2015). Furthermore, issues concerning the accuracy of facts and information, especially regarding Islamic jurisprudence principles like Fiqh, need to be examined and investigated.

In conclusion, social media should be used and harnessed to its fullest potential while being carefully controlled to ensure the proper and authoritative dissemination of Islamic teachings.

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