

Protecting Family Integrity from Digital Fraud: Islamic Family Law and ITE Law in WhatsApp Groups

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Article History:

Submitted: September 12, 2024 | Revised: October 30, 2024 | Accepted: November 18, 2024 | Published: December 26, 2024

Citation format (APA Style):

Munjirin, A. M., & Shapiulaevna, A. P. (2024). Protecting family integrity from digital fraud: Islamic family law and ITE Law in WhatsApp groups. *Munakahat: Journal of Islamic Family Law*, 1(1), 58–67.

ABSTRACT

Background: The increasing use of digital platforms, especially WhatsApp groups, has brought new challenges in maintaining family integrity. While these platforms facilitate communication and the exchange of Islamic knowledge, they are also vulnerable to fraud. In Indonesia, such digital scams often occur in religious and family-related groups, causing not only financial losses but also damage to trust and relationships within families. This situation raises important questions regarding the role of Islamic family law and Indonesia's Information and Electronic Transactions Law (UU ITE) in providing adequate protection.

Methods: This qualitative study analyzes cases of fraud in WhatsApp groups through document review and legal analysis. It explores how Islamic family law and UU ITE address digital fraud, with a focus on legal responses to protect families.

Results: Findings show that digital fraud in family-related WhatsApp groups leads to disputes, mistrust, and weakened social cohesion. While UU ITE offers legal recourse, its enforcement in cases involving family dynamics remains inconsistent. Islamic family law, though rich in moral guidance, lacks specific mechanisms to deal with digital threats.

Discussion: There is a growing need to align Islamic family law with national digital regulations. Strengthening digital literacy and integrating legal protections in religious communities are essential steps to reduce fraud and restore family trust.

Conclusion: Islamic family law must adapt to the realities of the digital age by incorporating protections offered by UU ITE. Effective collaboration between religious scholars and legal authorities is needed to safeguard families.

Novelty: This study bridges the gap between Islamic family law and digital fraud prevention, offering an integrative approach rarely explored in Indonesian legal scholarship.

Keywords: Digital Fraud, Islamic Family Law, Online Scams, WhatsApp Groups, Legal Protection

INTRODUCTION

Along with the rapid development of the use of digital platforms such as WhatsApp groups, online journals, and book-sharing communities, various fraud schemes are increasingly

common, targeting unsuspecting individuals. These digital frauds often exploit the trust formed in digital communities, including those focused on discussions about Islamic law, family law, and other social issues (Hanaputra et al., 2024). The impacts not only result in financial losses (Media, 2023), but can also damage family relationships and threaten the integrity of legal practice within the framework of Islamic family law (Asman, 2020; Abubakar et al., 2023; Daniela et al., 2024; Muljan et al., 2024). In Indonesia, legal protection for individuals from digital fraud has been regulated in the Electronic Information and Transactions Law (UU ITE), but the extent to which this protection can be applied in the context of Islamic family law has not been widely studied.

This study aims to explore the impact of digital fraud in WhatsApp groups on family relationships and the practice of Islamic family law, as well as to analyze the role of the ITE Law and Islamic family law in providing protection for victims of digital fraud (Azar-Ibrahim et al., 2024; POPOV, 2024). In addition, this study also focuses on efforts to integrate the ITE Law with Islamic family law to provide maximum protection for families from the threat of digital fraud. This issue is very relevant considering the increasing number of digital fraud threats circulating in society, especially in communities that discuss Islamic and family law issues.

Digital fraud that occurs in WhatsApp groups and other digital platforms can have a very detrimental impact on family members, such as internal conflict, distrust between family members, and material losses that have the potential to worsen the family structure. In this case, the ITE Law can provide legal protection to victims of digital fraud, but the application of the law in the context of Islamic family law still needs to be strengthened in order to protect the rights of affected families.

The urgency of this research lies in the importance of a deeper understanding of how Islamic family law and the ITE Law can synergize to protect families from the threat of digital fraud. Moreover, in the ever-growing digital era, protection for families is very much needed to maintain family integrity and Islamic legal practices that are in accordance with the times. Therefore, this study aims to contribute to formulating more comprehensive legal protection measures against the increasingly rampant threat of digital fraud.

Through this research, it is hoped that a solution can be found in the form of better integration between the legal protection in the ITE Law and the values of Islamic family law, so that families can be protected from the increasingly growing digital fraud. Thus, this research is expected to be an important contribution in strengthening legal protection for families in Indonesia, especially in facing the challenges of the increasingly complex digital world.

LITERATURE REVIEW

Previous research has extensively discussed digital fraud in the context of legal protection, both from a cyber law and Islamic law perspective. Most of the literature focuses on the implementation of the Electronic Information and Transactions Law (UU ITE) in handling digital fraud in Indonesia. Several studies have also explored legal protections for families in the digital context, yet few have specifically linked the UU ITE with Islamic family law. For

example, a study by (Abdurrahman et al., 2022) highlighted that digital fraud has caused significant concern in society, and the role of UU ITE in protecting individual rights is crucial (Palil et al., 2021; Aulawi et al., 2023; Hoang et al., 2023). On the other hand, (Muljan et al., 2024; Setyawati et al., 2024; Surasa, 2024) examined Islamic family law's principles of protection for family members but pointed out that it is not sufficiently adaptable to the digital age.

This research aligns with previous studies in terms of analyzing the impact of digital fraud and the importance of legal protection. However, it differs in its focus on integrating the UU ITE with Islamic family law to provide more comprehensive protection. While previous studies have examined each system individually, this research aims to explore how both legal frameworks can complement each other to safeguard individuals and families from digital fraud.

Further studies, such as those by (Salamah et al., 2023), emphasize the growing threats of online scams, but they have yet to delve into the specific intersection of digital fraud and Islamic family law (Lazarus et al., 2023). These studies mostly highlight the need for stronger cyber regulations but do not consider the specific needs of family law in the digital age. This gap in research has motivated the present study, which seeks to address this issue by integrating both the UU ITE and Islamic family law (Williams et al., 2017; Macháček and Srholec, 2021).

Unlike earlier studies, which focus predominantly on the legal aspects of cybercrimes and digital fraud, this research adds a novel approach by considering the impact of digital fraud on family integrity. It investigates how legal provisions from both UU ITE and Islamic family law can be combined to offer a stronger shield for families in Indonesia. This combination is crucial as it acknowledges the evolving digital landscape while maintaining the ethical and social values of Islamic law.

In conclusion, while previous studies have made valuable contributions to understanding digital fraud and its legal implications, this research differentiates itself by its comprehensive approach to integrating two distinct legal systems to address the unique challenges posed by digital fraud in the context of family law. By exploring the synergy between UU ITE and Islamic family law, this study offers new insights into how families can be better protected in the digital era.

METHODS

This research employs a qualitative approach with a case study analysis to understand the impact of digital fraud on family relationships and how both UU ITE and Islamic family law can offer legal protection. The primary data for the study is gathered through interviews with victims of digital fraud, particularly those who have experienced scams within WhatsApp groups. These interviews provide first-hand accounts of how digital fraud has affected their family dynamics, including emotional, financial, and legal repercussions. The respondents were selected from various family backgrounds, focusing on individuals who have encountered scams disguised as collaborations for academic or religious purposes. These cases are

examined to identify common patterns and consequences, as well as to explore how these scams disrupt family cohesion and trust.

In addition to the primary data, the research includes an extensive literature review to examine the legal frameworks surrounding digital fraud. This includes an analysis of the UU ITE (Information and Electronic Transactions Law) to understand its effectiveness in addressing online fraud, as well as a review of Islamic family law to assess its principles in protecting individuals and families from digital threats. The literature review includes an exploration of previous studies and legal documents, providing a comprehensive understanding of the legal protections currently in place in Indonesia. This comparison is crucial in identifying gaps and weaknesses in the existing legal structures when it comes to safeguarding families from online fraud.

The analysis conducted in this research compares the impact of digital fraud on family relationships and the potential for both UU ITE and Islamic family law to provide a protective framework. By examining these two legal systems, the study explores how they can work together to offer a more holistic solution to prevent and respond to digital fraud within family structures. The research also aims to evaluate the role of legal education in enhancing awareness of these protections, ensuring that victims are better equipped to navigate legal remedies. Ultimately, the goal of the research is to highlight the strengths and weaknesses of both legal frameworks in addressing the challenges posed by digital fraud in modern family life.

RESULTS

The results of this study indicate that digital fraud, particularly within WhatsApp groups focused on family law issues and Islamic law, has caused significant impacts on family relationships. The victims of these scams often face both financial and emotional losses, which in turn worsen familial ties. In many cases, these scams result in heightened tension within the family unit, potentially leading to divorce or other conflicts that threaten the stability of the family. The emotional toll on victims, especially those who have been deceived by trusted members within these digital communities, exacerbates the situation and further disturbs the family dynamic.

One example can be found in Banjar City, West Java, where a lecturer at a private university, with the initials HM (a 33-year-old man), became the target of a digital scam disguised as a book and journal collaboration group. The lecturer was contacted by a member of the same group via WhatsApp and was asked for a 6-digit code, which was likely intended to hack or crack the password of the victim's account. HM recalled, "At that time, I was a bit confused as to why I was suddenly asked for a 6-digit code to enter the group. When I checked, I found that the number that contacted me was already part of the same group." After becoming suspicious, HM decided to ignore the request. "I was already suspicious that this was a new scam method," he said. As a result, he managed to avoid becoming a victim of the online fraud (Lecturer with the initials HM, 2024).

In addition to this, invitations to join WhatsApp groups claiming to facilitate the exchange of academic resources, such as books and scientific journals, are becoming increasingly common, especially in Indonesia. After some initial discussions, the group administrators proposed a "collaboration project" that required the lecturer to pay a contribution fee. However, because HM did not believe in the legitimacy of the group's premise, he chose not to make the payment, thus preventing himself from falling victim to the scam.

This case in Kota Banjar demonstrates how scammers exploit the academic and professional trust that exists within digital groups. The financial loss, though not massive, was significant enough to cause distress, particularly because the lecturer's reputation and professional relationships were affected. Furthermore, the emotional toll of realizing that one has been deceived in such a professional setting can lead to a breakdown of trust, not just in the group, but also within the family.

In addition to the immediate financial losses, the aftermath of such fraud often leaves emotional scars that strain familial relationships. Victims may feel embarrassed, betrayed, and hesitant to engage in further online activities, making it difficult for them to explain the situation to their family members. This emotional burden can also lead to mistrust in digital platforms and difficulty communicating with family members about the severity of the issue.

Despite the presence of the UU ITE (Information and Electronic Transactions Law), which provides legal protection against online fraud, its practical application in cases of family-related digital fraud is still limited. Many families are not aware of their rights under this law, or they are hesitant to seek legal recourse due to a lack of understanding about how to navigate the legal system. As a result, many victims remain silent, suffering in isolation, and are unable to protect themselves from future frauds.

In this particular case, the lecturer in Kota Banjar, unaware of how to report the fraud under the UU ITE, did not pursue legal action. The lack of familiarity with the proper legal procedures within the framework of both the national law and Islamic family law contributed to the victim's inaction. While the UU ITE provides a pathway to report digital fraud, its applicability to family-related scams is underutilized, leading to a gap in protection for victims.

Furthermore, Islamic family law, which aims to protect family integrity, does not yet fully address the complexities of digital fraud in today's era. Although Islamic law emphasizes the protection of family members from harm, including financial damage caused by fraudulent activities, it has yet to incorporate clear provisions regarding digital fraud and its impact on family relationships. This gap in Islamic family law leaves victims of online fraud without a comprehensive legal framework to seek justice and restore harmony within their families.

In this study, the analysis of both the UU ITE and Islamic family law reveals a need for a more integrated approach to addressing digital fraud. While UU ITE offers robust protection against digital fraud, it does not always intersect with the issues of family law, leaving victims unable to pursue justice within the context of their familial relationships. Therefore, a more holistic legal framework that combines the protections offered by UU ITE with the principles of Islamic family law is necessary.

This gap in legal protection is particularly concerning given the rising prevalence of digital fraud and its increasing impact on family dynamics. Victims often suffer in silence, fearing social stigma or the breakdown of family ties if they were to pursue legal action. In many cases, they may avoid reporting the incident altogether, leading to further harm.

In conclusion, this study highlights the urgent need for a more integrated legal approach to protect families from digital fraud. By combining the legal provisions of UU ITE with the protective framework of Islamic family law, a more comprehensive legal system could be established. This would help victims of online fraud regain their trust in both the digital space and their familial relationships. Additionally, more education and awareness campaigns are necessary to ensure that individuals understand their legal rights and the available resources for seeking justice in cases of digital fraud. This proactive approach can help mitigate the emotional and financial damage caused by digital scams and safeguard family integrity in the digital age.

DISCUSSION

The results of this study highlight the significant negative impact that digital fraud within WhatsApp groups has on family relationships, especially when it comes to Islamic family law issues. As digital fraud increases in prevalence, its effects are felt not just on an individual level but also on the broader family structure. The consequences of these fraudulent activities go beyond mere financial loss, and can lead to emotional trauma, mistrust, and, in some cases, even the disintegration of family relationships.

One of the primary legal instruments to address digital fraud in Indonesia is the UU ITE (Information and Electronic Transactions Law). This law provides the legal foundation to combat online fraud and protect individuals from the misuse of digital platforms. However, the study reveals that the practical application of UU ITE, particularly in the context of family law, is still limited. Although the law effectively addresses digital fraud, its implementation in family-related cases remains underdeveloped, especially when fraud happens within familial or community circles, such as WhatsApp groups focused on Islamic law or family issues.

In many cases, victims of digital fraud, particularly in WhatsApp groups, often do not seek legal recourse under the UU ITE due to a lack of awareness or understanding of their rights. This lack of knowledge about how to properly report fraud within digital spaces is particularly problematic, as many families are unaware of the provisions available to them. Even when individuals are aware of the law, they often find it difficult to navigate the legal system, especially when it involves complex family dynamics and the emotional aspects of being deceived by people within their trusted social circles.

This situation underlines the necessity of adapting Islamic family law to better address issues that arise in the digital age. Islamic family law traditionally focuses on protecting family members and ensuring the integrity of familial relationships. However, the rise of digital technologies has introduced new challenges that the existing legal framework has not fully addressed. For instance, Islamic family law lacks specific provisions related to digital fraud

and the protection of family members from financial harm caused by online scams. Without these provisions, families are left vulnerable and unable to fully protect themselves from emerging risks.

A major issue in this regard is the insufficient legal guidance on how to address financial frauds that happen through digital platforms, such as WhatsApp groups. In Islamic family law, financial disputes and fraud within the family are typically handled through traditional mechanisms, but these mechanisms often fail to address the complexities of digital fraud. As such, there is a pressing need for updates to the legal system that would allow for the inclusion of digital fraud as a legitimate concern under Islamic law, as well as the integration of national laws like UU ITE.

Moreover, victims of digital fraud often face the additional challenge of emotional distress and trauma. This is particularly true when the fraud is carried out within a community that the victim trusts, such as a WhatsApp group dedicated to family law or Islamic discussions. The emotional toll of realizing that one has been deceived by people who are believed to share the same values can be profound. For victims, the betrayal felt from within these communities can exacerbate existing family tensions, leading to further conflicts within the household.

The application of UU ITE in these cases, while providing a legal avenue for victims to seek redress, is not sufficient on its own to protect family structures from the broader emotional and relational damages caused by digital fraud. In many cases, victims are reluctant to take legal action for fear of social stigma, further disintegration of familial bonds, or simply the complexity of navigating both family law and cybercrime law. Therefore, there is a need for better integration of legal provisions under UU ITE with the principles of Islamic family law to ensure that victims receive adequate support both legally and emotionally.

Additionally, there is a significant gap in the availability of legal resources for those who experience fraud in digital platforms. Many victims do not know where to turn for help, or they feel that the legal system is too complicated to navigate. This gap is particularly pronounced in rural or less-developed areas where digital literacy and legal awareness may be lower. Thus, increasing public awareness and providing easily accessible resources for victims of digital fraud is essential for ensuring that individuals know their rights and can take appropriate legal action when needed.

One of the key aspects of addressing this issue is to bridge the gap between digital law and family law, ensuring that both systems work together to provide holistic protection for individuals and families. Legal experts and policymakers should focus on creating a framework that incorporates both the technological aspects of digital fraud and the traditional values of Islamic family law. This would require collaboration between legal scholars, Islamic jurists, and cybersecurity experts to develop a system that addresses the needs of modern families in the digital age.

Furthermore, education and awareness campaigns are critical in mitigating the impact of digital fraud on family relationships. These campaigns should focus on educating both the general public and specific community groups, such as those involved in religious or family-based WhatsApp groups, about the risks of digital fraud and the legal protections available to them.

Victims should be encouraged to report fraud immediately, and the legal process should be made more accessible to ensure that they can seek justice without facing further emotional or financial burdens.

At the same time, it is crucial that Islamic family law evolves to incorporate modern-day challenges, particularly those posed by the digital era. This evolution should include provisions that address financial fraud and emotional abuse within the context of digital transactions. By doing so, Islamic family law would better protect individuals from the dangers of digital fraud and ensure that it continues to serve its role in safeguarding family integrity and relationships in a rapidly changing world.

The integration of both UU ITE and Islamic family law offers a promising approach to protecting families from digital fraud. When these two legal systems are applied together, they provide a comprehensive framework that addresses both the technical and relational aspects of digital fraud. Such integration would help ensure that victims receive legal protection and emotional support, and that their family relationships are restored to a state of trust and cooperation.

In conclusion, this study demonstrates the need for a more integrated and adaptive legal framework to protect families from digital fraud. By combining the national legal provisions under UU ITE with the principles of Islamic family law, a more comprehensive approach to family protection can be achieved. This approach will not only address the legal aspects of digital fraud but also take into account the emotional and relational damage that such fraud causes. Moving forward, it is essential for both legal systems to evolve in response to the challenges posed by the digital age, ensuring that families are fully protected from the dangers of online fraud.

CONCLUSION

This research concludes that digital fraud in WhatsApp groups has a detrimental effect on family relationships and Islamic family law practices. Despite the legal protection offered by Indonesia's UU ITE (Information and Electronic Transactions Law) against digital fraud, its application within the context of Islamic family law remains limited. The study emphasizes that the integration of legal protection under UU ITE with the principles of Islamic family law is essential to provide more comprehensive safeguards for families against digital fraud. Educating the public about legal protections and increasing awareness are critical steps in minimizing the negative impacts of digital fraud on family dynamics.

Digital fraud in online communities, particularly WhatsApp groups, has become a growing concern, as these platforms are often used for discussions related to Islamic law and family matters. Fraudsters exploit the trust established within these communities, leading to financial losses and emotional distress. In the context of Islamic family law, these fraudulent activities also challenge the integrity of family relationships, making it crucial to address these issues from both a legal and relational perspective.

The integration of national legal protections, like those found in UU ITE, with Islamic family law principles is necessary to address the growing challenge of digital fraud. While UU ITE provides important legal frameworks to combat online scams, the lack of a comprehensive approach in Islamic family law leaves many families vulnerable to these threats. Islamic family law, which traditionally focuses on safeguarding the family unit, needs to evolve to include protections against the unique challenges posed by the digital age.

Furthermore, the study highlights the importance of education in helping individuals and families understand their rights and the legal mechanisms available to them. Many victims of digital fraud are unaware of how to seek legal recourse under UU ITE or Islamic family law, which exacerbates the social and emotional fallout of such scams. Therefore, a proactive approach involving legal education and awareness campaigns is essential to mitigate the effects of digital fraud on families.

In conclusion, the research emphasizes the need for a multi-faceted approach to protect families from the damaging effects of digital fraud. By combining the protections offered by UU ITE with the principles of Islamic family law, a stronger legal framework can be established to shield families from these emerging threats. This integrated approach, combined with legal education and public awareness, will help restore trust in digital spaces and prevent further harm to family relationships caused by online scams.

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