

## TAJASSUS IN THE QUR'AN: IMPLEMENTATION, LAWS, AND DEVIATIONS

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### Abstract

The Qur'an does not discuss *tajassus* specifically. It is proven by the lack of the word *tajassus*, especially when it is based on the meaning of spying. Implicitly, the value of *tajassus* is found in several stories and verses collectively, which leads to fault-finding or vigilance. A particular verse about *tajassus* with a negative connotation is Surah al-Ḥujurāt 12. An example of *tajassus* with a positive sense is Surah Yūsuf 87. The research in this paper is classified as literature research with a qualitative approach. The methodology used is a descriptive analysis study. The results of this study are two: First, there are two types of *tajassus*: *tajassus* in the positive sense and negative *tajassus*. Positive *tajassus* is the importance of the existence of intelligence for the state. Negative *tajassus* is prejudice or finding fault in others. Second, the implementation of *tajassus* is similar between classical and modern times, the only difference being the use of technology at different times. The *tajassus* deviation in this study occurred when Umār entered the house without permission. While in modern *tajassus* is the use of wiretapping devices outside the authority of the perpetrators.

**Keywords:** *Tajassus, Implementation, Qur'an*

### Abstrak

Al-Qur'an tidak banyak membahas *tajassus* secara khusus, terbukti dengan minimnya kata *tajassus* khususnya jika disandarkan dengan makna memata-matai. Secara tersirat, nilai *tajassus* terdapat pada beberapa kisah

dan berbagai ayat secara kolektif yang mengarah pada mencari-cari kesalahan, atau kewaspadaan. Ayat khusus tentang *tajassus* dalam konotasi negatif adalah Surat Al-Hujurat 12. Adapun contoh *tajassus* dalam konotasi positif adalah Surat Yūsuf 87. Penelitian dalam tulisan ini tergolong dalam penelitian pustaka dengan pendekatan kualitatif. Metodologi yang digunakan adalah studi analisis deskriptif. Hasil pada penelitian ini menyimpulkan dua hal, yaitu; Pertama, *tajassus* ada dua jenis, yaitu *tajassus* dalam pengertian positif dan *tajassus* negatif. *Tajassus* positif adalah pentingnya keberadaan intelegen bagi negara. *Tajassus* negatif adalah buruk sangka atau mencari-cari kesalahan orang lain. Kedua, implementasi *tajassus* tidak berbeda jauh antara masa klasik dan modern, yang membedakan hanya penggunaan teknologi yang berbeda zaman. Penyimpangan *tajassus* dalam penelitian ini terjadi pada masa Umār yang memasuki rumah tanpa izin. Adapun penyimpangan *tajassus* modern adalah penggunaan alat penyadap diluar wewenang pelakunya.

**Kata Kunci:** *Tajassus, Implementasi, al-Qur'an*

## Introduction

The Qur'an is a source of Islamic teachings that always lead to the path of goodness, both textual (coincidentally with its time) and contextual (according to changing times). The form of universality of the Qur'an is increasingly proven when it can always become a source of reference for any zoning and culture. When Arabs seek to understand the Qur'an, their reasoning is *Bayāni*, a form of epistemology in which the textual approach is the dominant method of exploring the message of the Qur'an.<sup>1</sup> The knowledge resulting from this method is called *Fiqh*, while the perpetrators are now popularly called *fuqahā'*. So do not be surprised if they always talk about *halāl-halāl* or right-wrong because that is their thinking passion.

When the Qur'an was accepted and studied by the East, their reasoning was *irfāni*, another part of Islamic epistemology that understands verses using the *Khasysyāf* or intuition method. The knowledge that results from this process is Sufism, where the perpetrators are known as Sufis.<sup>2</sup> Sufis do not necessarily speak in black and white like the jurists. The eye of the heart is their indicator in formulating a matter which is implied in the verses of the Qur'an.

When the West studies the Qur'an, the reasoning used is *Burhāni*. *Burhāni* is a method of obtaining knowledge in which the 'mind' becomes the analytical tool. These circles preferred to understand the Qur'an rationally, which later gave birth to the field of Islamic philosophy, where the perpetrators were known as philosophers. These

<sup>1</sup> Robby Zidni Ilman Zf and Fatima Az-Zahra, "Konstruksi Hermeneutika Al-Qur'an Al-Jabiri Analisis Kritis QS. Al-Mukminun Ayat 12-14," *Jurnal Ilmiah Citra Ilmu: Kajian Kebudayaan dan Keislaman* 16, no. 32 (2020): 1–10, <https://ejournal.inisnu.ac.id/index.php/JICI/article/view/90>.

<sup>2</sup> Wahyudi Wahyudi, "Epistemologi Tafsir Sufi Al-Ghazali Dan Pergeserannya," *Jurnal Theologia* 29, no. 1 (September 2, 2018): 85–108, <https://doi.org/DOI: 10.21580/teo.2018.29.1.2070>.

people see the Qur'an no longer in a right-false or inner context.<sup>3</sup> *Burhāni* circles try to explore the Qur'an to solve the world's mysteries, one of which is by improving science and technology based on the guidance of the Qur'an.

The above scheme shows that even though the source is the same (Qur'an), it can produce different methods and goals of science, not to mention the course of the times, which are constantly moving and giving birth to new problems that sometimes are not (textually) in the Qur'an. The changing of times can make something that was 'haram' in classical times become 'permissible' and vice versa. It is also the reason for the theory of *Nāsikh* and *Mansūkh* in the Qur'an. The Qur'an seems to convey that humans must be creative, dynamic, and have dialogue in formulating a matter.

The paradigm above is synonymous with the term '*tajassus*,' which has a positive meaning (*ma'rūf*) but, on the one hand, can have a negative one (*munkar*). Positive *tajassus* is a spying activity carried out by a country's intelligence agency to protect the nation's integrity from all the menaces.<sup>4</sup> Wiretapping, for example, is an attempt by the authorities to prove corruption cases in a country. During the time of the Prophet, Rasulullah SAW did *tajassus* to determine the number of the enemy's soldiers before the war.

On a negative dimension, *tajassus* is considered harmful regarding peaceful or family life. In this context, *tajassus* is closer to the term suspecting other people, or it can also be called prejudice (*su'uzzann*).<sup>5</sup> Suspecting other people in social life is undoubtedly prohibited by Islam because it is part of a psychosis that can disrupt social harmony. Allah SWT says;

يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ وَلَا تَجَسَّسُوا وَلَا يَغْتَبَ بَعْضُكُم بَعْضًا أَيُحِبُّ أَحَدُكُمْ أَن يَأْكُلَ لَحْمَ أَخِيهِ مَيْتًا فَكَرِهْتُمُوهُ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ تَوَّابٌ رَّحِيمٌ (١٢)

Translation: "O ye who believe! Shun much suspicion; for lo! some suspicion is a crime. And spy not, neither backbite one another. Would one of you love to eat the flesh of his dead brother? Ye abhor that (so abhor the other)! And keep your duty (to Allah). Lo! Allah is Relenting, Merciful" (QS. Al-Hujurat: 12).<sup>6</sup>

In al-Muyassar, the interpretation of the mentioned verse is that carrying out *Tajassus* and bad prejudice is prohibited because most prejudice against the slaves of God will interfere with one's level of purity and faith. The attitude of spying

<sup>3</sup> Wira Hadikusuma, "Epistemologi Bayani, Irfani dan Burhani Al-Jabiri dan Relevansinya Bagi Studi Agama untuk Resolusi Konflik dan Peacebuilding," *Jurnal Ilmiah Syi'ar* 18, no. 1 (February 2018): 288055, <https://doi.org/10.29300/syr.v18i1.1510>.

<sup>4</sup> Saiful Lutfi, "Materi Pendidikan Akhlak menurut Al-Qur'an: Analisis Surah Al-Hujarat Ayat 11-12," *Al-Mudarris (Jurnal Ilmiah Pendidikan Islam)* 3, no. 2 (November 1, 2020): 159–68, <https://doi.org/10.23971/mdr.v3i2.2336>.

<sup>5</sup> Yunahar Ilyas, "Akhlak Terhadap Allah Dan Rasul; Tafsir Surat al-Hujurat Ayat 1-9," *Tarjih: Jurnal Tarjih dan Pengembangan Pemikiran Islam* 11, no. 1 (2013): 1–10, <https://jurnal.tarjih.or.id/index.php/tarjih/article/view/88>.

<sup>6</sup> Muhammad Marmaduke Ickthall, *Roman Transliteration of The Holy Qur'aan* (Lahore: Qudratullah CO, 2011). p. 586.

(suspicious) is a sin because it only focuses on perception or suspicion. A Muslim individual is not justified in finding fault with others, let alone investigating the disgrace of a Muslim.

It is counted a grave sin to do *Tajassus*. Rasulullah SAW said, "Stay away from lousy prejudice because it is the worst of false tales. Do not look for others' faults, spy, hate each other, or turn your backs on one another, but be the servants of Allah who was brothers to each other".<sup>7</sup>

*Tajassus* is a continuation of the attitude of conjecture; while conjecture itself, there is something justified and not justified, so does *Tajassus*. It is justified in maintaining the state or showing general harm. Spying on enemies or suspecting lawbreakers is a permissible *Tajassus* in Islam. As for those relating to a person's private affairs and only being encouraged to know his actual condition, then this is strictly prohibited.<sup>8</sup>

Today, especially in the contemporary era, *tajassus* with good dimensions is often misused by certain persons. They do not use wiretapping to defend the country's sovereignty from threats from outsiders or to uncover criminal cases. Instead, it is used by irresponsible persons for personal gain, which is contrary to the authority to use wiretapping. This distinction raises an interesting question, whether *Tajassus* is permitted according to Qur'an or prohibited.

### Definition of *Tajassus*

*Tajassus* is derived from the Arabic word *jāsūs* (الجاسوس), which means spy. Tafsir al-Miṣbāh explains briefly the meaning of *tajassus* contained in Sura al-Hujurāt verse 12, where the word *tajassasu* (تَجَسَّسُوا) is taken from the word *jassa*, that is an attempt to find out in a hidden way. Furthermore, in terms of terminology, *Tajassus* is an attempt to find out other people's faults, wanting to investigate other people's weaknesses, investigative activities, and investigating news to examine it further.<sup>9</sup> Apart from this, *Tajassus* may also be associated with activities that are often carried out by bodies appointed by an institution or organization, both from private bodies and from the government.

Like a government-funded buzzer to get news or look for hidden evidence from someone, usually, it can be associated with journalists agencies, whose job is to find and spread someone's news through investigations, so by stealing moments such as photos and hearing conversations that you want to keep a secret from others. More broadly, there are also agencies explicitly appointed by the government, which are better known as intelligence agencies.<sup>10</sup>

<sup>7</sup> M. Quraish Shihab, *Tafsir Al-Mishbah (Pesan, Kesan Dan Keceraskan Al-Qur'an)* (Jakarta: Lentera Hati, 2002). p. 256.

<sup>8</sup> Quraish Shihab.

<sup>9</sup> Ihda Shofiyatun Nisa', "Penyadapan Telepon dalam Pandangan Ahlussunah Wal Jemaah," *Jurnal Sosial Teknologi* 1, no. 9 (September 15, 2021): 987–94, <https://doi.org/10.36418/jurnalsostech.v1i9.194>.

<sup>10</sup> Muhammad Amin, "Relasi Sosial Dalam Al-Qur'an," *QiST: Journal of Quran and Tafseer Studies* 1, no. 1 (2022): 30–47, <https://doi.org/10.23917/qist.v1i1.523>.

As for the meaning of *Tajassus*, the term, as said by Mustafa al-Maragi in his tafsir book, is spying. That is looking for horror and defects and exposing things that people cover. The original sentence *Tajassus* is also defined as searching for news using the senses of the ear and eyes, eavesdropping on other people's conversations, or peeking with the eyes. So, *Tajassus* is one of the actions or activities carried out by an individual or a group to find fault, horror, and disgrace against a believer. *Tajassus*, in daily life, is also understood as spying (espionage) or prying into the news. So, in the pesantren environment, the word is often referred to as 'jāsūs' or spy.

Explanations by Qur'anic commentators about the meaning of *Tajassus* in verse al-Hujurāt are pretty diverse, but in general, they have something in common with one another. For example, an-Nabhanī said that *Tajassus* has three meanings and are related to one another. First, *Tajassus*, which means looking for or investigating the disgrace of others thoroughly. Second, *Tajassus*, which means looking for other people's secrets. Third, *Tajassus*, which means looking for other people's disgrace that is not visible.<sup>11</sup>

### Verses Related to *Tajassus*

Literally, the main verse that talks about *Tajassus* is Sura al-Hujurāt 12.

يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ وَلَا تَحْسَسُوا وَلَا يَغْتَبَ بَعْضُكُم بَعْضًا أَيُحِبُّ أَحَدُكُمْ أَن يَأْكُلَ لَحْمَ أَخِيهِ مَيْتًا فَكَرِهْتُمُوهُ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ تَوَّابٌ رَّحِيمٌ (١٢)

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According to some commentators explaining this entire verse in general, this verse may correlate with the previous verse, which relates to God's prohibition regarding bad titles or nicknames. Apart from that, there is also a correlation with the continuation of the verse where God also orders believers to stay away from guesswork, which is lousy prejudice against humans without clear evidence.

*Tajassus* is digging up news. Literally, when it is said, *jassa al-akhbār wa tajassasaha*, it means to dig up news. If someone is prying for news, both public and secret news, then he has been carrying out *tajassus* (espionage) activities. Such people are called *jāsus* (spies). An activity can be categorized as *tajassus* (espionage) if there

<sup>11</sup> Daimah Daimah, “Pendidikan Inklusif Perspektif QS. Al-Hujurāt Ayat 10-13 Sebagai Solusi Eksklusifisme Ajaran Di Sekolah,” *Jurnal Pendidikan Agama Islam Al-Thariqah* 3, no. 1 (July 17, 2018): 53–65, [https://doi.org/10.25299/althariqah.2018.vol3\(1\).1837](https://doi.org/10.25299/althariqah.2018.vol3(1).1837).

<sup>12</sup> Pickthall, *Roman Transliteration of The Holy Qur'aan*.

is an element of searching for news. Meanwhile, the information searched for should not be classified as secret news, but all the news, both public and secret.<sup>13</sup>

Suppose a piece of news can be obtained naturally without needing to search in-depth, carry out *tajassus* activities to find out the news, or simply collect, spread, and analyze information. In that case, all of this is not included in the *Tajassus* category, as long as there is no element of further searching for (digging) the news. As for people looking for news to be collected and researching it not for further investigation but merely to organize it to be disseminated to the public, this is different from *Tajassus*. People who seek and collect news, such as newspaper editors or representatives of news agencies, are not called *jāsūs* (spies). While employees of the intelligence services, spy bureaus, and others, who are tasked with digging up news (spying), are those who are more accurately called *jāsūs* (spies). It is because his activities are categorized as *Tajassus* activities.<sup>14</sup>

The next verse that has a *Tajassus* value is in a sura that tells the story of the Prophet Yūsuf.

يَا بَنِيَّ اذْهَبُوا فَتَحَسَّسُوا مِنْ يُوسُفَ وَأَخِيهِ وَلَا تَيْئَسُوا مِنْ رَوْحِ اللَّهِ ۖ إِنَّهُ لَا يَيْئَسُ مِنْ رَوْحِ اللَّهِ إِلَّا الْقَوْمُ  
الْكَافِرُونَ

Translation: "Go, O my sons, and ascertain concerning Joseph and his brother, and despair not of the Spirit of Allah. Lo! none despaireth of the Spirit of Allah save disbelieving folk". (QS. Yūsuf: 87)<sup>15</sup>

Ibn Kasir interprets the *tajassus* in the verse above by giving a distinction between the word spies and words that have a double meaning (positive or negative). The use of the term *Tajassus* above has a positive meaning in the form of an order to look for Yūsuf's whereabouts, not to find fault, as in Surah Al-Hujurāt verse 12.

Then he quoted al-Auzā'i's opinion, which explained that *Tajassus* in the hadith is looking for something, while *Tajassus* in the context of secretly listening to the speech of a people even though the people do not like it, or listening secretly from behind their doors. Here it looks as if there are *Tajassus* that are allowed and some that are not. Based on Sura Yūsuf, verse 87 above shows the permissibility of the activities ordered by the Prophet Ya'qūb to seek news about Yūsuf. At the same time, the hadith narrated by Abū Hurairah forbade it. Al-Auzā'i's explanation above illustrates that the

<sup>13</sup> Al Araf Assadallah Marzuki, "Urgensi Perlindungan Data Pribadi Dalam Aktivitas Ad Tracking Di Ruang Siber," *RESAM Jurnal Hukum* 7, no. 2 (October 31, 2021): 73–88, <https://doi.org/10.32661/resam.v7i2.61>.

<sup>14</sup> Gusti Bagus Eka Prasetya, Joko Prayitno, and Susilo Edi Purwanto, "Komunikasi Intelijen Dalam Melakukan Deteksi Dini Terhadap Gangguan Keamanan Dan Ketertiban Masyarakat," *Sadharananikarana: Jurnal Ilmiah Komunikasi Hindu* 1, no. 2 (November 1, 2019): 96–111, <https://ejournal.iahn-gdepudja.ac.id/index.php/SN/article/view/212>.

<sup>15</sup> Pickthall, *Roman Transliteration of The Holy Qur'aan*. p. 272.

hadith forbids people from seeking information secretly from a people, while that people don't like it. This condition is prohibited according to al-Auzā'i.<sup>16</sup>

Meanwhile, al-Qurtubi explained that this prohibition shows that Allah commands to take what is visible from someone and prohibits exposing the disgrace of the Muslims. It means that Allah forbids someone to look for someone's faults when Allah covers them. From here al-Qurtubi has the same opinion as al-Tabari about *Tajassus* which means good, as explained earlier. From here al-Qurtubi wants to say that the meaning of *Tajassus* in the negative connotation, which is prohibited in the verse above, is to find someone's disgrace and gossip about him. Thus these three exegetes, in general, have something in common, that is interpreting this verse with negative actions with the various examples described.<sup>17</sup>

Furthermore, *Tajassus*, if it is related to intelligence and vigilance, is found in Sura al-Anfāl verse 60;

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ وَآخَرِينَ مِنْ دُونِهِمْ لَا تَعْلَمُونَهُمُ اللَّهُ يَعْلَمُهُمْ ۚ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فِي سَبِيلِ اللَّهِ يُوَفَّ إِلَيْكُمْ وَأَنْتُمْ لَا تُظْلَمُونَ

Translation: "Make ready for them all thou canst of (armed) force and of horses tethered, that thereby ye may dismay the enemy of Allah and your enemy, and others beside them whom ye know not. Allah knoweth them. Whatsoever ye spend in the way of Allah it will be repaid to you in full, and ye will not be wronged." (QS. al-Anfāl: 60)<sup>18</sup>

Verses relating to intelligence activities cannot be taken from words that refer to intelligence activities in particular but can also be quoted from verses whose meaning relates to the world of intelligence in general. In several verses, it is also found that intelligence activities such as; assessing sources of information, verifying information, acts or behaviour of treason, policies, and targets of intelligence.<sup>19</sup>

Apart from the importance of *tajassus* in the definition above, in a narrower sense, the purpose of *Tajassus* is to reveal someone's faults and disgrace. The law is clearly illegitimate based on surah al-Hujurāt verse 12, whether the person spied on is a Muslim or an infidel. The punishment for an infidel spying on Muslims is greater than for Muslims spying on Muslims themselves, because it is possible that the unbelievers who spied on it intended to damage relations between Muslims.

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<sup>16</sup> Hari Purwanto, "Analisis Peran Penggalangan Intelijen Dalam Pencegahan Konflik Disharmoni Agama Dengan Budaya Lokal," *JPPi (Jurnal Penelitian Pendidikan Indonesia)* 8, no. 1 (March 30, 2022): 22, <https://doi.org/10.29210/020221533>.

<sup>17</sup> Al-Qurtubi, *Tafsir Al-Qurtubi* (Jakarta: Pustaka Azam, 2009). p. 64.

<sup>18</sup> Muhammad Marmaduke Pickthall, *Roman Transliteration of The Holy Qur'aan*, (Lahore: Quadratullah CO, 2011), p. 204

<sup>19</sup> Purwanto, "Analisis Peran Penggalangan Intelijen Dalam Pencegahan Konflik Disharmoni Agama Dengan Budaya Lokal."

Verses related to *Tajassus* are also found in the story of the Prophet Adam, especially when the Devil was reluctant to bow down (respect) to Adam at the command of Allah almighty.

مِنْ طِينٍ قَالَ مَا مَنَعَكَ أَلَّا تَسْجُدَ إِذْ أَمَرْتُكَ ۚ قَالَ أَنَا خَيْرٌ مِّنْهُ خَلَقْتَنِي مِنْ نَّارٍ وَخَلَقْتَهُ

Translation: "He said: What hindered thee that thou didst not fall prostrate when I bade thee? (Iblis) said: I am better than him. Thou createdst me of fire while him Thou didst create of mud." (QS. Al-A'rāf: 12)<sup>20</sup>

The verse above exemplifies *Tajassus* content in looking for someone's badness. Satan seeks out the badness of Adam (*Tajassus*) by saying that Adam is more despicable than himself with the parable of 'fire' and 'earth'. You could say this is the history of the first time that *Tajassus* occurred, even though the text of *Tajassus* was not mentioned directly.

وَأْتُوا الْبُيُوتَ مِنْ أَبْوَابِهَا ۚ وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ

Translation: "So go to houses by the gates thereof, and observe your duty to Allah, that ye may be succesful." (QS. Al-Baqarah: 189)<sup>21</sup>

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْتَأْذِنُوا وَتُسَلِّمُوا عَلَىٰ أَهْلِهَا ۚ ذَٰلِكُمْ خَيْرٌ لَّكُمْ لَعَلَّكُمْ تَذَكَّرُونَ

Translation: "O ye who believe! Enter not houses other than your own without first announcing your presence and invoking peace upon the folk thereof. That is better for you, that ye may be heedful." (QS. An-Nūr: 27)<sup>22</sup>

The two verses above (Al-Baqarah 189 and An-Nur 27) are examples of information that narrate the prohibition of entering a house without permission. The connection with *Tajassus* is that it is forbidden to spy on someone, let alone enter their houses secretly. Someone once used this verse against Umar when he was carrying out a *Tajassus* to a community member suspected of having committed an act of immorality. Hearing the verse, Umar admitted he was wrong and cancelled his intention to conduct espionage.

### **Tajassus in the Period of the Prophet Muhammad Saw**

At the time of Rasulullah SAW, *Tajassus* was often found during wartime. During the war, the Prophet assigned his intelligence to spy on the enemy's movements and those considered hypocrites. The Prophet's intelligence agents also kept a list of the names of the hypocrites. The list of their names must be memorized, may not be

<sup>20</sup> Pickthall, *Roman Transliteration of The Holy Qur'aan*. p. 204.

<sup>21</sup> Pickthall. p. 32.

<sup>22</sup> Pickthall. p. 394.



recorded, and may not fall into the hands of others so as not to cause unrest. The characteristic of a hypocrite whom the Prophet blacklists is that he does not pray for him when the person in question dies.<sup>23</sup>

In choosing his intelligence agents, the Prophet judged one's personal ability, especially in keeping secrets. Because of that, the Prophet implemented a one-door system to submit reports on the results of the intelligence operations of his spies. With this system, the spies immediately conveyed their accounts to the Prophet Muhammad and could not be known by other people, even by the companions of the Prophet himself, who were part of the Khulafa al-Rasyidin.

Islamic history records the name Hudzaifah bin al-Yaman as one of the intelligence agents or the mainstay of the Prophet's spy in dealing with infidels and hypocrites who want to fight against Islam and Muslims. To the Prophet, Hudzaifah was considered a person who could be trusted, had a strong memory, was smart, and was cunning in processing information. He is also known as an easygoing person who makes it easy for him to carry out spy operations.<sup>24</sup>

In the Battle of *Khandaq* (War of the Trenches), Rasulullah commissioned Hudzaifah to spy on the 10,000 thousand Quraysh army force from Mecca, plus the strength of the Jews. They planned to attack the city of Medina, which only had a force of 3,000 troops.<sup>25</sup> Furthermore, to deal with the Jewish and Quraysh forces under Abu Sofyan, Rasulullah implemented a defensive strategy by making a ditch around Medina city. One night, Rasulullah sent Hudzaifah to infiltrate the middle of the opposing army.

It was easy for him to blend into the opposing forces because Hudzaifah had the blood of the tribes of Mecca, so it was not easy to identify him as a foreigner. On the opposite side of the army, a custom is carried out at every meeting. Before the meeting, the people attending should ensure that the people around them are friends by asking their names and where they are from to ensure that the meeting is safe.

In order not to reveal his disguise, Hudzaifah always grabs the hand of the person next to him first and asks, "*What's your name? Where are you from?*" People who are asked will be shocked because they think that Hudzaifah's position must be one of the highest leaders, so he asked first. The person who was asked stated his name and origin immediately. Hudzaifah was then safe and able to attend the meeting and get important information from the meeting results. One of them was the information

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<sup>23</sup> Anjar Sulistyani and Bambang Triyoga, "Sistem Pendidikan Integratif Pada Masa Rasulullah," *Mizan: Journal of Islamic Law* 5, no. 1 (July 28, 2021): 159–76, <https://doi.org/10.32507/mizan.v5i1.1008>.

<sup>24</sup> Asrudi and Zulhas'ari Mustafa, "Analisis Hukum Islam dan Hukum Positif Tentang Tindakan Aparat Negara Melakukan Spionase Terhadap Warga Negara," *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab dan Hukum* 3, no. 1 (February 23, 2022): 13–24, <https://doi.org/10.24252/shautuna.vi.23148>.

<sup>25</sup> Prasetya, Prayitno, and Purwanto, "Komunikasi Intelijen Dalam Melakukan Deteksi Dini Terhadap Gangguan Keamanan Dan Ketertiban Masyarakat."

that Abu Sufyan's troops would withdraw because they felt that his forces would not win the battle against the Prophet and Muslim soldiers in Medina.

In carrying out his duties as a spy, Hudzaifah was also very careful and did not behave in a way that could arouse suspicion. Hudzaifah was also very firm in holding on to the trust the Prophet had given him to keep a list of hypocrites. Even when the Prophet's friend, Umar bin al-Khattab, asked about the list of names, Hudzaifah refused to give it.<sup>26</sup>

### The Law of Performing *Tajassus*

The verdict on *Tajassus* can be unlawful, permissible, and obligatory, depending on who and how the object being spied on.<sup>27</sup> The Qur'an strictly prohibits *tajassus* activities aimed at Muslims as stated in surah Al-Hujurat verse 12. Meanwhile, Imam Qurtubi, interprets the word of Allah above by '*take the things that are visible, and do not open the reproaches of the Muslims*'. That is, not to let one of you investigate the badness of his brother, so that he knows the reproaches after Allah SWT has closed it (his nakedness).<sup>28</sup> Imam Qurtubi's opinion was also strengthened by the hadith of the Prophet:

حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ حَدَّثَنَا وَهَيْبٌ حَدَّثَنَا ابْنُ طَاوُسٍ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِيَّاكُمْ وَالظَّنَّ فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ وَلَا تَحَسَّسُوا وَلَا تَحَسَّسُوا وَلَا تَبَاغَضُوا وَلَا تَدَابَرُوا وَكُونُوا عِبَادَ اللَّهِ إِخْوَانًا

Translation: "Narrated Abu Huraira: Allah's Messenger said, 'Beware of suspicion, for it is the worst of false tales and don't look for the other's faults and don't spy and don't hate each other, and don't desert (cut your relations with) one another O Allah's slaves, be brothers!'" (HR. Bukhari No. 6724).<sup>29</sup>

The hadith above is a strict prohibition against peeping activities, wiretapping on other people's conversations, and prying into news, eavesdropping on other people's conversations. These activities are essential to espionage activities, which are clearly forbidden. Previous commentators have also explained that this prohibition is also related to two other prohibitions, where someone who has done bad prejudice and performs *Tajassus* will then commit backbiting, where backbiting itself is stated as a disgraceful act, which is equated with eating the flesh of one's own brother. So if you look at the whole verse, the *Tajassus* activities that are prohibited here are closely related to the two previous prohibitions, all of which are negative.

<sup>26</sup> Shofiyatun Nisa', "Penyadapan Telepon dalam Pandangan Ahlussunah Wal Jemaah."

<sup>27</sup> Saepul Rizal and Agung Nurrahman, "Pemerintahan Dalam Islam (Telaah Buku Fikrotul Idari Fiil Islam Karya Mumhammad Muhammad Nasyir)," *Jurnal Ilmiah Wahana Bhakti Praja* 11, no. 2 (October 29, 2021): 231–39, <https://doi.org/10.33701/jiwbp.v11i2.2200>.

<sup>28</sup> *Tafsir Al-Qurtubi*, p. 113.

<sup>29</sup> Al-Bukhari, *Ensiklopedia Hadits; Shahih al-Bukhari 1*, Transl. Masyhar Dan Muhammad Suhadi (Jakarta: Almahira, 2011).

Furthermore, if you look at the context in which verse Al-Ḥujurāt<sup>12</sup> was revealed, it is very different from the context of Intelligence as intended today. The context of this verse has been explained previously: these prohibitions were passed down in Medina when the Prophet promoted harmony and brotherhood between Muslims and Jews in Medina. The verses in surah al-Ḥujurāt, in general, also discuss how Muslims should behave towards each other and not do things that can break the existing harmony and brotherhood.

Thus, these prohibitions were revealed because the prohibited actions were negative in nature, which could break harmony because they disturbed one's rights, where one's individual rights are highly respected in Islam.

Then furthermore, if you look at the hierarchy of values in this verse, this verse is included in the instructional value where the commands and prohibitions in this verse are indeed specific. As Abdullah Saeed said in exploring instructional values, this must be done carefully to check whether specific values can be practiced universally or in a limited (particular) way. Meanwhile, to measure this, it is necessary to consider three things, namely the frequency of occurrence of these values in the Qur'an, their significance in the preaching of the Prophet, and finally, their relevance to the first Muslim context.<sup>30</sup>

*First*, if you look at the word *Tajassus* itself, as mentioned earlier, there is only one mention of this word in the Qur'an. However, when referring to other texts, in this case, there are many narrations related to *Tajassus*, as quoted by the commentators in the previous chapter. All of these narrations also clearly prohibit the actions in this verse.

*Second*, seeing the significance in the Prophet's da'wah, As Abdullah Saeed said that a high emphasis could indicate a high level of importance of this value in the Qur'an.<sup>31</sup> If you looked at the preaching of the Prophet when he was in Medina, where this verse was revealed, as explained in the first macro context, the Prophet was incessantly uniting Muslims and strengthening harmony in this period. So the verses revealed, and the hadiths that came out of the mouth of the Prophet were more about the message of peace and good social order, as in this Sura al-Hujurāt, which gives many instructions and prohibitions that are in accordance with the Prophet's preaching here.

*Third*, look at its relevance to the first Muslim context. As previously explained, because the Prophet's mission in Medina was to promote peace and harmony, these prohibitions were intended so that later this peace, brotherhood, and

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<sup>30</sup> Muhammad Roni and Muhammad Anzaikhan, "Konsep Pemikiran Sayyid Qutb tentang Bai'ah: Studi Analisis Tafsir Fi Zilalil Qur'an," *AL QUDS: Jurnal Studi Alquran dan Hadis* 6, no. 1 (March 1, 2022): 61, <https://doi.org/10.29240/alquds.v6i1.3182>.

<sup>31</sup> Bobby Rachman Santoso, Umul Baroroh, and Asep Dadang Abdullah, "Surat Sebagai Media Dakwah: Studi Atas Praktek Dakwah Rasulullah saw terhadap Raja Heraclius, Kisra Abrawaiz, Muqouqis, dan Najasyi," *Jurnal Ilmu Dakwah* 35, no. 1 (August 16, 2017): 118–38, <https://doi.org/10.21580/jid.v35.1.1255>.

harmony would not be damaged because the prohibition in this paragraph relates to an individual's personality regarding the rights of other people that should not be disturbed, which, if disturbed, will certainly injure the brotherhood.<sup>32</sup> From here, the universal value conveyed in this verse is not to interfere with an individual's rights, which are the confidentiality of the person himself and maintaining harmony and brotherhood, while the particular thing here is that this prohibition may be justified in specific contexts, as explained by several commentators in the previous.

Then, there are significant differences if you look at the concept of intelligence today (as an improvised development of the times). That is, even though intelligence activities are known as spying or seeking information, the object of seeking information itself differs from the *Tajassus* activities in this paragraph. Intelligence activities seek information or spy on someone or something threatening in nature, or in other words, spying on the enemy.

It means *Tajassus* and allegations made by intelligence have a clear basis. *Tajassus* is not only driven by lust, whereas *Tajassus* in this verse is *Tajassus* to your brother or, if you look at the previous interpretation, of someone who does not indicate a crime. That is why intelligence activities themselves were activities carried out during wars initially, where intelligence acts as a seeker of information to find weaknesses in the enemy and can win the war.<sup>33</sup>

From the explanation above, it can be concluded that although language and activities have identical similarities, there are fundamental differences between *Tajassus* and intelligence. *Tajassus* is synonymous with ethical actions, while intelligence is more to the needs of the state, which must be carried out on a clear basis. So even though intelligence and people who carry out *Tajassus* carry out the same activity, the goals, and the reason differ. Even in Islamic law, the provisions attached to it can have the opposite value (prohibition/recommendation).

### **The Deviation of *Tajassus* in the Classical Period**

The deviation referred to here is how the practice of *Tajassus* received a negative response. That is, it should not be done for various reasons, even though the initial purpose of spying is good. Based on an incident narrated by Abdur Rahmān bin Auf r.a that said: "I went out with Umar when we were walking, suddenly we saw the light, and then we walked to follow it when we were almost close to the light, suddenly we saw a house, the door was locked and inside there was a loud voice, then Umar held my hand and said: 'Do you know whose house this is?' I replied: 'No'. Then he said: 'this is the house of Rabī'ah bin Umayyah bin Khalaf, and they are currently drinking khamr, and what do you think?' I said: 'I think that we have done what Allah SWT forbade. Then he recited the Sura al-Hujurāt verse 12.

<sup>32</sup> Patmawati, "Sejarah Dakwah Rasulullah Saw Di Mekah Dan Madinah," *Jurnal Al-Hikmah: Jurnal Dakwah* 8, no. 2 (2014): 1–17, <https://doi.org/10.24260/al-hikmah.v8i2.75>.

<sup>33</sup> Shofiyatun Nisa', "Penyadapan Telepon dalam Pandangan Ahlussunah Wal Jemaah."

Then Umar went home and let them be. According to Imam al-Gāzalī, this event shows that a person must cover up and leave the act of seeking disgrace (*Tajassus*) against others.<sup>34</sup> Another event that is also related to this *Tajassus* is based on an event that was included by Imam al-Gāzalī, which is an event that also applies to Umar bin Khattab.

"One night, Umar was walking in Medina. He heard a man's voice in a house singing, then Umar climbed the house, it turned out that there was a woman on the man's side and there was also the wine, then Umar said: "O enemy of God! Do you think that Allah has covered you and you have disobeyed Him?" Then the man said: "O Amirul Mu'minin, don't be in a hurry. While I have committed immorality to Allah with one evil, you have committed three disobediences to Allah Almighty.

First, you violated what was meant in Surah Al-Hujurāt verse 12. You have looked for other people's faults. Then, the second disobedience that you committed, you climbed above my house without permission. Allah said;

يَسْأَلُونَكَ عَنِ الْأَهْلِ ۖ قُلْ هِيَ مَوَاقِيتُ لِلنَّاسِ وَالْحَجِّ ۚ وَلَيْسَ الْبِرُّ بِأَنْ تَأْتُوا الْبُيُوتَ مِنْ ظُهُورِهَا وَلَكِنَّ الْبِرَّ مَنِ اتَّقَى ۚ وَأْتُوا الْبُيُوتَ مِنْ أَبْوَابِهَا ۚ وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ

Translation: "They ask thee (O Muhammad), of new moons. Say: They are fixed seasons for mankind and for the pilgrimage. It is not righteousness that ye go to houses by the backs thereof (as do the idolaters at certain seasons), but the righteous man is he who wardeth off (evil). So go to houses by the gates thereof, and observe your duty to Allah, that ye may be succesful." (QS. Al-Baqarah: 189)

Third, you enter my house whitout my permission dan without invoking peace as what Allah has said;

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْتَأْذِنُوا وَتُسَلِّمُوا عَلَى أَهْلِهَا ۚ ذَلِكُمْ خَيْرٌ لَكُمْ لَعَلَّكُمْ تَذَكَّرُونَ

Translation: "O ye who believe! Enter not houses other than your own without first announcing your presence and invoking peace upon the folk thereof. That is better for you, that ye may be heedful." (QS. An-Nur: 27)

Then Umar said: *'Is there any kindness in you that I forgive you?'* He replied: *"Yes, by Allah, O Amirul Mu'minin! Indeed, if you forgive my mistakes, I will not repeat this action forever."* Then Umar forgave him, went out, and let him.<sup>35</sup>

<sup>34</sup> Asrudi and Mustafa, "Analisis Hukum Islam dan Hukum Positif Tentang Tindakan Aparat Negara Melakukan Spionase Terhadap Warga Negara."

<sup>35</sup> Mirhan Am, "Refleksi Penciptaan Manusia Berbangsa-Bangsa Dan Bersuku-Suku (Telaah Surah Al-Hujurāt Ayat 13)," *Jurnal Studia Insania* 3, no. 1 (April 30, 2015): 1–7, <https://doi.org/10.18592/jsi.v3i1.1099>.

In the tafseer of Al-Azhar, the interpretation of Sura al-Hujurāt verse 12, Hamka relates the relationship between the government and the people, in which case if the government has the character of '*zan*' (i.e., prejudice), then the government begins to have many investigative agencies, or what in modern times is called 'intelligence.' By creating so many intellectual bodies, according to the Prophet's prophecy, it was not that the government wanted to do good to its people, but it was jealousy that it spread. If jealousy grows in one country, the damage will come to that country. It coincides with the hadith of the Prophet, which means; "*Verily, if a government official likes to place doubts on people, then he will destroy them*" (Hadith of Abu Dawud).

So the purpose of this hadith begins to apply the *Tajassus* actions, namely peeking, investigating, groping, and searching. More investigators are appointed. Furthermore, the intelligence officers on duty worry that they will not be praised if a little bit of news is made public. So then they exaggerate the news and turn small information into a report that is as big as a "mountain." They reported the discussion of 3 people who were suspected as if there was a community that had held a clandestine meeting (rebellion). In effect, the government that hears this information will feel anxious—eventually, a slew of download and arrest warrants.

Upon careful inspection, it turned out that the report was not true and was simply a fake report. Many people are increasingly afraid and lost confidence in the government. They seem to be forced to love the government, though there is no pure forced love. As the previous hadith, "*The government itself is destroying its people.*"<sup>36</sup>

From the author's observation, Hamka does not agree with the existence of intelligence or police agencies in the government because these bodies will negatively impact a country. Sayyid Qutb, in interpreting this verse, immediately stated that the act of *Tajassus* was totally prohibited, and he immediately forbade the act. According to him, humans have freedom and rights, and all expressions, before the actual action is carried out. In addition, *Tajassus* is sometimes an activity accompanying conjecture and sometimes an initial move to reveal ugliness and discover the disgrace.

The Qur'an eradicates this despicable practice from a moral point of view to cleanse the heart of this lousy tendency, which wants to reveal the disgrace and ugliness of others. According to him, humans have freedom, honor, and glory that cannot be violated in any way and cannot be touched under any circumstances. In a just and noble Islamic society, humans live with a sense of security for themselves, a sense of security over their homes, a sense of security over their secrecy, and a sense of security over their disgrace. No single matter justifies a violation of self-respect, house, secrets, and shame. In fact, if there is a murder that has implications for law enforcement, then it is not permissible to find out human error.

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<sup>36</sup> Muhammad Alwi Hs, Siti Robikah, and Iin Parninsih, "Reinterpretation of the Term Al-Nas (QS. Al-Hujurāt 13) in Relation to the Social Aspects of Human and Homo Sapiens," *Jurnal Studi Ilmu-Ilmu Al-Qur'an Dan Hadis* 22, no. 2 (July 30, 2021): 485–504, <https://doi.org/10.14421/qh.2021.2202-11>.

People are judged through the phenomena. No one has the right to punish his inner life. No one can punish humans except based on visible deviations and mistakes. One must not suspect, expect, or even know that they are committing a deviation secretly, then be investigated to ensure. So, what is permissible for humans is to punish them when their mistakes occur and are proven accompanied by other guarantees that have been determined by the texts (Quran or Hadith) related to their mistakes.

In discussing this, Sayyid Qutb also included several traditions related to the prohibition of *Tajassus* in his interpretation. Among the events that he states in his commentary is an event narrated by Abu Dawud;

One time, Ibn Mas'ud came. Suddenly it was said to him, "*From this man's beard drip Khamr.*" Abdullah bin Mas'ud said, "*We are forbidden to find fault with people. If it is clear that he has done something wrong, then we will punish him.*" Furthermore, in an event narrated by Mujahid, he said, "*Don't find fault in other people. Hold on to what is clearly visible to you and leave what Allah has hidden.*"

Imam Ahmad and Abu Dawud narrated with his sanad from Dijin, the secretary of Uqbah. He told Uqbah, "*We have neighbors who like to drink khamr, so I asked for proof to punish them.*" Uqbah said, "*Don't do that, but advise them with threats.*" Dijin carried out his suggestion, but still they did it. Finally, Dijin met Uqbah again and said, "*I have forbidden them, but they don't want to stop. Therefore, I asked for evidence to convict him.*" Uqbah said, "*Hush, don't do that, because I heard the Messenger of Allah say, if you investigate a believer's disgrace, it is like digging up his child who was buried alive from his grave.*"

Thus the text of the Qur'an takes its path in a practical order for Islamic society. This order not only builds the heart and cleanses it, but interweaves various human honors, rights, and freedoms, so they cannot be touched from near or afar.<sup>37</sup>

### **The Deviation of *Tajassus* in Modern Period**

In the contemporary era, the misuse of *Tajassus* has been carried out by unscrupulous leaders. At one time, it happened in Indonesia, one of the KPK (Corruption Eradication Commission) leaders used wiretapping for personal matters. Wiretapping of telephone numbers may only be carried out in connection with efforts to uncover criminal acts of corruption and other related issues that have been regulated by law. However, there are unscrupulous KPK leaders who use it for their romantic interests.<sup>38</sup>

In another context, there has also been an abuse of wiretapping power by unscrupulous KPK leaders for political affairs. At that time, the perpetrator was a strong candidate for the Vice President of the Republic of Indonesia who would be elected or appointed by their party's deliberations. In the meantime, he failed to be

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<sup>37</sup> Roni and Anzaikhan, "Konsep Pemikiran Sayyid Qutb tentang Bai'ah."

<sup>38</sup> "Selain Kasus Korupsi, Penyadapan Penyalahgunaan Wewenang KPK," accessed May 2, 2023, <https://regional.kompas.com/read/2009/06/23/13341416/Selain.Kasus.Korupsi.Penyadapan.Penyalahgunaan.Wewenang.KPK>.

elected because several parties disagreed with him serving as a candidate for vice president. Starting from this phenomenon, this KPK leader wiretapes some conversations (espionage) against some groups to find out who was the mastermind who disapproved of him as a candidate for vice president of the Republic of Indonesia.<sup>39</sup>

The phenomenon of *Tajassus* violations also occurs against an Islamic cleric in Indonesia. Based on the author's information, there was an incident where a cleric was considered to be carrying out a negative conversation reported by an unscrupulous investigator in the country. Polda Metro Jaya handled the case in May 2017. At that time, screenshots of the dirty chats that were accused of the two suspects were spread on social media. It happened amid the political turmoil in Indonesia. The female party was arrested and charged with treason during the 212 strike on December 2, 2016. Subsequently, the suspect was under house arrest on charges of pornographic content.<sup>40</sup>

In the above phenomenon, the author considers that even if the negative conversations were confirmed (not fabricated), it would still be a form of *Tajassus* deviation prohibited in Islamic concepts. The conversation between two persons who are not even talking about a movement against the state cannot be opened to the public. It is the same as what happened during Umar's time when he canceled the punishment for drinking *khamr* because it was done secretly without being noticed by other people. Spying in this context is considered something that prohibits a code of ethics because it can cause slander and fear in society.

Wiretapping, in general criminal acts, can potentially violate human rights, especially a person's right to privacy, which Article 28 G of the Constitution has guaranteed in conjunction with Article 17 of the International Covenant on Civil and Political Rights. General crimes do not have special characteristics, such as special crimes, which makes wiretapping conducted. One of these characteristics is organized action, so wiretapping is necessary.<sup>41</sup>

The perpetrators in special crimes are power holders or officials that may directly impact the wider community, while the perpetrators of general crimes are ordinary people who do not directly impact the wider community. In addition, there is a relevant basis for alleged wiretapping in specific crimes. For example, in the criminal act of corruption, there is reporting of assets that can be used as a basis for suspicion, while in general crimes, there is no relevant basis for raising allegations of a crime. Therefore wiretapping is not an important thing to do in general crimes.

It is better that in the Draft Criminal Procedure Code in Article 83 paragraph (2), several general crimes such as kidnapping, theft by force, threats, pornography,

<sup>39</sup> Agus Suntoro, "Penyadapan Dan Eksistensi Dewan Pengawas Komisi Tindak Pidana Korupsi," *Jurnal Legislasi Indonesia* 17, no. 1 (March 31, 2020): 25–37, <https://doi.org/10.54629/jli.v17i1.627>.

<sup>40</sup> Yodi Alfahri Daun, Tofik Yanuar Chandra, and Agung Makbul, "Kewenangan KPK Melakukan Penyadapan Dalam Penyelidikan Dan Penyidikan Tindak Pidana Korupsi," *SALAM: Jurnal Sosial Dan Budaya Syar-i* 9, no. 5 (August 13, 2022): 1526–40, <https://doi.org/10.15408/sjsbs.v9i5.27637>.

<sup>41</sup> Suntoro, "Penyadapan Dan Eksistensi Dewan Pengawas Komisi Tindak Pidana Korupsi."



and rape are removed from the types of serious crimes that allow wiretapping because they are very vulnerable to violations of human rights and is not a critical action to take. In addition, the focus of the regulation regarding wiretapping is not only on the type of crime but on an emergency or an urgent situation to carry out wiretapping.<sup>42</sup>

In the Draft Criminal Procedure Code established by the House of Representatives of the Republic of Indonesia (DPR RI) and the Government, it would be better to add an article or paragraph regarding testing of wiretapping acts as evidence in court so that there is protection for people who are wiretapped from arbitrary acts -The authority of law enforcement officials who have the potential to violate human rights and the addition of an article regarding compensation for people who feel their privacy rights have been violated as a result of wiretapping.<sup>43</sup>

## Conclusion

The verse that often becomes the primary reference for *Tajassus* is Al-Hujurāt verse 12, where spying is closely related to texts regarding suspicion and prejudice. Islamic teachings prohibit *Tajassus* in the social-community context because it can divide and trigger social harmonization. The proper implementation of *tajassus* is in the context of more significant matters, such as the importance of intelligence for the leader of a country, especially in increasing vigilance and maintaining state sovereignty. In classical times, the Prophet carried out intelligence in determining the number of enemy troops. Apart from that, the Prophet also did this to find out who the spies were on the side of the Muslims. In modern times, deviations in the practice of *Tajassus* are more intense, be it deviations that originate from suspicion or the use of wiretapping devices owned by authorized persons. For example, a wiretapping device that KPK officials should have used to investigate corruption cases was used as a political tool (out of control).

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<sup>42</sup> Shofiyatun Nisa', "Penyadapan Telepon dalam Pandangan Ahlussunah Wal Jemaah."

<sup>43</sup> Puteri Hikmawati, "Pengaturan Izin Penyadapan oleh KPK Pasca Putusan Mahkamah Konstitusi No. 70/PUU-XVII/2019 (Wiretapping Permit Regulation by KPK After the Constitutional Court Decision No. 70/PUU-XVII/2019)," *Negara Hukum: Membangun Hukum untuk Keadilan dan Kesejahteraan* 13, no. 1 (July 27, 2022): 103–22, <https://doi.org/10.22212/jnh.v13i1.2969>.

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