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COPYRIGHT AND ISLAMIC CONTENT IN THE MEDIA INDUSTRY

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Abstract

The rapid advancement of digital technology has created significant opportunities for the dissemination of Islamic content through social media. However, this development also comes with an increasing prevalence of copyright violations against da'wah content, largely due to weak regulations and insufficient oversight. This study aims to analyze copyright regulations in the media industry, particularly concerning Islamic content, and to identify the challenges faced by creators in producing and distributing their work. Using a library research method, the study finds that current copyright laws still have gaps in protecting Islamic content, both in terms of unauthorized use and restrictions imposed by social media algorithms. Other challenges faced by creators include the risk of false copyright claims, competition with more popular content, and dilemmas related to monetizing da'wah content. Therefore, this study proposes alternative copyright protection mechanisms such as the implementation of open licenses (Creative Commons), blockchain technology, digital watermarking, and the categorization of Islamic content on digital platforms. Collaboration between the government, media platforms, content creators, and Islamic organizations is a key factor in ensuring copyright regulations are enforced effectively without hindering digital da'wah. With more adaptive protection mechanisms, Islamic content can continue to grow as a high-quality medium for education and da'wah while respecting the intellectual property rights of its creators.

Keywords: Copyright, Islamic Content, Social Media, Regulation, Digital Da'wah

Abstrak

Pesatnya perkembangan teknologi digital telah membuka peluang besar bagi penyebaran konten Islami melalui media sosial. Namun, di sisi lain, pelanggaran hak cipta terhadap konten dakwah semakin marak terjadi akibat lemahnya regulasi dan pengawasan. Studi ini bertujuan untuk menganalisis regulasi hak cipta dalam industri media, khususnya terkait konten Islami, serta mengidentifikasi tantangan yang dihadapi oleh kreator dalam memproduksi dan mendistribusikan karya mereka. Dengan menggunakan metode library research, penelitian ini menemukan bahwa regulasi hak cipta yang ada masih memiliki celah dalam perlindungan konten Islami, baik dari aspek penggunaan tanpa izin maupun pembatasan distribusi oleh algoritma media sosial. Tantangan lain yang dihadapi kreator meliputi risiko klaim hak cipta yang keliru, persaingan dengan konten populer, serta dilema monetisasi konten dakwah. Oleh karena itu, penelitian ini menawarkan alternatif mekanisme perlindungan hak cipta, seperti penerapan lisensi terbuka (Creative Commons), teknologi blockchain dan digital watermarking, serta kategori khusus bagi konten Islami di platform digital. Sinergi antara pemerintah, platform media, kreator, dan lembaga dakwah menjadi faktor kunci dalam memastikan regulasi hak cipta dapat diterapkan secara efektif tanpa menghambat dakwah digital. Dengan mekanisme perlindungan yang lebih adaptif, konten Islami dapat terus



berkembang sebagai media edukasi dan dakwah yang berkualitas serta tetap menghormati hak cipta kreatornya.

Kata kunci: *Hak Cipta, Konten Islami, Media Sosial, Regulasi, Dakwah Digital*

A. Introduction

In the past three years, various cases of copyright infringement on social media have continued to surface, highlighting the challenges in protecting intellectual property in the digital age. One major case occurred in June 2023, when the National Music Publisher Association (NMPA) sued Twitter for USD 250 million, alleging that the platform allowed copyrighted music to be shared without permission and failed to remove infringing content despite being reported.¹ In January 2021, PT Digital Rantai Maya also sued TikTok and Bytedance Inc. for unauthorized use of the song "Harta Berharga," seeking damages of Rp 13.1 billion.² Additionally, in November 2023, Hari Tjahjono, the composer of the song "Harta Berharga," which is known as the theme song for the

soap opera Keluarga Cemara, filed a complaint with the Constitutional Court regarding the rampant copyright infringement on digital platforms, where his work is often used without permission for business purposes.³ These cases show that although social media platforms provide space for creativity, there are still many challenges in ensuring fair copyright protection for creators.

Beside copyright infringement in music, the unauthorized use of Islamic preaching videos is also a common issue on social media. Much lecture content from renowned preachers is re-uploaded by others without the original owners' permission, often with added edits or cuts that can alter the original context. This practice not only harms preachers in terms of copyright but also risks causing misinformation among the community.

¹ "Twitter Digugat Rp 3,7 Triliun Karena Langgar Hak Cipta Musik," *Detik Inet*.

² "TikTok Digugat Rp 13,1 Miliar Terkait Pelanggaran Hak Cipta Lagu Virgoun," *Merdeka.Com*.

³ "Pencipta Lagu Keluhkan Ke MK Soal Pelanggaran Hak Cipta Di Platform Digital," *Sinpo.Id*.



Some cases even show that lecture videos are used in their entirety for specific purposes, such as propaganda or monetization without sharing profits with the copyright owner. Although some platforms have provided mechanisms for reporting violations, rule enforcement is still weak, so much preaching content remains widespread without permission. This highlights the importance of stricter regulations and social media users' awareness in respecting the copyright of digital works, including in the realm of Islamic preaching.

In this era of increasingly rapid advancements in information technology, Islamic content plays an important role as a supporter of Islamic values and a filter against information that is not in accordance with Islamic teachings. With easy access to various digital platforms, Muslims are exposed to a wide range of information that is not always valid or in accordance with the principles of Islamic

law. In this situation, authentic and credible da'wah content becomes a primary need to guide society so that it is not influenced by misinformation or incorrect religious understanding.⁴ Additionally, the presence of high-quality Islamic content can be a constructive alternative compared to the proliferation of less educational entertainment content. Some studies show that utilizing digital technology in da'wah can broaden the reach of the Islamic message and improve religious literacy among young people.⁵ Therefore, copyright protection for Islamic preaching content not only aims to protect the works of preachers but also to preserve the authenticity and quality of the message delivered to the community.

Studying copyright and Islamic content in the media industry has become a necessity in this digital age, considering the increasing complexity of challenges in spreading religious teachings on online platforms. The prevalence of copyright

⁴ Zainal Arifin, *Teknologi Informasi Dan Dakwah Di Era Digital* (Jakarta: Pustaka Islam, 2022).

⁵ Ahmad Fauzi, "Pengaruh Media Sosial Terhadap Penyebaran Dakwah Islam Di Kalangan Generasi Milenial," *Jurnal Komunikasi Islam* 10, no. 1 (2023): 78-90.



violations, such as unauthorized use of lecture videos and monetization without fair distribution of rights, indicates that stricter regulations and user awareness are urgently needed to protect the works of preachers and ensure the authenticity of the preaching message. Additionally, with the rapid flow of information on social media, Islamic content plays a crucial role in upholding religious values and serving as a filter for the community to prevent them from falling into misinformation or incorrect religious understanding. Therefore, synergy between technology, regulation, and digital ethics in managing Islamic content is a crucial step to maintain the purity of da'wah and provide legal protection for creators in the Islamic media industry. The objectives of this research are: 1) to examine the regulations governing copyright protection, 2) the challenges faced by Islamic content creators, and 3) to propose a clear mechanism for copyright licensing regulations on Islamic content, thereby providing legal certainty for preachers and digital preaching

creators and ensuring that the spread of preaching continues ethically and responsibly.

B. Methodology

The method used in this article is library research. This study aims to analyze copyright regulations in the media industry, specifically regarding Islamic content, and to identify the challenges faced by creators in producing and distributing their work.

C. Review of Copyright Protection Regulations

In recent years, the digital world has experienced a significant surge in content production and distribution. This phenomenon is inseparable from the role of social media platforms such as YouTube, Instagram, TikTok, Facebook, and various similar platforms that offer incredible ease in instantly sharing work with a wide audience. Unfortunately, amidst this wave of digitalization, copyright infringement is becoming increasingly rampant and complex.

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Various original works such as videos, images, music, and writings are often reused by individuals and commercial entities without permission or proper attribution to the original owners.⁶ This situation indicates that although access to information and content is becoming increasingly open, awareness of the ethics of using others' works is actually declining.

One of the main reasons for the high rate of copyright infringement on social media is the ease of access and distribution of digital content. Anyone can now easily download, edit, and re-upload digital works with just a few clicks. This blurs the line between property rights and public consumption.⁷ Furthermore, the gray areas related to the concept of fair use are often misunderstood or misused. Many users argue that using a small portion of a work falls under fair use, even

tho this provision has strict limitations and must meet certain elements such as the purpose of use, proportion, impact on the market, and the nature of the original work.⁸

The problem becomes more complicated when the original creator does not receive adequate legal protection. In many cases, reports of copyright infringement to platform providers are often not effectively addressed. Although some platforms have provided violation reporting features, these systems are often slow or even biased toward parties with greater influence or reach.⁹ On the other hand, social media platforms have not fully demonstrated seriousness in systematically and fairly enforcing copyright regulations.

Seeing the increasing trend of copyright infringement cases, some

⁶ YouT Jean Burgess & Joshua Green, *Youtube: Online Video and Participatory Culture* (Cambridge: Polity Press, 2018).

⁷ Lawrence Lessig, *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity* (New York: Penguin Press, 2004).

⁸ Jessica Litman, *Digital Copyright* (New York: Prometheus Books, 2001).

⁹ Tarleton Gillespie, *Custodians of the Internet: Platforms, Content Moderation, and the Hidden Decisions That Shape Social Media* (Yale: Yale University Press, 2018).



countries are starting to take serious steps by strengthening policies and regulations governing the protection of digital works. For example, the European Union has implemented the Copyright Directive, a policy that requires digital platforms to be more responsible and proactive in filtering and managing copyrighted content before it is published.¹⁰ This policy requires platforms to use content recognition technology and clarify their accountability mechanisms for violations that occur.

Meanwhile, in Indonesia, copyright protection is regulated thru Law Number 28 of 2014 concerning Copyright, which explicitly grants exclusive rights to creators over their works, including moral and economic rights.¹¹ This regulation covers various types of works, ranging from literature, music, and fine arts to digital content. However, in its implementation, law enforcement still

faces significant challenges. These include limited oversight of dynamic and ever-evolving social media content, as well as weak public literacy regarding the importance of respecting intellectual property rights.¹² Many users are unaware that reposting or quoting work without attribution can have legal implications.

Amidst this situation, new challenges have also emerged, brought about by the development of artificial intelligence (AI) technology. AI technology is now capable of generating various forms of work such as writing, images, videos, and music in a short amount of time. This automation presents a new dilemma in the world of copyright: who deserves to be called the creator? Is it the AI system, its users, or the software developers who own its algorithms? This kind of complexity shows that the old

¹⁰ European Commission, *Directive on Copyright in the Digital Single Market*, 2019.

¹¹ Lembaran Negara Republik Indonesia, *Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta* (Indonesia, 2014).

¹² Rulli Nasrullah, *Media Sosial: Perspektif Komunikasi, Budaya, Dan Sosioteknologi* (Jakarta: Kencana, 2016).



regulations are no longer adequate to meet the challenges of the times.¹³

Based on these various findings and dynamics, it can be concluded that the copyright regulation system in the social media era still has many loopholes that can be exploited for abuse. Therefore, a more adaptive, participatory, and systematic regulatory approach is urgently needed to ensure fair protection for creators. Policy updates that align laws with technological developments and digital user behavior are a strategic step that cannot be delayed. Without these efforts, justice in the digital realm will continue to be an illusion, and original creators will become increasingly vulnerable to exploitation of their work.¹⁴

D. Challenges For Islamic Content Creators

Amidst the rapid development of the digital ecosystem, Islamic content creators are also participating in

conveying religious teachings thru social media platforms such as YouTube, Instagram, TikTok, and Facebook. However, they face significant challenges, particularly regarding copyright regulations, which still have many loopholes. These challenges come in the form of both the risk of becoming a victim of copyright infringement and unknowingly becoming an infringer due to a lack of understanding of the applicable rules.¹⁵

One of the main problems faced by Islamic content creators is the potential use of copyrighted material in the production of da'wah content. The use of sermon excerpts, religious songs, background music, and even clips from Islamic films or documentaries is often done without the written permission of the rightful copyright holder. Although the intention is for proselytization and education, this action can still lead to legal claims from copyright holders, as

¹³ Ian Brown & Christopher T. Marsden, *Regulating Code: Good Governance and Better Regulation in the Information Age* (Cambridge: MIT Press, 2013).

¹⁴ Manuel Castells, *Communication Power* (Oxford: Oxford University Press, 2009).

¹⁵ Jean Burgess & Joshua Green, *Youtube: Online Video and Participatory Culture*.



copyright is still protected even for non-commercial purposes.¹⁶

Additionally, the automated filtering algorithms implemented by various social media platforms often pose a significant technical constraint. YouTube's Content ID system or Facebook's content recognition technology can automatically remove or block videos deemed to infringe copyright, even if the content falls under fair use guidelines. A significant amount of Islamic content is blocked because algorithms misidentify certain elements, such as background audio or short video clips, as violations of others' copyrights.¹⁷

Furthermore, the challenges faced by Islamic content creators are not limited to legal aspects, but also encompass social and cultural dynamics within the digital space. Competition with popular content that tends to be light, entertaining, or even viral without educational value poses a

unique challenge for Islamic preaching content to remain relevant and capture audience attention. Creators are required not only to master the substance of Islamic teachings but also to possess creative skills in presenting the message of da'wah esthetically, communicatively, and in accordance with current media trends.¹⁸

However, in an effort to create engaging content, Islamic creators also face a monetization dilemma. On one hand, monetization is seen as a way to support the sustainability of quality content production. But on the other hand, there are concerns that the commercialization of Islamic content will harm the values of sincerity and the blessings of the da'wah itself.¹⁹ This issue is becoming increasingly complex considering that many viewers believe preaching should be done for free and is not suitable for commercialization, even tho the reality is that producing quality

¹⁶ Jessica Litman, *Digital Copyright*.

¹⁷ European Commission, *Directive on Copyright in the Digital Single Market*.

¹⁸ Rulli Nasrullah, *Media Sosial: Perspektif Komunikasi, Budaya, Dan Sosioteknologi*.

¹⁹ Zainal Abidin, *Dakwah Di Era Digital: Strategi Dan Tantangan* (Yogyakarta: UII Press, 2020).

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content requires significant resources. Facing this reality, Islamic content creators need to formulate more comprehensive strategies. One of these is by thoroughly understanding the applicable copyright regulations, both nationally, such as Law No. 28 of 2014 concerning Copyright,²⁰ or internationally thru the policies of the platforms where content is distributed. Using royalty-free materials, Creative Commons licenses, or official collaboration with copyright holders is an important step to ensure content remains legally safe. In addition, creators also need to improve their technical production capacity to media industry standards. This includes audio-visual quality, communicative narration, engaging visual design, and optimal utilization of distribution platforms. Innovation in the form of short videos, Islamic animations, da'wah

podcasts, and interactive formats can be an alternative to increasing the competitiveness of Islamic content amidst the digital information overload.²¹

Another strategic step is to build a collaborative network between da'wah creators, the Muslim community, educational institutions, and religious organizations. This collaboration not only expands content distribution but also strengthens the legitimacy and quality of the da'wah content delivered. With a mutually supportive ecosystem, Islamic content can hold a strong position in the social media landscape while maintaining the authenticity, blessings, and intellectual property rights of each work produced.²²

With a strategic and conscious approach to regulation, Islamic content can not only survive but also thrive as a relevant and competitive instrument of

²⁰ Lembaran Negara Republik Indonesia, Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta.

²¹ Majelis Ulama Indonesia (MUI), *Fatwa MUI Nomor 24 Tahun 2017 Tentang Hukum Dan*

Pedoman Bermuamalah Melalui Media Sosial (Indonesia, 2017).

²² Abdul Aziz. Said, "Strengthening Islamic Content in the Digital Space through Institutional Collaboration.," *Global Muslim Media* 2, no. 1 (2022): 41-47.

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da'wah, while upholding sharia values and positive law in the protection of intellectual property.

E. Offer Of A Mechanism For Implementing Copyright Protection Regulations For Islamic Content

In facing the challenges of copyright infringement against Islamic content on social media, a regulatory mechanism is needed that is not only effective but also adaptable to the dynamics of the digital space. Intellectual property rights in the form of lecture videos, infographic sermons, and Islamic audio clips are important assets that must receive legal protection. However, such protection systems should not hinder the main purpose of the Islamic content itself, which is to spread Islamic values widely and inclusively.²³

One regulatory alternative considered capable of bridging the

interests of da'wah and legal protection is the implementation of open licensing systems, such as Creative Commons (CC). Thru this license, content creators can determine the type of permission granted to the public, ranging from unmodified reuse to commercial use with specific attribution.²⁴ Thus, Islamic content can still be widely disseminated as a means of proselytization, but within the legal boundaries agreed upon by creators and users. This license provides high flexibility in content distribution while fostering a culture of mutual respect within the digital ecosystem.²⁵

Furthermore, cutting-edge technologies such as blockchain and digital watermarking can be technical solutions for tracking and verifying the ownership of Islamic digital content. Blockchain technology, for example, allows for the permanent and

²³ Lawrence Lessig, *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity*.

²⁴ "About The Licenses," *Creative Commons*, last modified 2025, <https://creativecommons.org/licenses/>.

²⁵ Peter. Aufderheide, Patricia, dan Jaszi, *Reclaiming Fair Use: How to Put Balance Back in Copyright*. (Chicago: University of Chicago Press, 2011).

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decentralized recording of digital work ownership rights, making it difficult for unauthorized parties to manipulate or claim them.²⁶ While digital watermarking can embed the creator's identity discreetly within audio-visual files, making it easy to detect if there is a violation.²⁷ The implementation of this technology by social media platforms will greatly assist Islamic creators in maintaining the authenticity of their work. Beside the technological approach, collaboration between digital platforms and religious authorities is also worth considering. Platforms like YouTube or Facebook could create a special category for da'wah content verified by trusted Islamic institutions, such as MUI or national da'wah organizations. This step can minimize system errors in assessing da'wah content as violations, while also promoting the dissemination of authentic

Islamic content free from plagiarism or manipulation.²⁸

From a regulatory perspective, the government can adopt a fair use-based protection model that is more accommodating to da'wah and educational activities. In this context, the limited use of copyrighted material such as lecture quotes, religious illustrations, or book excerpts for non-commercial preaching purposes may be exempt from legal sanctions, provided proper attribution is given to the original owner.²⁹ This model has been effectively implemented in several developed countries, such as the United States, and can be adapted to suit the socio-religious context in Indonesia. However, regulations alone are not enough without accompanying education and socialization for the digital community. Many copyright violations

²⁶ Alex. Tapscott, Don, dan Tapscott, *Blockchain Revolution: How the Technology Behind Bitcoin Is Changing Money, Business, and the World*. (Penguin Press, 2016).

²⁷ Fabien A. P Katzenbeisser, Stefan, dan Petitcolas, *Information Hiding Techniques for*

Steganography and Digital Watermarking. (Artech House, 2000).

²⁸ Social Media + Society, "Framing the Study of Religious Digital Creatives," *Campbell, Heidi A.* 7, no. 1 (2021): 1–8.

²⁹ European Commission, *Directive on Copyright in the Digital Single Market*.



occur not out of malicious intent, but due to ignorance or the assumption that religious content is free for public use. Therefore, it is necessary to conduct digital campaigns and training for Islamic creators on the importance of respecting copyright, how to use open licenses, and the ethics of distributing religious content on social media.³⁰

Furthermore, the copyright dispute resolution mechanism needs to be made more flexible and faster, especially for da'wah content which is often seasonal (e.g., Ramadan content). Compared to the lengthy and complex legal process, digital mediation or online dispute resolution (ODR) can be an alternative, fair, and efficient way to resolve disputes for creators and users.³¹

With the implementation of an open licensing system, the utilization of digital tracking technology, the creation of Islamic content categories by platforms, the refinement of fair use regulations, and

the strengthening of public education, copyright protection for da'wah content can be significantly enhanced. The success of this approach will certainly require synergy between creators, digital platforms, the government, and religious institutions, in order to create a healthy, productive, and sustainable social media ecosystem. In this context, da'wah is not only a religious activity, but also a form of dignified and legally protected digital contribution.

F. Conclusion

Based on a review of copyright regulations, the challenges faced by Islamic content creators, and the alternative protection mechanisms offered, it can be concluded that copyright protection for Islamic content on social media still faces various obstacles that need to be addressed immediately. Existing regulations, although they provide legal protection, still have

³⁰ Majelis Ulama Indonesia (MUI), *Fatwa MUI Nomor 24 Tahun 2017 Tentang Hukum Dan Pedoman Bermuamalah Melalui Media Sosial*.

³¹ Thomas dan Kaufmann-Kohler Schultz, Gabrielle. *Online Dispute Resolution: Challenges for Contemporary Justice*. (Kluwer Law International, 2021).

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implementation gaps that make creators vulnerable to copyright infringement and disputes. On the other hand, Islamic content creators also face challenges in balancing the aspect of proselytization with adherence to regulations and competition with other more popular content. Therefore, more innovative and adaptive solutions are needed, such as the implementation of open licenses, digital technology for copyright tracking, and special categories for Islamic content on social media platforms. The synergy between the government, digital platforms, creators, and Islamic propagation institutions is the key to creating a fair, sustainable media ecosystem that upholds Islamic values in content dissemination in the digital age.

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