

The Bjorka Hacking Phenomenon on Selling Personal Data as a Digital Asset from The Perspective of *Maqashid Sharia*

Achmad Fageh

Universitas Islam Negeri Sunan Ampel Surabaya
ach.fageh@uinsby.ac.id

Anisa Solikhawati

Universitas Islam Negeri Sunan Ampel Surabaya

Abstract

Personal data is often used as a digital commodity tool on every digital platform such as Shopee, Link Aja, Dana, Go-jek, Grab, and so on. This study aims to find out more about the Bjorka hacking phenomenon on the sale of personal data as a digital asset from a sharia maqashid perspective. This type of research is library research, namely an assessment of library sources related to the problems discussed, especially in exploring contemporary muamalah fiqh concepts from various at-Turath books and books by local fiqh muamalah figures. as well as the West. The data sources of this research are primary and secondary. The results show that the phenomenon of selling data by Bjorka is very clear that this violates the concept of maqashid sharia in terms of *dharuriyat*, *hajiyyat*, and *tahsiniyat*. Based on maslahah dharuriyat which is divided into 5 aspects, namely maintaining religion (*hifdhud diin*), guarding the soul (*hifdhun nafs*), guarding offspring

(*hifdhud nasl*), guarding reason (*hifdhul aql*), even protecting property (*hifdhul maal*), cases of selling personal data are something that deviates from the principles of *maqashid sharia*.

KEYWORDS *Bjorka; Personal Data; Digital Assets; Maqashid Sharia*

Abstrak

Data pribadi sering dijadikan alat komoditas digital di setiap platform digital seperti Shopee, Link Aja, Dana, Go-jek, Grab, dan lain sebagainya. Penelitian ini bertujuan untuk mengetahui lebih dalam tentang fenomena peretasan Bjorka pada penjualan data pribadi sebagai aset digital dari perspektif maqshid syariah. Jenis penelitian ini adalah penelitian kepustakaan (library research), yaitu pengkajian terhadap sumber-sumber pustaka yang berkaitan dengan permasalahan yang dibahas, khususnya dalam menggali konsep-konsep fiqh muamalah kontemporer dari berbagai kitab at-Turath dan kitab-kitab tokoh fiqh muamalah setempat. serta Barat. Sumber data penelitian ini adalah primer dan sekunder. Hasil penelitian menunjukkan bahwa fenomena jual beli data oleh Bjorka sangat jelas melanggar konsep maqashid syariah dari segi dharuriyat, hajiyyat, dan tahsiniyyat. Berdasarkan masalah dharuriyat yang terbagi menjadi 5 aspek yaitu menjaga agama (*hifdhud diin*), menjaga jiwa (*hifdhun nafs*), menjaga keturunan (*hifdhud nasl*), menjaga akal (*hifdhul aql*), bahkan menjaga harta benda (*hifdhul maal*), perkara penjualan data pribadi merupakan sesuatu yang menyimpang dari prinsip maqashid syariah. Kata Kunci: Bjorka; Data Pribadi; Aset Digital; Maqashid Syariah

KATA KUNCI *Aset Digital; Bjorka; Data Pribadi; Maqashid Syariah*

Introduction

The uproar of alleged data leaks is like a 'wild ball' that rolls in all directions. After 1.3 billion people's data were recorded on cellphone cards (SIM Cards), it was the turn of the officials who were attacked by a hacker named Bjorka. President Joko Widodo became the main target, although he was immediately dismissed by the palace. At least 9 letters from Jokowi to various parties were used as samples

for Bjorka by revealing them in cyberspace. The list of data leaked by Bjorka includes: (1) Indihome customer data leak. Bjorka reportedly pocketed around 26 million browsing history of Indihome customers. The data includes personal data such as keywords, email, gender, and population identification number. However, the data is allegedly invalid because Telkom does not store email and browsing history. Telkom uses user id. (2) Data 1.3 Billion SIM numbers. Bjorka hackers broke into 1.3 Billion SIM user data. The validity of this data was confirmed by Cyber Security Expert from Vaccinecom Alfons Tanojaya. Hackers claim this data was taken from Kominfo. (3) 150 million population data from KPU. Bjorka hackers sell data as much as 150 million Indonesian population data at a price of Rp. 74 million. Bjorka claimed that this data was taken from the General Elections Commission (KPU) database. This data is then distributed on September 6, 2022. The data includes NIK, KK No, full name, place of birth date, age, address, stability status, and so on. (4) Secret letter from the state intelligence agency to President Jokowi. On the Breached.to page, Hacker Bjorka wrote: *“Contains letter transaction from 2019 – 2021 as well as documents sent to the President including a collection of letters sent by the State Intelligence Agency which are labeled as secret,”* (Rakhmayanti Dewi, 2022)

In the case of the hacking phenomenon carried out by Bjorka, it is thought that personal data on digital services is very valuable. The development of technology makes *cyber crime cases rampant* around the community. Personal data is often used as a digital commodity tool on every digital platform such as Shopee, Link Aja, Dana, Go-jek, Grab, and so on. Because this personal data is very valuable, Indonesia has made regulations regarding the protection of privacy in the 1945 Constitution Article 28G paragraph 1 which explains that everyone has the right to protection of personal, family, dignity, honor and property owned, as well as the right to obtain a sense of security and protection from intimidation to be able

to act or not which is their human right. (Hukum Bagi Konsumen Pada Transaksi Digital Aset Kripto Ditinjau Dari Undang-Undang Nomor et al., n.d.)

The emergence of contemporary muamalah practices is the most important part in providing space for the Muslim community to change the status of their business transactions which is more equitable, maintains *maslahah*, is more modern, dignified, and gains benefits in this world and the hereafter. This can happen if business transactions carried out internally among human beings contain *maqashid sharia* that has been offered by scholars both in process and in principle. However, it is very ironic that many contemporary business transactions do not provide a strong explanation of the basis so that they are still practiced by modern society today. Thus, this paper reveals as well as analyzes the existence of *maqashid sharia* in the Bjorka hacking case on the sale of personal data as digital assets. (S, Rizki Febriadi, & P, 2020)

Personal Data as a Digital Asset

In Malaysia, the position of Malaysian Personal Data Protection (JPDP) is an agency under the Ministry of Communications and Multimedia (KKM) whose role is to ensure compliance with deeds relating to personal data protection through awareness raising, promotion and guidance to combat misuse of personal data. Taking into account, today's world is undergoing a process of digitization, the issues of the safety of personal data in digital form are also matters that need to be given attention. However, there is no clear form of digital data management designed by responsible parties such as technology supplies and the government to oversee the management of digital data after the death of the user. (Ali et al., n.d.)

The sophistication of this communication technology can be practiced best by users so that slowly in the country's goals, which are believed to be in line with the transformation of the technological world, it can be achieved as a whole. However, what is happening today seems to be out of control if the users themselves do not seem to be aware of the value and safety of the personal data

generated. The active involvement of social page users in sharing personal data such as videos, pictures, locations, job announcements, home addresses and various other data voluntarily without coercion contributes to the issue of privacy control and personal data safety. Therefore, users do not seem to worry about personal data that has been created. (Budi Setiawan, 2018)

Digital assets are assets whose scope is not only limited to money, but also has emotional value, is personal and confidential. Examples of digital assets such as social media accounts, blog domains or IDs to access online games. Google argues that a person's digital assets must be protected even if the person has died. Even digital assets will be protected by special laws. Closure or deletion of digital assets is only allowed if the heirs apply for closure to the party who manages the assets. This is why customers must give special authority to one of the trusted parties to avoid unpleasant things in the future. (Nur Amalina Wijaya, 2019)

Maqashid Sharia

Maqashid sharia consists of two words, namely *maqashid* and *sharia*. Linguistically, *maqashid* means to bring something, demand, intentional, and purpose. Meanwhile, *sharia* means the road to the water source, which can also be interpreted as the road to the main source of justice. (Kiky Aprianto, 2017)

According to the term, Wahbah Zuhaili argues that *maqashid Sharia* is the values and objectives of the law that are implied in all or the largest part of its laws. These values and goals are seen as goals and secrets of sharia, which are set by lawmakers in every legal provision. Meanwhile, as-Syatibi explained that *maqashid sharia* aims to realize the benefit of humans in the world and in the hereafter. In this case, benefit is defined as everything related to human sustenance and the fulfillment of human life. The benefits that will be realized are dharuriyat, hajiyat, and tahsiniyat. (Mansyur, 2020)

The benefits of Islamic sharia in upholding the objectives of sharia (*maqashid sharia*) consist of different levels and are not at one level. *First*,

dharuriyat is the main and important matter, for example in maintaining property (*hifdhul maal*) that Islam makes the main and important thing in matters of obligation to earn a living and regarding the halalness of it. *Second* , hajiyyat is a matter that is needed to support the main thing, namely *dharuriyat* , such as a contract or contract in business activities to support the main thing in earning a living is something that is needed (*hajiyyat*) its existence. *Third* , tahsiniyat is a perfect thing for the first and second levels, for example to support the main thing in earning a living and the second thing in contracts and business transactions, then the things that perfect for both levels are ethics and good business behavior. (Nurfalah & Slamet Rusydiana, 2019)

The formula offered by Islam in maintaining / safeguarding assets in accordance with *maqashid sharia* is to prioritize primary matters and maintain the primary integrity with other supporting matters. In this case, *maqashid sharia* consists of guarding religion (*hifdhud diin*), guarding the soul (*hifdhun nafs*), guarding reason (*hifdhul aql*), guarding offspring (*hifdhun nasl*), and guarding property (*hifdhul maal*).

Maqashid sharia formula in maintaining / safeguarding assets is to continue to prioritize primary matters, namely maintaining religion (*hifdhud diin*) and by maintaining primary integrity with other matters, including maintaining property (*hifdhul maal*). Usul scholars agree that the primary issue is maintaining religion and cannot be replaced. While the matter of protecting property cannot occupy the primary issue, it shifts the position of guarding religion. However, the matter of protecting property is important to maintain the integrity of religion until it is said that damaged property can affect the purity of religion. For example in muamalah activities that Friday prayers are the primary and main thing to do than buying and selling muamalah activities refer to QS. Al-Jumu'ah verse 9. Another example is that damaged property material can affect the integrity of primary matters, such as praying using stolen gloves. (Fageh et al., n.d.)

As-Syatibi describes how to maintain / maintain property in accordance with the provisions of *maqashid Sharia* , namely the existence of legal provisions legalized by Allah regarding the prohibition of stealing and sanctions on it, the prohibition of cheating and treason in business, the prohibition of usury, the prohibition of consuming other people's property in a vanity way, and the obligation to replace the goods that have been damaged, so that keep your property safe. In addition, the role of *maqashid sharia* in maintaining/maintaining these assets is by prohibiting the waste of wealth from things that are needed, the prohibition of the accumulation of wealth in the hands of the rich, and the obligatory infaq and alms for the distribution of assets in order to provide benefit to the whole human being. (Masrur, 2017)

In Islamic economics, property is used as *wasilah* to support worship activities or *muamalah*. In this case, Allah makes wealth as *wasilah* to support zakat, infaq and alms instruments. This is stated in the word of God in QS. Ali Imran verse 134: "*(That is) those who spend (their wealth), both in time and in narrow times , and those who hold back their anger and forgive (mistakes) people. Allah loves those who do good.*"

For this reason, in Islamic economics, property has a function that is continuously used by humans, so that the human tendency to continue to control and own property never subsides. In this case, the Shari'a provides limitations on the function and role of property, namely: *First* , to support worship activities, such as using a sarong to support prayer. *Second* , to maintain and increase faith as an effort to get closer to Allah, such as giving charity with wealth. *Third* , for survival and the relay of life. *Fourth* , to harmonize life in this world and the hereafter. (Andiko, 2016)

There are three important points that need to be considered in maintaining/maintaining assets in *muamalah* activities, namely: 1) recording 2)

witnessing and 3) including documentation. As the word of God in QS. Al-Baqarah verse 282:

"O you who believe, if you do not do mu'amalah in cash for a specified time, then you should write it down. And let a writer among you write it correctly. And let the writer not be reluctant to write it down as Allah taught him, let him write, and let the debtor obey (what is to be written), and let him fear Allah his Lord, and let him not reduce anything from his debt. If the debtor is a person who is weak in mind or weak (his condition) or he himself is unable to enforce it, then his guardian should be honest about it. And bear witness with two witnesses from the men (among you). If there are not two men, then (permissible) a man and two women from the witnesses you are pleased with, so that if one forgets, the other reminds him. Do not let the witnesses be reluctant (to testify) when they are summoned; and do not get tired of writing down the debt, whether small or large, until the deadline for paying it. That is more just in the sight of Allah and strengthens your testimony and is closer to not (causing) your doubts. (Write your mu'amalah), unless it is a cash trade that you carry out among yourselves, then there is no sin for you, (if) you do not write it down. And bear witness when you buy and sell; and let not the writer and the witness make it difficult for each other. If you do (that is), then indeed it is an act of disobedience to you. And fear Allah; God teaches you; and Allah is Knowing of all things."

By recording, maintaining property in Islamic economics, what is meant is eliminating doubts between the parties to the transaction, providing a clear explanation in the event of a dispute, safeguarding the property or object of the transaction from things that reduce or eliminate it, avoid negligence and fraud, and bind the parties who transact. Meanwhile, with the inclusion of documentation, maintaining property in Islamic economics is meant to make it as a reinforcement or legal evidence, maintain transaction cases that have passed a long time ago, and become a guide for the transacting party from disobedience and fraud. (S, Rizki Febriadi, & P, 2020)

The benefit of maintaining property in Islam is really considered, this is intended for humans so that one another does not eat property in a vanity way, so that the rights and obligations of each person who transacts are maintained and

saved from wickedness, and so that peace for the transacting party is realized. This is the conception and at the same time the applicable theory given by God to His servants in maintaining / guarding property.

Methods

This type of research is *library research*, namely an assessment of library sources related to the problems discussed, especially in exploring contemporary muamalah fiqh concepts from various at-Turath books and books by local fiqh muamalah figures, as well as the West. While the approach used is the normative approach of *ushul fiqh through inductive and deductive analysis*. In this case, armed with knowledge of the concept of *maqashidsyariah* as-Syatibi, the author tries to analyze it by trying to prove the extent to which the development of contemporary muamalah fiqh thought produced by the figures can implement *ushul al-khomsah* which is commonly echoed by Ash-Syatibi such as *hifdhud diin*, *hifdhun nafs*, *hifdhul aql*, *hifdhul maal*, and *hifdhun nasl*. The data sources of this research are primary and secondary. Primary sources, namely fiqh muamalah books which study a lot about contemporary muamalah activities. Likewise, the study of *maqashid sharia* initiated by ash-Syatibi himself and other figures who tend to discuss maqashid sharia asy-Syatibi is a primary source that cannot be left out of this research. While secondary sources are books or books written by figures who focus on studying the *maqashid sharia thinking of ash-Syatibi*. (Mansyur, 2020)

Sales of Personal Data by Hacker Bjorka

In his action, Bjorka sold the hacked results on the website *breached.to* online. The price of the hacked documents he sold was quite cheap. Only 8 coin

credits. On the breached.to website, users can buy 30 coin credits for 8 euros or around Rp. 120 thousand. However, the purchase of coin credits does not serve transfer schemes or credit card payments. Purchase of coin credits can only be done by exchanging crypto coins. In total there are nine types of crypto coins that can be used to buy credit coins. Namely, bitcoin, monero, bitcoin cash, litecoin, ethereum, dogecoin, Solana, dai , and USD coin (USDC).

The first hack that Bjorka sold was the General Elections Commission (KPU) database. The data from the hack he sold for USD 5,000 or around Rp. 74 million. The file size reaches 20 GB before being compressed or 4 GB after being compressed.

The next data that Bjorka sells is SIM card registration. He sold it for USD 50,000 or around Rp. 740 million. He is only willing to accept payments with bitcoin and ethereum crypto coins. The file size is 87 GB before being compressed or 18 GB after being compressed. Bjorka also sells Tokopedia customer data for 8 coin credits and IndiHome customer data for 8 coin credits.

The founder of Drone Emprit and Media Kernels Indonesia, Ismail Fahmi, said that Indonesia's data sales were increasing after the emergence of Bjorka. Several incoming reports stated that due to the emergence of Bjorka, data sales in Indonesia had increased. This is because the sensation deliberately created by Bjorka hackers is getting higher so that it can attract international attention. Cyber crimes committed by Bjorka hackers in Indonesia include:(Melda Luxiana, 2022)

a. Indohome, Telkom

Hacker Bjorka claims he has 26,730,797 browsing history data for Indihome customers, including Identity Cards (KTP), emails, phone numbers, keywords, domains, platforms, and URLs. The data sold on breached.to is claimed to be from the period August 2018 to November 2019.

b. 1.3M Mobile Data Sim Card

Bjorka admitted that he got this data from the system of the Ministry of Communication and Information (Kominfo). He uploaded two million sample data of Indonesian mobile phone SIM cards on the Breached website. The leaked data included the Population Identification Number (NIK), telephone number, name of the service provider or provider, and date of registration. This sample data obtained validity from the Kominfo ranging from 15% to 20%.

c. 105 Million Indonesian Citizens Data from KPU

Personal Data of Indonesian citizens was sold by Bjorka for USD 5,000 in September after the hack. The data includes the Population Identification Number (NIK), Family Card (KK), full name, place and date of birth, gender, and age.

d. Documents for President Joko Widodo

President Joko Widodo's correspondence from 2019 to 2021 was hacked by Bjorka Hackers including the State Intelligence Agency (BIN), totaling 679,180 documents measuring 40 MB after being reduced and 189 MB before being compressed. However, the validity of the data hacked by Bjorka is still small, because the Head of the Presidential Secretariat stated that there is no operational correspondence for the President on the internet.

e. My Pertamina

This hack on the MyPertamina app by Bjorka is still in terms of notifications. Bjorka wrote that MyPertamina data will be shared soon, but until now there is still no validation or continuation of the article.

f. Minister of Communication and Informatics Personal Data

Bjorka hackers also hacked the personal data of Johnny G Plate, a Minister of Communication and Informatics, which was carried out on his birthday.

g. Coordinating Minister Luhut's Personal Data

Personal data belonging to the Coordinating Minister for Maritime Affairs Luhut Binsar Pandjaitan was also hacked by Bjorka by uploading his NIK, KK, place and date of birth, parents' names , wife, family status and education history.

h. Personal Data of DPR Chair Puan Maharani

i. SOE Minister's Personal Data

Hacker Bjorka captured the screen (screenshot) of Minister Erick Thohir's personal data which was previously notified on social media twitter after offending DPR Speaker Puan Maharani.

j. Denny Siregar's Personal Data

Hacker Bjorka also alluded to social media activists who allegedly received tax money from the Indonesian people. In addition, Bjorka hacked Denny Siregar's personal data which was uploaded along with the allegation.

2. The Dangers of Cyber Crime by Bjorka

Chairman of the Communication & Information System Security Research Center (CISSReC) Pratma Persadha stated that the election data hacked by Bjorka could be checked for validity with other data. For example, 91 million Tokopedia data leaked in early 2020 or SIM card registration. Personal data that is very private in nature if misused will be very fatal. The real owner will really feel the impact of these causes. Misuse of this personal data can be used for: (a) Spam advertising online gambling offers ; (b) Online loans or illegal loans ; (c) Fraud via telemarketing ; (d) Claiming to be officers or close relatives for money transfer fraud ; (e) Fraud on behalf of institutions by requesting verification of data so that can be acces accounts and e-commerce platforms.(Andist3, 2022)

3. Bjorka Hacking Phenomenon on Selling Personal Data as a Digital Asset from the Perspective of Maqashid Syariah

Maqashid sharia in Islamic economics concludes that there are three levels of *maslahah*, namely *dharuriyah*, *hajiyyah* and *tahsiniyah*. *Dharuriyah* becomes the main priority for determining direction and policy because this *maslahah* consists of five main categories: religion, soul, mind, lineage and property. The making of technology-based Islamic finance applications must also be adjusted to the goals of sharia so as not to violate the basic law of *muamalah*. (S, Rizki Febriadi, & P, 2020)

The purpose of today's digitalization system is to make it easier for people to make transactions in all sectors, including industry, transportation, economy and so on. The development of today's era is required to use technology in order to achieve efficiency and effectiveness. The digitization system in various platforms requires someone to create a *new account* in order to make transactions. In the case of creating a new account, must include personal identity to ensure the validity of the person such as full name, home address, mobile number, Population Identification Number (NIK), Family Card (KK) to social status. This is if there is no technology security system, then personal identity that is even a person's digital asset will be very easy to hack which can then be sold. (Zubaidi et al., n.d.)

The phenomenon of selling data by Bjorka is very clear that this violates the concept of maqashid sharia in terms of *dharuriyat*, *hajiyyat*, and *tahsiniyat*. Based on *maslahah dharuriyat* which is divided into 5 aspects, namely maintaining religion (*hifdhud diin*), guarding the soul (*hifdhun nafs*), guarding offspring (*hifdhud nasl*), guarding reason (*hifdhul aql*), even protecting property (*hifdhul maal*), cases of selling personal data are something that deviates from the principles of maqashid sharia. Focusing on the aspect of *Hifdhul Maal* (maintaining property) which is a medium of exchange to obtain basic human needs such as basic food, with one's property being able to fulfill these needs. Wealth can be obtained from trade, profession or inheritance, in Islam property

must be obtained from halal ways that are free from all elements of *gharar* , *maysir* , *tadlis* , *ihtikar* and *usury* . (Setiawan Pribadi Lubis, Dewi Rosadi, & Soerjati Priowirjanto, 2022)

Personal data is usually termed an *account* , which means an account. Personal accounts here are interpreted as accounts in general such as bank accounts or electricity accounts, each of which has an identity in it. With an account (personal data) a person can transact with other parties. This account (personal data) is a person's instrument because it becomes a treasure because of the status of the benefits it has. (Ngurah Wisnu & Supasti Dharmawan, 2021)

In Islamic economics, property is used as *wasilah* to support worship activities or *muamalah*. In this case, Allah makes wealth as *wasilah* to support *zakat*, *infaq*, and *alms* instruments. Allah says in QS. Ali Imran verse 134:

"(Namely) those who spend it (their wealth), both in the field and narrow, and those who hold back their anger and forgive (mistakes) people. Allah loves those who do good."

In Islamic economics, property has a function that is continuously used by humans, so that the human tendency to continue to control and own property never subsides. In this case, the Shari'a provides limitations on the function and role of property, namely: *First* , to support worship activities such as using a sarong to support prayer. *Second* , to maintain and increase faith as an effort to get closer to Allah, such as giving charity with wealth. *Third* , for survival and the relay of life. *Fourth* , harmonize life in this world and the hereafter. (A, Mohamad Salleh, & Mustaffa, 2022)

Personal data on digital platforms is interpreted the same as the concept of property according to the Qur'an and hadith because it has benefits as an asset for the community. Personal data as a digital asset when viewed from the perspective of the owner is interpreted the same as *typical* assets which are personal assets that

are not allied with others. *Special Assets* may not be taken advantage of or used except with the will or permission of the owner. Therefore, often when creating a *new account* on a digital platform, it is required to fill in a personal identity that is privacy. Due to privacy, every digital platform is required to protect personal data by providing legal protection for personal data. The position of personal data behind an account in the hands of the *provider* (service provider) is the trust property of another party. This means that the status of the *provider* is a trustee (*Khazin*) and he is not the owner. Rasulullah SAW described *Khazin's* position as follows: (Syamsudin, 2022)

"A trustworthy guard is a party who fulfills something according to what he is ordered to do with a good soul and emerges from one of the parties who trust each other". (Sahih Al-Bukhari)

Allah SWT also says that wealth is a trust in the QS. Al Hadid verse 7:

"Believe in Allah and His Messenger and spend (in the way of Allah) some of the wealth which He has made you as ruler (trust). So those who believe among you and spend (their wealth in the way of Allah) will have a great reward."

In these verses and hadiths it emphasizes both the consumer (*user*) and the *provider* to maintain mutual trust. Consumers (*users*) who keep their assets in the form of personal data to carry out various transactions on various digital platforms. And the *provider* protects the consumer's personal property or data to prevent *cyber crime from occurring* because it is a privacy property. (Syamsudin, 2022)

Personal data on digital platforms is also similar to *'Ashl* assets (principal assets) which are assets that produce or assets that cause other assets. When making transactions, users will often *be* asked to fill in their identity on a digital platform such as *E-Commerce* , *E-Wallet* , and so on. This is to convince the provider that the *user* exists. *User* You will be asked to fill in your full name, NIK, address, contact list, and various personal identities to facial photos. (Andiko, 2016)

In addition to *'Ashl's assets* , personal data on digital platforms can also be interpreted as *Mamluk* assets, namely assets that are already owned, either by individuals or by legal entities or by the state. Personal data on the digital platform is the *user 's property* that has been handed over to the *provider* to carry out various transactions. at the beginning of creating an account which is filling in personal data, the *user* has made an agreement to submit personal data to the *provider* which is usually in the form of an approval notification to continue filling in personal data. In relation to the previous assets of *'Ashl* , that the *provider* has the mandate to maintain the privacy of the *user 's property* . Therefore, the *provider* provide account security features for *users* to ensure that the digital platform complies with the policies set by the state. (Junaedi, 2020)

Personal data as described above is a digital asset for today's society because with it various transactions can be carried out. The service provider (provider) is a trustee or as a *khazin* who must maintain the security of the personal data that has been given. Several previous explanations emphasized that personal data is a person's digital assets or assets, if the data is hacked it is considered theft even until there is a sale of data. The Bjorka case is considered the theft of valuable property because it hacked without the absolute permission of the data owner. (Aini Kosasih, 2022)

According to Ash-Syatibi, it describes how to maintain or maintain assets in accordance with the provisions of maqashid sharia, namely: (a) It s forbidden to steal and sanctions for it ; (b) It is forbidden to cheat and betray in business ; (c) Forbidden usury ; (d) It is forbidden to eat other people's property with false manner ; (e) The obligation to replace the goods that have been damaged. (Mansyur, 2020)

The concept of maqashid sharia in maintaining or maintaining property is to continue to prioritize the primary, namely maintaining religion and by maintaining primary integrity with other things, including protecting property. For this reason,

in Islamic economics, property has a function that is continuously utilized by humans, so that the human tendency to continue to control and own property never subsides. In this case, the Shari'a limits the function and role of property, namely (1) to support worship activities (2) to maintain and increase faith as an effort to get closer to God such as giving alms with wealth (3) for survival and the relay of life (4) to harmonize life in this world and in the hereafter.(Firdiansyah & Samsuri, n.d.)

The Bjorka Hacking phenomenon has exceeded the limit in direct theft to the provider (service provider) who has the responsibility as a guardian of the user's trust or personal property and this has deviated from the maqashid sharia concept in the aspect of *Hifdhul Maal* (guarding property). Then the next deviant thing is the illegal sale of personal data to its buyers . The current industrial revolution until it reaches 5.0 requires technology that must go hand in hand with humans. The context of wealth makes humans do everything to fulfill their needs and desires, as a result by doing everything possible to get them. (Setiawan Pribadi Lubis, Dewi Rosadi, & Soerjati Priowirjanto, 2022)

The existence of the Bjorka case emphasizes again on the Indonesian government to improve data security for both the public and the government. *Cyber crime* is indirectly a domestic attack and there is even a regulation on *cyber crime* in Law no. 11 of 2008 concerning ITE (Information and Electronic Transactions) which includes articles concerning: (a) Pornography ; (b) Computer-related betting (gambling via computer) ; (c) Illegal contents (defamation) ; (d) Computer-related extortion and threat ; (e) Infringement of privacy and cyber aspersion ; (f) Unauthorized acces to computer system and service (entering or infiltrating a computer network system illegally) ; (g) Illegal interception in the computers, system, and computer network operation ; (h) Data interference and system interference. (Yurizal, 2018)

Conclusion

Personal data is often used as a digital commodity tool on every digital platform such as Shopee, Link Aja, Dana, Go-jek, Grab, and so on. Bjorka sells the hacks on the *breached.to website* online. The price of the hacked documents he sold was quite cheap. Only 8 coin credits. On the *breached.to website*, users can buy 30 coin credits for 8 euros or around Rp. 120 thousand. The phenomenon of selling data by Bjorka is very clear that this violates the concept of maqashid sharia in terms of *dharuriyat*, *hajiyyat*, and *tahsiniyyat*.

The Bjorka Hacking phenomenon has exceeded the limit in direct theft to the provider (service provider) who has the responsibility as a guardian of the user's trust or personal property and this has deviated from the maqashid sharia concept in the aspect of *Hifdhul Maal* (guarding property). The existence of the Bjorka case emphasizes again on the Indonesian government to improve data security for both the public and the government.

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