

Maqashid Al-Shari'ah And The Ethics Of Artificial Intelligence: A Reconstruction Of Islamic Law In An Algorithmic Civilization

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Abstrak

Artikel ini mengkaji maqashid al-syariah sebagai landasan normatif untuk merumuskan etika kecerdasan buatan dan merekonstruksi hukum Islam dalam peradaban algoritmik. Ekspansi kecerdasan buatan yang cepat telah mengubah kehidupan sosial, ekonomi, politik, dan agama sekaligus menghasilkan masalah etika yang kompleks, termasuk bias algoritmik, pelanggaran privasi, pengambilan keputusan yang tidak manusiawi, manipulasi informasi, dan tanggung jawab moral yang kabur. Penelitian ini menggunakan penelitian hukum normatif dengan pendekatan konseptual dan filosofis. Analisis menunjukkan bahwa maqashid al-syariah memberikan dasar normatif yang kuat untuk mengevaluasi AI melalui perlindungan agama, kehidupan, kecerdasan, garis keturunan, dan properti, yang dapat dikontekstualisasikan ke dalam perlindungan martabat manusia, keadilan algoritmik, keamanan data, integritas informasi, dan tanggung jawab sosial. Selain itu, rekonstruksi hukum Islam dalam menanggapi AI harus bergerak melampaui legalisme kasuistik menuju kerangka etika-hukum yang sistemik, berbasis risiko, dan diawasi secara institusional.

Kata kunci: maqashid al-syariah; hukum Islam; Etika kecerdasan buatan.

Abstract

This article aims to analyze maqashid al-shari'ah as a normative foundation in the formulation of artificial intelligence ethics as well as to reconstruct Islamic law in the context of algorithmic civilization. The development of artificial intelligence has brought significant transformations in various aspects of human life, but at the same time it has raised complex ethical issues, such as algorithmic bias, privacy violations, dehumanization in decision-making, information manipulation, and the escape of moral responsibility. This research is a normative legal research with a conceptual and philosophical approach. The results of the study show that maqashid al-shari'ah has a strong normative relevance in building the ethics of artificial intelligence, especially through the protection of religion, soul, intellect, heredity, and property that can be contextualized into the protection of human dignity, algorithmic justice, data security, information integrity, and social responsibility. The reconstruction of Islamic law on artificial intelligence must move from a legalistic-casuistic pattern to a systemic, risk-based, and institutional-oriented legal system.

Keywords: maqashid al-syari'ah; Islamic law; Ethics of artificial intelligence.

A. Introduction

The development of artificial intelligence in recent decades has changed the basic structure of social, economic, political, educational, and even religious human life. Artificial intelligence is no longer just a technical aid tool, but has become a mechanism for decision-making, information filtering, data management, and preference formation in the increasingly wide digital space. In such a context, contemporary society is moving towards an order that can be called an algorithmic civilization, that is, a social order that in many respects is mediated, directed, and rearranged by data-based computational systems.¹ This transformation not only marks technological advancement, but

¹ Abubakar Muhammad Jibril et al., "DIGITAL SUKUK AND SHARIAH COMPLIANCE: A JURISPRUDENTIAL ANALYSIS OF BLOCKCHAIN INTEGRATION IN ISLAMIC FINANCE," 2026.

also shows a shift in the relationship between humans, knowledge, power, and norms, so that technology ethics has become an increasingly central issue.²

On the one hand, AI offers efficiency, speed, and expansion of human capacity in processing information. On the other hand, AI also raises serious ethical problems. Recent research shows that AI systems can reproduce social biases, reinforce discrimination, expand surveillance, and obscure who is actually responsible for machine-generated decisions. Data-driven AI also has the potential to give birth to dehumanization when human values are reduced to statistical patterns and digital profiles, while generative AI and recommendation systems can influence the way humans perceive truth and shape their social relationships.³

In Muslim society, this issue is becoming increasingly important because digital transformation does not only touch economic or political life, but also the religious realm. Digital technology has changed the distribution pattern of Islamic knowledge, expanded the authority of da'wah in cyberspace, and shaped new religious practices. Social media algorithms, search engines, and generative artificial intelligence now help mediate how religious teachings are understood, exchanged, and practiced. Thus, the presence of AI can no longer be seen as an external issue to Islamic law, but has become part of a new social reality that demands a more reflective, substantive, and adaptive response to Islamic law.⁴

Normatively, the urgency of discussing AI can also be placed in Indonesia's positive legal framework. Article 28G paragraph (1) of the 1945 Constitution of the Republic of Indonesia affirms the right of everyone to personal personal protection, honor, dignity, and a sense of security. In addition, Article 26 of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions and Law Number 27 of 2022 concerning Personal Data Protection shows that the state has recognized the importance of data protection, privacy, and the use of personal information in the digital space. Nonetheless, the development of AI is moving much faster than the available positive legal formulations, so a more fundamental normative reading is needed to assess how technology should be directed to stay in line with the protection of rights, justice, and benefits.

One of the main problems in responding to AI is the limitations of the Islamic legal approach that relies too much on legalistic-caustic patterns. This approach tends to ask whether a technology should or should not be used, without always being able to reach the structure, impact, and long-term consequences of the technology. In the context of AI, such an approach is clearly inadequate, because the problems arise not only in the use of certain tools, but in socio-technical systems that work through data, models, platforms, and institutions. Therefore, Islamic law requires methodological reconstruction in order to move from simply determining normative status to the formulation of ethical-legal principles that are able to assess the entire technological ecosystem.⁵

It is at this point that maqashid al-shari'ah offers a very important framework. Maqashid al-shari'ah places Islamic law as a system directed towards goals, wisdom, and benefits. Law is not read solely as a collection of rules, but as a normative mechanism for safeguarding religion, soul, intellect, heredity, and property. This framework provides methodological flexibility because it allows Islamic law to respond to new problems while remaining faithful to the basic orientation of the sharia. In the context of AI, the maqashid approach provides space to formulate more substantive Islamic law, which is a law that assesses technology based on its impact on human dignity, social justice, data security, freedom of thought, and moral responsibility.⁶

A number of recent studies on AI ethics and AI governance show that the main problems of AI revolve around fairness, transparency, accountability, privacy, safety, and human oversight. Nevertheless, much of that literature develops within a secular-global horizon. Meanwhile, Islamic

2. Qian, Siau, and no, "The Social Impact of Artificial Intelligence"; Papagiannidis, Mikalef, and Conboy, "Responsible Governance of Artificial Intelligence."

3. Ukanwa, "Bias Algoritmik"; Teo, "Kecerdasan Buatan dan Kekerasannya yang Lambat terhadap Hak Asasi Manusia"; Akakpo et al., "Kecerdasan Buatan dan Masa Depan Privasi Informasi."

4. Ibrahim, "Islam in Digital Infrastructure"; Larsson and Willander, "Muslims and Social Media."

5. Ashok et al., "Kerangka Etika untuk Kecerdasan Buatan dan Teknologi Digital"; Batool, Zowghi, dan Bano, "Tata Kelola AI."

6. Deif dan Cochrane, "Pendekatan Berbasis Nilai untuk Pembangunan"; Fadel, "Maslaha sebagai Berkembang."

studies on AI are still developing and do not always offer a fairly systematic operational model. Some studies associate AI with *maqashid al-shari'ah*, while others emphasize trusteeship ethics, virtue ethics, or pluralistic approaches. This gap suggests that there is still a need for a more cohesive formulation of how Islamic law, through *maqashid al-shari'ah*, can function not only as a normative legitimacy, but also as a basis for concrete legal reconstruction in the face of algorithmic civilization.⁷

Previous research has shown that the relationship between Islam and AI has begun to be discussed, but has not yet fully resulted in an operational model of Islamic legal reconstruction. Elmahjub emphasized the importance of pluralist ethical benchmarking for AI from an Islamic perspective, while Ali, Bouzoubaa, Gelli, Hamzi, and Khan assessed that the Islamic approach to AI should not stop at the symbolic use of *maqashid* and *qawa'id fihiyyah*. Different from the two studies, this article specifically positions *maqashid al-shari'ah* as a normative foundation as well as a framework for systemic Islamic law reconstruction, namely by connecting the goals of sharia, AI ethical principles, risk levels, and institutional governance in one argumentation building. This is where the novelty of this research lies.

Based on this background, this article departs from the assumption that Islamic law needs to be reconstructed in order to be able to respond to artificial intelligence normatively, substantively, and contextually. The reconstruction in question is not the release of Islamic law from revelation, but the strengthening of the shari'a's teleological orientation through the *maqashid al-shari'ah* approach in reading the ethical problems of artificial intelligence. With this framework, AI is not understood as a threat that must automatically be rejected, but as an object of *ijtihad* that must be organized in order to remain within the horizon of justice, benefit, trust, and protection of human dignity.

Based on this focus, this article answers two main questions. First, how *maqashid al-shari'ah* can be used as a normative basis in formulating the ethics of artificial intelligence in the midst of algorithmic civilization. Second, how to reconstruct Islamic law through the *maqashid al-shari'ah* approach in responding to ethical problems caused by artificial intelligence.

B. Research Methods

This research is a normative legal research with a conceptual and philosophical approach.⁸ Normative legal research was chosen because the main focus of this study is not on empirical measurement of the performance of artificial intelligence, but on the construction of norms, legal objectives, and Islamic legal arguments in responding to ethical issues posed by AI. The conceptual approach is used to elaborate key concepts such as *maqashid al-shari'ah*, artificial intelligence ethics, AI governance, and algorithmic civilization, while the philosophical approach is used to examine the basic assumptions about human beings, dignity, freedom, justice, responsibility, and welfare that are the normative background for the development of Islamic law on AI.

The legal materials in this study consist of primary, secondary, and tertiary legal materials.⁹ Primary legal materials include the Qur'an, hadith, the rules of *ushul fiqh*, and the principles of *maqashid al-shari'ah*. Secondary legal materials are obtained from the latest scientific literature on the ethics of artificial intelligence, AI governance, law and human rights in the AI era, as well as contemporary Islamic studies on digital technology and AI ethics. Tertiary legal materials are encyclopedias, term dictionaries, journal indexes, and other relevant supporting sources. The technique of collecting legal materials is carried out through literature study by examining reputable scientific articles published in the last five years and having substantive relevance to the research theme.

7. Elmahjub, "Kecerdasan Buatan dalam Etika Islam"; Ali et al., "Etika Islam dan AI."

⁸ Zainal Arifin and Emi Puasa Handayani, "Quo Vadis Policy for the Preparation of the Jokowi Coalition Cabinet Philosophical, Historical, Theoretical and Juridical Review," *Khazanah Hukum* 2, No. 1 (2020): 10–23, <https://doi.org/10.15575/kh.v2i1.8282>.

⁹ Emi Puasa Handayani and Zainal Arifin, "THE DEATH BELL OF LEGAL EDUCATION IN INDONESIA A PHILOSOPHICAL REVIEW," *Sulob: Journal of the Faculty of Law, Malikussaleh University* 8, no. 1 (May 12, 2020): 1, <https://doi.org/10.29103/sjp.v8i1.2491>.

The analysis was carried out in a descriptive-analytical and prescriptive manner.¹⁰ Descriptively, this study maps the ethical problems of artificial intelligence and the development of academic discourse on AI ethics and AI governance. Analytically, this study examines the suitability and relevance of the principles of *maqashid al-shari'ah* in responding to these problems. Prescriptively, this study formulates a form of reconstruction of Islamic law that is more in accordance with the complexity of algorithmic civilization.¹¹ Thus, the results of the research are directed to produce normative formulations that not only explain the problem, but also offer a direction for the development of operational and applicable Islamic law.¹²

C. Research and Discussion Results

The development of AI shows that this technology cannot be understood only as a neutral tool, but as a system that shapes the structure of decisions, information distribution, and power relations in society. Literatur mutakhir about the social impact of AI emphasized that the ethical issues of AI include fairness, privacy, accountability, transparency, security, and the protection of basic human rights. As such, the conversation about AI demands a normative foundation that explains not only what can and cannot be done, but also what moral purpose the technology should maintain. In this context, *maqashid al-shari'ah* offers a solid basis because he views Islamic law as an instrument of protection and the advancement of benefits.¹³

Conceptually, *maqashid al-shari'ah* is a theory about the purposes of Islamic law. In the classical formulation, *maqashid* is directed to take care of religion, soul, intellect, lineage, and property. In its development, *maqashid* is no longer read narrowly, but as a framework that allows sharia to interact with contemporary problems. This development is particularly relevant for AI, as modern technology poses problems that cannot always be answered through literal analogies to classic cases. With the *maqashid* approach, the focus of law shifts from the outward form of technology to its goals, consequences, and social implications.¹⁴

In the context of AI, *hifz al-din* can be read as a protection against the integrity of religious knowledge and sound epistemic authority. When social media algorithms and search engines shape what is considered important, valid, and worth watching, then the religious space is also influenced by the logic of platforms. Therefore, religious protection in the digital era is not enough to be interpreted as the safeguarding of formal rituals, but also includes the protection of the quality of religious knowledge, scientific authority, and the freedom of the ummah from algorithm-based religious manipulation.¹⁵

Hifz al-nafs provides the basis that technology should be directed at human safety and harm prevention. This principle is very relevant in the use of AI in the health, transportation, security, and public service sectors. An AI system that is erroneous, biased, or uncontrolled can cause physical and psychological harm. Therefore, life protection demands the principles of prudence, safety, human supervision, and clear correction mechanisms in any use of AI that impacts human life.¹⁶

Hifz al-'aql in the AI era has actually become very central. AI works through information architectures that shape human perceptions, preferences, and decisions. Recommendation systems, microtargeting, generative AI, and synthetic disinformation can manipulate knowledge and thinking autonomy. In this context, the protection of reason is no longer only interpreted as a prohibition

¹⁰ Zainal Arifin and Hary Masrukin, "Analysis of the Authority of the National Police in Conducting Investigations for Arrest of Corruption Crimes (Study in Nganjuk Regency)," *MIZAN, Journal of Law* 7, No. 2 (2019): 43, <https://doi.org/10.32503/mizan.v7i2.462>.

¹¹ Zainal Arifin, "Criminal Accountability in Press Law and Artificial Intelligence-Generated Disinformation: The Urgency of Reform in Indonesia," *Jurisdiction* 8, no. 3 (2025): 153–72.

¹² Souad Ezzerouali, "Expanding the authority of Muhtasib to protect consumers: a comparison between Moroccan Law and Islamic Qanun of Aceh," *Trunojoyo Law Review* 7, no. 2 (2025): 161–91.

¹³ Qian, Siau, dan no, "Dampak Sosial dari Kecerdasan Buatan"; Batool, Zowghi, dan Bano, "Tata Kelola AI."

¹⁴ Deif dan Cochrane, "Pendekatan Berbasis Nilai untuk Pembangunan"; Fadel, "Maslaha sebagai Berkembang."

¹⁵ Ibrahim, "Islam dalam Infrastruktur Digital."

¹⁶ Ashok et al., "Kerangka Etika untuk Kecerdasan Buatan dan Teknologi Digital"; Stahl et al., "Menjelajahi Etika dan Hak Asasi Manusia dalam Kecerdasan Buatan."

against things that physically damage reason, but also as a protection of freedom of thought, information integrity, and human cognitive independence in the midst of algorithmic currents.¹⁷

Hifz al-nasl can be extended into the protection of identity, honor, and intergenerational social order. In the digital world, image exploitation, deepfakes, biometric profiling, and the spread of synthetic content can damage a person's reputation and disrupt healthy social relationships. Therefore, the protection of posterity is not only read as the protection of the line, but also the protection of the integrity of human identity and the sustainability of a dignified social order.¹⁸

Hifz al-mal must also be reread in the context of the digital economy. AI systems now play a role in credit assessment, job selection, marketing, pricing, and distribution of economic access. When algorithms work in a biased or opaque manner, one can miss out on economic opportunities without understanding the processes that determine them. Property protection therefore includes digital economic justice, prohibition of unjust exploitation of data, transparency of the economic valuation system, and prevention of deprivation of benefits carried out through technology.¹⁹

From all this, it appears that maqashid al-shari'ah can be used as the normative foundation of AI ethics because it offers a complete teleological horizon. AI is judged not solely by its technical sophistication, but by its ability to maintain or even damage human benefits. Modern AI ethics principles such as fairness, accountability, transparency, privacy, safety, and autonomy can be brought together with maqashid through the values of justice, trust, responsibility, harm prevention, and protection of human dignity. Thus, maqashid is not only compatible with AI ethics, but is also able to enrich the discourse with a deeper normative foundation.²⁰

Once maqashid al-shari'ah is affirmed as a normative foundation, the next question is how the form of reconstruction of Islamic law is relevant to AI. This reconstruction must start from the awareness that AI problems are systemic and cross-sectoral. Therefore, Islamic law is not sufficiently maintained in the form of a legalistic response to partial cases. What is needed is a methodological update so that Islamic law can work as an ethical-legal system that assesses the entire AI ecosystem.²¹

The first reconstruction is an epistemological reconstruction. Islamic law needs to move from a reactive pattern that relies on partial qiyas to a prospective pattern that rests on the goals of sharia. In the context of AI, many new problems do not have a direct equivalent in classical fiqh, such as algorithmic profiling, deepfakes, recommendation manipulation, or synthetic media. Therefore, legal reasoning is not enough to look for similar objects in the past, but to look at their danger patterns, their systemic risks, and their impact on humans. In this case, maqashid, maslahah mursalah, sadd al-dhara'i', and fiqh al-awlawiyyat are important tools for building more adaptive legal arguments.²²

The second reconstruction is the reconstruction of legal objects. In AI, legal objects should not be limited to the end application or user behavior, but should be extended to the socio-technical system as a whole. The training data, model design, validation process, purpose of use, user interface, and institutional structure that underpins AI should fall within the scope of legal assessment. Thus, Islamic law not only punishes consequences, but is also able to assess the sources, processes, and architecture that give birth to those consequences.²³

The third reconstruction is the reconstruction of legal responsibility. In the AI ecosystem, responsibility cannot be imposed solely on the end user. Developers, data providers, companies, regulators, auditors, and system operators all have a causal and moral role in the production of AI impact. Therefore, Islamic law needs to formulate a layered responsibility that includes design responsibilities, management responsibilities, supervisory responsibilities, and use responsibilities.

17. Teo, "Kecerdasan Buatan dan Kekerasannya yang Lambat terhadap Hak Asasi Manusia"; Akakpo et al., "Kecerdasan Buatan dan Masa Depan Privasi Informasi."

18. Teo, "Kecerdasan Buatan dan Kekerasannya yang Lambat terhadap Hak Asasi Manusia."

19. Ukanwa, "Bias Algoritmik"; Qian, Siau, dan no, "Dampak Sosial dari Kecerdasan Buatan."

20. Laine, Minkinen, dan Mäntymäki, "Audit AI Berbasis Etika"; Papagiannidis, Mikalef, dan Conboy, "Tata Kelola Kecerdasan Buatan yang Bertanggung Jawab."

21. Batool, Zowghi, dan Bano, "Tata Kelola AI"; Mäntymäki et al., "Menefinisikan Tata Kelola AI Organisasi."

22. Fadel, "Maslahah as Developing"; Elmahjub, "Artificial Intelligence in Islamic Ethics."

23. Ashok et al., "Ethical Frameworks for Artificial Intelligence and Digital Technologies"; Mbiazi Njanda et al., "A Survey on the Ethics of AI."

The principles of trust and mas'uliyah are very important here, because the complexity of technology should not be used as an excuse to avoid accountability.²⁴

The fourth reconstruction is a shift from the logic of general abilities to the logic of conditional and risk-based abilities. Not all AIs have the same level of danger. AI to help write texts is certainly different from AI for law enforcement, medical diagnosis, or financial access determination. Therefore, Islamic law must develop a classification of risks. The greater the threat to human life, intellect, property, and dignity, the stricter the sharia requirements that must be met, such as independent audits, human oversight, decision documentation, bias tests, transparency, and restrictions on use. This pattern is very much in line with the principle of dar' al-mafasid muqaddam 'ala jalb al-masalih.²⁵

The fifth reconstruction is the translation of maqashid into operational principles. In the context of AI, these principles include algorithmic justice, data protection, proportional transparency, layered accountability, safety, prohibition of cognitive manipulation, and the right to redress for aggrieved parties. Without this kind of operationalization, maqashid will cease to be a moral slogan. Conversely, when derived into design and governance principles, maqashid can serve as a real evaluative framework for the development and use of AI.²⁶

The sixth reconstruction is the institutionalization of the impact assessment of maqashidi before the AI system is implemented. Before a system is used, it is necessary to assess whether it has the potential to damage the soul, intellect, property, identity, or integrity of religious knowledge. Another important question is whether the data used is fair and representative, whether users understand the limitations of the system, whether there is an appeal route, and whether the benefits outweigh the harms. Such an impact assessment model would move Islamic law from post-damage response to prevention before damage occurs.²⁷

The seventh reconstruction is the strengthening of institutional governance. AI ethics will not be effective if it is only charged with individual piety. Therefore, institutions that use AI, including Islamic educational institutions, Islamic financial institutions, hospitals, da'wah platforms, and digital halal regulators, need to build a sharia-based AI governance framework. This framework at least includes ethical design standards, multidisciplinary ethics committees, periodic audits, correction mechanisms, data protection, and transparency of the use of systems. Thus, Islamic law does not stop at normative discourse, but is present as a concrete control system.²⁸

The eighth reconstruction is a re-reading of the data as a mandate. In the digital economy, data is often treated as a commodity that can be extracted, traded, and reused without regard for the fairness of the distribution of benefits. From the perspective of Islamic law, data related to humans cannot be separated from the trust, rights, and public benefit. Therefore, the use of data for AI training should be subject to the principles of appropriate consent, restriction of purpose, privacy protection, and equitable distribution of benefits. This approach allows Islamic law to give a distinctive ethical pattern to the data economy and AI development.²⁹

The ninth reconstruction is the strengthening of the virtue dimension in AI development. Law and governance are important, but they are not enough if the technocrats do not have adequate moral character. Therefore, the reconstruction of Islamic law must also give place to Islamic virtue ethics, such as trust, justice, wara', responsibility, and ihsan. These values are important so that developers, platform owners, and policymakers do not just meet formal compliance, but genuinely view technology as a mandate that must be directed for the benefit of humanity

24. Laine, Minkinen, and Mäntymäki, "Ethics-Based AI Audits"; Mäntymäki et al., "Defining Organizational AI Governance."

25. Batool, Zowghi, and Bano, "AI Governance"; Stahl et al., "Exploring Ethics and Human Rights in Artificial Intelligence."

26. Laine, Minkinen, and Mäntymäki, "Ethics-Based AI Audits"; Papagiannidis, Mikalef, and Conboy, "Responsible Governance of Artificial Intelligence."

27. Mäntymäki et al., "Defining Organizational AI Governance"; Batool, Zowghi, and Bano, "AI Governance."

28. Nashwan, "Data Waqf as Digital Waqf."

29. Hagendorff, "A Virtue-Based Framework"; Raquib et al., "Islamic Virtue-Based Ethics for Artificial Intelligence"; Ali et al., "Islamic Ethics and AI."

The tenth reconstruction is the establishment of a dialogue between Islamic law and global AI governance standards. Islamic law does not need to reject all modern ethical language such as fairness, transparency, human rights, or accountability. Instead, these concepts can be combined with maqashid al-shari'ah and Islamic values, resulting in a formulation that remains authentic but also operational. In this way, Islamic law is not isolated, but is able to contribute to the global discourse on just and humane technology.³⁰

From all these descriptions, it can be emphasized that the form of reconstruction of Islamic law through the maqashid al-shari'ah approach is not just the addition of a new fatwa on AI. The reconstruction must take place at the level of methods, objects, subjects of responsibility, operational principles, institutions, and moral culture. Islamic law must move from partial technological fiqh to systemic, layered, and risk-based ethical and legal systems. In this model, maqashid al-shari'ah serves as an ethical constitution that guides the assessment of the entire AI lifecycle, from data collection, model design, deployment, supervision, to loss recovery

D. Conclusion

Based on the above discussion, it can be concluded that maqashid al-shari'ah has strong normative relevance to be used as a basis in formulating the ethics of artificial intelligence in the midst of algorithmic civilization. Through the protection of religion, soul, intellect, lineage, and property, maqashid provides a teleological horizon that allows technology to be judged by its impact on humans, society, and the public good. Modern AI ethical principles such as fairness, accountability, transparency, privacy, safety, and autonomy can be enriched and deepened through the maqashid approach

The form of reconstruction of Islamic law that is needed is a reconstruction that goes beyond the legalistic-causistic pattern towards a systemic system of ethics and laws. The reconstruction includes updating the ijtihad method, expanding legal objects to the socio-technical system, affirming multi-stakeholder responsibility, developing risk-based conditional abilities, operationalizing the maqashid principle into AI governance, institutionalizing impact assessment, strengthening data ethics, and fostering the moral virtue of technology actors. With such a framework, Islamic law can appear as a normative system that is not only responsive to the development of AI, but also able to guide the direction of technology development that is more just, trustworthy, beneficial, and humane

E. References

- Arifin, Zainal. "Criminal Liability in Press Law and Artificial Intelligence- Generated Disinformation : Urgency of Reform in Indonesia." *Jurisdictie* 8, no. 3 (2025): 153–72.
- Arifin, Zainal, dan Emi Puasa Handayani. "Quo Vadis Kebijakan Penyusunan Kabinet Koalisi Jokowi Tinjauan Filosofis, Historis, Teoritis dan Yuridis." *Khazanah Hukum* 2, no. 1 (2020): 10–23. <https://doi.org/10.15575/kh.v2i1.8282>.
- Arifin, Zainal, dan Hary Masrukin. "Analisis Kewenangan Polri Dalam Melakukan Penyidikan Penangkapan Tindak Pidana Korupsi (Studi Di Kabupaten Nganjuk)." *MIZAN, Jurnal Ilmu Hukum* 7, no. 2 (2019): 43. <https://doi.org/10.32503/mizan.v7i2.462>.
- Ezzerouali, Souad. "Expanding the authority of Muhtasib to protect consumers: a comparison between Moroccan Law and Islamic Qanun of Aceh." *Trunojoyo Law Review* 7, no. 2 (2025): 161–91.
- Handayani, Emi Puasa, dan Zainal Arifin. "Lonceng Kematian Pendidikan Hukum Indonesia Tinjauan Filosofis." *Sulob;Jurnal Fakultas Hukum Universitas Malikussaleh* 8, no. 1 (12 Mei 2020): 1. <https://doi.org/10.29103/sjp.v8i1.2491>.
- Jibril, Abubakar Muhammad, Inuwa Adamu, Souad Ezzerouali, Ummi Ibrahim Tafida, dan Mu'adil Faizin. "DIGITAL SUKUK AND SHARIAH COMPLIANCE: A JURISPRUDENTIAL

30. Elmahjub, "Artificial Intelligence in Islamic Ethics"; Papagiannidis, Mikalef, and Conboy, "Responsible Governance of Artificial Intelligence."

ANALYSIS OF BLOCKCHAIN INTEGRATION IN ISLAMIC FINANCE,” 2026.

- Akakpo, A., Gyasi, EA, Oduro, B., & Akpabot, S. (2025). Kecerdasan buatan (AI) dan masa depan privasi informasi: Sudut pandang ahli. *Jurnal Manajemen Informasi Global*, 33(1), 1–25. <https://doi.org/10.4018/JGIM.383050>
- Ali, F., Bouzoubaa, K., Gelli, F., Hamzi, B., & Khan, S. (2025). Etika Islam dan AI: Evaluasi pendekatan yang ada untuk AI menggunakan etika perwalian. *Filsafat & Teknologi*, 38(3), Pasal 120. <https://doi.org/10.1007/s13347-025-00922-4>
- Ashok, M., Madan, R., Joha, A., & Sivarajah, U. (2022). Kerangka etika untuk kecerdasan buatan dan teknologi digital. *Jurnal Internasional Manajemen Informasi*, 62, Artikel 102433. <https://doi.org/10.1016/j.ijinfomgt.2021.102433>
- Batool, A., Zowghi, D., & Bano, M. (2025). Tata kelola AI: Tinjauan literatur sistematis. *AI dan Etika*, 5(3), 3265–3279. <https://doi.org/10.1007/s43681-024-00653-w>
- Deif, AM, & Cochrane, L. (2022). Pendekatan berbasis nilai untuk pembangunan: Perspektif Islam. *Jurnal Etika Islam*, 6(2), 284–310. <https://doi.org/10.1163/24685542-12340082>
- Elmahjub, E. (2023). Kecerdasan buatan (AI) dalam etika Islam: Menuju tolok ukur etika pluralis untuk AI. *Filsafat & Teknologi*, 36, Pasal 73. <https://doi.org/10.1007/s13347-023-00668-x>
- Fadel, M. (2023). Maṣlaḥa sebagai "berkembang" dan tempatnya dalam pemikiran politik Sunni. *Jurnal Etika Islam*, 7, 1–31. <https://doi.org/10.1163/24685542-12340085>
- Hagendorff, T. (2022). Kerangka kerja berbasis kebajikan untuk mendukung pempraktikan etika AI. *Filsafat & Teknologi*, 35, Pasal 55. <https://doi.org/10.1007/s13347-022-00553-z>
- Ibrahim, M. (2024). Islam dalam infrastruktur digital: Munculnya praktik siber Islam di Nigeria Utara. *Agama, Negara & Masyarakat*, 52(2–3), 114–132. <https://doi.org/10.1080/09637494.2024.2353956>
- Laine, J., Minkinen, M., & Mäntymäki, M. (2024). Audit AI berbasis etika: Tinjauan literatur sistematis tentang konseptualisasi prinsip-prinsip etika dan kontribusi pengetahuan kepada pemangku kepentingan. *Informasi & Manajemen*, 61(5), Pasal 103969. <https://doi.org/10.1016/j.im.2024.103969>
- Larsson, G., & Willander, E. (2025). Muslim dan media sosial: Tinjauan pelingkupan. *Informasi, Komunikasi & Masyarakat*, 28(11), 1908–1922. <https://doi.org/10.1080/1369118X.2024.2379835>
- Mäntymäki, M., Minkinen, M., Birkstedt, T., & Viljanen, M. (2022). Mendefinisikan tata kelola AI organisasi. *AI dan Etika*, 2(4), 603–609. <https://doi.org/10.1007/s43681-022-00143-x>
- Mbiazi Njanda, DH, Bhange, M., Babaei, M., Sheth, I., Kenfack, PJ, & Kahou, SE (2025). Survei tentang etika AI: Perspektif sosio-teknis. *Kecerdasan Komputasi*, 41(6), e70149. <https://doi.org/10.1111/coin.70149>
- Nashwan, AJ (2025). Wakaf data sebagai wakaf digital: Kerangka etika Islam untuk pengembangan AI. *Filsafat & Teknologi*, 38(2), Pasal 74. <https://doi.org/10.1007/s13347-025-00905-5>
- Papagiannidis, E., Mikalef, P., & Conboy, K. (2025). Tata kelola kecerdasan buatan yang bertanggung jawab: Kerangka kerja tinjauan dan penelitian. *Jurnal Sistem Informasi Strategis*, 34(2), Artikel 101885. <https://doi.org/10.1016/j.jsis.2024.101885>
- Qian, Y., Siau, K. L., & no, F. F.-H. (2024). Dampak sosial dari kecerdasan buatan: Masalah etika, hukum, dan tata kelola. *Dampak Sosial*, 3, Pasal 100040. <https://doi.org/10.1016/j.socimp.2024.100040>

- Raquib, A., Channa, B., Zubair, T., & Qadir, J. (2022). Etika berbasis kebajikan Islam untuk kecerdasan buatan. *Temukan Kecerdasan Buatan*, 2, Pasal 11. <https://doi.org/10.1007/s44163-022-00028-2>
- Stahl, BC, Brooks, L., Hatzakis, T., Santiago, N., & Wright, D. (2023). Mengeksplorasi etika dan hak asasi manusia dalam kecerdasan buatan: Studi Delphi. *Peramalan Teknologi dan Perubahan Sosial*, 196, Pasal 122502. <https://doi.org/10.1016/j.techfore.2023.122502>
- Teo, SA (2025). Kecerdasan buatan dan "kekerasan lambat" terhadap hak asasi manusia. *AI dan Etika*, 5(3), 2265–2280. <https://doi.org/10.1007/s43681-024-00547-x>
- Ukanwa, K. (2024). Bias algoritmik: Integrasi penelitian ilmu sosial melalui Kerangka Kerja AI yang Dapat Diandalkan 3-D. *Opini Saat Ini dalam Psikologi*, 58, Artikel 101836. <https://doi.org/10.1016/j.copsyc.2024.101836>