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Maqāṣid Al-Sharīʿah and the Digital Transformation of Islamic Law: A Normative and Ethical Framework for Addressing Global Digital Challenges

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Abstract: Digital transformation presents new challenges for Islamic law, ranging from personal data protection, artificial intelligence (AI), and the digital economy to changes in Islamic family law relationships and practices. The developments require a legal framework oriented toward formal validity, and can assess the goals, risks, impacts, and distribution of benefits in the digital ecosystem. Therefore, this study aimed to reconstruct *maqāṣid al-sharīʿah* as a normative and ethical framework to address the challenges of digital transformation and to formulate principles applicable to developing contemporary Islamic law. The study adopted a qualitative approach, using literature review methods and normative-conceptual analysis of classical and contemporary maqāṣid literature, Islamic legal thought, and the development of digital regulations and related issues. The results showed that *maqāṣid al-sharīʿah* developed through four principles: *iʿtibār al-maʿnā lā al-mabnā* (orientation to the substance of sharia goals), extending *maqāṣid* protection to the digital space, risk proportionality *(tanāsub al-ḍarar)*, and the sustainability of collective benefits *(istidāmah al-maṣlaḥah al-ʿāmmah)*. These four principles were operationalised through multi-actor accountability, normative traceability, and empirical verification. The frameworks provided a conceptual basis for renewing ijtihad and fatwas on data protection, AI governance, the digital economy, and Islamic family law in ways that were responsive, proportionate, and equitable.

Keywords: digital transformation; Islamic law; digital ethics; Islamic family law; *maqāṣid al-sharīʿah.*

1. Introduction

Maqāṣid al-sharīʿah serves as a crucial framework for the development of Islamic legal thought since the concept enables Sharia norms to be understood through the objectives and benefits (*maṣlaḥah)* to be realized (Q.S. al-Naḥl [16]: 90). In the classical tradition, Sharia's objectives evolved through an inductive process applied to the body of Sharia law, culminating in a systematic formulation of *al-kulliyyāt al-khams*, as well as the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ*

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al-nasl), and property (*ḥifẓ al-māl*).[1] In contemporary discourse, this framework has expanded conceptually. Ibnʿ Āshūr[2] broadened the scope of *maqāṣid* to include values such as freedom, equality, and social order, while Jasser Auda developed a systems-based approach emphasising the interconnectedness, openness, multidimensionality, and dynamic nature of Sharia's objectives.[3] These developments show that *maqāṣid al-sharīʿah* is a legal theory evolving alongside changing life needs and challenges. The concept possesses methodological relevance for addressing contemporary legal issues[4] and remains adaptable to social change without relinquishing the normative orientation.[5] This adaptive capacity faces a new challenge, as digital transformation introduces new technologies and reshapes social relations, the economy, knowledge, and power.

Digital transformation presents legal issues characterised by increasing complexity, rapid evolution, and a transnational nature,[6] including a multitude of actors.[7] Technologies such as artificial intelligence, big data, algorithms, blockchain, cryptocurrency, social media, digital commerce, and personal data processing lead to *maṣlaḥah* and *mafsadah* (harm) that cannot be directly mapped onto existing legal categories.[8] The issue is not determining whether a specific digital activity is *halal* (permissible) or *haram* (forbidden), but how Islamic law assesses the impact on human dignity, freedom, privacy, justice, security, and the sustainability of social life. For instance, personal data breaches touch

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[1] Abu Hamid Muhammad bin Muhammad bin Muhammad Al-Ghazali., *Al-Mustaṣfā Min ʿilm Al-Uṣūl*, ed. Muhammad Abd al-Salam Muhammad Al-Shafi (Beirut: Dār al-Kutub al-'Ilmiyyah, 1993).

[2] Muḥammad al-Ṭāhir Ibn 'Āshūr, *Maqāṣid Al-Sharī'ah Al-Islāmiyyah* (Amman: Dār al-Nafā'is, 2001).

[3] *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (International Institute of Islamic Thought (IIIT), 2008); Gathut Hari Permadi and Moh. Jazuli, "Pendekatan Maqasid Al-Syariah Jasser Auda Dalam Menjawab Tantangan Sosial Modern," *QAYID : Jurnal Pendidikan Islam* 2, no. 1 (2026): 106–20, https://doi.org/10.61104/qd.v2i1.736; Muhammad Lutfi Hakim, "Pergeseran Paradigma Maqasid Al-Syari'ah: Dari Klasik Sampai Kontemporer," *Al-Manahij: Jurnal Kajian Hukum Islam* 10, no. 1 (June 2017): 1–16, https://doi.org/10.24090/mnh.v10i1.913.

[4] Ahmad Farikhin, Ahmad Hasan Ridwan, and Heni Mulyasari, "Kajian Historis Maqashid Syariah Sebagai Teori Hukum Islam," *Asy-Syari'ah* 24, no. 2 (2022): 192–210, https://doi.org/10.15575/as.v24i2.19332.

[5] Asa'ari et al., "Urgensi Pemahaman Terhadap Maqashid Al-Syari'ah Dan Perubahan Sosial Dalam Istinbath Al-Ahkam," *De Jure: Jurnal Hukum Dan Syar'iah* 13, no. 2 (2021): 222–39, https://doi.org/10.18860/j-fsh.v13i2.13818; Muhaki and Husein, "Maqashid Al-Syari'Ah Sebagai Instrumen Pembaruan Fiqh Sosial Kontemporer (Tela'Ah Terhadap Pemikiran Ibnu Ashur)," *Al-Ibrah* 2, no. 9 (2024): 125–52, https://doi.org/10.61815/alibrah.v9i2.476.

[6] Syaiful Anwar and Johan Edi Nepri, "Harmonisasi Hukum Digital: Tantangan Global Dan Strategi Adaptif Indonesia Dalam Era Kedaulatan Siber," *Hutanasyah : Jurnal Hukum Tata Negara* 4, no. 1 (2025): 69–88, https://doi.org/10.37092/hutanasyah.v4i1.1297.

[7] Maskun, *Cyber Law: Kebijakan Di Era Transformasi Digital* (Bandung: PT. Refika Aditama, 2024).

[8] Gary E Marchant, Braden R. Allenby, and Joseph R. Herkert, *The Growing Gap Between Emerging Technologies and Legal-Ethical Oversight: The Pacing Problem* (Netherlands: Springer, 2011), https://doi.org/10.1007/978-94-007-1356-7.

on issues of self-protection and human dignity. Algorithms can influence human autonomy and decision-making. The digitalisation of family relationships introduces new challenges for spousal communication, parenting, privacy, and protecting family members.[9] This complexity shows that the primary challenge for Islamic law in the digital era is the need for a framework that can translate the objectives of Sharia into the context of rapidly evolving technological issues.

Numerous studies have reported the relevance of *maqāṣid al-sharīʿah* in addressing technological changes and contemporary legal issues. Jasser Auda's systems approach[10] contributes significantly by positioning *maqāṣid* as an open, multidimensional, and context-sensitive framework. Other studies have started connecting *maqāṣid* to artificial intelligence ethics, data protection, social media, the digital economy, and various forms of electronic transactions.[11] In practice, fatwa institutions have responded to technological developments by issuing rulings on online transactions, crypto-assets, social media use, and other digital matters.[12] These developments show the responsive capacity inherent in Islamic legal thought and practice. However, existing studies and legal responses tend to remain sectoral and case-specific. Studies indicate that the *maqāṣid* approach can provide a perspective for understanding and applying Islamic

[9] Hilda Rahmadani Harahap et al., "Privasi Dalam Etika Dan Filsafat Komunikasi," *Mauriduna: Journal of Islamic Studies* 5, no. 2 (2025): 1076–85, https://doi.org/10.37274/mauriduna.v5i2.1379.

[10] Khusniati Rofiah, "Teori Sistem Sebagai Filosofi Dan Metodologi Analisis Hukum Islam Yang Berorientasi Maqashid Al- Syariah (Telaah Atas Pemikiran Jasser Auda)," *Istinbáth: Jurnal of Islamic Law/Jurnal Hukum Islam* 15, no. 1 (2024): 1–162, https://doi.org/10.20414/ijhi.v15i1.138.

[11] Sulistiyah Sulistiyah and Arifah Rohmatul Hidayah, "Reaktualisasi Maqasid Al-Shariah Dalam Etika Ekonomi Islam Di Era Digitalisasi Global," *AKADEMIK: Jurnal Mahasiswa Ekonomi & Bisnis* 6, no. 2 (2026): 591–601, https://doi.org/10.37481/jmeb.v6i2.1860; M. Habil Al-Faqih, Rusdiyanur Rusdiyanur, and Mukmin Mukmin, "Epistemologi Islam Sebagai Dasar Etika Pemanfaatan AI Di Era Society 5.0," *Journal of Instructional and Development Researches* 5, no. 6 (2025): 648–57, https://doi.org/10.53621/jider.v5i6.694; Nazril Muntazar and Muhammad Fauzan Bin Soberi, "Islamic Law and Digital Transformation: A Contemporary Fiqh Analysis of Ethics, Muamalah, and Artificial Intelligence," *Al-'Adl* 19, no. 1 (2026): 133–43, https://doi.org/10.31332/aladl.v19i1.13034; Muhamad Bachrul Ulum, Lukman Nur Hakim, and Raden Muhammad Hilmi Maulana, "Implementasi Maqashid Asyari'ah Dalam Perlindungan Data Pribadi Penggunaan Media Sosial," *Jurnal Budi Pekerti Agama Islam* 4, no. 3 (2026): 106–13, https://doi.org/10.61132/jbpai.v4i3.2019.

[12] Muhammad Basywar and Fikri Haekal Amdar, "Fatwa-Fatwa Transaksi Digital Studi Komparatif Fatwa NU Dan Muhammadiyah," *Al-Kharaj* 1, no. 1 (2021): 62–75; Fitriani asri and H Akbarizan, "Pasar Fatwa Transnasional Di Asia Tenggara : Transformasi Otoritas Keagamaan Muslim Dalam Ekosistem Digital," *Usantara: Jurnal for Southeast Asian Islamic Studies* 22, no. 1 (2026), https://doi.org/10.24014/nusantara.v20i1.39792; Dhea Andini Nathania, Sandy Rizki Febriadi, and Arif Rijal Anshori, "Tinjauan Keputusan Ijtima Ulama Komisi Fatwa MUI No. VII Tahun 2021 Tentang Kelayakan Cryptocurrency Sebagai Instrumen Pembayaran Zakat," *Bandung Conference Series: Sharia Economic Law* 5, no. 2 (2025), https://doi.org/10.29313/bcssel.v5i2.19234.

law in changing contexts.[13] Meanwhile, the interrelationships among Sharia objectives, the nature of technology, risk distribution, actor accountability, and long-term impacts remain inadequately articulated within an integrated framework. This limitation risks making legal responses reactive to innovations, since technological advancement often outpaces the law's ability to anticipate new concepts.

This situation reveals a conceptual and methodological gap in the development of Islamic legal thought in the digital era. The issue is not whether the *al-kulliyyāt al-khams* remain relevant, but how to interpret and operationalise their objectives when confronted with technology whose characteristics differ from the social context of classical *maqāṣid* formulations. Therefore, expanding the scope of *maqāṣid* by adding a new category such as *ḥifẓ al-bayānāt* for data protection[14] is insufficient without clarifying the epistemological and normative relationship to the existing structure of Sharia objectives. A more pressing need is a framework that translates Sharia objectives into principles for identifying *maṣlaḥah* and *mafsadah*, assessing risk proportionality to determine accountability among actors, and ensuring the sustainability of the public good. This study addresses this gap by developing *maqāṣid al-sharīʿah* as a list of categories, expanded in name, and a normative and ethical framework that connects Sharia objectives to substantive issues, grounded in four principles: issue orientation, risk, accountability, and the impact and context of digital transformation.

This study examines the relevance, limitations, and potential reconstruction of maqāṣid principles in the digital context, while formulating a normative and ethical framework for interpreting global digital challenges. This analysis focuses on three key issues: how *maqāṣid* can be functionally interpreted in the digital field; the forms of *maṣlaḥah* and *mafsadah* arising from digital transformation and how *maqāṣid* categories can address them; and how the principles are operationalised in the development of *fatwa*, policies, regulations, and technology governance. The analysis proceeds from the proposition that *maqāṣid al-sharīʿah* remains a normative framework for Islamic law in the digital era, provided the concept is not used to justify legal outcomes. This is operationalised through principles connecting Sharia objectives to risks, impacts, accountability, and the sustainability of *maṣlaḥah*. The framework is then applied to several domains, including data protection and privacy, artificial intelligence, the digital economy, and Islamic family law in the digital era.

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[13] Mohammad Shihan and Abdulhamid Mohamed Ali Zaroum, "Applying the Islamic Law From the Viewpoint of Maqashid Al-Shariah: Analyzing Legal Opinions of Sri Lankan Muslim Scholars," *Asy-Syari'ah* 24, no. 1 (2022): 1–18, https://doi.org/10.15575/as.v23i2.15032.

[14] Eka Sri Wahyuni, Ayu Yuningsih, and Yosy Arisandy, "Managing Customer Service through Artificial Intelligence-Driven Chatbot Systems in Islamic Banking Institutions," *Al-Uqud* 9, no. 1 (2025): 96–104, https://doi.org/10.26740/al-uqud.v9n2.p143-151.

This study's scholarly contribution is shifting the application of *maqāṣid al-sharīʿah* from a casuistic, reactive approach to a principled, interdisciplinary normative-ethical framework oriented toward *maṣlaḥah*. The novelty is in synthesising operational principles that enable the use of Sharia objectives for a more systematic analysis of digital challenges. This framework is built on four interconnected dimensions: an orientation toward the substance of Sharia objectives (*iʿtibār al-maʿnā lā al-mabnā*), the extension of *maqāṣid* protections to the digital space, risk proportionality (*tanāsub al-ḍarar*), and the sustainability of benefits (*istidāmah al-maṣlaḥah al-ʿāmmah*). The four dimensions are complemented by the principle of multi-actor accountability to ensure that every claim regarding *maṣlaḥah* depends on a justifiable argumentative basis. In this framework, *maqāṣid* determine a technology's legal status, assess its impact, assign responsibilities, and guide technological governance to remain oriented toward human well-being. This is crucial to ensure that Islamic law can adaptively respond to technological change without losing its normative and ethical grounding, while providing a conceptual basis for its evolution across digital domains, including Islamic family law.

2. Methods

This study adopted a library-based analysis using a qualitative-normative approach to assess the relevance of *maqāṣid al-sharīʿah* as a normative and ethical framework for addressing the digital transformation of Islamic law. This study conducted a conceptual and critical examination of literature on *maqāṣid al-sharīʿah*, the epistemology of Islamic law, and developments in legal thought and digital technology ethics. Library analysis was selected because the subject matter consisted of ideas, concepts, principles, and normative arguments explored through written sources and systematically analysed to generate a conceptual construct.[15]

The *uṣūl al-fiqh* approach identifies the epistemological and methodological foundations of *maqāṣid*, including al-Shāṭibī's classical formulation and its subsequent development by Ibnʿ Āshūr[16] and Jasser Auda.[17] Meanwhile, approaches from applied ethics and the philosophy of technology help identify forms of *maṣlaḥah* and *mafsadah* in artificial intelligence, privacy and data protection, the digital economy, disinformation, and the transformation of social relations and Islamic family law.

[15] John W. Creswell and Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing Among Five Approaches 4* (London: Sage Publications, 2017).
[16] Ibn 'Āshūr, *Maqāṣid Al-Sharī'ah Al-Islāmiyyah*.
[17] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

Primary sources include *al-Muwāfaqāt* by al-Shāṭibī, *Maqāṣid al-Sharīʿah al-Islāmiyyah* by Ibn ʿĀshūr, and *Maqāṣid al-Sharīʿah* as Philosophy of Islamic Law by Jasser Auda. Secondary sources comprise scholarly journal articles, academic books, legislation, *fatwa*, and previous studies concerning Islamic law, digital transformation, technology ethics, artificial intelligence, data protection, the digital economy, and Islamic family law. Literature was retrieved through Scopus, Google Scholar, and Moraref using relevant keyword combinations. Selection criteria included substantive relevance, academic credibility, and currency.[18]

The analysis adopts content analysis and a critical-conceptual approach. The first stage identifies fundamental concepts and the epistemological evolution of *maqāṣid* within classical and contemporary literature. The second stage juxtaposes the concepts with the normative-ethical issues of digital transformation to identify gaps between existing *maqāṣid* categories and new forms of *maṣlaḥah* and *mafsadah*. The third stage interprets and synthesises the results to examine the relevance, limitations, and potential reconstruction of *maqāṣid* principles within the digital context. The fourth stage formulates a normative-ethical framework for interpreting and addressing contemporary Islamic legal issues, including *ijtihād*, *fatwā* issuance, digital regulation, and Islamic family law. The validity of the arguments is ensured through source triangulation and critical reading, including comparisons of diverse perspectives in primary and secondary sources.[19]

3. Results and Discussion

3.1. Reconstruction of *Maqāṣid al-Sharīʿah* in the Context of Digital Transformation

Digital transformation changes the instruments and methods of human interaction,[20] as well as the form of *maṣlaḥah*, *mafsadah*, social relations, and risk distribution in

[18] Chris Hart, *Doing a Literature Review: Releasing the Social Science Research Imagination* (London: SAGE Publications, 1998); D. Ridley, *The Literature Review: A Step-by-Step Guide for Students (2nd Ed.)* (London: SAGE Publications, 2012).

[19] Norman K. Denzin, *Triangulation. In The SAGE Encyclopedia of Social Science Research Methods. SAGE Publications.* (London: SAGE Publications, 2012).

[20] Ali Sati et al., "The Digital Transformation of Tafsir and Its Implications for Islamic Legal Derivation in the Contemporary Era," *MILRev: Metro Islamic Law Review* 4, no. 1 (June 30, 2025): 389–415, https://doi.org/10.32332/MILREV.V4I1.10425; SH Pamungkas, Mu'adil Faizin, and SA Ukkasah, "Integrating Maqasid Al-Shariah into Legal Policies for Hybrid Working: Enhancing Flexibility and Protecting Employee Rights in Indonesia.," *Manchester Journal of Transnational Islamic Law & Practice, 2024* 20, no. 3 (2024), https://search.ebscohost.com/login.aspx?direct=true&profile=ehost&scope=site&authtype=crawler&jrnl=17423945&AN=181002304&h=bDZNmbGAttqO3XZc6MiZ7aYYDj%2FBPt2PBjPimi6lBLi6gH5A1FtiuSNRFHhi23A%2Flk7W%2FiGI7Jzoj9K4DpzYpA%3D%3D&crl=c.

communities' lives.[21] This condition requires that *maqāṣid al-sharīʿah* should be understood as a final list of goals and a methodological framework for reading changes and the structure of legal issues. In this context, the reconstruction is not intended to replace the classical *maqāṣid* framework, but to test its epistemological reach and translate the shariah's fundamental objectives into digital reality.

3.1.1. Classical Maqāṣid al-Sharīʿah: The Structure of al-Kulliyyāt al-Khams

The classical formulation of *maqāṣid al-sharīʿah*, particularly through the thought of Abū Isḥāq al-Shāṭibī in *al-Muwāfaqāt*[22], positions the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*) as part of the *al-ḍarūriyyāt* (essentials) to form the foundation of human life. The objectives exist within a structural framework of needs comprising *ḍarūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt*. This structure shows that *maqāṣid* has a universal, hierarchical orientation, with applications adaptable to human circumstances.

The strength of the *al-kulliyyāt al-khams* is in its abstract and fundamental nature. Al-Shāṭibī did not treat the concept as a list of objects requiring protection, but as foundational objectives for Sharia to realise.[23] Therefore, *ḥifẓ al-māl* is not confined to the forms of wealth known to pre-modern societies since *ḥifẓ al-ʿaql* is not limited to the physical aspects of the mind. This abstract quality allows the *maqāṣid* objectives to apply to evolving forms of human life.[24] However, this openness does not mean classical categories can automatically address all contemporary issues. Digital transformation has given rise to objects, relationships, and risks that differ from the social context of classical formulations. Personal data, digital identities, algorithms, artificial intelligence, digital platforms, and crypto-assets are examples of entities that lack direct equivalents within classical legal categorisations.[25] The challenge is in fitting new objects into the five existing categories and reinterpreting the meaning of protection.[26]

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[21] Siti Arbaina Juliana et al., "Tantangan Sosial Di Era Digital Pada Interaksi Manusia," *SIGNIFICANT: Journal Of Research and Multidisciplinary* 2, no. 2 (2023): 245–61, https://doi.org/10.62668/significant.v2i02.912.

[22] Ibrāhīm ibn Mūsā Al-Shāṭibī, "Al-Muwāfaqāt Fī Uṣūl Al-Sharī'ah," in *Al-Muwāfaqāt Fī Uṣūl Al-Sharī'ah* (Kairo: Dār Ibn 'Affān, 1997), 4–23.

[23] A. Al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law* (London: IIIT, 2005); Al-Shāṭibī, "Al-Muwāfaqāt Fī Uṣūl Al-Sharī'ah."

[24] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[25] Mansur Al-habshi and Ahmad Munir, "Analytical Sharia Perspectives on Digital Assets : A Systematic Review of Maqasid Al-Sharia in the Crypto Era" 1, no. 1 (2026): 1–16; Asad Ibrahim and Arshad Ali, "Maqasid Al-Shariah and Artificial Intelligence: An Islamic Ethical Framework for the Digital Era," *Islamic Reports* 1, no. 2 (2026): 1–20, https://doi.org/10.66638/m198x292.

[26] Ilman Miftahul Fauzi et al., "Tinjauan Maqashid Syariah Terhadap Perlindungan Data Pribadi Nasabah Pada Digital Payment," *SIL'AH: Jurnal Ekonomi Syariah* 3, no. 1 (2026): 1–16,

3.1.2. Contemporary Expansion: From Individual Protection to Collective and Universal Values

The evolution of contemporary *maqāṣid* thought shows that classical categories do not mark the final limit of *maqāṣid* development. Ibn ʿĀshūr expanded the scope from protecting individual needs to broader social objectives, such as justice, freedom, equality, and social order.[27] This expansion suggests that *maqāṣid* defines what should be protected and the social conditions enabling human beings to live with dignity. Jasser Auda developed the approach methodologically using a system, viewing Islamic law as open, dynamic, multidimensional, and goal-oriented.[28] This approach expands *maqāṣid* analysis by considering relationships among elements, changing contexts, the interconnectedness of the individual and the community, and the consequences of legal decisions. This shift renders *maqāṣid* more open to engaging with contemporary issues, including human rights, human development, social justice, and the ethics of technology.

This development signals a significant shift: *maqāṣid* are no longer understood as the objectives underlying legal rulings and as a framework for evaluating the operation of the law. However, the broader the scope for interpreting *maqāṣid*, the greater the need for epistemological safeguards. Expanding categories without clear criteria risks blurring the boundaries between Sharia objectives and contemporary moral preferences. In this context, reconstructing *maqāṣid* within the digital context requires more than simply adding new categories. The concept demands criteria to ensure that proposed values, protections, or interests can be genuinely justified as integral to Sharia objectives.[29]

3.1.3. Starting Point for Reconstruction: Maqāṣid as a Methodological Framework, not a Closed List

This analysis positions *maqāṣid al-sharīʿah* as an open methodological framework rather than a closed list of objectives. The reconstruction does not discard *al-kulliyyāt al-khams* but expands its scope by interpreting new forms of *maṣlaḥah* and *mafsadah* arising from digital transformation.[30] Legal questions do not stop at "which *maqāṣid* category does a technology belong to?" but are directed at more methodological

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https://doi.org/10.64994/silah.v3i1.78; Ibrahim and Ali, "Maqasid Al-Shariah and Artificial Intelligence: An Islamic Ethical Framework for the Digital Era"; Muhamad Bachrul Ulum, Lukman Nur Hakim, and Raden Muhammad Hilmi Maulana, "Implementasi Maqashid Asyari'ah Dalam Perlindungan Data Pribadi Penggunaan Media Sosial."

[27] Muhammad Al-Tahir Ibn Ashur, *Ibn Ashur: Treatise on Maqasid Al-Shariah*, ed. Mohamed E.-T. El-Mesawi (London & Washington: The International Institute of Islamic Thought (IIIT), 2006).

[28] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[29] Al-habshi and Munir, "Analytical Sharia Perspectives on Digital Assets : A Systematic Review of Maqasid Al-Sharia in the Crypto Era."

[30] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

questions: what value is to be protected, what *maslahah* and *mafsadah* arise? Who receives the *maslahah* and who bears the risks? And how are the objectives of Sharia realised proportionally? This shift allows *maqāṣid* to function as an instrument for analysing problem structures rather than giving a normative label to an object.[31]

Digital transformation serves as a testing ground for *maqāṣid's* adaptability.[32] This necessitates a reinterpretation of the concepts of protecting life, intellect, lineage, property, and human dignity, while enabling the articulation of derivative objectives, such as the protection of privacy, digital identity security, and information integrity, as well as fairness in the distribution of the benefits and risks associated with technology.[33] The expansion should maintain normative traceability and remain coherent with Sharia's fundamental principles. This reconstruction serves as the basis for formulating normative and ethical principles that connect the goals of *maqāṣid* to the nature of digital challenges.[34] Therefore, reconstruction expands the concept and produces a framework used in legal reasoning, *fatwa*, policies, and regulations.[35]

3.2. Construction of a *Maqāṣid*-based Normative and Ethical Framework for Digital Challenges

The transformation of Islamic law in the digital era requires an epistemological shift in how we understand *maqāṣid*. This framework should determine halal and haram in binary terms and serve as a dynamic methodology for analysing risks, impacts, and parties' accountability in digital technology.[36] According to Auda,[37] an epistemological reconstruction is required, allowing Islamic law to move beyond a formalistic approach and analyse issues systemically.[38]

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[31] Wael B. Hallaq, *An Introduction to Islamic Law*, *European Journal of Law Reform*, vol. 16, 2022, https://doi.org/10.5553/ejlr/138723702014016002003.

[32] Al-habshi and Munir, "Analytical Sharia Perspectives on Digital Assets : A Systematic Review of Maqasid Al-Sharia in the Crypto Era."

[33] Nurzihad et al., "Personal Data Protection in Indonesian E-Commerce Platforms: The Maqasid Sharia Perspective," *Springer International Publishing*, 2023, 1077–86, https://doi.org/10.1007/978-981-99-3243-6_88. .

[34] Husni et al., "Operationalizing Contemporary Istiḥsān: A Methodological Framework for Navigating Innovation in Capital and Digital Markets," *MILRev: Metro Islamic Law Review* 5, no. 2 (July 1, 2026): 1047–70, https://doi.org/10.32332/MILREV.V5I2.12226.

[35] M. H. Kamali, *Shari'ah Law: An Introduction* (Oxford: Oneworld Publications., 2008).

[36] Sri Haryanti and Endah Robiatul Adawiyah, "Transformasi Hukum Islam Di Era Digital : Analisis Maqashid Syariah Terhadap Dinamika Hukum Kontemporer," *Journal of Innovative and Creativity* 6, no. 1 (2026): 10608–17.

[37] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[38] Ayumi Tampubolon et al., "Rekonstruksi Epistemologi Islam Untuk Era Digital," *Pendas : Jurnal Ilmiah Pendidikan Dasar* 11, no. 2 (2026): 309–22.

3.2.1. From Ḥifẓ al-Kulliyyāt to the Protection of Values in the Digital Space

Digital transformation requires reinterpreting *al-kulliyyāt al-khams* in light of changes to the objects and environments of human life.[39] For instance, *Ḥifẓ al-nafs* relates to physical safety, human security, and dignity in the face of digital threats. Health data breaches, identity theft, doxing, cyberbullying, digital threats, and data manipulation can lead to consequences that extend beyond economic loss.

Ḥifẓ al-ʿaql takes on a new dimension as algorithms and artificial intelligence can influence how humans acquire, process, and produce information. In this context, protecting the intellect includes cognitive autonomy, information integrity, and the human capacity to make decisions free from disproportionate manipulation[40]. In the context of *ḥifẓ al-māl*, the digitalisation of wealth, including digital assets, online transactions, fintech, blockchain, and cryptocurrency, expands the concept of wealth protection to comprise asset security,[41] information transparency, transaction fairness, and risk distribution within the digital economy.[42]

Ḥifẓ al-nasl should be understood within the context of evolving family dynamics and caregiving practices mediated by technology.[43] Protecting offspring includes child protection, digital safety, psychological development, and the continuity of family functions. At the same time, protecting human dignity and honour has become increasingly critical because technology enables personal information to be generated, stored, disseminated, and replicated on a massive scale.[44]

3.2.2. Proportionality between Digital Maṣlaḥah and Mafsadah

Digital technology shows that *maslahah* and *mafsadah* often arise simultaneously.[45] Therefore, *maqāṣid* reasoning requires the principle of risk proportionality (*tanāsub*

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[39] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[40] Tariq Ramadan, *Radical Reform: Islamic Ethics and Liberation* (Oxford University Press., 2008), https://doi.org/10.1093/acprof:oso/9780195331714.001.0001.

[41] Muhammad Izzul Syahmi Zulkepli et al., "Automated Transaction of Smart Contract: Technology and Sharia Discourse," *Al-Ahkam* 36, no. 1 (April 30, 2026): 191–228, https://doi.org/10.21580/AHKAM.2026.36.1.26307.

[42] Mohammad Alsaghir, "Digital Risks and Islamic FinTech: A Road Map to Social Justice and Financial Inclusion" 16, no. 7 (2023): 1265–82, https://doi.org/10.1108/JIABR-10-2022-0262.

[43] Rahmawati and Haerani Nur, "Pengasuhan Di Era Digital: Menyeimbangkan Teknologi, Nilai Tradisional, Dan Dinamika Keluarga Modern," *Arus Jurnal Sains Dan Teknologi* 3, no. 1 (2025): 37–47, https://doi.org/10.57250/ajst.v3i1.1126.

[44] M. Lutfi Khakim and Mukhlis Ardiyanto, "Menjaga Kehormatan Sebagai Perlindungan Nasab Perspektif Maqashid Syari'ah" 8, no. 1 (2020): 32–41, https://doi.org/10.32332/nizham.v8i01.2105.

[45] Eneng Nenden Lestianingsih et al., "Maqā Ṣ Id Al- Sharī ʿ Ah Al-Shatibi in the Digital Era : Contemporary Perspectives on Halal Lifestyle And," *Jurnal Al-Mawarid: Jurnal Syari'ah & Hukum* 7, no. 1 (2025): 57–76, https://doi.org/10.20885/mawarid.vol7.iss1.art4.

al-ḍarar), an assessment including benefits, potential losses, the likelihood of risks, and the capacity to manage negative impacts. This principle guards against two equally problematic tendencies. The first treats every innovation as inherently beneficial because it enhances efficiency and convenience, while the second rejects technology based on the potential for *mafsadah*. A *maqāṣid*-based assessment should consider technology use, the scale of impact, and the distribution of risks.[46]

Proportionality demands attention to the distribution of benefits and risks to ensure that innovation is not concentrated among specific groups. This is consistent with Jasser Auda's development of *maqāṣid*,[47] which shifts the legal orientation from a static calculation of individual *maṣlaḥah* toward sustainable collective welfare (*istidāmah al-maṣlaḥah al-ʿāmmah*) through a systems approach.[48]

3.2.3. Multi-Actor Accountability in the Digital Ecosystem

A key characteristic of the digital ecosystem is the participation of multiple actors in shaping technology's processes, use, and impact. Users, developers, platform providers, system operators, technology companies, financial institutions, governments, and regulators play distinct roles in shaping the design, access, operation, and oversight of technology, as well as in mitigating associated risks.

The literature on algorithmic accountability suggests that accountability in digital systems is inherently distributed because different actors have varying levels of control, knowledge, and authority. This perspective is crucial for developing a *maqāṣid* framework because digital risks are not driven solely by user choices. Factors such as algorithmic design, platform architecture, data processing, business models, and system configurations influence user choices and behaviours, leading to specific social consequences. Martin shows that algorithms are not neutral, since design decisions can embody values and carry ethical implications. Therefore, developers and companies cannot fully absolve themselves of responsibility for algorithmic impacts by pointing to user behaviour.[49] The safety-by-design approach emphasises risk prevention at system management stages, rather than relying on users to avoid risks after deployment.[50]

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[46] Mustafa Ahmad al- Zarqa, *Sharh Al-Qawa`id Al-Fiqhiyyah* (Damaskus: Dar al-Qalam, 1998); *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[47] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[48] FebrinaRezky, MuhammadMaulana, and FaraHidayanti, "Journal of Innovative and Creativity," *Journal of Innovative and Creativity* 6, no. 2 (2025): 27400–407, https://doi.org/10.31004/joecy.v6i2.10881.

[49] Kirsten Martin, "Ethical Implications and Accountability of Algorithms," *Journal of Business Ethics* 160, no. 4 (2019): 835–50, https://doi.org/10.1007/s10551-018-3921-3.

[50] Nicol Turner Lee, "Using 'Safety by Design' to Address Online Harms," Brookings Institution, 2022.

Based on the description, this study incorporates multi-actor accountability as an operational principle that complements the orientations of *maṣlaḥah*, risk proportionality, and the protection of Sharia objectives. Accountability distributes obligations based on each party's role, level of control, knowledge, and capacity to prevent or mitigate *mafsadah*. This principle prevents the individualization of blame in partly structural matters. Although users remain responsible for using technology, that responsibility does not absolve the parties that design, provide, operate, or regulate it. Parties with greater capacity to identify, prevent, or mitigate risks may bear greater obligations within their respective spheres of control. This model is consistent with evolving perspectives on algorithmic accountability, which distribute responsibility across the entire technology development process. From a *maqāṣid* perspective, the principle expands the concept of protection, moving beyond prohibition of harmful actions toward a governance framework that actively prevents *mafsadah* and ensures accountability. For instance, protecting *ḥifẓ al-nafs*, *ḥifẓ al-ʿaql*, *ḥifẓ al-māl*, and *ḥifẓ al-nasl* requires users to avoid harmful conduct and actors to establish mechanisms for security, transparency, oversight, remediation, and correction. In this context, multi-actor accountability bridges the normative objectives of *maqāṣid* and the practical requirements of technology governance.

3.2.4. Normative Traceability and Empirical Verification

Every claim regarding *maṣlaḥah* should possess normative traceability to ensure that the openness of *maqāṣid* does not devolve into subjectivism.[51] Therefore, the value or interest proposed as a legal objective must be explicable in terms of the connection to fundamental Sharia principles through textual evidence, *istiqrāʾ*, *kullī* principles, or the overall coherence of the Islamic normative system.[52]

Normative traceability is insufficient when addressing technology. Claims regarding the *maslahah* or *mafsadah* of technology require empirical verification. Assessing the impact of artificial intelligence, social media, and the digital economy on cognitive abilities, family relationships, and wealth distribution necessitates verifiable information, respectively. Therefore, the proposed *maqāṣid* framework rests on three elements: normative legitimacy, methodological rationality, and empirical verification. These elements serve as control mechanisms, ensuring that *maqāṣid* can change without compromising epistemological discipline.

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[51] Al-Shāṭibī, "Al-Muwāfaqāt Fī Uṣūl Al-Sharīʾah."

[52] Muhammad Nazir Alias et al., "Scientific Approach As the Basis for the Formation of Maqāṣid Al-Sharīʻah Concept and Principles: A Comparative Study," *Malaysian Journal of Syariah and Law* 12, no. 2 (2024): 350–63, https://doi.org/10.33102/mjsl.vol12no2.568; Mohammad Hashim Kamali, *Actualization (Taf'il) of the Higher Purposes (Maqasid) of Shariah*, *Actualization (Taf'il) of the Higher Purposes (Maqasid) of Shariah* (London: IIIT, 2020), https://doi.org/10.2307/j.ctv19prr6v.

3.2.5. The Normative-Ethical Framework Proposed

Based on this framework, the analysis proposes four interconnected principles as a normative-ethical *maqāṣid* framework for addressing digital transformation. First, *iʿtibār al-maʿnā lā al-mabnā* prioritises substantive meaning and purpose over technological form. This principle articulates the *maqāṣid* orientation methodlogically, positioning objectives and *maṣlaḥah* as the foundation of legal reasoning.[53] Second, extending maqāṣid-based protection into the digital field through the reinterpretation of *ḥifẓ al-nafs*, *ḥifẓ al-ʿaql*, *ḥifẓ al-māl*, and *ḥifẓ al-nasl* accounts for the nature of digital threats. Third, *tanāsub al-ḍarar* describes the proportional assessment of the benefits and risks associated with technology. Fourth, *istidāmah al-maṣlaḥah al-ʿāmmah* provides an orientation toward the sustainability of collective well-being and distributive justice (Q.S. al-Naḥl [16]: 90), including preventing the concentration of technological benefits or risks within specific groups.[54] These four principles are complemented by multi-actor accountability, where responsibility for the benefits, risks, and impacts of digital technology cannot rest solely with end-users.

Responsibility is distributed proportionately among parties possessing varying capacities, authority, and levels of control, including technology developers, platform providers, data controllers and processors, religious ruling bodies, policymakers, and users.[55] This framework also mandates normative traceability and empirical verification as mechanisms for epistemic control. Therefore, *maqāṣid* determines the legal status of technology, interprets changes, identifies vulnerabilities, evaluates impacts, distributes responsibility, and formulates accountable legal responses. This framework distinguishes the study's position from approaches that respond to digital transformation on a case-by-case basis. Although a case-based approach focuses on the legal status of specific technologies, the framework proceeds from principles applicable across cases. Technologies may change, but the principles for assessing protection, risk, liability, and the *maṣlaḥah* remain valid. In this context, *maqāṣid* takes on a more robust methodological role in addressing rapid technological change.[56]

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[53] Al-Shāṭibī, "Al-Muwāfaqāt Fī Uṣūl Al-Sharī'ah."

[54] Ibn 'Āshūr, *Maqāṣid Al-Sharī'ah Al-Islāmiyyah*; *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[55] David Horneber and Sven Laumer, "Algorithmic Accountability," *Business and Information Systems Engineering* 65, no. 6 (2023): 723–30, https://doi.org/10.1007/s12599-023-00817-8; Martin, "Ethical Implications and Accountability of Algorithms."

[56] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

3.3. Operationalisation of the *Maqāṣid* Framework in Islamic Law in the Digital Era

The formulated normative-ethical framework must be tested against concrete legal issues within the digital ecosystem. This testing is crucial to ensure that *maqāṣid al-sharīʿah* remains more than a normative construct and can be used to interpret, evaluate, and respond to technological change. Therefore, data and privacy protection, artificial intelligence, the digital economy, and Islamic family law were selected as testing arenas. Each area presents distinct characteristics, showing the scope and limitations of the proposed framework.

3.3.1. Data Protection and Privacy: Testing the Principles of Protection and Dignity

Data protection reflects a shift in what the law protects. Personal data possesses economic value and is connected to an individual's identity, security, privacy, and dignity. Therefore, data breaches, misuse, or processing without an adequate basis can cause *mafsadah*. An analysis of data protection from the perspective of *maqāṣid al-sharīʿah* shows its connection to preserving life, intellect, property, and human honour.[57] In the *maqāṣid* framework, this issue can be understood through the expansion of *ḥifẓ al-nafs* and the protection of human dignity *(ḥifẓ al-ʿirḍ).*[58] The protection extends beyond the physical body to include the conditions that enable a safe and dignified human existence. The principle of *iʿtibār al-maʿnā lā al-mabnā* prevents the law from becoming trapped in the context of data constituting a "tangible object" under classical *fiqh*. Understanding the value of the data and the potential *mafsadah* arising from the misuse is important. A *maqāṣid*-based analysis of digital data ownership and protection shows that data simultaneously possesses normative, economic, and humanitarian dimensions.[59]

The framework relates to Law Number 27 of 2022 on Personal Data Protection (PDP Law). Principles such as consent, processing limitations, data security, and the accountability of controllers and processors can be interpreted through *maqāṣid* as mechanisms for safeguarding human rights and interests in the digital field. The PDP Law mandates a legal basis for data processing, including valid consent, requires

[57] Kukuh Pandu Wicaksana, Tahegga Primananda Alfath, and Heru Kuswanto, "Personal Data Protection in the Digital Era: A Maqasid Al-Shariah Perspective on Contemporary Legal Challenges," *Mizan: Journal of Islamic Law* 14, no. 1 (2026): 114–22, https://doi.org/10.32832/mizan.V14i1.22997.

[58] Misbahun Nidhom and Ali Murtadho, "Does Islam Protect Digital Privacy? An Islamic Studies Approach to Personal Data Protection," *Al-Afham: Journal of Islamic Studies* 2, no. 2 (2025): 107–28, https://doi.org/10.62509/ajis.v2i2.260.

[59] Titis Thoriquttyas and Nita Rohmawati, "Maqasid Al-Sharia and the Digital Data Ownership: From Al-Shatibi to Jasser Auda," *Journal of Islamic Law on Digital Economy and Business* 1, no. 2 (2026): 168–81, https://doi.org/10.20885/jildeb.vol1.iss2.art5.

specifying processing purposes, and requires impact assessments for high-risk processing activities. The law also requires protecting confidentiality, preventing unauthorised access, and overseeing parties involved in data processing. Therefore, *maqāṣid* can provide an ethical foundation for digital regulation without classifying data issues as a new category of *maqāṣid*. Recent literature on the relationship between *maqāṣid* and the PDP Law in Indonesia also reports points of convergence with values such as *amānah* (trustworthiness), justice, consent, and the prevention of *mafsadah*.[60]

3.3.2. Artificial Intelligence: Testing Ḥifẓ al-ʿAql and Multi-Actor Accountability

Artificial intelligence raises complex issues because the concept assists human activities and engages in processes that generate information, provide recommendations, predict behaviour, and influence decisions. UNESCO characterises AI systems as technologies that process data and information using capabilities such as learning, prediction, planning, and decision-making.[61] This condition broadens the meaning of *ḥifẓ al-ʿaql* from protecting the capacity for rational thought to safeguarding cognitive autonomy and the integrity of knowledge formation processes.

Algorithms that generate filter bubbles, manipulate attention, spread disinformation, or produce biased recommendations can affect users' freedom and the balance of information access. Studies on algorithmic personalisation show that filter bubbles can narrow users' exposure to diverse perspectives and reinforce pre-existing beliefs.[62] In the *maqāṣid* framework, we cannot evaluate technology based on efficiency alone. We must weigh speed, productivity, and convenience against risks to cognitive autonomy, information quality, and human decision-making capabilities. This principle is consistent with AI risk management approaches that treat validity, transparency, explainability, fairness, and bias control as aspects requiring simultaneous assessment.[63]

Responsibility cannot always be attributed solely to the user when AI produces bias or harmful decisions. Developers, system providers, user institutions, and regulators possess varying capacities to manage risk. NIST identifies accountability as a

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[60] Wicaksana, Tahegga Primananda Alfath, and Heru Kuswanto, "Personal Data Protection in the Digital Era: A Maqasid Al-Shariah Perspective on Contemporary Legal Challenges."

[61] Gabriela Ramos, "UNESCO's Recommendation on the Ethics of Artificial Intelligence (2021)," *International Organization Initiatives*, no. November (2025): 203–14, https://doi.org/10.1093/9780197803325.003.0020.

[62] Wencheng Lu, "Inevitable Challenges of Autonomy: Ethical Concerns in Personalized Algorithmic Decision-Making," *Humanities and Social Sciences Communications* 11, no. 1 (2024): 1–9, https://doi.org/10.1057/s41599-024-03864-y.

[63] Elham Tabassi, "Artificial Intelligence Risk Management Framework (AI RMF 1.0)," *NIST AI 100-1 (Gaithersburg, MD: National Institute of Standards and Technology, 2023)*, 2023, 100–101, https://doi.org/10.6028/NIST.AI.100-1.

characteristic of trustworthy AI and emphasises clear roles and responsibilities throughout the lifecycle. AI regulations also distribute obligations among various actors in the value chain, including providers and deployers.[64] Therefore, the *maqāṣid* framework advocates dividing responsibility based on each actor's capacities and levels of control.

3.3.3. The Digital Economy: Testing the Principles of Fairness and the Sustainability of Public Well-being

Digital transformation is reshaping economic activity through digital platforms, fintech, blockchain, digital assets, and cryptocurrency. An Islamic legal analysis of the digital economy shows that technological shifts create new legal issues that require examination because of the nature and structure of digital economic relationships.[65] These issues include contract validity, transparency, risk distribution, consumer protection, the concentration of economic power, and the distribution of technological benefits. The literature on the digital economy indicates that digital platforms can enhance efficiency, access, and innovation, but raises concerns about competition, market power, lock-in effects, and market concentration.[66]

From the perspective of *ḥifẓ al-māl*, protecting assets in the digital economy cannot be reduced to preventing asset loss. This protection includes information certainty, transaction transparency, preventing exploitation, and equitable risk distribution. Therefore, the principle of *istidāmah al-maṣlaḥah al-ʿāmmah* broadens the *maqāṣid* focus from individual benefits to the digital economy's structural impacts.

DSN-MUI Fatwa Number 144/DSN-MUI/XI/2021 on cryptocurrency shows how Islamic law engages with new forms of digital assets; distinguishing cryptocurrency as a medium of exchange from crypto assets as commodities reflects an effort to understand the instruments' nature and function before determining their legal status. The analysis can be broadened by considering distributive justice, risk proportionality, consumer protection, and the sustainability of the collective good. The 7th *Ijtima Ulama* (Ulama Consensus) of the MUI Fatwa Commission in 2021 classifies cryptocurrency as a currency, while permitting assets that meet the criteria of *sil'ah*, have an underlying asset, and provide clear utility.[67] Therefore, digital economic *fiqh* cannot stop at whether an instrument is halal or haram; it must evaluate the structure of benefits and

[64] Elham Tabassi.

[65] Carlos Joel Tchawouo Mbiada, "Restraint of Trade Clause in the Digital Economy: South African and Islamic Law Comparison," *Asy-Syari'ah* 27, no. 1 (2025): 73–100, https://doi.org/10.15575/as.v27i1.44545.

[66] OECD, *The Digital Transformation of SMEs*, *De Gruyter Handbook of SME Entrepreneurship* (Paris: OECD Publishing, 2021), https://doi.org/10.1515/9783110747652-017.

[67] Majelis Ulama Indonesia, "'Keputusan Fatwa Hukum Uang Kripto Atau Cryptocurrency,'" 2021.

risks. This approach does not dispense with the analysis of contracts' *aqd* and the provisions of *fiqh muamalah* within the broader horizon of *maqāṣid*. The argument is consistent with the evolution of digital financial asset regulations, which incorporate governance, risk management, transparency, security, and consumer protection into the regulatory framework for digital asset trading.[68]

3.3.4. Islamic Family Law: Testing the Maqāṣid Framework in Digital Family Relationships

The application of *maqāṣid* to family law issues is evident in studies on the minimum age of marriage. These studies show that Sharia objectives can evaluate family law policies in a specific context.[69] Islamic family law is a crucial arena for testing the *maqāṣid* framework's operational viability as digital transformation reshapes how families build relationships, raise children, manage conflict, and sustain the household. Therefore, family law issues in the digital era must be assessed based on the objectives of marriage and the protection of the family. For example, in long-distance marriage, husband and wife communicate through video calls, instant messaging, and other digital platforms. Technology serves as a *wasīlah* (means) that supports communication and the continuity of family relationships, but the concept does not automatically produce *maslahah*. The intensity and quality of communication, the division of economic responsibilities, child-rearing, and the potential for emotional estrangement need to be considered. Therefore, the *maqāṣid* framework directs the assessment toward technology's function and impact on the purposes of marriage.

The use of technology in childcare and supervision, such as parental controls, location tracking, and monitoring digital activity, raises issues. This invention can support *ḥifẓ al-nasl* by protecting children from violence, exploitation, fraud, and harmful content. Excessive surveillance can infringe on a child's privacy, autonomy, and psychological development. Therefore, the principle of *tanāsub al-ḍarar* requires balancing protection with respect for the children's privacy and development.

Digital transformation affects marital conflicts and divorce. Private conversations, communication records, photographs, and domestic content can serve as evidence, but are also vulnerable to misuse when shared on social media. This issue raises concerns about family protection, honour, privacy, and preventing *mafsadah*. Under Indonesian Law Number 1 of 2024 and Number 27 of 2022, electronic information and documents constitute valid legal evidence when they meet statutory requirements. A distinction

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[68] Otoritas Jasa Keuangan, "'Penyelenggaraan Perdagangan Aset Keuangan Digital Termasuk Aset Kripto,'" 2024.

[69] Ahmad Ropei, "Maqashid Syari'ah Dalam Pengaturan Batas Usia Pernikahan Di Indonesia," *Asy-Syari'Ah* 23, no. 1 (2021): 1–20, https://doi.org/10.15575/as.v23i1.10607.

must be drawn between using digital evidence for legal purposes and publicly disseminating personal information, which increases *mafsadah* to spouses and children. In this context, the *maqāṣid* framework assesses the proportionality between the need for evidence and the need to protect the parties' dignity.

An examination of Islamic family law shows that *maqāṣid* can expand the protection of *nasl* beyond conventional interpretations to include the continuity, security, dignity, and resilience of family relationships within the digital environment. This expansion enriches the scope of Islamic family law without altering the fundamental normative orientation.[70]

3.3.5. Applicative Synthesis: From Maqāṣid Principles to a Digital Legal Framework

Examinations across four arenas suggest that maqāṣid's strength in navigating digital transformation provides ready-made legal answers for every technology and offers principles for evaluating shifting forms of *maṣlaḥah*, *mafsadah*, risk, liability, and the distribution of impacts. Data protection tests *maqāṣid's ability* to safeguard privacy, security, and dignity. Artificial intelligence tests the protection of the intellect and cognitive autonomy, while the digital economy analyses distributive justice and risk proportionality. Islamic family law investigates the capacity of *maqāṣid* to preserve relationships, rights, and family resilience within the digital sphere. These four arenas show that a single category of *maqāṣid* can manifest differently by context. For instance, *ḥifẓ al-ʿaql*, *ḥifẓ al-māl*, and *ḥifẓ al-nasl* can be realised through protecting information integrity, securing assets with fairness in digital transactions, and protecting children and the continuity of family functions within a technological environment, respectively. Therefore, the reconstruction of *maqāṣid* can be achieved by expanding the operational meanings of objectives normatively rooted in the Sharia tradition.[71]

The results show the importance of distinguishing between principles and forms. Technology is a rapidly changing form, while principles such as protection, justice, proportionality, responsibility, and *maṣlaḥah* possess greater enduring validity. Islamic law's response should depend on the ability to identify the underlying structure of the *maslahah* and *mafsadah* generated. This framework can be summarised in five stages, namely (1) identifying the characteristics and functions of the technology, (2) identifying the resulting *maslahah* and *mafsadah*, (3) mapping the issues against *maqāṣid* objectives, (4) examining proportionality, risk distribution, and the accountability of the parties, and (5) formulating a legal response based on normative and empirical evaluations. This approach aligns with studies on Supreme Court mediation regulations, where *maqāṣid*

[70] Ibn ʾĀshūr, *Maqāṣid Al-Sharīʾah Al-Islāmiyyah*.

[71] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

principles inform regulatory design and are tested during implementation.[72] The pattern allows *maqāṣid* to function as a cross-case framework. At the same time, the provisions of *fiqh* and *uṣūl al-fiqh* continue to play a role in determining legal legitimacy at a more specific level.[73] This framework remains subject to limits. Openness to context should not be construed as unfettered freedom to designate *maṣlaḥah*. Claims require normative grounding, coherence with fundamental Sharia principles, and support from adequate empirical information. In this context, *maqāṣid* serves as a mechanism for adaptive legal reform without losing the normative character.[74]

The framework presents digital transformation as a new context that tests Islamic legal epistemology's ability to read change. The main contribution is in the shift from casuistic legal responses to a normative-ethical framework applicable across issues. This framework allows *maqāṣid al-sharīʿah* to remain rooted in Islamic normative traditions while responding to dynamic, complex, and cross-border global digital challenges.

4. Conclusion

Digital transformation shows that Islamic law can no longer adequately respond to technological developments through textual interpretation and casuistic approaches. *Maqāṣid al-sharīʿah* serves as a methodological framework for addressing digital changes, provided the concept remains grounded in the normative foundations of Sharia. The proposed reconstruction does not reduce *maqāṣid* to a closed list of new objectives; instead, it develops the concept into a reasoning framework for interpreting new forms of *maṣlaḥah*, *mafsadah*, and risk in the digital field.

The primary contribution is a normative-ethical framework integrating four principles: *iʿtibār al-maʿnā lā al-mabnā*, the extension of *maqāṣid* protections to the digital space, *tanāsub al-ḍarar*, and *istidāmah al-maṣlaḥah al-ʿāmmah*. These principles are reinforced by multi-actor accountability, normative traceability, and empirical verification. Legal reasoning shifts from determining a technology's halal or haram status to assessing objectives, impacts, risk levels, the distribution of *maslahah* and *mafsadah*, and the responsibilities of the parties involved.

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[72] Mohamad Athoillah and Tajul Arifin, "Maqashid Al-Syari'ah in the Supreme Court Mediation Regulation: A Case Study of Inheritance Dispute Resolution," *Asy-Syari'ah* 26, no. 1 (2024): 1–20, https://doi.org/10.15575/as.v26i1.33985.

[73] *Maqasid Al-Shariah as Philosophy of Islamic Law*.

[74] Azwarfajri et al., "The Construction Of Contemporary Maqasid: A Paradigm Shift From Textual To Contextual Approaches," *Jurnal Pemikiran Islam* 5, no. 2 (2025): 197–218, https://doi.org/10.22373/jpi.v5i2.32960.

In practical terms, this framework serves as a foundation for developing digital *ijtihad* and *fatwa*, data protection regulations, artificial intelligence governance, an equitable digital economy, and Islamic family law responsive to changing relationships in the digital space. Implementation requires strengthening *ijtihād jamāʿī* (collective legal reasoning) by including experts in Sharia, technology, law, and the social sciences, and empirically verifying policy impacts. Future studies should test the framework through sectoral and comparative case analyses to assess the validity, operational limits, and effectiveness in generating just, proportional, and sustainable Islamic legal responses.

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