

**Research Article**

# *Maqashid Sharia* Analysis on Personal Data Protection from the Dangers of Artificial Intelligence Misuse

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DOI: 10.23917/sosial.v6i2.12636

**Abstract**

This study examines the use of AI from the perspective of prophetic law, with an emphasis on the values of justice, benefit, and equality of rights in Islamic law, based on *maqashid sharia*, with the intention of protecting personal data from the uncontrolled use of AI. Additionally, it highlights the role of community organizations, particularly Muhammadiyah, in providing education and advocacy related to the protection of personal data in accordance with progressive Islamic values. The socio-legal method enabled a comprehensive analysis of the social impact and legal regulations on the protection of personal data in the context of the rapid development of AI. The results of the analysis of legal facts and empirical information show that the uncontrolled use of AI is detrimental to society. The misuse of AI has been linked to several personal data leakage issues in various countries. The integration of Islamic values, based on *maqashid sharia*, into data protection policies is crucial for preventing the unethical exploitation of technology and ensuring that innovation remains within the benefit of the *ummah*. Personal data protection is intended to maintain digital ethics based on *hifzun-nafs* (protection of life), *hifdzul-'aql* (protection of reason), and *hifdzul-'ird* (protection of honor), which can provide moral and ethical justification for the development of more humanized personal data regulations in the AI era.

**Keywords:** *artificial intelligence, digital ethics, maqashid sharia, personal data protection, prophetic law*

**Abstrak**

Penelitian ini mengkaji penggunaan kecerdasan buatan (artificial intelligence/AI) dari perspektif hukum profetik, dengan menekankan nilai-nilai keadilan, kemaslahatan, dan kesetaraan hak dalam hukum Islam yang berlandaskan pada *maqāṣid al-syarī'ah*, dengan tujuan melindungi data pribadi dari penggunaan AI yang tidak terkendali. Selain itu, penelitian ini menyoroti peran organisasi kemasyarakatan, khususnya Muhammadiyah, dalam memberikan edukasi dan advokasi terkait perlindungan data pribadi yang selaras dengan nilai-nilai Islam progresif. Metode sosio-legal digunakan untuk memungkinkan analisis yang komprehensif terhadap dampak sosial serta regulasi hukum mengenai perlindungan data pribadi dalam konteks pesatnya perkembangan AI. Hasil analisis terhadap fakta hukum dan informasi empiris menunjukkan bahwa penggunaan AI yang tidak terkendali berdampak merugikan bagi masyarakat. Penyalahgunaan AI telah dikaitkan dengan berbagai kasus kebocoran data pribadi di sejumlah negara. Integrasi nilai-nilai Islam yang berlandaskan *maqāṣid al-syarī'ah* ke dalam kebijakan perlindungan data menjadi sangat penting untuk mencegah eksploitasi teknologi yang tidak etis serta memastikan bahwa inovasi tetap berada dalam koridor kemaslahatan umat. Perlindungan data pribadi dimaksudkan untuk

menjaga etika digital yang berlandaskan pada prinsip *hifz al-nafs* (perlindungan jiwa), *hifz al-'aql* (perlindungan akal), dan *hifz al-'ird* (perlindungan kehormatan), yang dapat memberikan landasan moral dan etis bagi pengembangan regulasi perlindungan data pribadi yang lebih humanis di era AI.

**Kata Kunci:** *kecerdasan buatan, etika digital, maqashid syariah, proteksi data pribadi, hukum profetik*

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Received: August 27<sup>th</sup> 2025 | Accepted: December 15<sup>th</sup> 2025 | Available Online: December 26<sup>th</sup> 2025

## Introduction

The rapid development and application of technology have made the flow of information obtained by the community easier in all aspects of life (Pratama & Pati, 2021). One of the most criticized currently is artificial intelligence technology (hereinafter abbreviated as AI), which has a significant impact on various aspects of human life (Kathuria et al., 2023), including in terms of collecting, processing, and using personal data (Sumantri, 2019). On the one hand, AI has great potential to make human life easier and increase efficiency in the multisectoral life (Sezgin, 2023). But on the other hand, the use of AI as a human tool also poses new challenges in terms of personal data protection, especially in the scope of privacy rights and information security (Suhendar et al., 2023).

Personal data protection is a crucial issue in the digital era, considering that personal data has become a valuable new world commodity and is vulnerable to misuse (Zuboff, 2022). Uncontrolled use of AI can pose a risk of personal data breaches, such as identity theft, fraud, and information manipulation (Martínez-Martínez, 2018). In the context of this study, a prophetic perspective plays an important role in assessing the implications of the use of AI on personal data protection and formulating ethical and sustainable solutions (Joyce et al., 2021). In the context of personal data protection, the misuse of AI has the potential to harm users. Mainly because the personal data recorded in the AI system belongs to AI, and there can be potential malfunctions or intentional leaks from AI creators of the personal data of AI users (Ray et al., 2022).

In the context of human rights, personal data is also an aspect that needs to be protected (Wang et al., 2022). The 1945 Constitution of the Republic of Indonesia also stipulates in Article 28G paragraph (1), personal rights as rights that the state is obligated to protect, which explains that "Everyone has the right to the protection of personal self, family, honor, dignity, and property under his or her power, as well as the right to a sense of security and protection from the threat of fear to do or not do something that is a human right". On the other hand, personal data has also become a special concern for the state. This is manifested by the issuance of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law).

Thus, although the statutory basis is present, the normative legal structure still leaves a lacuna in regulating AI-driven harm. This legal vacuum becomes the conceptual entry point of the *Maqashid Sharia* framework proposed in this article. In the context of a Muslim-majority country like Indonesia, the approach to protecting personal data should be inseparable from Islamic values that prioritize justice, protection of human dignity, and social responsibility. The prophetic values and principles of *Maqashid Sharia offer a holistic, normative approach to addressing the ethical challenges posed by the uncontrolled use of AI*.

This article aims to explore a unique perspective on this issue, specifically a prophetic study grounded in *Maqashid Sharia*, or the purposes of Islamic law. As one of the world's major religions with a

long history, the Islamic perspective on personal data protection and human rights provides invaluable new insights (Sari, 2023). The study offers a unique lens through which to examine and approach modern issues, broadening the understanding of human beings in general, and Muslims in particular, of the various methods by which different cultures and belief systems interact, as interpreted through the concept of personal data protection.

The research gap identified is that there are still limited studies that specifically discuss the protection of personal data in the context of the use of AI, especially from a sociological and prophetic law perspective (Muslimin, 2019). The majority of previous studies have focused on technological and legal aspects, while studies analyzing the social and ethical implications of AI use for personal data protection are still relatively few. The novelty of this research lies in the application of a prophetic law study framework based on *Maqashid Sharia* to analyze the protection of personal data in the context of AI use. This approach integrates technological, legal, social, and ethical aspects to provide a more comprehensive understanding of the challenges and solutions relevant to realizing fair, holistic, and sustainable Personal data protection.

Socio-legal theory focuses on the application of law in society. Generally, socio-legal theories often get opposition from legal experts because socio-legal cannot be said to be intermediate research or a combination of normative and empirical research (Otto & Pompe, 2012, p. 71). In this study, law is not only seen as a normative rule, but also as a social phenomenon that is influenced by various factors, such as culture, economics, politics, and social interaction (Crouch, 2019, p. 353). Some of the theories include the theory of law and society popularized by Eugen Ehrlich, legal theory as a social system from Niklas Luhmann's perspective, the school of legal realism from Oliver Wendell Holmes, critical legal studies in the style of Roberto Unger, or the sociological jurisprudence version of Roscoe Pound that developed in the United States (Walsh & Hemmens, 2016).

Islamic law has regulated human life in such a way, both in the aspects of worship and *mu'amalah*. Based on the law of *fiqh*, in carrying out *mu'amalah*, there may be an innovation in the form of the discovery of new things or methods (Madjid, 2018). This is certainly different from the *fiqh* of worship, which has been determined by its procedures and must adhere to the postulates of the Qur'an and the words of the Prophet Muhammad ﷺ, documented by the narrators of the *hadith* (Misruki et al., 2023). Prophetic values refer to the values, norms, and practices that develop in a community as a result of adaptation to the inner attitude believed in its religion (Surya et al., 2024). Prophetic value can be found in the rules of Islamic law, which still have the purity of the teachings of the Prophet Muhammad ﷺ. Based on the context of personal data protection, the function of Islam is not only the key to implementing regulations, but also how society determines to act under the divine principles believed by the conscience of every human being, including protecting oneself and what is attached to it (Karimullah, 2023). The reflection of prophetic values is

contained in the method of analysis based on Islamic law that explores the goals of the creation of law through the perspective of *Maqashid Sharia*.

The *maqashid sharia* approach prioritizes the protection of six fundamental aspects of life in human life, namely: (1) *Hifdzud-Diin* (Protection of religion); (2) *Hifdzun-Nafs* (Protecting lives); (3) *Hifdzul-'Aql* (Protection of intellect); (4) *Hifdzun-Nasl* (Protecting offspring); (5) *Hifdzul-Mal* (Protection of property); and *Hifdzul-'Ird* (Protecting honor/dignity) (Aswindasari & Marhamah, 2024). The last principle is sometimes incorporated into other principles by some of the *'ulama* (scholars). In the development of modern law, *Maqashid Sharia* is also used to regulate contemporary issues, including digital technology and personal data protection. In the context of personal data protection, at least three of the five goals are directly relevant: the protection of life, the protection of intellect, and the protection of property.

The protection of personal data requires not only the role of the Government as the authority, but also the involvement of the community and non-governmental organizations (NGOs). One of the vital roles that Muhammadiyah can carry out as an Islamic-based community organization is to educate community leaders on the ethics of technology use, enabling them to participate effectively in the digital era. Examining the background of the problem, the following issues can be identified. *First*, what are the legal aspects of personal data protection in the use of artificial intelligence? *Second*, how does the view of prophetic law on the protection of personal data align with the perspective of *Maqashid Sharia*?

## Method

This study used the Case Approach and the Socio-legal Approach, which concentrate on analysis and assessment through the collection of empirical data related to the study of social impact on the protection of personal data and the potential dangers of irresponsible use of AI in society (Abraham, 2021). This study examined social facts related to personal data leak cases, the legal bases for personal data protection, and mitigation measures to safeguard the public from potential personal data leaks, focusing on social impacts and regulatory studies, organizational roles, and the strategic role of government partners in the protection of personal data (Utsman, 2016, p. 151).

The secondary data sources used were in the form of primary legal material related to cases of personal data leakage, namely Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law), as amended by Law Number 19 of 2016 and Law Number 1 of 2024, Law Number 27 of 2022 concerning Personal Data Protection (PDP Law), and European GDPR documents, as well as the *Qur'an* and *Hadith* as the main sources of Islamic law. The secondary legal materials were in the form of journals, literature on *Maqashid Sharia*, and several international case studies on the leakage of personal data by AI systems. The legal material was collected through literature studies and documentary studies to obtain Muhammadiyah's *fatwas* from *Majelis Tarjih* and *Tajdid* legal documents. The data analysis method was

carried out qualitatively through the prophetic principles with a focus on *Maqashid Sharia*. Prophetic values are used as an ethical lens to identify and assess positive legal developments in responding to AI challenges.

## Results

Based on a preliminary review of the regulation and development of artificial intelligence (AI) technology, it can be assumed that the current personal data protection arrangements, both in Indonesia and in international standards such as GDPR, still have gaps in addressing the ethical and spiritual challenges posed by the automated processing of data by AI. Therefore, an approach that integrates prophetic values and the principles of *Maqashid Sharia* can allegedly offer a more holistic and civilized normative framework.

In a dimension where large amounts of data are generated every second, while such data can be easily transmitted, stored, and analyzed, the protection of personal data is a shared responsibility for all stakeholders (Matulionyte et al., 2022). This problem is not only a privacy issue, but also creates a sense of security for citizens psychologically and sociologically (Schellekens, 2022). As technology continues to evolve and reshape the world, it is crucial for each individual to be able to keep pace when it comes to protecting their data. Of course, it would be much better if the state participated in providing legal protection.

In the cases that occurred in the Global North Countries, one of them is France (European Data Protection Board, 2022), where the *Commission Nationale de l'Informatique et des Libertés* (CNIL), a personal data protection authority, imposed a fine of €20 million (approximately IDR 382 billion) on the Clearview AI Company for unlawfully processing the biometric data of European Union (EU) citizens and ordered to cease processing activities and delete their database. Another case that has taken the Blue Continent by storm is the PimEyes case in Germany (State Commissioner for Data Protection and Freedom of Information, 2022). The German data management authority, namely *Landesbeauftragter für den Datenschutz und die Informationsfreiheit* (LfDI) *Baden-Württemberg*, investigated the company's compliance with the General Data Protection Regulation (GDPR) on biometric data processing, highlighting the legal basis, the legality of web-scraping, and the rights of data subjects that include data access and output. However, PimEyes denies that their actions are illegal, instead arguing against the GDPR, which prosecutes for published images.

Among the cases that have happened in Indonesia, for example, in 2021 was the leak of personal data in the electronic Health Alert Card (eHAC) application or Pedulilindungi, which is used to monitor activities in and out during the Covid-19 Pandemic, where more than 1.3 million application user data was allegedly leaked. Then in 2024, the National Database (PDN) was attacked by a type of ransomware that is a variant of LockBit 3.0, resulting in the paralyzing of 210 institutions and causing losses of more than \$8 million or approximately IDR 139 billion. Indeed, the case was not explicitly carried out by AI, but it shows

that the protection of citizens' data is so weak that it should be the state's obligation to provide a data security system as well as a legal umbrella in the event of these cases. Even though Article 46 and 48 of the ITE Law theoretically criminalize unauthorized access and intentional destruction of electronic systems, law enforcement in practice remains weak. This normative gap is precisely where *Maqashid Sharia* reasoning becomes relevant, because Maqashid not only demands formal legality, but also emphasizes substantive protection of dignity (*Hifdzul-'Ird*) in digital interactions.

The advent of the industrial era 5.0, an era marked by rapid advancement and the integration of technology into every aspect of life, has brought with it a lot of progress and convenience (Effendi et al., 2020). This ranges from access to information to the ability to communicate with others in all parts of the world in real-time (Asiri et al., 2024). However, these technological advancements, while undeniably beneficial, have also led to a number of complex problems. One of the most critical and increasingly common of these issues is the protection of personal data. This issue is not only about privacy, but also about security and human rights. Because technology continues to evolve and reshape the world, humans need to keep pace when it comes to protecting individual rights and data (Shakhrai, 2018).

Based on their function, there are several types of AI that are divided into five types. First, the type of *reactive machines* that are usually adopted in the world of advanced AI-based edu-tech education as a standard tool for education (Mallik & Gangopadhyay, 2023). Second, it is *limited memory* that holds a large amount of certain data with limited memory (Islam et al., 2024). Third, *augmented reality* or *computerized vision systems* that can visualize data based on special algorithms (Heinrich et al., 2022). Fourth, *the theory of mind*, which is AI that is designed to be able to read human emotions, intentions, and thoughts (Nebreda et al., 2023), and fifth, *self-aware AI*, which is AI that has awareness of itself, can understand its existence, as well as its emotions and feelings (Trovati et al., 2023). The last two types of AI are still prototypes, but four of the five still have risks if they are uncontrolled.

## Discussion

### *Legal Protection of Personal Data in the Use of AI*

In Indonesia, based on the ITE Law, it is not explicitly regulated regarding AI. However, information technology legal experts analogize AI as an 'Electronic Agent' as stated in Article 1, number 8 of the ITE Law, which states that, "An Electronic Agent is a device of an Electronic System that is made to perform an action on a certain Electronic Information automatically organized by a Person". In the narrative, 5 (five) criteria show that AI fulfills all its elements as an Electronic Agent. *First*, AI is a 'Device'. *Second*, AI is an 'Electronic System'. *Third*, AI is 'made to act' against a particular Electronic Information. *Fourth*, AI works 'automatically', and *fifth*, AI is 'hosted by People' (humans).

In terms of regulations on personal data, Indonesia can emulate the Global North Countries, which

have taken the protection of personal data as a part of human rights seriously (Ulum & Dinata, 2023). Developed countries in Europe, North America, and East Asia have ratified several regulations on AI that require human oversight to prevent autonomous systems from collecting personal data without human intervention. For example, the European continent has ratified the GDPR, where Article 22, Paragraph 1 prohibits individuals from being subjected to fully automated decisions (including profiling) that have a significant impact, except in three specific conditions. Exceptions to such prohibitions are: *First*, if the data is necessary for the performance of the contract, *Second*, permitted by the law of the European Union/member state (with adequate protections, *Third*, based on the explicit consent of the data subject (Tikkinen-Piri et al., 2018).

In the PDP Law, there is no mention of AI collecting or processing personal data. As stated in Article 20, the automatic processing of Personal Data, including for profiling purposes, can only be carried out with the consent of the data subject and accompanied by the protection of the Data Subject's rights. Then, Article 21 states that any decision based solely on automated processing, including profiling, that has legal consequences or a significant impact on the Data Subject, must obtain consent and can be asked to explain the logic behind the decision-making. Due to the difficulty in gathering evidence, there are no clear guidelines, resulting in unjust algorithmic consequences. However, legal regulations should be present to address them.

Indonesia reflects Article 22 of the GDPR, which provides the right not to be subject to automated decisions, and the right to demand algorithm/AI transparency. Then, Articles 22 and 23 emphasize that the automatic processing of personal data must be carried out with logical review and must be based on the principles of fairness, transparency, and accountability. On the other hand, the European Union also published the European Union AI Act 2024, Article 5 relating to the processing of biometric data, which is part of the Prohibited Section to be fully processed by AI (Commission Guidelines on Prohibited Artificial Intelligence Practices Established by Regulation (EU) 2024/1689 (AI Act) EN, 2025).

This indicates that any act of collection or processing of personal data is carried out by a human, meaning that it is a deliberate act. Meanwhile, AI can collect personal data processing automatically carried out by computerized systems. However, with all kinds of advanced algorithms that collect and process such personal data, AI should still be under human control (Lane, 2023). Many types of data that are specific to personal data are protected by the PDP Law, regardless of who collects or processes the data, including health data and information, personal financial data, or biometric data (Zahro, 2025).

### *Personal data protection in the study of prophetic law based on Maqashid Sharia*

The study of *Maqashid Sharia* is a study of a problem in society with an approach that focuses on prophetic values such as justice, benefit (Absori et al., 2018, p. 11), and equal rights, allowing humans to understand



the problem of personal data protection in the AI era from a more ethical and divine perspective (Fageh & Solikhawati, 2022). This approach emphasizes the importance of respect for human rights, especially the right to privacy and information security, in the context of the use of AI (Ireland, 2024).

In the cyber-crime context, *hifdzul-'ird* (protection of dignity) becomes relevant to cases involving the leakage of sensitive personal data, such as health information or bank account balance. Such as violations are not merely material losses (*hifdzul-mal*), but constitute symbolic harm to personal honor. Instead, *hifdzul-'aql* (protection of reason) is relevant to AI-fuelled disinformation, manipulation, deepfake, and bot-generated behaviour that affect public decision making. Both dimensions demonstrate that *Maqashid* does not merely offer a normative postulate, but provides interpretive justification for heavier criminal sanctions in case where algorithmic misuse directly assaults human dignity and rational capacity.

In the scientific context, Islam has consistently been at the forefront of scientific development, even when compared to other ummahs. This is evidenced by the role of Islam, which has always contributed to the development of human civilization throughout history since the arrival of Islam in the 6<sup>th</sup> century AD, until now (Farid et al., 2023). Allah ﷻ affirms it in Q.S. Ali 'Imran (3) verse 110.

كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ وَلَوْ آمَنَ أَهْلُ الْكِتَابِ لَكَانَ خَيْرًا لَهُمْ مِّنْهُمْ الْمُؤْمِنُونَ وَأَكْثَرُهُمُ الْفَاسِقُونَ

"You are the best people who were born for mankind, commanding goodness, preventing the unrighteous, and believing in Allah. If the People of the Book believed, it would have been better for them; some of them were believers, and most of them were wicked." (110).

This evidence suggests that Allah ﷻ has created Muslims as the best of people. Muslims not only develop civilization, but also guide mankind to uphold the truth and fight evil. However, in the context of personal data protection, the postulate of Islam used as a basis is an analogy to the right to privacy that should not be interfered with by other parties. The evidence stated by Allah ﷻ in the Qur'an is explained in Q.S. An-Nur (24), verses 27 and 28, as follows:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْتَأْذِنُوا وَتُسَلِّمُوا عَلَى أَهْلِهَا ذَلِكَ خَيْرٌ لَّكُمْ لَعَلَّكُمْ تَذَكَّرُونَ (27) فَإِنْ لَمْ تَجِدُوا فِيهَا أَحَدًا فَلَا تَدْخُلُوهَا حَتَّى يُؤْذَنَ لَكُمْ وَإِنْ قِيلَ لَكُمْ ارْجِعُوا فَارْجِعُوا هُوَ أَزْكَى لَكُمْ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ (28)

"O, believer! Do not enter a house that is not your home before asking permission and greeting the occupants. That is better for you, that you may (always) remember (27). And if you do not find anyone in it, then do not go in until you have permission. And if it is said to you, "Come back!" Then you (shall) return. It is more sacred to you, and Allah is Aware of what you are doing." (28).

The issue of personal data as a personal right has also been conveyed by the Prophet Muhammad ﷺ, as conveyed by Anas bin Malik (may Allah bless him), narrated by Imam Muslim as follows:

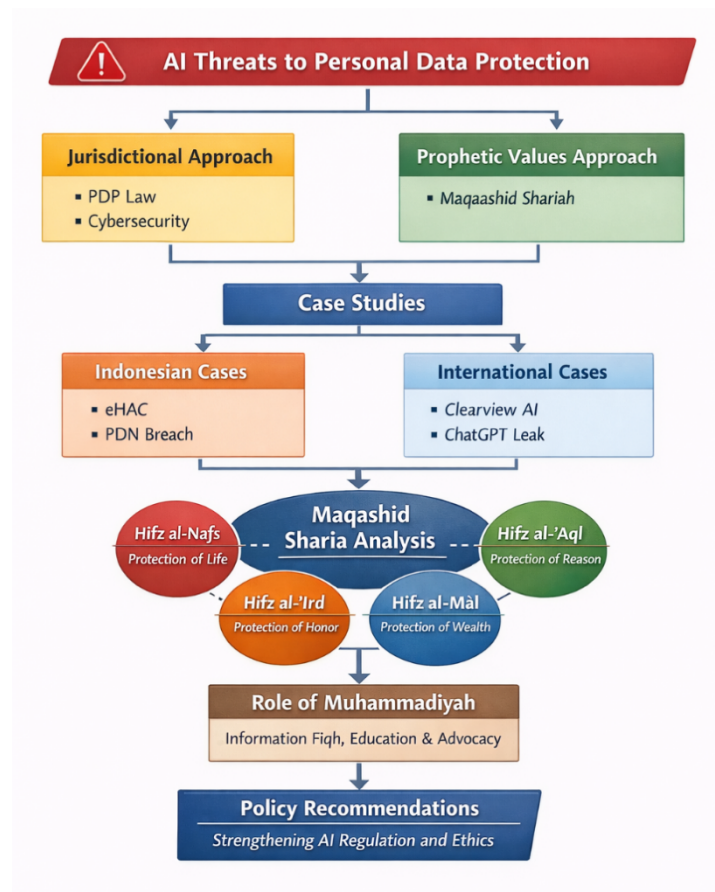
حَدَّثَنَا أَبُو بَكْرِ بْنُ نَافِعٍ حَدَّثَنَا بِهِ حَدَّثَنَا حَمَّادٌ أَخْبَرَنَا ثَابِتٌ عَنْ أَنَسٍ قَالَ أَتَى عَلِيَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَنَا أَلْعَبُ مَعَ الْعِلْمَانِ قَالَ فَسَلَّمَ عَلَيْنَا فَبَعَثَنِي إِلَى حَاجَةٍ فَأَبْطَأْتُ عَلَى أُمِّي فَلَمَّا جِئْتُ قَالَتْ مَا حَبَسَكَ قُلْتُ بَعَثَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِحَاجَةٍ قَالَتْ مَا حَاجَتُهُ قُلْتُ إِنَّهَا سِرٌّ قَالَتْ لَا تُحَدِّثَنَّ بِسِرِّ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَحَدًا قَالَ أَنَسُ وَاللَّهِ لَوْ حَدَّثْتُ بِهِ أَحَدًا لَحَدَّثْتُكَ يَا ثَابِتُ

"Narrated to us Abu Bakr bin Nafi'; Has told us Bahz; Has told us Hammad; Narrated to us Tsabit from Anas, he said, *"I was once visited by the Prophet ﷺ when I was playing with other friends. Then he greeted us and told me to do something until I was late for home. When I got home, Mom asked me, 'Why are you coming home so late?' So I replied, 'I was told by the Messenger of Allah for a need.' My mother kept asking, 'What is the need?' I replied, 'That's a secret.' My mother said, 'Well, do not tell anyone the secret of the Prophet ﷺ.' Anas said, "By Allah, if I may tell the secret to someone, then I will tell you, O Tsabit!" (H.R. Muslim no. 4533).*

The *hadith* explains that the importance of maintaining the confidentiality of all matters concerning the personal rights of others is not limited to the Prophet Muhammad ﷺ only, but the personal rights of every human being. Respect for human rights is also part of Islamic teachings, as these ideas and postulates are always adaptive and relevant to the development of the times. Apart from the developments in the 5.0 industrial era that did not exist in the time of the Prophet Muhammad ﷺ, the exemplary thing in the *hadith* is the prohibition of revealing other people's secrets, in this context, personal data. Protecting humanity from the threat of the personal data leaks by AI can be done through an ethical-prophetic construction. It can be illustrated in Figure 1.

In addition to showing evidence, there needs to be a role of *da'wah* institutions that focus on education and building the people. Muhammadiyah is one example; they have a *manhaj* or method of religious interpretation based on the legal principles in the Qur'an and Hadith. In this case, Muhammadiyah has an internal institution called *the Majelis Tarjih* and *Tajdid*. The main task of the assembly is to conduct a study of Islamic religious teachings as a guideline for both the citizens of the Association and Muslims in general. In this case, *Majelis Tarjih* and *Tajdid* have compiled guidelines, including Disaster *Fiqh*, Water *Fiqh*, and Information *Fiqh*, among others. In addition to conducting studies, *Majelis Tarjih* and *Tajdid* also conduct 'ulama cadres and issue *fatwas*. *Fatwas* not only function as a religious decision on a problem, but also as a source of documented social history (Gad Makhoulf, 2023). In the context of digital ethics, Muhammadiyah has already published a book on Information *Fiqh*, with its first print edition released in 2019. The *Fiqh* book of information is a collection of basic values (*Al-Qiyam Al-Asasiyyah*), general principles (*Al-Ushul Al-Kulliyah*), and practical guidelines (*Al-Ahkam Al-Far'iyah*) according to the Islamic view of

information.



**Figure 1.** Ethical Construction of Prophetic AI Guide

This is based on the methodology of legal excavation of the *Majelis Tarjih* and *Tajdid*. Muhammadiyah's response to social-humanitarian problems is not always carried out through the introduction of concrete norms, as seen in the law of *taklifi*, but also by exploring the principles of religion that serve as the basic guidelines and values of life. In Information *Fiqh*, the principles contained in it, such as honesty (*shidq*), prudence (*wara'*), and information verification (*tabayyun*), can be integrated in the framework of personal data protection in the AI era. This guide aims to strengthen the implementation of *maqashid sharia*, particularly *Hifdzul-'Ird* (protection of dignity) and *Hifdzul-'Aql* (protection of reason), by addressing information manipulation and the misuse of data (Basri, 2021).

## Conclusion

The integration of *Maqashid Sharia* in the framework of personal data protection in the era of artificial intelligence is not only relevant but also very useful. Regulations such as the PDP Law in Indonesia and GDPR in the European Union have indeed provided a legal basis, but neither has fully addressed the ethical, spiritual, and human welfare aspects that are at the core of the challenges of data processing by AI. Prophetic values emphasize trustworthiness, honesty, and justice; Meanwhile, *Maqashid Sharia* emphasizes

the protection of the soul, intellect, property, and dignity. These principles synergize with positive laws to prevent data misuse and protect society from the destructive effects of technology. The role of Islamic organizations such as Muhammadiyah through *Information Fiqh* further emphasizes the importance of ethical guidance in maintaining individual honor and freedom. From the legal policy perspective this article argues that Indonesia requires a *lex specialis* AI Law, by emulating the European or American AI Law. Rather than merely amending the ITE Law or PDP Law, a dedicated Act shall allow a more coherent integration of ethical safeguards, algorithmic transparency, and auditability requirements. This special legislation can explicitly adopt *Maqashid Sharia* as its philosophical basis, enabling doctrinal space to operationalize *hifdzul-'ird* and *hifdzul-'aql* as part of its statutory architecture. The policymaker should place ethical and *maqashid* aspects in this AI regulation, as well as encourage community organizations to actively provide moral guidance. With this step, personal data governance can be fairer, transparent, and justice-oriented.

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