

## Does Islam Protect Digital Privacy? An Islamic Studies Approach to Personal Data Protection

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**Abstract:** This study aims to analyze personal data protection from an Islamic perspective, emphasizing the concept of *Ḥifẓ al-'Irḍi* and its relevance in addressing digital security challenges. In the digital era, the widespread occurrence of personal data breaches poses a serious threat to individual privacy. Islam emphasizes the importance of safeguarding privacy as part of *Maqāṣid al-Sharī'ah*, which seeks to protect human dignity and honor. This research employs a descriptive-qualitative method with a sociological-juridical and *ushul fiqh* approach. A library research method is applied to examine Islamic legal sources, including the Qur'an, Hadith, and relevant personal data protection regulations. A content analysis technique is utilized to explore how the principle of *Ḥifẓ al-'Irḍi* can be implemented in the context of digital data protection. The findings indicate that Islam regards personal data protection as part of *Ḥifẓ al-'Irḍi*, which not only shields individuals from information exploitation but also prevents defamation and data misuse that could disrupt social order. However, Islamic law lacks specific regulations regarding digital data protection, necessitating reinterpretation and adaptation to technological advancements. The sociological-juridical approach offers a solution by integrating strict legal regulations with social awareness based on Islamic values, ensuring that digital literacy rooted in Islamic ethics aligns with state regulations. Therefore, this study recommends harmonizing Islamic law with modern regulations to establish an effective and *Maqāṣid al-Sharī'ah*-based framework for data protection.

**Keywords:** Islamic Law, Data Privacy, Cybersecurity, Digital Ethics, Sociological-Juridical Approach

**Abstrak:** Tulisan ini bertujuan untuk menganalisis perlindungan data pribadi dalam perspektif Islam dengan menitikberatkan pada konsep *Ḥifẓ al-'Irḍi*, serta relevansinya dalam menghadapi tantangan keamanan digital. Dalam era digital, maraknya peretasan data pribadi menimbulkan ancaman serius terhadap privasi individu. Islam menegaskan pentingnya menjaga privasi sebagai bagian dari *Maqāṣid Al-Sharī'ah*, yang bertujuan

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melindungi kehormatan dan martabat manusia. Penelitian ini menggunakan metode deskriptif-kualitatif dengan pendekatan sosiologis-yuridis dan ushul fikih. Studi kepustakaan dilakukan terhadap sumber hukum Islam, seperti Al-Qur'an, Hadis, serta regulasi perlindungan data pribadi yang berlaku. Teknik content analysis digunakan untuk memahami bagaimana prinsip *Hifz al-'Irđi*, dapat diterapkan dalam konteks perlindungan data digital. Penelitian menemukan bahwa Islam memandang perlindungan data pribadi sebagai bagian dari *Hifz al-'Irđi*, yang tidak hanya melindungi individu dari eksploitasi informasi tetapi juga mencegah fitnah dan penyalahgunaan data yang dapat merusak tatanan sosial. Namun, hukum Islam belum memiliki regulasi spesifik mengenai perlindungan data digital sehingga memerlukan reinterpretasi dan adaptasi terhadap perkembangan teknologi. Pendekatan sosiologis-yuridis memberikan solusi dengan mengintegrasikan regulasi hukum yang ketat dengan kesadaran sosial berbasis nilai-nilai Islam, di mana literasi digital berbasis etika Islam dan penguatan regulasi negara dapat berjalan beriringan. Oleh karena itu, penelitian ini merekomendasikan harmonisasi hukum Islam dengan regulasi modern untuk menciptakan perlindungan data yang efektif dan berbasis nilai-nilai *Maqāsid Al-Sharī'ah*.

**Kata Kunci:** Hukum Islam, Privasi Data, Keamanan Siber, Literasi Digital, Pendekatan Sosiologis-Yuridis

## Introduction

Personal data protection is becoming an increasingly crucial issue in the digital era, especially with the rise of social media account hacking that threatens individual privacy. From an Islamic perspective, maintaining privacy is part of *Maqāsid Al-Sharī'ah*, especially in the concept of *Hifz al-'Irđi*, which emphasizes the importance of protecting one's honor and dignity.<sup>1</sup> Islam prohibits any form of invasion of privacy, as stated in Q.S. Al-Ḥujurāt/49:12 which prohibits *tajassus* (snooping), as well as in Q.S. An-Nūr/24:27-28 which emphasizes the importance of asking permission before entering the private territory of others.<sup>2</sup> These principles show that the protection of personal data is not only a necessity of modern law, but also part of the Islamic teachings that have long emphasized ethics in safeguarding personal information.<sup>3</sup> However, in the midst of rapid technological developments, threats to privacy are increasing, so a more comprehensive approach is needed to deal with them.

The growing phenomenon of misuse of personal data confirms that the protection of individual information is not just a technical necessity, but also has

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<sup>1</sup> Saibatul Hamdi and Khabib Musthofa, "Menghadirkan Konsep Hifz Al-Irđi Dalam Bermedia Sosial: Upaya Menyikapi Asusila Abu-Abu Di Youtube," *El Madani : Jurnal Dakwah Dan Komunikasi Islam* 1, no. 02 (2021): 141–62, <https://doi.org/10.53678/elmadani.v1i02.129>.

<sup>2</sup> M. Quraish Shihab, *Tafsir Al-Misbah: Pesan, Kesan Dan Keserasian Al-Qur'an* (Jakarta: Lentera Hati, 2012).

<sup>3</sup> Mohammad Farid Fad, "Perlindungan Data Pribadi Dalam Perspektif Sadd Dzari'ah," *MUAMALATUNA* 13, no. 1 (2021): 33, <https://doi.org/10.37035/mua.v13i1.4674>.

a great social impact.<sup>4</sup> Cases of identity theft, unauthorized dissemination of information, and exploitation of personal data can cause material, psychological, and loss of social trust.<sup>5</sup> Although various data protection regulations have been implemented in many countries, their effectiveness still faces obstacles, especially in building public awareness about the importance of maintaining digital privacy. In this context, Islam offers a solution based on sharia values that not only focuses on legal regulation, but also builds ethics and moral responsibility in the use of technology. Therefore, this research is important to explore how Islam provides guidance in dealing with the challenges of personal data protection and formulating solutions that can be applied in today's digital life.

Studies on personal data protection in the digital era have been widely discussed, especially in the context of Islamic law and positive law. Several studies examine this issue from the perspective of *Maqāṣid Al-Sharī'ah*, such as those conducted by Muhammad Taufiq<sup>6</sup> and Muhammad Farid Fad,<sup>7</sup> who emphasized the principle of *Hifz al-'Irḍi*, in facing digital challenges, with a focus on e-commerce and *cyberspace*. Other studies, such as those conducted by Edi Saputra Hasibuan, et al.<sup>8</sup> Moh Hamzah Hisbulloh,<sup>9</sup> as well as Muh Rifqy Hidayatullah Arham and M. Chaerul Risal,<sup>10</sup> highlighted data protection from a juridical and social perspective, focusing on Law No. 27 of 2022, the Personal Data Protection Bill, and data protection on social media through IDPS. However, studies that specifically discuss the protection of personal data on social media from a sociological-juridical perspective and *ushul fiqh* are still limited, so this study seeks to fill this gap by analyzing the implementation of

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<sup>4</sup> Siti Yuniarti, "Perlindungan Hukum Data Pribadi Di Indonesia," *Business Economic, Communication, and Social Sciences (BECOSS) Journal* 1, no. 1 (2019): 147–54, <https://doi.org/10.21512/becossjournal.v1i1.6030>.

<sup>5</sup> Zefaki Widigdo and Abraham Ferry Rosando, "Perlindungan Negara Terhadap Privasi Data Pribadi Dalam Layanan Sim Card Di Era Digital," *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance* 3, no. 1 (2023): 679–96, <https://doi.org/10.53363/bureau.v3i1.210>.

<sup>6</sup> Muhammad Taufik and Fatimah Zahara, "Pengaturan Perlindungan Data Pribadi Dalam E-Commerce Menurut Perspektif Maqashid Syariah ( Studi Kasus Marketplace Facebook )," *Jurnal Ilmu Hukum, Humaniora Dan Politik (JIHHP)* 4, no. 6 (2024): 2378–92, <https://doi.org/https://doi.org/10.38035/jihhp>.

<sup>7</sup> Fad, "Perlindungan Data Pribadi Dalam Perspektif Sadd Dzari'ah."

<sup>8</sup> Edi Saputra Hasibuan and Elfirda Ade Putri, "Security Protection of Personal Data in Cyberspace," *Sasana Law Journal* 10, no. 1 (2024): 70–83, <https://doi.org/10.31599/sasana.v10i1.2134>.

<sup>9</sup> Moh Hamzah Hisbulloh, "URGENSI RANCANGAN UNDANG-UNDANG (RUU) PERLINDUNGAN DATA PRIBADI," *JURNAL HUKUM UNISSULA* 37, no. 2 (2021), <https://doi.org/http://dx.doi.org/10.26532/jh.v37i2>.

<sup>10</sup> Muh Rifqy, Hidayatullah Arham, and M Chaerul Risal, "Perlindungan Data Pribadi Bagi Pengguna Media Sosial," *Jurnal Al Tasyri'iyyah* 3, no. 2 (2023): 109.

*Hifz al-'Irḍi,i* as a legal and ethical foundation in facing digital privacy challenges in the modern era.

Based on the above literature facts, this study aims to analyze personal data protection from an Islamic perspective by focusing on the concept of *Hifz al-'Irḍi,i* and its relevance in facing current digital security challenges. Through a sociological-juridical approach and *ushul fiqh*, this study will explore how the principles of Islamic law can be implemented in the regulation of personal data protection. To achieve this goal, this study will answer two main questions: (1) How does Islam view the protection of personal data within the framework of *Maqāṣid Al-Sharī'ah* and Islamic law? (2) How can a sociological-juridical approach provide solutions to the problem of personal data protection in the digital era? By answering these questions, this research is expected to contribute to the development of Islamic legal discourse in facing modern technological challenges and offer solutions based on sharia values that can be applied in personal data protection regulations.

To analyze this problem more comprehensively, this study uses a sociological-juridical approach and *ushul fiqh*. A sociological-juridical approach is used to understand how Islamic law and modern regulations interact in the protection of digital privacy as well as how the phenomenon of data hacking impacts society. Meanwhile, the *ushul fiqh* approach is used to trace the postulates of the Qur'an, Hadith, and legal *istinbāt* methods that support the protection of personal data in Islam. This research is descriptive-qualitative, with an in-depth analysis of primary sources such as the Qur'an, Hadith, and *fiqh* books, as well as secondary sources in the form of legal regulations related to personal data protection, academic journals, and relevant literature. Data collection is carried out through library research with content analysis techniques, which is to examine the content of Islamic legal texts and modern regulations to understand their relevance in the digital context. With this method, the research is expected to provide a comprehensive understanding of personal data protection in Islam and formulate solutions that can be applied in facing privacy challenges in the digital era.

## **Results and Discussion**

### **Social Media, Surveillance Capitalism, and the Crisis of Digital Privacy**

Social media is now an integral part of digital life, serving as the primary platform for communication, entertainment, and economic transactions. However, despite offering easy access and interaction, social media also has a serious impact on the exploitation of users' personal data. The We Are Social (2024) report shows that more than 60% of personal data leakage incidents come from activity on social media. Personal information collected through interactions on these platforms such as consumption preferences, geographic location, and daily habits may be processed and traded without adequate control

from individuals. This issue leads to a big question about privacy rights in the increasingly blurred digital world.

The Cambridge Analytica scandal that came to light in 2018 is one of the real examples of how user data can be misused without their consent. Facebook user data is used to manipulate political opinion, leading to significant global political shifts (Zuboff, 2019). In Indonesia, a report by the State Cyber and Cryptography Agency (BSSN) in 2023 revealed an increase in doxxing cases by 34% compared to the previous year. Most of these cases stem from the theft of personal data on social media. This practice illustrates a growing digital injustice, where individuals who are supposed to be data owners lose control over their data being leveraged by third parties in a non-transparent way.

The phenomenon of data commodification – where individual data is treated as a tradable commodity without explicit permission – has become particularly striking in today's digital world. Social media platforms systematically collect user data through algorithms that not only store information, but also use it to design digital experiences that drive specific consumer behavior. This creates a growing power imbalance between the tech companies that control the data and the users who do not have full control over their information. This condition encourages the need for a fairer approach in the management of personal data, both through strict regulations and increasing digital awareness among the public.

The theoretical framework of *Surveillance Capitalism* put forward by Shoshana Zuboff (2019) provides important insights in understanding digital economy models that rely on the collection and exploitation of personal data. According to Zuboff, social media not only provides free services, but also actively shapes user behavior to be exploited for economic gain. In this case, digital platforms rely on algorithmic systems that collect data to predict and manipulate user behavior, creating a dependency on a digital ecosystem that is not transparent. This concept is particularly relevant in the context of social media where many users are unaware of how their data is tracked and used, as well as the potential dangers of this ignorance.

On the other hand, the phenomenon of low critical digital literacy is a big challenge in protecting personal data. Most social media users don't clearly understand how algorithms work, how their data is tracked and collected, or how privacy policies are often crafted for corporate benefits, not to protect users. Most user consent to privacy policies is given without a full understanding of the implications. Therefore, it is important to increase digital literacy in society, which includes not only a technical understanding of existing systems, but also an awareness of the privacy rights that individuals have.

The implementation of *the consent-based privacy* model that has been applied by social media platforms has also proven to be ineffective. Users often give

consent without a deep understanding of how their data will be used or shared. With the increasing number of apps and platforms that utilize personal data, this approach has exacerbated information inequality between companies and users. Therefore, the protection of personal data should be based on a *rights-based framework*, which places privacy as a basic right of individuals that must be protected and protected by existing regulations.

Stricter regulations, such as the General Data Protection Regulation (GDPR) in the European Union, can be an effective model in dealing with this issue. The GDPR emphasizes the principles of *privacy by design*, transparency, and clear consent of users, which can reduce the risk of misuse of personal data. In Indonesia, Law No. 27 of 2022 concerning Personal Data Protection is an important first step in protecting user privacy. However, the big challenge faced is consistent implementation and stricter supervision of violations that occur in the digital world.

In addition to strengthening regulations, there needs to be a massive effort to increase public awareness about their rights related to personal data. This is not only related to technical education on how to protect personal data individually, but also to a broader understanding of power structures in the digital world. Governments, technology companies, and society must work together to create a more transparent environment, where individuals have full control over their personal data and can make better decisions in the face of digital challenges

As a step towards better personal data protection, strong cooperation is needed between various parties, including the government, the private sector, and the public. This collaboration is very important in overcoming the challenges that arise in the digital era. The government needs to strengthen regulations related to personal data protection, by designing laws that are more comprehensive and easy to implement. The private sector, especially social media platforms, must be more transparent in the policies of collecting and using user data and be responsible for the security of the data they manage. On the other hand, the public needs to be given more in-depth education about their personal data rights, as well as how to protect themselves from the threats that are developing in the digital world. Critical digital literacy must be prioritized so that users can better understand the risks associated with using social media, as well as how to manage their privacy effectively.

Personal data protection is not only related to the interests of individuals, but also to the establishment of a fairer and more equitable digital ecosystem. In this context, technology should not be used solely to exploit data for the benefit of certain parties. Instead, technology should serve to strengthen the privacy rights of each individual, and ensure that personal data is used with transparency and lawful permission. In the future, it is important to continue to update existing

regulations, adapt policies to technological developments, and create a more effective supervisory system. Without concrete steps involving all elements of society, social media will remain a fertile ground for data exploitation, and individual privacy rights will be increasingly neglected in an unfair digital architecture. Therefore, only with a more inclusive and human rights-based approach can we create a safer, more transparent, and just digital world for every individual.

### **Islamic Perspectives on Privacy, Honor, and Data Protection**

Personal data is defined as information that can identify an individual, either directly or indirectly, such as name, address, identification number, or other sensitive information.<sup>11</sup> Reporting from the Kominfo website, personal data refers to certain individual information that is managed by being stored, treated, maintained, accurate, and protected confidentially. Safeguarding personal data is part of a human right that is included in the protection of a person's privacy. This effort aims to ensure the right of every citizen to maintain their privacy, raise public awareness of the importance of personal data protection, and encourage respect and recognition of such protection.<sup>12</sup> In Islam, personal data is in line with the concept of *amanah* or *satr* (covering), which is the obligation to maintain the privacy and honor of individuals. Personal information is considered a part of human honor that must be guarded from misuse or abuse.<sup>13</sup>

The right to privacy in Islam is affirmed through various verses of the Qur'an and hadith that show the importance of maintaining the honor and confidentiality of individuals. The Qur'an, in Q.S. Al-Ḥujurāt/49:12, prohibits *tajassus* (stalking) and *ghībah* (gossiping), which are violations of one's privacy. In addition, Q.S. An-Nūr/24:27-28 teaches Muslims to ask permission before entering other people's homes, as a form of respect for the privacy of personal space.<sup>14</sup> The hadith of the Prophet PBUH also reinforces this value, such as the prohibition of spreading other people's secrets without permission.<sup>15</sup> While Muhammad al-Jauzī explained that stalking or stalking someone without

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<sup>11</sup> Yuniarti, "Perlindungan Hukum Data Pribadi Di Indonesia."

<sup>12</sup> JDIH KEMKOMINFO, "Perlindungan Data Pribadi," Kominfo, 2022, <https://jdih.kominfo.go.id/infografis/view/19>.

<sup>13</sup> Parida Angriani, "Perlindungan Hukum Terhadap Data Pribadi Dalam Transaksi E-Commerce: Perspektif Hukum Islam Dan Hukum Positif," *DIKTUM: Jurnal Syariah Dan Hukum* 19, no. 2 (2021): 149–65, <https://doi.org/https://doi.org/10.35905/diktum.v19i2.2463>.

<sup>14</sup> Muḥammad Ṭāhir Ibn 'Asyūr, *Al-Taḥrīr Wa Al-Tanwīr* (Tunis: Al-Dār Al-Tūnisīyah Linasyr, 1984). J.18, 196. See also Aḥmad Muṣṭafā Al-Marāghīy, *Tafsīr Al-Marāghīy* (Mesir: Maṭba'ah Muṣṭafā Al-Bānīy Al-Ḥalabīy, 1946). J.18, 95.

<sup>15</sup> Abū al-Ḥusain Muslim bin Al-Ḥajjāj Al-Qusyairī Al-Naisābūrī, *Ṣaḥīḥ Muslim* (Bairut: Dār Iḥyā' Al-Turāth Al-'Arabīy, 1955). Hadith No. 2486, J. 7, 120.

permission is like exposing the disgrace that Allah has covered.<sup>16</sup> In this context, privacy is a satire that must be maintained between fellow humans. Mulyawan Safwandy said that privacy in Islam does not only include physical aspects, such as home and clothing, but also personal information and the individual's right not to be misused by others.<sup>17</sup> This principle emphasizes that maintaining privacy is part of noble morals that support harmonious life in society.

Privacy in Islam is also seen as part of the protection of human honor which is one of the goals of the sharia (maqashid al-shariah). Allah SWT prohibits all forms of privacy violations that can damage social relationships, such as spreading slander or finding fault with others.<sup>18</sup> In the hadith, the Prophet PBUH warned that whoever covers his brother's disgrace, Allah will cover his disgrace in this world and the hereafter.<sup>19</sup> Islam also regulates ethics in speaking, conveying information, and keeping secrets, especially when a person is given trust.<sup>20</sup> These values aim to maintain harmony in society, prevent rifts in relationships, and ensure that each individual feels safe both physically and psychologically. Privacy in Islam is not only a right, but also an obligation to be respected and maintained by every Muslim.<sup>21</sup>

The principles of personal data protection in Islam are based on the values of justice, honesty, and responsibility embedded in the teachings of the Qur'an and Hadith. Islam emphasizes the importance of maintaining the honor and privacy of individuals as part of human rights. This principle includes the prohibition of disseminating personal information without the owner's permission, as affirmed in Q.S. An-Nūr/24:27-28 which commands Muslims to ask permission before entering another person's home.<sup>22</sup> The Prophet PBUH also reminded that the act of spying or looking for the bad of others is a sin because it can damage a person's honor.<sup>23</sup> This principle is in line with the concept of respect for data privacy and security in the modern era, where personal information must be guarded from misuse.

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<sup>16</sup> 'Abdu Al-Rahman bin 'Alīy bin Muḥammad Al-Jauzī, *Kasyfu Al-Musykil Min Ḥadīth Al-Ṣaḥīḥain* (Riyād: Dār Al-Waṭn, n.d.). J. 2, 485.

<sup>17</sup> Mulyawan Safwandy et al., "Islamic Ethical Concepts Relevant to Digital Technology," in *Proceedings of International Conference on Islamic Civilization and Humanities*, vol. 1, 2023, 106–23.

<sup>18</sup> See (Q.S. Al-Ḥujurāt/49:6 and Q.S. Al-Aḥzāb/33:58)

<sup>19</sup> Aḥmad bin Ḥanbal, *Musnad Ḍīmām Aḥmad Bin Ḥanbal* (ttp: Maktabah al-Risalah, 2001). Hadith No. 7942, J. 13, 325.

<sup>20</sup> Abdullah Albaar, M. Yusuf, and Ragwan Albaar, "The Principle of Confidentiality in Islamic Guidance and Counseling: A Review of Hadith," *Jurnal Bimbingan Dan Konseling Islam* 12, no. 2 (2022): 184–207, <https://doi.org/10.29080/jbki.2022.12.2.184-207>.

<sup>21</sup> Abdul Karim Abdul Malik Amrullah, *Tafsir Al-Azhar* (Singapura: Pustaka National PTE LTD, 1989). J.7, 4919.

<sup>22</sup> Muhammad Quraish Shihab, *Tafsir Al-Misbah* (Ciputat: Lentera Hati, 2005). V.9, 320.

<sup>23</sup> Muhammad bin Jarīr al-Tabarī, *Jāmi' Al-Bayān 'an Ta'wīl Al-Qur'ān* (Mecca: Dar al-Tarbiyah wa al-Turath, n.d.). J., 22, 304.

In addition, the principles of transparency and responsibility in the management of personal data are also in accordance with Islamic teachings. Any individual or institution that holds personal data is obliged to use it responsibly and only for permitted purposes.<sup>24</sup> From the perspective of shari'a, maintaining trust is an absolute obligation, as mentioned in Q.S. Al-Aḥzāb/33:72 which emphasizes the importance of maintaining the trust that has been entrusted.<sup>25</sup> Misuse of personal data is considered a violation of human rights and divine trust. Therefore, Islam provides a strong moral and ethical foundation for protecting personal data, while encouraging the development of fair and responsible regulations in maintaining individual privacy in modern society.<sup>26</sup>

Islam has taught that the management of personal data is based on ethical values that aim to safeguard the honor, privacy, and rights of individuals. This ethics emphasizes the importance of honesty, responsibility, and trust in managing information. This principle is reflected in Q.S. Al-Ḥujurat/49:12, which prohibits the act of looking for faults of others or disseminating information without permission. The Prophet PBUH also warned that maintaining the secrets and information of others is part of the attitude of trust. Therefore, actions such as disseminating sensitive information without consent are considered to violate Islamic ethical values, while at the same time injuring an individual's right to privacy.

Islamic law provides a strong basic framework for the management of personal data, with the main foundation in *Maqāṣid Al-Syar'iyah*, namely the protection of religion, soul, intellect, descent, property,<sup>27</sup> and honor.<sup>28</sup> In this context, personal data falls under the aspect of honor protection (*Ḥifẓ al-'Irḍi,ī*), so the act of misuse or theft of personal data is considered a violation of human rights.<sup>29</sup> Islam also obliges the party holding the data to maintain its security and not to use it for unauthorized purposes, in accordance with the principle of the prohibition of harming others. For example, selling personal data without the owner's consent can be categorized as fraudulent acts that are prohibited in sharia.<sup>30</sup>

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<sup>24</sup> Sekretariat Negara, *UU Republik Indonesia Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik*, 2008. Article 6, paragraph (3).

<sup>25</sup> Badru Al-Dīn Al-'Ainī, *'Umdah Al-Qārī Bi Syarḥi Ṣaḥīḥ Bukhārī* (Bairut: Dār Al-Fikr, n.d.). J.22, 268.

<sup>26</sup> Soediro Soediro, "Prinsip Keamanan, Privasi, Dan Etika Dalam Komunikasi Islam," *Kosmik Hukum* 18, no. 2 (2018): 14, <https://doi.org/10.30595/kosmikhukum.v18i2.3439>.

<sup>27</sup> Abū Ishāq Ibrāhīm Al-Syātibī, *Al-Muwāfaqāt* (Mesir: Dār Ibnu 'Affān, 1997).

<sup>28</sup> Muḥammad Tāhir Ibn 'Asyūr, *Maqāṣid Al-Syar'iyah Al-Islāmīyah* (Qatar: Wizārah Al-Awqāf wa Al-Syu'ūn Al-Islāmīyah, 2004). J.2, 127.

<sup>29</sup> Fad, "Perlindungan Data Pribadi Dalam Perspektif Sadd Dzari'ah."

<sup>30</sup> Abū 'Abdullāh Muḥammad bin Ismā'īl Al-Bukhārī, *Shahih Bukhārī* (Damsyiq: Dār Ibnu Kathīr, 1993). Hadith No. 6414, J. 6, 2493.

Islamic law provides a strong basic framework for the management of personal data, with the main foundation in Maqāṣid Al-Syar'iyah, namely the protection of religion, soul, intellect, descent, property, and honor. In this context, personal data is included in the aspect of honor protection (Ḥifz al-'Ird), so the act of misuse or theft of personal data is considered a violation of human rights. Islam also obliges the party holding the data to maintain its security and not to use it for unauthorized purposes, in accordance with the principle of the prohibition of harming others. For example, selling personal data without the owner's consent can be categorized as fraudulent acts that are prohibited in sharia.

Personal data is information that can identify a person, either directly or indirectly, such as name, address, identification number, and other sensitive information. According to Koinfo, personal data refers to individual information that is managed, stored, and kept confidential. The protection of this personal data is in line with human rights, which are closely related to the privacy of individuals. In this context, Islam also teaches the importance of maintaining human privacy and honor as part of a greater moral responsibility. The principle of Hifz al-'Ird (protection of honor) is one of the most relevant bases in this context.

Hifz al-'Ird in Islam has a broader meaning than just physical protection of a person. This concept includes the protection of all forms of privacy and personal information related to individuals, including personal data that could reveal a person's identity. This is in line with the teachings of the Qur'an and hadith, which emphasize the importance of safeguarding the honor of individuals from abuse. For example, in Q.S. Al-Ḥujurāt/49:12, the Qur'an prohibits tajassus (stalking) and ghībah (gossiping), which are violations of the privacy of others. In addition, Q.S. An-Nūr/24:27-28 teaches Muslims to ask permission before entering other people's homes, as a form of respect for the privacy of personal space.

The principle of Hifz al-'Ird is also affirmed in the hadiths of the Prophet PBUH which remind that spreading the secrets of others without permission is a prohibited act. In this context, individual privacy is part of the mandate that must be maintained by everyone. Muhammad al-Jauzī explained that stalking or stalking someone without permission is the same as exposing the disgrace that Allah has covered. This concept is also expressed by Mulyawan Safwandy, who said that in Islam, privacy is not only limited to the physical aspect, but also includes personal information that must be protected from misuse.

In the perspective of fiqh, the protection of individual honor including Hifz al-'Ird is part of maqāṣid al-sharī'ah, which is the purpose of Islamic sharia to safeguard the five basic aspects of human life: religion, soul, intellect, descent, and property. The honor and privacy of individuals, in this context, are seen as

an integral part of the protection of human rights. Classical scholars such as Al-Ghazālī and Ibn Qayyim emphasized the importance of maintaining privacy and honor as part of efforts to create a harmonious and mutually respectful society. Al-Ghazālī in his work *Al-Mustasfa* states that maintaining honor is part of the effort to achieve a just and peaceful social life.

However, in the development of modern times, this protection of honor and privacy is increasingly relevant, especially in the context of digital technology. The rapid dissemination of personal information through social media and online platforms leads to threats against *Hifz al-'Ird*. Contemporary scholars such as Yusuf al-Qaraḍāwī expanded on this understanding in his work *Fiqh al-Maqāṣid*, asserting that the protection of honor should be seen as one of the basic needs that must be maintained in modern life. Digital technology and social media, according to al-Qaraḍāwī, have created new challenges in maintaining the honor of individuals, especially since personal information can now be easily disseminated and misused.

On the other hand, scholars such as Ṭāhir ibn 'Āshūr hold to the five basic needs of *maqāṣid al-sharī'ah*, but he also recognizes the importance of the protection of honor as part of the protection of posterity and religion. This shows that there is a development in the perspective of honor protection in the midst of changing times. A more adaptive approach by al-Qaraḍāwī views that *Hifz al-'Ird* should be placed on a par with other protections, given the threat to honor in the increasingly digital world, particularly through social media.

The phenomenon of using social media and disseminating content that has the potential to damage a person's honor further emphasizes the importance of personal data protection in this context. As Saibatul Hamdi and Khabib Musthofa explain, content that can damage a person's dignity even if it does not explicitly violate norms, still has a negative impact on individual honor. Therefore, the protection of personal data must involve stricter management, taking into account the values of *Hifz al-'Ird* in Islam.

In Islamic law, the principle of *maqāṣid al-sharī'ah* provides strict guidelines regarding the protection of individual honor. Fiqh rules such as "Everything that leads to what is haram is also haram" supports the prohibition against the dissemination of information that can damage the honor of the individual. Therefore, in a digital context, the application of *Hifz al-'Ird* through relevant fiqh principles is essential to maintain the privacy and honor of individuals. In this case, the *ijtihād maqāṣidī* approach provides a more adaptive perspective to the challenges that arise due to technological developments.

Overall, the protection of personal data and the honor of individuals should be seen as part of the effort to implement *maqāṣid al-sharī'ah*. In an increasingly digitally connected world, strengthening the values of *Hifz al-'Ird* is key to creating a more dignified and civilized society. This is not only relevant to protect

individuals from misuse of personal data, but also to build moral and social resilience in today's information age. The application of these principles in the digital context is crucial to maintain the privacy and honor of individuals in an increasingly connected world through technology.

### **Islamic Views on Personal Data Theft**

Personal data theft in the modern context refers to the act of accessing, obtaining, or misusing someone's personal information without lawful permission. This includes various forms of data misuse, such as identity theft, online fraud, or illegal access to information that should be protected.<sup>31</sup> In the digital world, the theft of personal data often occurs through account hacking, unauthorized data collection, or misuse of access to databases.<sup>32</sup> These actions have the potential to damage a person's personal life, cause material damage, and even damage a reputation. In Islam, this theft goes against the basic principles that protect the rights of individuals, particularly in relation to their honor and privacy.<sup>33</sup>

Islam teaches the protection of individual privacy as part of human rights, which is reflected in various religious teachings. One of the main principles is "*Hifz al-'Irḍi,ī*" (protection of honor and privacy) which affirms that every individual has the right to guard his or her personal life from outside interference.<sup>34</sup> The theft of personal data in Islam is considered a violation of a person's right to privacy, so this kind of action is contrary to the teachings of Islam which emphasizes the protection of one's honor.

In Islam, all forms of misuse of information, including the theft of personal data, are strictly prohibited because they are contrary to the principles of justice and do not harm others. The hadith of the Prophet Muhammad PBUH states that "*la ḍarara wa lā ḍirara*" underlines the importance of safeguarding the rights of others,<sup>35</sup> including their personal information. Islam teaches that every individual should strive not to harm or deceive others, and the theft of personal data is clearly a violation of this principle, as it can cause material, emotional, and social harm to the victim.

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<sup>31</sup> Sahat Maruli Tua Situmeang, "Misuse of Personal Data as a Perfect Form of Crime in the Perspective of Cyber Law," *SASI* 27, no. 1 (2021): 38, <https://doi.org/10.47268/sasi.v27i1.394>.

<sup>32</sup> Russel Butarbutar, "Kejahatan Siber Terhadap Individu: Jenis, Analisis, Dan Perkembangannya," *Jurnal Hukum & Pembangunan* 2, no. 2 (2023), <https://doi.org/10.21143/telj.vol2.no2.1043>.

<sup>33</sup> Taufik and Zahara, "Pengaturan Perlindungan Data Pribadi Dalam E-Commerce Menurut Perspektif Maqashid Syariah ( Studi Kasus Marketplace Facebook )."

<sup>34</sup> Fad, "Perlindungan Data Pribadi Dalam Perspektif Sadd Dzari'ah."

<sup>35</sup> Majdu Al-Dīn Abū Al-Sa'ādāt Ibnu Al-Athīr, *Al-Syāfi Fī Syarḥ Musnad Al-Syāfi'ī Li Ibnī Al-Athīr* (Riyād: Maktabah Al-Rusyd, 2005). J.4, 167.

The theft of personal data in Islam can be analogous to theft or fraud, which is a great sin in religion.<sup>36</sup> Although there is no specific law governing the theft of personal data, it is still contrary to Islamic principles which prohibit the unlawful taking of the rights of others and this includes acts that go beyond the limits (*ta'addi*).<sup>37</sup> The act of theft of personal data, which includes the collection or use of information without the permission or consent of the owner, can be categorized as an act of *ghaṣab* in the perspective of Islamic law.

*Ghaṣab* refers to the act of taking or utilizing another person's property illegally or without explicit permission, be it property, honor, or other personal rights.<sup>38</sup> In the context of personal data theft, a person who knowingly accesses or uses another person's data without lawful permission has committed an act of unlawful expropriation of another person's property. As in the teachings of Islam, any act that violates the rights of others and harms them, whether material or non-material, falls under the category of *ghaṣab* and can be subject to punishment or an obligation to compensate for the damage caused by such acts.<sup>39</sup> Therefore, the theft of personal data is not only a violation of individual rights, but also a violation of the principles of justice and protection taught in Islam.

Islam has regulated that every individual has the responsibility to maintain and protect the personal data of others with full trust and honesty.<sup>40</sup> This is related to the concept of security, which is the obligation to maintain the trust given. Any personal data entrusted to a person or institution must be kept confidential and not misused for personal gain. This principle is in line with Islamic teachings which emphasize the importance of maintaining integrity and trust (*murū'ah*) in all forms of relationships,<sup>41</sup> whether in business transactions, social relationships, or other interactions. Thus, both individuals and institutions have a moral and ethical obligation to protect the personal data of others from leakage or misuse.

Any form of interaction (*Mu'āmalah*), including those involving the collection and use of personal data, must be based on the clear and lawful consent of the parties involved.<sup>42</sup> The concept of *Ridā* (consent) in Islam affirms that a

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<sup>36</sup> Majmu'at Al-Muallifin, *Al-Fiqh Al-Manhājīy 'Ala Madzhab Imām Syāfi'īy* (Damsyīq: Dār Al-Qalam, 1992). J. VII, 217.alif

<sup>37</sup> 'Abdu Al-Razāq Al-Ṣan'ānīy, *Muṣannaf 'Abd Al-Razāq* (Beirut: Al-Maktab Al-Islāmīy, 1983). J.VII, 203.

<sup>38</sup> Abu Zakariyā Muḥyī Al-Dīn bin Syaraf Al-Nawawīy, *Minhāj Al-Ṭalībīn Wa 'Umdah Al-Muftīn Fi Al-Fiqh* (Beirut: Dār al-Fikr, 2005). 146.

<sup>39</sup> Abu Al-Ḥasan 'Alī bin Muḥammad bin Ḥabīb Al-Baṣrīy Al-Māwardīy, *Al-Hāwī Al-Kabīr Fi Fiqh Madzhab Al-Syāfi'ī* (Beirut: Dār Al-Kutub Al-'Ilmiyah, 1999). J.VII, 160.

<sup>40</sup> Al-Nawawīy, *Minhāj Al-Ṭalībīn Wa 'Umdah Al-Muftīn Fi Al-Fiqh*. 136.

<sup>41</sup> Abū ḥamid Al-Ghazālīy, *Iḥyā' 'Ulum Al-Dīn* (Beirut: Dār Al-Ma'rifah, n.d.). J.II, 75.

<sup>42</sup> Zakariyā Al-Anṣārīy, *Fathu Al-Wahāb Bi Syarḥ Minhāj Al-Ṭullāb* (Damaskud: Dār Al-Fikr, 1994). J.I, 186.

person should not be forced to give up his or her personal rights, including personal data, without their consent. This principle supports transparency and openness in every transaction or data collection. The theft of personal data or the collection of data without permission is considered a violation of an individual's right to choose and control his or her personal information. In this context, Islam teaches that openness and consent are the legitimate foundations of all forms of social and business interaction.

### **Reimagining *Hifz al-'Irđi* in the Age of Data Protection**

The classification of sharia maqasid in the traditional view is generally divided into three main levels: basic needs (*darūrīyāt*), secondary needs (*hājīyāt*), and perfection (*taḥsīniyāt*). *Darūrīyat* encompasses five important aspects, namely the protection of religion (*Hifz al-Dīn*), the protection of the soul (*Hifz al-Nafs*), the protection of reason (*Hifz al-'Aql*), the protection of property (*Hifz al-Māl*), as well as the protection of offspring (*Hifz al-Nasl*). Some scholars of fiqh have also added the sixth element, namely the protection of honor (*Hifz al-'Irđi,i*), complementing these five main aspects.<sup>43</sup>

With regard to *Hifz al-'Irđi,i*, Al-Juwaini describes this concept as "honorary keeping". The idea has strong roots in ancient Arab culture, long before Islam existed. For example, a poet named Antarah once got into conflict with the Damdam tribe because he felt that "his honor was tarnished." The Prophet also emphasized that the blood, property, and honor of every Muslim is something that is *haram* to be violated.<sup>44</sup> Today, the meaning of "honor guard" has become broader, encompassing the protection of dignity and human rights.<sup>45</sup>

*Hifz al-'Irđi,i* is a concept in Islam that focuses on the protection of individual honor, encompassing aspects of one's dignity, privacy, and reputation. As part of *Maqāṣid Al-Sharī'ah* (the goal of sharia), this concept aims to create social and moral stability in society. Its main goal is to prevent violations of personal rights, such as defamation and defamation, which can damage relationships between individuals. In Islam, maintaining honor is an important element to create harmony and justice.

The implementation of this concept can be seen in various legal systems, both Islamic law and positive law. In Islamic law, *Hifz al-'Irđi,i* is manifested through the prohibition of conduct such as *ghibah* and *fitnah*, as well as punishment for offenses that injure honor. Meanwhile, positive law accommodates this principle through data protection laws, such as the GDPR in

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<sup>43</sup> Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Sistem Approach* (Malaysia: Vinlin Press, 2010). 3

<sup>44</sup> Hamdi and Musthofa, "Menghadirkan Konsep Hifz Al-Irđi Dalam Bermedia Sosial: Upaya Menyikapi Asusila Abu-Abu Di Youtube."

<sup>45</sup> Jasser Auda, *Membumikan Hukum Islam Melalui Maqasid Syariah, Terj. Rosidin Dan Ali Abd El-Mun'im* (Bandung: Mizan Media Utama, 2015). 57

Europe and the Personal Data Protection Law in Indonesia, which govern the secure management of data.<sup>46</sup> Technological developments also add to the challenges of applying this concept, considering that personal data is now easily accessible and vulnerable to misuse.<sup>47</sup> Therefore, measures such as data encryption and access management are needed to protect individual information.

The concept of *Hifz al-'Irḍi,i* in the sharia maqashid has a very close correlation with the protection of personal data. The principle of maintaining one's honor and self-esteem in Islam is in line with the protection of personal information that is confidential and sensitive.<sup>48</sup> Personal data is an integral part of a person's identity, so its safeguarding is essential to respect the dignity of the individual. In today's digital context, this principle is becoming increasingly relevant, where personal data can be easily collected, stored, and utilized. Therefore, an understanding of *Hifz al-'Irḍi,i* can be a strong moral foundation in the development of regulations and practices for the protection of personal data.

This concept is in harmony with the principles of personal data protection, which aim to protect the privacy of individuals from the misuse of information that can be detrimental. Both *Hifz al-'Irḍi,i* and the protection of personal data emphasize the importance of maintaining privacy and respecting individual rights. However, the fundamental difference lies in the approach used. *Hifz al-'Irḍi,i* is rooted in spiritual and moral religious values, while the protection of personal data is legal and technical, governed by positive laws and technological regulations. In the digital era, the meaning of *Hifz al-'Irḍi,i* has become increasingly broad and relevant, including the protection of the dignity and security of personal information in cyberspace.

The protection of personal data within the framework of *Hifz al-'Irḍi,i* involves a strict prohibition against actions that may damage the privacy or defame a person. In the Qur'an, Allah forbids *tajassus* (spying or looking for the faults of others) as mentioned in Q.S. Ḥujurāt/49:12. This prohibition suggests that Islam highly values a person's privacy, including personal data. This principle can be applied in the context of personal data protection, where maintaining the confidentiality of a person's information is considered a form of safeguarding their honor. Through *Hifz al-'Irḍi,i*, Islam also encourages the existence of a legal mechanism to protect personal data from misuse. In the

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<sup>46</sup> Guswan Hakim, Oheo Kaimuddin Haris, and Muthaharry Mohammad, "Analisis Perbandingan Hukum Mengenai Regulasi Perlindungan Data Pribadi Antara Uni Eropa Dan Indonesia Comparative Analysis of Laws Concerning Personal Data Protection Regulations Between the European Union and Indonesia," *Halu Oleo Legal Research* 5, no. 2 (2023): 443–53.

<sup>47</sup> Trias Palupi Kurnianingrum, "Urgensi Pelindungan Data Pribadi Konsumen Di Era Ekonomi Digital," *Kajian* 25, no. 3 (2020): 197–216.

<sup>48</sup> Cindy Vania et al., "Tinjauan Yuridis Terhadap Perlindungan Data Pribadi Dari Aspek Pengamanan Data Dan Keamanan Siber," *Jurnal Multidisiplin Indonesia* 2, no. 3 (2023): 654–66, <https://doi.org/10.58344/jmi.v2i3.157>.

history of Islamic law, slander or defamation (*Qadf*) has heavy sanctions, showing how seriously Islam takes the honor of the individual.<sup>49</sup> Actions such as theft of personal data, dissemination of information without permission, or selling personal data without the owner's consent can be analogized as a violation of the principles of *Hifz al-'Irđi,i*. Therefore, personal data protection can be understood as one of the modern efforts to implement sharia maqashid, especially in maintaining a person's honor, dignity, and privacy.

### **From Law to Ethics: A Sociological-Juridical Approach to Data Protection in Islam**

Personal data protection in the digital era is not only a legal issue, but also has a wide social impact. The rise of data leak cases, such as identity theft, unauthorized dissemination of information, and exploitation of personal data, shows that this problem is closely related to public awareness in maintaining digital privacy. In the context of Islam, the protection of privacy is not only an individual right, but also a social responsibility that must be maintained together. Therefore, a sociological-juridical approach in analyzing the protection of personal data is important so that the solutions offered are not only legal-based, but also take into account social factors that affect people's behavior in safeguarding their personal information.

Sociologically, personal data leaks have an impact on various aspects of social life, ranging from the loss of a sense of security, the increase in cybercrime, to the breakdown of trust between individuals in digital media. One of the main causes of weak personal data protection is the low digital literacy among the public. Many internet users are unaware of the importance of safeguarding their personal information or how it can be misused by irresponsible parties. This is exacerbated by social media consumption patterns that tend to ignore privacy, such as sharing sensitive information without considering the risks. In Islam, the concept of *Hifz al-'Irđi*, emphasizes that maintaining the honor and privacy of oneself and others is part of social responsibility, so people must be more careful in managing their personal data.

In addition, the social impact of the misuse of personal data also includes the manipulation of information and the spread of fake news that can trigger social conflicts. Crimes such as *doxxing* are the dissemination of a person's personal information for harmful purposes, suggesting that personal data is not only at risk of being stolen, but can also be used as a tool to attack specific individuals or groups. In this situation, Islam emphasizes the importance of safeguarding personal information and not spreading the disgrace of others, as mentioned in Q.S. Al-Ḥujurāt/49:12, which prohibits *tajassus* (snooping) and emphasizes the importance of ethics in maintaining privacy. Therefore, building

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<sup>49</sup> Al-Syātībīy, *Al-Muwāfāqāt*. J. IV, 349.

awareness of Islamic-based digital ethics is one of the strategic steps in overcoming the threat of misuse of personal data in society.

Juridically, the protection of personal data has been regulated in various regulations, both in Islamic law and positive law. In Islam, individual privacy is highly respected and has a strong legal basis in the Qur'an and Hadith. In addition to Q.S. Al-Ḥujurāt/49:12, Q.S. An-Nūr/24:27-28 also emphasizes the importance of asking for permission before entering the private territory of others, which can be analogous to data protection in the digital world. In practice, this principle can be applied in data protection policies that require explicit consent before a person's personal data can be collected, stored, or used by other parties.

In Indonesia, the protection of personal data is legally regulated in Law No. 27 of 2022 concerning Personal Data Protection, which provides limits and provisions related to the management of personal information by individuals and institutions. Although this regulation is a step forward in the protection of personal data, its implementation still faces many challenges, such as weak law enforcement, lack of compliance from digital service providers, and lack of public understanding of their rights to personal data. In Islamic law, the principle of *sadd al-dhari'ah* (preventing actions that have the potential to cause harm) can be applied to tighten the rules regarding the use of personal data so that it is not misused for commercial or criminal purposes.

The sociological-juridical approach to personal data protection offers a regulation-based solution supported by the ethical awareness of society. In this context, Islamic law can contribute to building regulations that are not only repressive (punishing violators), but also preventive, such as through Islamic-based digital literacy education, social media ethics campaigns, and strengthening regulations based on Maqāṣid Al-Sharī'ah. Thus, the protection of personal data is not only a legal responsibility, but also part of the collective consciousness of society in maintaining the security of their information in the digital world.

This approach will have broad implications for legal policies, digital ethics, and public awareness in facing the challenges of the digital era. The concept of *Ḥifẓ al-'Irḍi*, as part of Maqāṣid Al-Sharī'ah affirms that maintaining privacy is not only an individual right, but also a collective obligation that must be maintained by society and the state. Islam teaches the principle of prudence in managing personal information, as reflected in the prohibition of *tajassus* (snooping) in Q.S. Al-Ḥujurāt/49:12 and the command to ask permission in Q.S. An-Nūr/24:27-28. In this context, the implementation of personal data protection requires an approach that focuses not only on regulation, but also on the formation of people's ethical awareness in safeguarding their personal information in the digital world.

In terms of regulation, Islamic law and positive law can complement each other in creating a more effective personal data protection system. Law No. 27 of 2022 has provided a legal framework related to data protection in Indonesia, but its implementation still faces challenges, such as weak law enforcement and lack of supervision of electronic system operators. In Islamic law, the principle of *sadd al-dharī'ah* can be applied to prevent data misuse by tightening rules related to the management and distribution of personal information. Therefore, the integration of *Maqāṣid Al-Sharī'ah* values in data protection regulations can strengthen a legal foundation that is not only based on positive rules, but also oriented towards ethics and moral responsibility.

Apart from the regulatory aspect, a social approach is also needed in building public awareness about the importance of maintaining privacy in the digital world. The low digital literacy among the public makes them vulnerable to cybercrimes, such as identity theft and misuse of personal information for commercial or criminal purposes. Therefore, Islamic-based digital literacy education is needed that instills awareness of the importance of maintaining personal information as part of religious teachings. Educational institutions and religious organizations can play a role in disseminating this understanding through studies of digital ethics in Islam, so that awareness of the importance of data protection can develop from strong social roots.

Furthermore, the role of religious institutions and governments is also very important in creating a safer digital ecosystem. Cooperation between Islamic institutions, academics, and the government in formulating digital ethical guidelines based on Islamic values can be a concrete step in building a more effective data protection system. The government also needs to increase supervision of technology companies that manage personal data to be more transparent and accountable in the management of user information. Meanwhile, Islamic organizations can take a role in providing fatwas and policy recommendations related to the use of digital data that are in line with *the values of Maqāṣid Al-Sharī'ah*.

In conclusion, the protection of personal data is not only a legal issue, but also an ethical issue and social responsibility that must be built collectively. By integrating the principles of *Hifz al-'Irḍi*, in data protection policies, Islam offers ethical and legal solutions that can help address the challenges of digital privacy in the modern era. Strong regulations, Islamic-based digital literacy, and the active involvement of religious institutions and governments are key factors in creating a more equitable and sustainable data protection system. Therefore, a sociological-juridical approach combined with the principles of *ushul fiqh* can be the basis for designing a data protection strategy that is more comprehensive and relevant to current technological developments.

## **Conclusion**

This research shows that the protection of personal data in Islam is rooted in *Maqāṣid Al-Sharī'Ah*, specifically in the concept of *Ḥifẓ al-'Irḍi*, which emphasizes the importance of maintaining the privacy and honor of individuals. Islam prohibits *tajassus* (snooping) and the dissemination of information without permission as affirmed in Q.S. Al-Ḥujurāt/49:12 and Q.S. An-Nūr/24:27-28. However, Islamic law does not yet have specific regulations related to digital data protection, so it requires reinterpretation in the modern context. In addition, through a sociological-juridical approach, it can be understood that data protection does not only depend on regulations, but also on public awareness. Low digital literacy leaves many individuals vulnerable to data leaks. Therefore, harmonization between Islamic principles and modern regulations is needed to create more effective and equitable personal data protection.

As a suggestion to strengthen the protection of personal data, it is necessary to integrate Islamic values in existing regulations, so that they are not only based on positive laws but also based on *Maqāṣid Al-Sharī'Ah*. In addition, increasing Islamic-based digital literacy is a strategic step in building public awareness of the importance of maintaining privacy in the digital era. Educational institutions and religious organizations can play a role in providing education related to digital ethics in Islam. The government also needs to strengthen supervision of digital service providers to be more transparent and responsible in managing user data. Synergy between academics, legal practitioners, scholars, and regulators is needed to build a secure digital ecosystem based on the principles of *ḥifẓ al-'irḍ* to ensure more effective and equitable protection of personal data.

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