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From Fiqh to Code: Reconstructing Islamic Legal Governance through Maqasid al-Shariah in the Era of Algorithmic Regulation

Henry Aspan; Universitas Pembangunan Panca Budi, Indonesia*
**Corresponding Author:* henryaspan@yahoo.com

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ABSTRACT

The rise of algorithmic regulation has fundamentally reconfigured the architecture of legal governance, shifting authority from human-centered interpretation to computational decision-making systems. This transformation poses a critical challenge for Islamic law, which has historically been grounded in fiqh-based interpretive reasoning that resists formalization into machine-readable logic. This study addresses this tension by reconceptualizing Islamic legal governance through Maqasid al-Shariah, positioning it as a programmable ethical architecture for algorithmic systems. Employing a qualitative conceptual approach that integrates doctrinal analysis and interdisciplinary synthesis, this research develops a novel framework termed Maqasid-Driven Algorithmic Governance (MDAG). The findings demonstrate that Maqasid principles—such as justice, welfare, and human dignity—can be systematically translated into computational parameters that guide algorithmic decision-making while preserving normative integrity. This study advances a significant theoretical shift from rule-based jurisprudence to principle-driven computational governance, thereby transforming Islamic law from an interpretive tradition into an operational system adaptable to digital environments. By bridging Islamic jurisprudence and artificial intelligence governance, this research not only expands the scope of Islamic legal thought but also contributes an alternative normative paradigm to global debates on ethical AI. The study establishes a foundational model for integrating Islamic legal principles into technologically mediated societies, opening new pathways for interdisciplinary research and practical implementation.

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Introduction

The rapid advancement of digital technologies has fundamentally transformed the structure and logic of governance in contemporary societies. Among the most significant developments is the rise of algorithmic regulation, a paradigm in which decision-making processes are increasingly delegated to computational systems driven by artificial intelligence (AI), machine learning, and large-scale data analytics. In this emerging landscape, algorithms do not merely assist human judgment but actively shape legal outcomes, economic transactions, and social interactions. From automated credit scoring and predictive policing to smart contracts and digital identity systems, algorithmic governance is redefining how authority is exercised and how norms are operationalized.

This transformation marks a profound epistemological shift. Traditional legal systems, including Islamic law, have historically been grounded in human-centered reasoning, interpretive deliberation, and contextual judgment. Legal authority has been exercised through scholars, judges, and institutions that interpret texts, weigh evidence, and apply normative principles within specific

socio-cultural contexts. However, algorithmic systems operate differently. They rely on formalization, standardization, and computational logic, requiring legal norms to be translated into structured, machine-readable formats. This shift raises critical questions about the adaptability of existing legal traditions, particularly those rooted in interpretive methodologies such as Islamic jurisprudence.

Within this context, Islamic law faces a dual challenge. On the one hand, it must maintain its normative integrity, preserving its foundational principles derived from the Qur'an, Sunnah, and centuries of juristic scholarship. On the other hand, it must engage with rapidly evolving technological systems that demand new forms of legal articulation and implementation. The tension between these two imperatives creates a pressing need for theoretical reconstruction. Without such reconstruction, Islamic legal thought risks either marginalization in digital governance or reduction to superficial compliance mechanisms that fail to capture its ethical depth.

Traditionally, Islamic law has been articulated through *fiqh*, a discipline that encompasses the interpretation and application of divine sources through human reasoning. Fiqh has produced a rich and diverse body of legal rulings, reflecting different schools of thought and methodological approaches. Its strength lies in its flexibility and contextual sensitivity, allowing jurists to respond to changing circumstances through tools such as *ijtihad* (independent reasoning), *qiyas* (analogical reasoning), and *ijma* (consensus). However, this very flexibility also presents a limitation in the context of algorithmic systems. Fiqh is inherently interpretive, often accommodating multiple valid opinions and relying on nuanced contextual judgments. Such characteristics are difficult to encode into algorithms that require clarity, consistency, and unambiguous rules.

The challenge, therefore, is not merely technical but conceptual. It is not enough to translate existing fiqh rulings into code; rather, it is necessary to rethink the foundations of Islamic legal governance in a way that aligns with the logic of algorithmic systems while preserving the ethical and normative essence of Islamic law. This requires moving beyond a rule-based paradigm toward a principle-based framework that can guide decision-making across diverse contexts, including those mediated by technology.

In this regard, *Maqasid al-Shariah*—the higher objectives of Islamic law—offers a promising avenue for reconstruction. Unlike fiqh, which focuses on specific rulings, Maqasid emphasizes the underlying purposes and values that Islamic law seeks to achieve. These include the preservation of essential human interests such as religion, life, intellect, lineage, and property, as well as broader values such as justice, welfare, and human dignity. By focusing on objectives rather than rules, Maqasid provides a more abstract and flexible framework that can be adapted to new contexts, including digital environments.

Contemporary scholars have increasingly highlighted the relevance of Maqasid in addressing modern challenges. For instance, Jasser Auda has proposed a systems-based approach to Maqasid, emphasizing its multidimensional and dynamic nature. In this view, Maqasid is not merely a static list of objectives but a holistic framework that can guide complex decision-making processes in a rapidly changing world. This perspective aligns well with the needs of algorithmic governance, which requires adaptable and scalable ethical frameworks capable of operating across diverse scenarios.

At the same time, the rise of algorithmic regulation has generated significant debates in legal and ethical scholarship. While proponents emphasize efficiency, consistency, and scalability, critics

point to risks such as bias, opacity, and lack of accountability. Algorithms can perpetuate existing inequalities, obscure decision-making processes, and reduce human agency. As a result, there is a growing recognition of the need for value-based governance frameworks that can guide the design and deployment of algorithmic systems. However, most of these frameworks are grounded in Western philosophical traditions, such as utilitarianism, deontology, or virtue ethics, with limited engagement with alternative normative systems.

This gap presents both a challenge and an opportunity for Islamic legal thought. On the one hand, the absence of Islamic perspectives in discussions of algorithmic ethics risks marginalizing the tradition in global discourse. On the other hand, it opens up space for innovative contributions that can enrich and diversify the field. By articulating Maqasid as a framework for algorithmic governance, Islamic law can offer a unique perspective that integrates ethical principles with practical applicability.

Nevertheless, the integration of Maqasid into algorithmic systems is not straightforward. It requires a process of abstraction and translation, in which normative principles are converted into measurable indicators and operational rules. For example, the principle of justice must be translated into criteria for fairness and non-discrimination in algorithmic decision-making. The protection of intellect may be operationalized through safeguards against misinformation and harmful content. The preservation of wealth may inform the design of financial algorithms that prevent exploitation and ensure transparency. These translations involve complex methodological challenges, including the need to balance general principles with context-specific applications.

Furthermore, the reconstruction of Islamic legal governance in the digital age raises broader questions about authority and legitimacy. In traditional settings, legal authority is vested in scholars and institutions that interpret and apply the law. In algorithmic systems, authority is partially transferred to designers, programmers, and data scientists who encode legal norms into computational models. This shift necessitates a rethinking of the relationship between human and machine agency, as well as the role of Islamic legal scholarship in shaping technological systems.

Against this backdrop, this study argues that a fundamental reconceptualization of Islamic legal governance is necessary. Rather than attempting to directly encode fiqh rulings into algorithms, this paper proposes repositioning Maqasid al-Shariah as the primary framework for guiding algorithmic regulation. By doing so, Islamic law can move from a predominantly interpretive system to a functional governance architecture capable of operating within digital environments.

The central research problem addressed in this study is the absence of a coherent theoretical model that integrates Islamic legal principles with algorithmic governance. While existing studies have explored specific applications, such as Islamic fintech or ethical AI, they often lack a systematic framework that bridges the gap between normative theory and computational practice. This study seeks to fill this gap by developing a conceptual model that operationalizes Maqasid within algorithmic systems.

Specifically, this study aims to achieve three objectives. First, it critically examines the limitations of fiqh-centric approaches in the context of algorithmic regulation, highlighting the challenges of translating interpretive legal reasoning into computational logic. Second, it reinterprets Maqasid al-Shariah as a dynamic and adaptable framework that can guide algorithmic decision-making. Third, it proposes a conceptual model for Maqasid-driven algorithmic

governance, outlining how Islamic legal principles can be translated into programmable ethical parameters.

By addressing these objectives, this research makes a significant theoretical contribution to both Islamic legal studies and the broader field of law and technology. It challenges conventional assumptions about the nature of Islamic law, demonstrating its capacity for adaptation and innovation in response to contemporary challenges. At the same time, it contributes to ongoing debates on algorithmic governance by introducing a novel ethical framework rooted in Islamic legal philosophy.

Ultimately, this study seeks to reposition Islamic law as an active participant in the global discourse on digital governance. Rather than viewing technology as an external force to which Islamic law must react, this paper argues that Islamic legal principles can play a proactive role in shaping the ethical foundations of algorithmic systems. In doing so, it opens new avenues for interdisciplinary engagement and highlights the enduring relevance of Islamic legal thought in an increasingly digital world.

Literature Review

The Fiqh-Centric Paradigm in Islamic Legal Thought

Classical Islamic legal scholarship has historically been dominated by *fiqh*, which represents the human understanding and interpretation of divine law. Through methodological tools such as *ijtihad* (independent reasoning), *qiyas* (analogical reasoning), and *ijma* (consensus), jurists have developed a sophisticated and pluralistic legal tradition capable of addressing diverse social contexts. This interpretive flexibility has been one of the defining strengths of Islamic law, enabling it to evolve across different historical periods and geographical regions.

However, contemporary scholars have increasingly questioned the adequacy of a purely fiqh-centric approach in addressing modern challenges. The reliance on textual interpretation and case-by-case reasoning makes fiqh inherently context-bound and often resistant to standardization. In environments shaped by algorithmic systems, where decisions must be formalized and executed through computational logic, such interpretive plurality poses significant challenges. Algorithms require clear, consistent, and unambiguous rules, whereas fiqh accommodates multiple valid interpretations and emphasizes contextual nuance.

Moreover, the authority structure within fiqh—centered on human scholars—does not easily translate into systems where decision-making is partially delegated to machines. This raises concerns about the scalability and applicability of traditional juristic methodologies in digital governance contexts. As a result, several scholars have called for a shift from rule-based jurisprudence toward more principle-oriented approaches that can provide broader guidance without relying on detailed prescriptions.

The Evolution of Maqasid al-Shariah as a Dynamic Framework

In response to the limitations of fiqh-centric approaches, contemporary Islamic legal scholarship has increasingly turned to *Maqasid al-Shariah* as a more flexible and purposive framework. The Maqasid paradigm emphasizes the higher objectives of Islamic law, traditionally articulated as the preservation of religion (*din*), life (*nafs*), intellect (*'aql*), lineage (*nasl*), and property

(*mal*). These objectives are understood as universal principles that underpin specific legal rulings, providing a normative foundation that transcends particular contexts.

Modern scholars have significantly expanded and reinterpreted the Maqasid framework to address contemporary issues. Notably, Jasser Auda has proposed a systems-oriented approach that conceptualizes Maqasid as a multidimensional and dynamic framework rather than a fixed hierarchy of objectives. In this perspective, Maqasid operates as an open system that interacts with changing social realities, allowing for greater adaptability and innovation in legal reasoning.

This evolution has shifted the focus of Islamic legal thought from compliance with specific rules to the realization of broader ethical values such as justice (*'adl*), human dignity (*karamah*), and public welfare (*maslahah*). Such a shift is particularly relevant in complex and rapidly changing environments, where rigid rule-based systems may fail to capture the nuances of emerging challenges.

Importantly, the abstraction inherent in Maqasid makes it more compatible with algorithmic systems. Unlike fiqh rulings, which are often context-specific, Maqasid principles can be generalized and translated into high-level objectives that guide decision-making across diverse scenarios. This has led some scholars to suggest that Maqasid could serve as a normative foundation for contemporary governance frameworks, including those mediated by digital technologies.

Nevertheless, the literature has not yet fully explored how Maqasid can be operationalized within computational systems. While its theoretical potential is widely acknowledged, there remains a lack of concrete models that translate Maqasid principles into algorithmic logic. This gap highlights the need for further conceptual development and interdisciplinary engagement.

Algorithmic Regulation and the Rise of AI Governance

Parallel to developments in Islamic legal thought, the concept of algorithmic regulation has emerged as a central theme in legal and governance studies. Algorithmic regulation refers to the use of computational systems to monitor, evaluate, and influence behavior in real time. These systems are increasingly deployed in areas such as financial services, public administration, healthcare, and law enforcement, where they promise greater efficiency, consistency, and scalability.

Scholars have noted that algorithmic governance represents a shift from traditional forms of regulation, which rely on ex post enforcement, to more proactive and predictive models. By analyzing large datasets, algorithms can identify patterns, assess risks, and make decisions with minimal human intervention. This has led to the emergence of what some describe as "data-driven governance," where authority is exercised through code rather than textual rules.

However, this transformation has also generated significant ethical and legal concerns. One major issue is algorithmic bias, where systems reproduce or amplify existing inequalities due to biased data or flawed design. Another concern is the opacity of algorithmic decision-making, often referred to as the "black box" problem, which makes it difficult to understand or challenge outcomes. Additionally, the delegation of decision-making to machines raises questions about accountability and the erosion of human agency.

In response, a growing body of literature has emphasized the need for ethical frameworks to guide the development and deployment of AI systems. These frameworks typically draw on

principles such as fairness, transparency, accountability, and respect for human rights. However, most of these approaches are rooted in Western philosophical traditions, with limited incorporation of non-Western normative systems.

This imbalance underscores the importance of diversifying the ethical foundations of algorithmic governance. Islamic law, with its rich ethical and legal tradition, offers a valuable yet underexplored perspective that can contribute to this discourse.

Bridging the Gap: Toward a Maqasid-Based Algorithmic Framework

Despite the parallel developments in Islamic legal theory and algorithmic governance, there remains a significant gap in the literature. Existing studies on Islamic law and technology often focus on specific applications, such as Islamic fintech, digital contracts, or halal compliance systems. While these studies provide important insights, they tend to be narrow in scope and lack a unifying theoretical framework.

Similarly, literature on AI ethics rarely engages with Islamic legal principles, resulting in a conceptual disconnect between global technological developments and Islamic normative frameworks. This gap is particularly problematic given the increasing relevance of digital technologies in Muslim-majority societies and the growing demand for Shariah-compliant technological solutions.

This study addresses this gap by proposing a Maqasid-driven approach to algorithmic governance. By repositioning Maqasid as a functional regulatory architecture, this research seeks to bridge the divide between Islamic legal philosophy and computational systems. Unlike existing approaches that attempt to adapt fiqh rulings to technological contexts, this study advocates for a more fundamental reconstruction of Islamic legal governance, grounded in its higher objectives.

In doing so, this research contributes to both Islamic legal studies and the broader field of law and technology. It offers a novel framework that not only enhances the relevance of Islamic law in the digital age but also enriches global discussions on ethical AI by introducing an alternative normative perspective.

Synthesis and Research Gap

In summary, the literature reveals three key insights. First, while fiqh provides a rich and flexible legal tradition, its interpretive nature poses challenges for algorithmic implementation. Second, Maqasid al-Shariah offers a more adaptable and principle-based framework, but its application in digital contexts remains underdeveloped. Third, algorithmic governance has created an urgent need for robust ethical frameworks, yet current approaches lack engagement with Islamic legal thought.

These gaps point to the need for a new theoretical model that integrates Maqasid with algorithmic regulation. This study responds to this need by developing a conceptual framework for Maqasid-driven algorithmic governance, thereby advancing both the theoretical and practical dimensions of Islamic law in the digital era.

Method

This study adopts a qualitative conceptual research design aimed at reconstructing Islamic legal governance within the context of algorithmic regulation. Rather than relying on empirical

measurement or statistical analysis, the research focuses on theoretical development through critical analysis, synthesis of interdisciplinary knowledge, and normative framework construction. This approach is particularly appropriate given the exploratory nature of the study, which seeks to bridge two complex domains—Islamic legal theory and computational governance—where empirical models are still limited.

The methodological foundation of this study is built upon three interconnected approaches: doctrinal analysis, conceptual synthesis, and framework development. These approaches are not applied in isolation but are integrated to produce a coherent and systematic reconstruction of Islamic legal governance.

First, doctrinal analysis is employed to examine the foundational principles of Islamic law, with a particular emphasis on *Maqasid al-Shariah*. This involves a critical review of classical Islamic legal sources, including Qur'anic principles, Prophetic traditions, and established juristic methodologies, as well as contemporary reinterpretations of Maqasid developed by modern scholars. The purpose of this stage is not merely to describe existing doctrines but to identify core normative values that can be abstracted from traditional formulations. Through this process, Maqasid is reframed from a descriptive set of objectives into a dynamic system of ethical principles capable of guiding decision-making across diverse contexts.

Second, conceptual synthesis is conducted to establish a theoretical bridge between Islamic legal principles and algorithmic regulation. This involves engaging with contemporary literature on artificial intelligence governance, algorithmic decision-making, and digital ethics. Key concepts such as fairness, transparency, accountability, and explainability are analyzed in relation to Maqasid principles to identify areas of convergence and divergence. This stage allows for the translation of abstract Islamic legal values into categories that are compatible with computational systems. Rather than imposing external frameworks onto Islamic law, the synthesis process seeks to align the internal logic of Maqasid with the operational requirements of algorithmic governance.

Third, the study develops a normative framework that operationalizes Maqasid within algorithmic systems. This framework construction is carried out through a process of abstraction and translation. At the abstraction level, Maqasid principles are reformulated into universal ethical constructs such as justice, welfare, and human dignity. At the translation level, these constructs are converted into measurable indicators and decision parameters that can inform algorithmic design. The final stage involves structuring these elements into a multi-layered model that integrates normative, translational, and computational dimensions.

The research also incorporates an interdisciplinary perspective, drawing from legal theory, Islamic jurisprudence, and computer science. This integration is essential to ensure that the proposed framework is both normatively grounded and technically relevant. While the study does not involve direct technical implementation, it engages conceptually with the logic of algorithmic systems to ensure that the proposed model is practically applicable.

To enhance the rigor of the analysis, the study employs a critical-analytical approach throughout all stages. Existing frameworks in both Islamic legal studies and AI ethics are not taken at face value but are examined for their limitations and underlying assumptions. This allows the study to move beyond descriptive analysis and offer a constructive theoretical contribution.

Finally, it is important to note that this research is intentionally positioned as a foundational study. Its primary aim is to develop a conceptual model that can serve as a basis for future empirical

research and practical implementation. As such, the validity of the study lies in its theoretical coherence, logical consistency, and relevance to contemporary challenges rather than in empirical generalization.

Through this methodological approach, the study seeks to provide a robust and innovative framework for integrating *Maqasid al-Shariah* into algorithmic governance, thereby contributing to the evolution of Islamic legal thought in the digital age.

Results and Discussion

The Structural Mismatch: Fiqh versus Algorithmic Logic

The first major finding of this study is the identification of a fundamental structural mismatch between traditional fiqh-based legal reasoning and algorithmic systems. Fiqh operates through interpretive reasoning (*ijtihad*), contextual judgment, and acceptance of plurality (*ikhtilaf*). These characteristics enable flexibility and adaptability but also introduce ambiguity and variation.

In contrast, algorithmic systems are built upon determinacy, consistency, and formalization. They require clearly defined inputs, decision rules, and outputs that can be executed without interpretive discretion. This creates a tension: while fiqh thrives on interpretive openness, algorithms depend on closure and precision.

This mismatch suggests that attempts to directly encode fiqh rulings into algorithms are inherently limited. Such efforts risk oversimplifying complex legal reasoning, stripping away contextual nuance, and reducing Islamic law to a set of rigid rules. Consequently, a fiqh-centric approach is insufficient for addressing the demands of algorithmic governance.

This finding aligns with broader critiques in legal theory, which argue that rule-based systems often fail in complex, dynamic environments. It reinforces the need for a shift toward principle-based frameworks that can guide decision-making without relying on exhaustive codification.

Repositioning Maqasid as a Meta-Regulatory Framework

The second key finding is that *Maqasid al-Shariah* provides a more compatible foundation for algorithmic governance. Unlike fiqh, Maqasid operates at a higher level of abstraction, focusing on objectives rather than specific rulings. This abstraction allows Maqasid to function as a meta-regulatory framework that can guide diverse applications, including those mediated by algorithms.

Through doctrinal analysis, this study identifies three core characteristics of Maqasid that make it suitable for computational contexts:

1. Abstraction – Maqasid principles (e.g., justice, welfare) can be generalized across contexts.
2. Flexibility – They allow adaptation without losing normative coherence.
3. Teleology (Purpose-Orientation) – They prioritize outcomes aligned with ethical objectives.

These characteristics enable Maqasid to be translated into algorithmic logic without losing its ethical essence. For example:

a) *Hifẓ al-mal* (protection of wealth) → fraud detection algorithms
b) *Hifẓ al-ʿaql* (protection of intellect) → misinformation filtering systems
c) *Hifẓ al-nafs* (protection of life) → safety-oriented AI decision models

This mapping demonstrates that Maqasid can serve not merely as a moral philosophy but as an operational governance logic capable of guiding computational systems.

The Maqasid-Driven Algorithmic Governance (MDAG) Model

The central result of this study is the development of a conceptual framework termed Maqasid-Driven Algorithmic Governance (MDAG). This model represents a systematic integration of Islamic legal principles with algorithmic systems, structured into three interrelated layers:

1. Normative Layer (Ethical Foundation)

This layer consists of core Maqasid principles, including:

a) Justice (*'adl*)
b) Public welfare (*maslahah*)
c) Human dignity (*karamah*)
d) Protection of essential interests (religion, life, intellect, lineage, property)

These principles function as the ethical anchors of the system, ensuring that algorithmic processes remain aligned with Islamic values.

2. Translational Layer (Operationalization)

At this level, abstract principles are converted into measurable indicators and decision criteria. For instance:

a) Justice → fairness metrics, bias detection
b) Welfare → outcome optimization for social benefit
c) Dignity → privacy protection and non-exploitative data use

This layer is critical because it bridges the gap between normative theory and computational implementation. It transforms values into quantifiable parameters that can inform algorithm design.

3. Computational Layer (Implementation)

The final layer involves embedding these parameters into algorithmic systems. This includes:

a) Decision rules
b) Machine learning constraints
c) Ethical auditing mechanisms

At this stage, Maqasid principles are no longer abstract concepts but become embedded within the logic of the system, influencing real-time decision-making.

The MDAG model thus transforms Islamic legal governance from a text-based interpretive system into a programmable ethical architecture.

Theoretical Contribution: From Normativity to Computability

One of the most significant contributions of this study is the shift from normativity to computability. Traditional Islamic legal theory has largely focused on deriving and interpreting norms. This study extends that tradition by demonstrating how these norms can be translated into computational logic.

This represents a paradigmatic shift in Islamic legal thought:

a) From interpretation → implementation
b) From text → system
c) From jurist-centered authority → hybrid human-machine governance

By repositioning Maqasid as a functional system rather than a purely philosophical construct, this study expands the scope of Islamic jurisprudence into the domain of digital governance.

Comparison with Existing Frameworks

Compared to existing approaches in AI ethics, the MDAG model offers several advantages:

1. Holistic Ethical Integration
   While many frameworks focus on individual principles (e.g., fairness or transparency), Maqasid provides a comprehensive system that integrates multiple ethical dimensions.
2. Contextual Flexibility
   Unlike rigid rule-based systems, the Maqasid framework allows adaptation across different socio-cultural contexts.
3. Normative Depth
   The MDAG model is grounded in a long-standing legal and ethical tradition, offering deeper philosophical grounding than many contemporary frameworks.

At the same time, the model addresses limitations in existing Islamic law applications, which often remain confined to compliance (e.g., halal certification) without engaging broader governance issues.

Implications for Islamic Law and Digital Governance

The findings of this study have several important implications:

1. Reconfiguration of Legal Authority
   Algorithmic governance redistributes authority from traditional jurists to interdisciplinary actors, including data scientists and system designers. This requires new forms of collaboration where Islamic legal scholars play an active role in shaping technological systems.
2. Expansion of Islamic Legal Relevance
   By engaging with algorithmic governance, Islamic law moves beyond traditional domains into emerging fields such as AI ethics, digital finance, and data governance.
3. Ethical Safeguards in Technology
   The integration of Maqasid into algorithmic systems provides a mechanism for embedding ethical considerations directly into technological infrastructures, reducing the risk of harm and injustice.

Limitations and Future Directions

Despite its contributions, this study acknowledges several limitations. First, the proposed framework remains conceptual and has not yet been empirically tested. Second, the translation of abstract principles into measurable indicators involves subjective judgments that require further refinement. Third, the technical implementation of the model would require collaboration with experts in computer science and AI.

Future research should focus on:

a) Developing case studies in areas such as Islamic fintech and smart contracts
b) Designing prototype systems based on the MDAG model
c) Evaluating the framework through empirical testing and simulations

Synthesis

Overall, the results of this study demonstrate that Islamic legal governance can be meaningfully reconstructed in the era of algorithmic regulation. By shifting from a fiqh-centric paradigm to a Maqasid-based framework, Islamic law can not only adapt to technological change but actively shape it. The

MDAG model provides a foundational step toward this transformation, offering a new direction for both Islamic legal thought and global discussions on ethical AI.

Conclusion

This study has advanced a fundamental reconceptualization of Islamic legal governance in response to the rise of algorithmic regulation. Moving beyond the limitations of a fiqh-centric paradigm, it has demonstrated that *Maqasid al-Shariah* provides a more adaptable, principled, and operational foundation for engaging with computational systems. While traditional fiqh remains indispensable as a source of legal reasoning, its interpretive and context-dependent nature renders it difficult to translate directly into algorithmic environments that demand clarity, consistency, and scalability. This structural mismatch necessitates a shift toward a higher-order framework capable of guiding decision-making across technologically mediated contexts.

In addressing this challenge, the study has proposed the Maqasid-Driven Algorithmic Governance (MDAG) model as a novel theoretical framework that bridges Islamic legal philosophy and computational governance. By structuring Islamic legal principles into normative, translational, and computational layers, the MDAG model transforms Maqasid from a set of abstract ethical objectives into a programmable governance architecture. This transformation represents a significant theoretical contribution, repositioning Islamic law not merely as a system of interpretation but as an operational framework capable of shaping algorithmic decision-making.

The findings of this study highlight that Maqasid can function as a meta-regulatory system that ensures alignment between technological processes and core Islamic values such as justice, welfare, and human dignity. In doing so, it challenges the dominance of Western-centric ethical frameworks in AI governance and introduces an alternative normative perspective rooted in Islamic legal tradition. More importantly, it demonstrates that Islamic law possesses the conceptual flexibility and intellectual depth necessary to engage with contemporary technological challenges without compromising its foundational principles.

Beyond its theoretical implications, this study also contributes to the broader discourse on law and technology by emphasizing the importance of integrating ethical considerations directly into the design and operation of algorithmic systems. The proposed framework underscores that governance in the digital age cannot rely solely on technical efficiency but must be guided by robust normative foundations. In this regard, Maqasid offers a holistic and value-oriented approach that can enrich global discussions on ethical AI and digital governance.

However, this study also recognizes its limitations. As a conceptual inquiry, the proposed MDAG model has not yet been empirically implemented or tested in real-world systems. The translation of Maqasid principles into measurable indicators and computational parameters remains a complex process that requires further refinement. Additionally, the effective application of this framework will depend on interdisciplinary collaboration between Islamic legal scholars, policymakers, and technology developers.

Future research should therefore focus on operationalizing the MDAG model in specific domains, such as Islamic fintech, smart contracts, and public sector governance. Empirical studies and pilot implementations will be essential to evaluate the feasibility, effectiveness, and ethical impact of the proposed framework. Furthermore, comparative studies involving other ethical

systems may provide additional insights into the strengths and limitations of Maqasid-based approaches in algorithmic governance.

This study argues that the transition "from fiqh to code" is not merely a technical adaptation but a paradigmatic transformation in Islamic legal thought. By reimagining Maqasid al-Shariah as a functional and programmable system, Islamic law can move beyond reactive engagement with technology and assume a proactive role in shaping the ethical foundations of digital governance. This transformation not only ensures the continued relevance of Islamic law in the digital age but also positions it as a meaningful contributor to the global pursuit of just, accountable, and human-centered technological systems.

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Any remaining errors or limitations in this work are solely the responsibility of the author.

Author Contributions Statement

The author solely contributed to all aspects of this study. This includes the conceptualization of the research idea, development of the theoretical framework, literature review, methodological design, analysis and interpretation of findings, as well as the writing and revision of the manuscript. The author has read and approved the final version of the manuscript and agrees to be accountable for all aspects of the work.

AI Usage Statement

This study acknowledges the use of artificial intelligence (AI) tools to support the writing process. AI was utilized solely for language refinement, structural organization, and improving clarity of expression. The core intellectual content of the manuscript—including the research idea, theoretical framework, analysis, and conclusions—was developed independently by the author.

All outputs generated with the assistance of AI were critically reviewed, revised, and validated by the author to ensure academic integrity, originality, and alignment with scholarly standards. No AI tools were used to generate data, conduct analysis, or replace the author's intellectual contribution.

The author takes full responsibility for the content of this manuscript.

Conflict of Interest

The author declares that there are no conflicts of interest regarding the publication of this paper. The research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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