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**INFORMATION TECHNOLOGY FROM THE PERSPECTIVE OF  
MAQASID AL-SHARIAH**

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***Abstract***

The key to be more deeply understand the Shari'ah in its true perspective are by using the objectives of Shari'ah (Maqasid al-Shari'ah) theory. The 21st century is witnessing the advancement of information technology (IT) as a branch of knowledge that was amazingly accomplished by the human minds that Allah Almighty has bestowed upon. The development of this information technology has a great impact on the public interest (maslahah) of human life around the world in doing various activities faster and without borders despite being separated by geographical borders. However, for Muslims who believe in the faith (iman) of Allah SWT., human achievement in information technology (IT) should take into account the preservation of religion, life, intellect, progeny and wealth which are necessities (daruriyyah) from the Maqasid al-Shariah perspective. Thus, this writing focuses on the use of information technology in general according to the perspective of Maqasid Al-Shariah, which based on the scientific of al-Quran and al-Sunnah.

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**Keywords:** Information Technology (IT), The Objectives of Shari'ah (*Maqasid al-Shari'ah*), Public Interest (*Maslahah*).



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## 1. Introduction

The development of information technology (IT) moves across the entire map of the world today. The term “information technology” emerged in the 1970s. Technology changed too rapidly and the speed of change is shorter. Since the creation of microcomputers following the creation of IBM’s personal computer in 1981, four generations of computers have grown to the latest generation using more complicated systems. Technology is basically value-free. However, information is not such as it has imperative norms, ethics and morals. The Internet can be a medium of spreading da’wah, and at the same time it is also used to spread defamatory. It all depends on the intention and purpose. Hence, Islam does not consider information technology as an exclusive right and commodities but rather to develop a good service (maslahah) to mankind. Today the changing trend and the development of information technology can be seen in social media and virtual communication such as facebook, twitter, telegram, Instagram, WhatsApp, social gaming, Augmented Reality, Internet TV, Mobile Payments, Online Application, Cloud Computing and many more.

However, issues related to information technology are often highlighted through the mass media. No matter what issues are highlighted, they are likely to be associated with the stagnation of information technology development such as globalization, economy, human civilization, education and society. In fact, Malaysia also has its own greatness. Malaysia’s involvement in the world of information technology began to manifest itself with the existence of the Multimedia Super Corridor (MSC). Government-owned and private companies offering IT-based services with computer terms (jargon) are often displayed in newspaper where even the Islamic financial system requires information technology as the basis of the services offered through the Shariah-compliant products.

For a Muslim who believes in the power of Allah SWT, then human achievement in information technology is one of the signs of the power of Allah SWT where it is a signal that achievement of knowledge that should be used to seek the pleasure of Allah SWT. Therefore, the Muslim community should not be excluding themselves from the development and advancement of information technology today, but instead be actively contributing and becoming the prime mover to produce civilized Muslim community based on the objectives of Shariah (Maqasid Shariah). The community need to remember that despite the advancement of today’s information technology, the negative elements that contradict the Shariah compliance are also of no exception to be among the elements that penetrate the socio-economic system, politics and human civilization.

Therefore, it is a requirement to share together the demands of the using of information technology applications which based on the objectives of Shariah (Maqasid Shari’ah).

## 2. Problem Statement

One of the fundamental objectives of the Shari’ah is to secure the welfare of mankind and the well-being for the public interest (maslahah; Pl. masalih), both in this world and the hereafter. Imam al-Ghazali (d. 505 AH/1111 AC) determined maqasid with five preservation of objectives which promote the public interest and the well-being of the people, lies in preservation of their religion (din), life (nafs), intellect (‘aql), progeny (nasl) and wealth (mal). Hence, whatever leaves these five’s, it is a harm and

against *maslahah* (Al-Ghazali, 1998). Therefore, the *maqasid al-Shari'ah* are the hidden wisdom which the Lawgiver has placed within each of its rulings (Al-Zuhaili, 1996).

Generally the *maqasid al-Shari'ah* in all of its parts intends of seeking a virtue for the people or protecting them against any harm. For example, the Qur'an explained the purpose in Islam is not a means of imposing hardship, as Allah SWT says: "God never intends to impose hardship upon people" (The Qur'an, 5:6; 22:78). Hence, Allah SWT wishes to make things easy and no hardship with more than his or her capacity. Allah (swt) says: "No one is charged with more than his capacity" (Al-Qur'an, 2: 233). This is for preserving of public welfare, justice, fairness, human brotherhood and equally, in order to bring satisfaction to human beings. The clarification of *Maqasid* should be based on three essential objectives, namely necessities (*daruriyyah*), needs (*hajiyah*) and embellishments (*tahsiniah*).

From the objectives on necessities, it should be preservation on five necessities (*daruriyyah al-khamsah*), such as the preservation of religion (*din*), the preservation of life (*nafs*), the preservation of intellect (*'aql*), the preservation of progeny (*nasl*) and the preservation of wealth (*mal*). Those preservations consist of the preservation of the essential objectives of this world and in the hereafter.

### **3. Research Questions**

Basically, the question is it permissible in Islam by using information technology in millennium era. Hence, the use of information technology is take into consideration as allowable (*mubah*) in Islam. This is based on the *fiqh* maxims (*Qawaid Fiqhiyyah*) which disclose "The originality of things is permissibility" (Al-'aslu fi al-ashyaa' al-ibahah). It is considered permissible as long as the operation does not contradict with the Shariah law itself. *Maqasid Shariah* creates a balance in the use of information technology so that the usage is always on the goodness (*maslahah*) application and avoid of any harm (*mafsadah*) either to individuals or communities, which based on the Quran and Sunnah.

### **4. Purpose of the Study**

The purpose of the study is to focuses on the using of information technology in general according to the perspective of *Maqasid Al-Shariah*, which based on the scientific of al-Quran and al-Sunnah. The ease of use of information technology nowadays opens up space for every individual and society to share information without borders. Therefore, a Muslim who believes in Allah SWT should take into account the boundaries embodied in the *Shari'ah* principles. Even though the use of such technology is the will, the need and the want of the present day, it is necessary to take account of the preservation of religion by not being involved with any prohibited by Allah SWT.

### **5. Research Methods**

The research in this study are using the qualitative method by using the library research which cover philosophical discussions and comparative studies of others' work and thinking. Preservation of religion is an obligatory when a using of information technology facilities which led to commit a sin or immorality to Allah SWT. Therefore, the use of information technology is necessities (*daruriyyah*) to control, so that it is not misused to cause the user to neglect the remembrance of Allah SWT including

abstaining from prayers and obligations that have been entrusted by Allah SWT. Preservation of life should also be taken into consideration in using information technology. The continuous use of information technology without restrictions and controls would also affect the physical and mental health of a person. An individual is also prohibited from accessing pornographic websites because this activity can undermine a person's mentality. Consequently, this brings about the generation with weak mentality making the Muslim community and the country become stagnant and weak. It is clear that the preservation of intellect is an important thing to consider in every purpose of using technology.

Individuals are also prohibited from using information technology facilities that would bring themselves closer to the adultery. Adultery might lead to birth of children out of wedlock's. Such abuse of information technology affects the preservation of progeny. Therefore, it is clear that the preservation of the progeny is an important thing to consider in every justification of using facilities of information technology. The use of uncontrolled information technology can also cause a person's productivity to decline and may result in job loss. Other than that, the misuse of information technology by making fake sales information would result in the acquisition of property that is considered prohibited in Islam. It is clear that the preservation of the property should be taken into account so that it do not lose the livelihoods and so that the wealth or property and the sustenance earned are indeed permissible (halal) and received the blessings of Allah SWT. Therefore, the use of information technology with good purpose will produce the best output either to yourself or to the organization and society as a whole.

## 6. Findings

Through the convenience of information technology, the general public is able to carry out daily activities such as information delivery, financial transactions and communication easier and faster. However, in using information technology, it is deemed necessary to observe the purposes or intentions (qasd) for each use so that there is no contradiction to the Shariah principles. Therefore, considerations by the promoting of benefit (Jalb al-Maslahah) should be based on essential objectives, namely necessities (daruriyyah), needs (hajiyah) and embellishments (tahsiniyyah). From the necessities (daruriyyah), it should be preserving on five necessities (daruriyyah al-khamsah), such as religion (din), life (nafs), intellect ('aql), progeny (nasl) and wealth (mal).

At the first level, the use of Information technology is a necessities (daruriyyah), when the existing technology has a negative impact on the faith of the Muslims especially the deviation from the religion and faith in Allah SWT. At this level, it is an obligatory that the Muslims should be master in using of information technology in order to be in control of the situation since the preservation of religion is obligatory on every Muslim.

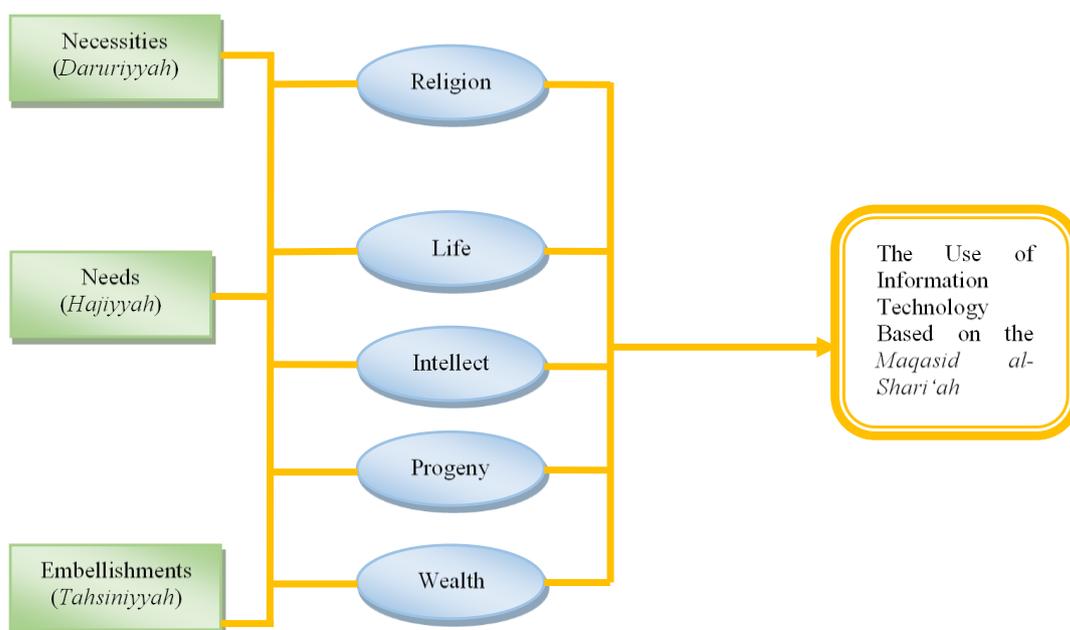
At the second level, the use of information technology is a needs (hajiyah), if without the use of information technology, the daily life of human beings would be affected and causing difficulty for individuals or society in general. At this stage, information technology has become an urgent requirement for the community to facilitate the daily affairs and activities of the community. This is in line with the objectives of the Shariah (maqasid al-Shariah), which seeking the benefit or repelling the harm (jalb al-maslahah 'aw daf' al-madarrah) (Shatibi, 1997). This is also supported by the fiqh maxims (qawa'id al-fiqhiyyah) which states "Need is treated as necessities, whether of a public or private nature." (Al-hajat:

tunazzalu manzilatu al-darurah, ‘ammah kanat aw khassah) (Sayuti, 2005). Therefore, when the use of information technology becomes a needs that is included in the current necessities of general or specific activity, then the usage is permissible for the purpose of facilitating related matters.

At the third level, the use of information technology is an embellishments (tahsiniyyah) when the advancement of information technology is offered in various forms beyond the requirements in daily activities. For example, having a more expensive and high-tech smartphone or taking more expensive use depends on the intention and purpose which also takes into account the preservation of five elements, namely the preservation of religion, the preservation of life, the preservation of intellect, the preservation of the progeny and the preservation of the wealth internet service to achieve the speed of data used. Thus the Shariah rulings (ahkam Shariah) for each.

## 7. Conclusion

In conclusion, the convenience in the use of information technology is in harmony with the Shari‘ah objectives that provide the convenience of individuals and communities whilst in carrying out their day-to-day activities and demands. The need for the use of such information technology should be seen whether it is a use that falls under the category of necessities (daruriyyah), needs (hajiyyah) and embellishments (tahsiniyyah). Priority should be given to the category of daruriyyah, then hajiyyah and subsequently tahsiniyyah. In each of these categories, the use of information technology should take into account of the five preservation, namely the preservation of religion (al-ddin), the preservation of life (al-nafs), the preservation of intellect (al-’aql), the preservation of progeny (al-nasl) and the preservation of wealth (al-mal). This can be demonstrated through the following framework figure 01.



**Figure 01.** The framework of Using the Information Technology Based on the Maqasid al-Shari‘ah

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