

Information technology ethics and the death of data privacy theory: Islamic Perspective

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Abstract

One of the most important ethical challenges regarding the new technology is data privacy. Since the late 20th century, with the rise of home computers in the 1980s, and especially with the creation and expansion of the World Wide Web since the 1990s, questions had been raised concerning the use of these technologies.

Nowadays some western researchers sustain that we have entered into “a time of no privacy” - where nobody has personal data.

Divine religions, including Islam, insist on adequate “privacy” and “dignity” in these technologies. Both in the Quran and in the traditions of the Prophet Muhammad, including His successors, we can see many sentences about privacy. Some of these are mentioned in this article. There are however, some distinctive features of privacy protection in Islam that we cannot see in the Islamic legal systems. It is important to underscore that “Suspicion” is forbidden in the Quran, as this could lead to the surveillance and invasion of privacy. Islamic Legal systems do not have sanction for suspicion unless it leads to external appearance. On the other hand, high technologies cause privacy invasion. So in these conditions more attention to privacy and human dignity is essential. **This paper informs on how some lawyers promote the theory of the death of privacy in the age of technology rather than its protection.** This is not acceptable in the Islamic legal perspective.

This paper describes some *Quran* verses and *hadiths* regarding privacy, especially the distinctive features of protection of privacy in Islam. These traditions can be studied in several categories:

- prohibition of suspicion,
- equivoque and search
- prohibition from entering a home without a search warrant
- prohibition of stealing a look and eavesdropping.

This article also contains a review, criticism, and rejection of the theory of death of privacy. The Theory, referred to as Data Privacy, is in favour of criminals, a group of people that have something to hide. Data privacy is not therefore a public concern.

~~In the criticism of that, we should say:~~

~~—Firstly that, data privacy required of every man is psychologically healthy and it is disturbing violations.~~

~~—Second, if the grounds for accepting the lawyer was, absences permitted because of this, since the absence of the person, the opposite is done, then we can say that the absence of inhibition of error caused does! I never accepted that such a lawyer is present.~~

~~The Theory said as a result of legislation on privacy, smaller cameras and devices is a violation of privacy. While easier violation of privacy (as a result of technology) support takes the privacy of information not deny it. These reasons will be criticized in this paper. **NOT CLEAR**~~

Basically any invasion on data privacy should be prohibited, so also the death of data Privacy theory should be rejected. There are very limited exceptions to the rights of the public. This is because technological change has not yet moved so far or so quickly as to make legal approaches to privacy protection irrelevant. There is much the law can do so far, since only a little has yet been tried. Many of the suggestions are piecemeal, preliminary or incremental. At best, they form only part of a more general strategy, which will also focus on encouraging the adoption of fair information practices, and the regulation of data use once it has been collected. At the moment the law starts addressing the issue of data collection, it would consequently reduce the pressure on data protection law and contributes greatly to data privacy protection itself; the converse is also true: Rules about data retention and use will shape what is collected and how this is realized.

If data mining and data privacy breaches become easier because of technology, Privacy should be supported more than before, rather than Development of the theory of death of personal data.

Keywords: Ethics, Information technology, Data privacy, Islam.