



Data Endowment as a Digital Waqf: An Islamic Ethical Framework for AI Development

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In the era of artificial intelligence (AI), data is often called the new oil—an essential asset for training algorithms and fueling intelligent systems. However, the ethical considerations surrounding this data’s ownership, use, and benefits remain contentious. The concept of data endowment—viewing data generated by individuals as a valuable resource—can be ethically aligned with the Islamic tradition of waqf (endowment), offering a culturally grounded model for responsible AI development.

In Islamic jurisprudence, a waqf is an inalienable charitable endowment, often comprising assets like land or buildings, whose returns are used for the public good. The endowment is held in trust, and its custodians are ethically and legally bound to manage it without personal gain, in line with the principles of maslaha (public benefit) and adl (justice) (Kozlowski, 1985). If we reimagine data as a modern form of waqf, AI systems built upon such data must operate with the same moral constraints—serving community welfare, ensuring equity, and preventing harm.

In digital contexts, individuals contribute vast amounts of personal data, knowingly or unknowingly, that are used to train predictive models and intelligent systems. While often invisible, this data endowment has significant social and economic value. Yet, as Zuboff (2019) argues in her seminal work *The Age of Surveillance Capitalism*, the commodification of personal data frequently occurs without consent or fair redistribution of benefits (Zuboff & York, 2019). From an Islamic ethical standpoint,

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such practices violate the notion of *amanah* (trust), as individuals are seen as stewards of their endowments and should retain control over how their data is used.

The integration of Islamic ethical frameworks into AI governance is not without precedent. Elmahjub (2023) proposes a pluralist ethical benchmarking approach for AI, highlighting how Islamic ethical principles—particularly *maqasid al-shari'ah* (objectives of Islamic law)—can inform the development and deployment of AI technologies (Elmahjub & Technology, 2023). His model emphasizes preservation of life (*hifz al-nafs*), intellect (*hifz al-'aql*), and wealth (*hifz al-māl*) as foundational values for assessing AI's societal impact. This approach complements the concept of data endowment as a digital *waqf*, reinforcing that data and AI systems must serve human dignity, social welfare, and justice. Embedding *maqasid*-aligned ethics into data governance models ensures that AI tools optimize performance and respect the moral and spiritual dimensions of their data sources, particularly when derived from communities in Muslim-majority societies.

Moreover, Islam encourages intentionality (*niyyah*) in ethical conduct. Any use of data for AI should be preceded by transparent, informed consent, with clear articulation of its intended benefit. In healthcare AI, for instance, datasets containing patients' electronic health records should be governed like a health data *waqf*, ensuring that benefits such as early disease prediction or treatment optimization are equitably distributed. This approach mirrors calls in bioethics literature for data governance models that reflect collective benefit-sharing, such as data cooperatives or trusts (Taylor et al., 2017).

Furthermore, just as *waqf* institutions historically served to reduce social inequalities, data dividends or community returns from AI systems align with the redistributive ethos of Islamic economics (Rusydiana, 2025). Governments and AI developers could establish data *waqf* funds, where revenues from AI tools trained on public data are reinvested into healthcare, education, or infrastructure, particularly for underrepresented communities.

In sum, reframing data endowment as a digital *waqf* rooted in Islamic ethics presents a compelling paradigm for AI governance. It emphasizes stewardship, equity, and public benefit over profit maximization or opaque data extraction. In an increasingly digitized Muslim world, embedding such values into AI development could ensure technologies are intelligent but also just and inclusive.

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