

Qur'anic Perspective on the Right to Be Forgotten: A Conceptual Reappraisal of al-Nisyān, al- 'Afw, and Identity Reconstruction

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ABSTRACT:

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The “right to be forgotten” is an emerging concept in the field of digital rights, referring to the possibility of removing or restricting access to individuals’ past information within public and technological environments. Despite its contemporary origin, this concept can be reinterpreted within the theological and epistemological framework of Islam. The present article aims to elucidate the Qur’anic foundations of this right by analyzing three key concepts in the Qur’an, *al-nisyān* (forgetfulness), *al- 'afw* (forgiveness), and identity reconstruction, and by examining their theoretical potential for the reconstitution of personal identity within society. The study also draws upon Shia traditions and supplicatory texts to explore the concept of *satr al- 'uyūb* (concealment of faults) as a complementary dimension of this right. The role of this concept in safeguarding human dignity and preventing the reproduction of damaged identities is critically assessed. The findings indicate that, from the perspective of the Qur’an and Hadith, the possibility of forgetting a person’s sinful past, conditional upon repentance, is not only legitimate but essential for the preservation of human dignity and the individual’s reintegration into social life. Accordingly, it is possible to construct a defensible, indigenous Islamic theoretical model of the right to be forgotten that remains ethically and theologically grounded while simultaneously responding to the transformations of the contemporary digital sphere.

KEYWORDS: The Qur’an, Right to be forgotten, *al-nisyān*, *satr al- 'uyūb*, *al- 'afw*, identity reconstruction, human dignity.

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1. Introduction

Human life is intertwined with experiences that sometimes involve lapses, errors, and decisions which, over time, no longer correspond to an individual's reconstructed identity. In the age of information technology and digital memory, where data recorded on the internet is preserved in an almost permanent manner, this concern has evolved into a global demand: does a human being have the right for their past to be forgotten? In contemporary legal discourse, this demand is articulated through the notion of the "right to be forgotten," a right that emphasizes the possibility of removing personal information from the public digital sphere and restoring individuals' reputation and identity. This right specifically emphasizes the principle that individuals should, under certain conditions, be able to remove their personal data from public spaces and online platforms in order to free themselves from the ongoing social, psychological, and identity-related harms resulting from the circulation of their past. This concern is particularly significant for individuals who have changed their life trajectory and have reconstructively reformed their personal and social identities.

This raises a fundamental question: is such a right merely a product of legal and technological developments in the modern world, or can its roots be traced within the Islamic epistemic system, particularly in the Qur'an? From a Qur'anic perspective, the human being is a volitional and fallible agent who nonetheless remains capable of return and renewal, an entity endowed with the capacity for *al-nisyān* (forgetfulness), while God simultaneously opens the pathways of repentance, forgiveness, concealment, and reconstruction.

Numerous Qur'anic verses, from the forgetfulness of Adam and his subsequent return (Q. 20:115), to the transformation of evil deeds into good ones for those who repent (Q. 25:70), indicate that forgetting the past, when accompanied by repentance and moral reform, is not only possible but desirable and legitimate. Within this framework, concepts such as *al-nisyān*, *al-'afw*, *al-mahw al-sayyi'āt* (the erasure of sins), *al-satr* (concealment), *al-tawbah* (repentance), and the intrinsic dignity of the human being can provide robust foundations for articulating a form of the right to be forgotten from a divine and human-centered perspective.

This article seeks to develop a conceptual framework for the right to be forgotten through an examination of three foundational Qur'anic concepts, *al-nisyān*, *al-'afw*, and identity reconstruction. Unlike approaches that treat this right in purely legalistic or instrumental terms, the proposed framework is grounded in a theocentric worldview, ethical justice, and the mutual moral

responsibility of human beings toward one another. Such an approach not only enables individuals to be liberated from the burden of their past, but also creates the conditions for growth, return, and the restoration of lost personal and social dignity.

Despite the prominent position of this right in Western legal literature, especially in European Union instruments such as the General Data Protection Regulation (GDPR), its ontological and foundational underpinnings have received comparatively limited attention. From the perspective of Islam, and particularly the Qur'an, the human being not only possesses the right to repentance and identity reconstruction, but numerous verses explicitly emphasize the necessity of erasing the traces or effects of the past in cases of genuine repentance:

Excepting those who repent, attain faith, and act righteously. For such, Allah will replace their misdeeds with good deeds, and Allah is all-forgiving, all-merciful (Q. 25:70).

Indeed Allah will forgive all sins. Indeed He is the All-forgiving, the All-merciful (Q. 39:53).

In this regard, numerous verses not only testify to the divine capacity for concealing sin and reconstructing human worth, but also frame concepts such as *al-'afw* (forgiveness), *al-satr* (concealment), *al-tawbah* (repentance), and even *al-mahw* (erasure) as ethical, pedagogical, and epistemic mechanisms oriented toward the legitimate forgetting of the past.

In Western discourse, the right to be forgotten is often framed through an individual-centered lens and discussed primarily in terms of “data” and “information control.” The Qur'an, by contrast, situates this issue within a deeper spiritual and moral framework focused on the reconstruction of personality, the recovery of dignity, and the return to the divine disposition. Accordingly, this study asks: What Qur'anic foundations support the idea of a right to be forgotten, and how can a spiritual and epistemological framework for that right be developed through key Qur'anic concepts such as *al-nisyān* (forgetfulness), *al-'afw* (forgiveness), *al-satr* (concealment), and identity reconstruction? Addressing this question can enrich Islamic discussions of data ethics and socio-identitarian reconstruction and help establish an epistemic basis for a humane, theologically grounded understanding of error, repentance, and the possibility of salvation. Although the Qur'anic teachings invoked here primarily address moral transgressions and individual repentance, the right to be forgotten may be extended to digital contexts, provided such an expansion respects practical safeguards and necessary limitations to protect public interests, social security, and the rights of others.

2. Literature Review

At the global level, the concept of the right to be forgotten gained prominence following the 2014 ruling of the Court of Justice of the European Union (CJEU) in a landmark case, and subsequently acquired legal force through Article 17 of the General Data Protection Regulation (GDPR) in 2018, where it is framed as the “right to erasure” (European Union 2016). This development, particularly in relation to human dignity, digital identity, and informational autonomy, has attracted substantial scholarly attention. Since then, numerous studies have been published addressing the philosophical, ethical, and technological dimensions of this right.

Mayer-Schönberger (2011), in “Delete: The Virtue of Forgetting in the Digital Age,” emphasizes the importance of “forgetting” as a civic virtue in the age of data, presenting it as a vital necessity for preserving personal dignity. Floridi (2015), in “The Right to Be Forgotten: A Philosophical view,” conceptualizes forgetting as a phenomenon closely tied to the rethinking of “moral identity.” Zhang et al. (2023), in “The Right to Be Forgotten in the Era of Large Language Models: Implications, Challenges, and Solutions,” examine the challenges of implementing this right within artificial intelligence systems and introduce technical solutions such as machine unlearning and model management. Vilella and Ruffo (2025), in “(De)-Indexing and the Right to Be Forgotten,” address the technical complexities associated with this issue and analyze information-retrieval models capable of effectively representing content removal or forgetting within modeling processes.

In Persian-language legal scholarship, Eslami and Feyzi (2016) identify freedom of expression as one of the most fundamental challenges confronting the right to be forgotten and provide a detailed analysis of this tension. Hataminia and Sheikholeslami (2018) examine this right and outline several challenges facing its implementation. Shokri (2023) offers a general assessment of the strengths and weaknesses of this right. Khubyari (2024) concludes that, based on an analysis of proponents’ and opponents’ arguments, the implementation of this right often conflicts with other fundamental rights such as freedom of expression and free access to information. Consequently, he argues that the general presumption should favor the non-removability of data, although this principle is more applicable in the context of children’s rights regarding personal data deletion.

Within Islamic and Qur’anic scholarship, a limited number of recent

studies have sought to explore the capacity of Islamic foundations in relation to this right. For example, Osman (2023) examines this right from within the Islamic tradition, proposing the concept of *al-satr* (concealment) as a Qur'anic basis for it. While acknowledging certain challenges, the study argues that the right to be forgotten is defensible from within the Islamic tradition. Nevertheless, despite its effort to adopt a Qur'anic and Islamic approach, the study remains largely general in its focus on *al-satr* alone and exhibits limited conceptual proximity to what is termed the "right to be forgotten" in Western discourse, thereby failing to establish a robust analytical connection.

Despite these contributions, the direct and systematic relationship between Qur'anic concepts such as *al-nisyān*, *al-'afw*, *al-tawbah*, and identity reconstruction, on the one hand, and the right to be forgotten, on the other, has yet to be thoroughly examined. This gap within religious and Qur'anic scholarship defines the distinctive position of the present study. By focusing exclusively on the Qur'an, this research seeks to offer a conceptual and semantic framework for the right to be forgotten, not merely as a legal entitlement, but as an educational, ethical, and profoundly human reality grounded in divine revelation.

3. Theoretical Framework

In contemporary legal discourse, the right to be forgotten is grounded in concepts such as individual autonomy, identity reconstruction, personal data protection, and the possibility of severing the connection between the past and the present (Mantelero 2013). Within the Qur'anic framework, however, this right does not derive from liberal individualism; rather, it acquires meaning within a worldview in which the human being is a responsible and volitional agent who nevertheless remains dependent upon divine mercy and embedded within a theocentric moral order. From this perspective, three foundational Qur'anic components can be identified that are directly or indirectly related to the right to be forgotten and that together form the theoretical basis of this study.

3.1. *Al-Nisyān: Natural and Volitional Forgetfulness*

The Qur'an treats *al-nisyān* (forgetfulness) as an intrinsically human phenomenon that may, in certain contexts, carry a purposeful dimension. In some instances, forgetfulness is presented as a natural limitation of human beings, as illustrated in the verse: "*Certainly We had enjoined Adam earlier; but he forgot, and We did not find any resoluteness in him*" (Q. 20:115).

Similarly, Moses implores God not to hold him accountable for his forgetfulness: “*He said, ‘Do not take me to task for my forgetting, and do not be hard upon me’*” (Q. 18:73). An especially poignant expression of forgetfulness appears in the account of Mary during the agonizing moment of childbirth, when she declares: “*I wish I had died before this and become a forgotten thing, beyond recall*” (Q. 19:23). This statement does not merely articulate an inner pain; rather, it unveils a profound psycho-social reality: at times, human beings fear the persistence of others’ gaze and social judgment more than the event itself. This concern resonates directly with the contemporary discourse on the right to be forgotten, wherein individuals seek liberation from past judgments, identity-destructive data, and humiliating collective and digital memories.

Conversely, *al-nisyān* is at times presented in the Qur’an as a form of divine retribution for human neglect: “*They have forgotten Allah, so He has forgotten them*” (Q. 9:67; see also 20:126; 32:14; 36:78; 38:26; 58:19; 59:19; 87:6). In these verses, forgetfulness primarily governs the relationship between the human being and God. This bidirectional structure of *al-nisyān* in the Qur’an provides a conceptual space in which the right to be forgotten may be understood not merely as the erasure of a sinful past, but as part of a broader process of human transformation, self-return, and renewed beginning. Nevertheless, invoking verses that refer to “divine forgetfulness” in the context of the right to be forgotten requires careful semantic and theological distinction. Without such differentiation, one risks conflating metaphorical forgetfulness with the notion of data deletion.

Accordingly, it should be noted that divine forgetfulness constitutes a form of rational metaphor (*al-majāz al-‘aqlī*) and signifies the withdrawal of divine support, not literal oblivion. The right to be forgotten pertains to the regulation of public representations within data-driven environments. These two domains intersect only at the level of the basic semantic notion of non-remembrance, not at the level of ontological function. Therefore, references to *al-nisyān* in this study are not intended to demonstrate the historical deletion of the past, but rather to explore the normative plausibility of regulating social and digital memory within an ethical–Qur’anic framework.

3.2. *Al-‘Afw and al-Satr: Erasure and Concealment of Faults*

Al-‘afw (forgiveness) is one of the central Qur’anic concepts indicating the possibility of disregarding the past. The Qur’an commands: “*Let them excuse and forbear. Do you not love that Allah should forgive you? And*

Allah is all-forgiving, all-merciful” (Q. 24:22). Human beings themselves aspire to divine forgiveness, as reflected in the following poem attributed to Abū al-‘Atāhiyah: “By God, I hope for none but You, And I fear nothing but my sins. So forgive my sins, O Merciful One. For You are the Concealer of faults” (Ibn Abī al-Ḥadīd 1984, 18: 233). Here, the poet stands before the mirror of truth, fully aware of his vulnerabilities and transgressions, yet hopeful because he faces a God who not only knows but also conceals. A similar theme appears in a supplication reported by Ibn Ṭāwūs (1997, 1: 161): “O Concealer of faults, Forgiver of sins, Knower of the unseen: You conceal sin through Your generosity and delay punishment through Your forbearance.” In this prayer, God is portrayed not as ignorant of wrongdoing, but as deliberately concealing it through knowledge, generosity, and forbearance, thereby granting the human being an opportunity for repentance and self-reform without the loss of dignity.

Likewise, *al-satr* (concealment) is identified in Shia narrations as a divine attribute, encapsulated in the designation *Sattār al-‘Uyūb* (the One who conceals faults) (Ibn Bābawayh 1983, 22). This conceptual reservoir within religious texts provides fertile ground for theorizing the permissibility of removing harmful traces of the past. Importantly, *al-satr* is not merely a spiritual exhortation; it possesses significant implications for ethics, justice, and even digital rights. In a world where personal data and past actions are persistently recorded and indefinitely retained within technological systems, the idea of concealment can serve as a theoretical foundation for defending the human right to cleanse one’s past. This is not merely an individual desire but reflects a divine principle: God conceals so that human beings may rise again.

Such a perspective stands in direct opposition to contemporary cultures of scandalization and unrestrained exposure. Religious ethics, particularly within Shia teachings, begin with God’s being *Sattār al-‘Uyūb* and extend to a call for reciprocal concealment within society. Consequently, this doctrine can provide an epistemic and theological foundation for the idea of the right to be forgotten, or at least for the possibility of past data erasure, within contemporary ethics and human rights discourse. However, narrations and supplications concerning *satr al-‘uyūb* primarily address the prohibition of unethical exposure and the concealment of individual moral faults; they do not, in themselves, entail an obligation to publicly erase information or historical events.

3.2.1. *The Limits and Exceptions: Balancing al-Satr and Public Interest*

Although the teachings of *satr al-ʿuyūb* (concealment of faults) and *al-ʿafw* (forgiveness) occupy a central position in Islamic ethical thought, as evidenced in the Qurʾan (e.g., Q. 24:22; 64:14) and in Hadith (Ibn Bābawayh 1983), these concepts are neither absolute nor unrestricted within the framework of Islamic law. An examination of Qurʾanic verses and narrations reveals that the religious tradition clearly distinguishes between private, non-harmful wrongdoing and public, corruption-generating misconduct. This distinction provides a normative basis for delineating the scope and exceptions of the right to be forgotten in contemporary social and legal contexts.

Numerous Qurʾanic verses emphasize the obligation to disclose truth in cases where public rights or social justice are at stake. The prohibition against concealing testimony (Q. 2:283) indicates that secrecy is impermissible when another person's right is endangered. Likewise, the obligation to uphold justice and establish equity (Q. 57:25; 4:135) affirms that justice cannot be realized without an appropriate degree of transparency. In the criminal domain, verses addressing *al-ḥudūd* and *al-qīṣās* (Q. 24:2–4; 2:178) stress the necessity of evidentiary proof and public acknowledgment of wrongdoing within legal procedures. Collectively, these verses articulate a framework in which disclosure does not constitute a violation of personal dignity, but rather serves as a means of protecting public rights.

Moreover, Islamic traditions play a decisive role in defining the boundary between cases warranting concealment and those requiring disclosure. The Prophet Muhammad (PBUH) is reported to have said: “*Whoever openly exposes his wrongdoing before us, we shall enforce upon him the punishment prescribed by God*” (al-Kulaynī 2008, 7: 180). This narration indicates that public commission or disclosure of sin generates judicial responsibility for the governing authority. Conversely, numerous narrations emphasize that “*Whoever conceals the fault of a believer, God will conceal his faults*” (Ibn Bābawayh 1983), suggesting that when an individual commits a private wrongdoing that does not harm others, concealing it is considered a moral virtue. Thus, the distinction between private, non-harmful sin and public, socially disruptive corruption is strongly foregrounded in the traditions.

Similarly, within the framework of *maqāṣid al-sharīʿah* (the higher objectives of Islamic law), the right to be forgotten is valid only insofar as it does not conflict with overarching aims such as the preservation of life,

property, social order, and the prevention of corruption. According to *maqāṣid* theory, whenever the preservation of individual dignity comes into tension with public security and social justice, priority is accorded to public interests (al-Shāṭibī 1920, 2: 295). This principle offers a systematic foundation for regulating exceptions to the right to be forgotten within the domain of data law and information ethics.

Accordingly, the right to be forgotten, understood as deletion of data-based representations of the past or restriction of access to records of wrongdoing, is a qualified and conditional right in Islamic tradition. It applies only when it does not infringe on others' rights (such as financial claims, victims' rights, or others' psychological security); does not obstruct judicial processes, particularly in crimes subject to *al-ḥadd* or *al-qisās*; does not enable recurrence of corruption or pose a social threat; and does not undermine governmental decisions regarding public security and social order.

By contrast, in cases where wrongdoing is private, non-harmful, and rectifiable, especially in contexts of repentance and identity reconstruction, religious and ethical doctrines of concealment can legitimately support social forgetting and the removal of unnecessary data. In this way, the Islamic normative system not only acknowledges the right to be forgotten at ethical and legal levels, but also establishes clear and defensible boundaries for its exceptions, upon which the present study has relied to articulate a coherent linkage between traditional concepts and contemporary challenges in data protection.

3.3. Repentance (Al-Tawbah) and Identity Reconstruction

In the Qur'an, *al-tawbah* (repentance) signifies not merely the purification of the past, but the comprehensive reconstruction of human identity. A pivotal verse states: "*Excepting those who repent, attain faith, and act righteously. For such, Allah will replace their misdeeds with good deeds, and Allah is all-forgiving, all-merciful*" (Q. 25:70). This verse indicates that spiritual and personal reconstruction in the Qur'an presupposes not only the forgiveness of past wrongdoing, but its transformative reconfiguration. Within such a framework, the legitimacy—and indeed the necessity—of creating an opportunity for forgetting the past and beginning anew becomes evident. Accordingly, the right to be forgotten may be understood not merely as a permissive option, but, under specific conditions, as an ethical obligation.

4. Qur'anic Analysis of *al-Nisyān*, *al-'Afw*, and Identity Reconstruction

One of the conceptual foundations of the right to be forgotten within the Qur'anic framework lies in the understanding of triadic *al-nisyān* (forgetfulness), *al-'afw* (forgiveness), and identity reconstruction. Although articulated through diverse linguistic and exegetical forms, these concepts converge semantically to provide an Islamic basis for restoring dignity and removing the destructive effects of a person's past.

4.1. *Al-Nisyān: Forgetfulness as a Cognitive and Theological Process*

In numerous Qur'anic verses, *al-nisyān* is portrayed not merely as a psychological deficiency, but at times as a volitional or even punitive phenomenon. For instance, in the verse "They forgot God, so He forgot them" (Q. 9:67), divine forgetfulness toward those who have forgotten Him does not imply any lapse in divine memory; rather, it signifies the deprivation of mercy and guidance. In other words, God's forgetfulness denotes abandonment and withdrawal of grace, corresponding to the servant's forgetfulness rooted in heedlessness and deliberate turning away (al-Ṭabarī, 1985, 10: 121; al-Zamakhsharī, 1986, 2: 287; Tabataba'i 1996, 9: 335). This form of forgetfulness may be interpreted as punitive metaphor, that is, a mode of retribution manifested through the loss of divine attention and care. From this perspective, *al-nisyān* is not merely a cognitive failure, but an ontological response from God that arises in reaction to the human being's voluntary actions.

4.1.1. *A Critique of the Equivalence between Divine al-Nisyān and the Right to Be Forgotten*

It should be noted that Qur'anic verses in which *al-nisyān* (forgetting) is attributed to God, such as "They have forgotten Allah, so He has forgotten them" (Q. 9:67), 20:126, 32:14, 45:34, and 59:19, although capable, from the perspective of Qur'anic linguistics, of providing conceptual material for analyzing the suspension of remembrance, do not, from a hermeneutical standpoint, signify the erasure of information or the deletion of historical facts. Rather, they denote the withdrawal of mercy, the removal of divine solicitude, or punishment consequent upon human action.

Classical exegetes such as al-Ṭabarī (1985, 27: 35), al-Zamakhsharī (1986, 4: 293), al-Ṭabrisī (1993, 9: 121), and Tabataba'i (1996, 18: 190)

have interpreted this form of *al-nisyān* as a case of rational/metonymical attribution (*al-majāz al-‘aqlī*), belonging to categories such as withholding beneficence, neglect, or cessation of grace, rather than the obliteration of knowledge or the historical elimination of events. From Tabataba'i's general exposition of Q. 59:19, it is evident that genuine forgetfulness on the part of God is impossible; what is meant by such "forgetting" is that those who were once objects of divine attention are now subject to divine disregard (Tabataba'i 1996, 19: 219). Precisely because privative acts such as *al-nisyān* are not literally attributable to God but are the consequence of human action, al-Samarqandī (1995, 3: 432) explains the attribution of *al-nisyān* to God as meaning that God causes individuals to forget their own condition and ultimate destiny, such that they perform no salvific act for themselves and advance no good on their own behalf.

On this basis, equating divine *al-nisyān* with the "right to be forgotten" as a claimable legal right is indefensible from the standpoint of Qur'anic exegesis and the principles of religious reasoning. In these verses, *al-nisyān* does not signify the deletion of prior realities, the erasure of records, or the annulment of the external consequences of human acts; rather, it refers to the rupture of the relationship of divine grace, guidance, and solicitude as a result of deliberate human conduct. More precisely, divine *al-nisyān* functions as an ethical-penal mechanism within the theology of recompense, not as a social or legal regulatory norm governing human relations. Consequently, transforming this concept into a juridical basis for data deletion or the cleansing of collective memory entails an unwarranted transfer from the theological-exegetical domain to that of public law. Such a transfer, absent mediation through independent juristic rules and legal principles, conflicts with the principle that divine rulings cannot be analogically extended to humanly constructed legal relations. Therefore, the function of the *al-nisyān* verses is, at most, ethically inspirational and pedagogically admonitory, not evidentiary for the direct establishment of the right to be forgotten as a positive, enforceable legal right.

Accordingly, in this study, the relationship between divine *al-nisyān* and the "human right to be forgotten" is not one of equivalence, but is invoked solely to extract a semantic configuration of concepts such as "non-remembrance" and "the suspension of attention." As a result, the article emphasizes that the right to be forgotten in the digital context pertains exclusively to the management of representations of the past within data environments, rather than to the erasure of truth or the denial of external reality.

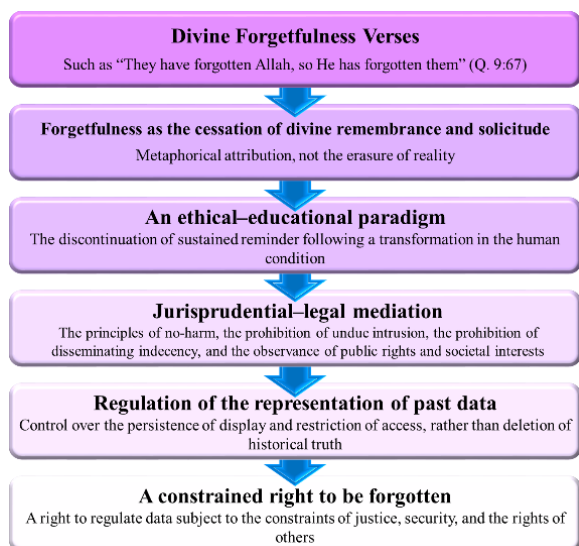


Figure 1. The normative pathway for employing the concept of divine *al-nisyān* in articulating a constrained right to be Forgotten

Figure 1 illustrates that, despite lacking direct indication of a “positive right to forgetting,” verses concerning divine *al-nisyān* possess a normative capacity for ethical inspiration. Such capacity can be translated into a legal model only through mediation by juristic doctrines and principles of public law, thereby elevating it to the level of regulating data representation. Within this framework, the right to be forgotten is defined not as the erasure of truth or the deletion of history, but as a qualified right to control the continued representation of past information and to prevent disproportionate harm to human identity.

4.1.2. Practical Criteria for the Right to Be Forgotten in an Indigenous Model

Based on the exegetical, juristic, and legal findings of this study, the right to be forgotten within an indigenous model grounded in Qur'anic concepts is not conceived as an absolute and unconditional right, but rather as a qualified, supervisable, and interest-oriented right. Transforming this right from a moral value into an enforceable rule requires the articulation of clear practical criteria across four domains: the subject matter of the right, conditions of implementation, decision-making mechanisms, and constraints imposed by public interest.

4.1.2.1. Types of Information Covered by the Right to Be Forgotten

Within the proposed model, only those data qualify for the right to be

forgotten that simultaneously meet the following conditions:

- They are personal and private in nature, and their disclosure directly affects human dignity, social reputation, or the individual's psychological well-being;
- The continued representation of such data results in disproportionate and unnecessary harm, without yielding a defensible rational or public benefit;
- They pertain to a past in relation to which the individual has demonstrably undergone repentance, behavioral reform, or a sustained transformation of identity.

Accordingly, the mere antiquity of information or an individual's desire to erase a record does not, by itself, render data eligible for the right to be forgotten.

4.1.2.2. Conditions of Application and Scope of Exceptions

The exercise of the right to be forgotten is contingent upon the absence of serious conflict with public interests. Therefore, information falling into any of the following categories is, in principle, excluded from the scope of this right: public or organized crimes; matters involving the violated rights of third parties; information whose deletion or restriction would undermine judicial justice, public security, or the prevention of social corruption. This limitation is rooted in the Qur'anic logic that accords priority to *qisṭ* (equity), justice, and the preservation of social order over individual interests.

4.1.2.3. Judicial Standards and Decision-Making Mechanisms

The right to be forgotten is not regarded as a self-executing right; rather, its application requires determination by a competent authority. The identification of relevant cases must be conducted by judicial institutions or legally qualified expert bodies in order to: assess the proportionality between individual harm and public interest; prevent the misuse of the right to be forgotten as a means of evading legal responsibility; uphold the principle of prioritizing overriding interests in situations of normative conflict. Within this framework, the preferred solution is not the absolute deletion of data, but the regulation of access levels, restriction of redistribution, or removal from public search results.

4.1.2.4. Protection of Victims' Rights and Social Interest

One of the fundamental constraints of the indigenous model is the priority accorded to victims' rights over the preferences of the data subject. Whenever the retention or disclosure of information is necessary for

restoring victims' rights, preventing the recurrence of harm, or ensuring social accountability, the application of the right to be forgotten lacks both juristic and legal legitimacy. This constraint prevents concepts such as forgiveness (*al-ʿafw*) and concealment (*al-satr*) from becoming instruments for the violation of others' rights.

4.1.2.5. Governing Juristic and Qur'anic Principles

The proposed framework is grounded in a set of general juristic principles, including: the principle that harm must be eliminated (*al-ḍarar yuzāl*) in preventing the persistence of disproportionate harm; the prohibition of intrusive surveillance (*al-tajassus*) and the prohibition of backbiting (*al-ghībah*) in limiting the unnecessary reproduction of harmful information; the principle of concealment of faults (*satr al-ʿuyūb*) as an ethical norm of social conduct rather than an obligation to erase truth; and the overarching principle of preserving order, justice, and public interest.

Taken together, not in isolation but through balanced proportional assessment, these principles enable the articulation of the right to be forgotten as a qualified, rational, and context-sensitive legal norm.

4.2. *Al-ʿAfw: Forgiveness Oriented toward Forgetting*

In the Qur'an, *al-ʿafw* (forgiveness) is often presented as the removal of the effects of sin or wrongdoing. In the verse “*wa ya fū ʿan kathīr*” (Q. 42:30), divine forgiveness signifies not merely the suspension of punishment, but the erasure and forgetting of the effects of sin. Fakhr al-Dīn al-Rāzī (1999, 4: 225) explicitly states that forgiveness is more comprehensive than absolution, because *al-ʿafw* entails the erasure of the effect as though it had never occurred.

Tabataba'i (1996, 18: 86) likewise maintains that the calamities and hardships afflicting society are, in reality, manifestations of sins and errors committed by people. This indicates that many of these sins, despite having genuinely occurred, are nevertheless encompassed by divine forgiveness, such that God does not fully reckon with or punish them. From this perspective, divine acts of forgiveness far exceed human transgressions, and many negative consequences of sin remain concealed at the level of divine pardon. Accordingly, people should not assume that all difficulties and afflictions in life are immediate and direct consequences of their sins; rather, such afflictions are more accurately understood as the cumulative outcome of transgressions that God largely overlooks and does not punish. This understanding should not lead to despair, but rather encourage repentance, moral reform, and renewed hope in divine mercy. This level of *al-ʿafw*

points to a form of ontological rewriting of human identity, whereby sin is removed from the very constitution of the individual's selfhood.

From the standpoint of modern analysis, public memory can function as a mechanism for the reproduction of shame or discrimination. Consequently, digital forgiveness or the deletion of past information may be regarded as a novel form of restorative justice (Mantelero 2013). This approach bears a striking affinity with the Qur'anic concept of *al-ʿafw*, which leads to the reconstruction of the individual's personality as a new human.

4.3. Identity Reconstruction in Light of Repentance and Forgiveness

In the Qur'an, *al-tawbah* (repentance) functions not merely as an ethical return, but as a constitutive possibility for the re-creation of identity. The verse, "*excepting those who repent, attain faith, and act righteously. For such, Allah will replace their misdeeds with good deeds, and Allah is all-forgiving, all-merciful*" (Q. 25:70) explicitly refers to an ontological transformation. According to Ibn ʿAshūr (1984, 19: 256), this transformation is not metaphorical; rather, it entails the real conversion of negative effects into new ethical capital. At this level, repentance and forgiveness bring about a rewriting of the individual's religious and social identity. By removing the negative collective memory of one's past and replacing it with an ethical identity, the conditions for realizing the right to be forgotten are established, a right grounded in divine justice, human dignity, and the possibility of moral reform (Floridi 2015).

A conceptual examination of *al-nisyan*, *al-ʿafw*, and identity reconstruction in the Qur'an demonstrates that these three notions, through their semantic and functional interconnection, provide a rich framework for justifying and explaining the right to be forgotten. Unlike purely psychological or legal approaches in Western literature, which focus on the deletion of harmful data or the rehabilitation of public image, the Qur'an adopts an ontological and ethical approach aimed at the existential and spiritual reconstruction of the human being. Divine *al-nisyan*, in the cited verses, carries a punitive connotation, signifying the severance of guidance and divine grace from those who themselves have forgotten the truth. This form of forgetting functions as a warning, urging humans to return to remembrance of truth and responsibility.

Divine *al-ʿafw*, by contrast, signifies an intentional and positive forgetting of sins and their effects, not merely pardon. This forgiveness

culminates in a form of ontological purification through which wrongdoing is removed from both divine and social memory. Identity reconstruction through repentance constitutes the practical realization of this forgetting. The expression “the conversion of evil deeds into good deeds” (Q. 25:70) clearly indicates that, through conscious choice and commitment to change, a person may detach from a prior sinful memory and re-enter human society with a new identity defined by God. As Tabataba'i (1996, 15: 242) explains, every sin committed by such individuals is transformed into good deeds, not into punishment, negative traits, or influences on future actions. Rather, the historical record of their past sins is, through divine mercy, converted into virtuous deeds. This interpretation reflects the apparent meaning of the verse and must be preserved and upheld on that basis.

This level of analysis demonstrates that, within Qur'anic logic, forgetting is not merely a passive or natural phenomenon, but a divine act, an ethical process, and a social possibility for reconstructing relationships and identities. Accordingly, the right to be forgotten in the Qur'an is not only legitimate, but constitutes an element of restorative justice, human dignity, and the divine program enabling return, growth, and liberation from the past. Unlike liberal legal systems, which tend to confine this right to the realm of data privacy or information control, the Qur'an anchors it in the spiritual core of the human being.

Therefore, the expression “the conversion of evil deeds into good deeds” (Q. 25:70) refers to the ethical and existential transformation of the repentant individual; that is, sincere faith and repentance alter the evaluative status and eschatological consequences of past sins, thereby reconstructing the individual's moral structure. This transformation does not entail the literal erasure of historical events, the deletion of past data, or an ontological alteration of factual occurrences. Nevertheless, this Qur'anic logic of personal reconstruction conveys an important social message: the community of believers should not fix the repentant individual within their past, nor define their identity by prior wrongdoing. This humanistic and value-oriented implication does not constitute a direct legal rule, but rather an ethical-theological foundation for designing systems that support identity reconstruction. In this sense, while the verse does not establish a legal norm, it provides a moral basis for resisting perpetual social labeling and the continuous pursuit of recorded past errors. The right to be forgotten in contemporary data-driven contexts can likewise be understood at this foundational level: enabling liberation from the past and the opportunity to redefine identity on the basis of repentance, reform, and genuine behavioral change.

5. Jurisprudential and Legal Implications of the “Right to Be Forgotten” in Light of Qur’anic Concepts

Following the preceding discussion, a fundamental question arises: does the apparatus of Islamic jurisprudence (*fiqh*) and Islamic law possess the conceptual and evidentiary capacity to accommodate and articulate the right to be forgotten? A re-examination of Qur’anic concepts such as *al-nisyān*, *al-‘afw*, *ṣatr al-‘uyūb*, and *tabdīl al-sayyi’āt bil-ḥasanāt* (transformation of evil deeds into good ones) indicates that the epistemic foundations of this right not only do not conflict with Islamic teachings, but are in fact consonant with some of their core principles, most notably human dignity, the acceptability of repentance (*al-tawbah*), and the possibility of identity reconstruction.

From this perspective, the right to be forgotten is not merely concerned with the deletion of past information, but rather with the preservation of personal dignity, the provision of opportunities for moral return, and the social reintegration of the repentant individual. This understanding yields significant implications in two principal domains. First, in individual and social jurisprudence, where issues such as the preservation of secrets, the prohibition of disclosure, and the legitimacy of reconstructing an individual’s religious identity are addressed. Second, in public and judicial law, particularly with regard to data governance policies and the reconfiguration of criminal justice in light of repentance and concealment.

Accordingly, this section seeks, through recourse to Qur’anic verses, Shi’i traditions, and jurisprudential principles, to outline the capacities and requirements for incorporating the right to be forgotten into the framework of Islamic jurisprudence and law. Such an effort represents a step toward enabling religion to respond meaningfully to the emerging challenges of the contemporary world. It should be emphasized that this study does not equate divine forgetting with the ontological erasure of historical events. Rather, its objective is to extract a Qur’anic model grounded in the priority of the present over a harmful past and the suspension of detrimental representations of prior misconduct. This distinction constitutes the analytical foundation for the jurisprudential and legal implications discussed below.

Before turning to these legal implications, it is necessary to clarify the relationship between the Qur’an’s ethical foundations and contemporary legal norms. Within the framework of this study, concepts such as *ṣatr al-‘uyūb*, *al-‘afw*, and *tabdīl al-sayyi’āt bil-ḥasanāt* are not treated as autonomous legal rules, as none of them directly mandate data deletion or

the erasure of historical records. Nevertheless, these foundational concepts converge on a shared principle: the possibility of identity reconstruction and the illegitimacy of perpetually prosecuting the repentant individual's past.

In modern legal systems, including the General Data Protection Regulation (GDPR), the right to be forgotten initially emerged as an ethical principle rooted in human dignity, and only subsequently acquired binding legal force. Similarly, within the Qur'anic tradition, an ethical logic centered on refraining from constant recollection of past wrongdoing, safeguarding human dignity, and recognizing inner transformation can inspire supportive social norms. Hence, invoking Qur'anic ethical concepts does not entail the direct derivation of legal rulings, but rather the identification of conceptual capacities capable of underpinning Islamic data-oriented policies that support forgetting and identity reconstruction.

5.1. Human Dignity and the Jurisprudential Grounding of Forgetting the Past

One of the most fundamental Qur'anic teachings underpinning the right to be forgotten is the affirmation of intrinsic human dignity: “*Certainly We have honoured the Children of Adam*” (Q. 17:70). Dignity constitutes the most essential characteristic of the human being (al-Shawkānī 1993, 3: 290), and the use of the intensive verb *karramnā* underscores the strength of this honor (Abū 'Ubaydah 1962, 1: 386). This dignity encompasses both the righteous and the sinful, insofar as human beings possess innate rational and natural qualities that elevate them above other creatures (al-Ālūsī 1995, 8: 112). Such dignity provides the foundation for reconstructing identity after repentance, provided that repentance occurs in due time and the individual has not undergone complete moral deformation. Certain extended traditions report that Imam 'Alī (PBUH) warned specific individuals during his lifetime that they would later be responsible for the killing of his son; such individuals had already committed grave shortcomings that were no longer subject to forgiveness (Abū Ḥamzah al-Thumālī 1999, 1: 235).

Islamic jurisprudence, inspired by this principle, has developed numerous rulings aimed at preserving honor and enabling individuals to return to healthy social life. Many jurists, such as al-Ṭūsī in *al-Khilāf* (1999, 2: 253) and al-Muḥaqqiq al-Ḥillī in *al-Sharā'i* (1987, 4: 152), have argued, based on verses concerning repentance and traditions related to *al-satr* and non-disclosure, that exposing the criminal past of a repentant individual is religiously impermissible. Consequently, once sincere repentance has been realized, society is not only prohibited from recalling the individual's past but is positively obliged to facilitate their reintegration into the society.

5.2. *Al-Nisyān and al-‘Afw as Normative Foundations in Jurisprudence*

The Qur'an emphasizes *al-nisyān* not merely as a psychological phenomenon, but as an ethical and juridical mechanism. Verses such as "Indeed Allah loves the penitent" (Q. 2:222), "excepting those who repent, attain faith, and act righteously, for such, Allah will replace their misdeeds with good deeds, and Allah is all-forgiving, all-merciful" (Q. 25:70), and "whether you disclose what is in your hearts or hide it, Allah will bring you to account for it" (Q. 2:284) reveal a profound interrelation between forgetting and pardon.

Tabataba'i (1996, 15: 243), argues that the transformation of evil deeds into good ones signifies the removal of the very designation of "sin" and its replacement with merit and reward, amounting to a complete redefinition of personal identity in light of repentance. Likewise, Fadlallah (1999, 17: 79) maintains that the verse indicates the erasure of the effects of prior sins rather than an arithmetic equivalence between sins and good deeds; the transformation signifies forgiveness and purification.

Al-Shawkānī (1993, 3: 103) similarly interprets the verse to mean that for those who repent, believe, and act righteously, God effaces their sins and replaces them with righteous deeds, an event that occurs in this world rather than the hereafter. This understanding is reflected in jurisprudence as well. Shaykh al-Anṣārī (1991, 2: 325) emphasizes that disclosing the past sin of a repentant individual constitutes *i'ānah 'alā al-ithm* (assistance in sin), which is categorically prohibited under Islamic law.

5.3. *Society, Collective Memory, and Responsibility in Forgetting*

Forgetting in the Qur'an is not limited to an individual dimension; rather, it places a significant social responsibility upon the community. The well-known prophetic tradition, "Whoever conceals the disgrace of a believer, God will conceal him on the Day of Resurrection" (Qomi 1994, 2: 117), as well as the narration from Imam al-Ṣādiq (PBUH) stating, "Whoever conceals a believer's fault that he fears will be exposed, God will conceal seventy of his faults in this world and the Hereafter" (al-Kulaynī 2008, 3: 511), underscores this collective obligation.

Accordingly, in Islamic social jurisprudence, acts such as backbiting (*al-ghibah*), spying (*al-tajassus*), and the disclosure of secrets, particularly after

repentance, are regarded as independent and grave sins (al-Narāqī 1995, 11: 275). This doctrinal stance provides a theoretical foundation for the contemporary notion of the right to be forgotten, understood here as the necessity of purifying collective memory from individuals' past moral failures.

5.4. *Media Jurisprudence and the New Challenges of Digital Memory*

In the age of new media, the preservation of personal dignity and the erasure of digital traces have emerged as unprecedented concerns. Digital memory, characterized by its effective irreversibility and resistance to erasure, stands in tension with Qur'anic foundations such as repentance (*al-tawbah*), pardon (*al-'afw*), and forgetting (*al-nisyān*). Some contemporary jurists, have ruled in their media-related legal opinions that disclosing individuals' past mistakes on social networks is religiously prohibited, especially when the individual has repented (al-Sistani n.d.). From this perspective, Islamic jurisprudence, drawing upon principles such as the prohibition of spying (Q. 49:12), the prohibition of publicizing sin (Q. 24:19), and the obligation to preserve a believer's honor, possesses a broad conceptual capacity to articulate an indigenous theory of the right to be forgotten within the contemporary legal order.

5.4.1. *From Theology to Law: Theoretical Capacity for the Right to Be Forgotten*

One of the most significant theological messages of the Qur'an and the Sunnah is that the human being, in the religious worldview, is not a closed or exhausted entity that is, one is not permanently imprisoned by one's past, and the possibility of liberation and reconstruction always remains open. It is precisely within this horizon that concepts such as *al-'afw*, *al-nisyān*, and *al-satr* acquire meaning. What merits attention, however, is that these concepts are not confined to devotional or spiritual domains; rather, they are capable of entering the sphere of public and social law. In an era in which technology has externalized human memory into machines, from search engines to databases that permanently archive individuals' pasts, the following questions have become increasingly urgent: Does a person have the right to erase their past? Should individuals be granted a renewed opportunity to redefine themselves? Islamic theology, unlike certain rigid moral frameworks, affirms this right, not merely as a psychological or personal possibility, but as a divinely sanctioned tradition.

When the Qur'an declares, "*Allah will replace their misdeeds with good deeds*" (Q. 25:70), it effectively authorizes human beings not only to compensate for their past, but to convert it into a positive point of departure. This vision stands in sharp contrast to approaches that deprive individuals of social, professional, or even basic human rights due to mistakes committed years earlier. At this juncture, *al-satr* enters the scene. Put simply, *al-satr* represents a dignity-oriented culture of silence. The ethic of *al-satr* holds that once a person has repented, there is no justification for repeatedly invoking their past. If properly understood and theorized, this religious principle can serve as the conceptual foundation of the right to be forgotten in legal and social contexts. In other words: if God conceals, why should we expose? If God grants the opportunity for reconstruction, why should society deny it?

This perspective can find expression in modern Islamic legal systems, in which an individual who has moved beyond their past may request platforms to delete personal data, or petition judicial institutions to restrict public access to past criminal records, provided that genuine reform has occurred. This is neither injustice nor an evasion of responsibility; rather, it is the continuation of the divine tradition of *al-satr* within today's social context. Thus, the right to be forgotten is far more than a modern slogan. It is deeply rooted in religious teachings, where God not only forgives wrongdoing, but also conceals it from the gaze of others. On this model, a religious society must likewise provide individuals with the opportunity to reconstruct their identity and life. This is the true meaning of preserving human dignity in a theistic worldview.

6. Conclusion

The right to be forgotten, as one of the emerging issues of the data-driven age, is not merely a technological or legal concern; it is a profoundly human and ethical question. Human beings need to move beyond their past—not by denying or evading responsibility, but in order to reclaim dignity, hope, and the possibility of identity reconstruction. In this regard, Islamic teachings offer exceptional resources for rethinking this right within a theologically grounded and ethically oriented framework.

The Qur'an, through concepts such as *al-nisyan*, *al-'afw*, and *tabdīl al-sayyi'āt bil-ḥasanāt* (the transformation of evil deeds into good), outlines the epistemic foundations of this right, whereby the repentant individual not only overcomes error, but transforms that passage into spiritual growth. Alongside this, Shi'i traditions, emphasizing God as *Sattār al-'Uyūb* (the Concealer of faults), stress the necessity of covering past errors not only on

God's part, but also on the part of society.

Ultimately, the right to be forgotten in the Islamic intellectual tradition signifies far more than the deletion of data; it represents the revival of human identity, an identity that emerges from acceptance, concealment, and reconstruction, rather than exposure, humiliation, and perpetual inscription of error. This vision is not only more theological, but also more humane, for instead of chaining individuals to the past, it opens a path toward the future. From this standpoint, Islamic legal systems possess the capacity, by drawing upon these profound Qur'anic concepts, to design innovative and indigenous models for supporting the right to be forgotten: models that safeguard truth while simultaneously honoring dignity, repentance, and transformation. Perhaps this is precisely what God promises in the well-known verse: "Indeed good deeds efface misdeeds" (Q. 11:114), affirming that the human being is ultimately worthy of a new beginning.

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