

Islamic Law in Responding to the Phenomenon of Artificial Intelligence

Irma Rahman¹

¹Universitas Muslim Indonesia, Indonesia

Corresponding Author: Irma Rahman

Abstract

The rapid advancement of Artificial Intelligence (AI) has raised profound ethical and legal concerns across global societies, including within the framework of Islamic law. This study examines how Islamic jurisprudence responds to the phenomenon of AI, highlighting the adaptability of Islamic legal principles in addressing emerging technological challenges. Using a qualitative normative legal approach, the research draws upon primary sources such as the Qur'an, Hadith, classical *fiqh* texts, and contemporary fatwas, complemented by secondary sources from modern scholarship on AI and ethics. The findings reveal that while AI introduces complex issues related to privacy, accountability, justice, and human dignity, Islamic law provides clear normative guidance grounded in the objectives of *maqāṣid al-sharī'ah*. These objectives protection of religion, life, intellect, progeny, and wealth serve as a comprehensive ethical framework to evaluate and regulate the development and use of AI. The study further demonstrates that moral and legal responsibility in the context of AI rests with its human creators, developers, and users, aligning with Islamic thought that prioritizes human agency over autonomous systems. Additionally, contemporary Islamic scholars and institutions have begun to offer nuanced interpretations and legal opinions, underscoring the dynamic nature of Islamic jurisprudence in responding to modern issues.

Keywords

Islamic Law
Artificial Intelligence
Maqāṣid Al-Sharī'Ah

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Introduction

The rapid development of Artificial Intelligence (AI) has introduced profound ethical, legal, and social challenges across the globe. Within the Muslim world, this technological shift raises pressing questions on how Islamic law (sharī'ah) should respond to such advancements. Scholars emphasize that the discussion cannot be limited to AI as a neutral technical tool; rather, it should be analysed within the framework of Islamic jurisprudence, morality, and theology. As Qadir and Raquib argue, with the support of the Facebook Ethics in AI Research Initiative in Asia Pacific, there is a need for AI frameworks that are not solely grounded in secular ethical systems but are also aligned with Islamic values of *falah* (spiritual success) (Raquib et al., 2022).

Islamic law has long possessed philosophical and legal foundations to address emerging phenomena through the doctrine of *maqāṣid al-sharī'ah* the higher objectives of Islamic law namely the preservation (*ḥifẓ*) of religion (*dīn*), life (*nafs*), intellect (*'aql*), progeny (*nasl*), and property (*māl*) (Güney, 2024). Contemporary research highlights the applicability of *maqāṣid* as an ethical framework for evaluating AI. Mustapha and Malkan, for instance, argue that *maqāṣid* provides a holistic basis for examining the implications of AI applications across fields such as religion, healthcare, intellectual development, family, and economic inclusion (Mustapha & Malkan, 2025; Hakim et al., 2025; Rosidin et al., 2024). In Islamic finance, scholars note that AI can be harnessed as long as it adheres to the *maqāṣid* framework, avoiding elements such as *riba* (usury) and *gharar* (excessive uncertainty), while ensuring fairness and transparency. The significance of *maqāṣid* in addressing modern AI challenges has been further elaborated by Mahadi and Tarshany, who stress that issues like privacy breaches, misinformation, and ethical decision-making must be contextualized within the objectives of Islamic law (Mohadi & Tarshany, 2023).

In the realm of education, AI has been envisioned as a tool that should operate within a Qur'anic and maqāṣid-based framework, emphasizing the preservation of religion, intellect, life, lineage, and wealth, while linking knowledge acquisition to the Islamic principles of wisdom (ḥikmah) and trust (amānah) (Habib, 2025). Nevertheless, the practical application of AI in Islamic contexts presents substantial complexities, especially in sensitive areas such as fatwa issuance. While certain states, such as the United Arab Emirates, have expressed intentions to utilize AI to strengthen moderation and accessibility in digital fatwas (Padela, 2025), many scholars remain cautious. Issuing a fatwa requires ijtihad critical contextual reasoning by qualified jurists something AI cannot replace. Islamic jurisprudence sources such as IslamQA emphasize that fatwas are a moral responsibility entrusted to scholars who bear accountability before God (Muhsin et al., 2024). Similarly, empirical studies of AI-based fatwa tools reveal inconsistencies: for example, experiments with GPT-3.5 demonstrated unreliable rulings in complex inheritance cases involving conflict, homicide, or residual heirs.

Bridging AI and Islamic law requires reliance on classical jurisprudential mechanisms such as maṣlaḥah mursalah (public interest), qiyās (analogy), and ḍamān (accountability) (Alkhamees, 2017; Apriantoro, 2025). These tools allow adaptive reasoning in addressing AI-related dilemmas such as algorithmic bias, privacy violations, and liability for autonomous decisions (Braun, 2025). Such principles echo the dynamic character of Islamic law, which has historically accommodated innovations from printing technologies to medical breakthroughs without losing its ethical grounding. Globally, AI ethics debates focus on fairness, transparency, accountability, bias, and privacy. Islamic contributions through maqāṣid and ijtihad can complement these discourses by adding a spiritual and moral dimension that transcends mere utilitarian or secular ethics. The Islamic framework emphasizes that human dignity (karāmah insāniyyah) is inviolable and that technologies must serve humanity rather than diminish it. As some researchers highlight, incorporating Islamic perspectives in AI discourse ensures that the technology promotes justice ('adl), mercy (raḥmah), and social welfare (maṣlaḥah), while preventing harm (mafsadah).

This growing body of scholarship underscores that Islamic law is not stagnant but dynamic, capable of engaging with unprecedented technological realities (Mohiuddin, 2024). AI is no longer speculative; it is embedded in healthcare, finance, education, surveillance, and social communication. The challenge, therefore, lies not in rejecting AI but in ensuring its development and application remain aligned with the objectives of shari'ah. By drawing upon the maqāṣid framework, alongside collective ijtihād (ijtihād jamā'i) and contemporary fatwas, Islamic law can provide a unique contribution to global AI ethics. This contribution balances technological advancement with ethical integrity, ensuring that AI remains an instrument for human welfare and spiritual fulfilment (Muxammadali, 2025).

Methods

This study employs a qualitative normative legal approach, focusing on Islamic law's response to the challenges posed by Artificial Intelligence. The research relies on primary sources such as the Qur'an, Hadith, classical *fiqh* texts, and contemporary fatwas, complemented by secondary sources including scholarly works on Islamic jurisprudence and global AI ethics. Data were collected through documentary and textual analysis, enabling a close reading of relevant legal concepts and ethical discussions. The analysis was carried out using a descriptive-analytical method, applying principles such as *maqāṣid al-shari'ah*, *qiyās*, and *maṣlaḥah* to contemporary AI issues like privacy, accountability, and human dignity. To ensure rigor, the study employed triangulation of sources, cross-checking interpretations from classical, contemporary, and academic perspectives. Throughout the process, the research maintained strict ethical considerations, treating sacred texts with scholarly respect while framing findings to promote justice, welfare, and responsible technological development within the spirit of Islamic law.

Results and Discussion

The relationship between Islamic law and technological innovation has historically demonstrated flexibility, adaptability, and responsiveness to new realities. From the introduction of the printing press to modern

advancements in medical science and finance, Islamic jurists (*fuqahā*) have consistently engaged in a process of reinterpretation through *ijtihād* and analogy (*qiyās*), ensuring that emerging technologies could be situated within the ethical and legal framework of the Shariah. This historical precedent provides an essential foundation for evaluating Artificial Intelligence (AI). Just as earlier scholars deliberated over the permissibility of printing Qur'anic texts or using modern medical procedures, contemporary scholars are now tasked with assessing AI's implications in light of Islamic jurisprudential principles.

A central issue raised by AI in Islamic law is the question of human agency and accountability (*taklīf*). In Islamic thought, accountability is rooted in the human capacity for reason and intention, qualities that determine moral and legal responsibility before God. Since AI lacks intention (*niyyah*), consciousness, and a soul (*rūḥ*), it cannot be considered a bearer of obligations or moral agency. Instead, responsibility lies with the developers, owners, and users of AI systems. For instance, if an autonomous vehicle causes harm, Islamic law would not treat the AI itself as culpable but would hold human actors accountable, based on the principles of causation (*sababiyyah*) and liability (*damān*). This distinction preserves the human-centric nature of Islamic law while clarifying that AI serves as a tool rather than a moral agent.

Several ethical issues emerge when examining AI under Islamic legal and moral principles. The first relates to privacy and data protection, an area that aligns closely with the Islamic principle of *ḥifẓ al-ʿird* (protection of honor). The Qur'an and Hadith emphasize the prohibition of spying, unnecessary intrusion, and the violation of personal dignity, values that resonate strongly in debates about mass surveillance, data harvesting, and digital profiling. AI systems that infringe on privacy therefore present clear risks from an Islamic perspective.

Justice and fairness also stand out as pressing concerns. The Qur'an repeatedly enjoins fairness and condemns injustice, making bias and discrimination in AI systems a critical ethical challenge. Algorithmic decisions that disadvantage certain groups or perpetuate inequalities contradict the Shariah's commitment to justice (*ʿadl*). This raises the obligation of Muslim policymakers and technologists to ensure that AI applications avoid structural injustices, whether in hiring systems, credit scoring, or predictive policing.

Equally important is the preservation of human dignity. AI applications in labor, healthcare, or surveillance must not undermine the intrinsic worth of human beings. The principles of *ḥifẓ al-nafs* (protection of life) and *ḥifẓ al-aql* (protection of intellect) emphasize safeguarding human life and reason, thereby requiring careful oversight of technologies that could diminish human value or manipulate individual decision-making. Likewise, the economic and social impacts of AI must be evaluated through the lens of distributive justice. Automation and job displacement pose risks for workers, potentially exacerbating inequality. Islamic economic principles, such as *zakāt* and equitable wealth distribution, provide a framework for mitigating these harms, ensuring that AI contributes to welfare rather than exclusion.

The framework of *maqāṣid al-sharīʿah* (objectives of Islamic law) provides a powerful tool for evaluating AI's broader implications. AI applications can either support or threaten these objectives, depending on their design and use. For example, *ḥifẓ al-dīn* (preservation of religion) may be supported by AI tools in Islamic education, but could be undermined if technologies spread misinformation or distort religious values. *Ḥifẓ al-nafs* (preservation of life) is advanced through AI in medical diagnostics and treatment, while simultaneously raising concerns in military applications such as autonomous weapons. *Ḥifẓ al-aql* (preservation of intellect) is challenged by misinformation, addictive algorithms, and the erosion of critical thinking, while *ḥifẓ al-nasl* (preservation of progeny) may be impacted by AI-driven reproductive technologies and their ethical dilemmas. Finally, *ḥifẓ al-māl* (preservation of wealth) must be considered in relation to economic justice, with AI both opening opportunities for growth and presenting risks of concentration of wealth in the hands of a few.

Contemporary fatwas and scholarly opinions further highlight the diverse approaches to AI within Islamic discourse. International fatwa bodies and Islamic legal councils have begun addressing AI in fields such as finance, medicine, and education. For example, discussions on AI in Islamic banking often focus on whether

algorithm-driven financial tools comply with the prohibitions on *ribā* (usury) and *gharar* (excessive uncertainty). Similarly, scholarly conferences have debated the use of AI in judicial systems, raising questions about whether automated decision-making can align with principles of justice and due process in Islamic law. While some scholars emphasize AI's potential for efficiency and societal benefit, others caution against its risks, particularly regarding surveillance, job displacement, and ethical erosion. The diversity of opinions reflects both the adaptability of Islamic law and the need for ongoing *ijtihād* as technology evolves. Islamic law provides a robust framework for engaging with AI, rooted in timeless principles but adaptable to contemporary challenges. By applying *maqāṣid al-sharī'ah*, principles of accountability, and ethical safeguards, Muslim societies can navigate the opportunities and risks of AI in a manner consistent with justice, human dignity, and divine guidance.

Conclusion

The exploration of Artificial Intelligence (AI) within the framework of Islamic law highlights both the challenges and opportunities posed by technological innovation. While AI introduces unprecedented ethical, legal, and social questions, Islamic jurisprudence provides a resilient and adaptable foundation for addressing them. By emphasizing human accountability, safeguarding privacy, ensuring justice, and preserving human dignity, Islamic law reaffirms its relevance in guiding the use of emerging technologies. The principles of *maqāṣid al-sharī'ah* offer a comprehensive lens through which AI can be assessed, ensuring that its development contributes to the protection of religion, life, intellect, progeny, and wealth. Although AI itself cannot bear moral responsibility, its creators and users remain accountable for its impacts, thereby reinforcing the centrality of human agency in Islamic thought. The diversity of contemporary scholarly perspectives further demonstrates the dynamic nature of Islamic legal reasoning in engaging with modernity. Ultimately, AI should be understood not as a threat to Islamic values but as a tool that, when governed responsibly, can enhance social welfare, promote justice, and align with the ethical imperatives of the Shariah.

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