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# Ijtihad Artificial Intelligence: Prospects and Ethics of Using Artificial Intelligence in Creating Contemporary Islamic Fatwas

*Ijtihad Kecerdasan Buatan: Prospek dan Etika Penggunaan Kecerdasan Buatan dalam Pembuatan Fatwa Islam Kontemporer*

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## ABSTRACT

Advances in Artificial Intelligence (AI) technology, particularly Natural Language Processing (NLP) and Large Language Models (LLM), have opened up new opportunities in the production of contemporary Islamic fatwas. However, the integration of this technology also raises epistemological and ethical issues, particularly regarding scientific validity and religious authority. This study aims to examine two things: (1) the position of AI in the concept of ijtihad from an Islamic epistemological perspective, and (2) the ethical and social impacts of AI use on the authority of religious scholars and fatwa institutions. Using a qualitative approach based on literature review, this study analyses classical primary sources (usūl al-fiqh, maqāṣid al-sharī'ah) and contemporary literature on AI and technological ethics in Islam. The results of the study show, first, that AI does not meet the epistemic requirements as an agent of ijtihad due to the absence of moral and spiritual awareness; its function is more appropriately as an assistant to ijtihad under human supervision. Second, the issuance of digital fatwas without ulama verification has the potential to cause fragmentation of authority and a crisis of public trust. Therefore, a hybrid fatwa model with human-in-the-loop, maqāṣid-based ethical audits, and regulations that ensure authority remains with human mujtahids is needed.

Keywords : *AI Ijtihad; Digital Fatwa; Maqasid Al-Syariah*

## ABSTRAK

*Kemajuan teknologi Artificial Intelligence (AI), khususnya Natural Language Processing (NLP) dan Large Language Models (LLM), telah membuka peluang baru dalam produksi fatwa Islam kontemporer. Namun, integrasi teknologi ini juga menimbulkan persoalan epistemologis dan etis, khususnya terkait dengan validitas keilmuan dan otoritas keagamaan. Penelitian ini bertujuan untuk mengkaji dua hal: (1) bagaimana posisi AI dalam konsep ijtihad dari perspektif epistemologi Islam, dan (2) apa dampak etis dan sosial dari penggunaan AI terhadap otoritas ulama dan lembaga fatwa. Dengan menggunakan pendekatan*

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*kualitatif berbasis studi pustaka, penelitian ini menganalisis sumber-sumber primer klasik (*usūl al-fiqh, maqāṣid al-shari'ah*) dan literatur kontemporer tentang AI dan etika teknologi dalam Islam. Hasil penelitian menunjukkan, pertama, AI tidak memenuhi syarat epistemik sebagai pelaku *ijtihad* karena ketiadaan kesadaran moral dan spiritual; fungsinya lebih tepat sebagai asisten *ijtihad* di bawah pengawasan manusia. Kedua, penerbitan fatwa digital tanpa verifikasi ulama berpotensi menimbulkan fragmentasi otoritas dan krisis kepercayaan publik. Oleh karena itu, dibutuhkan model hybrid fatwa dengan *human-in-the-loop*, audit etika berbasis *maqāṣid*, dan regulasi yang menjamin otoritas tetap berada pada *mujtahid* manusia.*

Kata Kunci : *Ijtihad AI; Fatwa Digital; Maqasid Al-Syariah*

## INTRODUCTION

The rapid development of artificial intelligence (AI) technology has presented new challenges and opportunities in various areas of life, including Islamic law, particularly in the production of contemporary fatwas.<sup>1</sup> AI offers efficiency, speed of analysis, and the ability to manage large-scale legal and religious text data, which theoretically can expand the scope of legal *istinbāt*.<sup>2</sup> However, integrating AI into the domain of *ijtihad* is not merely a technical issue but also an epistemological and ontological problem: to what extent can non-human entities be involved in the normative decision-making process that has a transcendental dimension.

This question has fundamental implications for the relationship between human reason, the authority of scholars, and revelation as sources of law. The principles of *maslahah al-mursalah*, *qiyās*, and *dhimān* remain pillars in assessing the appropriateness of applying AI in Islamic law, especially to preserve the authenticity and integrity of the *ijtihad* process in the digital age.<sup>3</sup> The principle of *maṣlahah al-mursalah* (public interest that does not contradict the text) provides a relevant rational basis for responding to new phenomena such as AI in legal recommendations, especially when classical texts do not explicitly address them.<sup>4</sup> Through *qiyās* (analogy) and other rational methods in *uṣūl fiqh*, new

<sup>1</sup> Siti Farahiyah Ab Rahim, Muhammad Firdaus Ab Rahman, Hussein Azeemi Abdullah Thaidi, Nik Nir Muhammad Alif Nik Mohd Azimi & Munawar Rizki Jailani. (2025). Artificial Intelligence for Fatwa Issuance: Guidelines and Ethical Considerations. *Journal of Fatwa Management and Research*, 30(1), 76–100. <https://doi.org/10.33102/jfatwa.vol30no1.654>.

<sup>2</sup> M. Agung Setiawan. (2024). Ijtihad Digital: Pemanfaatan Artificial Intelligence Dalam Istimbath Hukum. *Icmil Proceedings*, 1(1), 217-229. <https://icmilproceedings.org/index.php/icmil/article/view/6>.

<sup>3</sup> Abdullah Hemmet Abdullah. (2025). Renewal and Ijtihad Practices: An Analytical Study in Light of the Objectives of Islamic Sharia. *Journal of Scientific Development for Studies and Research (JSD)*, 6(21), 370-396. <https://doi.org/10.61212/jsd/336>.

<sup>4</sup> Ridwan Malik, Abdul Malik & Mega Mustika. (2024). Artificial Intelligence and Islamic Law: Ethical Implications and Fiqh Fatwas in the Digital Age. *Journal of Family Law and Islamic Court*, 3(2), 128-143. <https://doi.org/10.26618/jflc.v3i2.16546>.

technologies like AI can be linked to previous legal precedents, especially in the context of tools or *wasā'il*.<sup>5</sup> AI functions - such as automation, probabilistic modelling, and hallucination tendencies - can be analogised with tools whose legal status is evaluated, yet they raise new ethical and legal issues, particularly regarding *dhamān* (liability).<sup>6</sup> A crucial question arises: who is responsible for AI outputs. The user, developer, institution, or mufti. *Fiqh* tradition places responsibility on humans as moral-legal subjects and does not consider tools to have agency.<sup>7</sup> However, algorithmic autonomy and the systemic effects of AI challenge this assumption, necessitating a reformulation of *adhāb* (accountability), as well as contextual and adaptive sharia-technical remediation and audit mechanisms.

Previous studies provide an important foundation for understanding the position of AI in Islamic law. Suud Sarim Karimullah shows that AI can accelerate legal discovery by identifying patterns and precedents from thousands of Islamic legal documents. This advantage lies in the efficiency and consistency of analysis, but the research acknowledges significant limitations such as algorithmic bias, lack of transparency in the process, and the potential erosion of the human role as the primary interpreter.<sup>8</sup> These findings are important, but they have not yet fully explored how the spiritual and ethical dimensions of *ijtihad* can be internalised within an AI system.

Hasan Latifi's research identifies the technical and ethical challenges of using generative AI models in the *Shia ijtihad* tradition, including privacy issues, hallucination phenomena, system bias, and vulnerability to the decline of clerical authority. Although AI cannot yet be used independently, Latifi opens up a discussion on the possibility of future integration under strict supervision by scholars.<sup>9</sup> A limitation of this research is the absence of a normative framework that systematically links technology with the *maqāṣid al-shari‘ah* in *fatwa* issuance. Meanwhile, Mas'ar proposes an ethical framework for AI based on the five

<sup>5</sup> Fatima Zohra Benali, Wildan Miftahussurur, Rijal Ali Santos & Zaenol Hasan. (2025). *Indonesian Journal of Islamic Law*, 8(1), 1-28. <https://doi.org/10.35719/c3g8zb70>.

<sup>6</sup> Muhammad Edo Rahman, Fadilla Syahriani & Wilibaldus Jampa. (2024). Islamic Law in the Digital Era: Artificial Intelligence as A Revolutionary Legal Tool in the 21st Century. *Al-Hurriyah: Jurnal Hukum Islam*, 9(2), 102-115. <https://doi.org/10.30983/al-hurriyah.v9i2.8545>.

<sup>7</sup> Tuan Muhammad Faris Hamzi Tuan Ibrahim. (2025). Potensi Artificial Intelligence (AI) dalam Proses Penghakiman Perbicaraan Kesalahan Jenayah Syariah: Analisis Awal dari Lensa Fiqh. *International Journal of Law, Government and Communication (IJLGC)*, 10(39), 309-319. <https://doi.org/10.35631/IJLGC.1039021>.

<sup>8</sup> Suud Sarim Karimullah. (2023). The Application of Artificial Intelligence in Islamic Law Discovery. *Mutawasith Jurnal Hukum Islam*, 6(2), 109-121. <https://doi.org/10.47971/mjhi.v6i2.748>.

<sup>9</sup> Hasan Latifi. (2024). Challenges of Using Artificial Intelligence in the Process of Shi'i Ijtihad. *Religions*, 15(5), 541. <https://doi.org/10.3390/rel15050541>.

*maqāṣid al-sharī'ah* as a guide for the development of Islamic AI. This approach is highly normative but tends to be conceptual and has not been tested in the context of machine *ijtihad* involving generative algorithms.<sup>10</sup>

Given these limitations, this study focuses on the idea of 'machine *ijtihad*', which is the use of AI that not only assists in the process of *istinbāt*, but is also capable of proposing fatwas semi-autonomously. This focus places the study at the intersection of computational intelligence and spiritual authority, posing profound questions: can authority be partially delegated to algorithms, and how are accountability mechanisms regulated. Within the framework of classical Islamic epistemology, machine *ijtihad* can be positioned in three domains: (1) *bayānī*, where AI functions as a systematic interpreter of revelatory texts and *turāts*; (2) *burhānī*, where AI processes empirical data and logical analysis to support legal arguments; and (3) *'irfānī*, which requires dimensions of intuition, spiritual wisdom, and inner presence, something that remains a fundamental limitation for AI. Thus, this research not only assesses technical feasibility but also tests the epistemological boundaries that separate artificial reason from human reason guided by revelation. From a philosophical perspective, this research challenges the epistemological boundaries of Islam by testing the role of 'artificial reason' in a process that has long been regarded as a sacred domain for human reason grounded in revelation.

In practical terms, the findings of this research are expected to serve as a basis for policies and regulations on the use of AI in *fatwas*, which are legally and spiritually valid, as well as relevant to the dynamics of the global Muslim community. The significance of this research lies in its ability to preserve the authenticity of the *ijtihad* tradition while paving the way for measurable methodological innovation, thereby combining Islamic intellectual heritage with future technological opportunities.

## RESEARCH METHOD

This study is a normative legal study using a conceptual approach and a comparative approach. This study examines the concept of 'machine *ijtihad*' in depth through a literature review of classical and contemporary Islamic legal principles, technology ethics theory, and regulations related to the use of artificial intelligence in a legal context. Primary legal sources include the Qur'an, Hadith, official *fatwas* from authoritative institutions, legislation, and

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<sup>10</sup> Fauzan Mas'ar. (2024). Artificial Intelligence and Islamic Ethics: A Framework for Ethical AI Development Based on Maqasid Al-Shariah. *International Conference in Artificial Intelligence, Navigation, Engineering and Aviation Technology (ICANEAT)*, 1(1), 521-523.

international AI ethics guidelines; while secondary legal sources include books, reputable journal articles, conference proceedings, and recent research reports on AI and Islamic law. Legal materials are analysed using content analysis and hermeneutic analysis techniques to identify the epistemological implications, scientific authority, and ethical dimensions of AI use in *fatwa* production, while formulating a conceptual model that maintains a balance between technological innovation and the authenticity of the *ijtihad* methodology.

## **RESULTS AND DISCUSSION**

### **Epistemological Dimensions and Scientific Validity in the Concept of AI *Ijtihad***

The core debate about AI *ijtihad* centres on two fundamental epistemological issues. First, does the inference process carried out by AI systems, particularly through natural language processing and machine learning, represent a form of reasoning that can be recognised as part of a valid *istinbāt al-hukm* effort within the framework of *usūl al-fiqh*.<sup>11</sup> Second, to what extent do the outputs of such systems meet the standards of scientific rigour, contextual relevance, and spiritual authority that have long been pillars of the Islamic legal tradition.<sup>12</sup> On the one hand, large language models (LLMs) and retrieval-augmented generation (RAG) approaches offer the technical capability to extract patterns from extensive legal corpora, synthesise precedents, and generate arguments that formally resemble the process of legal analogy (*qiyās*).<sup>13</sup> This raises the potential for automating some of the functions of *mujtahids*, such as identifying relevant *nash* and developing legal analogies.

These technical capabilities do not necessarily cover the core aspects of *ijtihad*, which are moral and spiritual in nature. The process of *ijtihad* requires not only textual logic,<sup>14</sup> but also a deep contextual understanding, sincerity of intention (*niyyah*), and sensitivity to *maqāṣid al-shari‘ah* and contemporary social

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<sup>11</sup> Ben Hutchinson. (2024). Modeling the Sacred: Considerations when Using Religious Texts in Natural Language Processing. *ArXiv*, 24(04), 1-15. <https://doi.org/10.48550/arXiv.2404.14740>.

<sup>12</sup> Muhammad Huzaifa Bashir, Aqil M. Azmi, Haq Nawaz, Wajdi Zaghouani, Mona Diab, Ala Al-Fuqaha & Junaid Qadir. (2023). Arabic Natural Language Processing for Qur’anic Research: A Systematic Review. *Artif Intell Rev*, 56, 6801-6854. <https://doi.org/10.1007/s10462-022-10313-2>.

<sup>13</sup> Shabaz Patel, Hassan Kane & Rayhan Patel. (2023). Building Domain-Specific LLMs Faithful to the Islamic Worldview: Mirage or Technical Possibility?. *arXiv*, 23(12), 1-6. <https://doi.org/10.48550/arXiv.2312.06652>.

<sup>14</sup> Ariyanti Mustapha, Zuraidah Senika Kamaruddin & Sueraya Che Haron. (2025). An Overview of Artificial Intelligence (AI) Issues from the Perspective of Islamic Jurisprudence. *Online Journal of Research in Islamic Studies*, 12(1), 95–114. <https://doi.org/10.22452/ris.vol12no1.6>.

conditions. These dimensions are difficult to automate due to AI's limitations in capturing ethical and spiritual nuances, as well as its vulnerability to hallucination, data bias, and lack of transparency in algorithmic reasoning.<sup>15</sup> These findings are supported by several empirical studies evaluating the use of LLM in *fatwa* and *ijtihad* processes. While these models are sufficiently accurate in factual and extractive tasks, they exhibit significant weaknesses in normative, conceptual, and issues requiring high religious sensitivity.<sup>16</sup>

To map these claims systematically, it is important to weigh the classical criteria for *mujtahid* eligibility, proficiency in Arabic, mastery of the Qur'an and Hadith, mastery of *usūl al-fiqh*, *ijtihādī* experience, and the capacity to read social context, against the technical capabilities of AI. The table below summarises the operational comparison between the criteria for a *mujtahid* (based on *usūl* literature and modern studies) and the actual capabilities of current AI systems. This comparison is not intended to diminish the technical functions of AI, but rather to highlight the epistemological gaps that must be addressed if we are to consider AI outputs as a valid form of *ijtihad*.

**Table 1**  
***Mujtahid* Eligibility Criteria vs AI Capabilities and**  
**Their Epistemological Implications in the *Ijtihad* Process**

Criteria/ Functions of <i>Ijtihad</i>	Classic Standards for <i>Mujtahids</i>	AI Capabilities (NLP/ML) Now	Epistemological Implications
Mastery of Arabic language and textual nuances	In-depth use of grammar, <i>balāgha</i> , and the context of <i>asbab al-wurūd</i>	Text processing; capable of statistics-based parsing and translation, but often weak in rhetoric and rhetorical nuances.	AI assists in <i>nash</i> extraction, but is prone to misinterpretation; expert validation is required.
Mastery of legal sources (Qur'an & Hadith) and <i>sanad</i>	The necessity of understanding <i>sanad</i> , <i>hadith</i> authentication, contextualisation of <i>nash</i>	Can index and link texts, but does not evaluate <i>sanad</i> epistemically	Useful for quick searches, does not replace critical assessment of <i>sanad</i> . <sup>17</sup>
Various	Analogical capacity,	Algorithms	Coding of <i>maqāṣid</i> and

<sup>15</sup> Marryam Yahya Mohammed, Sama Ayman Ali, Salma Khaled Ali, Ayad Abdul Majeed & Ensaf Hussein Mohamed. (2025). Aftina: Enhancing Stability and Preventing Hallucination in AI-Based Islamic Fatwa Generation Using LLMs and RAG. *Neural Comput & Applic.* <https://doi.org/10.1007/s00521-025-11229-y>.

<sup>16</sup> Iqra. (2025). Artificial Intelligence and Ijtihad (A Research Study in the Light of Islamic Teachings). *Scholar Insight Journal*, 3(1), 38-50. <https://scholarinsightjournal.com/index.php/sij/article/view/36>.

<sup>17</sup> Mohamed Hamadikinane Maiga. (2025). Achieving Maqāṣid al-Shari‘ah through Artificial Intelligence: Mechanisms of Facilitation, Control, and Quality Assurance. *Mazahibuna: Jurnal Perbandingan Mazhab*, 54–70. <https://doi.org/10.24252/mazahibuna.vi.55038>.

methodological approaches ( <i>qiyās, istihsān, maslahah</i> )	weighing of <i>maqāṣid</i> , consideration of public interest	mimic analogical patterns; it is difficult to model normative <i>maqāṣid</i> without an explicit value framework	ethical rules is necessary; human-in-the-loop is mandatory. <sup>18</sup>
Contextual sensitivity & moral intuition (' <i>irfānī</i> )	Normative intuition, social experience, spiritual aspects	None-AI has no moral or inner awareness	Human intuition remains irreplaceable; AI is only a tool.
Responsibility and accountability ( <i>dhamān</i> )	The <i>Mufti</i> is responsible for <i>fatwas</i>	Models / developers / technical institutions do not bear spiritual authority	There must be rules for delegation and technical <i>sharia</i> auditing. <sup>19</sup>

**Source:** compiled from various legal sources

A hermeneutic analysis of the epistemic gaps revealed in the previous table demands a clear methodological requirement, namely that AI must be positioned primarily as a *wasīlah* (a tool for *istinbāt*) rather than as an autonomous *ijtihad* agent until there is a consensus among scholars to revise the requirements for *mujtahids*. This position is not merely normative but also practical, as the system design must acknowledge the limitations of the machine's contextual and spiritual understanding, as well as the risks of hallucination and corpus bias.<sup>20</sup>

Policy literature and empirical studies support a human-in-the-loop architecture or 'human-on-appeal' model that places human verification at critical points, namely, *mujtahids* or commissions of scholars who review, correct, and sign off on AI outputs before *fatwas* are published, as a way of combining technical efficiency and scientific/spiritual legitimacy.<sup>21</sup> Hermeneutically, this requirement means designing a layered interpretive pipeline, namely:

- (a) A reliable textual retrieval/extraction layer (RAG + reranker) to counteract hallucination and ensure provenance;

<sup>18</sup> Fauzan Mas'ar. (2024). Artificial Intelligence and Islamic Ethics: A Framework for Ethical AI Development Based on Maqasid Al-Shariah. *International Conference in Artificial Intelligence, Navigation, Engineering and Aviation Technology (ICANEAT)*, 1(1), 521-523.

<sup>19</sup> Mawloud Mohadi & Yasser Tarshany. (2023). Maqasid Al-Shari'ah and the Ethics of Artificial Intelligence: Contemporary Challenges. *Journal of Contemporary Maqasid Studies*, 2(2), 79–102. <https://doi.org/10.52100/jcms.v2i2.107>.

<sup>20</sup> Fatima Ali, Karim Bouzoubaa, Frank Gelli, Boumediene Hamzi & Suhair Khan. (2025). Islamic Ethics and AI: An Evaluation of Existing Approaches to AI using Trusteeship Ethics. *Philos Technol*, 38, 120. <https://doi.org/10.1007/s13347-025-00922-4>.

<sup>21</sup> Muhammad Kamal Ihkam Mukmin Hakim & Mustafa Mat Jubri Shamsuddin. (2024). Maqasid Al-Shariah in the Age of AI: A Critical Examination of ChatGPT Usage Among International Islamic University Malaysia Students. *Online Journal of Research in Islamic Studies*, 11(2), 01–18. <https://doi.org/10.22452/ris.vol11no2.1>.

- (b) A proposal evaluation layer that links algorithmic arguments with fiqh principles (*qiyās, istihsān, maslahah*); and
- (c) A *maqāṣid* verification layer that tests outputs against Sharia objectives (preservation of *dīn, nafs, aql, nasl, māl*) and social fairness checks, all of which must be integrated into objective functions and constraint-based generation so that the model is not merely “textually accurate” but also “normatively appropriate”.<sup>22</sup>

On a practical level, technological hermeneutics encourages the development of interpretative rather than purely technical explainability mechanisms, so that *ijtihādī* reasoning can be examined by scholars,<sup>23</sup> while governance designs must establish technical sharia audits, provenance logging, and remediation protocols in the event of errors or negative social impacts.<sup>24</sup>

Hermeneutics transforms technical and normative gaps into a series of methodological demands: AI as a means supervised and moderated by religious authorities; the integration of *maqāṣid* as an explicit value constraint within the pipeline; and an audit + accountability institution linking technical metrics (precision/recall, hallucination rate, explainability) with *maqāṣid/maslahah* indicators so that AI outputs can be accepted as a valid contribution to the *ijtihad* process, not as its replacement.<sup>25</sup>

The classical Islamic epistemological perspective,<sup>26</sup> the *bayānī* tradition, which emphasizes textual interpretation, linguistic analysis, and clarification of the text, is an area where artificial intelligence (AI), particularly systems such as NLP and LLM, demonstrate relative effectiveness, capable of systematically and consistently extracting, organizing, and presenting the context of Qur'anic verses

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<sup>22</sup> Muhammad Ahsan Hayat, Shayan Ahmed & Syed Arsalan Haider. (2024). The Ethical Implications of Artificial Intelligence in Islamic Jurisprudence: A Comparative Analysis with Western Legal Systems. *Al-Nasr*, 3(3), 85-106. <https://doi.org/10.53762/lnasr.03.03.e07>.

<sup>23</sup> Mohammd Ali G Al Zuraib. (2025). Artificial Intelligence in Islamic Law: A Comparative Jurisprudential and Ethical Study. *International Journal of Environmental Sciences*, 11(2s), 133-135. <https://doi.org/10.64252/tpvscj37>.

<sup>24</sup> Muhammad Iskandar Hamzah, Mohammad Mahyuddin Khalid, Azri Bhari & Ali Miftakhu Rosyad. (2023). Fiqh Robotic for Artificial Intelligent in Humanoids Used for Therapy, Services and Other Social Activities: An Integration of Artificial Intelligence (AI) And Maqasid Shariah. *Journal of Fatwa Management and Research*, 28(2), 1-13. <https://doi.org/10.33102/jfatwa.vol28no2.527>.

<sup>25</sup> Mawloud Mohadi & Yasser Tarshany. (2023). Maqasid Al-Shari'ah and the Ethics of Artificial Intelligence: Contemporary Challenges. *Journal of Contemporary Maqasid Studies*, 2(2), 79-102. <https://doi.org/10.52100/jcms.v2i2.107>.

<sup>26</sup> Shabaz Patel, Hassan Kane & Rayhan Patel. (2023). Building Domain-Specific LLMs Faithful to the Islamic Worldview: Mirage or Technical Possibility?. *arXiv*, 23(12), 1-6. <https://doi.org/10.48550/arXiv.2312.06652>.

or *hadith* texts. In the *burhānī* domain, which involves logical reasoning and argumentative causality, AI also offers potential through pattern recognition and statistical inference to assist in the process of analogy (*qiyās*) and the collection of precedents, although its strength is limited to cases structured within historical data and less adaptive to normative nuances.<sup>27</sup> However, AI appears unable to reach the '*irfānī* domain (the dimension of inner knowledge, wisdom (*hikmah*), spiritual intuition, and ethical understanding that form the spiritual legitimacy of *fatwas*), as this domain requires reflective awareness, moral commitment, and direct experience that far exceed algorithmic capabilities.<sup>28</sup>

Claims that AI outputs can be categorized as "*ijtihad*" in their entirety must be treated with epistemological caution. A more realistic approach is to position the function of AI as assistive *ijtihad* or *ijtihad-mutawwirah*, which is a form of *ijtihad* that is mediated and enhanced by technology, so that AI acts as a tool that strengthens, rather than replaces, the role of human *mujtahids*.<sup>29</sup> This model aligns with the consensus of contemporary scholars supporting the use of AI under human supervision (human-in-the-loop), especially when empirical studies show that when LLMs are tested on concrete *fiqh* cases (e.g., inheritance distribution or modern *muamalah* practices), their outputs often violate *fiqh* principles or generate options requiring critical evaluation and correction by scholars.<sup>30</sup>

## **Ethical Implications and Challenges to Spiritual Authority and Fatwa Institutions**

Advances in Artificial Intelligence (AI) technology, particularly through Natural Language Processing (NLP) and Large Language Models (LLM), have enabled the automatic, instant, and scalable search and compilation of religious

<sup>27</sup> Siti Fatahiyah Mahamood, Amily Fikry, Muhammad Iskandar Hamzah, Mohammad Mahyuddin Khalid, Azri Bhari & Ali Miftakhu Rosyad. (2023). Fiqh Robotic for Artificial Intelligent in Humanoids Used for Therapy, Services And Other Social Activities: An Integration of Artificial Intelligence (Ai) And Maqasid Shariah. *Journal of Fatwa Management and Research*, 28(2), 1-13. <https://doi.org/10.33102/jfatwa.vol28no2.527>.

<sup>28</sup> Abdul Halim. (2024). Implementasi Kecerdasan Buatan dalam Ijtihad Kontemporer: Peluang dan Tantangan Hukum Islam di Era 5.0. *SCHOLASTICA: Jurnal Pendidikan Dan Kebudayaan*, 6(2), 75-83. <https://jurnal.stitnualhikmah.ac.id/index.php/scholastica/article/view/2758>.

<sup>29</sup> Mirismoil Usmonov. (2025). From Human Scholars to AI Fatwas: Media, Ethics, and the Limits of AI in Islamic Religious Communication. *Al-i'lam - Journal of Contemporary Islamic Communication and Media*, 5(1), 61-80. <https://doi.org/10.33102/jcicom.vol5no1.125>.

<sup>30</sup> Siti Fatahiyah Mahamood, Amily Fikry, Muhammad Iskandar Hamzah, Mohammad Mahyuddin Khalid, Azri Bhari & Ali Miftakhu Rosyad. (2023). Fiqh Robotic for Artificial Intelligent in Humanoids Used for Therapy, Services and Other Social Activities: An Integration of Artificial Intelligence (AI) And Maqasid Shariah. *Journal of Fatwa Management and Research*, 28(2), 1-13. <https://doi.org/10.33102/jfatwa.vol28no2.527>.

answers (fatwas). Such systems are beginning to functionally mimic the role of *mujtahids*, namely scholars who are epistemologically qualified to perform *ijtihad*.<sup>31</sup> However, unlike human *mujtahids* who undergo a lengthy scholarly process and social validation (*ijtihad-bil-jamā'ah* or institutional *ijtihad*), AI models do not undergo such a process.<sup>32</sup> This is where the gap in delegitimization lies, threatening the authority of traditional *fatwas*.

The concept of disintermediation, which refers to the elimination of intermediaries in accessing authoritative sources, is becoming increasingly evident. Whereas previously people relied on religious scholars or official institutions such as the Indonesian Ulema Council (MUI), they can now type their questions into websites, apps, or LLM-based chatbots (e.g., ChatGPT, FatwaBot) and receive responses that “sound Islamic”.<sup>33</sup> These digital fatwas lack scholarly authority, yet they are widely consumed due to their accessibility and convenience, not because of their epistemic authority.<sup>34</sup> This phenomenon creates an illusion of religious authority, where the ability to answer questions is equated with the authority to issue *fatwas*. This equates AI's representation of knowledge with *ijtihad*, whereas, according to Islamic law, the requirements for *ijtihad* include knowledge of *usul al-fiqh*, the Quran, *hadith*, *maqasid al-shari'ah*, and social reality ('urf), which cannot be mastered by machines without human guidance.<sup>35</sup>

The high availability of digital fatwas from various authorities and schools of thought has led to the emergence of the phenomena of “*fatwa shopping*” and “*inter-madhab surfing*”. AI users often take snippets of opinions from various schools of thought and then match them with their personal desires or

<sup>31</sup> Zahra Khalila, Arbi Haza Nasution, Winda Monika, Aytug Onan, Yohei Murakami, Yasir Bin Ismail Radi, Noor Mohammad Osmani. (2025). Investigating Retrieval-Augmented Generation in Quranic Studies: A Study of 13 Open-Source Large Language Models. *International Journal of Advanced Computer Science and Applications (IJACSA)*, 16(2), 1361-1371. <https://doi.org/10.14569/IJACSA.2025.01602134>.

<sup>32</sup> Muhammad Haziq Nor Jamal & Mohamad Zaharuddin Zakaria. (2023). Shariah Guideline on Artificial Intelligence (AI) in Fatwa Issuance. *Salam Digest: Syariah and Law Undergraduate Symposium*, 1(1), 61–70. <https://salam.usim.edu.my/index.php/salamdigest/article/view/144>.

<sup>33</sup> Siti Fadilla & Putri Isma Indriyani (2025). When Algorithms Shape Trust: The Capitalist Transformation of Digital Islamic Da'wah in Indonesia. *Surau Journal of Islamic Studies*, 1(2), 86–103. <https://doi.org/10.63919/surau.v1i2.34>.

<sup>34</sup> Lukman Hakim & Muhamad Risqil Azizi. (2023). Otoritas Fatwa Keagamaan dalam Konteks Era Kecerdasan Buatan (Artificial Intelligence/AI). *Ar-Risalah Media Keislaman Pendidikan dan Hukum Islam*, 21(2), 164-174. <https://doi.org/10.69552/ar-risalah.v21i2.2101>.

<sup>35</sup> Khader I Alkhouri. (2025). Spiritual Confusion in the Era of Artificial Intelligence: a Psychology of Religion Perspective. *International Review of Psychiatry*, 1–14. <https://doi.org/10.1080/09540261.2025.2488761>.

preferences.<sup>36</sup> LLM, because it is trained from cross-traditional sources, tends to present mixed, syncretic, or non-specific answers to a particular school of thought, unless explicitly directed.<sup>37</sup> This results in fatwas losing their social, *madhhab*-specific, and even spiritual dimensions, as these opinions do not stem from *ijtihad muqayyad* (tradition-bound *ijtihad*) but from ahistorical and context-free pattern recognition.

*Fatwas* are not merely legal information, but the result of a spiritual, social, and epistemological process that involves the moral responsibility of scholars towards the community.<sup>38</sup> When AI generates fatwas, it does not bear any *taklif syar'i* or *dhamān* (moral responsibility) for the legal implications. This leads to a transformation of the value of fatwas from normative guidance to consumable content.<sup>39</sup> The transition of fatwas to digital media tends to diminish their epistemic authority and increase their entertainment or fast consumption function.<sup>40</sup>

**Table 2**  
**Illustration of the Dynamics of Authority Shifts**

Aspects	Traditional <i>Fatwa</i>	Digital <i>Fatwa</i> via AI
Authority	Scholars with scientific <i>sanad</i> and validation	Algorithms without epistemic validation
Credibility	Built on reputation, knowledge, and recognition	Determined by platform popularity & SEO ranking
Method	<i>Ijtihad</i> with <i>maqāṣid</i> , <i>qiyās</i> , <i>'urf</i> , etc.	Pattern recognition from corpus data
Accountability	There are moral, spiritual, and social dimensions	None: AI cannot bear responsibility
User response	Submission out of respect and trust	Selection according to preference ( <i>fatwa shopping</i> )

**Source:** compiled from various legal sources

<sup>36</sup> Shaheen Whyte. (2022). Are Fatwas Dispensable? Examining the Contemporary Relevance and Authority of Fatwas in Australia. *Oxford Journal of Law and Religion*, 11(2-3), 314-342. <https://doi.org/10.1093/ojlr/rwac015>

<sup>37</sup> Muhammad Irfan Wahid. (2020). Rumah Fiqih Indonesia: Challenging the Fatwa Shopping. *Misykat Al-Anwar: Jurnal Kajian Islam dan Masyarakat*, 3(1), 35-50. <https://doi.org/10.24853/ma.3.1.35-50>.

<sup>38</sup> Mirismoil Usmonov. (2025). From Human Scholars to AI Fatwas: Media, Ethics, and the Limits of AI in Islamic Religious Communication. *Al-i'lam - Journal of Contemporary Islamic Communication and Media*, 5(1), 61-80. <https://doi.org/10.33102/jcicom.vol5no1.125>.

<sup>39</sup> Ridwan Malik, Abdul Malik & Mega Mustika. (2024). Artificial Intelligence and Islamic Law: Ethical Implications and Fiqh Fatwas in the Digital Age. *Journal of Family Law and Islamic Court*, 3(2), 128-143. <https://doi.org/10.26618/flic.v3i2.16546>.

<sup>40</sup> Arief Rachman, Theguh Saumantri & Taufiq Hidayatulloh. (2025). Transformation of religious authority in the digital era: A post-normal times analysis by Ziauddin Sardar on the phenomenon of social media da'wah. *Jurnal Ilmu Dakwah*, 45(1), 107-122. <https://doi.org/10.21580/jid.v45.1.25644>.

The emergence of digital *fatwas*, which are published quickly and widely through AI technology and social media, has led to the fragmentation of religious authority.<sup>41</sup> *Fatwas*, which were once the product of a collective *ijtihad* process involving expert scholars, deliberations by official fatwa institutions, and methodological testing, can now be published individually by anyone with access to technology and a basic understanding of religion.<sup>42</sup> The trend toward debureaucratisation and depersonalisation in fatwa practice has led to many fatwas being produced at the local or personal level, yet claimed to have national legitimacy without formal recognition from central institutions.<sup>43</sup> In this context, authority is no longer determined by scholarly lineage and institutional structure, but by digital visibility namely that is, how viral, engaging, or authoritative a figure is in the media space.

This shift in authority also reflects a shift from scientific legitimacy to charismatic-popular legitimacy. Religious figures on social media who possess rhetorical skills and aesthetic presentation abilities, despite often lacking deep *fiqh* expertise, are now trusted by some members of the community more than formal *ulama* who speak within the framework of classical methodology.<sup>44</sup> In this context, fatwas are no longer positioned as the result of *ijtihad* that has undergone the mechanisms of *sanad* and scholarly qualifications, but rather as content consumed according to personal preferences. This disruption weakens the authoritative structure of classical Islam, opening space for “pseudo-muftis” and AI actors to operate without epistemic accountability.<sup>45</sup> As a result, cohesion within Islamic legal authority becomes strained, leading to contradictions in *fatwas* and confusion in religious practice.

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<sup>41</sup> Eko Saputro & Fadhli (2020). Media Baru, Fragmentasi Dan Kontestasi Otoritas Keagamaan Di Aceh: Dari Ulama Lokal Ke Ustaz. *Jurnal Lektor Keagamaan*, 18(2), 429-462. <https://doi.org/10.31291/jlka.v18i2.806>.

<sup>42</sup> Abdelhalim Mohamed Mansour Ali & Muhammad Ahmad Ibrahim Aljahsh. (2025). The Proliferation of Anomalous Digital Fatwas: A Critical Examination of Jurisprudential Challenges and Societal Impacts in the Digital Age. *Ahkam*, 25(1), 37-52. <https://doi.org/10.15408/ajis.v25i1.37905>.

<sup>43</sup> Ahmad Suaedy, Fariz Alnizar, Juri Ardiantoro & Said Aqil Siroj. (2023). Language, Authority, and Digital Media: The Impact on the Legitimacy of Fatwas. *Ahkam*, 23(1), 1-24. <https://doi.org/10.15408/ajis.v23i1.28875>.

<sup>44</sup> Aulia Karimatul Ma'rifat. (2025). Fenomena Influencer Muslim dan Otoritas Penafsiran Al-Qur'an di Era Digital: Kajian atas Pergeseran Otoritas Keagamaan di Media Sosial. *Jurnal Pusaka: Media Kajian dan Pemikiran Islam*, 15(1), 52-61. <https://doi.org/10.35897/ps.v15i1.1965>.

<sup>45</sup> Fahim Khasani. (2022). Fatwa Phenomenon in the Digital Age: From Concept Analysis to Problem Solving. *Al-Adalah: Jurnal Syariah dan Hukum Islam*, 7(1), 70-87. <https://doi.org/10.31538/adlh.v7i1.1755>.

This fragmentation has a direct impact on the level of trust that people have in religious authorities, especially in the context of fatwas issued by non-human entities.<sup>46</sup> A recent survey by the MDPI journal shows that 96.3% of Muslim respondents reject *fatwas* issued by computers, and 92.7% say that knowing who (human or machine) issued the fatwa is very important. This distrust is exacerbated by concerns about technologies such as deepfakes, hallucinated content, and AI hallucinations, where AI systems can generate “*Islamic-sounding*” answers that are not based on valid *fiqh* principles.<sup>47</sup> Without oversight by religious scholars or a value-based audit system rooted in the *maqāṣid al-shari‘ah*, digital institutions risk losing spiritual credibility and failing to fulfil the primary function of *fatwas* as tools for guidance, rather than merely information providers.

**Table 3**  
**Summary of Challenges and Mitigation Strategies**

<b>Ethical Challenges &amp; Authority</b>	<b>Risks &amp; Impacts</b>	<b>Mitigation Strategies with Maqasid &amp; Governance</b>
Delegitimisation of traditional scholars & fatwas	Loss of legitimacy; quick but unreliable fatwas	AI as an assistant, not a publisher; validation by scholars
Fragmentation of fatwa authority	Inconsistency of fatwas; confusion among the faithful	Collective system, integration of central institutions
Decline in public trust	Scepticism towards AI fatwas; fear of fake content	Transparency; maqāṣid-based auditing & accountability
Risk of losing spiritual and moral values	Fatwa losing the dimension of wisdom and ethics	Integration of maqāṣid as an explicit value constraint

**Source:** compiled from various legal sources

The development of AI in the field of Islamic law must be placed within a framework that not only prioritises technical efficiency but also maintains spiritual and moral integrity. *Maqāṣid al-Shari‘ah* must be made an explicit foundation in the design and supervision of AI systems used to generate fatwas. Principles such as *maslahah* (public welfare), *qiyās* (analogy), and *dhamān* (moral accountability) must be incorporated as part of the value constraints in the AI pipeline to ensure that its output does not deviate from the *maqāṣid* framework.<sup>48</sup>

<sup>46</sup> Imam Hidayat & Muhammad Hamid Samiaji. (2025). Shifting the Way the Public Forms Religious Understanding in the Era of Digital Disruption. *Jurnal Nusantara Raya*, 4(1), 19–30. <https://doi.org/10.24090/jnr.v4i1.14254>.

<sup>47</sup> Hasan Latifi. (2024). Challenges of Using Artificial Intelligence in the Process of Shi‘i Ijtihad. *Religions*, 15(5), 541. <https://doi.org/10.3390/rel15050541>.

<sup>48</sup> Aqila Azka Halmar Muhammad Yasir, Garnis Nindya Pradipta, Irma Suryani Pohan, Muhammad Jibril, Risyda Johannisa Utami. (2025). Etika Islam terhadap Kecerdasan Buatan: Telaah Prinsip Moral dan Pendekatan Maqashid Syariah. *Madani: Jurnal Ilmiah Multidisiplin*, 3(6), 511-518. <https://doi.org/10.5281/zenodo.16042018>.

With this approach, AI functions not as a substitute for *ijtihad*, but as an epistemic partner bound by ethical and normative constraints.

To maintain scientific authority and *maqāṣid* values, it is necessary to develop a hybrid *fatwa* model that combines the computational power of AI with the epistemic and spiritual oversight of scholars.<sup>49</sup> In this model, AI can be used as a research tool to collect legal precedents, extract arguments from classical texts, or construct fiqh argument structures. However, the final decision remains in the hands of the mufti or human fatwa institution. This integration must be complemented by an audit institution that bridges technical metrics (such as precision, explainability, and hallucination rate) with *maqāṣid* and *maslahat* indicators.<sup>50</sup> This approach avoids technological absolutism and affirms that AI remains a *wasīlah* (tool), not a *ḥākim* (legal authority).

Within the framework of *maqāṣid al-Shari‘ah*, justice ('adl), prudence (*ihtiyāt*), and social accountability must be part of the design of AI systems in the fatwa space. Fatwa institutions are not only required to master technology but also to establish ethical validation procedures, whether through training *muftis* in AI or developing a governance framework that integrates digital aspects, *fiqh*, and public welfare. This model aligns with the principle of *ijtihād jamā‘ī* (collective *ijtihad*), where technology does not diminish the moral responsibility of scholars but expands their capacity to address the complexities of the times. Integrating *maqāṣid* as the final testing standard for all forms of AI output will prevent legal manipulation while ensuring that fatwas remain spiritual guidance instruments, not algorithmic products devoid of values.

## CONCLUSION

The final results of this study indicate that the use of AI in the context of *ijtihad* can only be positioned as an assistive tool (assistive *ijtihad*), not a replacement for *mujtahids*. Although AI is effective in extracting evidence and constructing data-based arguments, it lacks moral awareness and does not meet the epistemic requirements of the *usūl al-fiqh* tradition or the *maqāṣid al-shari‘ah*. Therefore, the validity of Islamic law still requires verification by humans who have scientific authority and spiritual responsibility. Digital *fatwas* produced without the supervision of scholars trigger fragmentation of authority and a

<sup>49</sup> Muji & Salsabila Khairunnisa. (2024). Kecerdasan Buatan Dan Fatwa Ijma: Perspektif Islam Terhadap Inovasi Modern. *Afkaruna: International Journal of Islamic Studies (AIJIS)*, 2(1), 48-55. <https://doi.org/10.38073/aijis.v2i1.1902>.

<sup>50</sup> Mukhlis Lubis, Tajul Arifin, Ahmad Hasan Ridwan, Zulbaidah. (2024). Integrating Artificial Intelligence and Maqāṣid al-Syārī‘ah: Revolutionizing Indonesia’s Sharia Online Trading System. *Computer Fraud and Security*, 11, 301-309. <https://doi.org/10.52710/cfs.238>.

crisis of public trust. The emergence of the phenomenon of “*fatwa shopping*” and the role of non-scholarly figures in digital media reinforce this disruption. Recent surveys indicate that the majority of the Muslim community rejects *fatwas* from AI without human involvement, underscoring the importance of human-in-the-loop models and *maqāṣid* audits to maintain sharia authority. This study offers a new approach, namely the integration of *maqāṣid al-shari‘ah* as an ethical constraint in the AI pipeline, not just supporting values; a hybrid digital fatwa model that combines AI as a research facilitator with the authority of scholars as the final validator; and a Sharia value audit framework that bridges the gap between AI technical metrics (accuracy, explainability) and Islamic normative indicators (*maslahah*, moral responsibility). This model provides a conceptual contribution to building a legitimate, ethical, and responsible digital fatwa ecosystem amid technological advancements.

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