

Artificial Intelligence in Islamic Law: A Comparative Jurisprudential and Ethical Study

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Abstract: *This study explores the rapidly evolving field of Artificial Intelligence (AI) through the lens of Islamic jurisprudence and ethics. AI now plays a central role in sensitive areas such as healthcare, law, education, and security. This raises critical ethical and legal questions regarding moral responsibility, automation, human dignity, and privacy. The research aims to establish an Islamic ethical framework for understanding and regulating AI, drawing on Shariah maxims such as no harm (lā ḍarar), intention, human dignity, and public interest.*

Keywords: Artificial Intelligence, Islamic Law, Ethics, Automation, Shariah, Responsibility, Privacy, Governance

INTRODUCTION

Artificial Intelligence represents one of the most transformative technologies of our time. From automating decision-making processes to shaping public policy, AI raises critical questions that extend beyond engineering into the moral and religious spheres. Islamic law, known for its dynamic principles and holistic view of human dignity, offers a framework for critically assessing these innovations. This paper explores AI through Islamic legal and ethical paradigms.

CHAPTER ONE: UNDERSTANDING AI AND ITS CONTEMPORARY APPLICATIONS

AI refers to the simulation of human intelligence in machines capable of learning, reasoning, and decision-making. Applications include digital assistants, autonomous vehicles, diagnostic tools, chatbots, recommendation engines, and facial recognition systems. As AI becomes increasingly embedded in society, the need for an Islamic ethical evaluation becomes urgent.

CHAPTER TWO: LEGAL AND ETHICAL RESPONSIBILITY IN AI USE

Islamic law places strong emphasis on moral accountability. Who is responsible when AI causes harm? Classical fiqh distinguishes between direct and indirect causality. In AI, responsibility may fall on developers, operators, or users depending on the level of agency and oversight involved. Shariah principles such as “the direct actor is liable” (al-mubāshir ḍāmin) and “harm must be removed” (al-ḍarar yuzāl) apply.

CHAPTER THREE: AI ETHICS AND DIGITAL PRIVACY IN ISLAMIC PERSPECTIVE

Islam places great importance on protecting individual dignity and confidentiality. AI introduces new threats to privacy, especially in mass surveillance, profiling, and predictive policing. Unregulated data extraction may amount to digital backbiting (ghībah) or unjust spying (tajassus), both forbidden in the Qur'an. Ethical AI must safeguard privacy under principles of necessity and consent.

CHAPTER FOUR: AI IN SENSITIVE SECTORS – LEGAL AND ETHICAL BOUNDARIES

AI is increasingly being used in sensitive sectors that affect fundamental rights and public trust. These include judiciary automation, healthcare diagnostics, autonomous weapons, and educational systems. Islamic jurisprudence emphasizes human oversight, moral intention, and justice. This chapter expands on AI applications in the following areas:

4.1 AI in Fatwa and Judiciary

Islamic verdicts require deep contextual knowledge and maqāṣid analysis, which machines cannot fully replicate. AI may assist muftis or judges but cannot replace human ijtihād. The use of AI for legal

decisions must be monitored and remain advisory.

4.2 AI in Healthcare

AI-based diagnostics must remain under physician supervision. Liability for misdiagnosis lies with the medical professional. While AI aids efficiency, Islamic ethics mandates due diligence, informed consent, and preservation of life.

4.3 AI in Security and Warfare

Autonomous weapons pose grave concerns. Shariah prohibits indiscriminate violence and mandates intention (niyyah) and human oversight. Lethal AI without human control contravenes Islamic rules of warfare and justice.

4.4 AI in Education and Preaching (Da'wah)

AI tools in education and Islamic da'wah—such as chatbots for fatwas or avatars for lectures—must be designed with accuracy, integrity, and supervision. They may enhance access but cannot replace scholarly rigor.

CONCLUSION AND RECOMMENDATIONS

The research concludes that AI, while powerful, must be governed by ethical and religious boundaries. Islamic jurisprudence provides adaptable tools for addressing AI challenges. It is recommended that specialized Shariah-tech ethics councils be formed to oversee AI developments, and that legal codes be updated to define accountability in AI use.

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