

The Methodological Construction of Artificial Intelligence-Based Ijtihad in the Determination of Islamic Law: Perspectives of Uṣūl Al-Fiqh and Maqāṣid Al-Syarī'Ah in the Digital Era

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ABSTRACT

The development of artificial intelligence (AI), particularly generative AI and large language models, has presented both opportunities and epistemological challenges in the determination of Islamic law. AI systems are capable of rapidly traversing literature, classifying texts, comparing jurisprudential (fiqh) opinions, and generating legal arguments; however, they lack the scholarly authority, moral consciousness, comprehensive contextual understanding, and syar'i responsibility inherent to a human mujtahid. This study employs library research, analyzing relevant books, scientific journal articles, and academic publications concerning uṣūl al-fiqh, maqāṣid al-syarī'ah, artificial intelligence, AI ethics, and digital legal reasoning. The findings indicate that the methodological construction of AI-based ijtihad is most appropriately positioned as AI-assisted ijtihad, rather than autonomous ijtihad. AI can effectively function during the stages of retrieving textual evidence (dalil), mapping jurisprudential opinions, analyzing linguistics, identifying argumentative patterns, and testing logical consistency. Conversely, the ultimate determination of law still necessitates an authoritative mujtahid or fatwa institution. The perspective of maqāṣid al-syarī'ah serves as an evaluative layer to ensure that the utilization of AI preserves religion, life, intellect, lineage, wealth, human dignity, justice, and public interest (maslahah). In conclusion, the methodology for AI-based ijtihad must be constructed through a human-in-the-loop model, source verification, algorithmic auditing, transparency, and accountability. Its implementation should be directed toward an Islamic legal decision support system that assists scholars without supplanting human authority.

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1. INTRODUCTION

Digital transformation has fundamentally altered the mechanisms through which human knowledge is acquired, processed, produced, and disseminated. Artificial intelligence (AI) has emerged as an exceptionally significant technology in this regard, characterized by its proficiency in natural language processing, information retrieval, data classification, pattern recognition, and the generation of human-like communicative responses. The proliferation of large language models (LLMs) now enables the public to solicit and receive religious explanations exclusively through interactions with digital interfaces. This paradigm shift engenders profound epistemological consequences; religious knowledge traditionally transmitted via sacred texts, pedagogues, scholars (ulama), and established religious institutions can now be accessed through algorithmic systems that frequently fail to provide adequate transparency regarding their source materials and inferential reasoning (Reed, 2021).

Within the framework of Islamic jurisprudence, these technological transformations carry a more intricate significance, as the formulation of legal rulings transcends mere information retrieval. Ijtihad constitutes a rigorous intellectual endeavor that bridges normative textual sources with contemporary realities via a complex system of methodological principles. Consequently, an AI's computational capacity to locate Quranic verses, prophetic traditions (hadith), juristic opinions (fuqaha), or religious edicts (fatwa) does not inherently qualify the system as a mujtahid. The fundamental crux of the issue lies in the dichotomy between the computational ability to process data and the epistemological acumen required to comprehend the authoritative weight of legal evidence, contextual nuances, the overarching objectives of Islamic law (maqasid al-shari'ah), degrees of public interest (maslahah), and the moral ramifications of a given ruling. Contemporary scholarship concerning AI and Islamic ethics indicates that while the principles of Islamic legal theory (uṣūl al-fiqh) can supply a normative framework for navigating AI-related challenges, their practical application remains inextricably dependent upon human cognitive reasoning (Elmahjub, 2023).

This issue has assumed critical importance following the advent of generative AI, which possesses the capability to generate legal responses with seemingly plausible argumentative structures. Language models can construct answers incorporating Arabic terminology, Quranic verses, Hadith, jurisprudential maxims, and scholarly opinions. Consequently, non-expert users may find it challenging to distinguish between arguments genuinely derived from authoritative literature and those generated probabilistically. Research on large language models indicates that advanced linguistic proficiency does not necessarily equate to factual accuracy, as these systems are prone to producing erroneous information or fabricating non-existent references. Within the context of Islamic law, this matter is particularly sensitive, given that misinformation can precipitate fundamental errors in comprehending the legal statuses of halal, haram, wajib, sunnah, makruh, or mubah (Azamfirei et al., 2023).

Conversely, technological advancement should not be exclusively perceived as a threat to the Islamic legal tradition. Artificial intelligence possesses substantial potential to facilitate jurisprudential (fiqh) research when utilized in an appropriate capacity. Computational systems can assist scholars in navigating extensive volumes of literature, identifying terminological correlations, comparing perspectives across various schools of thought, tracing the historical trajectory of fatwas, categorizing legal evidence, and discerning connections between contemporary issues and cases previously examined by classical jurists (fuqaha). Studies concerning the efficacy of large language models in legal analysis demonstrate that these systems exhibit specific competencies in processing legal materials, particularly when supplied with accurate legal sources and sufficient context, even though their current performance cannot yet be equated with human professional expertise (Katz et al., 2024).

Within the tradition of uṣūl al-fiqh (Islamic jurisprudence), the methodology for formulating legal rulings is founded upon an epistemological framework that delineates between legal sources, deductive methods (istinbāt), the qualifications of the jurist (mujtahid), and overarching legal objectives. Methodological reform does not necessitate the abandonment of this foundational structure; rather, it entails the recalibration of its auxiliary instruments in response to an evolving epistemic landscape. Contemporary analyses of Islamic legal methodology demonstrate that uṣūl al-fiqh possesses the

adaptive capacity to integrate novel information. This is achieved through the advancement of hermeneutics, the application of contextual reasoning, and the critical reassessment of jurisprudential verdicts in light of newly discovered facts or knowledge paradigms. Consequently, Artificial Intelligence (AI) can be conceptualized as a novel instrument that must be situated within an established methodological architecture one that is already governed by entrenched principles of validation and epistemic authority (Kazemi-Moussavi & Mavani, 2023).

An equally critical dimension is *maqāṣid al-syarī'ah* (the higher objectives of Islamic law). The determination of Islamic legal rulings transcends the mere formal alignment of an action with textual sources; it is intrinsically tied to the teleological aims of the Sharia and the promotion of human welfare (*maslahah*). Employing a systems approach to *maqāṣid* utilizes these legal objectives as an analytical tool to comprehensively decipher the interrelations among various facets of a given issue. Within the context of AI, such an approach facilitates a rigorous evaluation of algorithmic impacts on the core protected values: religion, life, intellect, lineage, property, human dignity, privacy, justice, and broader social utility. Therefore, *maqāṣid* serves as an essential evaluative stratum to determine whether the integration of technology within legal procedures authentically generates public benefit or inadvertently engenders new forms of harm (*mafsadah*) (Auda, 2022).

A subsequent issue to consider is that of authority. Within the tradition of fatwa, authority is constructed not merely through the ability to provide answers, but rather through scholarly capacity, integrity, accountability, and the relational dynamic between the mufti and the community. Although Artificial Intelligence (AI) can generate responses in mere seconds, it inherently lacks the moral responsibility possessed by human beings. Studies concerning AI ethics from an Islamic perspective emphasize that AI systems must be situated within a value framework that preserves human accountability, justice, dignity, and public welfare. Consequently, the application of AI in Islamic law cannot rely solely on the enhancement of technical accuracy; it necessitates an institutional design that ensures human accountability for all final decisions (Raquib et al., 2022).

Furthermore, the expanding use of AI in *ijtihad* introduces specific complications, including data bias, hallucination, a lack of transparency, overreliance on secondary sources, textual misinterpretation, and an inability to comprehend socio-cultural nuances. Specialized research on the integration of AI within the *ijtihad* process indicates that these challenges encompass source accessibility, privacy, hallucination, bias, explainability, accountability, authority, trust, and public acceptance. Therefore, AI is not yet qualified to serve as an independent practitioner of *ijtihad*, though it holds the potential to function as a supplementary instrument provided that robust oversight mechanisms are implemented (Latifi, 2024).

Within the Indonesian context, the necessity for such a framework becomes increasingly pertinent, as the Muslim populace is growing accustomed to utilizing digital technologies to access religious information. The underlying challenge extends beyond mere technological capability; it involves the harmonization of digital innovation with religious values, human rights, privacy, justice, and dignity. Research on the harmonization of AI in Indonesia suggests that the deployment of AI must be governed by regulatory and ethical frameworks that integrate Islamic values, particularly when such technologies exert a significant influence on human life and decisions concerning the public interest (Mufidah et al., 2024).

The primary problem addressed in this research is the absence of a methodology that systematically integrates the computational capabilities of artificial intelligence (AI) with the epistemological structure of *uṣūl al-fiqh* and the orientation of *maqāṣid al-syarī'ah*. Current literature predominantly approaches AI through an ethical lens, treats *maqāṣid* merely as normative principles, or focuses on evaluating the proficiency of chatbots in generating religious responses. Consequently, a significant research gap exists regarding the need to develop a methodological construct that explicitly defines AI's role within the stages of *ijtihad*, its operational boundaries, mechanisms for evidence (*dalil*) verification, the role of the *mujtahid*, and the evaluation framework for *maqāṣid*. The urgency of this study is driven by the widespread public utilization of AI, which has outpaced the establishment of a robust, AI-integrated Islamic legal

methodology. Therefore, this research aims to construct a conceptual model for AI-assisted *ijtihād*, positioning AI strictly as an analytical tool, while ensuring that the authority for *istinbāt*, the assessment of *maqāṣid*, and final legal determinations remain vested in competent and legitimate human scholars or authoritative religious institutions.

2. METHODS

This study utilizes a qualitative approach, specifically adopting a library research design. This method was selected because the core subjects of inquiry methodological constructs, the principles of *uṣūl al-fiqh* and *maqāṣid al-syarī'ah*, artificial intelligence, algorithmic ethics, and legal reasoning can be comprehensively analyzed through existing written sources. Rather than conducting empirical experiments on a singular AI system, this research formulates conceptual arguments by synthesizing a diverse range of academic literature. The research design is structured to identify core concepts, compare varying perspectives, interpret interconceptual relationships, and ultimately develop a methodological construct applicable as a framework for AI-assisted *ijtihād*. This approach corresponds with the fundamental nature of qualitative research, which emphasizes interpretation, contextual analysis, literature review, and the construction of meaning as vital elements of rigorous scientific inquiry (Creswell & Creswell, 2023).

The research data sources comprise academic books, national and international scientific journal articles, as well as research reports or publications related to artificial intelligence (AI), law, ethics, *uṣūl al-fiqh*, *ijtihād*, *maqāṣid al-syarī'ah*, and algorithmic governance. Conceptual primary sources are derived from contemporary literature on *uṣūl al-fiqh* and *maqāṣid*, whereas secondary sources are utilized to enrich the examination of AI developments and legal reasoning. The selection of sources is conducted by evaluating their relevance, the reputation of the publisher or journal, the year of publication, the availability of a DOI for journal articles, and online traceability. Literature lacking definitive bibliographic identification or verifiable origins is excluded from serving as the foundation for the research argumentation (Setyosari, 2021).

Data collection is executed through systematic documentation and literature retrieval. The researcher identified specific keywords, including artificial intelligence, generative AI, large language models, Islamic law, Islamic jurisprudence, *ijtihād*, *uṣūl al-fiqh*, *maqāṣid al-syarī'ah*, fatwa, algorithmic governance, AI ethics, and legal reasoning. The acquired literature is subsequently reviewed selectively based on its relevance to the research problem. The collected data encompasses not merely the conclusions of previous studies, but also concepts, definitions, arguments, limitations, methodologies, and findings instrumental in establishing the correlation between AI and the process of legal *istinbāt*. The data organization process is implemented progressively to ensure that the bibliographic materials transcend a mere compilation of citations, thereby transforming into a robust basis for the research argumentation (Sugiyono, 2022).

The data analysis techniques employed in this study encompass qualitative content analysis, thematic analysis, conceptual comparison, and interpretive synthesis. The analytical process commences with the identification of informational units pertaining to the role of artificial intelligence (AI) in the retrieval and processing of legal sources, the characteristics of *ijtihād*, the prerequisites for a *mujtahid*, *maqāṣid*, algorithmic risks, fatwa authority, and mechanisms of human oversight. Subsequently, the data are coded into overarching themes to facilitate the examination of the relationship between technology and legal methodology. The subsequent phase involves a comparative analysis between the principles of *uṣūl al-fiqh* and AI governance frameworks. These comparative findings are then synthesized into a methodological model that delineates the function of AI as an auxiliary tool from the human role as the bearer of legal authority. The coding and thematic development processes are executed systematically to ensure that interpretations remain precisely traceable from the primary data sources to the final conclusions (Saldaña, 2021).

Data validity is established through source triangulation, cross-literary examination, conceptual consistency, and bibliographic verification. Source triangulation is conducted by juxtaposing texts on *uṣūl*

al-fiqh, literature concerning maqāṣid, AI research, and studies focusing on algorithmic ethics and governance. Cross-examination is imperative, as the intersection of AI and Islamic law bridges two distinct academic traditions characterized by divergent terminologies and epistemological assumptions. Every principal argument is rigorously verified against pertinent sources to preclude conceptual oversimplification or the decontextualized application of references. Furthermore, interpretive validity is preserved by establishing a clear demarcation among literature findings, the researcher's interpretations, and the conceptual model formulated within the study. In qualitative research, validity is contingent not merely upon the volume of sources, but rather on the consistency of the interpretive process and the researcher's capacity to elucidate the nexus between the data and the drawn conclusions (Sugiyono, 2022).

3. FINDINGS AND DISCUSSION

3.1. *The Epistemological Position of Artificial Intelligence within the Framework of Ijtihad and Uṣūl al-Fiqh*

Research findings indicate that the role of artificial intelligence (AI) in ijtihad must be rigorously distinguished between acting as an ancillary reasoning tool and functioning as a subject endowed with legal authority. Epistemologically, ijtihad constitutes a human endeavor that utilizes a specific set of methodologies to derive Islamic legal rulings (ḥukm shar'ī) based on textual evidence (dalīl) and contextual realities. Unlike human practitioners, AI is devoid of intentionality (niyyah), moral responsibility, normative consciousness, and the status of legal accountability (taklīf). Consequently, the integration of AI within Islamic jurisprudence cannot be directly equated with the advent of a "digital mujtahid." A more precise conceptualization posits AI as an epistemic instrument that augments a mujtahid's capacity for information retrieval, data processing, and comparative analysis. The demarcation between technological proficiency and normative legal authority serves as the primary foundational principle in the construction of this methodology (Maimun, 2024).

Uṣūl al-fiqh (principles of Islamic jurisprudence) establishes a theoretical framework to ensure that the process of legal deduction is not conducted arbitrarily or without boundaries. The sources of law, the structure of legal evidence, linguistic principles, analogical deduction (qiyās), scholarly consensus (ijmā'), juristic preference (istiḥsān), presumption of continuity (istiṣḥāb), considerations of public interest (maṣlaḥah mursalah), blocking the means to evil (sadd al-dharā'ī'), and customary practice ('urf) each serve distinct methodological functions. While AI can assist in identifying and categorizing data pertinent to these jurisprudential instruments, it lacks the inherent capacity to automatically ascertain the validity of their application. For instance, although AI can synthesize various scholarly opinions regarding qiyās, determining whether the effective cause ('illah) of a specific case has been substantively fulfilled necessitates human methodological judgment. Therefore, uṣūl al-fiqh functions as a set of "epistemic regulations" that circumscribes the utilization of AI, preventing the legal derivation process from degenerating into a mere search for answers based on linguistic probabilities (Miftahurrahmi et al., 2022).

This framework further illustrates that artificial intelligence (AI) can fulfill distinct functions across the various stages of ijtihad. During the taṣawwur al-mas'alah stage, AI can facilitate the aggregation of information concerning contemporary issues. In the takhrij al-manāṭ phase, the system can assist in identifying the pertinent characteristics of a given case. When searching for legal evidence (dalil), AI significantly accelerates the retrieval of textual sources and scholarly opinions. Furthermore, in the comparative phase, AI is capable of mapping the divergent perspectives among various schools of jurisprudence. Nevertheless, during the tarjih and final legal determination stages, the role of AI must be strictly relegated to an assistive capacity, as the ultimate judgment necessitates authoritative and normative deliberation. This structural approach demonstrates that maximizing the benefits of this technology does not require positioning AI as a replacement for a qualified human jurist (mujtahid) (Bakar, 2021).

The paradigm of contemporary Islamic legal methodology corroborates the premise that methodological modernization can be implemented without undermining the foundational principles of Sharia. While technological transformations provide a rationale for developing novel instruments in legal research, they do not justify the circumvention of established methodological prerequisites. The dichotomy between Sharia, as a divine normative source, and fiqh, as the culmination of human interpretation, is of paramount importance, given that AI-generated output is intrinsically aligned with the reproduction of fiqh rather than divine revelation. Although AI is proficient in processing human-authored texts, its capacity to derive normative sources is strictly confined to its provided data. Consequently, AI outputs must invariably be treated as hypotheses or analytical propositions that require rigorous scholarly validation (Kazemi-Moussavi & Mavani, 2023).

Maqāṣid al-syarī'ah (the objectives of Islamic law) significantly broadens the evaluative framework concerning the utilization of Artificial Intelligence (AI). A jurisprudential ruling may appear textually sound, yet it can yield consequences that contradict the fundamental objectives of Sharia if implemented without due regard for underlying social conditions. The maqāṣid approach facilitates a comprehensive assessment of ramifications, the degree of public benefit (maṣlaḥah), potential harm (mafsadah), the prioritization of necessities, and the safeguarding of human interests. Within the context of AI, the principle of ḥifẓ al-'aql (the preservation of intellect), for instance, can be employed to critically assess excessive cognitive reliance on machines, whereas ḥifẓ al-māl (the preservation of wealth) can be utilized to evaluate financial detriments arising from algorithmic determinations. Consequently, maqāṣid functions as a vital nexus interconnecting textual sources, methodology, technology, and empirical reality (Helim, 2023).

Furthermore, a systems approach to maqāṣid indicates that the legal complexities surrounding AI must not be reductively framed as a binary inquiry of permissibility versus prohibition. A more rigorous analytical framework necessitates interrogating the primary objectives of AI deployment, the intended beneficiaries, the bearers of risk, the mechanisms of accountability, the preservation of human dignity, and the equity of algorithmic outcomes. This systems approach enables a multidimensional perspective on a given issue, ensuring that jurisprudential rulings are not contingent upon a singular variable. In the context of AI-assisted ijtihād (independent legal reasoning), this implies that machine-generated outputs must be rigorously evaluated against the complex interplay of objectives, instruments, impacts, contextual factors, and the prioritized hierarchy of maqāṣid (Auda, 2022).

These observations align with contemporary research demonstrating that maqāṣid can serve as a robust normative framework for navigating the ethical challenges posed by AI. Fundamental principles such as justice, privacy, transparency, accountability, and the safeguarding of human welfare can be integrated into an Islamic axiological paradigm without preemptively categorizing the technology as inherently prohibited (ḥarām) or permissible (ḥalāl). Rather, the ethical and legal appraisal is strictly contingent upon the technology's function, purpose, operational processes, and ensuing impacts. Consequently, the methodology for AI-driven ijtihād must synthesize the formal evaluation of scriptural evidence (dalīl) with a substantive assessment of maqāṣid (Elmahjub, 2023).

3.2. The Integration of Uṣūl al-Fiqh and Maqāṣid al-Syarī'ah as an Artificial Intelligence Reasoning Architecture

Subsequent research findings indicate that the methodological framework for AI-driven ijtihād must be structured as a multi-layered architecture. The foundational tier constitutes the source layer, comprising the Qur'an, Sunnah, ijmā' (consensus), qiyās (analogical deduction), and other recognized supplementary sources within Islamic legal methodology. The second tier is the interpretive layer, which encompasses Arabic linguistics, asbāb al-nuzūl (contexts of Quranic revelation), asbāb al-wurūd (contexts of hadith transmission), hadith contextualization, uṣūl principles, and the jurisprudential opinions of the fuqahā' (jurists). The third tier represents the maqāṣid layer, which evaluates the correlation between legal rulings and maslahah (public interest). Finally, the fourth tier is the technological layer, responsible for executing search, classification, comparison, and modeling

functions. This stratified model systematically prevents artificial intelligence from emerging as an independent source of law, ensuring its operations remain strictly confined to established sources and methodologies (Bakar, 2021).

Within this paradigm, AI is conceptualized as an advanced legal search engine, transcending the limitations of conventional keyword-based retrieval. The system can be engineered to retrieve verses conceptually, correlate hadiths with specific thematic frameworks, identify classical fiqh literature addressing analogous cases, and meticulously map the diverse opinions across various madhāhib (schools of thought). Nevertheless, such retrieval mechanisms mandate the utilization of meticulously curated databases. In the absence of definitive source data, AI models are susceptible to generating responses that appear scholarly yet lack empirically verifiable foundations. Consequently, AI-driven ijtihad systems must implement retrieval-augmented generation (RAG) or analogous methodologies, necessitating the model to derive its conclusions exclusively from a verified corpus of sources. This methodological constraint ensures that users can systematically trace and authenticate the foundational basis of the generated legal outputs (Boddington, 2023).

The uṣūl al-fiqh layer subsequently functions as an argument verification engine. Artificial intelligence can be programmed to identify whether a specific argument employs qiyās, maṣlaḥah, sadd al-dharā'ī, or alternative methodological frameworks. However, it is insufficient for the system to merely assign categorical labels. The system must also articulate the premises, textual evidence (dalīl), effective cause ('illah), analogical correlations, and potential vulnerabilities within the argumentation. Consequently, rather than simply generating a "fatwa," the AI provides an argument map that enables the mujtahid to critically scrutinize the reasoning process. This model is highly congruent with the nature of Islamic law, as legal determinations must be rigorously justifiable through established evidence and methodologies (Ramli, 2022).

The maqāṣid layer then serves as a normative evaluation of the istinbāt (legal deduction) outcomes. The system facilitates the mapping of whether a decision correlates with the preservation of religion, life, intellect, lineage, and property. Nevertheless, the mapping of maqāṣid must not be reduced to a rudimentary mathematical calculation. Public interest (maṣlaḥah) is not invariably synonymous with the maximum quantitative benefit. An action yielding substantial economic profit may still be repudiated if it compromises human dignity or precipitates greater harm. Therefore, while algorithms can assist in compiling data regarding potential impacts, the ultimate assessment of maqāṣid inherently necessitates human judgment (Stahl, 2021).

This structural framework aligns with the proposition that maqāṣid constitutes the core of Islamic legal philosophy. Maqāṣid enables the law to be comprehended in a holistic and multidimensional manner, remaining receptive to contextual shifts while maintaining a goal-oriented trajectory. Within AI-assisted ijtihad, maqāṣid is not appended as a moral afterthought subsequent to the establishment of a ruling; rather, it is integrated from the very inception of the analytical process. Thus, inquiries concerning justice, utility, privacy, dignity, and social impact become intrinsic components of the istinbāt process itself, rather than mere post-decisional considerations (Auda, 2022).

Literature on contemporary uṣūl al-fiqh methodology indicates that shifts in information can serve as a justification for reviewing legal opinions. This principle is highly relevant to artificial intelligence (AI), as technology enables a mujtahid to access a significantly larger volume of information at an unprecedented speed. However, an abundance of information does not inherently guarantee more accurate legal rulings. The critical requirement is the capacity to distinguish relevant data from irrelevant data. While AI can facilitate the processing of vast information volumes, the mujtahid retains the ultimate responsibility for epistemological evaluation (Kazemi-Moussavi & Mavani, 2023).

From the perspective of AI ethics, this integration necessitates adherence to the principles of fairness, transparency, security, and accountability. Systems employed to assist in legal determination must explicitly outline their data sources, operational limitations, potential margins of error, and correction mechanisms. This is crucial because algorithmic systems are susceptible to biases inherent in their training data. If an Islamic legal corpus is dominated by a single madhhab (school of thought),

geographic region, or type of source, the system may generate outputs that appear universal but actually reflect specific data preferences. Consequently, the architectural design of an Islamic legal corpus must transparently account for contextual and jurisprudential diversity (Lara & Deckers, 2023).

Research concerning AI and Islamic ethics demonstrates that *maqāṣid* can be utilized to construct an ethical framework oriented not only toward consequentialism but also toward intrinsic values such as justice, human dignity, and responsibility. These findings are significant, as AI systems designed for Islamic law must not exclusively pursue "predictive accuracy." Statistical accuracy is not synonymous with *sharī'ah* validity; a system that outputs the most frequently occurring response does not necessarily provide the most robust answer from an *uṣūlī* perspective. Therefore, the design of Islamic legal AI must prioritize the traceability of textual evidence (*dalil*) and jurisprudential argumentation over mere probabilistic outputs (Raquib et al., 2022).

3.3. Authority, Verification, and Human Oversight in AI-Based *Ijtihad*

Research findings indicate that the issue of authority constitutes the most fundamental challenge in the application of artificial intelligence for *ijtihad*. Although AI is capable of generating texts that resemble a fatwa, the mechanical ability to produce such text is not equivalent to the legitimate authority required to issue religious edicts. Islamic legal authority is intrinsically linked to scholarly knowledge, moral integrity, the capacity to comprehend textual evidence (*dalil*), the ability to evaluate empirical realities, and accountability for the consequences of legal decisions. Consequently, AI cannot be granted final authoritative status merely due to its capacity to deliver prompt and persuasively articulated responses. Within this methodological framework, ultimate authority must strictly reside with accountable human scholars or established Islamic legal institutions (Mufid, 2024).

This complication is further substantiated by studies examining the efficacy of generative AI in the *ijtihad* process, which identify significant challenges such as hallucination, algorithmic bias, lack of transparency, an inability to navigate sensitive matters, and deficits in accountability. These findings demonstrate that the limitations of AI are not exclusively technical, but profoundly epistemological. The system can generate responses without possessing any genuine comprehension of the underlying normative rationales. Therefore, human verification mechanisms must not be relegated to a supplementary feature, but rather integrated as a fundamental component of the methodology (Latifi, 2024).

The deployment of AI also poses substantial risks when the general public perceives machine-generated outputs as definitive fatwas. AI systems providing answers on matters of worship (*ibadah*), transactions (*muamalah*), family law, criminal law, or theology (*aqidah*) may engender the misconception that all religious complexities can be resolved via chatbots. In reality, the formulation of a fatwa frequently necessitates an understanding of personal circumstances, social contexts, jurisprudential differences (*madhhab*), exigent conditions, the legal capacity of the subject (*mukallaf*), and the practical implications of its application. Consequently, AI should be designed to present its outputs as structured informational data that explicitly delineate its sources and degree of certainty, rather than as indisputable legal verdicts (Hamsin et al., 2023).

Research concerning the application of ChatGPT within the framework of *maqāṣid al-syarī'ah* indicates that the primary concern extends beyond the mere permissibility of artificial intelligence; rather, it hinges on the methodology and underlying objectives of its implementation. The utilization of AI to facilitate educational processes, information retrieval, or academic research possesses fundamentally different characteristics compared to its deployment as a substitute for direct consultation with religious scholars (*ulama*). Such divergences in intent must be intrinsically integrated into any jurisprudential evaluation. Consequently, an AI-integrated methodology for *ijtihad* necessitates a contextual paradigm that rigorously evaluates the objectives, potential risks, end-users, and broader impacts (Mukmin Hakim & Mat Jubri Shamsuddin, 2024).

In this context, human oversight implies that individuals do not merely act as passive approvers, but possess the substantive capacity to scrutinize, rectify, and dismiss AI-generated outputs. This

principle has become a cornerstone in contemporary AI governance, serving as a critical mechanism to prevent algorithmic determinations from usurping the entirety of normative decision-making processes. Within the domain of Islamic jurisprudence, such oversight must be exercised by individuals possessing specialized competence in *uṣūl al-fiqh* and pertinent legal disciplines. Therefore, human actors operate simultaneously as epistemological regulators and the ultimate bearers of accountability (Enqvist, 2023).

Furthermore, the verification process must rigorously encompass the authentication of sources. Any theological or legal evidence (*dalil*) generated by AI must be distinctly traceable to specific canonical texts, Quranic verses, prophetic traditions (*hadith*), or established scholarly treatises. The system is required to provide not only the title of the text but also precise metadata, including the edition, volume, page number, or corresponding digital repository where applicable. This rigorous verification is imperative, as large language models frequently conflate factual and erroneous information within a single output. For instance, upon the citation of a *hadith*, users must be equipped to evaluate its authenticity and contextual application. Such a principle of traceability constitutes a fundamental prerequisite for the development of an auditable digital jurisprudential framework (Schlagwein & Willcocks, 2023).

Algorithmic auditing constitutes a fundamental component of the methodology. Such audits must extend beyond mere technical performance to evaluate potential biases, source distribution, variations in outcomes across different Islamic schools of jurisprudence (*madhāhib*), the system's capacity to acknowledge uncertainty, and the overall consistency of its responses. Within the realm of AI governance, the principle of independent auditing has been established as a critical mechanism for assessing systemic risks and ensuring compliance. In the context of *ijtihad*, these audits should be conducted by a multidisciplinary committee comprising specialists in the principles of Islamic jurisprudence (*uṣūl al-fiqh*), Islamic law (*fiqh*), artificial intelligence, data science, and ethics (Falco et al., 2021).

Furthermore, the dimension of transparency must encompass the specific processes by which the system derives its conclusions. Research on algorithmic accountability emphasizes the necessity of translating accountability from an abstract concept into an actionable governance framework. Within AI-driven *ijtihad* systems, such mechanisms may include comprehensive search logs, cited sources, model versions, data timestamps, rationales for selecting specific textual evidence (*dalīl*), and records of scholarly corrections. This rigorous documentation facilitates the retrospective review of decisions in the event of anomalies or errors (Mökander & Floridi, 2022).

From the standpoint of Islamic ethics, these regulatory mechanisms are intrinsically linked to the principle of trust and responsibility (*amānah*). Legal determinations represent a profound moral trust that must not be delegated to an unaccountable technological system. While artificial intelligence can significantly augment human capabilities, the ultimate responsibility for technology-assisted decisions remains irrevocably human. Consequently, the principle of *amānah* serves as the ethical foundation for constraining full automation; although AI may legitimately expedite analytical processes, it must never supersede or eliminate human accountability (Kannike & Fahm, 2025).

3.4. The Construction of the AI-Assisted Ijtihad Model and Its Implementation in the Determination of Islamic Law

Drawing upon a comprehensive synthesis of the research findings, this study constructs the AI-Assisted *Ijtihad* model, defined as an *ijtihad* methodology that utilizes Artificial Intelligence (AI) as a supplementary instrument during the phases of information retrieval, processing, mapping, and evaluation. Crucially, the processes of *tarjīḥ* (weighing evidence) and final legal determination remain the exclusive domain of the *mujtahid* or authoritative institutions. This model is predicated on the foundational principle that AI functions neither as a source of law, nor as a *mujtahid* or *mufti*. Rather, AI serves as an epistemic tool designed to augment human capacity in navigating the complexities of digital information. This positioning is congruent with the paradigm that technology should be

leveraged to enhance human capabilities rather than supplant the multifaceted dimensions of moral and legal reasoning (Stahl, 2021).

The initial phase of this model is designated as digital *taṣawwur* (conceptualization), which entails formulating an accurate comprehension of a given issue. In this stage, AI is employed to aggregate empirical facts, terminology, data, expert perspectives, and social contexts. The utility of AI is particularly pronounced here due to its proficiency in synthesizing multidisciplinary information. Nevertheless, the acquired data necessitates rigorous verification, given AI's propensity to occasionally generate inaccurate information. The primary objective of this initial phase is to guarantee that the mujtahid possesses a profound understanding of the problem prior to deriving its legal ruling. This principle is of paramount importance, as inaccuracies in problem conceptualization can precipitate subsequent errors in the processes of analogy and *istinbāt* (legal deduction) (Sudirman et al., 2025).

The subsequent phase involves AI-assisted *takhrij al-manāṭ* (extraction of the ratio legis). The system facilitates the discovery of pertinent legal characteristics across diverse cases. For instance, in the event of novel digital transactions, AI can juxtapose the structural components of the transaction against established contracts within Islamic jurisprudence (*fiqh*). Based on the available data, AI is capable of identifying elements such as trade, debt, *gharar* (uncertainty), *riba* (usury), *wakālah* (agency), or *ju'ālah* (reward). Nonetheless, this preliminary identification mandates critical scrutiny by jurisprudence experts, as identical terminology may manifest divergent legal characteristics depending on the contextual framework. Ultimately, AI furnishes analogical candidates rather than definitive legal verdicts (Maimun, 2024).

The third stage is AI-assisted textual *istinbāt*. Artificial intelligence is utilized to retrieve Quranic verses, hadith traditions, juristic opinions, jurisprudential maxims, and fatwas pertinent to the issue at hand. The primary advantage of AI lies in its capacity to process extensive corpora within a brief timeframe. Nevertheless, the system must prioritize verified primary sources and academic literature. Each output must include data provenance, enabling the mujtahid to verify the origin of the information. Language models lacking grounding mechanisms may generate responses that appear scholarly yet lack factual validity. Consequently, information retrieval and verification must be integrated as structural components of the system (Al Zubaer et al., 2023).

The fourth stage involves a comparative *madhhab* analysis. AI can facilitate the mapping of Hanafi, Maliki, Shafi'i, Hanbali, and Ja'fari perspectives, alongside contemporary jurisprudential approaches, concerning specific themes. The system is capable of identifying points of convergence and divergence within their argumentation. This functionality assists the mujtahid in avoiding the selective adoption of opinions without an understanding of their methodological contexts. However, this mapping process must not devolve into an automated selection based on the frequency of occurrence. The most prevalent opinion on the internet does not inherently constitute the most methodologically robust stance (Miftahurrahmi et al., 2022).

The fifth stage is the evaluation of *maqāṣid*. Each legal alternative is subjected to analysis based on the overarching objectives of Sharia and its social implications. The system can assist in constructing a consequence matrix that outlines potential benefits, risks, affected demographics, the probability of harm (*mafsadah*), and the essential needs requiring protection. Nonetheless, these outputs should not be construed as a mathematical quantification of *maqāṣid*. The assessment of *maqāṣid* fundamentally remains a process of normative reasoning. While AI can supply data for deliberation, it is the human scholar who must assign value weights and establish priorities in accordance with Sharia principles (Bakar, 2021).

The sixth stage entails human *tarjih*. During this phase, the mujtahid meticulously evaluates the textual evidence, source reliability, argumentative robustness, contextual factors, *maqāṣid* (objectives of Sharia), and the potential impacts of implementation. Artificial intelligence is explicitly denied the authority to render the final determination. This paradigm diverges fundamentally from autonomous legal AI, as the ultimate ruling remains a matter of human accountability. In instances of scholarly divergence, the system must transparently exhibit this plurality rather than obscuring it behind a

singular, deceptively definitive response. Such a model adheres strictly to the precautionary principle inherent in Islamic jurisprudence (Mufid, 2024).

The seventh stage culminates in a documented fatwa or legal resolution. The definitive ruling must systematically articulate the utilized sources, methodologies, rationale for the tarjīh, contextual scope of application, and inherent limitations of the decision. Furthermore, any utilization of AI within this process must be explicitly recorded. Comprehensive documentation is imperative for preserving accountability. Consequently, should novel information emerge in the future, the ruling can be subject to revision without obfuscating its original methodological trajectory. This approach ensures that ijtihad remains dynamically progressive while upholding rigorous scholarly accountability (Kazemi-Moussavi & Mavani, 2023).

Contemporary research at the intersection of Islamic law and AI indicates that technological integration has catalyzed novel fields of inquiry, encompassing Sharia ethics, legal personhood, liability, judicial processes, fatwa issuance, ijtihad, and regulatory frameworks. Systematic reviews demonstrate that while AI possesses significant potential to facilitate Islamic jurisprudence, substantial gaps persist concerning regulation and methodology. These empirical findings underscore the critical necessity for a theoretical framework that explicitly delineates technological functions from legitimate legal authority (Sudirman et al., 2025).

Furthermore, the model must incorporate a mechanism for uncertainty disclosure. In instances where the artificial intelligence fails to identify adequate sources, the system should explicitly articulate its uncertainty rather than fabricating a response. Should there be a divergence of scholarly opinions, the system is obligated to present these variances. Additionally, if a source remains unverifiable, the system must issue an appropriate caveat. This principle is of paramount importance, as the primary peril associated with generative AI lies not merely in the generation of erroneous information, but in the dissemination of such errors with a high degree of unwarranted confidence. Research concerning misinformation indicates that the capacity of Large Language Models (LLMs) to generate vast quantities of information can exacerbate the proliferation of inaccuracies if unaccompanied by robust verification mechanisms (Garry et al., 2024).

At the institutional level, the deployment of such a model necessitates the establishment of a multidisciplinary digital ijtihad supervisory board. This board should comprise scholars specializing in Islamic jurisprudence principles (uṣūl al-fiqh), domain-specific jurists (fuqahā'), hadith scholars, Arabic linguists, artificial intelligence specialists, data scientists, ethicists, and legal experts. The primary function of this board extends beyond the mere development of AI; it is tasked with ensuring that the corpus, methodologies, outputs, and operational frameworks of the AI rigorously adhere to Sharia principles and academic standards. Such a collaborative structural approach is consistent with the imperative for multi-stakeholder engagement in the governance of artificial intelligence (Srikumar et al., 2022).

Successful implementation also demands the construction of a high-quality corpus of Islamic law. This corpus must not rely on the indiscriminate extraction of texts from the internet. Rather, sources must be systematically categorized according to their level of authority, literary genre, school of thought (madhhab), historical period, and specific domain of jurisprudence (fiqh). The system must inherently differentiate between primary texts, commentaries (syarah), religious edicts (fatwas), academic journal articles, weblogs, and popular opinions. Such meticulous classification enables the AI to assign differential weighting to various sources. Consequently, the curation and development of this corpus are integral to the process of digital ijtihad, given that the quality of the algorithmic output is fundamentally contingent upon the caliber of the underlying source materials.

The potential for jurisprudential (mazhab) bias constitutes a significant risk that warrants careful consideration. Should an artificial intelligence system be trained predominantly on a singular fiqh (Islamic jurisprudence) tradition, its outputs may inadvertently replicate these specific preferences without adequate elucidation. Consequently, an optimal system necessitates transparency regarding the composition of its training corpus. Furthermore, users should be afforded the capability to select a

specific jurisprudential context when addressing issues that require a distinct methodological approach. Nevertheless, this selection mechanism must not be misconstrued as an automated tool for deriving legal rulings. Rather, it serves merely to facilitate the retrieval of pertinent sources, while the ultimate evaluative judgment must be reserved for qualified human experts (Nawi et al., 2023).

An additional concern pertains to the potential paradigm shift in religious authority. As the public becomes increasingly accustomed to seeking theological guidance from chatbots, the traditional authority of the ulama (religious scholars) may undergo a profound transformation, positioning AI as a novel intermediary between society and Islamic epistemology. In response, religious institutions must proactively enhance digital religious literacy among the populace. It is imperative to educate users that an AI's proficiency in generating responses is fundamentally distinct from the authoritative capacity to issue a fatwa (legal edict). Cultivating such literacy aligns with the principles of maqāṣid (the higher objectives of Islamic law), as it serves to safeguard both the intellect and religion from deceptive or erroneous information (Tsuria & Tsuria, 2024).

Furthermore, the implications for professional ethics demand rigorous attention. The integration of AI should not render the human element obsolete within legal procedures; rather, it should function to elevate the overall quality of professional output. Examinations of work ethics from an Islamic perspective underscore the critical necessity of preserving moral integrity, accountability, and human dignity amidst the incorporation of artificial intelligence into the workforce. Within the specific context of fatwa-issuing institutions, AI should be strategically utilized to alleviate administrative burdens and expedite data retrieval. This optimization would enable religious scholars to concentrate their efforts on complex analytical reasoning, interpersonal consultation, and nuanced contextual evaluations (Ghaly, 2024).

This framework further demonstrates that the principles of maqāṣid can be effectively translated into governance indicators. Specifically, *hiḏ al-dīn* pertains to the authenticity and accuracy of religious sources; *hiḏ al-naḑ* involves preventing decisions that endanger human life; *hiḏ al-ʿaql* relates to safeguarding against information manipulation; *hiḏ al-naṣl* concerns the protection of the family structure and future generations; and *hiḏ al-māl* is associated with the security of property and financial transactions. Furthermore, the principles of justice and human dignity can serve as cross-cutting indicators. This approach renders maqāṣid operational without reducing it to a mere mechanical algorithm (Al Jufri et al., 2021).

The application of artificial intelligence in the issuance of fatwas must also account for the principles of *ijmāʿ* (consensus) and collective authority. Novel issues with extensive societal implications should not be resolved solely by a single chatbot or an individual user. Instead, AI can be utilized to map diverse jurisprudential opinions and provide analytical materials for scholarly forums. Consequently, technology can serve to reinforce collective *ijtihād*. This function is more congruent with the inherent nature of AI as an information-processing tool rather than an independent source of religious authority. Moreover, collective oversight mitigates the risk of legal determinations being predicated on the fallibility of a single technological system (Muji & Khairunnisa, 2024).

From a comparative legal perspective, the intersection of AI and Islamic law must be contextualized within the broader evolution of global technology law. Various nations are currently developing regulatory mechanisms for AI, encompassing principles such as transparency, accountability, human oversight, and risk management. While these frameworks need not be adopted unreservedly into Islamic jurisprudence, they can facilitate a constructive dialogue aimed at formulating an AI governance model that is compatible with maqāṣid. Ultimately, this ensures that digital *ijtihād* does not operate in a vacuum, but rather engages in continuous discourse with the advancements of global technological jurisprudence (Tzimas, 2021).

Research concerning artificial intelligence (AI) and Islamic law indicates that compatibility issues extend beyond mere technological concerns, encompassing various legal domains such as human rights, religious freedom, finance, bioethics, and pluralism. This underscores the cross-disciplinary nature of AI, necessitating a correspondingly multidisciplinary approach to AI-assisted *ijtihād*

methodologies. Depending on the specific issue under examination, a mujtahid requires specialized knowledge from experts in economics, medicine, technology, law, and the social sciences. While AI can facilitate the integration of this disparate information, the ultimate sharī (Islamic legal) judgment remains the exclusive purview of human Islamic legal scholars (Kausar et al., 2024).

Fundamentally, the framework of AI-assisted ijtiḥād can be conceptualized as an interconnected relationship among the sources of Sharia, uṣūl al-fiqh (principles of Islamic jurisprudence), AI, maqāṣid (objectives of Sharia), the mujtahid, and society. Within this paradigm, Sharia sources establish the normative foundation; uṣūl al-fiqh supplies the methodological framework; AI delivers computational capabilities; maqāṣid offers teleological orientation and evaluative criteria; the mujtahid executes critical assessment and tarjīḥ (preponderance); and society functions as both the contextual backdrop and the recipient of the legal rulings. These elements are mutually dependent. Consequently, this model integrates AI as a supplementary component within the ijtiḥād ecosystem rather than a substitute for it (Auda, 2022).

Therefore, research findings assert that the trajectory of future ijtiḥād is characterized not by an adversarial dichotomy between human and machine, but by the establishment of a robust methodological synergy. AI possesses the capability to augment data retrieval and analytical processes, whereas human scholars preserve the essential moral, spiritual, contextual, and normative dimensions of jurisprudence. The efficacy of this collaborative model is highly contingent upon the quality of the data corpus, the scholarly competence of the ulama, the transparency of the AI systems, the implementation of rigorous verification and auditing mechanisms, and the capacity of religious institutions to cultivate digital literacy. The foundational axiom of this paradigm is that AI serves to facilitate the process of ijtiḥād, but it cannot replace the mujtahid (Nawi et al., 2023).

4. CONCLUSION

This research indicates that artificial intelligence (AI) has the potential to enhance the efficiency of Islamic legal determination through literature retrieval, text processing, information classification, argument mapping, and the comparative analysis of jurisprudential opinions. However, the computational capabilities of AI cannot be equated with the cognitive capacity required for ijtiḥād, as AI lacks scholarly authority, moral consciousness, sharī'ah responsibility, and the ability to holistically comprehend complex legal contexts. Therefore, the optimal paradigm is AI-assisted ijtiḥād, wherein AI functions strictly as an auxiliary instrument, while tarjīḥ (the preponderance of evidence) and final legal pronouncements remain the exclusive domain of competent mujtahids or authoritative fatwa institutions. Uṣūl al-fiqh serves as the methodological framework to authenticate sources, validate arguments, and ensure procedural traceability. Concurrently, maqāṣid al-syarī'ah acts as an evaluative framework to ensure that the deployment of AI is oriented toward public welfare, justice, and the preservation of religion, life, intellect, lineage, and property. Accordingly, the application of AI in Islamic law must be underpinned by human verification, transparency, accountability, privacy protections, and corrective mechanisms, ensuring that technology facilitates the ijtiḥād process without supplanting human authority.

The implementation of this model necessitates interdisciplinary collaboration among Islamic scholars (ulama), experts in uṣūl al-fiqh and fiqh, AI specialists, data scientists, ethicists, and legal professionals. Fatwa institutions and Islamic higher education establishments can develop authenticated Islamic legal corpora, advanced source retrieval systems, comparative madhhab tools, and decision-support systems that operate strictly under continuous human supervision. Every AI-generated output must be treated as preliminary analytical material requiring rigorous verification, rather than a definitive fatwa. Through this framework, digital transformation can be leveraged to fortify the tradition of ijtiḥād without eroding human authority and responsibility. Consequently, the future of Islamic law in the era of AI lies not in replacing the mujtahid with machines, but in cultivating a digital ijtiḥād ecosystem that harmonizes technological sophistication with the rigorous discipline of

uṣūl al-fiqh, the teleological orientation of maqāṣid al-syarī'ah, ethical standards, and human accountability.

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