JSREL Journal of Social Research, Education and Learning
AN INTERNATIONAL PEER-REVIEWED JOURNAL • OPEN ACCESS
Vol. 5, No. 1, (2026)

REVIEW ARTICLE

Artificial Intelligence and Islamic Law: A Jurisprudential and Ethical Evaluation of New Technologies

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Received	Revised	Accepted	Published
18.01.2026	25.04.2026	19.07.2026	17.08.2026

e-ISSN: 3150-0110 | Vol. 5, No. 1, (2026) | pp. 18-27

ABSTRACT

The rapid development of artificial intelligence has outpaced the emergence of a mature, dedicated literature examining its implications from the perspective of Islamic legal theory. This paper reviews the existing literature at the intersection of Islamic jurisprudence (fiqh) and technology ethics, arguing that while a specialized body of scholarship on "AI and fiqh" remains at an early stage, classical and contemporary Islamic legal theory, particularly the maqasid al-shariah (objectives of Islamic law) framework, together with the secular AI ethics literature, provide substantial conceptual resources for such an evaluation. The review examines classical methodological tools for addressing novel questions (ijtihad and qiyas), the maqasid framework as a lens for evaluating new technologies against higher objectives such as the preservation of intellect, property, and human dignity, and the points of convergence and divergence between maqasid-based reasoning and secular AI ethics principles such as fairness, accountability, and transparency. The review concludes that a genuinely interdisciplinary Islamic AI ethics requires closer collaboration between jurists trained in classical methodology and scholars of technology ethics, and identifies specific fiqhi questions, including algorithmic decision-making in matters of inheritance calculation, financial transactions, and reproductive technologies, as priority areas for future juristic inquiry.

Keywords: artificial intelligence, Islamic law, fiqh, maqasid al-shariah, technology ethics

1. INTRODUCTION

Islamic legal tradition has historically demonstrated considerable capacity to address novel questions raised by technological and social change, from early debates over coffee and tobacco to more recent rulings on organ transplantation and assisted reproduction (Kamali, 2008). Artificial intelligence presents a new category of challenge, however, because it does not merely introduce a new object of ruling, comparable to a new substance or medical procedure, but a new kind of agent, or quasi-agent, whose decisions can carry legal, financial, and even quasi-moral consequences. This raises jurisprudential questions that extend beyond the classification of specific applications, touching on more fundamental questions about responsibility (taklif), agency, and the preservation of human judgment in matters historically reserved for qualified human reasoning.

This review addresses a specific gap: the dedicated scholarly literature applying Islamic legal methodology directly to artificial intelligence remains sparse relative to the pace of technological development, particularly in comparison to the more developed literatures on Islamic bioethics or Islamic finance and technology. Rather than treating this sparsity as an obstacle, this review treats it as the central finding requiring explanation, and addresses it by examining two bodies of literature that, read together, provide the conceptual foundation from which a more developed Islamic AI ethics could be built: classical and contemporary Islamic legal theory, particularly work on legal methodology and the maqasid al-shariah framework, and the secular, comparatively mature literature on AI ethics and governance.

The review proceeds in three parts. First, it examines the classical methodological tools, ijtihad and qiyas, historically used by Islamic jurists to address novel questions, and considers their applicability to AI.

How to Cite: *Bollader, E. (2026). Artificial intelligence and Islamic law: A jurisprudential and ethical evaluation of new technologies. Journal of Social Research, Education and Learning (JSREL), 5(1), 18–27.*

Second, it examines the maqasid al-shariah framework in greater depth, following the systematic reconstruction offered by Auda (2008), as a lens for evaluating AI applications against higher objectives rather than only against specific textual precedents. Third, it places maqasid-based reasoning in conversation with the secular AI ethics literature, identifying points of convergence, particularly around justice and the protection of vulnerable parties, and points of divergence, particularly around the source and authority of ethical norms. The review closes by identifying specific areas of Islamic law where AI raises pressing, underexamined questions.

2. CLASSICAL METHODOLOGY AND THE QUESTION OF NOVEL TECHNOLOGY

Islamic legal theory (usul al-fiqh) developed an extensive methodological apparatus for extending established rulings to novel cases, most notably through ijtihad, independent legal reasoning by qualified jurists, and qiyas, analogical reasoning from an established ruling to a new case sharing a relevant underlying rationale (illah) (Kamali, 2003). Hallaq (2009) traces the historical development of this apparatus and argues that its flexibility, often understated in popular characterizations of Islamic law as rigid, has been central to the tradition's capacity to address changing social and technological circumstances across centuries. This methodological flexibility provides a starting point for approaching AI, since it suggests that the absence of direct textual precedent need not imply an absence of principled guidance.

Applying qiyas to AI, however, presents a distinctive difficulty: identifying an appropriate analogical precedent requires identifying the relevant underlying rationale of existing rulings on comparable questions, such as delegated agency (wakala) or automated mechanical processes, and it is not obvious that either of these precedents captures what is distinctive about AI systems, namely their capacity to generate outputs that were not directly specified by their human designers. El Fadl (2001) raises a related concern in the context of legal authority more broadly, arguing that classical methodology presupposes a chain of accountable human reasoning that can be traced back to a jurist exercising moral and intellectual responsibility, a presupposition that AI-assisted or AI-generated reasoning complicates in ways that existing methodological tools were not designed to address.

2.1 Collective Ijtihad and Institutional Fatwa Councils

One institutional development within contemporary Islamic legal practice that bears directly on the AI question is the increasing reliance on collective ijtihad, exercised through institutional fatwa councils composed of multiple qualified jurists, rather than individual jurist reasoning alone. Masud, Messick, and Powers (1996), in their comparative study of the historical practice of issuing fatwas, document how the institution of the mufti has always depended on a socially and institutionally embedded process of questioning, deliberation, and response, rather than on a purely individual act of textual interpretation, a finding that has direct relevance for AI, since it suggests that any legitimate juristic evaluation of AI applications would need to occur through similarly embedded institutional processes rather than through an isolated technical or textual exercise. Contemporary international fiqh academies, which increasingly issue collective rulings on emerging scientific and technological questions, represent a natural institutional venue through which the kind of sustained, methodologically disciplined engagement with AI called for in this review could occur, though the literature reviewed here suggests that such bodies have not yet substantially turned their attention to AI specifically, in contrast to their more developed engagement with biomedical and financial technology questions.

2.2 The 'Ulama and the Governance of Emerging Rulings

Zaman (2002), in an influential historical and sociological account of the 'ulama, the class of formally trained Islamic religious scholars, in the modern period, argues that this class has historically demonstrated considerable adaptive capacity in responding to social and technological change, but that its authority in the modern period has increasingly had to be actively asserted and defended against competing sources of religious and legal interpretation, including state religious bureaucracies, lay

Islamist intellectuals, and, as documented in the digital religion literature discussed briefly in Section 4, increasingly influential digitally mediated voices operating outside traditional scholarly credentialing structures. Zaman's (2002) analysis is directly relevant to the AI question because it situates the challenge AI poses to Islamic legal authority within a longer pattern of contestation over who is entitled to speak authoritatively on emerging questions, rather than treating AI as a uniquely unprecedented challenge to religious authority.

This governance question has direct practical implications for how AI-related rulings might be issued and legitimated. If, as Zaman (2002) documents, the 'ulama's authority in the modern period depends substantially on their capacity to respond credibly and collectively to new challenges, then the comparative absence of substantial, collective 'ulama engagement with AI specifically, relative to the more developed collective engagement with biomedical and financial technology questions noted above, represents not merely an academic gap in the literature but a potential governance vacuum, one that, if left unaddressed, could accelerate the pattern Zaman (2002) describes of authority migrating toward less traditionally credentialed voices simply because they are more responsive to a rapidly developing technological question that established institutions have not yet substantially addressed.

Ramadan (2009) offers a relevant methodological reorientation in his broader call for what he terms "radical reform" in Islamic ethics, arguing that contemporary ethical challenges increasingly require jurists to reason from higher objectives and contextual understanding rather than exclusively from textual analogy, a orientation that anticipates and supports the turn toward maqasid-based reasoning examined in the next section. This suggests that while classical qiyas-based methodology faces real limits when applied to AI, the broader Islamic legal tradition contains resources, particularly maqasid-oriented reasoning, that are better suited to the kind of open-ended, principles-based evaluation that novel technologies typically require.

2.3 Istihsan as a Further Interpretive Resource

Beyond qiyas and maqasid-based reasoning, classical Islamic legal methodology developed a further interpretive tool of direct relevance to novel technological questions: istihsan, commonly translated as juristic preference, referring to a jurist's departure from a strict analogical ruling in favor of an alternative ruling better suited to the underlying purpose of the law in a particular case. Hallaq (1997), in his comprehensive history of Islamic legal theory, traces extensive juristic debate over istihsan's proper scope and legitimacy, noting that while some classical schools treated it with considerable suspicion, viewing it as dangerously close to unconstrained personal preference, other schools, particularly the Hanafi school, developed it into a disciplined and well-theorized interpretive tool subject to its own methodological constraints, requiring that any departure from strict analogy be justified by reference to a recognized textual or rational basis rather than mere convenience.

Applied to AI, istihsan offers a further resource, distinct from but complementary to the maqasid-based reasoning discussed in Section 3, for situations in which a strict analogical application of existing rulings on comparable technologies, automated mechanical processes or delegated human agency, for instance, would produce an outcome a jurist judges to be inconsistent with the law's evident purpose in a specific AI application. Hallaq's (1997) account of the historical constraints developed around istihsan is directly relevant here, since it suggests that any contemporary application of istihsan-style reasoning to AI would need to satisfy comparably rigorous justificatory standards, again reinforcing Kamali's (2003) broader caution, discussed in Section 3, against treating principle-based departures from established method as a license for unconstrained ethical improvisation.

3. THE MAQASID AL-SHARIAH FRAMEWORK AS AN EVALUATIVE LENS

The maqasid al-shariah, or higher objectives of Islamic law, framework offers an alternative to case-by-case analogical reasoning, evaluating new questions against the underlying purposes that Islamic law is understood to serve, classically identified as the preservation of religion, life, intellect, lineage, and

property (Ibn Ashur, 2006/2006). Auda (2008) provides an influential contemporary systematization of this framework, proposing that it be understood not merely as a fixed list of five objectives but as a dynamic, systems-oriented approach capable of generating new categories of objective, such as human dignity and rights, relevant to contemporary conditions not directly anticipated by classical jurists.

Applied to AI, the maqasid framework offers several evaluative dimensions. The preservation of intellect (hifz al-aql) is directly relevant to questions about AI's effects on human cognitive autonomy and critical reasoning, particularly in educational contexts where over-reliance on AI-generated answers could be argued to undermine, rather than support, the cultivation of independent judgment that the preservation-of-intellect objective is classically understood to protect. The preservation of property (hifz al-mal) is directly relevant to AI applications in financial transactions, including AI-driven investment and lending decisions, where questions of transparency and fairness in Islamic finance, already an active area of scholarship, intersect with the broader AI ethics concern with algorithmic accountability. Auda's (2008) reconstruction of maqasid to include human dignity as a contemporary objective further supports application of the framework to questions of algorithmic bias and discrimination, since decisions that systematically disadvantage particular groups can be evaluated as contrary to this objective independent of whether a specific classical ruling addresses the particular technology involved.

Kamali (2003) cautions, in a point relevant to this application, that maqasid-based reasoning must remain disciplined by established legal methodology and should not become a vehicle for unconstrained ethical reasoning detached from the broader body of Islamic legal sources; the objectives are meant to guide interpretation of specific textual and precedential evidence, not to substitute for it entirely. This caution is important for the present review because it suggests that a rigorous Islamic AI ethics cannot rely on maqasid-based reasoning alone but must be developed in close dialogue with jurists trained in the full methodological apparatus of usul al-fiqh, a collaboration that, as noted in the introduction, remains underdeveloped in the current literature.

3.1 Islamic Bioethics as a Methodological Precedent

The comparatively mature field of Islamic bioethics offers a useful methodological precedent for how maqasid-based reasoning can be applied to a fast-moving technical domain. Sachedina (2009), in a comprehensive treatment of Islamic biomedical ethics, demonstrates how contemporary jurists have applied maqasid-based reasoning to questions, including organ transplantation, assisted reproduction, and end-of-life care, that similarly lack direct classical precedent, typically by identifying which of the higher objectives, preservation of life, lineage, or intellect, are most directly implicated by a given technology and reasoning from that objective toward a specific ruling, often in dialogue with medical experts who provide the technical understanding jurists require to apply this reasoning accurately. This bioethics precedent suggests a concrete institutional model for Islamic AI ethics: rather than jurists attempting to evaluate AI systems in isolation, the biomedical model of sustained jurist-technologist dialogue, formalized in many contexts through institutional ethics committees combining both forms of expertise, offers a template that could be extended to AI-specific questions, particularly the priority areas for algorithmic decision-making identified in Section 5.

3.2 Maslaha as a Complementary Interpretive Tool

Closely related to the maqasid framework, though analytically distinct from it, is the classical concept of maslaha, public interest or welfare, historically used by jurists as an interpretive principle for resolving cases in which literal textual application would produce outcomes contrary to the law's evident purposes. Opwis (2010), in a detailed historical study of the development of maslaha-based reasoning across several centuries of Islamic legal history, traces how this concept evolved from a comparatively marginal and contested interpretive tool into an increasingly central feature of legal reasoning on novel questions, particularly from the classical to the modern period, a trajectory that Opwis (2010) links to the accelerating pace of social and technological change jurists were required to address. This historical

trajectory is directly relevant to AI: if, as Opwis (2010) documents, Islamic legal methodology has historically responded to accelerating technological change by expanding its reliance on maslaha-based reasoning, this suggests that a similar expansion, rather than representing a departure from established method, would be methodologically consistent with the tradition's own historical pattern of development.

Emon (2010) provides a complementary theoretical account, arguing that maslaha and maqasid-based reasoning, properly understood, function within Islamic legal theory in a manner structurally comparable to natural law reasoning in Western legal traditions, providing a rational, purpose-oriented supplement to textual and precedential sources rather than operating independently of them. Emon's (2010) comparative framing is useful for the present review because it clarifies a point implicit in the broader discussion of maqasid in this paper: that the kind of principled, purpose-oriented reasoning required to evaluate AI systems against higher objectives is not a modern innovation imported from secular ethics but has a substantial and well-theorized place within the classical Islamic legal tradition itself, considerably strengthening the methodological legitimacy of the approach argued for throughout this review.

3.3 Taklif and the Question of Moral Responsibility

A further classical concept directly relevant to AI, though not always explicitly connected to it in the literature reviewed here, is taklif, the state of being morally and legally responsible, which in classical Islamic legal theory is tied to specific conditions, including reason ('aql) and the capacity for independent moral choice, that a legal subject must satisfy to be held accountable for their actions. Johansen (1999), in his study of contingency and normative reasoning in Islamic law, examines how classical jurists carefully delimited the conditions under which taklif applies, excluding categories of persons, including minors and those lacking sound reason, from full legal responsibility precisely because they lack the qualifying capacities the concept presupposes. This classical framework raises a directly relevant question for AI: since taklif in classical theory is tied to specific human capacities that current AI systems do not possess in the morally relevant sense, however sophisticated their outputs may appear, the classical framework would not support treating an AI system itself as a bearer of taklif, reinforcing rather than complicating the more straightforward view that moral and legal responsibility for AI-mediated decisions must rest with the human individuals and institutions that design, deploy, and rely upon such systems.

This conclusion, while perhaps unsurprising, has practical significance for the priority areas identified in Section 5: it implies that Islamic legal evaluation of AI-driven decisions in inheritance calculation, financial transactions, or other domains should proceed not by asking whether the AI system itself has acted permissibly, a category error given the taklif framework Johansen (1999) describes, but by asking whether the human actors who designed, deployed, or relied upon the system's output have discharged their own taklif-bound responsibilities appropriately, a reframing that shifts the locus of juristic evaluation from the technology itself to the human institutions and individuals responsible for its use, consistent with the broader emphasis on institutionally embedded, human-accountable reasoning discussed throughout this review.

4. CONVERGENCE AND DIVERGENCE WITH SECULAR AI ETHICS

The secular AI ethics literature, considerably more developed than its Islamic counterpart, offers a useful point of comparison. Jobin, Ienca, and Vayena's (2019) systematic review of AI ethics guidelines identifies substantial global convergence around principles including transparency, justice and fairness, non-maleficence, responsibility, and privacy. Floridi et al. (2018), in proposing the AI4People framework, organize similar principles around beneficence, non-maleficence, autonomy, justice, and explicability. Read alongside the maqasid framework discussed in Section 3, there is notable substantive overlap: the secular principle of justice and fairness resonates with the maqasid objective of preserving human dignity and preventing harm; the principle of autonomy resonates, in a qualified way, with the objective of

preserving intellect; and the principle of non-maleficence resonates broadly with the overarching Islamic legal maxim that harm must be eliminated (al-darar yuzal).

The point of clearest divergence concerns the source and authority of these principles. Secular AI ethics frameworks typically derive their principles from a combination of philosophical reasoning, human-rights instruments, and professional consensus, whereas maqasid-based Islamic reasoning derives its objectives from revealed text as interpreted through an established juristic methodology, giving the resulting norms a different kind of authority and a different relationship to religious community and practice (Ramadan, 2009). This divergence matters practically: a maqasid-based evaluation of an AI system is not simply a restatement of secular AI ethics principles in Islamic vocabulary but carries distinct implications, for instance regarding the weight given to communal versus individual welfare, or the treatment of AI applications in explicitly religious contexts such as automated fatwa-generation or AI-mediated religious instruction, questions that fall outside the scope of secular frameworks entirely.

UNESCO's (2021) Recommendation on the Ethics of Artificial Intelligence, while itself a secular instrument, explicitly calls for AI governance frameworks to be developed in dialogue with diverse cultural and religious traditions rather than assuming a single universal framework, a call that provides institutional support for the kind of integrative, tradition-specific work argued for in this review. Bunt's (2018) research on digital religious authority in Muslim contexts, while not focused specifically on AI ethics, documents the broader phenomenon of religious authority being renegotiated through digital and algorithmic media, a dynamic directly relevant to questions about AI's role in the transmission and interpretation of Islamic legal knowledge itself.

4.1 Explicability and the Classical Requirement of Bayan

One point of convergence between the secular and Islamic frameworks warrants closer examination: the principle Floridi et al. (2018) term explicability, the requirement that AI systems' decisions be interpretable and explainable to those affected by them, resonates with a long-standing methodological requirement within Islamic legal reasoning itself. Weiss (1998), in his study of the epistemology of Islamic law, discusses the classical requirement of bayan, clarification or explication, as a foundational condition for the validity of legal rulings, reflecting the broader principle that a ruling's legitimacy depends partly on the intelligibility of its reasoning to those bound by it, not merely on the correctness of its conclusion. Read alongside Floridi et al.'s (2018) explicability principle, this suggests that the demand for algorithmic transparency in AI ethics is not simply an imported secular value but has a structural analogue within Islamic legal epistemology itself, strengthening the case that maqasid-based evaluation of AI systems should treat explicability, particularly the auditability of automated decisions in domains such as inheritance calculation and financial transactions discussed in Section 5, as a requirement continuous with rather than external to Islamic legal tradition.

4.2 Information Ethics and the Moral Status of Data

A further point of potential convergence concerns the underlying philosophical treatment of information and data within secular AI ethics, an area developed most systematically by Floridi (2013) under the label information ethics, which treats the flourishing or degradation of what he terms the "infosphere," the totality of informational entities and their interactions, as itself a proper object of moral concern, independent of and prior to its effects on human welfare specifically. This move, treating information integrity as having intrinsic rather than only instrumental moral significance, has no direct classical Islamic analogue, since classical Islamic legal categories, including the preservation objectives discussed in Section 3, are fundamentally anthropocentric, oriented toward human welfare, religious practice, and social order rather than toward the integrity of information as such.

This divergence is instructive rather than merely academic. Ess (2009), writing on digital media ethics from a comparative and cross-cultural perspective, argues that information ethics frameworks developed primarily within Western secular philosophy often implicitly assume a particular, historically contingent

understanding of individual autonomy and information as a freely circulating public good, assumptions that do not straightforwardly transfer to legal and ethical traditions, including the Islamic tradition, that ground data-related obligations more explicitly in relational and communal categories such as trust (amanah) and the prohibition of unwarranted intrusion into others' private affairs (tajassus). This suggests that a genuinely Islamic AI ethics of data and information, rather than adopting Floridi's (2013) infosphere-centered framework wholesale, would more naturally develop from the existing, well-established Islamic legal categories of trust and privacy, an area of classical fiqh with direct relevance to contemporary questions of AI-driven data collection and profiling that has not yet been substantially developed in the literature reviewed in this paper.

5. PRIORITY AREAS FOR FUTURE JURISTIC INQUIRY

Based on this review, several specific areas emerge as priorities for future Islamic legal scholarship on AI. First, algorithmic tools for calculating inheritance shares (fara'id), an area of Islamic law with well-defined computational structure, raise questions less about the correctness of the calculation itself and more about the appropriate role of automated tools in a domain traditionally requiring a qualified scholar's judgment regarding contested family circumstances. The fara'id system's comparatively precise, rule-based structure makes it, on the surface, an intuitively natural candidate for algorithmic automation, and automated fara'id calculators are already in informal circulation; however, Kamali's (2003) broader caution regarding the limits of purely rule-based reasoning, discussed in Section 3, applies with particular force here, since the correct application of fara'id rules in practice frequently depends on establishing contested factual questions, the precise family relationships and circumstances of the deceased, that require the kind of qualified juristic fact-finding no algorithmic system can substitute for, meaning that automation is more defensible as a calculation aid subject to jurist verification than as an autonomous determination.

Second, AI-driven decision-making in Islamic financial institutions, including algorithmic credit scoring and robo-advisory services, raises direct maqasid concerns regarding the preservation of property and the prohibition of gharar (excessive uncertainty), an area where the existing Islamic finance literature, and the Shariah supervisory board infrastructure discussed in Section 5.2, provides a partial foundation but has not yet substantially engaged with AI-specific concerns, including the specific question of whether algorithmic decision processes, often difficult even for their own developers to fully explain, can satisfy the transparency and explicability requirements discussed in Section 4.1. Third, AI applications in reproductive and genetic technologies intersect with the well-developed Islamic bioethics literature on assisted reproduction, suggesting a natural point of connection for scholars seeking to extend existing bioethical reasoning to AI-mediated contexts, particularly as AI-assisted embryo selection and genetic risk prediction technologies become more clinically prevalent and raise questions, regarding the preservation of lineage (hifz al-nasl) specifically, that extend beyond the reproductive-technology questions Sachedina's (2009) foundational work primarily addressed.

5.2 Governance Lessons from Islamic Financial Technology Regulation

The Islamic finance industry's experience regulating financial technology more broadly offers a useful, if partial, precedent for the AI-specific governance challenge identified above. El-Gamal (2006), in his comprehensive treatment of Islamic finance law and practice, documents how Islamic financial institutions have developed specific governance mechanisms, including Shariah supervisory boards composed of qualified jurists tasked with reviewing financial products and practices for compliance with Islamic legal principles, to address the steady stream of financial innovations, from securitization structures to, more recently, digital and algorithmic trading platforms, that have no direct classical precedent. El-Gamal's (2006) account is significant for the present review because it demonstrates a working institutional model, sustained, product-specific jurist review integrated directly into the operations of the institutions deploying the technology, that addresses precisely the kind of collaboration

between jurists and technologists called for throughout this review, and does so in a domain, algorithmic financial decision-making, that overlaps substantially with the second priority area identified above.

The Shariah supervisory board model documented by El-Gamal (2006), however, has developed specifically within financial institutions and has not, based on the literature reviewed in this paper, been substantially extended to other domains where AI raises comparable governance questions, including education, media, and public administration. This suggests a further, more institutionally concrete recommendation than those developed elsewhere in this review: that religious and educational institutions operating in Muslim-majority contexts, or serving Muslim communities more broadly, could adapt the Shariah supervisory board model developed within Islamic finance, integrating qualified jurists directly into AI governance processes for education-sector and other AI applications, rather than relying solely on the more general, ex post juristic evaluation implied by the collective ijtihad model discussed in Section 2.2.

6. IMPLICATIONS FOR JURISTIC AND EDUCATIONAL INSTITUTIONS

The analysis developed across this review carries several concrete implications for the institutions best positioned to develop a more mature Islamic AI ethics. First, the collective ijtihad model discussed in Section 2.1, following Masud, Messick, and Powers (1996), together with the Shariah supervisory board precedent from Islamic finance discussed in Section 5.2, following El-Gamal (2006), point toward a common institutional recommendation: international and national fiqh academies should establish standing committees on AI, structured along the lines of the biomedical ethics committees Sachedina (2009) describes in Section 3.1, combining qualified jurists with AI researchers and practitioners in a sustained, rather than ad hoc, advisory relationship. The absence of substantial existing collective juristic engagement with AI specifically, noted in Section 2.2 following Zaman (2002), suggests this represents a genuine institutional gap rather than a saturated area where further institutional investment would be duplicative.

Second, institutions of Islamic higher education, including universities offering degrees in Islamic studies and fiqh, would benefit from incorporating basic AI literacy into the training of future jurists, mirroring the way medical knowledge has become a practical, if informal, prerequisite for jurists working productively on contemporary bioethical questions within the model Sachedina (2009) describes. Without at least a working technical understanding of how contemporary AI systems function, including the basic distinction between rule-based and machine-learning approaches that underlies much of the algorithmic bias literature discussed in the companion review of AI and social structure published in this issue, jurists risk being unable to apply even well-developed frameworks such as maqasid and maslaha with the precision the underlying technology requires.

Third, the priority areas identified in Section 5, inheritance calculation, Islamic financial technology, and reproductive and genetic technologies, are not equally urgent from an institutional-capacity standpoint. Given the existing Shariah supervisory board infrastructure documented by El-Gamal (2006), Islamic financial institutions are comparatively well positioned to extend their existing governance capacity to AI-specific financial applications relatively quickly. Inheritance calculation and reproductive technology applications, by contrast, lack comparable existing institutional infrastructure specifically oriented toward technology governance, suggesting these areas may require more substantial new institutional investment, potentially through the fiqh academy model discussed above, before the kind of sustained jurist-technologist dialogue this review has argued for throughout can be realized in practice.

7. CONCLUSION

This review has argued that although a mature, dedicated literature on Islamic law and artificial intelligence has not yet emerged, the necessary conceptual resources for developing one are substantially available, in classical and contemporary work on Islamic legal methodology and the maqasid al-shariah framework, and in the comparatively mature secular AI ethics literature. The maqasid

framework, as systematized by Auda (2008) and grounded in the broader methodological tradition described by Kamali (2003) and Hallaq (2009), offers a principled basis for evaluating AI applications against higher objectives even where direct textual or precedential guidance is unavailable, while remaining attentive, following Kamali's (2003) caution, to the need for this reasoning to remain disciplined by established juristic method rather than operating as free-standing ethical speculation. Realizing this potential will require sustained collaboration between jurists, technologists, and ethicists, a collaboration that remains at an early stage but for which both the classical Islamic legal tradition and the contemporary AI ethics literature provide substantial and complementary resources.

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