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ARTIFICIAL INTELLIGENCE IN ISTINBAT AL-HUKM FROM MUAMALAH HADITHS: A FIQH AND LIBRARY-BASED ANALYSIS

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ABSTRACT: The complexity of Hadith verification and the current diversity of schools of thought (*madhhab*) necessitate Artificial Intelligence (AI)-based solutions to provide a more efficient, structured, and unbiased analysis. The integration of AI raises fundamental questions regarding the normative authority of its legal outcomes, specifically whether AI can replace the role of a *Mujtahid*, who possesses intellect (*aql*) and intention (*niyyah*). Therefore, this study aims to analyze the *shar'i* ruling on the use of AI from a Fiqh perspective, focusing on three areas: mapping the technical capabilities of AI in Hadith and *Usul Fiqh* analysis, assessing the *shar'i* legal validity of AI products as either a *hukm* (binding ruling) or a *wasilah* (aid/tool), and formulating an Islamic ethical framework (*Akhlaq*) for its development. This study employs a qualitative research method with a library research approach, comprehensively analyzing and interpreting data from primary and secondary literature, academic journals, and publications from fatwa institutions related to *Usul Fiqh*, technological ethics, and the implementation of AI in the religious field. Data analysis is conducted using a descriptive-analytical technique, where data concerning AI capabilities and *Usul Fiqh* principles are collected, classified, and critically analyzed to produce a systematic legal synthesis and ethical framework. The results of this study explain that the utilization of Artificial Intelligence (AI) in *Istinbat al-Hukm* is fundamentally permissible (*mubah*) as it supports the principles of *Taisir* (ease) and *Maslahah* (public interest), making it an effective aid (*wasilah*) for technical tasks such as *sanad* verification, data classification, and the analysis of *Qat'i al-Dilalah* Hadiths. However, the outcomes of *istinbat hukm* generated by AI cannot be accepted as *shar'i*-ly binding legal decisions. This is because the authority of *Ijtihad* is inherently attached to humans, which is essential for understanding the *Maqasid al-Shari'ah*. Consequently, AI output must be treated as logical predictions that



must be validated by a human *Mujtahid*. Furthermore, the use of AI is prohibited for *Muamalah* Hadiths, as the proofs (*dalil*) in *muamalah* fall under the category of *Zannī al-Dilālah* (speculative in meaning), which lack a single, clear, or direct definitive meaning, thus requiring further analysis, interpretation, or explanation to understand their true intended meaning.

Keywords: Fiqh, Artificial Intelligence, Deriving Legal Rulings (*Istinbat al-Hukm*), and *Muamalah* Hadiths

ABSTRAK: Kompleksitas verifikasi Hadis dan sebaran mazhab saat ini memerlukan solusi berbasis Kecerdasan Buatan (AI) guna menyediakan analisis yang lebih efisien, terstruktur, dan tidak bias. Integrasi AI memunculkan pertanyaan mendasar tentang otoritas normatif hasil hukumnya, khususnya apakah AI dapat menggantikan peran *Mujtahid* yang memiliki akal dan niat. Oleh karena itu, penelitian ini bertujuan menganalisis hukum syar'i penggunaan AI dari perspektif Fiqh, dengan fokus pada tiga hal: memetakan kemampuan teknis AI dalam analisis Hadis dan Ushul Fiqh, menilai validitas hukum syar'i produk AI sebagai *hukm* atau *wasīlah* (alat bantu), serta merumuskan kerangka etika Islam (*Akhlak*) untuk pengembangannya. Kajian ini menggunakan metode penelitian kualitatif dengan jenis studi kepustakaan (*library research*), menganalisis dan menginterpretasi secara komprehensif data dari literatur primer dan sekunder, jurnal akademik, dan publikasi lembaga fatwa terkait Ushul Fiqh, etika teknologi, dan implementasi AI di bidang agama. Teknis analisis data dilakukan menggunakan teknik deskriptif-analitis, di mana data mengenai kapabilitas AI dan kaidah Ushul Fiqh dikumpulkan, diklasifikasikan, dan dianalisis secara kritis guna menghasilkan sintesis hukum dan kerangka etis yang sistematis. Hasil penelitian ini menjelaskan bahwa Pemanfaatan Kecerdasan Buatan (AI) dalam *Istinbāt al-Hukm* pada dasarnya diperbolehkan (*mubah*) karena mendukung prinsip *Taisīr* dan *Maslahah*, menjadikannya alat bantu (*wasīlah*) yang efektif untuk tugas-tugas teknis seperti verifikasi *sanad*, klasifikasi data, dan analisis Hadis *Qat'i al-Dilālah*. Namun, hasil *istinbāt hukm* dari AI tidak dapat diterima sebagai keputusan hukum yang mengikat secara syar'i. Hal ini dikarenakan otoritas *Ijtihād* secara syar'i melekat pada manusia yang esensial untuk memahami *Maqāṣid al-Sharī'ah*. Oleh karena itu, *output* AI harus diperlakukan sebagai prediksi logis yang wajib divalidasi oleh *Mujtahid* manusia. Sedangkan pada hadis-hadis *Muamalah* tidak boleh menggunakan pemanfaatan kecerdasan buatan (AI), karena dalil-dalil *muamalah* masuk dalam kategori *Zannī al-Dilālah* yang tidak memiliki makna tunggal, jelas, atau pasti secara langsung, sehingga memerlukan analisis, penafsiran, atau penjelasan lebih lanjut untuk memahami maksud yang sebenarnya.

Kata Kunci: *fiqh*, Kecerdasan Buatan, *Istinbat al-Hukm*, *Hadis-hadis Muamalah*

INTRODUCTION

Hadith studies constitute a fundamental academic discipline in Islam, as the Hadith of Prophet Muhammad (peace be upon him) serves as the second source of



law after the Qur'an.(Wahab Syakhrani and Hidayah 2022) Its crucial position demands a strict methodology in the verification (*takhrij*) and interpretation (*sharh*) of its texts (Abdul Aziz and Yuliawati 2023). The process of *istinbat al-hukm* (deriving legal rulings) performed by the *Mujtahids* involves the integration of linguistic understanding of the Hadith (*dalalah*) with the application of complex and varied principles of *Usul Fiqh* (Islamic Jurisprudence).

Especially in matters of *muamalah* (transactional affairs), a deeper level of *Ijtihad* (independent legal reasoning) is required of the *Mujtahid* to produce a valid legal ruling (*istinbat hukm*) that minimizes debate arising from differing views. However, in practice, numerous differences in opinion exist among scholars and *Mujtahids*. Examples include rulings on online sales, borrowing money, credit sales, and various other *muamalah* transactions.

In the context of the current digital era and information revolution, Muslims face new challenges in performing *Ijtihad*. The sheer volume of Hadiths, coupled with the necessity of considering thousands of views from different schools of thought (*madhhab*) and scholars regarding *muamalah* issues, makes the *istinbat* process time-consuming and susceptible to inconsistency. Consequently, the Muslim community is challenged to develop methods of *istinbat al-hukm* using easy, fast, systematic, and objective tools, thereby paving the way for the creation of Artificial Intelligence (AI) technology.

This technological shift is further catalyzed by the massive adoption of digital tools in Muslim-majority countries. In Indonesia, for instance, AI penetration reached a significant 64.7% in 2024, reflecting a paradigm shift in how the public seeks information and processes data. In response to this trend, initiatives have emerged, such as those developed by Republika alongside Islamic da'wah activists, aimed at simplifying Islamic understanding for the public, particularly Generation Z, through AI-based platforms. (Dwi 2025) This widespread reliance on AI underscores the urgency of addressing how such technology intersects with sacred religious authority.

Previous studies have established a foundational understanding of this integration. Sudirman identified central themes in the intersection of Shariah and AI, such as Shariah-aligned AI ethics and the legal responsibility of machines. (Sudirman, Sutiah, and Supriyono 2025) Alamsyah further emphasized the *Maqasid al-Shari'ah* paradigm as a moral and legal foundation, ensuring that AI applications safeguard faith, intellect, and property.(Mulki Firdaus Alamsyah, Yayuli, and Ahmad Remanda 2025) From a formal legal standpoint, Saputra and Zahara analyzed the perspective of fatwa institutions like the MUI, concluding that while AI can generate complex works, it remains an entity without full legal personhood.(Saputra and Zahara 2026) However, a significant gap remains: existing literature is often fragmented and lacks an operational model that specifically maps the technical process of *istinbat al-hukm* from *muamalah* Hadiths using *Usul Fiqh* principles. Most studies treat AI as a general tool rather than



analyzing its specific semantic and deductive capabilities in classical legal reasoning.

The integration of AI with the *istinbat al-hukm* methodology raises fundamental and complex questions, not only concerning the technical capabilities of AI but also the normative authority of its results: Can the legal outcomes produced by AI be accepted from a *Shar'i* (Islamic legal) perspective? Can the role of the *Mujtahid* (legal scholar capable of *Ijtihad*) be replaced by a machine that lacks intellect, intention, and spiritual values? Therefore, this research aims to analyze the *Shar'i* ruling regarding the use of AI from a Fiqh perspective.

This research has three main interconnected objectives. First, to analyze how AI can technically map the process of Hadith *istinbat*, particularly in the aspects of semantic analysis and the application of *Usul Fiqh* principles to *muamalah* Hadiths. Second, to assess the *Shar'i* legal validity of the AI product based on the principles of *Usul Fiqh*, in order to determine its status as a binding *hukm* (ruling) or merely a *wasilah* (aid or tool). Third, to formulate an Islamic ethical framework (*Akhlaq*) that must be adhered to in the development of AI systems that interact with the sources of Islamic law.

The findings of this research are expected to provide a significant contribution by offering a normative foundation and ethical guidance for Sharia scientists, technology developers, and fatwa institutions, especially concerning *muamalah* issues. It is also hoped to bridge the gap between Islamic scholarly tradition and modern technological innovation. This article will be structured by reviewing the theoretical basis of Fiqh and AI, analyzing the *Shar'i* ruling on the utilization of AI, and concluding with the formulation of the ethics that must underpin the operational framework of Hadith-Fiqh expert systems.

METHOD

This study employs a qualitative research design (Sugiyono 2017) with a library research approach. (Zed 2008) This method was selected due to the normative-judicial nature of the research object, which explores the integration between classical Islamic legal methodology (*Usul Fiqh*) and Artificial Intelligence (AI) specifically concerning *muamalah* Hadiths. The researcher seeks to synthesize new insights regarding the legal status of AI in the *istinbat al-hukm* process, an area not yet explicitly addressed in traditional legal texts.

The research data are classified into three levels of sources. Primary sources include standard *Usul Fiqh* texts (such as *Al-Risalah* and *Al-Muwafaqat*) and the primary Hadith collections (*Kutubut Tis'ah*) related to *muamalah* (e.g., the prohibition of *Gharar*). Secondary sources consist of reputable academic journals (such as *SICOPUS* and *IJESTY*) discussing AI and technological ethics. Tertiary sources comprise official fatwa documents from authoritative institutions such as the MUI, the *International Islamic Fiqh Academy* (IIFA), and *IACAD* Dubai.

Data collection was conducted systematically through searches in scientific databases (*Google Scholar*, *Scopus*) using specific keywords, followed by inclusion



criteria for literature published within the last 10 years, close reading techniques, and data extraction. The researcher maintains an academic position in Fiqh, ensuring objectivity through the principle of reflexivity to avoid pro- or anti-technology biases before the analysis is completed.

Data analysis was performed using qualitative content analysis with a descriptive-analytical approach. This process involved several stages: unitization, categorization (distinguishing AI as a *wasilah* or *hukm*), codification, interpretation based on *Maqasid asy-Syariah*, and drawing conclusions. The primary focus of the analysis was to evaluate AI's capability in handling *Zanni al-Dilalah* (speculative) texts, which require complex human interpretation.

Data credibility was ensured through source triangulation (comparing fatwas across international institutions), peer debriefing with fellow experts, and semantic validity to ensure the accurate use of technical terms in both Sharia and Information Technology domains. Through this rigorous procedure, the research aims to formulate a valid ethical framework (*Akhlaq*) for future AI development.

RESULTS AND DISCUSSION

The Method of Legal Derivation (*Istinbat al-Hukm*) in Islam

Etymologically, *istinbat* means "*al-Istikhraj*" (to extract or draw out). The phrase "*Istanbatha al-faqih*" means that the jurist has extracted an understanding that was previously hidden (*bathin*) through *Ijtihad* and correct comprehension (Nurliana 2017). *Istinbat* is the effort to discover a legal ruling (*hukm syara'*) directly from the text of the Qur'an and Hadith by exerting one's logical and intellectual capabilities. Ahmad Salim Batahir states that great effort and diligence are required to perform *istinbat* because it involves inherent difficulty. (Harahap 2023)

At first glance, there appears to be a similarity between the meanings of *istinbat* and *Ijtihad*. However, fundamentally, there is a distinction between the two. *Ijtihad* has a broader scope than *istinbat*, because *istinbat* is considered a specific framework or tool within *Ijtihad*. The focus of *istinbat* is strictly the textual sources (*nash*) the Qur'an and the Sunnah. Therefore, the effort to understand, extract, and formulate law from these two primary sources is called *istinbat*. In contrast, the understanding, extraction, and formulation of rules carried out through secondary methods such as *qiyās* (analogical deduction), *istiḥāb* (presumption of continuity), *istiḥlāḥ* (consideration of public interest), and other rational proofs are generally classified as *Ijtihad*. (Harahap 2023)

Ruki echoes this explanation, stating that *istinbat* is solely tied to the texts of the Qur'an and Hadith. Meanwhile, rulings derived through secondary methods of legal extraction, such as *qiyās*, *maslahah mursalah* (unrestricted public interest), *istihsan* (juristic preference), *Qawl al-Ṣaḥābi* (opinion of the Companion), and other rational proofs are termed *Ijtihad*. This definition clearly highlights the difference between *istinbat* and *Ijtihad*: *Istinbat* extracts the ruling directly from its source, while *Ijtihad* determines the ruling for something whose law has not been explicitly defined in the Qur'an or Hadith. (Harahap 2023)

In the tradition of *Usul Fiqh* (Principles of Jurisprudence), *Ijtihad* is defined as



the earnest effort of a qualified jurist to deeply study and derive practical rulings (*'amaliyyah*) from the detailed sources of Islamic law (Hasniar 2025). This process may only be undertaken by a *Mujtahid* who meets strict criteria, with *Usul* scholars generally detailing the following requirements: having extensive knowledge of the Qur'an; possessing knowledge of the Prophet's Sunnah, the second source after the Qur'an; knowing the abrogating and abrogated texts (*nāsikh wa mansūkh*); knowing the legal issues that have reached consensus (*ijmā'*) among previous scholars; having a thorough and perfect command of the Arabic language; mastering *Usul Fiqh*; and understanding the *Maqāṣid al-Sharī'ah* (Objectives of Islamic Law). Furthermore, Yusuf Qardawi broadly summarizes the conditions, generally agreed upon by scholars, as follows: the *Mujtahid* must know the Qur'an and the sciences of the Qur'an (*'Ulūm al-Qur'an*), know the Sunnah and the sciences of Hadith (*'Ilm al-Ḥadīth*), know the Arabic language, know the topics already agreed upon by *ijmā'*, know *Usul Fiqh*, understand the historical and contextual intentions (i.e., *Maqāṣid*), be knowledgeable about people and the surrounding environment, and be characterized by justice (*'adl*) and piety (*taqwā*) (Asri 2021).

Al-Uthaymin derives or extracts legal rulings (*istikhrāj al-aḥkām*) from Hadiths in the book *Fathu Dhil Jalal Wal Ikram* by following these steps:

Firstly :Thematic Grouping of Hadiths. before performing *istinbat* in the book, Al-Uthaymin first groups the Hadiths thematically within specific books and chapters. In this work, he begins by grouping the Hadiths starting with the book of *al-Ṭahārah* (Purification). In the discipline of Hadith Studies, this style of book compilation is called a **Sunan** work, meaning a Hadith collection structured by the author according to the systematic order of chapters and books found in Fiqh literature.

Second; Stating Textual and Contextual Meaning, the subsequent step taken by Al-Uthaymin before deriving the ruling from a Hadith in *Fathu Dhil Jalal Wal Ikram* is to state the textual meaning and the difficult terminology in the Hadith, covering their meanings from an etymological and terminological standpoint, as well as according to the rules of the Arabic language. The method of legal *istinbat* in the sense of extracting a ruling from the text (*naṣṣ*) is inseparable from the approaches used in understanding Hadith. Broadly, there are two typologies of scholarly understanding towards Hadith: textual and contextual.(Harahap 2023)

The textual approach is a method of understanding Hadith without considering the historical process that gave rise to it. In other words, the textual approach means understanding the Hadith according to its literal or apparent meaning, consistent with its linguistic sense. This approach, according to Ma'ruf al-Dawalibi's theory, is called the *bayani* (explanatory) method. Through the textual or linguistic approach, researchers can identify and understand the difficult (*gharīb*) meanings found in the Hadith and grasp its overall meaning and objective. Since Hadith utilizes the Arabic language, the first step that researchers must take is to understand the difficult words.

In contrast, the contextual approach involves understanding the Hadiths of the Messenger of Allah (peace be upon him) by considering and investigating their



connection to the event or situation that formed the background for their utterance; in other words, observing and studying their context. Furthermore, when using the contextual approach, attention must also be paid to the underlying reason for the Hadith's appearance, as well as the Prophet's position as a judge, a head of state, or an ordinary human being. The definition above indicates that there are two ways to understand Hadith using the contextual approach: analyzing the wording (*lafz*) within the text and linking it to the related situational event, or thoroughly understanding the underlying cause for the Hadith's appearance (*asbāb al-wurūd*). The contextual approach in understanding the Prophet's Hadith is necessary to address increasingly complex societal problems. Indeed, according to Imam Al-Shafi'i, as quoted by Edi Safri, the contextual approach is one method for resolving contradictory Hadiths (*mukhtalif al-ḥadīth*). Nevertheless, the contextual approach cannot be applied to all Hadiths; it is generally limited to Hadiths concerning non-ritual worship (*ghayr maḥḍah*) (Harahap 2023).

The Utilization of Artificial Intelligence (AI) in the Field of Islamic Law

The utilization of Artificial Intelligence (AI) has permeated the field of Islamic law, largely driven by the ease of digital access and practical daily needs, rather than by the strict process of *istinbat* (legal derivation). Furthermore, the public can receive quick and efficient answers, even though these answers sometimes include references from the Qur'an or Hadith. This introduces a significant risk among lay people: over-trust or excessive reliance without verification. Moreover, the answers generated by AI can be customized to suit a user's desired school of thought (*madhhab*), thus presenting a stronger flexibility of *madhhab* choices.

Artificial Intelligence contributes by facilitating spiritual guidance, answering religious questions, analyzing religious texts, acting as a virtual religious mentor, providing prayer and supplication reminder applications, predicting religious events, and creating religious art and music (Reed 2021). The development of these systems allows users to submit questions in natural language, and instead of merely providing a list of documents that must be sorted to find an answer, the system delivers direct answers in the form of short text snippets or phrases to the question asked. In popular terms, this technology is commonly referred to as a chatbot. (Nurhapiza et al. 2024)

However, another perspective argues that the use of AI can make a significant contribution by making the *istinbat* process more accurate, effective, and even faster. AI technologies, such as machine learning and data analysis, are used to analyze *Shar'i* texts and synthesize related legal principles. With AI, Fiqh researchers can analyze these texts more quickly and accurately, obtaining a more comprehensive understanding of the legal rulings contained within. Additionally, data analysis using AI enables the formulation of legal maxims based on existing *Shar'i* evidence, as well as the utilization of automated programs to explore relationships and indirect rules related to specific topics in Fiqh. All these capabilities support researchers and simplify the *istinbat* process. Thus, AI can be a powerful and innovative tool in assisting researchers with Islamic legal derivation, though its application requires attention to *Shar'i* aspects and proper scientific



guidance to ensure accurate and reliable results. (Faishol, n.d.)

AI Semantics, through techniques like Natural Language Processing (NLP) and Word Embedding (Susanty and Sukardi 2021), offers an extraordinary capacity to analyze *Dilalah al-Lafz* (the textual indication of meaning) in Hadith (Rosyada 2018). AI can measure the semantic proximity between words, identify patterns of command (*Amr*) or prohibition (*Nahy*), and map complex linguistic contexts that are difficult for human researchers. Nevertheless, AI must still be tested when encountering *mushtarak* (homonyms) and *mutaradif* (synonyms) in Hadith, especially those that carry *Qat'i* (definitive) or *Zanni* (speculative) legal implications.

This includes the development of Expert Systems in Hadith or Fiqh studies by representing *Usul Fiqh* rules (such as *Qiyās*, *Istihāsān*, or *Istishāb*) in the form of logical rules (IF-THEN). Although this is technically feasible, the main challenge lies in formalizing rules that are inherently flexible and interpretive. AI can help ensure consistency when applying the same rule; however, it lacks the capacity to choose which rule is the most relevant or strongest in complex cases (*Tawāruf al-Adillah* – conflict of proofs), which is the core of a *Mujtahid*'s wisdom.

For example, Artificial Intelligence can be used to automate the method of *Qiyās* (legal analogy) (Yogie and Azren Qadraini 2025), which is a crucial mechanism in *istinbāt al-hukm* (Islamic legal derivation), especially for new cases not covered in the Qur'an, Hadith, or *Ijmā'* (consensus). According to Imam Al-Shafi'i, *Qiyās* is considered identical to *Ijtihād* because it allows Islamic law to address evolving human issues. Given the increasing complexity of human problems while the sacred texts (*naṣṣ*) are limited and the conditions for a *Mujtahid* are increasingly difficult to meet, AI is proposed as a solution to emulate the way scholars perform *Qiyās*. *Qiyās* has four main pillars: *al-aṣl* (the case with a textual ruling), *ḥukm al-aṣl* (the ruling of the original case), *al-far'* (the new case), and '*illat* (the effective cause that connects *al-aṣl* and *al-far'*). The AI method proposed to automate *Qiyās* is Case-based Reasoning (CBR). CBR mimics analogical reasoning by seeking a solution for a new case (*far'*) from the solution of an old case (*al-aṣl*) stored in a database, based on the degree of similarity (*similarity*) of the '*illat* (effective cause). (ilmusyariahdoktoral.uin-suka.ac.id, n.d.)

One example of Artificial Intelligence frequently used by the public is ChatGPT. This AI emerged as a technology developed with algorithms to mimic how humans search, gather, and process relevant data. ChatGPT functions like a tool that can provide answers based on user input, similar to the human method of accessing information. On one hand, ChatGPT resembles humans in its capacity as a *mufti* (legal consultant) or *nāqil al-qawol* (narrator of opinions), offering explanations or *fatwa* based on its data, and is thus able to give *iftā'* (legal opinion) or *irshād* (guidance). Although ChatGPT can deliver religious understanding much like a scholar, there remains a difference between its capabilities and human capacity. ChatGPT relies entirely on data and algorithms, while humans possess the ability to understand context more deeply, consider ethical values, and provide more comprehensive interpretations. Therefore, although ChatGPT serves functions similar to a *mufti* or an authoritative book, its limitations must be



understood, especially regarding the depth of understanding and moral consideration. The author will thus analyze the paradigm of ChatGPT as a reference for *fatwa* results through two distinct approaches (Royhan and Haqiqi 2025).

In 2019, the United Arab Emirates, through the Department of Islamic Affairs & Charitable Activities Department (IACAD) / *Dā'iratu as-Shu'ūn al-Islāmiyyah wa al-'Amal al-Khairī*, launched the Virtual Mufti technology. This AI-based technology is claimed to be the first AI-based *fatwa* service model. With the presence of this virtual mufti, users no longer need to wait days for answers from assigned scholars. By simply clicking the 'chat with us' icon on the iacad.gov.ae website, users can ask questions and immediately receive real-time answers, provided the answer is available in the application's database. This system allows hundreds of thousands of inquiries received annually to be answered. (Masrur 2019)

Muhammadiyah University Jakarta (UMJ) became the first campus designated to host the inaugural launch and exclusive trial of Republika's Islamic *Da'wah* (Preaching/Proselytization) Artificial Intelligence platform on July 4, 2025. This AI *Da'wah* Platform introduces two virtual characters, Aiman and Aisha, which are designed to answer various questions about Islamic teachings interactively. This initiative was developed by Republika alongside Islamic *da'wah* activists in response to the increasing trend of AI usage in society (reaching 64.7% in Indonesia in 2024), specifically to make it easier for the public, particularly Generation Z, to gain Islamic understanding. (Dwi 2025)

With the changes of the era driven by artificial intelligence, Islamic legal issues may also be answered by AI. The Muslim community's sources of Islamic information (including Islamic law) are now often obtained from artificial intelligence algorithms present in the digital sphere. Given the sheer volume of information available, this can certainly confuse the *Ummah* (Muslim community) in choosing Islamic information. Furthermore, it is very possible that the source of the obtained information is unknown—whether it comes from a qualified expert (*mufti*) or purely from an artificial intelligence algorithm. It is even possible that entire religious *fatwa* institutions could be replaced by artificial intelligence, as is the case in the United Arab Emirates. (Hakim and Azizi 2023)

The implementation of Artificial Intelligence (AI) in the judicial system has also become a global trend. Several countries have begun exploring various ways to utilize AI to enhance the efficiency and accuracy of judicial processes. Below are some examples of AI use cases in criminal justice in other countries:

First; United States; 1) COMPAS (Correctional Offender Management Profiling for Alternative Sanctions): This system uses algorithms to predict the recidivism risk (the likelihood of re-offending) of a convicted person. The results of this prediction are then used by judges to determine the type of sentence to be imposed. 2) PredPol: This algorithm is used to predict where and when crimes are likely to occur, allowing the police to allocate resources more effectively.

Second, China; Judge-less Courts: Some courts in China have experimented with a judicial system that uses AI to resolve simple cases, such as minor contract disputes. b. Mass Surveillance: The Chinese government utilizes AI-based



surveillance systems to track and identify individuals deemed a threat to national security. And *third*, United Kingdom; Decision Support Systems: Several courts in the UK use AI-based decision support systems to assist judges in making decisions, for instance, regarding bail determinations.

However, despite having a number of advantages and conveniences, the use of AI in the judiciary poses challenges. One such issue is data bias. AI is only as good as the data used to train it. If the data used is biased, the AI will also be biased. Furthermore, there are also concerns about data privacy and security. (Linda Ikawati, Sulaiman Sulaiman, and Muhammad Fahri Huseini 2024)

Fiqh Analysis of the Utilization of Artificial Intelligence (AI) in the Process of *Istinbat al-Hukm* from *Muamalah* Hadiths

The integration of Artificial Intelligence (AI) into religious practice opens up significant opportunities while simultaneously posing ethical challenges that must be carefully scrutinized. As AI becomes increasingly integrated into our daily lives, its application in the spiritual context raises crucial issues. These issues include the necessity of guaranteeing user data privacy and security, preserving the authenticity of the religious experience, and preventing the commodification of aspects considered sacred in the Islamic faith. (Armstrong 2025)

Fundamentally, religions fully support all efforts aimed at human progress and happiness in this world and the hereafter. Islam itself encourages humanity to continually draw lessons and extract knowledge through God's verses, both the revealed texts (*qur'āniyyah*) and those spread throughout the cosmos (*kawniyyah*). The knowledge referred to here is not limited only to religious knowledge (*dīniyyah*) but also includes scientific and technological knowledge (*dunyawiyyah*). Generally, modern technology, including AI, falls under the Fiqh maxim that the default state of things (*al-aṣl fī al-ashyā'*) is permissibility (*al-ibāḥah*), unless prohibited by a specific *Shar'i* text.

الأصل في الأشياء الإباحة

"The fundamental principle concerning all things is permissibility (or lawfulness)." (Gustanto and Mubarak 2023)

Therefore, the use of artificial intelligence is generally permissible (*mubah*). As long as AI is utilized as a tool for purposes sanctioned by the Sharia, such as facilitating research, verifying data, or compiling a knowledge base, its ruling is *mubah*. The use of AI in Hadith studies is justified when it facilitates and realizes *Maslahah* (public interest) in the scholarly aspects.

The activity of *Istinbat al-Hukm* (deriving legal rulings) from the Hadith of the Messenger of Allah (peace be upon him) is essentially necessary in every era, aiming to obtain a new understanding that can serve as a problem-solving solution for issues occurring in society. Textually, not all problems may be resolved using Hadith, but contextually, by exerting optimal intellectual effort, they can be resolved. Therefore, utilizing the assistance of artificial intelligence (AI) becomes an alternative for capturing or analyzing the current situation. This demonstrates that Hadith is not only relevant to the time of the Messenger of Allah and his



companions but remains perpetually relevant in every circumstance, time, and place. Thus, AI plays a significant role in supporting *Maslahah* and *Tajdid* (renewal) in Fiqh. AI can process contemporary cases that are analogous to issues found in Hadith and classical Fiqh (*Takyif Fiqhi*–fiqh-based conceptualization). By providing sophisticated comparative analysis tools between Hadith, *madhhab* (school of thought) views, and modern data, AI assists contemporary *Mujtahids* (qualified scholars) in achieving an *Ijtihad* that is more informed, quicker, and relevant to new realities, provided the *Mujtahid* maintains full control over the final ruling.

Although its use is *mubah*, AI cannot be permitted to issue a binding *hukm* (legal decision or fatwa) that is *Shar'i*-ly enforceable. The legal authority in Islam (specifically *Ijtihad*) is inherent only in humans who meet the criteria of a *Mujtahid*. This is based on the fact that AI is a machine that processes objective data without being influenced by human emotion or bias (Linda Ikawati, Sulaiman Sulaiman, and Muhammad Fahri Huseini 2024), and is not morally accountable under Sharia, a responsibility exclusive to humans. (Rakib 2021) Therefore, the legal output from AI must be regarded as a logical prediction or probability analysis, which requires validation and affirmation (*tasdiq*) from a legitimate *Mujtahid*. As explained above, a *mufti* or *Mujtahid* must meet certain specified requirements. Furthermore, some scholars also hold the opinion that taking religious *Fatwas* issued by AI is *Ḥarām* (prohibited), because the widespread incidence of false information due to the misuse of AI technology necessitates that the public exercise extreme caution in adopting religious knowledge. (Rahma Dewi 2024)

As the word of Allah SWT in the Qur'an, Surah al-Anbiya verse 7:

فَسْئَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ

Meaning: "So ask the people of the message/knowledge (*Ahl al-Dhikr*), if you do not know." (QS Al-Anbiya: 7).

As explained by Muhammad Cholil Nafis, the chairman of the Central Indonesian Ulema Council (MUI), Artificial Intelligence (AI) must be utilized wisely because it has the potential to be a very effective tool in assisting researchers and scholars to conduct jurisprudential analysis (legal derivation/Fiqh) more accurately and comprehensively. Although AI is capable of providing answers to problems faced and offering suggestions for legal decision-making, he asserts that AI cannot replace the position of a true *Mujtahid* (qualified legal scholar) or *Mufti* (issuer of legal opinions), as the highest authority for legal decision-making remains with humans. ('Mengapa AI Tidak Bisa Dijadikan Rujukan Dalam Persoalan Hukum Agama?', n.d.)

The utilization of AI should be limited to areas that are *Qat'i al-Dilalah* (definitive in meaning) (Oktoviasari, Indo Santalia, and Aderus 2024) or to the technical aspect of data verification (*Sanad*). Examples include the use of AI to confirm the textual consistency of Hadiths across various books or the classification of *Rijāl al-Ḥadīth* (narrators). However, when dealing with Hadiths that are *Zanni al-Dilalah* (speculative in meaning) (Oktoviasari, Indo Santalia, and Aderus 2024), AI intervention must be handled with extreme caution, as it provides indications



that are not entirely definitive and still allow for diverse interpretations. AI can only present all existing possibilities of interpretation, but the final interpretive decision must be made by a human.

Thus, a Muslim must remain ethically and methodologically cautious regarding the risk of systemic errors that AI might cause. If the AI's database algorithm errs in performing Hadith *istinbat*, or if its knowledge base contains biased or incomplete *Usul Fiqh* principles, the resulting ruling will be *fasid* (corrupt/invalid) and potentially mislead the *Ummah* (Muslim community), and ultimately replace the authority of scholars as the guardians of the Sharia's authenticity. (Irma and Thahir 2025) Errors originating from the machine cannot be blamed on the machine itself, but rather on the humans who developed it and failed to perform adequate *Shar'i* supervision.

As for performing legal *istinbat* from the proofs of muamalah Hadiths, it is deemed inappropriate if using artificial intelligence (AI) technology. According to the researcher, the proofs from the Qur'an and Sharia economic Hadiths fall into the category of *Zannī al-Dilālah*, which do not possess a single, clear, or directly certain meaning, thus requiring further analysis, interpretation, or explanation to understand the true intended meaning.

As an example in the Hadith:

سنن ابن ماجه ٢١٨٦: حَدَّثَنَا أَبُو كُرَيْبٍ وَالْعَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ قَالَا حَدَّثَنَا أَسْوَدُ بْنُ غَامِرٍ حَدَّثَنَا أَيُّوبُ بْنُ عُتْبَةَ عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ عَنْ عَطَاءٍ عَنْ ابْنِ عَبَّاسٍ قَالَ نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الْغَرَرِ

Sunan Ibn Majah 2186: [Abū Kurayb] and [Al-'Abbās bin 'Abdul 'Aẓīm al-'Anbarī] narrated to us, saying: [Aswad bin 'Āmir] narrated to us, saying: [Ayyūb bin 'Utbah] narrated to us, from [Yaḥyā bin Abī Kathīr], from ['Aṭā'], from [Ibn 'Abbās], who said: "The Messenger of Allah (peace be upon him) forbade the sale of *Gharar* (that which causes loss to others)."

The definition of *Gharar* is uncertainty and speculation in a transaction, which is prohibited because it can lead to loss and injustice. (Muthia Azzahra et al. 2024) However, the Hadith does not specifically explain which objects or systems of sale constitute *Gharar*. If asked using an Artificial Intelligence tool, it would create great confusion regarding which objects and sales systems fall into the category of *Gharar*.

Therefore, to be safer, the utilization of artificial intelligence (AI) should be limited purely to *wasīlah* (aid or tool) for presenting data in a structured manner, as the Fiqh problem arises when AI is claimed to be able to produce the final legal *istinbat*. Its utilization can help *Mujtahids* identify patterns, understand the historical-legal context, and formulate *fatwas* that are responsive to the challenges of the age. (Irma and Thahir 2025)

CONCLUSION

The utilization of Artificial Intelligence (AI) in Hadith studies and the process of *Istinbat al-Hukm* (legal derivation) is principally permissible (*mubāh*), in line with



the maxim *Al-Aṣl fī al-Ashyā' al-Ibāḥah* (the fundamental principle concerning all things is permissibility) and the objectives of *Taisīr* (facilitation) and *Tahqīq al-Maslahah* (realizing public interest).

However, AI's role is strictly limited to that of a *wasīlah* that is highly effective in supporting *Istinbāt al-Ḥukm* from Hadith, especially in technical tasks such as *sanad* verification, data classification, and the linguistic analysis of Hadiths that are *Qat'i al-Dilālah* (definitive in meaning). With its massive data processing capabilities – for instance, through Semantic AI or Case-based Reasoning (CBR) for automating *Qiyās* (analogy) AI is able to help contemporary *Mujtahids* achieve *Ijtihād* that is faster, more comprehensive, and relevant (*Tajdīd*) to the reality of the time, thereby demonstrating the permanent relevance of Hadith.

Nevertheless, AI cannot be permitted to perform *istinbat ḥukm* that is Shar'i-ly binding. Consequently, adopting a religious *Fatwa* issued by AI is ruled Ḥarām (prohibited). This is because the authority of *Ijtihād* is inherent in humans, not in artificial intelligence, which operates by processing objective data without being influenced by human emotion or bias, and is not accountable under Sharia, a burden exclusive to humankind. Therefore, the output of AI must be treated as a logical prediction that requires validation and affirmation (*tasdīq*) by a legitimate *Mujtahid* (in accordance with the command in QS Al-Anbiya': 7). The public must be cautious about the risk of systemic errors and the misuse of false information, demanding that the use of AI be restricted to providing structured data, and placing the full responsibility for the final legal ruling on the developing scholars and the users.

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