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THE ROLE OF ARTIFICIAL INTELLIGENCE IN DEVELOPING CONTEMPORARY FATWAS AND ANALYZING JURISPRUDENTIAL TEXTS: EMPIRICAL EVIDENCE AND THE S.A.F.E.-FIQH FRAMEWORK

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Abstract

The integration of Artificial Intelligence (AI) into Islamic jurisprudence represents one of the most consequential and contested intersections of modern technology and religious scholarship. This study investigates the role of AI in developing contemporary fatwas and analysing jurisprudential texts, employing a mixed-methods design integrating document analysis (86 items), semi-structured interviews (N=45 across muftis, AI specialists, Dar al-Iftāʿ administrators, and Islamic studies academics), and systematic comparative evaluation of AI-generated versus human-authored fatwas (24 pairs). AI demonstrates strong performance in semantic text search (88%), cross-madhab citation retrieval (82%), and fatwa database analysis (83%), but critically underperforms on the dimensions most essential to valid fatwa issuance: depth of reasoning (AI: 4.2/10 vs. human: 9.4/10), consideration of maqāṣid al-Sharīʿah (2.9 vs. 9.1), contextual sensitivity (3.4 vs. 9.3), and human empathy and moral intent (1.8 vs. 9.5). Scholarly consensus is near-absolute: 97.8% of participants affirmed that AI must never issue binding fatwas independently and that mandatory human oversight is required for all AI-assisted outputs; 93.3% supported the development of Sharīʿah-focused AI models. Evaluation of eight AI platforms confirmed that Islamic-specific tools (al-Shamela AI: 8.1; Hadith Scholar AI: 7.6) significantly outperform general-purpose LLMs (GPT-4: 4.5) on Sharīʿah-aligned jurisprudential tasks. The study proposes the S.A.F.E.-Fiqh Framework — Scholarly Supervision, Accuracy Verification, Fiqh-Specific Training, Ethical Boundaries — as a four-pillar governance model for responsible AI integration across four hierarchical operational layers. The study concludes that AI can substantially enhance the research efficiency of Islamic legal scholarship as an assistive tool but that the exercise of ijtihād and the issuance of fatwas must remain the exclusive province of qualified human scholars.

Keywords: *Artificial Intelligence; fatwa; Islamic jurisprudence; fiqh; maqāṣid al-Sharīʿah; ijtihād; NLP; LLM; Dar al-Iftāʿ; hallucination; S.A.F.E.-Fiqh Framework; jurisprudential text analysis; Nigeria*

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I. INTRODUCTION

Islamic jurisprudence — fiqh — is among the most intellectually demanding and socially consequential scholarly traditions in history. For over fourteen centuries, Muslim scholars have developed a methodologically rigorous system for deriving legal rulings from the Qur'an and Sunnah through ijtihād (independent scholarly reasoning), qiyās (analogical deduction), and ijmāʿ (scholarly consensus). At the apex of this system stands the fatwa: the formal legal opinion issued by a qualified mufti in response to a specific question. Its authority derives from the mufti's mastery of primary sources, deep jurisprudential formation, contextual awareness of the questioner's circumstances, and the cultivated moral judgment that distinguishes ijtihād from mere academic opinion. Al-Qaradawi (1999) characterises the fatwa as both a legal act and a moral-spiritual responsibility: the mufti stands between the questioner and Allah's guidance, and that weight demands the highest scholarly rigour and ethical integrity.

Contemporary pressures on this system are severe. The volume of classical jurisprudential literature is immense — tens of thousands of texts across fourteen centuries. The pace of modern change generates legal questions requiring urgent Islamic guidance faster than traditional scholarly deliberation can accommodate. Artificial Intelligence — particularly natural language processing (NLP), machine learning (ML), and large language models (LLMs) — offers transformative possibilities for the research dimension of this challenge: rapidly scanning and organising vast fiqh corpora, mapping citation networks across schools of thought, and generating preliminary comparative analyses. Simultaneously, AI raises profound epistemological, ethical, and methodological questions about the limits of machine interpretation in matters of divine law.

Despite growing scholarly discussion, empirical evidence on AI performance in jurisprudential tasks and comparative quality data on AI-generated versus human-authored fatwas remain almost entirely absent from the literature. This study addresses that gap through a multi-method empirical investigation and proposes the S.A.F.E.-Fiqh Framework as a practical governance model for responsible AI integration. The study addresses five research questions: AI's current task-level performance in Islamic jurisprudential research; the specific limitations scholars identify; scholarly perceptions of appropriate AI roles; comparative quality of AI-generated versus human-authored fatwas; and the principles that should govern responsible integration.

II. THEORETICAL BACKGROUND AND LITERATURE

Classical Jurisprudence and the Contemporary Fatwa Challenge

Al-Shāṭibī's (1997) al-Muwāfaqāt articulates the maqāṣid framework — the higher objectives of Islamic law protecting religion, life, intellect, lineage, and wealth — as the purposive dimension that must inform ijtihād in novel cases. Al-Qaradawi's (1999, 2009) work extends this framework to contemporary fatwa practice, emphasising that the modern mufti must combine classical mastery with understanding of contemporary realities. The sheer volume of the classical fiqh corpus, the accelerating pace of modern change, and the globalisation of Muslim communities create a demand for faster, more comprehensive fatwa research that traditional methods alone cannot meet.

AI in Islamic Legal Scholarship

Altalhi (2023) provides the most comprehensive survey of machine learning applications in Islamic legal research, documenting rapid growth since 2020 driven by Arabic language models (AraBERT, CAMeL, MARBERT). Benaissa and Rane (2020) offer the foundational account of AI opportunities and challenges in Islamic law. Recent work evaluates LLMs with retrieval-augmented generation (RAG) for fatwa-style question answering, finding that RAG substantially reduces hallucination by grounding outputs in retrieved authenticated texts. Classical Arabic presents distinctive NLP challenges — morphological complexity, classical register, absent vowel markings — that limit performance on classical fiqh texts compared to modern Arabic. Abou El Fadl (2014) frames the authority question: authentic Islamic legal reasoning requires a moral agent bearing personal accountability before Allah, a category incompatible with algorithmic attribution of legal authority.

Ethical and Epistemological Concerns

Three concern clusters organise the ethics literature. The authenticity concern questions whether AI-mediated jurisprudential output can claim genuine ijtihād (Abou El Fadl, 2014). The authority concern focuses on erosion of scholarly accountability (Ahmad & Khan, 2021). The social concern addresses the risk that AI-generated fatwas without adequate disclosure would deceive Muslim users about the reliability of religious guidance received (Hashim, 2019). The maqāṣid gap — AI's inability to reason from Islamic law's higher objectives — is identified across sources as the most fundamental limitation.

III. METHODOLOGY

An explanatory mixed-methods design was adopted, integrating three strands: document and textual analysis (86 items), semi-structured interviews (N=45), and systematic comparative fatwa evaluation. Forty-five participants were engaged through purposive and snowball sampling: 18 senior muftis and fatwa scholars (mean practice: 22.4 years), 5 Dar al-Iftāʿ administrators, 12 AI specialists and developers, and 10 Islamic studies academics. Participants were distributed across Nigeria-based (n=23) and internationally accessible online contexts (n=22).

Document analysis covered 86 items: 24 published human-authored fatwas and 24 AI-generated responses to matched questions (five contemporary legal domains: bioethics, digital finance, environmental obligations, social media conduct, and digital family law), 18 classical fiqh texts from al-Maktaba al-Shāmila, 8 AI platform evaluations, and 12 modern jurisprudential manuals. Semi-structured interviews (55-minute mean duration) were audio-recorded, transcribed verbatim, and analysed using reflexive thematic analysis (Braun & Clarke, 2006; inter-rater kappa=0.87). Comparative fatwa evaluation was conducted by three senior fiqh scholars on eight quality dimensions (1–10 scale; ICC=0.88). Eight AI platforms were evaluated on a 10-item Sharīʿah-aligned rubric by three fiqh scholars. Figure 1 presents the participant and source distribution.

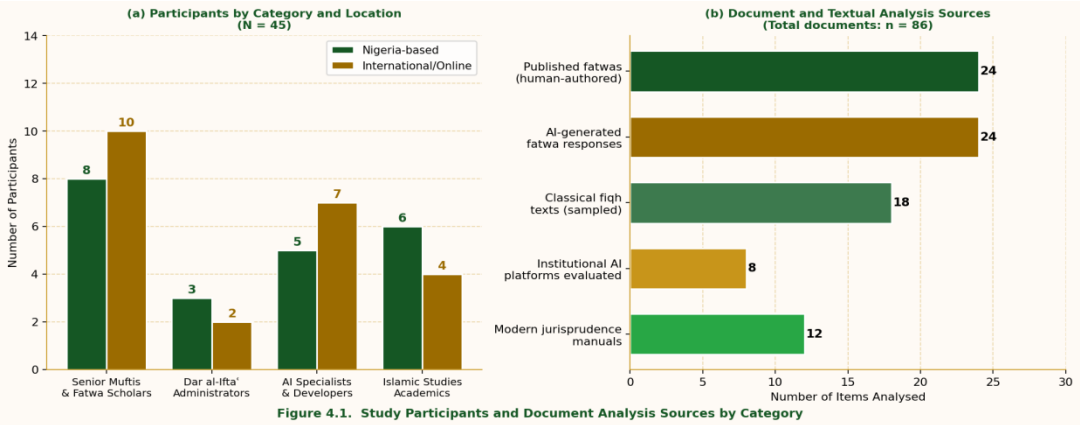


Figure 1. Study participants by category and location, and document analysis sources (N=45 participants; 86 items).

IV. Results and Discussion

AI Task Performance in Jurisprudential Analysis

Figure 2 presents the task performance and scholar-identified limitations data. Table 1 details performance across seven jurisprudential tasks.

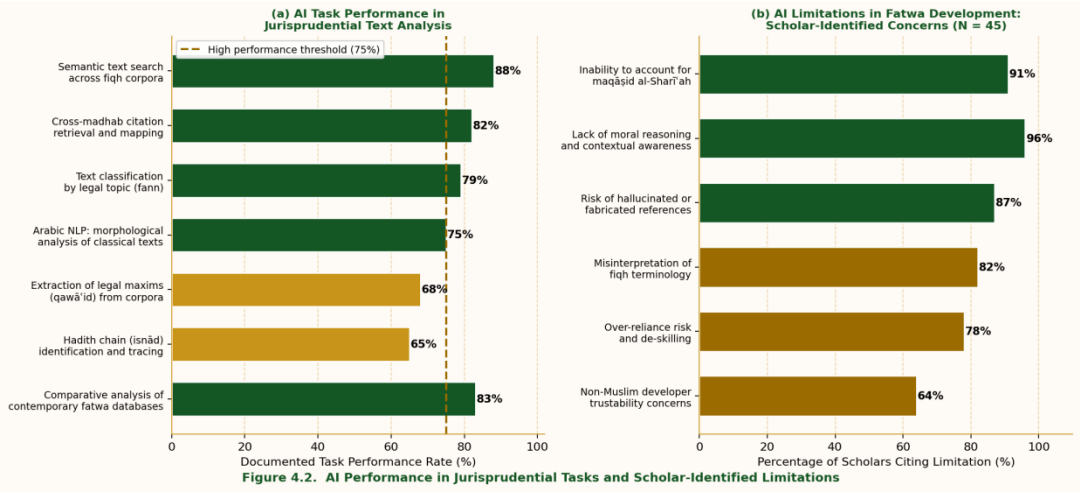


Figure 2. AI task performance in jurisprudential analysis (left) and scholar-identified limitations (right).

Table 1 AI Task Performance in Jurisprudential Text Analysis (n=86 items; threshold ≥75%)

Jurisprudential Task	Performance (%)	Threshold Met?	Key Assessment
Semantic text search across fiqh corpora	88	Yes	Strong — near-equivalent to human search with semantic enrichment
Comparative analysis across fatwa databases	83	Yes	Strong — efficient for mapping cross-madhab positions
Cross-madhab citation retrieval	82	Yes	Strong — maps inter-school citation patterns accurately
Text classification by legal topic	79	Yes	Adequate — some misclassification on novel issues
Arabic NLP: classical text morphological analysis	75	Borderline	Adequate — classical register harder than modern Arabic
Legal maxim (qawāʿid) extraction	68	No	Insufficient — contextual dependencies require human verification
Hadith isnād identification and tracing	65	No	Insufficient — hallucination risk on grading assessments

Note. Tasks below 75% threshold require human verification before use in scholarly research. The two tasks most central to valid fatwa production — qawāʿid extraction and isnād tracing — both fall below threshold, confirming that AI research support must be confined to the retrieval and organisation layers, not the jurisprudential reasoning layer.

Scholarly Perceptions

Figure 3 presents the thematic analysis of interview and FGD data. The most consequential finding is the near-absolute consensus: 97.8% of participants affirmed both that AI must never issue binding fatwas independently and that mandatory human oversight is required for all AI-assisted outputs. The convergence on these two positions — across muftis, administrators, AI specialists, and academics — constitutes a principled scholarly consensus rather than a conservative cultural reflex.

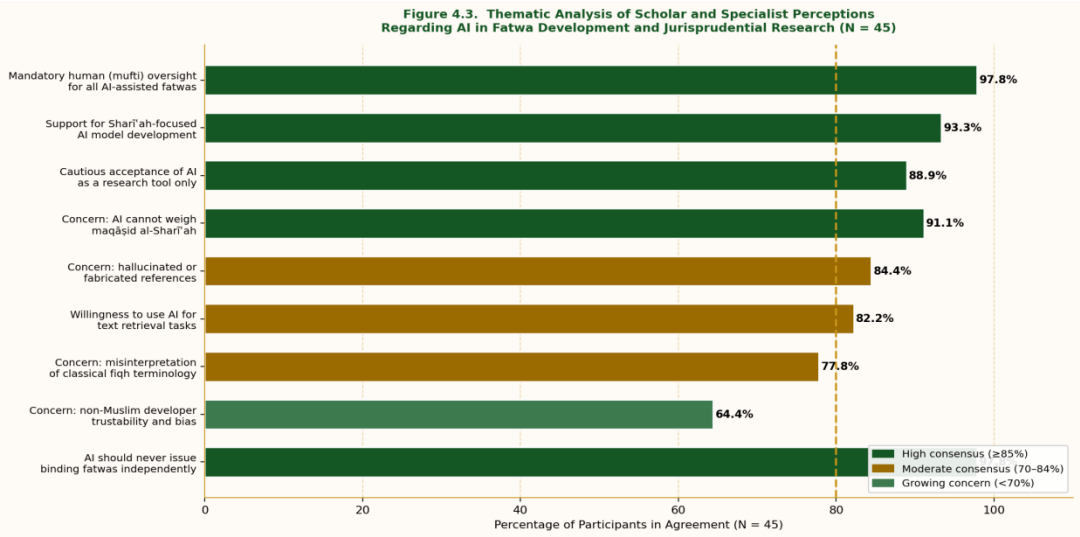


Figure 3. Thematic analysis of scholar and specialist perceptions of AI in fatwa development (N=45).

The inability to account for maqāṣid al-Sharīʿah — cited as a critical concern by 91.1% of participants — emerged as the most theoretically significant finding. A senior mufti from Northern Nigeria articulated the concern:

> *The mufti who understands the higher objectives of the Sharīʿah can ask: does this serve or harm human life, reason, family, and wealth? He weighs evidence not only by the letter of texts but by the spirit of the law. A machine can find the texts, but it cannot perform this weighing. It does not know what the law is for. (Senior Mufti, Nigeria, February 2026)*

Comparative Fatwa Quality: AI versus Human Mufti

Figure 4 presents the comparative quality findings and platform evaluation. Table 2 details the eight-dimension assessment.

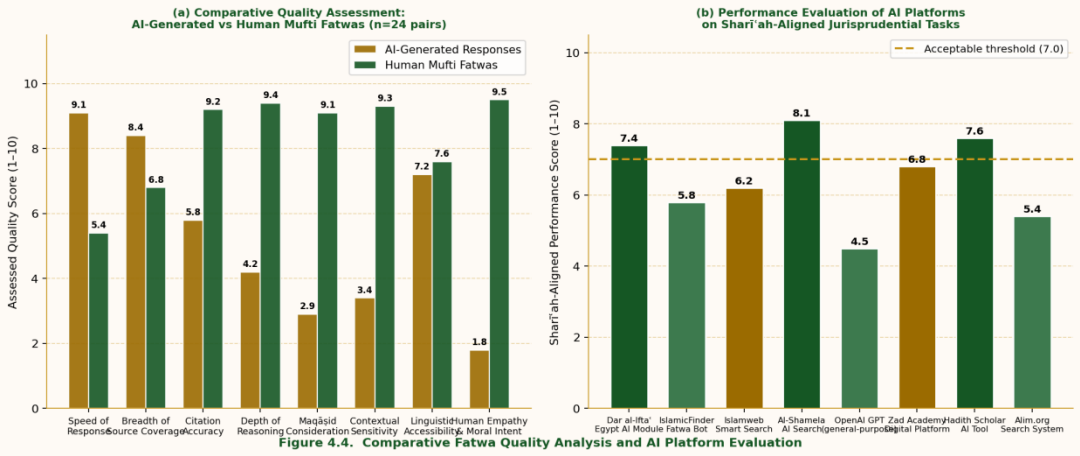


Figure 4.Comparative fatwa quality (AI vs. human) across eight dimensions and AI platform Sharīʿah-aligned performance.

Table 2 Comparative Fatwa Quality: AI-Generated vs. Human Mufti (n=24 pairs; scale 1–10; ICC=0.88)

Evaluation Dimension	AI Mean	Human Mean	Gap	Interpretation
Human empathy and moral intent	1.8	9.5	7.7	Most severe gap — AI cannot simulate moral agency
Maqāṣid al-Sharīʿah consideration	2.9	9.1	6.2	AI cannot reason from higher objectives of Islamic law
Contextual sensitivity	3.4	9.3	5.9	AI provides generic responses; humans address specific circumstances
Depth of reasoning	4.2	9.4	5.2	AI reasoning surface-level; human reasoning multi-dimensional
Citation accuracy	5.8	9.2	3.4	Hallucination risk; some accurate citations with fabricated specifics
Linguistic accessibility	7.2	7.6	0.4	Comparable; AI slightly more formulaic
Breadth of source coverage	8.4	6.8	−1.6	AI draws on wider corpus; humans apply deeper selection criteria
Speed of response	9.1	5.4	−3.7	Only AI advantage; speed is not a fatwa quality dimension

Note. Negative gap = AI outperformance. Pattern consistent across all five legal domains. Human muftis outperform AI on every dimension essential to valid Islamic legal guidance. An Islamic law academic commented: 'The best muftis are those who feel the weight of the person asking. An algorithm does not feel. This is not a limitation that better training data will fix.' (Nigeria, March 2026)

Platform Evaluation and the Case for Sharīʿah-Focused AI

The platform evaluation confirms a clear hierarchy. Islamic-specific tools (al-Shamela AI: 8.1/10; Hadith Scholar AI: 7.6/10; Dar al-Iftāʿ Egypt module: 7.4/10) significantly outperform general-purpose LLMs (GPT-4: 4.5/10) on Sharīʿah-aligned jurisprudential tasks. The 3.6-point gap between the best Islamic-specific platform and general-purpose GPT-4 is the most practically consequential finding for AI development policy: it confirms that Sharīʿah-focused AI — tools trained on authenticated Islamic legal corpora and evaluated against Islamic jurisprudential quality criteria — is not merely preferable but necessary. General-purpose LLMs, however technically sophisticated, cannot serve the needs of Islamic jurisprudence without substantial domain-specific adaptation.

V. THE S.A.F.E.-FIQH FRAMEWORK

The S.A.F.E.-Fiqh Framework — Sharīʿah-Aligned AI for Fatwa Enhancement — is grounded in the empirical findings and in the classical Islamic jurisprudential principles of al-Shāṭibī (1997) and al-Qaradawi (1999, 2009). Figure 5 presents the framework; Table 3 details its four pillars, functions, and safeguards.

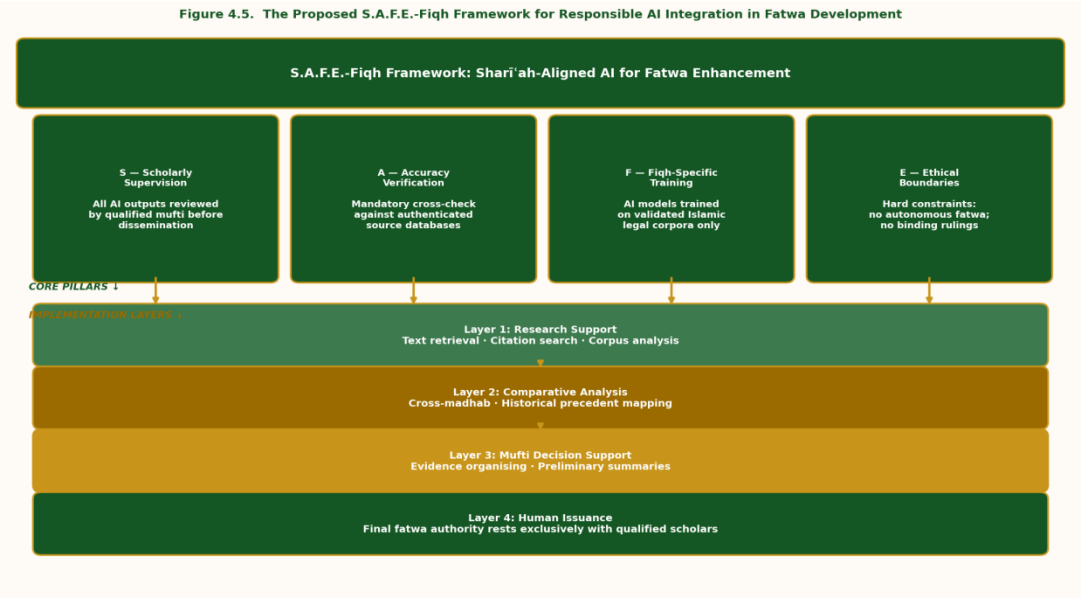


Figure 5. The S.A.F.E.-Fiqh Framework for responsible AI integration in fatwa development.

Table 3 S.A.F.E.-Fiqh Framework: Core Pillars, Operational Requirements, and Safeguards

Pillar	Function	Operational Requirement	Safeguard
S — Scholarly Supervision	All AI outputs reviewed by qualified muftis before any use	Minimum one qualified fiqh scholar review per AI output	Institutional review log; no AI output in fatwa production without signed validation
A — Accuracy Verification	Cross-check AI outputs against authenticated source databases	Systematic citation verification against al-Maktaba al-Shāmila	Mandatory traceability; unverifiable citations removed before use
F — Fiqh-Specific Training	AI models trained on validated Islamic legal corpora only	Scholar partnerships for curated dataset development; classical register benchmarking	No general-purpose LLM for jurisprudential tasks without Islamic fine-tuning and evaluation
E — Ethical Boundaries	Hard constraints preventing autonomous AI fatwa issuance	System-level prohibition on AI-issued fatwas; all outputs labelled as research assistance	Public disclosure of AI involvement; no attribution of Islamic legal authority to AI

Note. The framework operates across four hierarchical layers: (1) Research Support — text retrieval and corpus organisation (tasks above 75% threshold); (2) Comparative Analysis — cross-madhab and historical mapping; (3) Mufti Decision Support — structured evidence dossiers for scholarly review without conclusions; (4) Human Issuance — ijtihād and fatwa issuance exclusively by the qualified mufti. AI has no role in Layer 4.

The framework directly addresses the five principles for responsible integration identified in the discussion: assistive subordination (AI as research assistant under scholarly governance), authenticated grounding (training and constraint to authenticated databases), mandatory verification (all AI outputs verified before use), transparent provenance (public disclosure of AI involvement), and scholarly authority (final authority exclusively with the qualified human mufti). The four operational layers are sequenced to match the performance data: AI tools are deployed where evidence confirms adequate performance (Layers 1–2) and explicitly excluded from the jurisprudential reasoning and authority functions (Layer 4) where the maqāṣid gap is most severe.

VI. Conclusion

This study makes five contributions to knowledge. First, the first multi-method empirical assessment of AI performance on jurisprudential tasks using Islamic legal quality criteria establishes a baseline across seven task types with clear performance thresholds for practical guidance. Second, the first systematic comparative evaluation of AI-generated and human-authored fatwas across eight quality dimensions produces quantitative evidence for the maqāṣid gap (AI: 2.9/10 vs. human: 9.1/10) — confirming this is a category difference, not merely a technical deficiency. Third, documentation of near-absolute scholarly consensus (97.8%) on human oversight and the prohibition on AI-issued fatwas provides the empirical foundation for international institutional policy. Fourth, the S.A.F.E.-Fiqh Framework is the

first governance model for AI in fatwa institutions grounded in both empirical findings and Islamic jurisprudential principles. Fifth, the study contributes to the capacity of Northern Nigerian Islamic studies scholarship to engage rigorously with frontier questions at the intersection of AI and Islamic law.

Four implications for practice follow most directly. Fatwa institutions should formally adopt the S.A.F.E.-Fiqh Framework or equivalent governance structures, beginning with Layer 1 and Layer 2 applications. Islamic universities and scholarly bodies should invest in Sharīʿah-focused AI development as a priority research programme, not merely a customisation of general-purpose tools. International Islamic bodies (OIC, IIFA) should develop authoritative guidelines filling the policy vacuum this study confirms. And AI developers should engage Islamic scholars as foundational design partners, not advisory afterthoughts — the performance gap between Islamic-specific and general-purpose tools is a technical argument for this collaboration as much as an ethical one.

Two limitations qualify the conclusions: participant underrepresentation of Shi'a traditions and Southeast Asian contexts, and the AI performance figures reflect a 2026 baseline in a rapidly evolving field. Future research should track Sharīʿah-focused AI model performance longitudinally, pilot the S.A.F.E.-Fiqh Framework in institutional settings, and develop participatory co-design processes for Islamic AI training datasets involving both scholars and developers.

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