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THE INTEGRATION OF ARTIFICIAL INTELLIGENCE (AI) INTO THE *SHARĪʿAH* JUDICIARY: A *MAQĀṢID AL-SHARĪʿAH* APPROACH TO ETHICAL AND LEGAL TRANSFORMATION

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ABSTRACT

The advancement of Artificial Intelligence (AI) has transformed numerous sectors, including the legal domain, offering enhanced accuracy, efficiency, and transparency in judicial administration. However, within the context of the *Sharīʿah* judiciary, its adoption raises ethical and jurisprudential concerns regarding the admissibility, authenticity, and moral legitimacy of AI-generated outcomes. Grounded in the *Maqāṣid al-Sharīʿah*—the higher objectives of Islamic law—this study examines how AI can be ethically integrated into the *Sharīʿah* judicial process without compromising the principles of justice (*al-ʿadl*), truth (*al-ḥaqq*), and public welfare (*jalb al-maṣlaḥah*). Employing a qualitative and doctrinal approach, the research analyses classical jurisprudential sources, contemporary scholarly discourse, and emerging technological practices related to digital evidence and judicial automation. The findings reveal that AI holds significant potential in three primary dimensions: as a supportive tool in the authentication and evaluation of evidence; as a facilitative mechanism in *ijtihād qaḍāʾī* (judicial reasoning); and as an administrative instrument ensuring procedural integrity through digital forensic verification. These applications are aligned with the objectives of *ḥifẓ al-dīn*, *ḥifẓ al-ʿaql*, and *ḥifẓ al-māl*, ensuring that technological innovation serves the preservation of ethical and legal order in Islamic adjudication. The study highlights the need for a comprehensive ethical and regulatory framework for AI governance in *Sharīʿah* courts and recommends additional empirical research to evaluate its judicial effectiveness.

Keywords: *Artificial Intelligence (AI), Sharīʿah Judiciary, Maqāṣid Al-Sharīʿah, AI Ethics*

Introduction

In today's era of advanced technology, numerous forms of innovation have emerged to meet human needs. However, not all technological advancements can be adopted directly, particularly within the context of Muslim societies. To ensure that any form of technology or innovation can be implemented without contravening the principles of *Sharīʿah*, assessment based on *Maqāṣid al-Sharīʿah* (the higher objectives of Islamic law) becomes imperative (Mutmainah et al., 2024). *Maqāṣid al-Sharīʿah* serves as a fundamental framework to ensure that technological developments align with the purposes of Islamic law—namely, the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*)—and remain consistent with established *Sharīʿah* principles (Mohd Zabidi & Awang Pawi, 2025).

Within the context of the *Sharīʿah* judicial system, the administration of justice is not merely a procedural implementation of law but a sacred trust (*amānah ʿuẓmā*) grounded in the values of justice (*al-ʿadl*), honesty (*al-amānah*), and accountability (*al-masʾūliyyah*). The *Sharīʿah* judiciary plays a pivotal role in upholding justice according to divine law, particularly in matters concerning family, commercial transactions (*muʿāmalāt*), and *Sharīʿah* criminal offences (Mahmod & Buang, 2016). In line with global technological progress, the *Sharīʿah* judicial institution is also compelled to adapt in order to remain efficient, transparent, and responsive to the realities of modern society (Shukur, 2025).

On the other hand, the rapid growth of digital technology has introduced various innovations within the field of law and justice administration, including the adoption of Artificial Intelligence (AI) (Solhi, 2025). This technology holds great potential to assist *Sharīʿah* judges, prosecutors, and judicial officers in analysing evidence, identifying case patterns, and expediting decision-making processes. Nevertheless, questions arise as to the extent to which AI can be accepted within the framework of Islamic law and how its application can be harmonised with the principles of *Maqāṣid al-Sharīʿah*.

According to the legal maxims of Islamic law *"al-aṣl fī al-ashyāʾ al-ibāḥah"* (the original rule of something is its permissibility), any form of innovation is allowed so long as it brings about benefit (*maṣlaḥah*) and does not contravene the divine texts or the objectives of *Sharīʿah* (Alias et al., 2024a; Hasbullah et al., 2018). Thus, the central issue that warrants exploration concerns the extent to which AI may be applied within the *Sharīʿah* judicial system—particularly in the processes of evidence collection, preservation, analysis, presentation, and evaluation before the court.

Accordingly, this article explores the integration of AI within the *Sharīʿah* judicial framework through an analysis grounded in the objectives of *Maqāṣid al-Sharīʿah*. It begins by establishing the foundational ethical and jurisprudential principles of the *Maqāṣid al-Sharīʿah* framework, particularly the five necessities and the principle of justice that underpin the adaptation of modern technologies in Islamic law. Building upon this foundation, the discussion then examines the conceptual and legal dimensions of AI and its growing influence within judicial contexts. Subsequently, the article situates these findings within the framework of *Maqāṣid al-Sharīʿah*, analysing how AI may be systematically applied in evidence management, judicial reasoning, and court administration to uphold justice (*al-ʿadl*), truth (*al-ḥaqq*), and public welfare (*jalb al-maṣlaḥah*).

The *Maqāṣid al-Sharīʿah* Framework: The Five Necessities and the Principle of Justice as Foundational Pillars

In the context of Islamic civilisation, the principles of *Sharīʿah* play an essential role in ensuring that every aspect of human life—including science, technology, and law—operates within the parameters of Islamic ethical and moral values. As a fundamental framework guiding Muslim conduct, *Sharīʿah* is founded upon five primary objectives, collectively known as *Maqāṣid al-Sharīʿah* (Afridi, 2016). These objectives comprise the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*) (Mohd Subri & Ab Rahman, 2017). Each of these objectives serves as a cornerstone for shaping the ethical and jurisprudential framework that governs the development, implementation, and regulation of scientific and technological innovations within an Islamic legal context.

The concept of *Maqāṣid al-Sharīʿah* has been extensively discussed by classical and contemporary scholars across disciplines of law, theology, and epistemology. Among the notable scholars, al-Qaraḍāwī (2007) defines *Maqāṣid al-Sharīʿah* as the divine wisdom (*ḥikmah*) underlying the enactment of legal rulings ordained by Allah SWT, intended to realise benefit and justice in human relations through commands, prohibitions, or permissions applicable to individuals, families, communities, and nations. Similarly, Ibn ʿĀshūr (2001) describes *Maqāṣid al-Sharīʿah* as the meanings and wisdoms (*maʿānī wa ḥikam*) that Allah SWT considers in all or most *Sharīʿah* rulings—reflecting divine intent not confined to specific contexts or circumstances. Al-Fāsī (2007) further elaborates that *Maqāṣid al-Sharīʿah* embodies the purposes and secrets (*asrār*) embedded by Allah the All-Wise within each divine injunction. Meanwhile, al-Qaraḍāwī (2012) and al-Ghazālī (1996) emphasise that the overarching purpose of *Sharīʿah* is to secure human welfare by promoting goodness (*jalb al-maṣlaḥah*) and preventing harm (*dar' al-mafsadah*).

Drawing from these scholarly interpretations, it may be concluded that *Maqāṣid al-Sharīʿah* represents the ultimate objectives intended by Allah SWT in every law legislated under Islamic jurisprudence. The essence of such legislation is to realise benefit (*maṣlaḥah*) and to avert harm (*mafsadah*), thereby providing holistic solutions to human challenges. Al-Raysūnī (1995) further notes that the spirit of *Maqāṣid al-Sharīʿah* lies in achieving good outcomes and deterring detrimental consequences through the balance of rights, responsibilities, and societal welfare.

Accordingly, a thorough understanding of the fundamental principles and methodologies of *Maqāṣid al-Sharīʿah* is vital before evaluating the compatibility of any innovation—such as AI—with Islamic legal and ethical standards. In the subsequent section, the researchers further elaborate on the categories and applications of *Maqāṣid al-Sharīʿah*, establishing its relevance as a guiding framework for ensuring that technological integration in the *Sharīʿah* judiciary remains just, ethical, and aligned with divine law.

Artificial Intelligence (AI): A Conceptual and Legal Overview

Having understood the fundamental principles of *Maqāṣid al-Sharīʿah* as an ethical framework for evaluating modern innovations, the focus now turns to one of the most significant technological advancements of the Fourth Industrial Revolution—AI. This transformative technology has reshaped the way humans think, make decisions, and manage complex systems, including those within judicial and legal domains (Zeiser, 2024).

In general, AI refers to a branch of computer science that enables systems or machines to simulate human intelligence (Haris, 2024). It encompasses the ability to learn from experience, adapt to new inputs, and process information in ways that mimic human cognition. These capabilities include visual recognition, speech comprehension, and language translation. According to Stryker and Kavlakoglu (n.d.), AI is a technology that enables computers and machines to simulate human learning, comprehension, problem-solving, decision-making, creativity, and autonomy.

AI-enabled systems and applications possess the capacity to perceive and interpret their environment, understand and respond to human language, learn from experience, and act autonomously to perform tasks traditionally requiring human intelligence. For instance, AI can analyse large datasets, identify objects, provide expert recommendations, or even operate independently—as exemplified by autonomous vehicles.

By 2024, the majority of AI research and development will have focused on Generative AI (GenAI)—a branch of deep learning that enables machines to create original content, including text, images, audio, video, and other forms. To understand the significance of this development, it is essential to examine the underlying technologies of Generative AI—namely, machine learning (ML) and deep learning (DL). As illustrated in Figure 1, AI has evolved through several key phases: from the early development of Artificial Intelligence in the 1950s, to Machine Learning in the 1980s, Deep Learning in the 2010s, and the emergence of Generative AI in the 2020s.

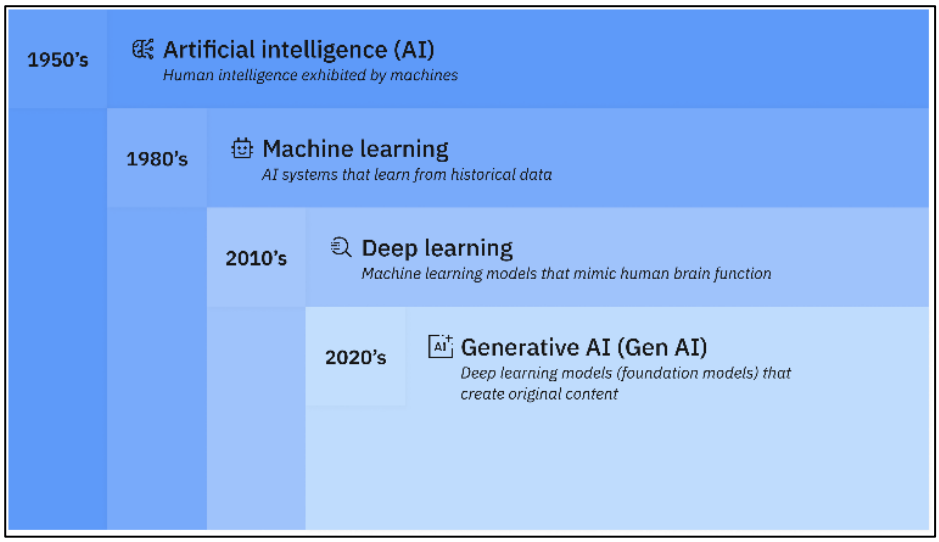

Figure 1. The Evolution of Artificial Intelligence (AI) from the 1950s to the 2020s

In terms of categories of AI, it can generally be categorised into three principal types: Artificial Narrow Intelligence (ANI), Artificial General Intelligence (AGI), and Artificial Superintelligence (ASI) (Escott, 2017). The first category, ANI, represents the most common and currently operational form of AI. As explained by Tresnawati et al., (2022), the term "narrow" reflects its confinement to specific and pre-defined functions. Despite its limited scope, ANI systems exhibit remarkable efficiency and precision in executing targeted tasks, such as in e-commerce recommendation systems and meteorological forecasting applications (Sugiharto & Anshori, 2024).

The second category, AGI—often referred to as Strong AI—is conceptualised as a system that could replicate human cognitive capacities. It envisions an AI capable of understanding, reasoning, learning, and solving problems across multiple domains with the same intellectual flexibility as humans (Bunyamin, 2018; Nugroho, 2025). Although AGI remains largely theoretical and is still in the research and development stage, its eventual materialisation could yield vast commercial potential while simultaneously raising complex ethical and legal considerations. The third and most advanced theoretical stage, ASI, describes an intelligence that transcends human cognition in every respect, encompassing superior analytical, creative, and emotional capacities. While still hypothetical, ASI raises profound existential, ethical, and jurisprudential implications for human society. A comparative summary of these categories, together with their characteristics and associated risk levels, is presented in Table 1.

These evolving capabilities have accelerated AI adoption across diverse sectors, including healthcare, education, economics, and, notably, the legal system. Within legal systems, AI has been utilised to aid in evidence analysis, tracking case precedents, and expediting trial procedures—enhancing both efficiency and judicial transparency.

However, within the Malaysian Syariah Courts, the utilisation of AI remains at an early developmental stage and has yet to be fully institutionalised. Its application warrants a careful *taḥqīq al-manāṭ* (contextual assessment) to ensure that the technological integration aligns with Sharīʿah principles and does not contravene any divine injunctions (Alias et al., 2024a). While AI, as an artificial construct, lacks *ahliyyah* (legal capacity or personality) comparable to human beings, the *fiqh* maxim "al-aṣlu fī al-ashyā' al-ibāḥah"—that all things are presumed permissible unless proven otherwise—provides a foundational legal justification for the adoption of AI, so long as its utilisation aims to uphold justice (*ʿadl*) and promote public welfare (*maṣlaḥah ʿāmmah*) (Sitiris & Busari, 2024).

Table 1. Categories, Capabilities, and Risk Levels of Artificial Intelligence (AI)

Type of AI	Level of Capability	Current Status	Examples	Risk Level
Narrow AI (ANI)	Designed to perform specific, limited tasks within a defined domain; lacks self-awareness or general adaptability	Widely implemented in various sectors such as finance, law, and public administration	Chatbots, AI-powered petty cash systems, Netflix recommendation engines, Siri, and Google Assistant	Low – Controlled and confined to programmed functions
General AI (AGI)	Possesses human-equivalent cognitive abilities; capable of learning, reasoning, and adapting across diverse contexts	Still theoretical; under research and development	Experimental prototypes in advanced AI laboratories	High – Raises ethical, control, and legal accountability issues
Superintelligence (ASI)	Exceeds human intelligence across all cognitive and creative aspects, including self-awareness and problem-solving	Hypothetical; currently limited to theoretical and science fiction discussions	Conceptual future models; none in practical existence	Very High – Poses existential risks to humanity and societal stability

Accordingly, there arises a pressing need to assess how AI can be ethically and lawfully integrated into the Islamic judicial system in alignment with *Maqāṣid al-Sharīʿah*. The subsequent section will therefore explore in depth the application of Artificial Intelligence (AI) within judicial processes through the lens of *Maqāṣid al-Sharīʿah*, identifying both opportunities and constraints in ensuring ethical, lawful, and justice-oriented implementation.

The Integration of AI Applications in Judicial Processes from the Perspective of *Maqāṣid al-Sharīʿah*

Having understood the conceptual foundations and technical capabilities of AI, this section examines how AI technologies can be ethically and effectively applied within the judicial process of the Syariah Courts. The rapid advancement of AI has opened new horizons in legal systems worldwide, offering the potential to enhance efficiency, transparency, and fairness in judicial administration (Borgesano et al., 2025). Within the *Sharīʿah* judiciary, however, the adoption of AI must be evaluated through the lens of *Maqāṣid al-Sharīʿah* to ensure that technological innovation does not compromise the core values of Islamic law—namely justice (*al-ʿadl*), truth (*al-ḥaqq*), and public welfare (*jalb al-maṣlaḥah*).

In this study, three primary dimensions of AI application are proposed to support the judicial process in accordance with *Maqāṣid al-Sharīʿah*, as shown in Figure 2:

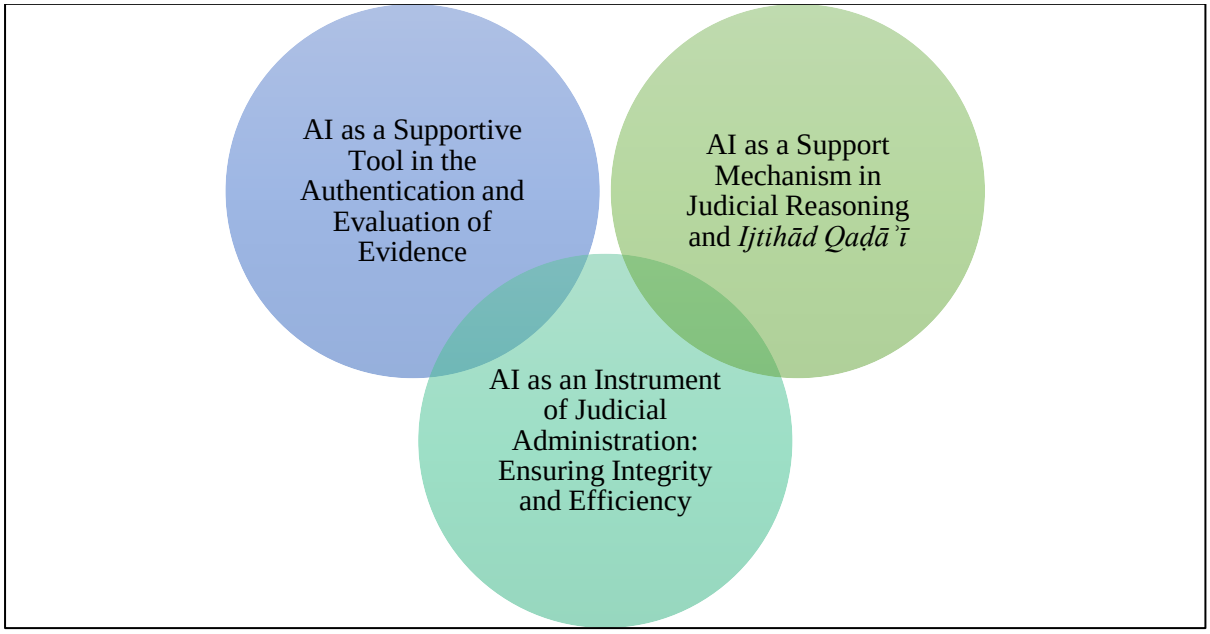

Figure 2. Core Dimensions of Artificial Intelligence (AI) Application in the *Sharīʿah* Judicial Process

AI as a Supportive Tool in the Authentication and Evaluation of Evidence

One of the primary roles of AI in the judicial process is to function as a supportive analytical tool in the evaluation and authentication of evidence, particularly digital materials such as messages, transaction logs, video recordings, and metadata (Alias et al., 2025). In the era of digital transformation, one of the primary challenges faced by the *Sharīʿah* judiciary pertains to the admissibility and authenticity of electronic evidence. Issues such as document forgery, metadata manipulation, weaknesses in the chain of custody, and the absence of standardised technical protocols have made the verification process of digital evidence increasingly complex, requiring a high degree of technical expertise. Therefore, a more systematic, efficient, and technology-driven approach is essential to ensure procedural justice without compromising the foundational principles of *Sharīʿah*.

In this context, AI serves as a technical support instrument that assists judicial officers, Syariah prosecutors, and digital forensic experts in the authentication and evaluation of evidence with greater accuracy and efficiency (Ali Akbar et al., 2025). Through its capabilities in pattern recognition, data correlation, and anomaly detection, AI can identify digital forgeries, assess the authenticity of evidentiary materials, and detect alterations in electronic documents. Empirical research indicates that the application of machine learning techniques in digital evidence analysis enhances the accuracy of forgery detection and accelerates the authentication process (Meena et al., 2025; Bird & Yang, 2025). Furthermore, Singh et al., (2024) introduced AI-based multi-script recognition and signature verification systems that significantly improve the reliability and integrity of evidentiary materials in multilingual and cross-border judicial contexts.

Nevertheless, AI must be understood as a complementary support tool, not a replacement for human expertise. All AI-generated analyses must be verified by certified forensic experts and remain subject to judicial review to ensure compliance with the principles of *bayyinah* (legally admissible proof) and *ʿadl* (justice). The utilisation of AI in the authentication and evaluation of evidence is consistent with the higher objectives of *Maqāṣid al-Sharīʿah*, particularly in preserving *al-ḥaqq* (truth), *al-ʿadl* (justice), and *jalb al-maṣlaḥah* (promotion of public welfare). This approach exemplifies the adaptability (*murūnah*) of Islamic law in embracing contemporary technological advancements while safeguarding the integrity and moral authority of the judiciary.

AI as a Support Mechanism in Judicial Reasoning and Ijtihād Qaḍāʾī

Beyond its technical functions, AI can also act as a supportive mechanism in *ijtihād qaḍāʾī*—that is, judicial reasoning and interpretive decision-making—by assisting judges in examining precedents, *fatāwā*, and established juristic principles (Latifi, 2024). Using machine-learning algorithms and knowledge-graph reasoning, AI can systematically analyse extensive databases of Sharīʿah court judgments, classical legal texts, and juristic opinions (*fuqahāʾ*). This assists judges in identifying relevant analogies (*qiyās*), consistent reasoning patterns, and *ratio decidendi* that can guide future decisions.

Nevertheless, AI remains an auxiliary and advisory tool rather than a substitute for human *ijtihād*. The authority and moral accountability in adjudication (*qaḍāʾ*) rest exclusively with the *qāḍī*, whose reasoning involves not only technical analysis but also ethical discernment and spiritual responsibility (Hussain et al., 2023). From the perspective of *Maqāṣid al-Sharīʿah*, this role aligns with the objectives of *ḥifẓ al-ʿaql* (preservation of intellect) and *ḥifẓ al-dīn* (preservation of faith), as AI enhances the intellectual precision of judicial reasoning while maintaining the judge's ethical authority. Accordingly, AI serves to support evidence-based and well-reasoned judicial outcomes, promoting *al-ʿadl* (justice) and consistency across Sharīʿah court decisions.

AI as an Instrument of Judicial Administration: Ensuring Integrity and Efficiency

Artificial Intelligence also contributes to judicial administration by enhancing the integrity, reliability, and efficiency of evidentiary procedures in the Sharīʿah Courts (Tuan Ibrahim et al., 2025). Through its integration with digital forensic technologies, such as deepfake detection, hash validation, and blockchain verification, AI assists in detecting manipulation, document forgery, and identity falsification within electronic records. These technologies ensure that every digital exhibit presented before the court maintains a verified chain of custody and can be authenticated by qualified forensic experts in accordance with evidentiary standards.

This integration upholds the *Maqāṣid al-Sharīʿah* objectives of *ḥifẓ al-māl* (protection of property) and *ḥifẓ al-nafs* (protection of life), as it prevents injustice that could arise from falsified or tampered evidence (Alias et al., 2021). More broadly, it reinforces the overarching *maqṣad* of *al-ʿadl* (justice), ensuring that judicial determinations are grounded in authentic, reliable, and technologically safeguarded evidence. Hence, the use of AI within judicial administration represents a balanced integration of technological innovation and Sharīʿah governance, promoting both procedural justice and institutional trustworthiness.

Collectively, these three dimensions demonstrate that AI has substantial potential to enhance the efficiency, integrity, and transparency of the Sharīʿah judicial system, aligning with the objectives of *Maqāṣid al-Sharīʿah*. As an analytical instrument for *qarīnah*, AI facilitates a more precise and expeditious evaluation of evidentiary materials. As a supportive mechanism in *ijtihād qaḍāʾī*, it enriches judicial reasoning through data-driven insights while preserving the judge's moral and discretionary authority. Meanwhile, as an administrative tool, AI reinforces the authenticity, reliability, and admissibility of electronic evidence through its integration with digital forensic mechanisms.

When regulated by *Sharīʿah* ethical principles and subject to human judicial oversight, the implementation of AI strengthens the administration of Islamic justice. It ensures that judicial determinations remain firmly grounded in the higher objectives of *Sharīʿah*—upholding *al-ʿadl* (justice), affirming *al-ḥaqq* (truth), and realising *jalb al-maṣlaḥah* (promotion of public welfare). The study of Artificial Intelligence (AI) within the Islamic judicial framework presents substantial opportunities for further exploration, particularly in the context of the Malaysian Sharīʿah Courts.

Conclusion

In conclusion, this article affirms that AI holds immense potential to revolutionise the Islamic judicial system, particularly within the context of the Malaysian *Sharīʿah* Courts. Based on the analysis presented, AI can serve as a vital tool for analysing evidence and *qarīnah*, supporting *ijtihād qaḍāʾī* by enabling judges to make more data-informed and equitable decisions, and strengthening judicial integrity through the enhancement of digital forensics and the secure management of electronic

evidence. Such applications are not only consistent with the aspirations of the Fourth Industrial Revolution. However, they are also aligned with the objectives of *Maqāṣid al-Sharīʿah*, which emphasise the preservation of religion (*ḥifẓ al-dīn*), intellect (*ḥifẓ al-ʿaql*), life (*ḥifẓ al-nafs*), and property (*ḥifẓ al-māl*). Nevertheless, the implementation of AI within the Islamic judicial system must be approached with careful consideration of ethics and law to avoid undermining human values, judicial authority, and the foundational principles of justice upon which Islamic law is based. The findings of this study reveal that several challenges persist, including the absence of ethical standards, limited digital competence among judicial officers, and the lack of a specific legal framework governing the adoption of AI in *Sharīʿah* adjudication. Hence, future research should focus on the formulation of a judicial AI ethical and regulatory framework, empirical evaluation of AI effectiveness within *Sharīʿah* judicial practice, and the development of integrated digital capacity and cybersecurity measures grounded in the principles of *Maqāṣid al-Sharīʿah*. Through this holistic and ethically anchored approach, the use of AI will not merely represent a technological innovation but a principled transformation that strengthens the administration of Islamic justice in an increasingly digital world.

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