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Operationalizing Ushuliyah Principles for Ethical AI and Digital Legal Decision-Making in Contemporary Islamic Law

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Abstract

Background: The rise of Artificial Intelligence (AI) and digital platforms poses challenges for Islamic law in finance, fatwa formulation, and dispute resolution. Ushuliyah principles—al-Am, al-Khas, al-Amru, and an-Nahyu—offer a classical framework to guide Sharia-compliant AI implementation.

Methods: A systematic library review was conducted on 17 sources (peer-reviewed journals, classical fiqh texts, MUI and IIFA fatwas, 2022–2025), selected for relevance to AI, digital law, and Maqāṣid al-Sharī'ah compliance.

Results: Al-Am and al-Khas provide general and context-specific rules for AI, ensuring Sharia-compliant outputs. Al-Amru and an-Nahyu guide commands and prohibitions. Illustrative applications include AI-assisted halal investment screening, predictive zakat distribution, and preliminary fatwa generation. Human oversight is essential to address ethical dilemmas and algorithmic bias.

Discussion: Applying Ushuliyah principles in AI governance demonstrates the operational relevance of classical jurisprudence. A hybrid model—AI efficiency plus scholarly discretion—supports ethical, Sharia-compliant digital decision-making.

Conclusion: Ushuliyah methodology offers a practical framework for ethical AI in Islamic digital law, balancing automation with human oversight and Maqāṣid-aligned outcomes.

Novelty: This study bridges classical jurisprudence and AI, providing actionable guidance for scholars, developers, and policymakers in contemporary Islamic legal contexts.

Keywords: Islamic digital law, Artificial Intelligence, Fatwa, Maqāṣid al-Sharī'ah, Ethical AI

INTRODUCTION

The rapid advancement of digital technologies and Artificial Intelligence (AI) has transformed contemporary societies across multiple sectors, including finance, education, governance, healthcare, and social interactions (Vagadia, 2020; Kutan, 2024; Tege et al., 2025; Cromwell

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et al., 2025). These technological innovations provide unprecedented opportunities for efficiency, connectivity, and social development. At the same time, they present complex ethical, legal, and social challenges, particularly in Islamic societies where Shariah law continues to serve as a primary guide for moral, social, and economic conduct. The integration of AI and digital systems raises pressing questions about how classical jurisprudential frameworks can adapt to address new forms of transactions, decision-making processes, and governance challenges in the digital era.

Islamic law, grounded in the Qur'an, Hadith, and classical juristic scholarship, offers comprehensive principles for regulating human behavior and societal interactions. Central to this system is Ushul al-Fiqh, the methodological foundation for deriving legal rulings from primary sources. Among its principles, Al-Am (general), Al-Khas (specific), Al-Amru (command), and An-Nahyu (prohibition) are particularly instrumental in resolving the application of Shariah to new circumstances, ensuring ethical consistency, justice, and adherence to moral norms (M. M. Abdullah et al., 2022; Abdulrahman & Walusimbi, 2024; Akmal & Usmani, 2024). These principles provide a structured approach for interpreting textual sources while balancing the demands of novel contexts.

In contemporary digital environments, these principles are increasingly relevant. Digital law encompasses complex domains such as AI-driven financial services, automated fatwa formulation, online dispute resolution, data privacy, and cyber ethics—areas where classical jurisprudence provides limited explicit guidance (Albalawee & Fahoum, 2023; Akmal & Usmani, 2024; Ahyani et al., 2025). For instance, in Shariah-compliant fintech, Al-Am and Al-Khas enable scholars to determine the applicability of general prohibitions, such as riba, to specific automated investment platforms. Meanwhile, Al-Amru and An-Nahyu guide the design of AI algorithms to ensure commands and prohibitions are operationalized, preventing unethical or forbidden transactions. Similarly, AI-assisted fatwa systems can process large volumes of jurisprudential data, applying Ushuliyah principles to ensure consistent and Shariah-compliant legal guidance while highlighting the limits of machine interpretation, which requires human scholarly oversight.

Despite growing international attention to AI and digital ethics, there is a significant research gap in explicitly connecting Ushuliyah methodology with operational practices in digital Islamic law. While international conferences such as ICILF 2025 and ICHLaSh 2025 highlight the importance of ijtihad in digital governance, few studies systematically demonstrate how Al-Am, Al-Khas, Al-Amru, and An-Nahyu can guide AI decision-making and digital legal frameworks (ResearchFora, 2025). Moreover, while the Indonesian Ulema Council (MUI) and the International Islamic Fiqh Academy (IIFA) have issued fatwas addressing social media use, digital transactions, and AI applications, existing scholarship has largely described these fatwas without critically analyzing how Ushuliyah principles inform their interpretation and implementation (A. Rahman et al., 2024). This study seeks to fill this gap by providing a comprehensive methodological framework that operationalizes Ushuliyah principles in practical digital contexts.

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The significance of this research extends beyond theoretical contributions. From a practical perspective, it provides a structured reference for scholars, regulators, and AI developers to ensure that technological innovations remain aligned with Shariah ethics and Maqāṣid al-Sharī'ah, safeguarding religion, life, intellect, lineage, and wealth. For example, automated zakat distribution platforms must balance efficiency with equitable access, while AI in dispute resolution must maintain transparency and justice. By systematically applying Ushuliyah principles, AI systems can navigate ethical dilemmas that traditional rule-based systems might overlook, thereby enhancing public trust in Shariah-compliant digital governance.

The objectives of this study are threefold: first, to analyze how Ushuliyah principles, particularly Al-Am, Al-Khas, Al-Amru, and An-Nahyu, function as methodological tools for interpreting Islamic legal texts in contemporary contexts; second, to examine their applicability in addressing emerging challenges in digital law and AI; and third, to demonstrate the relevance of institutional guidance, including MUI and IIFA fatwas, in operationalizing these principles for practical legal frameworks. Adopting a qualitative methodology based on library research, this study reviews primary sources—including the Qur'an, Hadith, classical jurisprudential texts—and contemporary scholarly publications, as well as institutional fatwas, ensuring a rigorous and contextualized analysis of the interface between classical jurisprudence and modern technology.

In conclusion, integrating Ushuliyah principles into digital law and AI governance represents a crucial step toward ensuring that Islamic law remains adaptive, relevant, and ethically grounded in the twenty-first century. By bridging classical jurisprudence with modern technological realities, this study contributes both theoretically and practically to the discourse on Shariah-compliant digital governance. The framework developed herein can guide scholars, policymakers, and practitioners in harmonizing Islamic legal methodology with the opportunities and challenges of AI-driven systems, thereby promoting justice, ethical integrity, and adherence to Maqāṣid al-Sharī'ah in contemporary society.

LITERATURE REVIEW

The convergence of classical Islamic jurisprudence and contemporary digital technologies, particularly Artificial Intelligence (AI), has become a critical focus of research in the context of Shariah-compliant law. As digital technologies permeate finance, governance, and knowledge production, they introduce both opportunities for efficiency and complex ethical, legal, and societal challenges (Vagadia, 2020; Cromwell et al., 2025; Tege et al., 2025). In Islamic legal discourse, these challenges necessitate a systematic integration of Ushuliyah principles—Al-Am (general), Al-Khas (specific), Al-Amru (command), and An-Nahyu (prohibition)—to ensure that novel technological applications remain aligned with Shariah objectives (Alghifari et al., 2024). While prior studies have described the methodological relevance of Ushuliyah in contemporary jurisprudence, there remains a critical gap in operationalizing these principles within AI-driven legal frameworks, particularly in balancing textual fidelity with contextual adaptability.

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Ushul al-Fiqh forms the backbone of Islamic legal reasoning, offering structured methodologies for deriving rulings from the Qur'an, Hadith, and juristic consensus. Alghifari et al. (2024) emphasize that Al-Am and Al-Khas provide guidance for interpreting general versus specific injunctions, while Al-Amru and An-Nahyu operationalize commands and prohibitions in decision-making. These principles ensure coherence between textual sources and practical applicability. Abdullah, Jailani, and Nashihin (2025) argue that contemporary fiqh frameworks must adapt Ushuliyah methodologies to respond to the digital era's novel challenges, such as AI-assisted jurisprudence, financial algorithms, and automated fatwa systems. Nonetheless, existing literature often remains descriptive, summarizing classical methodology without critically addressing its operationalization in AI contexts or reconciling potential tensions between classical authority and technological innovation.

Maqāṣid al-Sharī'ah, or the higher objectives of Islamic law, offers ethical and normative guidance to complement Ushuliyah principles in technological applications. Harefa (2025) highlights the necessity of integrating Ushuliyah methodology with Maqāṣid reasoning to navigate ethical dilemmas introduced by AI, including algorithmic bias, opaque decision-making, and unintended socio-economic impacts. Similarly, Habib (2025) underscores that compliance with Shariah objectives requires scholars and AI developers to combine technological literacy with ethical sensitivity. Prior studies demonstrate the promise of such integration but stop short of providing a coherent framework for operationalizing these principles across AI-driven processes, leading to fragmented and context-specific solutions.

AI applications in Islamic law are diverse, spanning financial decision-making, fatwa issuance, and dispute resolution. Sudirman et al. (2023, 2025) demonstrate AI's potential to automate compliance and governance, yet highlight the persistent need for human interpretive oversight. Abdulrahman and Walusimbi (2024) investigate AI-assisted inheritance fatwas, illustrating opportunities for efficiency alongside risks of misinterpretation. Mulyono and Edris (2025) present AI integration in Sharia financial decision-making, emphasizing enhanced transparency and operational efficiency while maintaining adherence to Shariah norms. These studies collectively highlight AI's transformative potential but also reveal a lack of critical discussion on balancing automation with ethical oversight and methodological rigor.

The ethical implications of AI adoption in Islamic contexts are complex. Yusuf (2025) examines the epistemological and moral dimensions of AI in digital knowledge production, raising concerns regarding bias and moral responsibility. Priantina et al. (2025) explore AI in Sharia-compliant finance, stressing that machine learning can enhance juristic reasoning but cannot replace human deliberation. Habib (2025) further articulates the Maqāṣid perspective, arguing that ethical AI requires a dual focus on compliance and moral accountability. While these contributions provide valuable insights, they are largely fragmented, lacking an integrated approach linking Ushuliyah methodology, Maqāṣid reasoning, and practical AI applications.

Institutional adoption of AI in Islamic legal systems has been investigated in courts and financial institutions. Sidqi et al. (2023) examine AI's role in dispute resolution within religious courts, showing improvements in case management and legal analysis while cautioning that Shariah compliance necessitates continuous scholarly oversight. Hidayatullah and Fadillah

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(2025) document AI implementation in Islamic financial institutions, highlighting enhanced risk assessment and compliance monitoring. Abdullah et al. (2025) emphasize the broader challenges of harmonizing traditional jurisprudence with technological innovation, indicating the need for institutional frameworks that integrate Ushuliyah principles systematically. However, these studies tend to focus on operational feasibility rather than methodological integration, leaving a gap in the theoretical grounding of AI governance in Shariah law.

Digital financial technologies, including blockchain-based platforms and security tokens, have expanded the scope of Shariah-compliant financial inclusion (Ahmed, 2024; Alsaghir, 2023). Ali and Aysan (2025) illustrate AI's utility in predictive modeling and risk management for Islamic banks, ensuring Shariah compliance. Kosadi, Ginting, and Merliana (2021) demonstrate the role of digital receipts and automated reconciliation in enhancing financial transparency. Despite these advancements, current literature frequently treats technological adoption and Shariah compliance as separate domains, underscoring the necessity of an integrated Ushuliyah-based framework to guide ethical and inclusive financial innovation.

AI's integration into contemporary ijtihad presents both opportunities and challenges. Purkon et al. (2025) argue that AI can augment analytical capacity but cannot replace the interpretive and ethical responsibilities of scholars. Prayogi et al. (2025) advocate for adaptive methodologies that reconcile technological efficiency with textual fidelity. Azwarfajri et al. (2025) propose a paradigm shift from strictly textual to contextual approaches in Maqāṣid studies, emphasizing flexibility in legal reasoning. Collectively, these studies demonstrate the evolving nature of Islamic jurisprudence but highlight the absence of structured frameworks for systematically applying Ushuliyah principles in AI governance.

The reviewed literature confirms that AI and digital technologies hold substantial potential for enhancing efficiency, transparency, and inclusion within Islamic legal systems. However, research remains fragmented, addressing ethical, financial, institutional, and ijtihad-related dimensions in isolation. A critical gap persists in systematically applying Al-Am, Al-Khas, Al-Amru, and An-Nahyu to operationalize AI governance and digital law processes (Alghifari et al., 2024; Harefa, 2025; Sudirman et al., 2025). Specifically, unresolved debates concern reconciling textual fidelity with Maqāṣid reasoning, balancing automation with ethical oversight, and providing coherent methodological guidance for AI-driven Shariah-compliant decision-making. This study addresses these gaps by proposing an integrated Ushuliyah framework for guiding legal reasoning, policy formulation, and institutional governance in contemporary Islamic digital law.

In conclusion, integrating Ushuliyah principles with AI and digital law initiatives provides a robust approach for ensuring Shariah compliance, ethical integrity, and social relevance. Previous scholarship has established the potential of AI and digital technologies, yet a coherent framework connecting classical jurisprudence, Maqāṣid reasoning, and technological application remains absent. By bridging these domains, this study contributes theoretically and practically to contemporary Islamic digital law, offering actionable guidance for scholars, policymakers, and developers seeking to implement Shariah-compliant, ethically responsible governance in the digital era (Rahman et al., 2024; Priantina et al., 2025; Habib, 2025).

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METHODOLOGY

This study employs a qualitative library research approach to examine the applicability of Ushuliyah principles—al-Am, al-Khas, al-Amru, and an-Nahyu—as a foundational framework for contemporary Islamic digital law, with particular attention to Artificial Intelligence (AI) and digital ethics. Library research was selected due to the conceptual and theoretical focus of the study, which relies primarily on secondary sources to integrate classical Islamic jurisprudence with modern technological developments. The aim is to explore how traditional legal reasoning can guide contemporary ethical, legal, and institutional challenges in AI applications within Muslim societies, bridging the gap between historical Ushuliyah methodology and emerging digital law discourses. The data collection process involved a systematic review of seventeen key publications, including seminal works on Ushuliyah methodology (Alghifari et al., 2024), contemporary analyses of AI in Islamic legal contexts (Sudirman et al., 2025; Harefa, 2025; Yusuf, 2025), and studies on digital finance and Sharia compliance (Mulyono & Edris, 2025; Priantina et al., 2025; Hidayatullah & Fadillah, 2025). Inclusion criteria prioritized peer-reviewed publications, relevance to Ushuliyah or AI in Islamic law, and recency, typically within the past five years, to ensure that the analysis reflects contemporary developments. Sources were excluded if they lacked academic rigor, were opinion-based without methodological grounding, or did not address the intersection of Islamic law and digital transformation. In addition, institutional fatwas from the Indonesian Ulema Council (MUI) and the International Islamic Fiqh Academy (IIFA) were incorporated as normative references, providing practical guidance and aligning the study with current regulatory and ethical standards. This inclusion of 2025 legal directives and AI-related guidelines enhances the contemporaneity and relevance of the research.

The analysis employed thematic content analysis to synthesize the selected literature, identifying key themes such as the conceptual foundations of Ushuliyah principles, their procedural application in classical jurisprudence, and their adaptation to AI-driven and digital legal contexts. Sub-themes were further coded to examine specific applications, including algorithmic decision-making, digital fatwa generation, Sharia-compliant financial technologies, and ethical oversight in AI systems. The coding process was iterative, involving cross-comparison and refinement to identify patterns and resolve inconsistencies, particularly where classical jurisprudential interpretations diverged from emerging AI ethics or institutional guidelines. Triangulation was applied to ensure validity and reliability, cross-checking classical texts, contemporary scholarship, and institutional fatwas. This approach confirmed the alignment of Ushuliyah principles with current ethical, legal, and technological standards, mitigating potential biases inherent in relying solely on secondary sources.

A comparative dimension was incorporated to evaluate differing scholarly approaches to integrating digital technologies within Islamic legal frameworks. For instance, studies on AI applications in financial decision-making (Mulyono & Edris, 2025; Hidayatullah & Fadillah, 2025) were contrasted with ethical analyses grounded in Maqāṣid al-Sharī‘ah principles (Habib, 2025; Purkon et al., 2025), highlighting both opportunities and challenges for harmonizing efficiency with ethical integrity. This comparative analysis illuminated potential conflicts between textual fidelity and context-driven interpretations, while identifying best

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practices for applying Ushuliyah principles in digital and AI contexts. In addition, the study examined how algorithmic fatwa generation and Sharia-compliant fintech solutions can operationalize the hierarchical reasoning of al-Am, al-Khas, al-Amru, and an-Nahyu, ensuring that AI technologies do not compromise legal and ethical consistency.

Despite the robustness of this methodological approach, limitations exist. The study relies primarily on secondary sources and normative guidance, without direct empirical engagement with judges, legal practitioners, or AI developers. Additionally, the findings are situated within Muslim-majority jurisdictions and may not be generalizable to secular or non-Muslim legal systems. Nonetheless, the methodology provides a systematic, reliable, and contextually relevant framework for understanding the role of Ushuliyah principles in contemporary digital law and AI applications. By integrating classical jurisprudence with contemporary scholarship and regulatory guidance, this study demonstrates that Ushuliyah-based legal reasoning remains adaptable and applicable in the digital era, offering a foundation for ethical, legal, and technological innovation aligned with Sharia values, including justice, welfare, and social responsibility.

RESULTS

The findings of this study demonstrate that Ushuliyah principles—al-Am, al-Khas, al-Amru, and an-Nahyu—maintain profound relevance in guiding contemporary Islamic digital law, particularly within the domains of Artificial Intelligence (AI), digital finance, and algorithmic decision-making. Through a systematic synthesis of seventeen key publications encompassing classical jurisprudence, AI ethics, Sharia-compliant financial technologies, Maqāṣid al-Sharī‘ah, and contemporary digital law frameworks, several thematic insights emerge that collectively illustrate the operational potential of Ushuliyah methodology in modern technological contexts. The analysis emphasizes that these principles are not merely theoretical constructs but actionable guidelines that can inform ethical, legal, and technological design in Muslim societies. Al-Am, representing general rules, provides a broad normative foundation for AI deployment, establishing overarching ethical standards, such as fairness, transparency, justice, and the safeguarding of user welfare, which are foundational to Sharia compliance in digital ecosystems. Al-Khas, denoting specific rules or exceptions, allows digital systems to adapt to contextual complexities, such as algorithmic decision-making in financial transactions, AI-based fatwa formulation, or risk assessment in Sharia-compliant investment platforms. This conceptual interplay between al-Am and al-Khas ensures that digital applications remain flexible yet firmly grounded in Islamic legal principles, balancing universal ethical standards with context-specific adaptations, as highlighted in Alghifari (2024), Harefa (2025), and Mulyono (2025).

Al-Amru and an-Nahyu, representing commands and prohibitions, play a crucial role in operationalizing AI ethics. For instance, AI systems in financial services must actively implement positive commands, including equitable treatment of users, protection of vulnerable stakeholders, and transparent contractual interactions, while simultaneously prohibiting outcomes that violate Sharia, such as engagement in riba, exploitation, or deceptive algorithmic practices. Studies by Priantina (2025), Habib (2025), and Hidayatullah and Fadillah (2025)

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indicate that these principles guide not only normative compliance but also practical implementation, such as the automated identification of Sharia-compliant investments, ethical monitoring of digital finance platforms, and the structuring of algorithmic outputs in line with Maqāṣid objectives. The integration of these principles ensures that AI systems function ethically while remaining aligned with Islamic jurisprudential reasoning, effectively bridging classical methodology and contemporary technological practice.

In digital finance, AI algorithms facilitate Sharia-compliant decision-making by operationalizing Ushuliyah principles. Mulyono and Edris (2025) demonstrate that automated screening systems can categorize investments according to halal and haram criteria, providing consistent decision rules based on al-Am while incorporating al-Khas for contextual adjustments, such as market volatility or institutional policy variations. Ali and Aysan (2025) further show that AI sentiment analysis can enhance predictive accuracy for financial performance in Islamic banks, enabling ethical financial planning while adhering to Maqāṣid objectives, such as wealth protection and social justice. Despite these technological advances, challenges arise when AI outputs conflict with traditional human judgment or contextual interpretations of Sharia, emphasizing the ongoing necessity for human oversight and ijtihad to ensure that algorithmic decisions do not compromise ethical or jurisprudential integrity.

AI also plays an increasingly important role in fatwa formulation and legal interpretation. Priantina (2025) and Purkon (2025) illustrate that AI systems can process extensive corpora of classical jurisprudential texts to generate preliminary fatwas, ensuring that both general principles (al-Am) and specific exceptions (al-Khas) are systematically considered. Al-Amru and an-Nahyu guide these AI systems in differentiating between obligatory, recommended, and prohibited actions, facilitating nuanced fatwas that reflect both classical reasoning and contemporary societal needs. Yusuf (2025) and Sidqi (2023) note that AI can enhance accessibility, allowing communities with limited access to scholars to benefit from preliminary rulings; however, human interpretive authority remains essential, particularly in ethically complex cases where Maqāṣid considerations, such as the protection of religion, life, intellect, progeny, and wealth, must be weighed carefully. The studies collectively emphasize that AI in fatwa generation functions as an assistive tool, enhancing efficiency and scope without undermining the scholar's ultimate jurisprudential responsibility.

Ethical considerations, anchored in Maqāṣid al-Sharī'ah, emerge as a central theme across the literature. Yusuf (2025), Habib (2025), and Purkon (2025) stress that AI design must safeguard essential objectives, including hifz al-din (protection of religion), hifz al-nafs (protection of life), hifz al-'aql (protection of intellect), hifz al-nasl (protection of progeny), and hifz al-mal (protection of wealth). In practice, this entails ensuring that digital finance platforms avoid exploitative mechanisms, maintain rigorous data privacy, and protect users from algorithmic errors that could undermine human welfare. Similarly, AI-enabled dispute resolution systems in religious courts must uphold justice, transparency, and accountability, reflecting the ethical imperatives derived from Ushuliyah principles and ensuring alignment with Maqāṣid objectives. Chen et al. (2022) and Dzuhriyan et al. (2024) further indicate that ethical alignment extends beyond financial systems to include e-commerce transactions, digital contracting, and

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automated governance platforms, emphasizing that the moral and legal dimensions of AI must be integrated across diverse digital applications.

Several implementation challenges are evident in the literature. First, classical rules require contextual interpretation to accommodate differing cultural, institutional, and technological environments, which may influence the application of al-Am, al-Khas, al-Amru, and an-Nahyu. Second, algorithmic transparency and bias remain pressing concerns; AI systems may inadvertently introduce discriminatory or unintended outputs that conflict with Sharia principles unless rigorous ethical and technical safeguards are in place. Third, integration with national and international legal frameworks is essential, ensuring compliance with human rights standards, data protection regulations, and financial supervisory requirements. Sudirman (2025), Prayogi et al. (2025), and Abdullah et al. (2025) highlight the risk that digital legal frameworks, if poorly managed, may diverge from traditional jurisprudential objectives, potentially undermining both ethical and legal integrity.

Opportunities for the integration of Ushuliyah principles with AI are substantial. AI can expand access to Sharia-compliant services in remote or underserved communities, facilitate research, education, and capacity-building in Islamic law, and foster ethical innovation in technological design. Embedding Ushuliyah methodology in AI systems enables developers to align algorithms with both spiritual and social imperatives, providing practical frameworks for operationalizing Sharia compliance across finance, legal decision-making, and fatwa services. Conceptually, a schematic mapping of Ushuliyah principles—al-Am as general ethical standards, al-Khas as context-specific adaptations, al-Amru as mandates, and an-Nahyu as prohibitions—aligned with Maqāṣid objectives provides a structured operational model, while summary tables can categorize AI applications across finance, fatwa generation, and algorithmic governance, clarifying ethical, procedural, and technological dimensions. Such visual and structured frameworks enhance the accessibility and applicability of findings for scholars, practitioners, and policymakers, converting a complex narrative into actionable guidance.

In summary, the study's results reveal that Ushuliyah principles remain highly relevant for contemporary Islamic digital law. AI technologies can operationalize these principles in finance, fatwa formulation, and legal decision-making, while human oversight ensures interpretive fidelity and ethical compliance. Challenges in contextual adaptation, algorithmic bias, and regulatory integration must be addressed, yet the potential for AI to enhance access, efficiency, and ethical adherence in Islamic legal systems is considerable. Collectively, these findings establish a comprehensive theoretical and practical framework demonstrating how classical jurisprudential methodology can guide the governance of AI and digital law, offering insight, operational guidance, and strategic direction for scholars, practitioners, and policymakers seeking to harmonize tradition with innovation in Muslim societies.

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Table 1. Integration of Ushuliyah Principles in AI and Contemporary Islamic Digital Law Applications

Ushuliyah Principle	***AI / Digital Law Domain***	***Implementation Example***
Al-Am (general rules)	Digital finance, AI ethics, automated contracts	Establishes fairness, transparency, and user protection in fintech platforms; sets general standards for AI-assisted fatwas
Al-Khas (specific rules)	Financial decision-making, context-specific AI outputs	Adjusts AI algorithms for specific market conditions, zakat regulations, or online fatwa platform requirements
Al-Amru (commands / mandates)	AI governance, digital contract execution	Ensures AI enforces Islamic commands such as protecting user rights, automatic zakat calculation, and halal transaction verification
An-Nahyu (prohibitions)	AI risk management, algorithmic ethics	Prevents AI from generating riba-based, manipulative, or unjust decisions; blocks transactions contradicting Sharia principles

Source: Processed by the authors, 2025.

DISCUSSION

The findings of this study underscore the enduring relevance and operational potential of Ushuliyah principles—al-Am, al-Khas, al-Amru, and an-Nahyu—in guiding contemporary Islamic digital law, particularly within the rapidly evolving context of Artificial Intelligence (AI) applications. By systematically mapping classical jurisprudential concepts onto modern technological domains, the research demonstrates that Ushuliyah principles extend beyond theoretical discourse, offering both normative and practical guidance for AI governance, Sharia-compliant finance, and digital fatwa formulation. Al-Am, representing general rules, provides broad ethical and legal norms that inform the design and execution of automated decision-making systems, digital contracts, and algorithmic financial operations, embedding fairness, accountability, transparency, and justice into AI functionality. Al-Khas, denoting specific rules, enables contextual adaptation, allowing AI to adjust outputs to situational requirements, such as market-specific investment criteria, zakat allocation nuances, or user-specific preferences, thereby maintaining a balance between consistency and flexibility that is critical in dynamic digital ecosystems. This dual application reflects the continuing normative importance of classical legal maxims in contemporary technological governance, resonating with the observations of Safaruddin Harefa (2025) and Muh Alghifari (2024), who emphasize the operational value of Ushuliyah methodology in bridging traditional jurisprudence with modern innovations. Complementing these, al-Amru (commands) and an-Nahyu (prohibitions) operationalize ethical obligations by enabling AI systems to automatically implement Sharia-compliant actions, such as ensuring transparent financial reporting, equitable service provision, and proactive protection of vulnerable users, while simultaneously preventing engagement in prohibited practices, including riba-based financial transactions, exploitative data manipulation, or algorithmic decisions that could undermine fairness and social welfare. By operationalizing these principles, AI systems move beyond mechanistic efficiency, embodying

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a normative-technical interface that aligns with both ethical mandates and legal obligations, as highlighted by Anita Priantina (2025) and Zainal Habib (2025).

The integration of AI into financial and legal decision-making processes further illustrates the transformative potential of these technologies within Sharia governance. AI algorithms can systematically facilitate Sharia-compliant investment screening, predictive zakat distribution, and automated dispute resolution, simultaneously operationalizing al-Am for general compliance and al-Khas for contextual adaptation. However, over-reliance on AI introduces risks of divergence from traditional ijtihad, necessitating hybrid governance models that retain human scholarly oversight to validate algorithmic outputs and contextual interpretations, echoing the concerns of Sudirman (2025) and Purkon (2025). Such oversight ensures that AI complements rather than supplants human discretion, particularly in complex ethical dilemmas or culturally sensitive decision-making. Moreover, AI holds considerable promise for enhancing the accessibility, accuracy, and efficiency of Sharia-compliant services, particularly in underserved regions with limited scholarly resources. Nevertheless, these operational gains must be anchored in Maqāṣid al-Sharī'ah principles, which emphasize protection of religion, life, intellect, progeny, and wealth, ensuring that technological efficiency does not compromise ethical, spiritual, or social objectives, consistent with Muhammad Yusuf's (2025) assertion that Maqāṣid serves as a critical normative anchor for digital innovations.

The application of AI in fatwa formulation exemplifies another domain where Ushuliyah principles provide critical guidance. AI systems, capable of processing extensive jurisprudential corpora, can produce preliminary rulings while systematically applying al-Am and al-Khas and accommodating contextual variations. Al-Amru and an-Nahyu guide the classification of obligations, recommendations, and prohibitions, ensuring that automated outputs remain aligned with Sharia principles. Despite the efficiencies and increased accessibility afforded by AI, human interpretive discretion remains indispensable, particularly in addressing intricate digital contract disputes, algorithmic bias in financial advice, or cross-cultural jurisprudential interpretations. This reinforces a hybrid governance model wherein AI augments, rather than replaces, scholarly reasoning, aligning technological intervention with classical jurisprudential frameworks, as supported by Arditya Prayogi (2025) and Jundi Soehardin Abdullah (2025).

Ethical integration emerges as a central concern, wherein digital law and AI must adhere to Maqāṣid-aligned principles. Ethical deployment of AI necessitates safeguards to prevent exploitation, protect user rights, and promote equitable participation in digital financial and legal systems. AI-mediated financial platforms must prevent harm, ensure fairness, and safeguard social welfare, while AI in dispute resolution and legal interpretation must uphold transparency, justice, and integrity. By integrating Ushuliyah principles with Maqāṣid objectives, AI systems can operationalize layered ethical checks at the stages of algorithm design, decision execution, and post-implementation review, thus creating a normative-technical framework that ensures digital innovations fulfill the fundamental aims of Sharia, as underscored by Zainal Habib (2025) and Muhammad Yusuf (2025).

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Despite these opportunities, the study identifies persistent challenges and trade-offs in operationalizing Ushuliyah principles through AI. Contextual adaptation of classical rules varies across diverse legal, cultural, and institutional environments, necessitating careful localization of AI algorithms to prevent misalignment with traditional interpretations. Algorithmic opacity and inherent biases present further risks, potentially producing outcomes incongruent with Sharia or Maqāṣid principles if robust ethical safeguards are not instituted. Moreover, the integration of AI applications within national and international legal frameworks is imperative to ensure compliance with human rights, data protection regulations, and financial legislation. These challenges underscore a critical trade-off between maximizing AI efficiency and preserving the interpretive discretion essential to qualified scholars. Mitigation strategies involve continuous monitoring, participatory stakeholder engagement, layered governance structures, and the establishment of hybrid oversight mechanisms to safeguard both operational performance and ethical fidelity.

From a policy perspective, the study highlights the necessity of developing regulatory and institutional frameworks that embed Ushuliyah principles within AI governance structures. Policymakers are urged to incorporate Maqāṣid-aligned ethical audits, establish hybrid oversight mechanisms, and foster professional training programs for AI developers and scholars in jurisprudential reasoning. Educational initiatives should emphasize the integration of ethical programming, Maqāṣid-informed risk assessment, and Sharia-compliant algorithm design to cultivate cross-disciplinary expertise. These measures not only enhance public trust and operational efficiency but also ensure adherence to ethical standards across diverse applications of Islamic digital law. Conceptually, this study advances a framework positioning Ushuliyah principles as a normative-technical interface, connecting classical jurisprudence, Maqāṣid objectives, and AI functionality. Future research could extend this model to AI-driven social governance, e-learning platforms for Islamic studies, and cross-border digital finance, further operationalizing Ushuliyah methodology across contemporary domains, while comparative studies across jurisdictions may elucidate the influence of contextual variations on principle implementation in global digital ecosystems.

In conclusion, the discussion demonstrates that Ushuliyah principles provide a robust ethical, legal, and operational framework for AI and digital law in Sharia-compliant contexts. When appropriately operationalized, AI applications in finance, fatwa formulation, and dispute resolution can adhere to these principles while achieving Maqāṣid-aligned outcomes. Human oversight, contextual adaptation, and alignment with regulatory standards remain indispensable to mitigate algorithmic bias, ensure interpretive fidelity, and safeguard ethical compliance. By integrating classical jurisprudence with contemporary technological tools, this study provides actionable insights for scholars, practitioners, and policymakers, offering a sustainable pathway for ethical, effective, and Sharia-compliant digital transformation that bridges tradition and innovation in the evolving landscape of Islamic law.

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Table 2. Operationalization of Ushuliyah Principles in AI and Digital Law

Ushuliyah Principle	***AI Application***	***Maqāṣid al-Sharī'ah Objective***	***Implementation Considerations***
Al-Am (General Rules)	Broad ethical guidance in AI algorithms, automated decision-making, and digital contracts	Justice, transparency, fairness, protection of rights	Ensure AI designs embed universal Sharia principles; monitor algorithmic consistency
Al-Khas (Specific Rules)	Context-specific adaptation in financial AI, tailored fatwa generation, digital service customization	Contextual equity, flexibility, situational justice	Apply specific rules where general norms may conflict with local or situational conditions; human oversight needed
Al-Amru (Commands)	Enforcing Sharia-compliant actions through AI, e.g., financial obligations, equitable user treatment	Fulfilling duties, promoting ethical compliance	Embed programmable commands while maintaining interpretive flexibility for complex cases
An-Nahyu (Prohibitions)	Preventing prohibited actions, e.g., riba-based transactions, unethical data use	Prevention of harm, protection of wealth and welfare	Design safeguards and constraints; ensure algorithmic outputs avoid Sharia violations
Hybrid Integration (All Principles)	AI-assisted fatwa generation, Sharia-compliant finance, digital dispute resolution	Protection of religion, life, intellect, progeny, and wealth	Combine AI efficiency with human scholarly discretion; continuous monitoring, regulatory alignment, and ethical audits

Source: Processed by the authors, 2025

The table above synthesizes the operationalization of Ushuliyah principles in AI and digital law, illustrating how classical jurisprudential concepts can be translated into actionable guidelines for contemporary technology. Al-Am establishes broad ethical norms that guide algorithmic design and automated decision-making, ensuring justice, transparency, and fairness across digital applications. Al-Khas provides flexibility for context-specific adaptation, allowing AI systems to respond to situational nuances in financial transactions or tailored fatwas, while preserving overall Sharia compliance. Al-Amru and an-Nahyu operationalize commands and prohibitions, embedding ethical duties and safeguards directly into AI systems, and ensuring the prevention of harm or prohibited practices. The hybrid integration of all Ushuliyah principles demonstrates the potential for AI to simultaneously uphold Maqāṣid objectives—protection of religion, life, intellect, lineage, and wealth—while combining computational efficiency with human scholarly oversight. Collectively, these operational considerations offer a structured framework for ethical, Sharia-compliant, and practically implementable AI governance in the digital era. To provide a clear visual representation of how Ushuliyah principles are operationalized in AI and digital law, Figure 1 presents a conceptual framework integrating classical jurisprudence, Maqāṣid objectives, and contemporary technological applications. The diagram illustrates the flow from general (al-Am) and specific (al-Khas) rules to commands (al-Amru) and prohibitions (an-Nahyu), highlighting their interplay in guiding ethical AI behavior, Sharia-compliant financial operations, and digital fatwa generation. By mapping these principles to concrete AI functions

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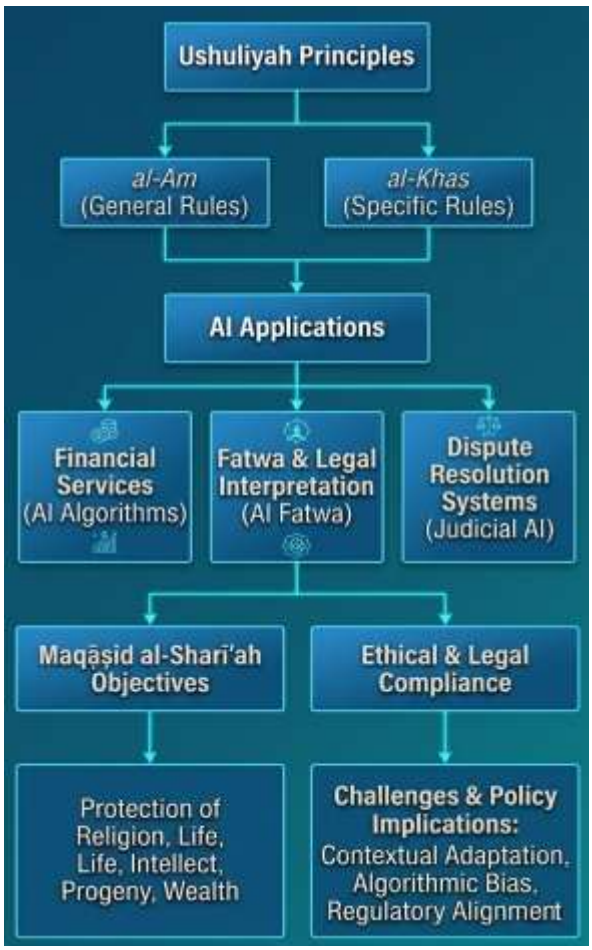
and implementation considerations, the illustration emphasizes both the normative and operational dimensions of Ushuliyah methodology, as well as the hybrid approach that balances algorithmic efficiency with human scholarly oversight. This framework provides readers with an accessible overview of the structured integration of Islamic jurisprudence into modern digital governance.

Figure 1. Conceptual Framework for Operationalizing Ushuliyah Principles in AI and Digital Law



Source: Processed by the authors, 2025

Figure 1 illustrates a conceptual framework for the operationalization of Ushuliyah principles in AI and digital law. The diagram demonstrates how al-Am (general rules) and al-Khas (specific rules) provide normative guidance for algorithmic decision-making and context-sensitive adaptations, while al-Amru (commands) and an-Nahyu (prohibitions) ensure ethical compliance and avoidance of prohibited actions. The framework also emphasizes the integration of human oversight to maintain interpretive discretion and alignment with Maqāṣid al-Sharī'ah objectives, including the protection of religion, life, intellect, progeny, and wealth. By mapping the interaction between classical jurisprudence, technological implementation, and ethical oversight, the figure conveys a holistic approach to designing Sharia-compliant AI systems that are both efficient and morally accountable.

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CONCLUSION

This study demonstrates that Ushuliyah principles—al-Am, al-Khas, al-Amru, and an-Nahyu—provide a robust ethical and operational framework for contemporary Islamic digital law and Artificial Intelligence. By systematically translating classical jurisprudential methodologies into actionable guidance, the research shows how these principles can govern AI applications in financial services, fatwa formulation, and dispute resolution, ensuring compliance with Sharia while addressing the ethical and technological challenges of the digital era. Al-Am and al-Khas offer a structured balance between general ethical norms and context-specific adaptations, enabling AI systems to maintain consistency while accommodating situational nuances. Al-Amru and an-Nahyu operationalize commands and prohibitions, guiding AI to uphold ethical obligations and prevent prohibited actions, effectively bridging traditional jurisprudence and modern algorithmic governance.

The study further underscores the centrality of Maqāṣid al-Sharī'ah in AI deployment. Aligning digital systems with the objectives of protecting religion, life, intellect, lineage, and wealth ensures that technological efficiency does not compromise ethical integrity or social welfare. AI applications, when guided by Ushuliyah principles, enhance accessibility, speed, and consistency in Sharia-compliant processes, yet the findings confirm that human oversight is essential. Complex issues, such as context-dependent ijtihad, ethical dilemmas, and algorithmic interpretation, require the discretionary judgment of scholars, indicating that a hybrid governance model is both necessary and effective. Implementation challenges, including algorithmic bias, contextual sensitivity, and alignment with national and international legal frameworks, were identified as critical considerations. Mitigating these risks necessitates interdisciplinary collaboration among Islamic scholars, technologists, and policymakers, ensuring AI systems remain legally sound, ethically robust, and socially responsible. This study contributes conceptually by proposing a normative-technical interface wherein Ushuliyah principles guide AI design, operational rules, and ethical oversight, providing a replicable model for Sharia-compliant innovation in diverse digital contexts.

In practical terms, the research offers clear implications for policy and regulation, emphasizing the integration of Maqāṣid-aligned audits, hybrid human-AI oversight, and education programs for developers and scholars. For future scholarship, opportunities exist to extend the framework to AI-driven social services, educational platforms, cross-border finance, and other domains where Islamic jurisprudence intersects with technology. By highlighting the operational relevance of Ushuliyah methodology, this study establishes a foundation for harmonizing classical jurisprudence with the evolving demands of digital transformation, promoting justice, fairness, and Maqāṣid-aligned outcomes across contemporary Islamic digital technologies.

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