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The Future of Muslim Judges in the Age of Artificial Intelligence: An Analysis of Ijtihad, Judicial Authority, and Algorithmic Decision-Making

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Abstract

The rapid progress of artificial intelligence has given rise to new possibilities and challenges in the justice systems of the entire world. It is believed that AI can prove helpful in case preparation and analysis, legal research and improving judicial performance, thereby aiding the delivery of justice. Its use gives rise to many questions concerning the human mind and understanding, judicial authority, decision-making and the transparency of ethical responsibility. The present research examines how, in light of AI's ever-growing trends, the role of judges in an Islamic state, their Ijtihadi capacity and authority, may be affected. This study adopts a qualitative method. For this purpose, sources of jurisprudence, the objectives of Sharia, new legal research, a comparative review and analysis of artificial intelligence have been undertaken. The findings of this study indicate that the function of AI is merely to serve as an assistant in making the judicial system more efficient, and under no circumstances can artificial intelligence be regarded as equivalent to a judge's juristic reasoning, legal understanding and moral responsibility. Traditionally, in the Islamic judicial system, the office of the judge does not rely solely on the accumulation of knowledge and the analysis of information, but on an understanding of the texts of Islamic jurisprudence, the changing circumstances and their interpretation, and on moral character. This study proposes that in the coming era artificial intelligence be utilized as an auxiliary tool in the justice systems of Islamic states, in relation to the principles of Islamic jurisprudence, the objectives of Sharia and judicial ethics. This process can maintain a natural balance between modern demands and the fundamental principles of justice.

Keywords: *Artificial Intelligence (AI), Muslim Judges, Ijtihad, Judicial Authority, Algorithmic Decision-Making, Islamic Judicial System.*

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Introduction

In the twenty-first century, AI has had profound effects on all spheres of human life; similarly, it has exerted deep impacts on the field of law and the judicial system. In the judicial system, legal research, case preparation and pleading, the preparation and presentation of judicial files, in other words, the use of AI-based frameworks to access and deliver justice, is being employed in many judicial Systems around the world. In these systems, the deployment of AI ensures speedy justice and creates opportunities to make it more organized and efficient. This raises the question of whether an algorithm-based system using AI can fulfill the fundamental requirements of justice and whether it can replace human understanding, judicial discretion and full ethical responsibility. The importance of this point becomes even more significant and indispensable when the role of the judge, the capacity for Ijtihad and scholarly expertise in Islamic justice system or assessed, because the judge's role is not confined to legal knowledge and decision-making but also requires a deep understanding of the texts in Islamic jurisprudence, and awareness of circumstances, the capacity for Ijtihad, the psychological aspects of the parties are linked to the establishment of Justice; in such a case, a scholarly and jurisprudential analysis of AI's role becomes indispensable.

In recent years, the inclusion of AI in the judicial system has emerged, with AI being regarded as an assistant and aid within the judiciary. However, it is equally essential to understand the party's moral qualities, psychological aspects, the background of the cases, the motivations behind decisions and the human elements.

Recent studies have extensively examined the relationship between contemporary justice systems and AI, as well as data transparency and algorithmic decision-making. However, these investigations have not systematically addressed these issues within the Islamic justice system, the concept of Ijtihad, the objectives of Shariah and the office of the judge. This research gap underpins the present study.

The present study is unique and novel in that it does not regard AI merely as an auxiliary tool, but views it in the broader context of Islamic jurisprudence and, in particular, judicial jurisprudence, with reference to judicial duties, powers and Ijtihad. The aim of this research is to assess how artificial intelligence influences the role of judges in future Islamic states. By examining the extent to which decisions made by Islamic courts depend on algorithms and align with Islamic legal thought, and how AI can be utilized in accordance with Islamic judicial ethics and the objectives of Shariah. To achieve this objective, the study will review and comparatively analyze scholarly principles of Fiqh, Islamic legal sources, the objectives of Shariah, contemporary legal research and academic studies on AI technology ethics, in order to provide a systematic, balanced, ethical and sustainable framework for judges of the future Islamic justice system.

Literature Review

In the legal field, the adoption of AI has begun to play a significant role in academic research over the past few years. In this area, many researchers have examined artificial intelligence as an assistant in the judicial sector, legal research, case preparation, judicial decision-making and the enhancement of justice delivery. In this scholarly research, it is universally agreed that in the Islamic justice system the deployment of artificial intelligence cannot be carried out without human oversight, accountability, transparency and ethical responsibility. In this context, AI is not regarded as a complete substitute; rather common, legal experts say that AI is a helpful tool.

Surden notes that AI plays an important role in judicial procedure, legal research, case repression and decision-making, but it cannot entirely replace the complexity of reasoning, inference and decision-making (Surden, 2019).

Harkness and Morrison argue that the use of AI in justice systems may be more readily overlooked when accountability processes uphold judicial and professional responsibilities. In their view, artificial intelligence does not replace the judge but assists them (Harkness & Morrison, 2019).

Zavrsnik has described decisions made under the algorithm as risks and said that the bias found in AI, issues such as algorithmic bias, the explainability of decisions and data quality can pose challenges to a fair judicial system, including its judicial processes and human rights (Zavrsnik, 2000). Analyzing justice systems that rely on artificial intelligence, Rilling states that AI can improve judicial performance, case hearings, speedy justice and the delivery of justice, but if algorithmic accountability and transparency are not insured, the fundamental principles of Justice may be overlooked (Rilling, 2020). Reviewing the use of legal artificial intelligence, Wang states that AI has an extraordinary capacity for analyzing legal information; however, when adjudicating complex cases and disputes between parties, it is essential to understand social circumstances, human experience, interpretive skills, ethical standards and psychological insight (Wang, 2021). Numerous global legal studies agree that the deployment of AI in the world's justice systems requires human oversight and experience, social context, mental insight and accountability processes to ensure that the fundamental principles of justice and fairness continue to function.

The Office of the judge does not merely apply legal principles; a Muslim is bound by jurisprudential insight, Ijtihadi capability, the objectives of Shariah, moral qualities and fighting in accordance with Islamic jurisprudence. In the classical literature of Islamic law, numerous works such as Ibn Qayyim al-Jawziyya's al-I'lam ul-muwaqi'in, Abu Yali's al-Ahkam al-Sultaniyya, Imam al-Mawardi's al-Ahkam al-Sultaniyya and Ibn Farhun's Tabsirah al-Ahkam emphasize that in the Islamic system of Justice the Muslim judge must possess not only scholarly competence but also integrity, wisdom, justice, juristic insight and Ijtihadi capability or indispensable. These principles demonstrate that in the Islamic justice system, the administration of justice and the

making of decisions are not only bound by scholarly foundations and legal requirements but also require adherence to the objectives of Shariah, a proper understanding of circumstances and ethical responsible conduct in accordance with Islamic law.

The aforementioned review of the literature shows that most studies shed light on the legal, technical and ethical dimensions of AI; in contrast, in the justice system established by Islam, the judge's Fiqhi insight, Ijtihadi capacity, there is very little comprehensive, sustainable and systematic research on the use of artificial intelligence with regard to the ethical qualities, judicial powers and responsibilities, and the objectives of Shariah. This gap underpins the present study. The research in hand seeks to fill it and explains how AI can be practically employed as an auxiliary tool within the Islamic system, in conformity with Islamic legal thought, Islamic jurisprudence, the principles of justice and fairness, and the practice of Ijtihad.

Methods

The present research is qualitative. Its purpose is to examine the role of Ijtihad for the judges of the Islamic justice system in the current era of AI, their Fiqhi insight, their judicial powers and responsibilities, and the relationship between these and algorithm dependent decisions. In this study, doctrinal research has been adopted to understand illegal and jurisprudential issues, and documentary research has also been utilized to analyze the principles of Islamic jurisprudence, modern legal theories and scholarly topics related to AI.

In this study, a qualitative analytical approach has been adopted to determine how AI can assist the justice system. The deployment of artificial intelligence in the Islamic justice system enhances a judge's juristic reasoning, jurisprudential insight, judicial powers, responsibilities and duties in the Islamic justice system. In addition, a competitive research methodology was adopted to analyze the principle of Justice based on artificial intelligence in new legal systems, particularly in relation to Ijtihad and the purposes of Shariah.

The present study is based on the classical and contemporary sources of Islamic law, including the Quran and Sunnah, books of Usul al-Fiqh, scholarly materials on the objectives of Shariah and jurisprudential rules are available; this legal corpus also includes global research papers, reports and legal studies on the new justice system, artificial intelligence, algorithmic decision-making, AI ethics and legal technology. Content analysis and thematic analysis have been employed to analyze them. The collected material has been organized around various themes, such as artificial intelligence, judicial discretion, judicial decision making, Ijtihadi capacity, ethical qualities, judicial responsibilities and duties, transparency, and the principles and rules of the Shariah's objectives. This makes it clear that the present research endeavors to explore how AI and algorithms can be adopted as a supportive tool within the Islamic justice system, so as to maintain a natural balance between contemporary advanced technology and principles of justice and equity laid down by Islam.

Results and Discussion

In recent years, international research has examined the intersection of law and AI. Surden's research indicates that AI can be helpful in the legal field but cannot fully replace human rational reasoning (Surden, 2019). Zavrsnik has described accountability, transparency and the protection of human rights in AI-based justice systems as a fundamental challenge (Zavrsnik, 2020). Discussing the adoption of technology in the judicial system, Reilling has noted that a digital judicial system improves the administration of Justice, but a sustainable ethical and legal framework is indispensable (Reiling, 2020). Wang has examined the use of AI in the judicial system for assisting in judicial decisions and assessing risks (wang, 2021). Morrison and Harkness have emphasized human and institutional responsibility in the use of modern technology within current judicial systems (Morrison & Harkness, 2019). These studies indicate that AI is regarded as an extremely helpful technology in new legal research, but it is imperative to give particular importance to the legal, ethical, psychological and human dimensions when using it.

Artificial intelligence can be a helpful tool in the Islamic judicial system, but it cannot replace the judge. Artificial intelligence can play a significant role in gathering information, identifying legal issues, searching for presidents, pinpointing decisions, maintaining case records and making judicial proceedings more sustainable, speedy and organized. According to Islamic jurisprudence, decisions are not based solely on legal information; when delivering a ruling, juristic insight, moral qualities, a proper understanding of circumstances and events, social context and the assessment of intentions or an essential and indispensable process that rests solely with the judge. The above-mentioned qualities are inherent in the human judge, recurring judicial insight, Ijtihadi capacity and jurisprudential understanding. Artificial intelligence does not possess the ability to perform all these qualities correctly.

In the Islamic justice system, the office of the judge is not confined merely to legal knowledge and scholarly complexities; rather, it is bound up with the objectives of Shariah, Justice and fairness and understanding of circumstances and events, the consideration of public interest, and intellectual insight and interpretation. In Islamic jurisprudence, new solutions to problems are sort through Ijtihad, those issues for which there are no explicit texts in the Quran and Sunnah. Artificial intelligence cannot carry out this process in any way; only a human mind can perform it. Artificial intelligence can gather large volumes of legal information and scholarly resources, thereby providing helpful and supportive to a judge, enabling the Qadi to apply Ijtihad more easily in his decision-making. Because the process of Ijtihad is bound to the interpretation of the Quran and Hadith texts, the determination of public interest, principled priorities and ethical standards, all of which require human intellectual and cognitive capacity.

A review of the literature makes it clear that AI and algorithms can assist the judicial system and enhance legal performance, speeding it up; however, issues such as bias, accountability and transparency pose a significant challenge to artificial intelligence. Because adherence to ethical

and Shariah principles hold an important place in the administration of justice, which is intrinsically linked to the human mind.

The most challenging issue in decisions made by artificial intelligence and algorithms is transparency and accountability at the same time of decision-making. In AI made decisions, the question arises as to whom the full responsibility for that decision will lie. According to Islamic jurisprudence, the judge is responsible for the decision he issues; in contrast, there is no one responsible for a decision made by artificial intelligence. Therefore, AI can only be used as an auxiliary tool, and the final decision rests with the human mind, that is the Muslim judge.

The present study further reinforces the point found in previous research that AI can serve as a helpful and supportive tool in any judicial system, alongside this, the study adds an indispensable point: that in light of classical principles of jurisprudence, for the court to employ artificial intelligence, the judge must possess Ijtihadi capacity, mental acuity, and jurisprudential understanding. It is important to accord the judge's juristic capacity, intellectual insight, jurisprudential understanding, moral qualities, judicial responsibilities and duties, and the objectives of Shariah a central and indispensable role in the deployment of artificial intelligence. Through this process, the Islamic system of justice of the future can become a naturally balanced model that beautifully integrates the marvels of new technology with classical principles of jurisprudence.

Conclusion and Recommendations

This study clarifies that AI can prove to be a sustainable and effective aid in the Islamic justice system, but this process can in no way be a substitute for the Muslim judge's intellectual insight. Juristic capacity, moral qualities, and judicial responsibilities. The findings of the present research indicate that artificial intelligence can play a significant role in the judicial system in analyzing legal knowledge, delivering speedy justice, accelerating the pace of judicial processes and substantially enhancing the delivery of justice and fairness; however, it cannot substitute for intellectual insight, human understanding, jurisprudential acumen, the perception of circumstances and events and fundamental requirements of justice and fairness are of fundamental importance. In the classical Islamic judicial system described by the science of Usul al-Fiqh, the judge's office is not limited to the mere enforcement of laws; rather, the office of the judge in the Islamic judicial system includes the capacity for Ijtihad, is linked to the objectives of Shariah, juridical insight, intellectual capacity, moral qualities and judicial responsibilities and duties, which is why AI should be employed as an auxiliary tool. This study proposes a systematic, comprehensive and sustainable framework for the deployment of AI and the Islamic justice system that establishes a natural balance between accountability, transparency and human oversight, and the universal principles of justice and equity enshrined in Islam. In future studies, a comparative analysis could be conducted of artificial intelligence in the interdisciplinary

domain of classical Usul al-Fiqh and Shariah, and of its practical implementation in the judicial systems of Islamic countries.

The present study recommends that AI be utilized in the judicial systems of Islamic countries merely as an auxiliary tool, with the authority for final decision making retained by the Muslim judge in the same manner. To achieve this objective, laws and ethical standards and codes should be established for the use of artificial intelligence, ensuring human oversight, accountability, transparency and the application of the principles of the objectives of Shariah. In this context, joint and interdisciplinary coordination between AI experts and jurists, judges and Mujtahids should be promoted so that, through their collaboration, a unique Islamic judicial system based on algorithms can be adopted. Moreover, further research should be conducted on the use of artificial intelligence in the Islamic judicial system and on the competitive analysis of algorithmic decision-making, from which effective guidelines can be developed to facilitate the delivery of Justice.

References

Abu Ya'la, A. ibn 'A. al-Farra'. (1983). Al-Aḥkām al-sulṭāniyyah. Dār al-Kutub al-'Ilmiyyah.

Ibn Farḥūn, I. ibn 'A. (1986). Tabṣirat al-ḥukkām fī uṣūl al-aqḍiyah wa-manāhij al-aḥkām. Maktabat al-Kulliyyāt al-Azhariyyah.

Ibn Qayyim al-Jawziyyah, M. ibn A. ibn M. (2002). I'lām al-muwaqqi'īn 'an Rabb al-'ālamīn. Dār Ibn al-Jawzi.

Al-Māwardī, A. ibn M. (1985). Al-Aḥkām al-sulṭāniyyah wa-al-wilāyāt al-dīniyyah. Dār al-Kutub al-'Ilmiyyah.

Morison, J., & Harkens, A. (2019). Re-engineering justice? Robot judges, computerised courts and (semi) automated legal decision-making. Legal Studies, 39(4), 618–636. https://doi.org/10.1017/lst.2019.5

Reiling, A. D. (2020). Courts and artificial intelligence. International Journal for Court Administration, 11(2), 8. https://doi.org/10.36745/ijca.343

Surden, H. (2019). Artificial intelligence and law: An overview. Georgia State University Law Review, 35(4), 1305–1338.

Završnik, A. (2020). Criminal justice, artificial intelligence systems, and human rights. ERA Forum, 20, 567–583. https://doi.org/10.1007/s12027-020-00602-0