



Artificial Intelligence as a Mufti

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Note: The fatwas of this article are not intended to deliver reliable legal opinions, but they are illustrative examples.

First: Starting point

I asked, its Eminence, the Artificial intelligence (AI) Mufti, ChatGPT, about divorce, marriage, abortion, inheritance, oath, expiation, prayer, and circumambulation. It replied as follows:

Q1: Is it permissible for a Muslim woman to marry a non-Muslim man?

“In Islam, according to some jurists, a Muslim woman is allowed to marry a non-Muslim man provided that he shall be one of the People of the Book (a Jew or a Christian). However, there are varying opinions between scholars on this issue, as some of them consider that the marriage of a Muslim woman to a non-Muslim is not permissible.

“If you are considering this issue, it is important to consult a religious scholar or Islamic affairs specialist for guidance tailored to your conditions.”

Q: I asked it again, and it replied as follows:

“In Islam, marriage to non-Muslims is a controversial issue among scholars. In general, a Muslim woman is only allowed to marry a Muslim man. Marriage to non-Muslims is forbidden according to the majority of the schools of jurisprudence. However, there are some juristic opinions that consider this issue from a different perspective. They may refer to the possibility of marriage in certain cases, while emphasizing the importance of Islamic values and principles in marital life. **“It is always preferable to consult a reliable scholar for proper guidance depending on each respective**



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case.”

Q2: I swore that my wife would be divorced if she did such and such with the sole intention of threatening her. Please take into consideration that this matter happened three times. In the three cases, I had intercourse with her after swearing but I did not ask about the relevant juristic ruling. I did not intend that such oaths are valid or oaths of divorce, but they were oaths with the intention of threatening her. I swore a fourth oath with the intention of divorcing her. I want the legal opinion on this incident.

A: In your case, if you swear to divorce your wife with the intention of threatening her but you did not intend to divorce her, this is not considered divorce. However, if there are certain cases where you clearly harbor the intention to divorce her, especially in the fourth oath which was accompanied with the intention to divorce her, this is considered a valid divorce. **“It is preferable to consult a competent jurist or religious scholar to accurately identify your case and research the options available to you.”**

Second: Artificial Intelligence does not provide fatwa when it is unthoughtful

Meaning of unthoughtful (Ghaflan in Arabic).

The Arabic word “Ghaflan” has the same morphological feature of “Fa’lan”. It is derived from the verb Ghafal, which means to neglect or overlook something. This sentence is referring to the Ḥadīth which says **“Let the judge (Qadi) not pass a judgment when he is angry”**. This means that anger is considered a reason that shall make the judge refrain from issuing a legal ruling because justice may not be realized. The same ruling applies to excessive joy and extreme hunger and other such instances.

When delivering fatwa, it is noticeably known that AI is unthoughtful. This is manifested in its inattention to human intelligence in terms of the mufti’s acumen, talent, and skill. How can AI identify the feelings of anger, joy, and intention although all of them are closely related to divorce, financial transactions, litigations, trusts, etc.?

I am really satisfied that an artificial mufti is not suitable for providing fatwa, because it is inattentive to the senses and meanings. It is also absent-minded, disturbed, and holds multi-faceted views on the same issue. It is not a proper means to hopefully fix a problem with a reasonable fatwa. It is not equipped with the abilities of inference and deduction derived from the divine revelation and the science of jurisprudence. On the contrary, it is merely a reckless and inattentive

collection of information and sayings. Such collection could be an asset for a researcher, student, or mufti who shall employ their creative minds in discerning such collected information.

I became more satisfied with the incompetence of AI when I noticed the conditions of some of its audience who only search for quick information. They are enthusiastically superficial in terms of learning and awareness. They just lean on the rule: "Assign the issue to a scholar and you are safe".

The third recommendation of the conference on "Artificial Intelligence between Reality, Hope and its Legitimate Applications" stated: **"It is not permissible to rely on AI in issuing a fatwa. Artificial Intelligence is not suitable to be a source of fatwa or to play the role of the Sharia mufti."**

This recommendation is based on legitimate rules and considerable conditions, such as the rule of knowing the inquirer's conditions, intentions, sayings, objections, prerequisites, and all other respective circumstances. Such factors make the answer to the question conditional on all these requirements, while the mufti shall be concurrently armed with a comprehensive vision, deep thought, and solid skills. In addition, he should be characterized by piety, religiousness, foresight, and guidance, stemming from his legitimate and moral responsibility and his competence as a reference scholar. All such characteristics qualify him to attain the inquirer's trust and acceptance of his fatwa. In addition, the mufti may play a reformist and mentoring role which may drive the inquirer to change his mind and abandon some acts which he may intend such as divorce, litigation, filing claims, or initiating disputes.

Third: Machine simulation of abstract tales in the world of fatwas

The problem with AI in issuing fatwas is that it is an automatic mufti. It is similar to an ATM when provided with the necessary information. The ATM performs its role without asking you about the nature of the money, its sources, or channels of expenditures. The ATM has nothing to do with halal or haram, or the morals of the drawer of money, his nationality, or his relation with his wife in a shining morning or a dark night. Smartness of the ATM is restricted by its identity and its actions are governed by its technical components. The same applies to a device that is expected to be an alternative to a skilled and smart mufti who discerns into the personalities and diagnoses their features. He employs his sight, hearing, understanding of the rituals, and even his taste of poetry when assuming

his role. Technical automatic simulation is not a proper factor in the world of fatwas which is full of stories, narratives, facts and psychological conditions.

Fourth: Breathtaking stories of our Artificial Intelligence

Artificial Intelligence is a treasure of information used for socialization and studies. It is a powerful innovation with remarkable impacts due to the tremendous development of systems and technologies. It is an excellent tool for research, education, service, awareness and culture. It is a base and starting point for development, improvement, and advancement. We need to view it from the perspectives of permissibility and legitimacy. Such permissibility is manifested in terms of the useful achievements realized by people, scholars, institutions and various industries. Its legitimacy is measured in terms of its compatibility with moral values, Sharia rules, privacy and identity.

Scientists pointed out the limits of the use of AI, despite its importance and necessity. It became an indispensable necessity according to the terminologies of jurists. It should be used for useful purposes while its adverse effects should be avoided. Artificial Intelligence includes sets of systems and programs which could be used as a means to achieve public and personal interests. On the other hand, its potential negative effects should be avoided according to the rules of weighing pros and cons, considering actions and their consequences, as well as reasoning, facts and their practical applications. All such topics are researched in the valuable sciences of Sharia and occupy a notable place in the Islamic creed.

Fifth: Our Artificial Intelligence in Sharia research discussions and institutions

Our AI stems from human intelligence. Its course is identified by human intelligence which shall tame and harness such AI, so that it shall neither tyrannize nor violate the sanctities, especially in exclusive fields such as issuing legal Islamic rulings. In the discussions of legal stakeholders and the policies of university institutions in particular, there is an interactive and argumentative communication to adopt and develop useful techniques. The domains of such intelligence cover research, learning, planning, and service sectors. In this area, the institutions are inconsistent and may be competitive. However, the College of Sharia at Qatar University has been incredibly fortunate as it is steadily progressing in the field of information technology and digitalization, thanks to its accumulated strategic planning, innovative and original academic efforts, Islamic principles, national priorities, and extrovert attitude.