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Artificial Intelligence in the Seat of Iftā'

An Examination of the Permissibility and Proper Use of AI in
Religious Verdicts

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"الأراء في هذا البحث تعبر عن رأي الباحث وليس بالضرورة عن رأي أئما"

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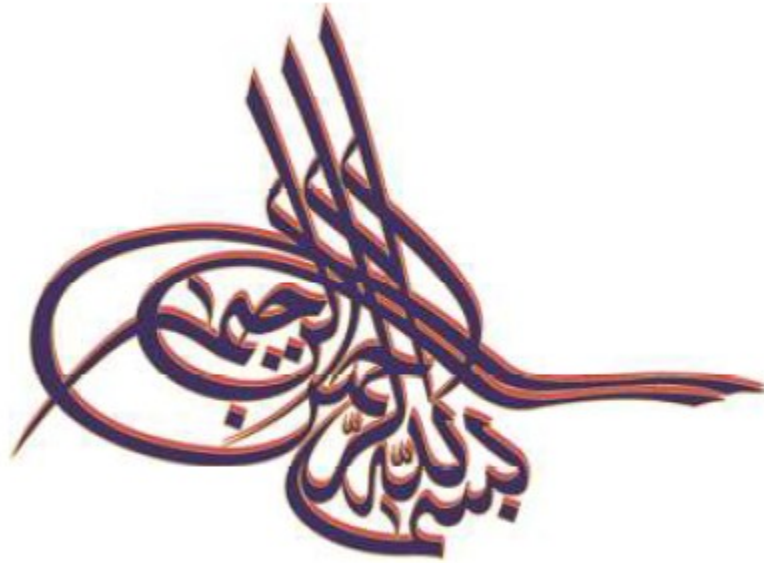


TABLE OF CONTENTS

Abstract	4
1. Introduction	5
2. The Nature of Fatwa	6
2.1 Linguistic Definition	6
2.2 The Shar'ī Context	6
2.3 Continuity Through the ṣaḥāba and the Foundations of Ijtihad	7
3. The Function of the Mufti: A Sacred Deputization	9
4. Conditions and Qualities of a Mufti	11
4.1 Academic Qualifications	11
4.2 Experiential Qualifications	11
4.3 Spiritual Qualifications	11
4.4 The Caution and Hesitation of the Salaf	12
4.5 Selectivity and the Refusal to Answer Every Question	13
5. Responsibilities of the Mufti	14
5.1 Inward and Outward Implementation of Tafaqquh	14
5.2 The Broader Picture: 'Urf, 'Ilal, and Foresight	14
5.3 Beyond the Technical Answer: Wisdom and Uslūb al-Ḥakīm	15
5.4 Maṣlaḥa, Sadd al-Dharā'ī', Ḍarūra, and Ḥāja	15
5.5 Formation Under a Senior, and the Duty Not to Legitimize the Unqualified	16
6. Responsibilities of the Mustaftī	17
6.1 The Duty of Selectivity	17
6.2 Adab of the Mustaftī	18
7. The Demand-Supply Imbalance	19
8. AI Fatwa Initiatives: A Brief Historical Overview	20
8.1 IACAD Dubai — Virtual Iftā' (2019)	20
8.2 Al-Azhar Fatwa Global Centre — AI Fatwas System (2020)	20
8.3 Qom (2023) — AI as Trusted Assistant	20
9. Evaluating Generative AI Against the Conditions of Iftā'	21
9.1 Conditions and Qualities of a Mufti	21
9.2 Responsibilities of a Mufti	21
9.3 Responsibilities of the Mustaftī	22
9.4 The Verdict on AI in the Seat of Iftā'	22
10. The Permissible Use of AI: As a Tool, Not as a Mufti	24
10.1 Islamic Q&A Versus Fatwa Issuance	24
10.2 AI Within the Mufti's Toolkit	24
11. Caveats and the Path Forward	26
11.1 The Garbage-In, Garbage-Out Problem	26
11.2 The Inadequacy of Disclaimers	26
11.3 The Real Solution: Producing More Qualified Muftis	26
12. Conclusion	28

Abstract

This paper examines whether artificial intelligence may lawfully serve the function of *iftā'* within the Islamic juristic tradition. It begins by establishing, on scriptural and classical authority, the nature of fatwa, the gravity of *iftā'* as *tawqī' 'an Allāh*, and the conditions — academic, experiential, and spiritual — that the function demands. It then situates the contemporary AI *iftā'* phenomenon historically, examining the IACAD (Dubai, 2019), al-Azhar (2020), and Qom (2023) initiatives, before evaluating generative AI against the established conditions. The conclusion advanced is that AI cannot, and is not meant to, occupy the seat of the mufti before the lay Muslim; yet the same technology, properly situated, can serve as a powerful auxiliary instrument for general, non-juristic Islamic Q&A and as a resource within the qualified mufti's toolkit.

1. Introduction

The pace of contemporary life has conditioned the Muslim community to expect — and at times to demand — that its needs be met in real time. While this expectation is in part a cultural artefact of the broader technological order, there are genuine cases in which a Muslim requires expedited religious guidance. The hafiz who errs midway through *tarāwīḥ* must know, with a congregation standing in waiting, whether he must repeat the prayer. The husband, in the heat of an argument, has uttered words that he now fears may have constituted *ṭalāq*, and the couple's anxiety only grows by the minute. The relative at the hospital bedside must communicate an end-of-life decision to the medical team. Such moments do not afford a wait of days or, at times, even of hours.

To these urgencies must be added a further category: questions whose subject matter carries, in addition to time sensitivity, an element of personal sensitivity. A woman, for example, may wish to know whether certain details of her circumstance require her to pray or to refrain. While there should be no awkwardness in religious questions, it is one that people feel nonetheless, and it is one of the factors driving the interest in interfaces in which one may pose their question without the social cost of personal communication.

The convergence of these realities with the recent maturation of artificial intelligence has produced a natural and persistent question: can a Muslim pose their *fiqh* question to an AI-based chatbot and act upon its response?

Before addressing this matter, it is necessary to clarify two preliminary matters. First, this paper does not argue that AI as a technology is impermissible. Technology, like most tools, is morally indeterminate in itself; what matters is its use. Second, AI-based *iftā'* is not, as is sometimes assumed, a phenomenon of the last two or three years coinciding with the popular emergence of generative models, such as Open AI's ChatGPT. The Islamic Affairs and Charitable Activities Department (IACAD) of Dubai launched what it described as the world's first AI-driven *iftā'* service, *Virtual Iftā'*, in 2019, and al-Azhar's Fatwa Global Centre followed with its *AI Fatwas System* in 2020.

Generative AI — whatever its technical sophistication, whatever the size and curation of its training corpus, whatever benchmark accuracy it may achieve — cannot lawfully be deputed to issue fatwas to the layperson. The reasons for this conclusion are not contingent upon the present state of the technology; they are structural and theological, and they will remain so. To understand this, one must first understand the nature of fatwas themselves.

2. The Nature of Fatwa

2.1 Linguistic Definition

In its linguistic sense, fatwa denotes the response to a question — a sense broad enough to encompass any subject matter and not restricted to legal verdicts. The Quran itself uses the term in this expansive sense in non-juristic contexts. The king of Egypt addresses his nobles concerning the interpretation of his dream:

وَقَالَ الْمَلِكُ إِنِّي أَرَى سَبْعَ بَقَرَاتٍ سِمَانٍ يَأْكُلُهُنَّ سَبْعٌ عِجَافٌ وَسَبْعُ سُتُوبَاتٍ خُضِرٍ وَأُخْرَى يَابِسَاتٍ يَأْتِيهَا الْمَلَأُ أَفْتُونِي فِي رُءْيَايَ إِن كُنْتُمْ لِلرُّءْيَا تَعْبُرُونَ

And the king said, "I saw [in a dream] seven fat cows being eaten by seven lean ones, and seven green ears of corn and [seven] others dry. O [assembly of] nobles! Give me a fatwa on my dream, if you are able to interpret dreams." (Yūsuf 12:43)

The former prisoner subsequently returns to Yūsuf عليه السلام and also uses the same vocabulary:

يُوسُفُ أَيُّهَا الصَّادِقُ أَفْتِنَا فِي سَبْعِ بَقَرَاتٍ سِمَانٍ يَأْكُلُهُنَّ سَبْعٌ عِجَافٌ وَسَبْعِ سُتُوبَاتٍ خُضِرٍ وَأُخْرَى يَابِسَاتٍ لَعَلِّي أَرْجِعُ إِلَى النَّاسِ لَعَلَّهُمْ يَعْلَمُونَ

"O Yūsuf, the truthful one, give us a fatwa concerning seven fat cows..." (Yūsuf 12:46)

The Queen of Saba' likewise employs the language of *iftā'* (i.e., giving a fatwa) in consulting her counselors on the affair of Sulaymān's عليه السلام letter:

قَالَتْ يَأْتِيهَا الْمَلَأُ أَفْتُونِي فِي أَمْرِي مَا كُنْتُ قَاطِعَةً أَمْرًا حَتَّى تَشْهَدُونِ

She said, "O [assembly of] nobles! Give me a fatwa, for I do not decide any matter until you bear witness. (al-Naml 27:32)

In each of these contexts the term carries no juristic charge; it denotes simply the resolution of an inquiry by an authority. The king and former prisoner asked for an explanation, while the Queen asked for counsel. None of them are asking for a juristic ruling.

2.2 The Shar'ī Context

In its Shar'ī context, a fatwa refers specifically to a response concerning the *ahkām shar'iyya*. The Prophet ﷺ was sought out for such verdicts throughout his lifetime, and he was assisted in its responses through revelation. The Quran preserves a substantial corpus of such questions — the *yas'alūnaka* and *yastaftūnaka* verses — and a survey of these makes clear that *iftā'* was not circumscribed to a narrow domain. Questions on religious matters came via generic wording of "they ask you" in the matters of worship,¹ finance and

1 يَسْأَلُونَكَ عَنِ آلِ أَهْلَةِ قُلُوبِهِمْ مَوْقِيتٌ لِلنَّاسِ وَالْحَاجُّ (البقرة: 189)

spending,² politics³ and military,⁴ food and drink,⁵ social responsibility,⁶ marital relations,⁷ and creed,⁸ but they also came via specific wording of "they seek a fatwa from you," such as regarding inheritance.⁹

The breadth of this scriptural corpus demonstrates that *iftā'* extends across every domain of *Shar'ī* concern: ritual, financial, political, social, familial, and doctrinal. Any evaluation of a person's or software's fitness to discharge the function of *iftā'* must accordingly be made against this full breadth.

2.3 Continuity Through the ṣaḥāba and the Foundations of Ijtihad

While the ultimate authority of fatwa rested with the Prophet ﷺ, the function of *iftā'* neither ceased with his life nor was it restricted to him in his lifetime either. Rather, the Prophet ﷺ himself authorized others to discharge it, such as to Mu'adh ibn Jabal رضي الله عنه, whom he dispatched to Yemen. In his *Sunan*, Imam Abu Dawūd records the famous dialog at the time of Mu'adh's رضي الله عنه departure.¹⁰

عن أناس من أهل حمص من أصحاب معاذ بن جبل: أن رسول الله صلى الله عليه وسلم لما أراد أن يبعث معاذًا إلى اليمن، قال: كيف تقضي إذا عرض لك قضاء؟ قال: أقضي بكتاب الله، قال: فإن لم تجد في كتاب الله؟ قال: فبسنة رسول الله صلى الله عليه وسلم، قال: فإن لم تجد في سنة رسول الله صلى الله عليه وسلم ولا في كتاب الله؟ قال: أجتهد رأيي ولا آلو، فضرب رسول الله صلى الله عليه وسلم صدره وقال: الحمد لله الذي وفق رسول رسول الله لما يرضى رسول الله

When the Prophet ﷺ wanted to dispatch Mu'adh to Yemen, he said, "How will you judge if a matter is presented to you?" He said, "I will judge by the book of Allah." [The Prophet ﷺ] said, "What if you do not find it in the book of Allah?" He said, "Then by the sunnah of the Messenger of Allah ﷺ." "And what if you find it neither in the sunnah of the Messenger of

2 يَسْأَلُونَكَ مَاذَا يُنفِقُونَ (البقرة: 215)

3 يَسْأَلُونَكَ عَنِ الشَّهْرِ الْحَرَامِ قِتَالٍ فِيهِ (البقرة: 217)

4 يَسْأَلُونَكَ عَنِ الْأَنْفَالِ (الأنفال: 1)

5 يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْمِ سِرِّ (البقرة: 219)

6 وَيَسْأَلُونَكَ عَنِ الْيَتَامَى قُلْ إِصْرٌ لَّاحَ هُمْ خَيْرٌ (البقرة: 220)

7 وَيَسْأَلُونَكَ عَنِ الْبَحِيضِ (البقرة: 222)

8 يَسْأَلُونَكَ عَنِ السَّاعَةِ أَيَّانَ مُرْسِيهَا (الأعراف: 187)

9 يَسْأَلُونَكَ قُلْ اللَّهُ يُفْتِيكُمْ فِي الْكَلَلَةِ (النساء: 176)

¹⁰ (سنن أبي دوداد، كتاب الأقضية، باب اجتهد الرأي في القضاء، #3592/5؛ الرسالة)

Allah nor in the book of Allah? [Mu'ādh] responded, "I will exercise my own ijtihad, and I will spare no effort." The Prophet ﷺ struck the chest [of Mu'ādh] and said, "Praise be to Allah who has guided the messenger of the Messenger of Allah to what pleases the Messenger of Allah."

After the Prophet ﷺ, the function continued with the *ṣaḥāba*, including Abu Bakr, 'Umar, 'Uthmān, 'Alī, *Umm al-Mu'minīn* 'Ā'isha, 'Abd al-Raḥmān ibn 'Awf, Ubayy ibn Ka'b, Zayd ibn Thābit, 'Ammār ibn Yāsir, Ḥudhayfa ibn al-Yamān, Abu al-Dardā', Abu Mūsā al-Ash'arī, 'Ubāda ibn al-ṣāmit, and Abdullah ibn Mas'ūd رضي الله عنهم. Some early enumerations of the *ṣaḥāba* known to have issued fatwas reach roughly one hundred and thirty in number — a figure that, against the demographic backdrop of the early Muslim community, suggests how narrowly the function was conceived even in the most learned generation.¹¹

¹¹ (إعلام الموقعين عن رب العالمين، المكثرون للفتوى من الصحابة: 18/2؛ دار ابن الجوزي)

3. The Function of the Mufti: A Sacred Deputization

The position of the mufti¹² within the Muslim community is critical and sacred. Its gravity is signaled in the Quran itself, where Allah ﷻ associates the act of *iftā'* with His own self. In Sūrat al-Nisā', Allah ﷻ says in response to the question concerning women:

وَيَسْتَفْتُونَكَ فِي النِّسَاءِ قُلِ اللَّهُ يُفْتِيكُمْ فِيهِنَّ

They ask you for a fatwa concerning women. Say, "Allah gives you fatwa concerning them." (al-Nisā' 4:127).

And again, in connection with the laws of inheritance for the one who leaves no ascendant or descendant, Allah ﷻ says:

يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ

They ask you for a fatwa. Say, "Allah gives you the fatwa concerning *kalāla*." (al-Nisā' 4:176).

These verses do not merely answer the questions posed; they establish the answering itself as a divine act, with Allah ﷻ taking upon Himself the role of giving fatwa.

Imam Ibn al-Qayyim, in his *I'lam al-Muwaqqi'in 'an Rabb al-'Ālamīn*, articulates the implication of this scriptural anchoring:

وإذا كان منصب التوقيع عن الملوك بالمحل الذي لا ينكر فضله، ولا يجهل قدره، وهو من أعلى المراتب السنيات، فكيف بمنصب التوقيع عن رب الأرض والسموات؟ فحقيق بمن أقيم في هذا المنصب أن يعد له عدته، وأن يتأهب له أهبته، وأن يعلم قدر المقام الذي أقيم فيه، ولا يكون في صدره حرج من قول الحق والصدق به؛ فإن الله ناصر وهاديه، وكيف وهو المنصب الذي تولاه بنفسه رب الأرباب؛ فقال تعالى: {وَيَسْتَفْتُونَكَ فِي النِّسَاءِ قُلِ اللَّهُ يُفْتِيكُمْ فِيهِنَّ وَمَا يُتْلَىٰ عَلَيْكُمْ فِي الْكِتَابِ} [النساء: 127]، وكفى بما تولاه الله تعالى بنفسه شرفاً وجلالة؛ إذ يقول في كتابه: {يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ} [النساء: 176]، وليعلم المفتي عمن ينوب في فتواه، وليوقن أنه مسئول غداً وموقوف بين يدي الله

If the position of signing on behalf of kings is itself an exalted station whose merit none denies and whose worth none ignores, then what of the position of signing on behalf of the Lord of the heavens and the earth? It is incumbent upon the one set in this position that he prepare adequately for it, that he equip himself for its demands, and that he know the magnitude of the station in which he has been placed... And let the mufti know on whose behalf he is deputizing in his fatwa, and be certain that he will be questioned tomorrow and made to stand before Allah."¹³

The mufti does not — and must not — express his personal opinion on a matter of

¹² "Mufti" in this paper refers to a scholar classically trained in the field of issuing legal verdicts. The paper recognizes that the usage of the title of a "mufti" varies in different traditions. Here, the qualification is intended, not the title itself.

¹³ (المرجع السابق: 16-17)

religion; he is asserting that the ruling he provides is the *ḥukm* of Allah ﷻ concerning the case at hand, as per his *ijtihad* while acknowledging that Allah ﷻ knows best. He acts as the deputy of Allah ﷻ for the conveyance of His ruling to His servants. When he signs the fatwa, he signs, in essence, on behalf of Allah ﷻ Himself. The seriousness of this — both as a moral burden and as a juristic posture — cannot be overstated, and it is the central frame within which any question concerning a person or a system's fitness for the function of *iftā'* must be evaluated.

4. Conditions and Qualities of a Mufti

Given the gravity of the function of *iftā'*, the '*ulamā'*' have set several conditions for one to qualify as a mufti. These fall into three categories: academic, experiential, and spiritual.

4.1 Academic Qualifications

The mufti must possess vast knowledge of the primary sources and of the established juristic tradition. He must read extensively, research actively, and exhibit a strong grasp of *uṣūl* and *qawā'id* — the principles and maxims that govern the derivation and application of rulings. Without these, he will not be aware of new developments in the field of inquiry, nor will he be in any position to identify the underlying drivers of rulings, nor to extend them rigorously to the new cases that the modern world incessantly produces.

Additionally, he must have practical knowledge of the customs and conditions of the people among whom he renders verdicts. The *Sharī'a* recognizes the relevance of *ḥaraj* (undue hardship), *maṣlaḥa* (benefit), and '*urf*' (custom) at multiple levels of legal reasoning; and these categories cannot be properly weighed by a person who is ignorant of the conditions of his people, the laws of his land, and the implications of his rulings. A mufti who does not know the customs of the marketplace cannot rule competently on the contracts that pass through it; a mufti who does not know the conditions of households cannot rule competently on the disputes that arise within them. Academic qualification entails a firm grasp of not only what is in books but also in the society around oneself.

4.2 Experiential Qualifications

The mufti does not emerge from texts alone; he is formed in the prolonged company of those who have themselves been formed. Years spent under a qualified mufti yield not only mastery of the *masā'il* (rulings) but also the proper approach to them. The trainee mufti benefits from the senior mufti via his '*ilm*' (knowledge), *ḥikma* (wisdom), and *taqwā* (God-consciousness). This component of formation is irreducibly relational. It cannot be replicated by reading stories of the pious predecessors; it requires the presence of a teacher, the witnessing of his caution, his hesitation, his refusal at times to answer, and his mode of attending to people. One simply cannot become a mufti in isolation without the prolonged tutelage of a senior mufti.

4.3 Spiritual Qualifications

Indispensable above all is a strong connection — not only academic but spiritual — to the lineage of the *fuqahā'*. The masters of our tradition were uniformly men of intense worship and inward purification. A reflection over a few examples helps set the context of the level of spirituality in reference.

Imam Abu Ḥanīfa is reported to have prayed '*Ishā'*' and Fajr with the same *wuḍū'* for forty years, to have fasted for thirty years at the time of his passing, and he is amongst those well known for finishing the entire Quran in one *rak'a*. Imam Abu Yūsuf, after his appointment as *qāḍī*, used to offer two hundred *rak'ahs* daily. Imam Muhammad ibn al-Ḥasan al-Shaybānī used to recite a third of the Quran each day.¹⁴ Imam Yaḥyā ibn Sa'īd al-

¹⁴ See Imam Dhahabī's *Manāqib al-Imām Abī Ḥanīfa wa ṣāhibayhi Abī Yūsuf wa Muḥammad ibn al-Ḥasan* for these and additional reports.

Qaṭṭān was of such character that Bundār, who accompanied him for two decades, reported that he never witnessed him commit a sin. Imam Sa'īd ibn al-Musayyab is reported never to have heard the *adhān* of a prayer except that he was already in the masjid — for forty years.¹⁵

These are the men against whom contemporary scholarly self-conception ought to be measured. The disparity is not subtle. It is no exaggeration to say that, by the standard set by these *fuqahā'*, the spiritual posture of contemporary aspirants to *iftā'* — including this author — is a matter for honest grief. The phrase "Imam Abū Ḥanīfa said this, but I disagree" — heard today on social media and elsewhere — is, in light of the foregoing, a moral and intellectual indecency that should be unthinkable. We have no comparison to them, neither in intellectual nor spiritual strength. Nonetheless, what we derive is that anyone who aspires to take on the immense burden of fatwa must make exceptional effort in firmly grounding himself in his connection to Allah ﷻ.

4.4 The Caution and Hesitation of the Salaf

The corollary of these qualifications is the deep caution of the pious predecessors in their approach to *iftā'*. Mufti Taqī Uthmani narrates several examples of the restraint they exhibited in issuing fatwas.¹⁶ Bishr ibn al-Ḥārith is reported to have said, *من أحب أن يسأل فليس*

"بأهل أن يسأل" ("Whoever loves to be asked is not fit to be asked"). Sufyān ibn 'Uyayna said,

"The most knowledgeable of people concerning fatwa are the most silent in it, and the most ignorant of people concerning fatwa are the most speaking in it."

Al-Barā' ibn 'Āzib رضي الله عنه said, "I saw three hundred of the people of Badr; not one of them was such that except he loved that his companion would suffice him from fatwa." 'Abd al-Raḥmān ibn Abī Laylā said, "I met one hundred and twenty Anṣārī Companions; one of them would be asked about a matter, and he would refer it to another, and that one to another, until it returned to the first."

Imam Malik is the exemplary figure of this caution. *"لا يفتى ومالك في المدينة"* — "No fatwa is given while Malik is in Medina" — became proverbial, and yet his right to that station was hard-earned. He is reported to have said, "It is not appropriate for a man to view himself as fit for anything until he asks one who is more knowledgeable than himself," and, "I did not give fatwa until seventy testified that I was fit for it." One of his students remarked, "By Allah, when Malik was asked about a matter, it was as though he was standing between Paradise and Hellfire."

This posture was not Imam Malik's alone. 'Aṭā' ibn al-Sā'ib reported having known men who, when asked about a matter, would tremble as they spoke; and Ash'ath reported of Muhammad ibn Sīrīn that when he was asked concerning the lawful and unlawful, his color would change and his very person would seem altered. When a certain questioner — himself a man of standing — pressed Imam Malik on a matter and called it "a light, easy question," Imam Malik grew angry and responded, "A light, easy question? There is nothing

¹⁵ See the entries on the referenced individuals in Imam Dhahabī's *Siyar A'lam al-Nubalā'*.

¹⁶ See Mufti Taqī Uthmani's section on *Tahayyub al-Salaf li al-Futyā* in his *Uṣūl al-Iftā' wa Ādābuhu* for the references in this section.

in knowledge that is light. Have you not heard the saying of Allah ﷻ: **إِنَّا سَنُلْقِي عَلَيْكَ قَوْلًا ثَقِيلًا** — 'Indeed, We shall cast upon you a weighty word' (al-Muzzammil 73:5)? All knowledge is weighty, and especially that concerning which one will be questioned on the Day of Judgement."

4.5 Selectivity and the Refusal to Answer Every Question

From this caution flows a positive duty: the qualified mufti is not obligated to answer every question that comes his way, and, indeed, he must not. Imam Nawawī preserves several saying and incidents about the pious predecessors in this regard, including the saying of Ibn Mas'ūd and Ibn 'Abbās رضي الله عنهم, "Whoever issues fatwa on everything he is asked is insane (*majnūn*)."¹⁷ It is reported of Imam Malik that he might be asked about fifty matters and would answer not one.¹⁸ A critical function of the mufti is not only in knowing how to answer, but also when to answer.

¹⁷ (آداب الفتوى والمفتي والمستفتي: أهمية الإفتاء وعظم خطره وفضله: ص 14؛ الفكر)

¹⁸ (المرجع السابق: ص 16)

5. Responsibilities of the Mufti

After establishing the qualifications of a mufti, one must understand the responsibilities it entails.

5.1 Inward and Outward Implementation of Tafaqquh

The mufti must implement, both inwardly and outwardly, the marks of true *tafaqquh* (depth in *fiqh*) in his '*ilm*' and in his '*amal*'. He must be committed to ongoing academic growth and to ongoing spiritual refinement; the two are not severable. Imam Ḥasan al-Baṣrī defined a *faqīh* (jurist) as "إنما الفقيه الزاهد في الدنيا، الراغب في الآخرة، البصير بأمر دينه، المداوم على عبادة ربه" ("The true jurist is only the one who is detached from worldly life, desirous of the Hereafter, insightful regarding the affairs of his religion, and constant in the worship of his Lord").¹⁹ Such a person seeks Allah's ﷻ assistance prior to each fatwa, fully cognizant at all times of the gravity of the burden upon him.

5.2 The Broader Picture: 'Urf, 'Ilal, and Foresight

The mufti's vision is not narrow and limited to the specific text of the question posed; rather, he must look at the broader picture that affect both the fatwa and the one seeking the fatwa, i.e., the *mustaftī*.

First, it is imperative that the mufti is acutely aware of the '*urf*' (customs and norms) of his time, but also the period of the referenced rulings from the earlier jurists. He recognizes that '*urf*' evolves, and he must determine which rulings are sensitive to '*urf*' in order to track that evolution and apply correctly to his time and place. He distinguishes between '*urf āmm*' and '*urf khāṣṣ*' (general and specialized, as well as global and local customs) since each operates differently and has different degree of impact.

Second, the underlying reasoning of an existing fatwa, i.e., its '*illa*' or operative cause, may itself have shifted in light of advances in medical understanding, in market mechanics, or in social organization. The mufti must analyze the textual ruling and its operative cause in order to ensure accurate application of traditional rulings to modern circumstances.

Third, the mufti must have the foresight to understand the implications of his ruling. While the applicability of the ruling to the specific question or scenario at hand is clear, he must think carefully about where else the ruling may extend by logical reasoning and whether that outcome is desirable. Not only the ruling, but the mufti must also be deliberate about the specific word choice and phrasing of a fatwa, so that it always remains understood and applied in the manner intended at the time of its writing, including references drawn through argument *a fortiori* and argumentum *e contrario* (*mafḥūm al-muwāfaqa* and *mafḥūm al-mukhālafa*). A fatwa is not simply written; it is carefully crafted.

Fourth, the mufti must consider the personal circumstances of the *mustaftī* — his history, his temperament, his current pressures, his prior engagements with the mufti, his community position, etc. None of these factors necessarily alter the underlying *ḥukm*, but each may bear on the proper method of conveying it.

Fifth, the mufti must consult other muftis on contemporary issues where consultation is warranted. Not every new and complex ruling that impacts the broader Muslim

¹⁹ (سنن الدارمي، مقدمة، باب من قال العلم الخشية وتقوى الله، #302: 1/337؛ دار المغني)

community is meant to be singlehandedly undertaken. This is the spirit of a Darul Iftaa and, especially, a *fiqh* council, in which muftis share academic analyses, debate angles, and probe each other's arguments before a fatwa is ultimately issued.

5.3 Beyond the Technical Answer: Wisdom and Uslūb al-Ḥakīm

The mufti should not merely deliver the technical ruling; he should consider whether there is advice, beyond the strict answer, that would benefit this person in this circumstance. At times, the question that is asked is not the question that ought to be answered, and the mufti exercising *uslūb al-ḥakīm* (the approach of the wise) answers what is needed rather than what is literally requested. When a person asked the Prophet ﷺ, "When is the Day of Judgement?", the Prophet ﷺ redirected the questioner's attention away from the specifics of what was asked to the more important matter worth reflecting over, i.e., "What have you prepared for it?"²⁰ Such a response is not an evasion but a re-direction of the inquiry to its proper object.

Relationship and the history of prior questioning provide indispensable insight into how a question should be answered. A man who has come previously with five questions all of which indicate to a struggle with *waswasa* (satanic whisperings) need not — and indeed should not — be addressed in the same manner as a man asking the same question for the first time. The recurring *mustaftī* with *waswasa* benefits from a course of treatment, not from a fresh fatwa each time. The new *mustaftī* asking the same words on the surface may need a different response entirely.

Political and community considerations enter as well, and so do the nefarious purposes for which an unwary mufti may find his answer weaponized. There are circumstances in which a mufti should withhold answering altogether. He may receive a question framed in third-person generality, such as "What is the status of a person who says such-and-such?" However, due to his awareness of what is playing out in politics, on social media, or elsewhere, he recognizes that the question refers to a specific individual whose words are being relayed to him without the speaker's own framing. In such cases, the wise course is not to answer the abstract question but to insist that the named person contact him directly with what he actually said and meant. Otherwise, the fatwa, despite being technically sound, simply becomes a weapon in the hand of a partisan and a source of *fitna*. This is the kind of foresight without which the mufti cannot discharge his responsibilities adequately.

5.4 Maṣlaḥa, Sadd al-Dharā'ī, Ḍarūra, and Ḥāja

Beyond the technical validity of a given answer, the mufti must weigh *maṣlaḥa* and *sadd al-dharā'ī* (the broader benefit at stake and the blocking of means to harm) and must hold *ḍarūra* and *ḥāja* (necessity and need) in proper proportion. A fatwa is not a mechanical pairing of question and rule; it is the product of weighed considerations across multiple dimensions. Consider, by way of illustration, the question of contracts that include a clause obligating the buyer to pay an additional sum in the event of late payment. The classical fatwa against such clauses, taken in isolation, is unambiguous in the *fasād* (vitiation) of the contract. But the implications of that ruling and the application of its underlying reasoning

²⁰ (صحيح البخاري، كتاب فضائل الصحابة، باب مناقب عمر بن الخطاب، #3485/3: 1349؛ ابن كثير)

extend across nearly every purchase contract that the contemporary Muslim signs, every software license he downloads, and every service agreement he enters, since each has similar or other conditions that would classically be labelled as *fāsid* (vitiating factor). The mufti who answers without holding this broader landscape in view answers technically but incompetently.

The mufti must read the difficulties facing the community, both the ones present and those reasonably foreseeable. He must accurately apply maxims to determine where leeway in rulings exist, and he must know how such leeway is applied within the confines of established legal principles and not in a haphazard and unprincipled manner. The mufti who lacks this kind of contextual sensitivity will issue rulings that are academically defensible but practically unimplementable.

5.5 Formation Under a Senior, and the Duty Not to Legitimize the Unqualified

All of the foregoing requires years spent under a qualified mufti, not merely for mastery of the *masā'il* but for the formation the proper *manhaj* (approach) for *iftā'*. The senior mufti cannot, as a trust from Allah ﷻ, qualify someone for *iftā'* unless he feels confident that the person has developed academically and spiritually, and that he has engrained within him the proper *manhaj*.

And from this extends a responsibility on all muftis, senior or junior. If a mufti does not know the answer to a given question or does not have time to research it, he cannot redirect the *mustafti* to a person whom he does not personally know to fit the criteria of a mufti. Further, if such an unqualified person has issued a fatwa and then asks a qualified mufti to verify it, the mufti should not even verify the answer — even if it happens to be technically correct — because to do so is to lend his credibility to a process that should never have produced the document in the first place. And if a third party forwards an unqualified fatwa for verification, the mufti must not certify it; rather, he must write his own independent fatwa to not lend credibility to those who do not meet the high standards for this function. Stressing this point, Imam Qarāfī states that while the ignorant may happen to produce a correct answer, the grave calamity is that the one unfit for *iftā'* comments on the *dīn* of Allah ﷻ.²¹

²¹ وينبغي للمفتي متى جاءته فتيا وفيها خطأ من لا يصلح للفتيا ألا يكتب معه، فإن كتابته معه تقرير لصنيعه، وترويج لقوله الذي لا ينبغي أن يُساعد عليه وإن كان الجواب في نفسه صحيحاً؛ فإن الجاهل قد يصيب، ولكن المصيبة العظيمة أن يُفتي في دين الله من لا يصلح للفتيا، إما لقلّة علمه، أو لقلّة دينه، أو لهما معاً.

(الإحكام في تمييز الفتاوى عن الأحكام وتصرفات القاضي والإمام: ص 247؛ البشائر)

6. Responsibilities of the Mustaṭī

It is a settled premise of the *Sharī'a* and a fact of human capacity that only a subset of the community will attain depth in juristic matters. The community's obligation is to ensure that such people exist, and this is a *farḍ kifāya*. The Quran is explicit in this regard.

وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ

It is not for the believers to march forth all at once. So why should not be from every division of them that marches out [in battle] a group that goes forth to attain depth in the religion so that they may warn their people when they return, that perhaps they may take heed? (al-Tawba 9:122)

And for everyone else, the directive is equally explicit.

فَسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ

Ask the people of remembrance if you do not know. (al-Anbiyā' 21:7)

The *mufasssīrūn* explain *ahl al-dhikr* (the people of remembrance) as the *ahl al-'ilm*, i.e., those possessed of knowledge of the revelation, for the *dhikr* is the revealed knowledge and its bearers are those to be asked. Yet the Quran does not leave *'ilm* and *taqwā* severable: it testifies that it is precisely the people of knowledge in whom the fear of Allah ﷻ

is found — إِنَّمَا يَخْشَى اللَّهَ مِنْ عِبَادِهِ الْعُلَمَاءُ ("Only those of His servants who have knowledge fear Allah," Fāṭir 35:28). The *'ālim* whom the verse designates as the reference for the unknowing in religious matters is therefore not the possessor of bare information but the one in whom knowledge has produced *khashya*.²² Such are the people to be asked about the matters of the *dīn*, and one who directs his question to a source in which this qualification is absent has not fulfilled the duty this verse imposes.

6.1 The Duty of Selectivity

Mufti Taqi al-Uthmani articulates the primary responsibility of the *mustaṭī* prior to asking a question in the following statement:

يجب على المستفتي أن لا يسأل إلا من عرف عمله وعدالته وكونه أهلاً للإفتاء سواء علم ذلك بنفسه أو بإخبار ثقة عارف أو باستفاضة بأن علماء ذلك الوقت يثقون بفتواه، ويجب عليه قبل الاستفتاء أن يبحث عنه بالقدر المستطاع

²² عن علي رضي الله عنه قال: «قلت يا رسول الله، إن نزل بنا أمرٌ ليس فيه بيانٌ أمرٍ ولا نهْيٍ، فما تأمرني؟ قال: شاوروا فيه الفقهاء والعابدين، ولا تمضوا فيه رأي خاصة»

(مجمع الزوائد ومنبع الفوائد: 1/178؛ قال الإمام الهيثمي: رواه الطبراني في الأوسط، ورجاله موثقون من أهل الصحيح).
وانظر قوله تعالى: {إِنَّ الَّذِينَ أُوتُوا الْعِلْمَ مِنْ قَبْلِهِ إِذَا يُتْلَى عَلَيْهِمْ يَخِرُّونَ لِلْأَذْقَانِ سُجَّدًا ... وَخِرُّونَ لِلْأَذْقَانِ يَبْكُونَ وَيَزِيدُهُمْ خُشُوعًا} (الإسراء: 107-109)

Similar *nuṣūṣ* and practice of the pious predecessors, such as in the acceptance of hadith, provide clear examples that religious knowledge was sought from those who combined knowledge with piety, and that knowledge alone was considered insufficient.

It is incumbent upon the *mustaftī* to not seek fatwa except from one whose knowledge, uprightness, and fitness for *iftā'* he knows, irrespective of whether he knows that through his own self, through a known and reliable person's informing him of such, or through widespread [public] knowledge based off the '*ulamā*' of his time relying on such a person's fatwas. And it is incumbent upon [the *mustaftī*], before seeking the fatwa, to investigate [the mufti] to the extent feasible.²³

The *mustaftī* cannot suffice with surface-level signs of competence. Oratory skill, a large online following, an abundance of content on social media platforms, or a polished public presentation are not markers of fitness for *iftā'*. The *mustaftī* must know the person's expertise in *fiqh*, as expertise in other areas of religious service, such as sermons, fundraising, community organizing, or even traditional teaching, does not transfer.

The *mustaftī* who does not undertake this deliberate selection has fallen short of his own obligation. If a community has been entrusted with the *farḍ kifāya* of forming the people whose role is to inform their fellow Muslims, the *mustaftī* must ask whether the one whom he addresses is in fact among that group. If the divine command is to ask the *ahl al-dhikr*, he must ask whether his potential source for religious guidance is, in fact, from the *ahl al-dhikr*.

6.2 Adab of the Mustaftī

The asking itself must be marked by the proper *adab*. Language must be soft and humble. The manner and the time of asking must be suitable, as this is not just the etiquette of one who wishes to seek knowledge, but the one who is qualified to be asked deserves proper respect.

The *mustaftī* must not ask questions for simply the sake of asking; rather, they should intend to act upon the answer. The investment that goes into a fatwa — the prayer, the research, the consultation, the deliberation — is not warranted if the *mustaftī* is merely shopping for the ruling that they prefer. The classical literature has a substantial discussion of the *adab* of the *mustaftī*, but it tends to be studied by muftis and not, regrettably, by the *mustaftīs* themselves.

²³ (أصول الإفتاء وآدابه، أحكام الاستفتاء: ص 330؛ معارف القرآن)

7. The Demand-Supply Imbalance

From the conditions and responsibilities sketched in the preceding sections — the depth of qualification required, the seriousness of the function, the multi-faceted and necessarily time-consuming nature of competent *iftā'* — a structural problem emerges, and it is one that has contributed to the appetite for AI *iftā'*. The supply of qualified muftis cannot meet the demand.

First, qualified muftis are not present in every city in which Muslims live. Many cities, especially smaller towns, in America simply lack any '*ulamā'*' and, even if they exist, they lack those '*ulamā'*' qualified in the field of *iftā'*. Second, even where such qualified muftis exist, the volume of questions is such that the number of actively engaged, qualified muftis cannot service them all in a timely manner. By way of illustration, al-Azhar's Fatwa Global Centre reported that, at the time it conceived its AI *iftā'* service, it was receiving approximately 1,850 questions per day.²⁴ No institution can sustain that volume by manual labor alone. Even at significantly lower volumes, Darul Iftaa Chicago, for instance, places limits on the volume of daily and weekly questions in total, as well as per *mustafti*, and the thresholds are often reached.

This pressure is the immediate driver of the temptation to automate. When the demand is acute and the supply is constrained, the natural inclination is to find a way to accelerate and to maximize what can be accomplished — and the proposal of AI as the means of that acceleration is therefore not surprising. Whether it is permissible and, if so, in what capacity, is a separate matter.

²⁴ Sofia Tsourlaki, "Artificial Intelligence on Sunni Islam's Fatwa Issuance in Dubai and Egypt," *Islamic Inquiries* 1, no. 2 (2022): 115, <https://doi.org/10.22034/is.2022.339182.1082>.

8. AI Fatwa Initiatives: A Brief Historical Overview

Three institutional initiatives are particularly worth one's attention before evaluating AI in the seat of *iftā'*.

8.1 IACAD Dubai — Virtual Iftā' (2019)

The Islamic Affairs and Charitable Activities Department of Dubai (IACAD) launched, in 2019, what it described as the world's first AI-driven *iftā'* service under the name *Virtual Iftā'*. The platform was, however, not a generative AI system; it was a retrieval-based system. As the user typed their question, the platform predicted, on the basis of lexical proximity, which questions from its database of pre-registered fatwas most closely matched the query, and then presented the user with multiple selections of the pre-issued fatwas from which to choose. Its principal scope was the familiar core of *'ibādāt*: prayer, *zakāt*, purity, and worship more generally. Each session opened with a prominent disclaimer to the effect that the answers were generated automatically by AI and that, despite precautionary measures, errors were possible, with an invitation to contact the department in the event of an error. The objective, in other words, was to surface existing fatwas rather than to issue new ones. The project was abandoned approximately two years after launch in favor of other commercial priorities.²⁵

8.2 Al-Azhar Fatwa Global Centre — AI Fatwas System (2020)

Al-Azhar's Fatwā Global Centre followed in 2020 with its *AI Fatwas System*. Like the IACAD platform, it functioned on the lexical-proximity model — "do you mean..." — but it was not restricted to a single topic area. Al-Azhar paired the automated retrieval with a follow-up process: a mufti would subsequently contact the *mustaftī* to verify that the retrieved fatwa in fact addressed their question. In this conception, the AI functioned as a quick, short-term resource-finding mechanism, essentially a triage layer, before the actual issuance of a fatwa for those who still required one. The motivation for the initiative was not purely operational; it was understood by the institution as a means of controlling the ideological character of the fatwas disseminated under its name and of preventing the propagation of extremist answers by other channels. The project struggled, however, to gain traction.²⁶

8.3 Qom (2023) — AI as Trusted Assistant

In September 2023, the *Financial Times* reported on the exploration of AI *iftā'* within Iran's holy city of Qom, the center of Shia learning.²⁷ Significantly, the framing of the Qom initiative explicitly disavowed any replacement of the clerics. AI was to function as a "trusted assistant that can help [senior clerics] issue a fatwa in five hours instead of fifty days." This framing — AI as an accelerator of expert work, rather than as a substitute for it — is, as shall come later, the correct framing in light of the *Shar'ī* analysis, even if the Shia institutional context differs from the Sunni one in other respects.

²⁵ *Ibid.*, 112-113.

²⁶ *Ibid.*, 114-116.

²⁷ Najmeh Bozorgmehr, "Robots Can Help Issue a Fatwa': Iran's Clerics Look to Harness AI," *Financial Times*, September 24, 2023, <https://www.ft.com/content/9c1c3fd3-4aea-40ab-977b-24fe5527300c>.

9. Evaluating Generative AI Against the Conditions of Iftā'

The questions remains that if one were to set up a generative AI fatwa bot, feed it a large training corpus of the classical *fiqh* literature and the substantial archive of contemporary fatwas, and direct it to produce natural-language responses to questions posed by lay users, would such a system meet the conditions, qualities, and responsibilities of the mufti, and would it fulfill the responsibilities of the *mustaftī* (sections 3-6).

Two kinds of consideration bear on the answer, and they must be kept distinct. The first is theological and structural—the absence of accountable agency, of *taqwā* and *'ubūdiyya*, and of inclusion among those addressed by the *khiṭāb*. These do not depend on the state of the technology and cannot be eroded by its advance. The second concerns present capability limits — relational history, community-specific context, recognition of *waswasa* patterns, foresight — which corroborate the verdict but are not what it rests upon. Where the discussion below notes such limits, it does so as corroboration; the weight of the verdict is carried by the structural grounds.

9.1 Conditions and Qualities of a Mufti

On the dimension of mere informational coverage, a properly trained AI system could, in principle, attain a vast and broad-spectrum knowledge of classical and contemporary literature, depending, of course, on the quality and curation of its training data. Its dataset may include up-to-date marketplace dynamics, statistics on various aspects of life, ongoing geopolitical developments, etc. While AI may seem like it meets academic standards, it, in reality, falls short.

The AI does not have the individual and cross community relational history that a mufti carries. While one may argue that it could be trained to pick up on issues with *waswasa* and the like based on question history, it does not have any knowledge of the micro issues that pertain to the *mustaftī's* specific community. It does not know that the question is potentially trying to weaponize an answer for the latest local community controversy. It cannot combine insight from questions posed by the *mustaftī's* spouse with third-person generic questions asked by the *mustaftī* to gain a deeper context of the matter at hand. These are not edge cases. They are the bread and butter of competent *iftā'*.

The AI *iftā'* system possesses no spiritual posture: no fear of Allah, no consciousness of standing before Him on the Day of Judgement, no *taqwā* capable of restraining a hasty answer. Although one may object that the machine cannot be enticed by *Shayṭān* either, the persons feeding the system its data, the engineers shaping its outputs, and the institutions deploying it certainly can be enticed. More importantly, this objection misses the central point: *iftā'* is not the mere absence of corruption; it is the positive presence of *taqwā*, of *'ibāda*, of the *rūḥāniyya* (spirituality) that prepares one to be questioned tomorrow before Allah ﷻ. The software is structurally incapable of these positive qualities, just as it is structurally incapable of standing on the Day of Judgement to answer for its answers. The *tawqī'* *'an Allāh* (signing on behalf of Allah ﷻ) is an *amāna* (trust) that cannot be discharged by an agent that is itself outside the category of moral and accountable beings.

9.2 Responsibilities of a Mufti

The AI system has no grasp of *fiqhī* implications, nor can the system bring to its answer the foresight and wisdom that function of *iftā'* absolutely demands. Refer back to

the case of contractual late-payment clauses: the technical answer requires the mufti to see beyond the specific contract to the broader landscape of *fāsid* conditions in modern commerce. Similarly, a qualified mufti needs to determine where, despite the technical permissibility of a matter, there is a need to implement mechanism for *sadd al-dharā'i'*, and to what extent the mechanism should apply.

Moreover, the AI system lacks the basis on which to exercise “principled silence,” i.e., restraining from answering or answering differently than asked. Consider the matter of *mushājarāt al-ṣaḥāba*. Questions concerning the disputes among the Companions are addressed by the qualified mufti with extraordinary restraint, often by redirection rather than by ruling. The generative AI bot, by its design, responds to what it is asked; it does not discipline the *mustaftī* for asking that which they should not. It cannot exercise the principled silence that constitutes, at certain moments, the most important response of all.

The mufti is not a machine; he is not meant to operate as one. He factors a great deal, such as wisdom and spiritual impact, before he chooses to either answer or adopt principled silence. Conversely, the machine, by its constitution, is not meant to be a mufti.

9.3 Responsibilities of the Mustaftī

By no defensible argument can an AI system be argued to fall within the *ahl al-dhikr*. The AI system has no fear of Allah ﷻ before answering a question, and the religious duty of *tawqī' 'an Allāh* cannot be held by someone who does not make the *dhikr* of Allah ﷻ or have any *taqwā* of Him. The *mustaftī* has an obligation to ensure that the source of their fatwa is a qualified mufti, as per the command to ask the *ahl al-dhikr* if one does not know. Once the *mustaftī* has discharged his own duty — selecting a qualified source with due diligence and asking in good faith — he is excused for acting on the ruling he receives, and the burden of an erroneous fatwa falls upon the mufti who issued it, who must answer for it on the Day of Judgement should Allah ﷻ take him to task.

A *mustaftī* has not fulfilled their obligation by consulting an AI system, and, as such, any action taken based on the answer from such AI removes no accountability. Rather, they may be held accountable for not just the action, but for why they did not fulfill their obligation to ask a qualified source to remove their ignorance.

9.4 The Verdict on AI in the Seat of Iftā'

Bringing these threads together, AI as a generative fatwa agent fails the conditions of the functions of *iftā'* on multiple structural dimensions. The religious obligation and *farḍ kifāya* of giving fatwa cannot be relegated to a bot. And on the other side of the same coin, the Muslim's obligation to seek their answers from the *ahl al-dhikr* cannot be discharged by typing the question into an inanimate chatbot. As individuals, then, we can neither seek our fatwas through an AI agent nor direct others to do so. The qualified mufti cannot endorse such a service, lend his credibility to it, or refer *mustaftīs* to it.

One may wonder whether high accuracy would change this analysis. It would not, and the reason is straightforward. The objection to AI-issued fatwas is not principally that they are likely to be wrong on some percentage of cases (though they are). It is that the entire structure of *iftā'* — as *tawqī' 'an Allāh*, as *amāna*, as an act for which the mufti takes the accountability on behalf of the *mustaftī* — presupposes a righteous, knowledgeable believer who will one day stand before Allah ﷻ. Accuracy without accountability is precisely the wrong axis on which to evaluate the matter. The question is not whether the answer is correct in the abstract; the question is who has answered, and on whose behalf, and to whom the answerer will answer. None of these questions produce an acceptable answer

when the agent is a software. Accuracy is not the relevant axis when the process is not proper, as seen in the Prophet's ﷺ statement narrated by Imams Tirmidhī and Abu Dāwūd in their respective *Sunan* collections, "Whoever speaks of the Quran based on his opinions, [even if] he is right, he is [still] wrong."²⁸ Its import here is corroborated by further evidence and by the settled treatment of the *adab al-muftī* literature. As Imam Nawawī explains, the hadith of *ijtihad* grounds the same logic from the other side: the qualified *mujtahid* is rewarded even when he errs, precisely because he is entitled to the process, whereas one who reaches an answer through a process he has no standing to undertake earns no such indemnity even when he lands upon the correct result. Rather, he is sinful for even engaging in the process. Imam Nawawī stresses the point further by presenting the hadith of the three *qāḍīs*, one of whom is in paradise while the other two are in the hellfire. The one in paradise is the one who knows the truth and judges based on that, while the two in the hellfire are the *qāḍī* who knows the truth but rules contrary to it and the *qāḍī* who rules with ignorance (note that the hadith does not differentiate between the accuracy of the ignorant *qāḍī*'s judgment).²⁹

The legitimacy of a fatwa is a function of the authority and method by which it is reached, not merely of the accuracy of its output.

²⁸ (سنن الترمذي، أبواب تفسير القرآن، باب ما جاء في الذي يفسر القرآن برأيه، #2952: 5/200؛ البابي الحلبي)

(سنن أبي داود، أول كتاب العلم، باب الكلام في كتاب الله بغير علم، #3652: 5/494؛ الرسالة)

قال الشيخ شعيب الأرناؤوط في تحقيق حديث أبي داود: إسناده ضعيف لضعف سهيل بن مهران -وهو سهيل بن أبي حزم- أبو عمران الجوني: هو عبد الملك بن حبيب. وأخرجه الترمذي (3183)، والنسائي في "الكبرى" (8032) من طريق سهيل بن أبي حزم مهران، به. وقال الترمذي: هذا حديث غريب، وقد تكلم بعض أهل الحديث في سهيل بن أبي حزم.

(المرجع السابق)

²⁹ قوله صلى الله عليه وسلم (إذا حكم الحاكم فاجتهد ثم أصاب فله أجران وإذا حكم فاجتهد ثم أخطأ فله أجر) قال العلماء أجمع المسلمون على أن هذا الحديث في «حاكم عالم أهل للحكم فإن أصاب فله أجران أجر باجتهاده وأجر بإصابته وإن أخطأ فله أجر باجتهاده وفي الحديث محذوف تقديره إذا أراد الحاكم فاجتهد قالوا فأما من ليس بأهل للحكم فلا يحل له الحكم فإن حكم فلا أجر له بل هو آثم ولا ينفذ حكمه سواء وافق الحق أم لا لأن إصابته اتفاهه ليست صادرة عن أصل شرعي فهو عاص في جميع أحكامه سواء وافق الصواب أم لا وهي مردودة كلها ولا يعذر في شيء من ذلك وقد جاء في الحديث في السنن القضاة ثلاثة قاض في الجنة واثنان في النار قاض عرف الحق فقضى به فهو في الجنة وقاض عرف الحق فقضى بخلافه فهو في النار وقاض قضى على جهل فهو في النار (شرح النووي على مسلم، كتاب الأقضية، باب بيان أجر الحاكم إذا اجتهد فأصاب أو أخطأ: 12/13؛ إحياء التراث)

10. The Permissible Use of AI: As a Tool, Not as a Mufti

From the above discussion, it should not be inferred that AI is impermissible. On the contrary, technology itself is rarely the problem; the problem is its placement. The classical definition of *zulm* is وضع الشيء في غير موضعه (the placing of a thing other than its proper locus).³⁰

The error against which this paper has argued is not the existence of AI but its placement in a role for which it is structurally unfit. Properly placed, AI may serve real and substantial value.

10.1 Islamic Q&A Versus Fatwa Issuance

AI can be a powerful tool in helping connect users to existing fatwas relevant to their queries. In past AI fatwa initiatives, such as the Dubai and Azhar ones mentioned earlier, AI was used for this purpose. As a current example, the Darul Iftaa Chicago's Q&A website³¹ uses AI, specifically semantic search, to understand the context and intent behind a user's search in order to surface a ranked result set based on relevance. Such AI use is highly effective in retrieving existing fatwas without generating new ones.

Even generative AI serves valid uses, where it can be used for benefits including the following:

- furnish summaries and explanations of historical events, of stories in the Quran, and of *sūras* of the Quran at an introductory level;
- respond to common objections to Islam and provide supporting *da'wa* material; and
- produce age-appropriate short stories from the *sīra* or the lives of the *ṣaḥābah* for a parent to read to a child at bedtime.

None of these produce a fatwa. None of them carries the structural features that make *iftā'* a *tawqī' 'an Allāh*. And properly designed tools can serve the community well. The community already uses such AI tools, and providing them with ones that are built on valid Islamic sources is more beneficial than their use of ones built off orientalist, non-Sunni, and other theologically unreliable sources.

10.2 AI Within the Mufti's Toolkit

A generative AI system can be a powerful tool that accelerates and deepens the work of the mufti prior to the issuance of a fatwa. A mufti can ask the bot about the financial, chemical, and other technicalities of the question at hand, and he can post his own understanding into the AI for validation. It could also be used to find in which books and chapters certain discussions may be found, and it can be used to gather existing research and fatwas together for cross-verification. The Iranian framing of the AI as a "trusted assistant" that supposedly compresses fifty days of work into five hours captures this function precisely. Currently, Istidlal.app is an example of a start-up trying to serve as a research assistant for *'ulamā'*, and its access is gated to them.³²

³⁰ (لسان العرب، م، فصل الظاء المعجمة: 373/12؛ صادر)

³¹ <https://daruliftaa.us>

³² The author has provided consultation (without charge, as per the author's standard practice) to the app on their request but has no financial or other interest in the app.

This research-assistant usage is of particular value to muftis who do not operate within a Darul Iftaa environment, which is the overwhelming majority of muftis in this country. In a Darul Iftaa, the mufti or mufti-in-training has colleagues with whom to debate angles, surface considerations, and ensure that no relevant dimension of a question has been overlooked. The AI tool can, in a real sense, partially compensate for the isolation of the solitary mufti — not by issuing the fatwa itself, but by interrogating the mufti's draft, raising counter-considerations, and surfacing analogous cases from the tradition.

11. Caveats and the Path Forward

11.1 The Garbage-In, Garbage-Out Problem

Even where AI is properly placed — as a Q&A assistant or a mufti's research tool — the reliability of its output is bounded by the reliability of its training data. A model trained indiscriminately on the open internet, where heterodox positions and outright misinformation circulate alongside sound material, will reproduce the heterodoxy and the misinformation in its output. The discipline required of any institution deploying such a tool is, accordingly, the disciplined curation of the data feed: working with '*ulamā*' to ensure that what the model is trained on, what it is fine-tuned on, and what it surfaces preferentially has been vetted by qualified persons. This is precisely the domain in which technical experts and the '*ulamā*' can — and ought to — collaborate.

11.2 The Inadequacy of Disclaimers

One might propose that a generative fatwa bot is rendered permissible by the inclusion of a sufficiently emphatic disclaimer: that its outputs are not fatwas, that they should not be acted upon, and that the user must consult a qualified mufti. However, disclaimers, no matter how forceful at the moment of launch, are absorbed into the visual design of the interface and become functionally invisible within weeks of repeated exposure. A system that is structurally unfit for the function of *iftā*' is not rehabilitated by a notice that few users will read past the first encounter.

The instructive irony is that, asked directly whether it issues fatwas, ChatGPT³³ itself returns an answer stating, "No, I don't issue fatwas. Fatwas are religious rulings issued by qualified Islamic scholars who have extensive knowledge of Islamic law and jurisprudence. My role is to provide information and answer questions to the best of my ability based on available knowledge." The self-description is more accurate than the use to which it is often put by its users.

11.3 The Real Solution: Producing More Qualified Muftis

The structural problem identified in Section 7, i.e., that the supply of qualified muftis cannot meet the demand, is an engine driving the appetite for AI *iftā*'. The structural problem deserves a structural solution, and that solution is the production and support of qualified muftis in sufficient number to handle the demand within reasonable turnaround times. Those who are not simply *iftā*' graduates, but those who are actual muftis. Those who meet the conditions and qualities of a mufti and stay engaged in active research and writing within this field. This is a *farḍ kifāya* upon the community — to produce muftis, not their attempted replacements — and to enable circumstances that allow them to engage in this noble and demanding field.

Each reader of this paper may ask, of the city in which they live, whether there is a local mufti who serves this role and to whom they and their family may turn. Where the answer is no, the community has work to do. And where the answer is yes, the further question is whether that mufti is receiving the support necessary for the discharge of this responsibility. If one considers the muftis known to one personally or by reputation, and one asks how many of them are, in fact, dedicated to the answering of fatwas, one is likely to find that most are not. Most are imams leading *ṣalāh* and running programs, or teachers in a madrasa working through their syllabi, or running their own businesses, or working in

³³ ChatGPT-5.5 Instant, accessed May 31, 2026

unrelated fields for financial reasons. The work of *iftā'* — for which they are uniquely qualified — must be sustained by others if it is to be sustained at all.

If the community does not put the right solution in place, someone sooner rather than later will pitch the wrong one, and in the press of need it will find a market. To deputize an AI to issue fatwas — the very thing this paper has shown to be structurally invalid — under the banner of *ḍarūra* or *ḥāja* would be as short-sighted as it is counterproductive. It does not resolve the shortage so much as conceal it, and it drains the focus the real solution demands: the production and support of properly qualified muftis.

12. Conclusion

The argument of this paper may be stated in five propositions. First, fatwa is *tawqīʿ an Allāh* — a deputization for the conveyance of Allah's ﷻ *ḥukm* — and the position of the mufti is conditioned on cognitive, contextual, and spiritual qualifications that the classical tradition has set forth with care. Second, generative AI fails these conditions on multiple structural dimensions: it lacks *taqwā* and the relational history with the *mustaftī* that competent *iftāʾ* requires; it lacks the basis on which to exercise principled silence; it cannot bring to its answer the foresight and wisdom that frame a ruling in the larger pattern of communal life; and most fundamentally, it is not the kind of agent that can stand before Allah ﷻ on the Day of Judgement to answer for what it said. Third, the *mustaftī* has an obligation to seek answers from those qualified to issue those rulings. When the AI is established as being unfit to issue rulings, then the *mustaftī* has not discharged their responsibility and remains accountable for the rulings they act upon. Fourth, AI may nonetheless serve real and substantial value when properly placed — as a resource for Islamic Q&A short of *iftāʾ* and an auxiliary instrument within the workflow of the qualified mufti. Fifth, the structural problem of mufti undersupply is real, and it demands a structural response — the production and support of qualified persons in sufficient number, rather than the attempt to substitute software for the function.

May Allah ﷻ guide us to use the blessings and resources He has placed at our disposal in a manner that is beneficial for our *dunyā* and *ākhirā*. *Āmīn*.