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Artificial Intimacy and AI Companions:

A Sadd al-Dharā'i' Analysis of Human–AI Relationships in Islamic Law

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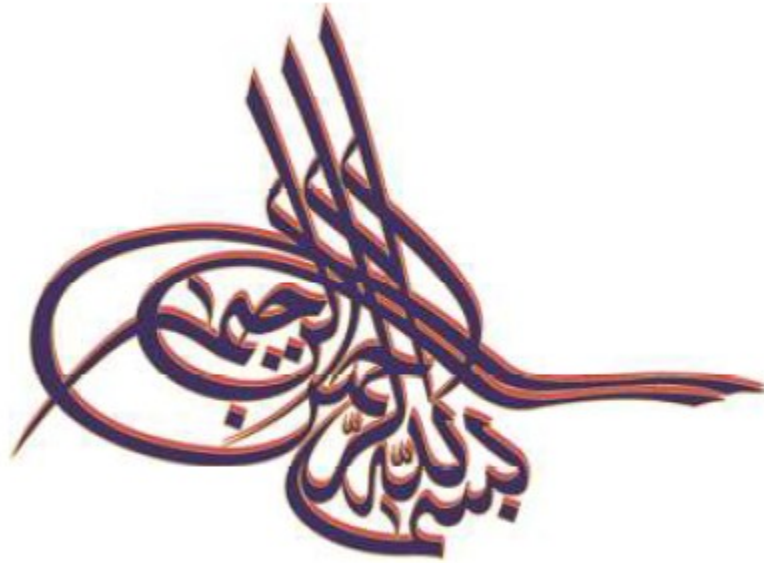


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Abstract

The rapid development of artificial intelligence has created new forms of human interaction that blur the boundaries between technology, companionship, and intimacy. Contemporary AI systems are increasingly capable of simulating empathy, affection, memory, emotional responsiveness, and relational continuity, leading some users to develop deep emotional attachments and, in certain cases, romantic or quasi-marital relationships with artificial agents. This paper examines these developments through the lens of Islamic legal theory, focusing on the doctrine of *sadd al-dharāʾiʿ* (blocking the means). The study begins by surveying contemporary psychological, medical, and sociological research on AI companionship, emotional attachment, and artificial intimacy. It reviews the growing body of empirical literature documenting emotional dependency, social substitution, anthropomorphism, romantic attachment, and the displacement of human relationships by AI companions. The paper then examines the doctrine of *sadd al-dharāʾiʿ* within the four Sunni schools of law, tracing its development among the Ḥanafīs, Mālikīs, Shāfiʿīs, and Ḥanbalīs, and identifying the precise points of agreement and disagreement between them. Particular attention is devoted to the contributions of Ibn Taymiyyah and Ibn al-Qayyim, whose discussions transformed *sadd al-dharāʾiʿ* into a broader theory of legal consequences, juristic balancing, and *maqāṣid*-based reasoning. Building upon both the empirical evidence and the juristic framework, the paper argues that the legal evaluation of AI companionship depends not merely upon the technology itself but upon the consequences that arise from its use. The paper further argues that the true point of disagreement among the schools concerns the probability threshold required to trigger preventative prohibition—a threshold that must be calibrated against the empirical record rather than assumed. While ordinary interactions with AI remain permissible in principle, the deliberate cultivation of emotional dependency, romantic attachment, artificial intimacy, and quasi-marital relationships with AI companions raises significant concerns under the doctrine of *sadd al-dharāʾiʿ*, particularly for users belonging to populations at elevated risk. The paper concludes by addressing the regulatory question the original literature leaves unresolved: what kind of legal or institutional response the doctrine actually warrants, and for whom. It argues that AI should remain a tool that assists human beings rather than a substitute for the emotional, relational, and intimate dimensions of human life that Islamic law seeks to preserve and regulate.

Keywords: Artificial Intelligence, AI Companions, Artificial Intimacy, *Sadd al-Dharāʾiʿ*

Introduction

The emergence of artificial intelligence represents one of the most significant technological developments of the modern era. While earlier generations of technology primarily functioned as tools for communication, information retrieval, and automation, contemporary AI systems increasingly occupy a different role in human life. Through advances in natural language processing, machine learning, and conversational design, modern AI systems are capable of simulating empathy, memory, attentiveness, affection, and emotional responsiveness. As a result, many users no longer interact with AI merely as software but experience it as a companion, confidant, counselor, friend, or even a romantic partner.

This development raises important ethical, psychological, and legal questions. Historically, human emotional attachment has been directed toward other human beings, family members, friends, spouses, communities, and religious commitments. The possibility of directing such attachments toward artificial agents introduces a phenomenon for which neither premodern societies nor classical legal traditions possessed direct analogs. Yet while the technology itself is novel, the underlying legal question is not. Islamic law has long examined situations in which otherwise permissible acts become means leading to outcomes that the Shari'ah seeks to prevent. The juristic doctrine developed to address such situations is known as *sadd al-dharā'i'*, the blocking of means.

The doctrine of *sadd al-dharā'i'* occupies a prominent place within Islamic legal theory and has been employed by jurists across the Sunni legal schools to prevent lawful means from becoming pathways to unlawful ends. Although the schools differed regarding the scope of the doctrine and the degree of probability required before a means should be restricted, they generally agreed that actions are not evaluated solely according to their immediate form but also according to their foreseeable consequences. The doctrine therefore provides a particularly useful framework through which contemporary questions surrounding AI companionship may be examined.

The purpose of this paper is to apply the classical doctrine of *sadd al-dharā'i'* to the emerging phenomenon of AI companionship, emotional attachment, and artificial intimacy. To accomplish this, the study first surveys contemporary scientific literature concerning human relationships with AI systems, paying particular attention to findings regarding emotional dependency, social substitution, romantic attachment, and the displacement of human relationships. It then examines *sadd al-dharā'i'* within the four Sunni schools of law, identifying both the areas of consensus and the points of disagreement among the jurists. Special attention is devoted to the contributions of Ibn Taymiyyah and Ibn al-Qayyim, whose discussions provide one of the most sophisticated frameworks for evaluating means, consequences, benefits, and harms.

Two clarifications regarding scope are necessary at the outset. First, the central question addressed by this paper is not whether artificial intelligence as a technology is permissible or impermissible; rather, the question is whether particular forms of emotional and romantic engagement with AI companions function as means leading to harms that are sufficiently substantial and sufficiently frequent to warrant restriction under the doctrine of *sadd al-dharā'i'*. Second, the paper goes beyond previous treatments by addressing the regulatory dimension that most applied Islamic ethics papers leave unresolved: what kind of legal or institutional response the doctrine actually warrants, and for which populations. By bringing together contemporary empirical research and classical legal theory, this study seeks to contribute to the growing field of Islamic legal responses to emerging technologies

and to provide a principled framework for evaluating one of the most rapidly developing forms of human–technology interaction in the modern world.

Human–AI Emotional Attachment: Medical, Psychological, and Sociological Perspectives

The rapid development of generative artificial intelligence has introduced a new form of human interaction: sustained engagement with conversational systems capable of simulating empathy, memory, concern, affection, and emotional responsiveness. Unlike traditional software, search engines, or automated assistants, modern AI systems are designed to engage users in natural conversation and adapt their responses to individual preferences and conversational histories. Consequently, many users no longer experience these systems merely as tools but increasingly as companions, confidants, counsellors, and, in some cases, romantic or intimate partners.

Recent research from psychology, psychiatry, sociology, and human–computer interaction has begun to document this phenomenon systematically. The emergence of AI companion platforms such as Replika, Character.AI, and increasingly sophisticated large-language-model systems has generated a growing body of literature examining emotional attachment between humans and artificial agents. Although scholars differ regarding the long-term implications of these developments, there is broad agreement that AI systems are capable of eliciting genuine emotional responses and relational attachments from users, even though the systems themselves possess neither consciousness nor genuine emotional states.

The Empirical Record

One of the most comprehensive empirical studies to date was conducted jointly by OpenAI and the MIT Media Lab. Examining what the researchers termed "affective use" of conversational AI, the study found that a minority of highly engaged users sought emotional support, reassurance, and companionship from ChatGPT. Heavier affective use was associated with increased loneliness, greater emotional reliance on the system, and reduced social interaction with others, although the authors cautioned that vulnerable individuals may self-select into such usage patterns.¹

A systematic review of twenty-three peer-reviewed studies on romantic AI relationships corroborates these findings. Users commonly report companionship, affection, and intimacy, but researchers consistently flag risks of emotional dependency, social withdrawal, and distorted expectations of intimacy. The review concludes that AI companionship is a "dual-edged" phenomenon, offering short-term relief while posing significant psychological and social hazards.²

Controlled experimental evidence reinforces the concern. In a six-week field experiment with 1,264 participants, De Freitas et al. demonstrated that daily use of an AI companion reduced self-reported loneliness during the first two weeks but produced no lasting benefit and, for socially isolated users, predicted lower well-being at follow-up.³

¹ J. Phang et al., "Investigating Affective Use and Emotional Well-Being on ChatGPT," OpenAI & MIT Media Lab, 2025 (pre-print).

² Q. J. H. Ho et al., "Potential and Pitfalls of Romantic Artificial Intelligence (AI) Companions: A Systematic Review," *Computers in Human Behavior Reports* 19 (2025): 100715.

³ J. De Freitas et al., "AI Companions Reduce Loneliness: Evidence from a Six-Week Field Experiment," *Journal of Consumer Research* 52 (2026): 1126–1154.

Critically, however, the harm was concentrated among already-isolated participants; users with robust existing social networks showed no comparable deterioration. This population-specificity has direct implications for the juristic probability calculus discussed below. A randomized laboratory experiment by Park et al. found that participants who disclosed personal problems to an AI companion subsequently showed a 22 percent decline in intentions to seek human social support relative to those who spoke with a human listener.⁴

Independent longitudinal work further supports these concerns. Folk et al. tracked 584 users of a commercial companion application for three months and found that higher levels of anthropomorphism and insecure attachment predicted escalating daily usage and greater distress when the service was interrupted.⁵ Relationship science analyses confirm that interactions with AI systems increasingly display hallmarks of human relationships: users attribute personality, intentionality, empathy, and understanding to conversational agents.⁶ A growing body of scholarship frames these ties as parasocial or synthetic relationships; the exchange feels reciprocal because the system remembers, adapts, and personalizes its messaging, yet the reciprocity is purely simulated.⁷

Particularly concerning is the rise of explicitly romantic and intimate relationships with AI companions. Peer-reviewed case studies document users who describe their AI companions as spouses, lovers, or soulmates and who experience distress or grief when the relationship is disrupted. Scholars warn that habitual reliance on such relationships may recalibrate expectations of intimacy, rendering ordinary human relationships comparatively burdensome.⁸ Adolescents and emotionally vulnerable populations appear most at risk: Sun et al. report that teenagers turn to AI companions for romantic role-play and deeply personal disclosures, raising concerns about developmental consequences and the displacement of real-world social ties during critical periods of social maturation.⁹

Several scholars caution against viewing AI companionship as a solution to loneliness. Controlled evidence indicates that while AI systems may alleviate loneliness in the short term, they do not address, and may even exacerbate, the underlying social conditions that produce isolation. Users who struggle to form or maintain meaningful human relationships are precisely those most likely to become dependent on AI companionship, creating a reinforcing cycle of withdrawal and substitution.

Four Recurring Harms

Taken together, the peer-reviewed literature identifies four recurring patterns that are directly relevant to the juristic analysis that follows:

First, emotional dependency: an escalating reliance on AI systems for emotional

⁴ J. Park et al., "Artificial Listeners and Human Help-Seeking: Evidence from a Laboratory Study," *Journal of Experimental Social Psychology* 101 (2025): 104123.

⁵ D. Folk et al., "Individual Differences in Anthropomorphism Help Explain Social Connection to AI Companions," *Scientific Reports* 15 (2025): 12876.

⁶ M. G. Smith et al., "Can Generative AI Chatbots Emulate Human Connection? A Relationship Science Analysis," *Perspectives on Psychological Science* 20 (2025).

⁷ N. Gur and S. Maaravi, "The Algorithm of Friendship: Literature Review and Integrative Model of Relationships between Humans and Artificial Intelligence," *Behavior & Information Technology* (2025).

⁸ Ho et al., "Potential and Pitfalls," 100715.

⁹ X. Sun et al., "AI Companions and Adolescent Social Relationships," *Current Psychology* (2026).

regulation, reassurance, and validation that progressively displaces self-regulation and human support networks. Second, social substitution: a process whereby AI companionship begins to replace rather than supplement human relationships, reducing investment in real-world friendships, family bonds, and marriage. Third, distorted expectations of intimacy: continual exposure to highly personalized, conflict-free interactions that reshapes what users expect from genuine partners, a process particularly acute among adolescents and young adults during formative relational development. Fourth, romantic and sexual attachment: the emergence of relationships in which users regard AI companions as lovers or spouses and experience genuine emotional or psychological harm when those bonds are severed.

These concerns are no longer purely theoretical. They are increasingly documented across systematic reviews, randomized experiments, longitudinal studies, and clinical analyses. Nevertheless, a precise statement of the empirical record requires acknowledging its limits: the long-term societal effects of AI companionship remain the subject of ongoing research; most users do not develop pathological dependency; and harm appears concentrated among specific populations characterized by social isolation, insecure attachment, or developmental vulnerability. Understanding the legal implications of artificial intimacy therefore requires grappling with both what the evidence establishes and what it leaves uncertain.

Relevance to *Sadd al-Dharāʾiʿ*

The significance of these findings for Islamic legal analysis does not lie in the mere existence of AI systems or the permissibility of interacting with them. Rather, the relevance lies in the consequences that sustained interaction with such systems may produce. The doctrine of *sadd al-dharāʾiʿ* is concerned precisely with situations in which an act that is permissible in its origin becomes a means leading to outcomes that the Sharīʿah seeks to prevent. Consequently, the central question is not whether conversing with an AI system is inherently prohibited, but whether particular forms of engagement with AI companions function as means leading to harms that are sufficiently substantial and sufficiently frequent to warrant legal intervention.

The literature reviewed above identifies several recurring concerns, including emotional dependency, social isolation, displacement of human relationships, distorted expectations regarding intimacy, and the emergence of romantic and quasi-marital attachments to artificial agents. Two features of this evidence are juristically significant. First, the harms are not uniformly distributed: they are concentrated among identifiable populations, socially isolated individuals, insecurely attached individuals, and adolescents. This concentration is directly relevant to the question of how frequently harm occurs, which in turn determines which category of *dharāʾiʿ* the relevant conduct falls into. Second, the harms directly implicate objectives that Islamic law regards as foundational: the preservation of marriage, family stability, chastity, and social cohesion. As the classical doctrine of *sadd al-dharāʾiʿ* demonstrates, it is precisely when a permissible means threatens these objectives that legal evaluation is required.

The Ḥanafī Approach to Sadd al-Dharā'ī

The Ḥanafī school presents a more complex case than the Mālikī and Ḥanbalī schools, which will be mentioned below. Unlike the Mālikīs and Ḥanbalīs, the Ḥanafīs generally did not explicitly list sadd al-dharā'ī as an independent source or formal uṣūlī principle. For this reason, some later scholars assumed that the Ḥanafīs did not adopt the doctrine. Yet this conclusion is too simplistic. While explicit Ḥanafī statements naming sadd al-dharā'ī as an independent legal source are rare, the substantive logic of the doctrine appears in their maxims, analogical reasoning, istiḥsān, and applied furū' rulings.

Al-Shātibī argues that even if reports affirming Abū Ḥanīfah's acceptance of certain legal stratagems were established, this would not necessarily entail that he rejected sadd al-dharā'ī. Rather, al-Shātibī states that "it has been transmitted from him that he agreed with Mālik regarding sadd al-dharā'ī in these matters, even if he differed with him in some details; and if this is the case, there is no difficulty."¹⁰ Al-Qarāfī makes a similar point when he states that "blocking the means in general is agreed upon."¹¹

Ḥanafī jurists articulated principles that closely correspond to the logic of sadd al-dharā'ī even without employing the terminology explicitly. Al-Kāsānī states that "the means to a thing takes the ruling of that thing,"¹² expressing the core rationale of the doctrine. Ibn Nujaym, discussing the maxim that harm must be removed, states that "preventing harms takes precedence over procuring benefits," explaining that when a harm and a benefit conflict, preventing the harm is generally given priority because the Sharī'ah's concern with avoiding prohibitions is stronger than its concern with performing commands.¹³ Although Ibn Nujaym does not explicitly name sadd al-dharā'ī in this passage, the principle he articulates provides one of its central foundations.

¹⁰ وَأَمَّا أَبُو حَنِيفَةَ، فَإِنْ ثَبَتَ عَنْهُ جَوَازُ إِعْمَالِ الْحَيْلِ، لَمْ يَكُنْ مِنْ أَصْلِهِ فِي بُيُوعِ الْأَجَالِ إِلَّا الْجَوَازُ، وَلَا يَلْزَمُ مِنْ ذَلِكَ تَرْكُهُ لِأَصْلِ سَدِّ الذَّرَائِعِ، وَهَذَا وَاضِحٌ؛ إِلَّا أَنَّهُ يُقَالُ عَنْهُ مُوَافَقَةُ مَالِكٍ فِي سَدِّ الذَّرَائِعِ فِيهَا، وَإِنْ خَالَفَهُ فِي بَعْضِ التَّفَاصِيلِ، وَإِذَا كَانَ كَذَلِكَ؛ فَلَا إِشْكَالَ. Abū Ishāq Ibrāhīm ibn Mūsā al-Shātibī, al-Muwāfaqāt, ed. Abū 'Ubaydah Mashhūr ibn Ḥasan Āl Salmān, 1st ed. (al-Khubar: Dār Ibn 'Affān, 1417 AH/1997 CE), 4:68.

¹¹ سَدُّ الذَّرَائِعِ فِي الْجُمْلَةِ، وَهَذَا مُجْمَعٌ عَلَيْهِ

Shihāb al-Dīn Aḥmad ibn Idrīs al-Qarāfī, al-Furūq = Anwār al-Burūq fī Anwā' al-Furūq (Beirut: Ālam al-Kutub, n.d.), 3:266.

¹² الْوَسِيلَةُ إِلَى الشَّيْءِ حُكْمُهَا حُكْمُ ذَلِكَ الشَّيْءِ

'Alā' al-Dīn Abū Bakr ibn Mas'ūd al-Kāsānī al-Ḥanafī, *Badā'ī' al-ṣanā'ī' fī Tartīb al-Sharā'ī'*, 1st ed., 7 vols. (Cairo: Maṭba'at Sharikat al-Maṭbū'āt al-'Ilmiyyah, vols. 1–2; Maṭba'at al-Jamāliyyah, vols. 3–7, 1327–1328 AH), 7:106.

¹³ دَرءُ الْمَفَاسِدِ أَوْلَى مِنْ جَلْبِ الْمَصَالِحِ

فَإِذَا تَعَارَضَتْ مَفْسَدَةٌ وَمَصْلَحَةٌ قُدِّمَ دَفْعُ الْمَفْسَدَةِ غَالِبًا؛ لِأَنَّ اعْتِنَاءَ الشَّرْعِ بِالْمُنْهَيَّاتِ أَشَدُّ مِنْ اعْتِنَائِهِ بِالْمُؤَرَّاتِ، وَلِذَا قَالَ عَلَيْهِ السَّلَامُ ﴿إِذَا أَمَرْتُكُمْ بِشَيْءٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ، وَإِذَا نَهَيْتُكُمْ عَنْ شَيْءٍ فَاجْتَنِبُوهُ﴾، وَرَوَى فِي الْكُشْفِ حَدِيثًا ﴿لَتَرْكُ ذَرَّةٍ مِمَّا نَهَى اللَّهُ عَنْهُ أَفْضَلُ مِنْ عِبَادَةِ الثَّقَلَيْنِ﴾ وَمَنْ تَمَّ جَازَ تَرْكُ الْوَاجِبِ دَفْعًا لِلْمَشَقَّةِ، وَلَمْ يُسَامَحْ فِي الْإِقْدَامِ عَلَى الْمُنْهَيَّاتِ

Zayn al-Dīn Ibn Nujaym, al-Ashbāh wa al-Nazā'ir 'alā Madhhab Abī Ḥanīfah al-Nu'mān, 1st ed. (Beirut: Dār al-Kutub al-'Ilmiyyah, 1419 AH/1999 CE), 78.

The clearest evidence for the practical use of sadd al-dharā'ī in Ḥanafī furū' appears in applied legal discussions. Ibn al-Humām, discussing the rules of iḥdād, explains that a woman avoids perfume, adornment, and scented oils during the mourning period because "these matters are among the causes that attract desire toward her, while she is prohibited from marriage during the waiting period. Therefore, she avoids them so that they do not become a means leading to falling into the prohibited."¹⁴ This is a direct application of sadd al-dharā'ī: the prohibited act is not the adornment in itself, but the potential consequence to which it may lead in that legal context. Similar preventative logic appears in al-Sarakhsī's discussion of joint killings, where istiḥsān is employed to impose qīṣāṣ on all participants precisely because failing to do so would open a pathway for groups to evade capital liability by collectively committing murder.¹⁵

Similarly, they mentioned:

Their reasoning is that the default rule regarding the granting of safe-conduct (amān) is that it is not permissible, because fighting is an obligation, whereas granting safe-conduct prohibits fighting. An exception is made when the Muslims are in a position of weakness and the unbelievers possess superior strength, since in that circumstance granting safe-conduct serves as a means of preparing for future combat. In such a case, it is considered tantamount to fighting itself, because the means to an act assumes the legal ruling of that act. Such circumstances, however, can only be determined through careful consideration and assessment of the condition of the Muslims, their relative strength and weakness. A restricted slave (al-'abd al-mahjūr), being occupied with the service of his master, is incapable of making such an assessment. Consequently, if he grants safe-conduct, it amounts both formally and substantively to abandoning the obligatory duty of fighting, and is therefore invalid. This distinguishes him from an authorized slave (al-ma'dhūn), who is permitted to participate in combat and is therefore capable of evaluating these circumstances. His grant of safe-conduct may thus function as a means of facilitating future military engagement, making it, in substance, an implementation of the obligation rather than an abandonment of it. This is the

¹⁴ وَالْإِحْدَادُ وَيُقَالُ الْإِحْدَادُ وَهُمَا لُغَتَانِ أَنْ تَتْرَكَ الطَّيِّبَ وَالزَّيْنَةَ وَالْكُحْلَ وَالذَّهْنَ الْمُطَيَّبَ وَغَيْرَ الْمُطَيَّبِ إِلَّا مِنْ عُدْرٍ، وَفِي الْجَامِعِ الصَّغِيرِ إِلَّا مِنْ وَجَعٍ وَالْمُعْتَدُّ فِيهِ وَجْهَانِ: أَحَدُهُمَا مَا ذَكَرْنَاهُ مِنْ إظهارِ التَّأْسِفِ

وَالثَّانِي: أَنَّ هَذِهِ الْأَشْيَاءَ دَوَاعِي الرِّغْبَةِ فِيهَا وَهِيَ مَمْنُوعَةٌ عَنِ النِّكَاحِ فَتَجْتَنِبُهَا كَيْ لَا تَصِيرَ ذَرِيعَةً إِلَى الْوُقُوعِ فِي الْمَحْرَمِ

Ibn al-Humām, Sharḥ Faṭḥ al-Qadīr 'alā al-Hidāyah, 1st ed. (Cairo: Maktabat wa Maṭba'at Muṣṭafā al-Bābī al-Ḥalabī, 1389 AH/1970 CE), 4:339.

¹⁵ وَإِنْ اجْتَمَعَ رَهْطٌ عَلَى قَتْلِ رَجُلٍ بِالسَّلَاحِ فَعَلَيْهِمْ فِيهِ الْقِصَاصُ بَلْغَا عَنْ عُمَرَ - رضي الله عنه - أَنَّهُ قَضَى بِذَلِكَ، وَهُوَ اسْتِحْسَانٌ، وَالْقِيَاسُ أَنْ لَا يَلْزَمَهُمُ الْقِصَاصُ

Al-Sarakhsī, al-Mabsūṭ (Cairo: Maṭba'at al-Sa'ādah; repr. Beirut: Dār al-Ma'rifah, n.d.), 26:126.

basis for the distinction.¹⁶

And they also stated:

Young women are not permitted to attend the congregational prayers. This is indicated by what has been related from 'Umar (may Allah be pleased with him), that he prohibited young women from going out for them. Moreover, their attendance at the congregational prayer is a cause of temptation (fitnah); temptation is prohibited, and whatever leads to something prohibited is itself prohibited.¹⁷

Thus, the Ḥanafī approach should not be described as a rejection of sadd al-dharā'ī'. As Muḥammad Abū Zahrah notes, the Ḥanafīs in fact incorporated its substance within their discussions of analogy and istiḥsān.¹⁸

In certain cases, however, the Ḥanafīs apply sadd al-dharā'ī' more narrowly. They sometimes consider a degree of separation between the initial act and the eventual prohibited outcome. Accordingly, they did not generally prohibit the sale of grape juice to one known to produce wine from them, despite the foreseeable misuse. They stated:

It is permissible to sell grape juice to someone who is known to use it to make wine, because the sinful use does not attach to the juice itself, but only arises after it has undergone transformation. It has also been said that such a sale is disliked because it assists the purchaser in committing sin. The author transmits from al-Sirāj and al-Mushkilāt that the phrase "to someone" refers to a non-Muslim. Selling it to a Muslim, however, is disliked. The same is stated in al-Jawharah, al-Bāqānī, and other works. Al-Quhustānī further reports, attributing it to al-Khāniyyah, that such a sale is disliked by agreement. This differs from selling a beardless youth to someone who will commit sodomy with him, or selling weapons to people engaged in civil strife, because in these cases the sinful act is committed through the very object sold. The ruling of reprehensibility in the case of selling the beardless youth is explicitly stated in the sales chapter of al-Khāniyyah and other works, and the author adopts it, contrary to what appears in al-Zayla'ī and al-'Aynī, even

قَوْلُهُمَا أَنَّ الْأَصْلَ فِي الْأَمَانِ أَنْ لَا يَجُوزَ؛ لِأَنَّ الْقِتَالَ فَرَضٌ وَالْأَمَانُ يُجَرِّمُ الْقِتَالَ، إِلَّا إِذَا وَقَعَ فِي حَالٍ يَكُونُ بِالمُسْلِمِينَ ضَعْفٌ وَبِالْكَفَرَةِ قُوَّةٌ، لِقُوعِهِ وَسِيلَةً إِلَى الْإِسْتِعْدَادِ لِلْقِتَالِ فِي هَذِهِ الْحَالَةِ، فَيَكُونُ قِتَالًا مَعْنَى إِذْ الْوَسِيلَةُ إِلَى الشَّيْءِ حُكْمُهَا حُكْمُ ذَلِكَ الشَّيْءِ، وَهَذِهِ حَالَةٌ لَا تُعْرَفُ إِلَّا بِالتَّامُّلِ وَالنَّظَرِ فِي حَالِ الْمُسْلِمِينَ فِي قُوَّتِهِمْ وَضَعْفِهِمْ، وَالْعَبْدُ الْمُحْجُورُ لِأَسْتِغَالِهِ بِخِدْمَةِ الْمَوْلَى لَا يَقِفُ عَلَيْهَا، فَكَانَ أَمَانُهُ تَرَكًا لِلْقِتَالِ الْمَفْرُوضِ صُورَةً وَمَعْنَى، فَلَا يَجُوزُ، فَيَهَذَا فَارَقَ الْمَأْذُونُ؛ لِأَنَّ الْمَأْذُونَ بِالْقِتَالِ يَقِفُ عَلَى هَذِهِ الْحَالَةِ، فَيَقْبَعُ أَمَانُهُ وَسِيلَةً إِلَى الْقِتَالِ، فَكَانَ إِقَامَةً لِلْفَرَضِ مَعْنَى فَهُوَ الْفَرْقُ

'Alā' al-Dīn Abū Bakr b. Mas'ūd al-Kāsānī, *Badā'ī' al-ṣanā'ī' fī Tartīb al-Sharā'ī'*, 1st ed., 10 vols. (Cairo: al-Maṭba'ah al-Jamāliyyah, 1327–1328 AH), 7:106.

وَلَا يُبَاحُ لِلشَّوَابِّ مِنْهُمْ الْخُرُوجُ إِلَى الْجَمَاعَاتِ، بِدَلِيلِ مَا رَوَى عَنْ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - أَنَّهُ نَهَى الشَّوَابَّ عَنِ الْخُرُوجِ؛ وَلِأَنَّ

خُرُوجَهُنَّ إِلَى الْجَمَاعَةِ سَبَبُ الْفِتْنَةِ، وَالْفِتْنَةُ حَرَامٌ، وَمَا أَدَّى إِلَى الْحَرَامِ فَهُوَ حَرَامٌ

al-Kāsānī, *Badā'ī' al-ṣanā'ī' fī Tartīb al-Sharā'ī'*, 1:157.

¹⁸ Muḥammad Abū Zahrah, *Uṣūl al-Fiqh* (n.p., n.d.), 294.

though the author approved their position in the chapter on rebels. I say: We previously cited from al-Nahr that when the sinful act is carried out through the very object sold, the sale is prohibitively disliked (*makrūh taḥrīman*); otherwise, it is merely mildly disliked (*makrūh tanzīhan*). This distinction should be retained, as it reconciles the differing statements.¹⁹

Considering these factors, it is apparent that the Hanafi school occupies an intermediate position among the various jurisprudential schools concerning this doctrine.

¹⁹ وَجَازَ (بَيْعُ عَصِيرٍ) عَنِ (يَمَنٍ) يُعْلَمُ أَنَّهُ (يَتَّخِذُهُ حَرًّا) لِأَنَّ الْمُعْصِيَةَ لَا تَقُومُ بِعَيْنِهِ بَلْ بَعْدَ تَغْيِيرِهِ وَقِيلَ يُكْرَهُ لِإِعَانَتِهِ عَلَى الْمُعْصِيَةِ وَنَقَلَ الْمُصَنِّفُ عَنِ السَّرَاجِ وَالْمُسْكِلَاتِ أَنَّ قَوْلَهُ يَمَنُ أَيُّ مَنْ كَافِرٍ أَمَّا بَيْعُهُ مِنَ الْمُسْلِمِ فَيُكْرَهُ وَمِثْلُهُ فِي الْجَوْهَرَةِ وَالْبَقَائِيَّ وَغَيْرِهِمَا زَادَ الْقُحُوسَاتِي مَعْزِيًّا لِلْحَانِيَّةِ أَنَّهُ يُكْرَهُ بِالِاتِّفَاقِ. (بِخِلَافِ بَيْعِ أَمْرَدٍ يَمَنُ يُلُوطُ بِهِ وَيَبِيعُ سِلَاحًا مِنْ أَهْلِ الْفِتْنَةِ) لِأَنَّ الْمُعْصِيَةَ تَقُومُ بِعَيْنِهِ ثُمَّ الْكَرَاهَةُ فِي مَسْأَلَةِ الْأَمْرَدِ مُصَرَّحٌ بِهَا فِي بَيُوعِ الْحَانِيَّةِ وَغَيْرِهَا وَاعْتَمَدَهُ الْمُصَنِّفُ عَلَى خِلَافِ مَا فِي الزَّيْلَعِيِّ وَالْعَيْنِيِّ وَإِنْ أَقَرَّهُ الْمُصَنِّفُ فِي بَابِ الْبُعَاةِ. قُلْتُ: وَقَدْ مَنَّا ثَمَّةَ مَعْزِيًّا لِلنَّهْرِ أَنَّ مَا قَامَتْ الْمُعْصِيَةُ بِعَيْنِهِ يُكْرَهُ بَيْعُهُ تَحْرِيمًا وَإِلَّا فَتَنْزِيهًا. فَلْيُحْفَظْ تَوْفِيقًا

Muḥammad Amīn Ibn ‘Abidīn, Ḥāshiyat Radd al-Muḥtār ‘alā al-Durr al-Mukhtār: Sharḥ Tanwīr al-Abṣār, 2nd ed. (Cairo: Sharikat Maktabat wa-Maṭba‘at Muṣṭafā al-Bābī al-Ḥalabī wa-Awlādih, 1966), 6:391.

The Mālikī Approach to Sadd al-Dharā'ī

Among the four Sunni schools of law, the Mālikī school is most closely associated with the doctrine of sadd al-dharā'ī and is generally regarded as having developed its most systematic and expansive treatment. Mālikī jurists repeatedly described sadd al-dharā'ī as a foundational component of their legal methodology and employed it throughout numerous chapters of substantive law. Al-Bājī explicitly states that "Mālik adopted the prohibition of means leading to prohibited outcomes,"²⁰ and al-Qurṭubī describes adherence to the doctrine as a defining characteristic of the school.²¹

The theoretical foundation of the doctrine is perhaps most clearly articulated by al-Qarāfī, who defines sadd al-dharā'ī as "cutting off the avenues and means of corruption in order to prevent it. Thus, whenever an act that is free from corruption in itself becomes a means leading to corruption, Mālik prohibited that act in many circumstances."²² Similarly, Ibn Farḥūn explains that "whenever an act that is free from corruption becomes a means leading to corruption, we prohibit that act, and this is the doctrine of Mālik."²³ These definitions demonstrate that the Mālikī conception of sadd al-dharā'ī is not concerned merely with the intrinsic ruling of an act but also with its foreseeable consequences and the ends to which it leads. Al-Shāṭibī reinforces this centrality by observing that "among the legal principles built upon this foundation is the principle of sadd al-dharā'ī, which Mālik employed throughout most chapters of jurisprudence."²⁴

The Mālikī Classification of Means

The Mālikī jurists developed a detailed classification of the various forms of means according to the degree of likelihood that they would lead to prohibited outcomes. The most

²⁰ ذهب مالك رحمه الله تعالى إلى المنع من الذرائع
Abū al-Walīd Sulaymān ibn Khalaf al-Bājī, *al-Ishārāt fī Uṣūl al-Mālikiyyah*, printed in the margin of Muḥammad al-Haddāh al-Sūsī, *Qurraṭ al-'Ayn bi-Sharḥ Waraqāt Imām al-Ḥaramayn*, 3rd ed. (Tunis: al-Maṭba'ah al-Tūnisiyyah, 1351 AH), 113.

²¹ التَّمَسُّكُ بِسَدِّ الذَّرَائِعِ وَجَمَاعَتِهَا وَهُوَ مَذْهَبُ مَالِكٍ وَأَصْحَابِهِ
Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *al-Jāmi' li-Aḥkām al-Qur'ān*, ed. Aḥmad al-Bardūnī and Ibrāhīm Aṭfayyish, 2nd ed. (Cairo: Dār al-Kutub al-Miṣriyyah, 1384 AH/1964 CE), 2:57.

²² سَدُّ الذَّرَائِعِ وَمَعْنَاهُ حَسْمُ مَادَّةٍ وَسَائِلِ الْفَسَادِ دَفْعًا لَهَا فَمَتَى كَانَ الْفِعْلُ السَّالِمُ عَنِ الْمُسْئِدَةِ وَسَبِيلَةً لِلْمُفْسِدَةِ مَنَعَ مَالِكٌ مِنْ ذَلِكَ الْفِعْلِ فِي كَثِيرٍ مِنَ الصُّوَرِ

Shihāb al-Dīn Aḥmad ibn Idrīs al-Qarāfī, *al-Furūq = Anwār al-Burūq fī Anwā' al-Furūq* (Beirut: 'Ālam al-Kutub, n.d.), 2:32.

²³ فَمَتَى كَانَ الْفِعْلُ السَّالِمُ عَنِ الْمُسْئِدَةِ وَسَبِيلَةً إِلَى الْمُسْئِدَةِ مَنَعْنَا مِنْ ذَلِكَ الْفِعْلِ وَهُوَ مَذْهَبُ مَالِكٍ
Burhān al-Dīn Ibrāhīm ibn 'Alī Ibn Farḥūn al-Ya'marī, *Tabṣirat al-Ḥukkām*, 1st ed. (Cairo: Maktabat al-Kullīyyāt al-Azhariyyah, 1406 AH/1986 CE), 2:364.

²⁴ وَهَذَا الْأَصْلُ يَنْبَغِي عَلَيْهِ قَوَاعِدُ مِنْهَا: قَاعِدَةُ الذَّرَائِعِ الَّتِي حَكَّمَهَا مَالِكٌ فِي أَكْثَرِ أَبْوَابِ الْفَقْهِ
Al-Shāṭibī, *al-Muwāfaqāt*, 5:182.

influential classification is that of al-Qarāfī, who identifies three categories.²⁵

The first category consists of means that certainly or almost certainly lead to corruption. Such means are prohibited by consensus because the harmful outcome is direct and foreseeable. Al-Qarāfī illustrates this category with examples such as digging wells in public pathways, placing poison in the food of others, and reviling idols in the presence of those known to respond by reviling Allah. In each case, the relationship between the means and the resulting harm is so strong that no meaningful juristic disagreement exists regarding their prohibition.

The second category consists of means whose relationship to corruption is extremely remote. These means are excluded from the doctrine by consensus because the connection between the act and the prohibited outcome is speculative and uncommon. Al-Qarāfī illustrates this category with examples such as prohibiting the cultivation of grapes out of fear that wine may eventually be produced from them, or prohibiting neighbors from residing near one another out of fear that adultery may occur. Because the possibility of corruption is remote and infrequent, the Sharī'ah does not prohibit these acts merely because they may hypothetically become means to an unlawful end.

The third category occupies the intermediate position between these two extremes and constitutes the principal sphere of disagreement among the jurists. This category consists of acts that do not invariably lead to corruption but nevertheless lead to it frequently, predominantly, or in a reasonably foreseeable manner. A similar classification is presented by al-Maqqarī, who explains that means very close to corruption are recognized by consensus, means very remote are disregarded by consensus, and what lies between the two is the subject of the real juristic dispute, a dispute in which Mālik regularly extended preventative prohibition to acts leading to corruption ghāliban (predominantly) or kathīran (frequently), while many jurists from other schools declined to do so.²⁶

Means, Consequences, and the Objectives of the Sharī'ah

Based on the classifications of al-Qarāfī and al-Maqqarī, the Mālikī treatment of sadd al-dharā'ī' may be summarized as follows. A means that certainly leads to mafsadah is legally recognized and blocked by consensus. A means that only rarely leads to mafsadah is disregarded by consensus and is not blocked. The decisive area for the Mālikī doctrine is the intermediate category: a means that leads to mafsadah predominantly (ghāliban) or frequently (kathīran). It is this category that the Mālikīs treated as falling within the operative scope of sadd al-dharā'ī', although other jurists either agreed with them in some

²⁵ الذرائع ثلاثة أقسام قسم أجمعت الأمة على سدّه ومنعه وحسمه كحفر الآبار في طرق المسلمين فإنه وسيلة إلى إهلاكهم وكذلك إلقاء السم في أطعمتهم وسب الأصنام عند من يعلم من حاله أنه يسب الله تعالى عند سبها وقسم أجمعت الأمة على عدم منعه وأنه ذريعة لا تُسدّ وسيلة لا تحسم كالمنع من زراعة العنب خشية الحمر فإنه لم يقل به أحد وكالمنع من المجاورة في البيوت خشية الزنى وقسم اختلف فيه العلماء هل يسدّ أم لا

Al-Qarāfī, al-Furūq, 2:32.

²⁶ والذرائع القريبة جدا ولا معارض معتبره إجماعا كحفر بئر في الطريق، والبعيدة كذلك ملغاة إجماعا كزراعة العنب مخافة أن يتخذ منه

الخمر.. وما بينهما معتبر عند مالك كإعادة الجماعة في مسجد له إمام راتب، أو يبيع الآجال ملغى عند الجمهور

Aḥmad ibn Muḥammad al-Maqqarī, al-Qawā'id (n.p., n.d.), 472–74.

cases or differed from them in others. Thus, if an action practiced among people in a particular time, place, or social context frequently or predominantly leads to mafsadah, the Mālikīs prohibit that act even though it is permissible in origin. They do so because they consider both the future consequences (ma'ālāt) of the act and the frequency with which those consequences occur. The act is therefore prohibited saddan li-l-dharī'ah, so that a permissible means does not become a pathway to a prohibited end.

As al-Shāṭibī explains in his extensive discussion, legal rulings must account not only for the immediate act itself but also for the outcomes that ordinarily result from it.²⁷ Thus, if a permissible act becomes a common avenue through which corruption is realized within a particular society, the Mālikīs may prohibit that act as a preventative measure, not because of any intrinsic defect within the act itself, but because of its tendency to function as a means leading to a prohibited end.

This methodology explains the most celebrated Mālikī applications of sadd al-dharā'ī in the legal literature, including various forms of buyū' al-ājāl, which the Mālikīs prohibited because they frequently functioned as legal devices leading to ribā. In such cases, the legal evaluation of an act depends not merely on its outward form but on the consequences that ordinarily follow from it. The Mālikī doctrine therefore represents one of the most sophisticated theories of preventative legislation in Sunni legal thought: rather than restricting legal evaluation to the immediate form of an act, Mālikī jurists examine the relationship between means and ends, the frequency with which particular outcomes occur, prevailing customs, and the broader objectives of the Sharī'ah.

²⁷ Al-Shāṭibī, al-Muwāfaqāt, 3:77–85.

The Shāfi'ī Approach to Sadd al-Dharā'ī'

The Shāfi'ī school contains apparently contradictory statements from al-Shāfi'ī himself: some passages in al-Umm indicate acceptance of preventative reasoning, while others reject invalidating transactions or legal acts based upon suspected intentions, customary outcomes, or speculative future consequences. Because of this tension, scholars have differed considerably regarding al-Shāfi'ī's actual position on sadd al-dharā'ī'.²⁸

A careful reading of al-Shāfi'ī's discussions suggests that he neither completely rejected nor fully embraced sadd al-dharā'ī' in the expansive Mālikī sense. Rather, he accepted the doctrine only in cases where the means necessarily and directly led to the prohibited outcome. When the connection between the means and the prohibited result was certain or effectively unavoidable, he was willing to prohibit the means. However, when the relationship between the act and the prohibited outcome was merely probable, speculative, or dependent upon the hidden intentions of the parties, he generally refused to invalidate the act and instead judged according to its outward appearance.²⁹

The clearest statement of this methodology appears in al-Shāfi'ī's discussion of contracts and intentions. He states: "The principle upon which I proceed is that every contract that is valid outwardly I do not invalidate because of suspicion, nor because of a custom existing between the contracting parties. Rather, I validate it on the basis of its outward validity, although I dislike for them the intention when it is an intention that, if disclosed, would invalidate the sale."³⁰ He reinforces this principle elsewhere by writing that "whoever judges people contrary to what appears from them, on the basis that what they have manifested may possibly mean something other than what they have manifested, whether due to an indication from them or otherwise, has not, in my view, remained in conformity with the Qur'ān and the Sunnah."³¹

These passages are central to understanding the Shāfi'ī approach. For al-Shāfi'ī, judicial rulings must be based upon observable legal realities rather than conjecture

²⁸ See for example: Taqī al-Dīn 'Alī ibn 'Abd al-Kāfī al-Subkī, *Takmilat al-Majmū' Sharḥ al-Muhadhdhab*, corrected by a committee of scholars in cooperation with the printing administration (Cairo: Maṭba'at al-Taḍāmūn al-Akhawī, 1348–1352 AH), 10:158–161; Tāj al-Dīn 'Abd al-Wahhāb ibn 'Alī ibn 'Abd al-Kāfī al-Subkī, *al-Ashbāh wa al-Naẓā'ir*, ed. 'Ādil Aḥmad 'Abd al-Mawjūd and 'Alī Muḥammad Mu'awwaḍ, 1st ed. (Beirut: Dār al-Kutub al-'Ilmiyyah, 1411 AH/1991 CE), 1:119–127; Abū 'Abd Allāh Muḥammad ibn Abī Bakr ibn Ayyūb Ibn Qayyim al-Jawziyyah, *I'lām al-Muwaqqi'īn 'an Rabb al-'Ālamīn*, ed. and annotated by Abū 'Ubaydah Mashhūr ibn Ḥasan Āl Salmān, with takhrīj assistance from Abū 'Umar Aḥmad 'Abd Allāh Aḥmad, 1st ed. (Saudi Arabia: Dār Ibn al-Jawzī li-l-Nashr wa-l-Tawzī', 1423 AH), 4:552; Al-Shāṭibī, *al-Muwāfaqāt*, 4:67.

²⁹ Abū 'Abd Allāh Muḥammad ibn Idrīs al-Shāfi'ī, *al-Umm*, 2nd ed. (Beirut: Dār al-Fikr, 1403 AH/1983 CE), 4:50–52; and 3:123–24; 4:120–21; 7:312.

³⁰ أَصْلُ مَا أَذْهَبَ إِلَيْهِ أَنَّ كُلَّ عَقْدٍ كَانَ صَحِيحًا فِي الظَّاهِرِ لَمْ يُبْطَلْ بِتُهْمَةٍ وَلَا بِعَادَةٍ بَيْنَ الْمُتَبَايِعِينَ وَأَجْزَتْهُ بِصَحَّةِ الظَّاهِرِ وَأَكْرَهُ هُما النِّيةَ إِذَا كَانَتْ النِّيةَ لَوْ أَظْهَرَتْ كَانَتْ تُفْسِدُ الْبَيْعَ

Al-Shāfi'ī, *al-Umm*, 3:75.

³¹ فَمَنْ حَكَمَ عَلَى النَّاسِ بِخِلَافِ مَا ظَهَرَ عَلَيْهِمْ اسْتَدْلَالًا عَلَى أَنَّ مَا أَظْهَرُوا يَحْتَمِلُ غَيْرَ مَا أَظْهَرُوا بِدَلَالَةٍ مِنْهُمْ أَوْ غَيْرِ دَلَالَةٍ لَمْ يَسْلَمْ عِنْدِي مِنْ خِلَافِ التَّنْزِيلِ وَالسُّنَّةِ

Al-Shāfi'ī, *al-Umm*, 7:312.

concerning hidden motives. Consequently, he rejects the broad Mālikī practice of invalidating transactions on the basis of customary outcomes, probable intentions, or speculative future consequences. A transaction may be legally valid (*qaḍā'an*) while simultaneously being religiously blameworthy (*diyānatan*) if the parties intended through it an unlawful objective: the legal ruling follows the outward form of the transaction, while the moral judgment concerns the hidden intention known ultimately to Allah. This distinction can be seen in his treatment of transactions that may be used as a means to an unlawful end. Even when the contracting parties secretly intend, through an outwardly valid contract, to arrive at a prohibited result, al-Shāfi'ī generally maintains the validity of the contract from a judicial perspective (*qaḍā'an*), since the contract satisfies the outward legal requirements. At the same time, he may regard the parties as sinful from a religious and moral perspective (*diyānatan*) due to their unlawful intention. Thus, al-Shāfi'ī distinguishes between the legal validity of an act and the moral culpability of those performing it, limiting the application of *sadd al-dharā'ī* to situations in which the prohibited consequence follows necessarily and directly from the means itself.

Thus, from these texts, it can be concluded that al-Shāfi'ī did recognize *sadd al-dharā'ī*, but according to a specific and limited principle. Namely, when an action necessarily leads to a prohibited outcome, such that the unlawful result is inseparable from the means itself, al-Shāfi'ī prohibits the action on account of its leading to the prohibited end. In such cases, the connection between the means and the unlawful outcome is certain rather than speculative.

However, if the relationship between the means and the prohibited outcome is merely conjectural or probable, that is, the act may lead to the prohibited result but may also not lead to it, al-Shāfi'ī judges according to the outward form (*ẓāhir*) of the act. He therefore validates such transactions and legal acts based on their apparent compliance with the requirements of the Sharī'ah, without giving decisive weight to hidden intentions or customary expectations regarding their possible consequences. Consequently, where a permissible act does not necessarily lead to a prohibited outcome, al-Shāfi'ī does not generally invoke *sadd al-dharā'ī* to prohibit it.

This does not imply, however, that the Shāfi'ī scholars did not employ the concept of *sadd al-dharā'ī*. The cautious approach evident in the writings of al-Shāfi'ī still allowed for the application of this principle within Shāfi'ī jurisprudence. For example, in *Asnā al-Maṭālib*, it is noted:

If a person sells grapes to someone whom he knows, or reasonably believes, will make wine from them, or sells a beardless youth to someone known for engaging in sexual immorality with such youths, or engages in any similar transaction that leads to sin, such as selling fresh dates to one who will make intoxicating *nabīdh* from them, or selling fighting cocks to one who stages cockfights, or rams to one who uses them for ram fighting, then the transaction is prohibited, because it constitutes assistance in sin. Nevertheless, the sale itself remains legally valid, since the prohibition relates to an external factor rather than to the essence of the contract. If, however, he merely suspects (rather than knows or has a strong presumption) that the buyer will use the item unlawfully, or he sells weapons to rebels or the like, such as highway robbers, or he engages in trade with someone whose wealth consists of both lawful and unlawful sources, then such transactions are disliked (*makrūh*), even if the lawful portion predominates. However, if it is certain that the purchaser of the weapon will use it for unlawful purposes, or it is certain that the particular property involved in the third case is itself

unlawfully acquired, then both transactions become prohibited. In the case of selling the weapon, the sale remains legally valid despite the prohibition, whereas in the third case the transaction is invalid. This is the position mentioned in al-Majmū'.³²

In a similar vein, al-Shīrāzī stated: "If they use their women and children as human shields (tatarrus), then if this occurs during the heat of battle, it is permissible to shoot at them while taking care to avoid striking the women and children as much as possible. This is because, were we to refrain from attacking, they would use that as a means of disabling jihād and as a pretext for gaining victory over the Muslims."³³ Furthermore, al-Māwardī stated:

If the usurper takes a wooden plank and fashions it into a door, or constructs it into a ship, or usurps iron and forges it into a coat of mail, he does not thereby acquire ownership of it in any of these cases. Abū Ḥanīfah, however, held that the usurper becomes its owner by virtue of the transformation he has performed. Yet this is among the strongest means of encouraging people to commit usurpation in the first place. If a person does not acquire ownership of usurped land merely by constructing buildings or planting trees upon it, and even according to them, land is not transformed by such acts, then it is even more appropriate that he not acquire ownership of other forms of usurped property, whether according to our view or theirs. Accordingly, the original owner has the right to recover the property in its transformed state, and the usurper has no entitlement to compensation for the labor he expended. The only exception is where the usurper incorporated into it materials that remain separately identifiable and removable. In that case, he may recover those materials, but he is liable for any diminution in

³² فَلَوْ بَاعَ الْعِنَبَ مِمَّنْ يَتَّخِذُهُ حُمْرًا بَانَ يَعْلَمُ أَوْ يَظُنُّ مِنْهُ ذَلِكَ (أَوْ الْأَمْرَدَ مِنْ مَعْرُوفٍ بِالْمُجُورِ) بِهِ (وَنَحْوِ ذَلِكَ) مِنْ كُلِّ تَصَرُّفٍ يُفْضِي إِلَى مَعْصِيَةِ كَيْسِ الرُّطْبِ مِمَّنْ يَتَّخِذُهُ نَيْدًا وَيَبِيعُ دِيكَ الْهَرَّاشِ وَكَبْشِ النَّطَّاحِ مِمَّنْ يُعَانِي ذَلِكَ (حَرَمَ) لِأَنَّهُ نَسَبُ إِلَى مَعْصِيَةِ (وَيَصِحُّ) لِرُجُوعِ النَّهْيِ لِعَبْرِهِ (فَإِنْ تَوَهَّمَ) مِنْهُ (ذَلِكَ أَوْ بَاعَ السَّلَاحَ مِنَ الْبُعَاةِ) أَوْ نَحْوِهِمْ كَقُطَاعِ الطَّرِيقِ (أَوْ بَايَعَ مِنْ يَدِهِ حَلَالٌ وَحَرَامٌ كَرِهَ) وَإِنْ كَانَ الْحَلَالُ أَكْثَرَ نَعَمْ إِنْ تَحَقَّقَ عَصِيَانُ الْمُشْتَرِي لِلْسَّلَاحِ بِهِ فِي الثَّانِيَةِ وَتَحْرِيمُ شَيْءٍ بَعَيْنِهِ فِي الثَّالِثَةِ حَرَمَ فِيهِمَا وَصَحَّ فِي الثَّانِيَةِ دُونَ الثَّالِثَةِ ذَكَرَهُ فِي الْمَجْمُوعِ (وَلَا يَصِحُّ شِرَاءُ لَحْمٍ مَجْهُولِ الذِّكَاةِ) الشَّرْعِيَّةِ (بِقَرِيَّةٍ يَسْكُنُهَا مَجُوسٌ) لِأَنَّ الْأَصْلَ فِي الْحَيَوَانِ التَّحْرِيمَ فَلَا يُزَالُ إِلَّا بِبَيِّنٍ أَوْ ظَاهِرٍ فَإِنْ كَانَ غَالِبُ أَهْلِ الْبَلَدِ مُسْلِمِينَ صَحَّ شِرَاؤُهُ فَإِنَّهُ يَجُوزُ أَكْلُهُ عَمَلًا بِالْغَالِبِ وَالظَّاهِرِ ذَكَرَهُ فِي الْمَجْمُوعِ

Zakariyyā b. Muḥammad al-Anṣārī, *Asnā al-Maṭālib fī Sharḥ Rawḍ al-Ṭālib* (Beirut: Dār al-Kitāb al-Islāmī, n.d.), 2:41.

³³ فَإِنْ تَرَسَّوْا بِأَطْفَالِهِمْ وَنِسَائِهِمْ فَإِنْ كَانَ فِي حَالِ التَّحَامِ الْحَرْبِ جَازَ رَمِيهِمْ وَيَتَوَقَّى الْأَطْفَالُ وَالنِّسَاءُ لِأَنَّا لَوْ تَرَكْنَا رَمِيَهُمْ جَعَلَ ذَلِكَ

طَرِيقًا إِلَى تَعْطِيلِ الْجِهَادِ وَذَرِيعَةً إِلَى الظُّفْرِ بِالْمُسْلِمِينَ

Abū Ishāq Ibrāhīm b. 'Alī al-Shīrāzī, *al-Muhadhdhab fī Fiqh al-Imām al-Shāfi'ī* (Beirut: Dār al-Kutub al-'Ilmiyyah, n.d.), 3:278.

the value of the usurped property caused by their removal.³⁴

The result is that the Shāfi'ī school adopts a much narrower conception of sadd al-dharā'ī' than that found among the Mālikīs and Ḥanbalīs. Al-Shāfi'ī accepts preventative prohibition where the means necessarily results in the prohibited outcome, but he generally refuses to invalidate acts whose connection to the prohibited result remains uncertain or speculative. In this respect, the Shāfi'ī position may be viewed as occupying a middle ground between unrestricted formalism and expansive preventative legislation: he limits the operation of sadd al-dharā'ī' to situations where the causal connection between the means and the prohibited outcome is sufficiently direct and certain.

The Ḥanbalī Approach to Sadd al-Dharā'ī'

Like the Mālikīs, the Ḥanbalīs recognized sadd al-dharā'ī' as a valid and authoritative principle of legal reasoning.³⁵ Although the Ḥanbalīs differed from the Mālikīs in certain applications, the two schools were largely united in affirming the legitimacy of preventing lawful means that lead to unlawful ends. The doctrine became one of the defining characteristics of the Ḥanbalī legal tradition and received its most extensive treatment in the writings of Ibn Taymiyyah and his student Ibn al-Qayyim, whose discussions transformed the doctrine from a practical juristic tool into a comprehensive legal theory. Their works examine its evidences, categories, conditions, underlying rationale, relationship to maqāṣid al-sharī'ah, and its role in balancing competing benefits and harms. Based on the literature surveyed, al-Qarāfi appears to have been among the earliest jurists, and perhaps the first, to systematically classify al-dharā'ī' into distinct categories and to provide a comprehensive theoretical framework for understanding the doctrine. Earlier

³⁴ وَلَوْ عَمِلَ اللُّوْحُ الْمُغْضُوبُ بِأَبَا أَوْ بَنَاهُ سَفِينَةً أَوْ غَضَبَ حَدِيدًا فَعَمَلُهُ دَرَعًا لَمْ يَمْلِكْهُ فِي هَذِهِ الْأَحْوَالِ كُلِّهَا. وَجَعَلَهُ أَبُو حَنِيفَةَ مَالِكًا لِدَلِيلِكَ بِعَمَلِهِ وَذَلِكَ مِنْ أَقْوَى الذَّرَائِعِ فِي الْإِقْدَامِ عَلَى الْمُغْضُوبِ وَإِذَا لَمْ يَمْلِكْ الْأَرْضُ الْمُغْضُوبَةَ بِنَائِهِ وَبِغَرْسِهِ فِيهَا وَالْأَرْضُ عَنْدهُمْ غَيْرُ مَغْضُوبَةٍ فَلَا أَنْ لَا يَمْلِكْ غَيْرَهَا مِنَ الْمُغْضُوبِ عِنْدَنَا وَعِنْدَهُمْ أَوَّلَى وَإِذَا كَانَ كَذَلِكَ فَلِلْمَغْضُوبِ مِنْهُ اسْتِزْجَاعُهُ مِنْهُ مَعْمُولًا وَلَا شَيْءَ لِلْغَاصِبِ فِي عَمَلِهِ إِلَّا أَنْ يَكُونَ لَهُ أَعْيَانٌ مَزَالَةٌ فَيَسْتَرْجِعُهَا وَيَضْمَنُ نَقْصَ الْمُغْضُوبِ

Abū al-Ḥasan 'Alī b. Muḥammad al-Māwardī, al-Ḥawā'ī al-Kabīr fī Fiqh Madhhab al-Imām al-Shāfi'ī wa-Huwa Sharḥ Mukhtaṣar al-Muzanī, ed. 'Alī Muḥammad Mu'awwaḍ and 'Ādil Aḥmad 'Abd al-Mawjūd (Beirut: Dār al-Kutub al-'Ilmiyyah, 1999), 7:200.

³⁵ See for example: Abū al-Wafā' 'Alī ibn 'Aqīl ibn Muḥammad ibn 'Aqīl al-Baghdādī al-ḥafarī, al-Wāḍiḥ fī Uṣūl al-Fiqh, ed. 'Abd Allāh ibn 'Abd al-Muḥsin al-Turkī, 1st ed. (Beirut: Mu'assasat al-Risālah li-l-ṭibā'ah wa-l-Nashr wa-l-Tawzī', 1420 AH/1999 CE), 2:75; Zayn al-Dīn Abū al-Faraj 'Abd al-Raḥmān ibn Shihāb al-Dīn Ibn Rajab al-Ḥanbalī, Jāmi' al-'Ulūm wa al-Ḥikam fī Sharḥ Khamsīn Ḥadīthan min Jawāmi' al-Kalim, ed. Māhir Yāsīn al-Faḥl, 1st ed. (Damascus–Beirut: Dār Ibn Kathīr, 1429 AH/2008 CE), 187; Zayn al-Dīn 'Abd al-Raḥmān ibn Aḥmad ibn Rajab al-Ḥanbalī, Faṭḥ al-Bārī Sharḥ ṣaḥīḥ al-Bukhārī, ed. Maḥmūd ibn Sha'bān ibn 'Abd al-Maqṣūd, Majdī ibn 'Abd al-Khālīq al-Shāfi'ī, Ibrāhīm ibn Ismā'īl al-Qāḍī, al-Sayyid 'Izzat al-Mursī, Muḥammad ibn 'Awaḍ al-Manqūsh, ṣalāḥ ibn Sālim al-Miṣrātī, 'Alā' ibn Muṣṭafā ibn Hammām, and ṣabrī ibn 'Abd al-Khālīq al-Shāfi'ī (Medina: Maktabat al-Ghurabā' al-Athariyyah; Cairo: Maktab Taḥqīq Dār al-Ḥaramayn), 1:228; Najm al-Dīn Abū al-Rabī' Sulaymān ibn 'Abd al-Qawī ibn al-Karīm al-Ṭūfī al-ṣarṣarī, Sharḥ Mukhtaṣar al-Rawḍah, ed. 'Abd Allāh ibn 'Abd al-Muḥsin al-Turkī, 1st ed. (Beirut: Mu'assasat al-Risālah, 1407 AH/1987 CE), 3:212.

jurists certainly applied *sadd al-dharāʾiʿ* in their legal rulings and substantive discussions, but they generally did not present the doctrine in the form of a detailed taxonomy or an independent theoretical treatment. Al-Qarāfī's contribution, therefore, was not the invention of the doctrine itself, but rather its systematization and conceptual refinement through the categorization of different types of means and their respective legal rulings.

A similar development can be observed within the Ḥanbalī school. Earlier Ḥanbalī authorities frequently employed *sadd al-dharāʾiʿ* in their legal rulings and accepted it as a valid juristic principle. However, they generally did not devote extensive discussions to its theoretical foundations, classifications, conditions, and practical applications. Instead, the principle appears primarily through its implementation in particular legal issues.

It was Ibn Taymiyyah and his student Ibn al-Qayyim who transformed *sadd al-dharāʾiʿ* into a fully articulated juristic theory within the Ḥanbalī tradition. Their writings contain some of the most detailed treatments of the doctrine found in the classical legal literature. They explored its evidences, categories, underlying rationales, relationship to *maqāṣid al-sharīʿah*, interaction with *ḥiyal* (legal stratagems), and the principles governing conflicts between competing benefits and harms. In particular, they expanded the discussion beyond merely identifying which means should be blocked and developed a broader framework for determining when means should be blocked and when they should be opened through *fath* *al-dharāʾiʿ*.

Thus, while the practical application of *sadd al-dharāʾiʿ* can be found throughout the earlier Ḥanbalī tradition, Ibn Taymiyyah and Ibn al-Qayyim appear to have been the first Ḥanbalī jurists to treat the doctrine as a distinct and comprehensive subject of legal theory, much as al-Qarāfī had earlier done within the Mālikī school. Their contributions transformed what had largely been an implicit juristic methodology into an explicit theoretical framework and significantly shaped subsequent discussions of the doctrine in both Ḥanbalī and broader Sunnī legal thought.

The following texts, among others, indicate that the Ḥanbalīs adopted the principle of *sadd al-dharāʾiʿ* in a manner largely similar to the Mālikīs, differing only in certain applications and details. Like the Mālikīs, they held that a permissible act may be prohibited when it serves as a means that predominantly leads to a prohibited outcome or a significant *mafsadah*. As a result, the Ḥanbalī and Mālikī schools are generally regarded as the two schools that afforded the broadest scope to the doctrine of *sadd al-dharāʾiʿ* within Sunnī legal theory.

The acceptance of *sadd al-dharāʾiʿ* within the Ḥanbalī school is evident from the statements of its leading authorities. Ibn Qudāmah explicitly affirms that "means are legally recognized,"³⁶ thereby acknowledging the validity of considering the relationship between means and ends in legal rulings. Al-Ṭūfī states, "Among the principles of our school is the doctrine of blocking the means."³⁷ Ibn Badrān identifies *sadd al-dharāʾiʿ* as one of the

³⁶ وَالذَّرَائِعُ مُعْتَبَرَةٌ لِمَا قَدَّمَاهُ

Abū Muḥammad ʿAbd Allāh ibn Aḥmad ibn Muḥammad Ibn Qudāmah, al-Mughnī, ed. Ṭāhā al-Zaynī et al., 1st ed. (Cairo: Maktabat al-Qāhirah, 1388–1389 AH/1968–1969 CE), 4:132.

³⁷ وَمِنْ مَذْهَبِنَا أَيْضًا سَدُّ الذَّرَائِعِ

Najm al-Dīn Sulaymān ibn ʿAbd al-Qawī al-Ṭūfī al-Ṣarṣarī, Sharḥ Mukhtaṣar al-Rawḍah, ed. ʿAbd Allāh ibn ʿAbd al-Muḥsin al-Turkī, 1st ed. (Beirut: Muʾassasat al-Risālah, 1407 AH/1987 CE), 3:214.

foundational principles shared by Mālik and the ḥanbalīs,³⁸ and al-Zarkashī confirms its place within the school.³⁹ Ibn al-Najjār also stated: "The means (al-dharā'ī'), the plural of dharī'ah, are to be blocked. A dharī'ah is anything, whether an act or a statement, whose outward appearance is permissible but through which one arrives at something prohibited. The meaning of blocking such means is preventing their commission by declaring them prohibited."⁴⁰ Ibn Taymiyyah articulates the doctrinal basis by explaining that "Allah and His Messenger blocked the means leading to prohibited matters by prohibiting them and forbidding them."⁴¹ According to Ibn Taymiyyah, the Sharī'ah does not merely prohibit unlawful acts themselves; it also prohibits the avenues and pathways that ordinarily lead to those acts. Ibn al-Qayyim states that "the chapter of blocking the means constitutes one quarter of legal responsibility (taklīf),"⁴² a remark that signals the degree to which regulation of means, not just ends, was central to his legal vision.

Ibn al-Qayyim's Classification of Legal Means

Ibn al-Qayyim developed one of the most detailed classifications of legal means found in the classical legal tradition. He begins by distinguishing between acts that were instituted precisely because they lead to corruption, intoxicants, false accusation, zinā, and acts that were originally established for permissible or even recommended purposes but may subsequently become means to prohibited outcomes. The second major category he further subdivides according to the role of intention, consequences, and the relative balance between benefit and harm.

The first subdivision consists of a permissible means intentionally employed to reach a prohibited end: a marriage contracted solely for taḥlīl, a sale conducted to facilitate ribā,

³⁸ أولها سد الذرائع وهو قول مالك وأصحابنا

‘Abd al-Qādir ibn Aḥmad Badrān, al-Madkhal ilā Madhhab al-Imām Aḥmad ibn Ḥanbal, ed. ‘Abd Allāh ibn ‘Abd al-Muḥsin al-Turkī, 2nd ed. (Beirut: Mu’assasat al-Risālah, 1401 AH), 296.

³⁹ والذرائع معتبرة عندنا في الأصول

Shams al-Dīn Muḥammad ibn ‘Abd Allāh al-Zarkashī al-Miṣrī al-Ḥanbalī, Sharḥ al-Zarkashī, 1st ed., 7 vols. (Riyadh: Dār al-‘Ubaykān, 1413 AH/1993 CE), 3:498.

⁴⁰ وَتُسَدُّ بِالْبِنَاءِ لِلْمَفْعُولِ الذَّرَائِعُ جَمْعُ ذَرِيعَةٍ وَهِيَ أَيُّ الذَّرِيعَةِ مَا أَيُّ شَيْءٍ مِنَ الْأَفْعَالِ، أَوْ الْأَقْوَالِ ظَاهِرُهُ مُبَاحٌ، وَيَتَوَصَّلُ بِهِ إِلَى مُحَرَّمَ وَمَعْنَى سَدِّهَا: الْمَنْعُ مِنْ فِعْلِهَا لِتَحْرِيمِهِ

Taqī al-Dīn Abū al-Baqā’ Muḥammad ibn Aḥmad ibn ‘Abd al-‘Azīz Ibn al-Najjār al-Ḥanbalī, Sharḥ al-Kawkab al-Munīr = al-Mukhtabar al-Mubtakar Sharḥ al-Mukhtaṣar, ed. Muḥammad al-Zuḥaylī and Nazīh Ḥammād, 2nd ed. (Riyadh: Maktabat al-‘Ubaykān, 1418 AH/1997 CE), 4:434.

⁴¹ أَنَّ اللَّهَ سَبَّحَانَهُ وَرَسُولُهُ سَدَّ الذَّرَائِعَ الْمُفْضِيَّةَ إِلَى الْمَحَارِمِ بِأَنْ حَرَّمَهَا وَنَهَى عَنْهَا

Taqī al-Dīn Aḥmad ibn Taymiyyah, al-Fatāwā al-Kubrā (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1408 AH/1987 CE), 6:172.

⁴² وباب سد الذرائع أحد أرباع التكليف

in Abū ‘Abd Allāh Muḥammad ibn Abī Bakr ibn Ayyūb Ibn Qayyim al-Jawziyyah, I‘lām al-Muwaqqi‘īn ‘an Rabb al-‘Ālamīn, ed. and annotated by Abū ‘Ubaydah Mashhūr ibn Ḥasan Āl Salmān, with takhrīj assistance from Abū ‘Umar Aḥmad ‘Abd Allāh Aḥmad, 1st ed. (Saudi Arabia: Dār Ibn al-Jawzī li-l-Nashr wa-l-Tawzī’, 1423 AH), 5:66.

or khul' sought in order to evade an oath. Here Ibn al-Qayyim's concern is primarily with legal stratagems (ḥiyal): the outward form of the act remains permissible, but the actor intentionally employs it as a device to reach a prohibited objective.

The second subdivision consists of acts that are not intended as means to corruption yet nevertheless lead to it frequently, and whose resulting corruption outweighs their benefit: performing supererogatory prayers without cause during prohibited times, reviling idols in circumstances where they are likely to respond by reviling Allah, or praying toward a grave despite intending worship of Allah alone.

The third subdivision consists of acts that may lead to corruption but whose benefit outweighs the potential harm. In such cases, Ibn al-Qayyim does not prohibit the act because the dominant consideration is the greater benefit it produces. This category introduces the complementary concept of fath al-dharā'i', opening and permitting means whose benefits outweigh their potential harms, and is directly relevant to the AI companionship question, as discussed below.

Thus, looking at Ibn al-Qayyim's classification, the first category is broader than the discussion of sadd al-dharā'i' itself, as it concerns means (wasā'il) irrespective of whether they are originally permissible or prohibited. Since the subject of sadd al-dharā'i' is a means that is permissible in its essence but leads to harm or a prohibited outcome, this first category is more appropriately classified under necessary implications (lawāzim) rather than dharā'i'. In the second category, Ibn al-Qayyim focuses on the intention of the actor. If a person employs a permissible means with the intention of reaching a prohibited end, he considers it prohibited as a form of sadd al-dharā'i' aimed at preventing legal stratagems (taḥayyul). In the third category, Ibn al-Qayyim evaluates the consequences and outcomes of the means. If the harm (mafsadah) resulting from the act is predominant over its benefit, the act is prohibited under the principle of sadd al-dharā'i'. Conversely, in the fourth category, where the benefit is predominant over the potential harm, the act remains permissible. This falls under the complementary principle of fath al-dharā'i' (opening the means), whereby means leading predominantly to beneficial ends are permitted and, in some cases, even encouraged.

Ibn al-Qayyim therefore ultimately divides legal means into four categories: a means established to produce corruption; a permissible means intentionally employed to produce corruption; a permissible means not intended to produce corruption but which frequently leads to it and whose harm outweighs its benefit; and a permissible means that may lead to corruption but whose benefit outweighs its harm.⁴³

⁴³ أنواع الوسائل وحكم كل نوع منها

الفعل أو القول المفضي إلى المفسدة قسماً

أحدهما: أن يكون وضعه للإفضاء إليها كشرب المسكر المفضي إلى مفسدة السكر، وكالقذف المفضي إلى مفسدة الفرية، والزنا المفضي إلى

اختلاط المياه وفساد الفراش، ونحو ذلك؛ فهذه أفعال وأقوال وُضعت مفضية لهذه المفاصد وليس لها ظاهر غيرها

والثاني: أن تكون موضوعة للإفضاء إلى أمر جائز أو مستحب، فيتخذها وسيلة إلى المحرم إما بقصده أو بغير قصد منه

Ibn Taymiyyah's Classification of Legal Means

Although Ibn Taymiyyah followed the doctrine of *sadd al-dharā'ī* in agreement with the broader Ḥanbalī tradition, his treatment of the subject is among the most extensive and sophisticated discussions found in the classical legal literature. His discussions appear not only in matters of transactions and contracts, but also in issues of creed, worship, social customs, governance, public policy, and commanding right and forbidding wrong. Consequently, the doctrine occupies a central place within his legal methodology and reflects his broader concern with preserving the objectives of the Shari'ah through consideration of consequences and outcomes.

Like the Mālikīs, Ibn Taymiyyah understood *sadd al-dharā'ī* primarily through the lens of consequences (*ma'ālāt*). The legal ruling of a means is determined not merely by its intrinsic nature but also by the outcomes to which it leads. He explains that if a means predominantly leads to a prohibited outcome, it is prohibited absolutely; if a means may or may not lead to a prohibited outcome but human nature ordinarily drives it toward that outcome, it is likewise prohibited; if a means only occasionally leads to prohibited outcomes, its ruling depends upon the balance between the benefits and harms contained within it.⁴⁴

Categories of Means

Thus, Ibn Taymiyyah divides *al-dharā'ī* into four categories. The first consists of means that usually or predominantly lead to *mafsadah*; indeed, means that certainly lead to a prohibited outcome are blocked *a fortiori*. The second category consists of means that may

فالأول كمن يعقد النكاح قاصداً به التحليل، أو يعقد البيع قاصداً به الربا، أو يخالغ قاصداً به الحنث، ونحو ذلك، والثاني كمن يُصلي تطوعاً بغير سبب في أوقات النهي، أو يسب أرباب المشركين بين أظهرهم، أو يصلي بين يدي القبر لله، ونحو ذلك

ثم هذا القسم من الذرائع نوعان

أحدهما: أن تكون مصلحة الفعل أرجح من مفسدته

والثاني: أن تكون مفسدته راجحة على مصلحته؛ فهنا أربعة أقسام

الأول: وسيلة موضوعة للإفضاء إلى المفسدة

الثاني: وسيلة موضوعة للمباح قُصد بها التوصل إلى المفسدة

مُفضية إليها غالباً

الثالث: وسيلة موضوعة للمباح لم يُقصد بها التوصل إلى المفسدة لكنها ومفسدتها أرجح من مصلحتها

الرابع: وسيلة موضوعة للمباح وقد تُفضي إلى المفسدة ومصلحتها أرجح من مفسدتها

Ibn al-Qayyim, I'lām al-Muwaqqi'in, 4:554.

⁴⁴ الذرائع إذا كانت تُفضي إلى المحرم غالباً فإنه يُحرّمها مطلقاً وكذلك إن كانت قد تُفضي وقد لا تُفضي لكن الطبع مُتفاضل لإفضائها.

وَأَمَّا إِنْ كَانَتْ إِنَّمَا تُفْضِي أحياناً فَإِنْ لَمْ يَكُنْ فِيهَا مَصْلَحَةٌ رَاجِحَةٌ عَلَى هَذَا الْإِفْضَاءِ الْقَلِيلِ، وَإِلَّا حَرَّمَهَا أَيْضًا

Ibn Taymiyyah, al-Fatāwā al-Kubrā, 6:173.

or may not lead to mafsadah, but whose nature and tendency generally incline toward harmful outcomes. The third category consists of means that contain both benefit and harm, yet the resulting mafsadah is greater and more predominant than the maṣlaḥah they contain. The fourth category consists of means that likewise contain both benefit and harm, but whose maṣlaḥah is greater and more predominant than the accompanying mafsadah. As for means that only rarely lead to harm, Ibn Taymiyyah does not regard them as subject to sadd al-dharā'ī and maintains that they should remain open.

Accordingly, Ibn Taymiyyah blocks the means found in the first three categories while permitting those of the fourth category. His approach is fundamentally consequentialist in the juristic sense, focusing on the outcomes and effects of actions. Where the means predominantly lead to harm, or where the harm outweighs the benefit, they are prohibited as a matter of sadd al-dharā'ī. Conversely, where the benefit outweighs the harm, the means are permitted and may even be encouraged, reflecting the complementary principle of faḥ al-dharā'ī. In this way, Ibn Taymiyyah's framework seeks to balance the prevention of harm with the realization of benefit, rather than treating all potentially harmful means alike.

This classification demonstrates that Ibn Taymiyyah does not treat every means leading to corruption in the same manner. Rather, he evaluates means according to both the probability of the resulting outcome and the relative balance between benefit and harm. Nor is the prohibition of the first two categories absolute: if a preponderant benefit exists whose realization depends upon the means, then the means remains open despite the potential harm. It is in this context that necessity (ḍarūrah) operates. Thus, even a means that ordinarily leads to a prohibited outcome may become permissible or even obligatory when a stronger Shar'ī interest necessitates its use.

Intention and Consequences

Ibn Taymiyyah further explains that a permissible dhari'ah may lead to mafsadah through one of two avenues. The first is through the intention of the person engaging in the act. In such cases, the means is employed deliberately as a vehicle to reach a prohibited end, and the prohibition arises because the actor intends to use an otherwise lawful act as a means to what is unlawful. This category encompasses various forms of legal stratagems (ḥiyal) and attempts to circumvent the commands and prohibitions of the Sharī'ah through outwardly valid actions.

The second avenue is where the means leads to mafsadah irrespective of the actor's intention. Here, the prohibition is not based upon a hidden motive or subjective purpose, but rather upon the objective consequences that ordinarily result from the act itself. Even if the person engaging in the act has no intention of reaching the prohibited outcome, the act may nevertheless be restricted when experience, custom, or human nature demonstrates that it commonly leads to harm or facilitates prohibited conduct.

This distinction illustrates that Ibn Taymiyyah's conception of sadd al-dharā'ī is broader than merely examining intentions. While intentions remain relevant in some cases, particularly those involving taḥayyul and deliberate circumvention of the law, the doctrine also encompasses situations in which the harmful consequences of an act are sufficiently apparent and frequent to justify restricting the means regardless of the actor's subjective purpose. Thus, both intention and consequence play important roles in Ibn Taymiyyah's application of sadd al-dharā'ī, though the weight given to each varies according to the

nature of the case.⁴⁵

As such, a dharī'ah may be evaluated from two distinct perspectives: the intention of the person employing the means and the consequences that result from the means itself. The first perspective, which focuses on intention, serves as the primary basis for prohibiting ḥiyal (legal stratagems or loopholes). In such cases, an otherwise permissible act is used deliberately as a device to circumvent the commands or prohibitions of the Sharī'ah. Accordingly, intention becomes relevant because the actor is seeking, through a lawful form, to attain an unlawful result. While this perspective falls within the broader discussion of al-dharā'i', it is more directly related to the prohibition of ḥiyal than to the general theory of sadd al-dharā'i'.

The second perspective, and the one that constitutes the primary foundation of Ibn Taymiyyah's theory of al-dharā'i', is the examination of consequences and outcomes. Under this approach, the permissibility or prohibition of a means is determined by the effects it is expected to produce. If a means leads to a mafsadah that is greater than, or even equal to, the maṣlaḥah contained within it, then the means is blocked through sadd al-dharā'i'.

Conversely, if the maṣlaḥah resulting from the means is predominant over the accompanying harm, then the means remains open and permissible under the principle of fath al-dharā'i'.

This consequential analysis represents the central feature of Ibn Taymiyyah's approach to al-dharā'i'. It is particularly evident in his discussions of conflicting means and competing outcomes, where he repeatedly weighs benefits against harms and evaluates which consequence is more likely to result. Indeed, among the jurists of the classical tradition, Ibn Taymiyyah was arguably one of the most extensive and systematic scholars in discussing the issue of conflicting dharā'i', developing a sophisticated framework that sought to balance the prevention of harm with the realization of benefit. His treatment moved beyond a simple policy of blocking means and instead established a comprehensive methodology for evaluating means in light of their anticipated consequences and their relationship to the higher objectives of the Sharī'ah.

The Governing Principle: Juristic Balancing

Building upon this framework, Ibn Taymiyyah does not treat the blocking of means as an absolute rule. Rather, even in the first and second categories, where the means usually lead to mafsadah or where their nature inclines toward harmful outcomes, he recognizes that a preponderant benefit may outweigh the anticipated harm. In such cases, the means is no longer blocked but instead opened, since the realization of the greater benefit takes precedence. This is the basis of what jurists often discuss under the rubric of necessity (ḍarūrah) or pressing need (ḥājah) that attains a similar legal status. Thus, even a means that would ordinarily be prohibited may become permissible when a stronger and more compelling benefit requires it.

Likewise, in the third and fourth categories, the determining factor remains the comparative weight of the competing maṣāliḥ and mafāsīd. If the maṣlaḥah is preponderant over the harm, then the dharī'ah must remain open and it is not permissible to close it merely because some harm may result from it. Conversely, if the mafsadah is preponderant over

⁴⁵ فَإِذَا كَانَ الشَّيْءُ الَّذِي قَدْ يَكُونُ ذَرِيعَةً إِلَى الْفِعْلِ الْمُحَرَّمَ إِمَّا بِأَنْ يَقْصِدَ بِهِ الْمُحَرَّمُ أَوْ بِأَنْ لَا يَقْصِدَ بِهِ يُحَرِّمُهُ الشَّارِعُ بِحَسَبِ الْإِمْكَانِ مَا لَمْ يُعَارِضْ ذَلِكَ مَصْلَحَةٌ تَوْجِبُ حَلَّهُ أَوْ وَجُوبُهُ فَتَنْفُسُ التَّدْرُجُ إِلَى الْمُحَرَّمَاتِ بِالْإِحْتِيَالِ أَوَّلَى أَنْ يَكُونَ حَرَامًا وَأَوَّلَى بِإِبْطَالِ مَا يُمَكِّنُ إِبْطَالَهُ مِنْهُ إِذَا عَرَفَ قَصْدَ فَاعِلِهِ وَأَوَّلَى بِأَنْ لَا يُعَانَ صَاحِبُهُ عَلَيْهِ

Ibid, 6:181.

the benefit, then the dharī'ah must be blocked and it is not permissible to open it merely because some benefit may be attained through it. Accordingly, the ruling is not tied to the mere existence of benefit or harm, but rather to which of the two predominates.

It is within these latter categories that the role of the mujtahid becomes most apparent. The jurist must weigh the benefits and harms associated with each dharī'ah and determine, in light of the objectives of the Shari'ah (maqāsid al-shari'ah), whether the means should be opened or closed. The process is therefore one of legal balancing and preference (tarjīh), requiring an assessment of both the expected consequences of the act and the broader purposes of the law.

Ibn Taymiyyah explains that preference in cases of conflicting means (tazāḥum al-dharā'i') is based upon two primary considerations. The first is evaluating the relative strength and weakness of the competing benefits and harms. The second is considering where the true welfare of the legally responsible person (mukallaf) lies when choosing between these conflicting considerations. As he states:

The general principle is that when benefits and harms, good deeds and evil deeds, conflict or compete with one another, preference must be given to that which is weightier when benefits and harms compete or conflict. Commands and prohibitions are intended to realize benefits and prevent harms, but one must examine what opposes them. If the benefit that would be lost or the harm that would result is greater, then the act is not commanded; rather, it may become prohibited if its harm outweighs its benefit. The assessment of the relative weight of benefits and harms, however, is determined according to the scale of the Shari'ah. Whenever a person is able to follow the textual sources, he should not depart from them. Otherwise, he must exercise ijtihād through analogy and comparison to determine similar cases and their rulings. Rarely do the textual sources fail one who possesses expertise in them and in their legal implications.⁴⁶

This encapsulates Ibn Taymiyyah's approach to sadd al-dharā'i'. The doctrine is not a rigid mechanism for prohibiting means, but rather a comprehensive methodology for balancing competing benefits and harms in accordance with the objectives and evidences of the Shari'ah. The ultimate question is not whether a means leads to benefit or harm in the

⁴⁶ القاعدة العامة: فيما إذا تعارضت المصالح والمفاسد والحسنات والسيئات أو تراجعت، فإنه يجب ترجيح الراجح منها فيما إذا ازدحمت المصالح والمفاسد، وتعارضت المصالح والمفاسد. فإن الأمر والنهي وإن كان متضمنا لتحصيل مصلحة ودفع مفسدة فينظر في المعارض له؛ فإن كان الذي يفوت من المصالح أو يحصل من المفاسد أكثر لم يكن مأمورا به، بل يكون محرما إذا كانت مفسدته أكثر من مصلحته؛ لكن اعتبار مقادير المصالح والمفاسد هو بميزان الشريعة، فمتى قدر الإنسان على اتباع النصوص لم يعدل عنها، وإلا اجتهد برأيه لمعرفة الأشباه والنظائر، وقل أن تعوز النصوص من يكون خيرا بها وبدلا لئلا يفتقر الأحكام.

Ibn Taymiyyah, al-Amr bi al-Ma'rūf wa al-Nahy 'an al-Munkar (Riyadh: Ministry of Islamic Affairs, 1418 AH), 12–13; also see Majmū' al-Fatāwā, ed. Ibn Qāsim (Medina: King Fahd Complex, 1425 AH/2004 CE), 28:120; and al-Istiḳāmah, ed. Muḥammad Rashād Sālim (Riyadh: Imām Muḥammad ibn Sa'ūd Islamic University, 1403 AH/1983 CE), 2:216–217.

abstract, but whether the benefit or harm is stronger, more certain, and more consistent with the purposes of the divine law.

The Actual Point of Disagreement Concerning Sadd al-Dharā'i'

After discussing the positions of the four Sunni schools regarding sadd al-dharā'i', the question arises: where exactly does the disagreement between them lie? A close examination of the Mālikī and Ḥanbalī discussions reveals that al-dharā'i' may be divided into four categories: (1) a means that certainly and inevitably leads to a prohibited outcome; (2) a means that predominantly and customarily leads to a prohibited outcome; (3) a means that frequently leads to a prohibited outcome, though neither certainly nor predominantly; and (4) a means that only rarely leads to a prohibited outcome.

As for the *ẓāhirīs*, they do not apply sadd al-dharā'i' in any of these categories, since they reject the doctrine as an independent legal principle. If their rulings happen to coincide with those reached through sadd al-dharā'i', this is due to other evidences and juristic principles rather than acceptance of the doctrine itself.

Among the four Sunni schools, there is broad agreement regarding the first two categories. A means that certainly leads to a prohibited outcome must be prohibited, and a means that predominantly leads to a prohibited outcome is likewise prohibited. Al-Qarāfī explicitly cites a consensus (*ijmā'*) regarding these categories, and similar statements are found in the writings of other jurists. In reality, there is little room for disagreement here, since allowing means that necessarily or overwhelmingly lead to prohibited outcomes would undermine the very objectives of the *Sharī'ah*. The first category is not the subject of meaningful disagreement. As mentioned, Al-Qarāfī explicitly cites consensus regarding this category,⁴⁷ and al-'Izz ibn 'Abd al-Salām explains that "that whose consequence predominantly results from its cause, even though separation from it may rarely occur, is likewise impermissible to undertake, because the *Sharī'ah* has treated probability as the equivalent of certainty in most circumstances."⁴⁸ Consequently, both the category of certain consequences and the category of overwhelmingly probable consequences fall within the scope of agreement among the jurists.

The schools similarly agree regarding the fourth category. Means that only rarely lead to a prohibited outcome remain permissible and are not subject to sadd al-dharā'i'. Al-Qarāfī likewise cites a consensus on this point. Al-Qarāfī explicitly cites consensus that such means are not prohibited: prohibiting the cultivation of grapes merely because wine may eventually be produced from them, or preventing people from residing near one another out of fear that adultery may occur, are not juristically cognizable concerns.⁴⁹ Were such means to be prohibited, many permissible activities would become impermissible merely because of remote and exceptional possibilities, resulting in unnecessary hardship and restriction.

The actual point of disagreement, therefore, concerns the third category: a means that leads to a prohibited outcome frequently, though not certainly and not to the degree of predominance found in the second category. It is within this intermediate category that the divergence between the schools emerges. The Mālikīs and Ḥanbalīs generally apply sadd al-

⁴⁷ Al-Qarāfī, *al-Furūq*, 2:32.

⁴⁸ مَا يَغْلِبُ تَرْتُّبُ مُسَبِّهِ عَلَيْهِ وَقَدْ يَنْفَكُ عَنْهُ نَادِرًا فَهَذَا أَيْضًا لَا يَجُوزُ الْإِقْدَامُ عَلَيْهِ؛ لِأَنَّ الشَّرْعَ أَقَامَ الظَّنَّ مَقَامَ الْعِلْمِ فِي أَكْثَرِ الْأَحْوَالِ

'Izz al-Dīn 'Abd al-'Azīz ibn 'Abd al-Salām, *Qawā'id al-Aḥkām fī Maṣāliḥ al-Anām*, rev. ed. (Cairo: Maktabat al-Kulliyāt al-Azhariyyah, 1414 AH/1991 CE), 1:100.

⁴⁹ Al-Qarāfī, *al-Furūq*, 2:32.

dharāʾiʿ to such cases, arguing that the frequency with which harm results is sufficient to justify prohibiting the means in order to prevent corruption and protect the objectives of the Shariʿah. By contrast, the Ḥanafīs and Shāfiʿīs are generally more reluctant to prohibit acts on the basis of anticipated future consequences alone and therefore tend to preserve the original permissibility of such means unless the connection to the prohibited outcome becomes more certain or direct.

Consequently, the disagreement among the schools is not over the legitimacy of preventing harmful means in general, but rather over the degree of probability required before a permissible means may be prohibited. If the schools were arranged along a spectrum according to the extent to which they employ sadd al-dharāʾiʿ, the Mālikī school would occupy the furthest position in affirming and applying the doctrine. The Ḥanbalī school would follow closely behind, particularly in the writings of Ibn Taymiyyah and Ibn al-Qayyim, who developed the principle extensively. The Ḥanafī school would occupy a more moderate position, accepting certain applications while often grounding them in alternative juristic principles. Finally, the Shāfiʿī school would represent the most restrictive approach, generally limiting the use of sadd al-dharāʾiʿ and placing greater emphasis on outward legal forms and established legal certainty. Thus, while all four schools recognize the need to prevent means that lead to prohibited outcomes, their disagreement lies primarily in determining when the likelihood of harm becomes sufficiently significant to justify restricting an otherwise permissible act.

AI Companions, Artificial Intimacy, and the Application of Sadd al-Dharāʾiʿ

Preliminary Distinctions

Applying the preceding discussion to contemporary AI companions requires distinguishing between the technology itself and the uses to which it is directed. Artificial intelligence systems, regardless of their sophistication, remain tools rather than persons. They possess neither legal personality nor human status and therefore cannot be analogized to spouses, concubines, or any category of human relationship recognized by Islamic law. Consequently, the Qurʾānic discussions of marriage and mā malakat aymānukum pertain to human beings within a specific legal context and cannot be extended to artificial agents, robots, or computer programs.

From this perspective, the mere use of conversational AI, companion robots, or virtual assistants remains permissible in principle. Just as other technologies may be employed for education, productivity, information retrieval, entertainment, or assistance with daily tasks, AI systems may likewise be utilized for beneficial and lawful purposes. The legal discussion therefore does not concern AI as a technology, but rather particular uses of AI that may undermine objectives protected by the Shariʿah.

The empirical literature reviewed above demonstrates that AI companionship exists upon a spectrum. At one end are limited and occasional interactions that function as entertainment, information exchange, language practice, or assistance with everyday activities, uses that do not ordinarily raise significant legal concerns. At the other end are relationships characterized by emotional dependency, artificial intimacy, romantic attachment, and the substitution of AI systems for genuine human relationships. It is this latter category that requires evaluation through the doctrine of sadd al-dharāʾiʿ.

Mapping the Evidence onto the Juristic Categories

The central juristic question, as established previously, is not whether AI companionship ever produces harm but which of the four categories of *dharī'ah* the relevant conduct falls into. This question cannot be answered in the abstract; it requires consulting the empirical record with the precision the doctrine demands.

The evidence does not support placing ordinary AI companion use in the first or second categories, that is, it would be incorrect to say that conversing with an AI companion certainly or overwhelmingly leads to the harms identified in the literature. The OpenAI/MIT study explicitly reports that heavy affective use characterized a minority of highly engaged users, not the general user population. The De Freitas et al. experiment found no lasting harm for most participants and identified concentrated harm among a specific subgroup: socially isolated individuals. The Folk et al. longitudinal study tied escalating dependency to identifiable psychological predictors, high anthropomorphism and insecure attachment, rather than to AI use as such.

The evidence does, however, support placing deliberate cultivation of AI romantic or quasi-marital attachment, particularly among high-risk populations, in the third category: conduct that frequently leads to harm among identifiable groups and whose resulting harm outweighs its benefit in those cases. Three features of the literature establish this. First, the harms documented are qualitatively serious, implicating social isolation, distorted relational expectations, displacement of human relationships, and, in case studies, genuine psychological distress when artificial bonds are severed. Second, for the populations identified as high-risk (socially isolated individuals, insecure attachers, adolescents), the frequency of harm is sufficiently elevated to meet the threshold that the Mālikī and Ḥanbalī schools require for *sadd al-dharā'i'* to apply. Third, these harms directly implicate objectives, marriage, family stability, chastity, social cohesion, that the Sharī'ah regards as among its primary purposes.

For the general user population engaging in limited, non-romantic AI interactions, the evidence more closely resembles the fourth category: a means that may occasionally lead to harm but whose benefit outweighs its harm. In those cases, the doctrine of *fath al-dharā'i'*, opening the means, applies, and restriction is not warranted.

This population-specific analysis is not a departure from the classical methodology; it is demanded by it. Ibn Taymiyyah's framework explicitly conditions the prohibition of a means on a cost-benefit calculation, not on a blanket assessment of the act's form. Al-Shāṭibī similarly grounds *ma'ālāt* in what ordinarily occurs within particular social and customary contexts. When the empirical record shows that harm is concentrated among identifiable groups, the juristic response must be correspondingly targeted.

Marriage, Maqāṣid, and Artificial Intimacy

From the perspective of *maqāṣid al-sharī'ah*, marriage is not merely a mechanism for satisfying emotional or physical desires. Rather, it is an institution through which affection, mercy, mutual support, responsibility, procreation, family stability, and social continuity are realized. The Sharī'ah therefore places great emphasis upon protecting marital relationships and preserving the rights that spouses owe one another. Any phenomenon that substantially undermines these objectives becomes a legitimate subject of legal concern. The greatest concern raised by AI companionship is the possibility that artificial relationships begin to replace or compete with genuine human relationships. Unlike human beings, AI companions can be programmed to provide constant affirmation, immediate responsiveness, emotional validation, and simulated affection without requiring

compromise, sacrifice, patience, or mutual responsibility. Over time, this may distort expectations concerning intimacy and companionship, making ordinary human relationships appear comparatively burdensome. Contemporary research increasingly suggests that such dynamics may contribute to emotional dependency, social withdrawal, and reduced investment in real-world relationships.

These concerns become even more pronounced when AI systems are deliberately designed or utilized for romantic role-play, emotional exclusivity, or simulated spousal relationships. In such circumstances, the AI is no longer functioning merely as a tool but as a substitute for emotional functions that Islamic law directs toward human relationships and, in particular, toward marriage. The issue is not merely the absence of physical intimacy but the redirection of affection, emotional investment, companionship, and psychological dependence away from one's spouse or from lawful human relationships and toward an artificial substitute, a redirection that classical jurists addressing analogous concerns might reasonably have characterized as a form of relational harm to the spouse, even in the absence of physical contact.

The Case of Sexual Interaction with Humanoid Robots

The issue of sexual interaction with humanoid robots presents an even stronger case for restriction under *sadd al-dharā'ī*. Such conduct serves no recognized objective of marriage and risks reinforcing many of the harms identified above while further normalizing the separation of intimacy from genuine human relationships. While some jurists permitted certain forms of self-stimulation under strictly limited circumstances, such as necessity or genuine fear of falling into *zinā*, based on evidences discussed in classical works of *fiqh*, extending those narrow exceptional discussions to artificial humanoid partners represents a fundamentally different legal problem.

The concern is not merely the physical act itself, but the creation of an artificial substitute for marriage that may systematically undermine the objectives that marriage was instituted to realize: restraint of desire within a framework of mutual rights and responsibilities, procreation, family formation, and social stability. From the perspective of *sadd al-dharā'ī* under the *Mālikī* and *Ḥanbalī* frameworks, the cumulative harms associated with such practices appear considerably greater than any limited benefit that might be claimed for them, and the probability of those harms occurring is sufficiently high—particularly given the addictive design features of companion technologies—to place such conduct well within the zone of preventative restriction under all four schools that accept the doctrine in some form.

The Complementary Role of *Fatḥ al-Dharā'ī*

A complete juristic analysis requires engaging seriously with the complementary doctrine of *fatḥ al-dharā'ī*. For certain populations, AI companionship may function as a legitimate means toward beneficial ends rather than a substitute for them. Elderly individuals experiencing isolation, persons with disabilities that limit social engagement, and those recovering from social anxiety or grief may derive genuine and substantial benefit from limited AI companion interaction. In such cases, Ibn Taymiyyah's framework directs the jurist to keep the means open, because the benefit outweighs the harm.

This population-specific application of *fatḥ al-dharā'ī* is not a concession but a juristic obligation: blocking a means whose benefit is preponderant is as much an error as opening a means whose harm is preponderant. The doctrine, properly applied, is neither a reflexive

prohibition machine nor a license for unrestricted access; it is a calibrated instrument for matching legal rulings to their actual consequences within specific human contexts.

What Kind of Legal Response Does the Doctrine Warrant?

At the level of individual religious guidance, the classical doctrine of *sadd al-dharāʾiʿ* clearly supports a fatwa advising Muslims against the deliberate cultivation of emotional or romantic dependency on AI companions, particularly for individuals who exhibit the risk factors identified in the empirical literature, social isolation, insecure attachment, adolescence, or prior relational trauma. Such a fatwa would follow the logic of preventing a means before the harm is established, which is the core function of *sadd al-dharāʾiʿ*.

At the level of institutional or regulatory response, the doctrine supports measures that platform operators, healthcare systems, and public authorities can take to reduce harm among high-risk populations, including age verification, mandatory usage disclosures, built-in limitations on the depth of emotional engagement the system encourages, and prohibition of design features that deliberately cultivate dependency or simulate exclusive romantic commitment. These measures target the mechanism by which harm is produced rather than the technology as such, and they correspond to the juristic practice of restricting means at the point where they most reliably lead to prohibited outcomes.

At the level of general prohibition, the doctrine does not, on the current evidence, support a blanket prohibition on AI companion use for the general population. The evidence does not show that ordinary use predominantly or invariably leads to the harms described in the literature; it shows that specific uses among specific populations do so. A blanket prohibition would therefore block means whose benefit outweighs their harm for the majority of users, which the doctrine of *fath al-dharāʾiʿ* prohibits as clearly as *sadd al-dharāʾiʿ* prohibits leaving harmful means open.

Conclusion

The emergence of AI companions and artificial intimacy presents a novel technological phenomenon but raises legal and ethical questions that are deeply rooted in longstanding principles of Islamic jurisprudence. While artificial intelligence itself represents a new development, the underlying issue, the relationship between permissible means and prohibited ends, between individual benefit and collective harm, and between the preservation of human dignity and the consequences of technology, falls squarely within the domain that the doctrine of *sadd al-dharā'ī* was developed to address.

This study has advanced the analysis in four respects. First, it has presented the empirical record of AI companionship with the precision that juristic analysis requires, distinguishing between harms that are universal, harms that are population-specific, and features of the evidence that remain genuinely uncertain. Second, it has traced the doctrine of *sadd al-dharā'ī* through all four Sunni schools, demonstrating that the true point of disagreement is not whether the doctrine exists but where the probability threshold for its application lies, a finding that maps directly onto the empirical question of how frequently and for whom AI companionship produces harm. Third, it has applied Ibn Taymiyyah's cost-benefit framework to that empirical record in a population-differentiated manner, distinguishing between ordinary AI use (governed primarily by *fath al-dharā'ī*), deliberate romantic or quasi-marital AI relationships among high-risk populations (governed by *sadd al-dharā'ī* under the Mālikī and Ḥanbalī frameworks), and sexual interaction with humanoid robots (warranting restriction under all schools that accept the doctrine in some form). Fourth, it has specified the kind of legal or institutional response the doctrine actually warrants at each level: individual religious guidance, platform-level design regulation, and the principled rejection of a blanket prohibition.

Underlying all of these conclusions is a principle that the classical jurists regarded as foundational: the Shari'ah came to realize benefits and complete them, and to prevent harms and reduce them. AI may assist human beings in many beneficial ways, and those benefits must be counted. But the capabilities that make AI companions psychologically compelling, their endless availability, their perfect responsiveness, their freedom from the demands of genuine reciprocity, are precisely the features that make them poor substitutes for the relationships through which the *maqāṣid al-sharī'ah* are realized. The challenge presented by AI companionship is therefore not merely technological but profoundly human: ensuring that tools designed to serve human flourishing do not gradually become substitutes for the very relationships upon which that flourishing depends. Islamic law, approached through its most sophisticated analytical frameworks, provides the resources necessary to meet that challenge, not through blanket prohibition, but through the careful, evidence-sensitive juristic balancing that the tradition has always demanded.

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And Allah knows best.

And may His peace and blessings be upon His prophet Muhammad.