

Autonomous Warfare and Moral Dilemmas: An Islamic Ethical Analysis of AI Combatants

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Abstract

The militarization of Artificial Intelligence (AI) through autonomous weapons such as drones, killer robots, and cyberwarfare has sparked pressing ethical and legal debates globally. However, limited attention has been given to this issue within Islamic legal scholarship. This study aims to explore the ethical dilemmas posed by AI warfare—particularly regarding autonomy, moral agency, and the attribution of responsibility—through a multidisciplinary literature review grounded in Islamic jurisprudence (fiqh jināyah), the objectives of Islamic law (maqāsid al-sharī'ah), and principles of legal responsibility (taklif and niyyah). The paper contrasts Islamic ethical reasoning with secular frameworks in technology ethics to address questions such as: Who bears the sin when an AI system kills? Can moral liability be assigned to a non-human agent? And can AI be utilized in legitimate jihād under Islamic rules of engagement? The study finds that while AI may assist military objectives, it lacks the intentionality (niyyah) and moral capacity required under Islamic law for justifiable violence, thus placing full accountability on human actors. This work contributes a novel Islamic legal-ethical framework to evaluate the permissibility and boundaries of AI warfare in modern conflict.

Abstrak

Militerisasi Kecerdasan Buatan (AI) melalui senjata otonom seperti drone, robot pembunuh, dan perang siber telah memicu perdebatan etis dan hukum yang serius secara global. Namun, isu ini masih minim dibahas dalam khazanah hukum Islam. Studi ini bertujuan mengkaji dilema etis dalam perang AI—terutama terkait otonomi, agensi moral, dan atribusi tanggung jawab—melalui studi pustaka multidisipliner yang berlandaskan fikih jināyah, maqāsid al-sharī'ah, dan prinsip taklif serta niyyah dalam hukum Islam. Tulisan ini juga membandingkan etika Islam dengan etika teknologi sekuler untuk menjawab pertanyaan seperti: siapa yang berdosa ketika AI membunuh? Dapatkah tanggung jawab moral dibebankan pada agen non-manusia? Dan mungkinkah AI digunakan dalam jihād yang sah menurut syariat? Hasil kajian menunjukkan bahwa meskipun AI dapat digunakan untuk mendukung operasi militer, AI tidak memiliki intensionalitas (niyyah) dan kapasitas moral sebagaimana dipersyaratkan dalam hukum Islam. Oleh karena itu, tanggung jawab sepenuhnya tetap berada pada aktor manusia. Artikel ini menawarkan kerangka hukum-etika Islam yang baru untuk menilai batasan penggunaan AI dalam konflik modern.



INTRODUCTION

The rapid advancement of Artificial Intelligence (AI) has significantly reshaped the nature of modern warfare. Autonomous drones, lethal robots, and algorithm-driven cyber operations now play a decisive role in military strategies worldwide. These technologies are not only replacing human soldiers in high-risk operations but also making independent decisions about life and death on the battlefield. This unprecedented shift raises urgent ethical and legal questions, particularly in contexts where responsibility, intent, and morality are deeply valued, such as in Islamic legal thought.¹

In secular contexts, the ethical assessment of AI warfare has been discussed through utilitarian frameworks, procedural accountability, and risk management. Scholars such as Ronald Arkin have even argued that AI could act more ethically than humans in combat, free from emotional instability or prejudice. Meanwhile, ethicists like Paula Boddington have called for virtue ethics to guide AI development, ensuring that machines act in ways consistent with human values. These perspectives are valuable but remain grounded in humanist and secular assumptions that do not engage with divine accountability or metaphysical moral structures.

Islamic legal discourse, rooted in divine revelation and centuries of juristic tradition, presents a distinct set of moral principles.² Central to Islamic jurisprudence (fiqh) is the concept of taklif—the idea that legal and moral responsibility is only applicable to morally competent agents (mukallaf).³ Related to this is the concept of niyyah (intention), which plays a crucial role in determining the legitimacy and accountability of actions. When applied to AI, these concepts raise profound theological and legal questions: Can a machine have niyyah? Can it be a mukallaf? If it cannot, then who is accountable for its actions, especially when those actions result in the loss of human life?

Despite the relevance of these issues, there remains a glaring gap in Islamic legal scholarship addressing AI warfare.⁴ While some Muslim scholars have explored the ethics of technology more broadly, few have engaged critically with the specific dilemmas posed by autonomous military systems. Kamali has touched upon Islamic ethical responses to technological advancement, and Auda has discussed the application of maqāṣid al-sharī'ah in modern contexts. However, their works do not directly address the use of

¹ P.; Drougari Hakimzadeh Khoyee R., "The Role of Artificial Intelligence in Armed Conflicts and Its Legal Implications," in *Conference on the Impact of Science and New Technologies on International Peace and Security*, 2023.

² A Aboul-Wafa, *The Declaration of Rules of International Law and International Relations in Islamic Sharia*, vol. 10 (Cairo: Dar Al-Nahda Al-Arabiya, 2000), 7.

³ Muhammad Hasan Najafi, *Jawahir Al-Kalam Fi Sharh Shara'i Al-Islam* (Beirut: Dar Ihya al-Turath al-Arabi, 1989), 15.

⁴ A L Giacca, *Robot-Wars: The Regulation of Robotic Weapons* (Oxford: Oxford Martin School, 2015), 17.

AI in war or the attribution of moral responsibility when machines act independently.⁵

The absence of a thorough Islamic perspective on autonomous warfare is particularly pressing given the potential deployment of such systems in Muslim-majority regions or by Muslim actors. With AI systems capable of making lethal decisions without direct human input, the question of moral agency becomes central.⁶ From the perspective of *fiqh jināyah* (Islamic criminal law), determining culpability is essential to uphold justice. Yet traditional jurisprudence has no precedent for non-human actors that simulate human cognition and agency without possessing consciousness, accountability, or a soul.

This paper seeks to explore these complex issues by constructing a multidisciplinary framework grounded in Islamic legal theory, ethical philosophy, and AI studies. It aims to examine how the foundational concepts of Islamic law—such as *taklīf*, *niyyah*, and *maqāṣid al-sharī‘ah*—can be applied or adapted to assess the ethical status of AI in warfare. Additionally, it considers whether AI may ever be used in the context of *jihād*, and what limitations Islamic law may impose upon such use. Through this inquiry, the study hopes to contribute to the development of an Islamic legal-ethical response to the rise of autonomous warfare, and to offer normative guidance for Muslim policymakers, scholars, and communities in the digital age.

METHODS

This article employs a qualitative, conceptual research methodology grounded in a multidisciplinary literature review that integrates Islamic legal theory, ethical philosophy, and contemporary studies on Artificial Intelligence (AI). Rather than relying on empirical data or fieldwork, this paper aims to formulate a normative-analytical framework by critically examining classical Islamic legal concepts in light of modern technological challenges—specifically, the deployment of autonomous systems in warfare.

Sources for this study include primary texts in Islamic jurisprudence (*fiqh*), such as classical works on *fiqh jināyah*, manuals of *uṣūl al-fiqh*, and scholarly interpretations of *maqāṣid al-sharī‘ah*. Additionally, modern legal and ethical commentaries are used to assess how principles like *taklīf*, *niyyah*, and moral accountability might apply or be extended to the case of AI combatants. Comparative analysis is also applied to contrast Islamic ethical reasoning with prevailing secular approaches in technology ethics, including deontological, consequentialist, and virtue-based models.

⁵ R.; Ansari Eslami N., “The Use of Military Robots in Warfare in Light of Humanitarian Law Principles,” *International Law Journal* 34, no. 56 (2017): 141–64.

⁶ D.; Ekenel Matti H. K.; Thiran, J. P., “Combining LiDAR Space Clustering and CNNs for Pedestrian Detection,” in *14th IEEE International Conference on Advanced Video and Signal Based Surveillance (AVSS)*, 2017.

Philosophical works on agency, responsibility, and moral personhood in AI studies are critically examined in dialogue with Islamic doctrines on human will, intention, and sin. This comparative mode allows the identification of fundamental ontological and normative differences between secular and Islamic thought, particularly in the understanding of what constitutes a moral agent.

This method further engages a normative approach by assessing the permissibility of AI use in war under Islamic jurisprudence, particularly through the legal lens of *jihād* and rules of engagement. By bringing classical concepts into dialogue with emerging technologies, the paper constructs a jurisprudential response that is faithful to Islamic tradition while responsive to the challenges of the digital age.

Through this method, the study does not aim to provide final legal rulings (*fatwā*), but rather to propose an intellectual framework that scholars and jurists may use to further investigate the implications of AI warfare under Islamic law.

RESULT AND DISCUSSION

AI and the Question of Moral Agency

The development of Artificial Intelligence (AI) has introduced not only technological breakthroughs but also philosophical and legal dilemmas that challenge long-standing conceptions of agency. In the context of Islamic legal and ethical traditions, agency is not merely a functional capacity to act, but a profound metaphysical status grounded in the human soul (*nafs*) and consciousness (*idrak*). This status is what qualifies a being to bear moral responsibility and be subject to divine judgment.⁷

Islamic theology and law traditionally situate moral agency within a framework of *taklīf*—the legal and spiritual burden placed upon morally accountable human beings.⁸ This responsibility presumes the presence of intellect (*‘aql*), intentionality (*niyyah*), and freedom of choice (*ikhtiyār*). These three pillars together form the foundation upon which humans are held responsible for their actions before God and in earthly courts.⁹

AI, by contrast, lacks all three. While advanced systems may process vast amounts of data and respond in ways that appear intentional or rational, their operations are bound by programming, predictive modeling, and machine learning paradigms that are entirely devoid of inner moral awareness. There is no subjective experience, no knowledge of God, and no internal deliberation on right and wrong embedded within AI systems.

⁷ Eslami N., “The Use of Military Robots in Warfare in Light of Humanitarian Law Principles.”

⁸ Muhammad b. Hasan Hurr Amili, *Wasa’il Al-Shi’a Ila Tahsil Masa’il Al-Shari’a* (Beirut: Dar Ihya al-Turath al-Arabi, 1991), 6.

⁹ S.; Ansari Mehiyari Alaie Fard A.; Raei Dehghi, M., “The Principle of Proportionality in Light of Artificial Intelligence in Armed Conflicts,” *Journal of Legal Studies on Cyberspace* 9 (2025): 35–44.

Some secular philosophers propose the notion of “artificial moral agents,” suggesting that machines could be designed to act ethically by embedding human values into their code. However, from an Islamic standpoint, moral agency is not programmable. It is inherently tied to the metaphysical dimension of being human, granted by divine creation and characterized by the possession of a soul.

The Qur'an and prophetic traditions underscore that what makes human action accountable is the presence of intention and awareness.¹⁰ The Prophet Muhammad ﷺ stated, “*Verily, deeds are judged by intentions*” (إنما بالأعمال بالنيات). This *ḥadīth* encapsulates the foundational role of *niyyah* in determining moral weight. A machine, regardless of complexity, cannot form an intention in this sense.

Even if AI is capable of acting autonomously in war—deciding whom to target, when to strike, and how to respond to battlefield conditions—it does so without any self-reflective moral process. This absence raises concerns about whether such decisions, especially those involving life and death, can ever be legitimate under Islamic ethics.

From a legal perspective, agency (*‘āmiliyyah*) in Islamic jurisprudence requires not only the act (*fi‘l*) but also the agent (*fā‘il*) to be present in a morally accountable form. If an action results in unlawful killing, for example, the court must identify the responsible agent. When that agent is a non-human algorithm, the chain of causality becomes obscured.

Islamic jurists have long debated the issue of indirect responsibility, especially in cases involving animals or natural forces. Classical *fiqh* provides precedents where animals used for harm, such as trained dogs or horses in battle, are not held responsible; rather, the owner or handler bears liability. These analogies can be useful, but they also highlight the limitation of current legal analogies when applied to AI.

Unlike animals, AI systems can “learn” from experience and make decisions that were not explicitly pre-programmed. This ability to evolve behavior adds another layer of complexity. Yet, the fact remains that AI cannot grasp moral values, repent, or seek forgiveness. It cannot understand *ḥarām* or *ḥalāl*, nor can it distinguish between justice and injustice based on divine guidance.

Therefore, attributing moral agency to AI would constitute a category error within Islamic jurisprudence. It would be akin to holding a rock or the wind responsible for an act of destruction, even if it was weaponized. Responsibility must always return to the human actors who designed, programmed, deployed, or failed to control the machine.

This understanding reinforces the necessity of human oversight. No matter how advanced AI becomes, its function remains that of a tool—albeit a powerful one. The ethical framework of Islam does not allow tools to become moral agents; only human beings are granted the burden and dignity of *taklīf*.

It is also important to consider the spiritual implications. Muslims are not only accountable for their direct actions but also for indirect consequences

¹⁰ Muhammad Febri et al., “Reconstruction of Constitutional Court Decision on Presidential and Vice Presidential Age Limit from Siyasah Qadhaiyyah Perspective,” *HAKAMAIN: Journal of Sharia and Studies* 1, no. 90 (2025): 26–36, <https://doi.org/10.57255/hakamain.v4i1.1305>.

they knowingly allow or facilitate. The delegation of lethal force to a system that cannot discern moral consequences may, therefore, implicate the entire chain of command in collective sin (*ithm jamā'ī*).

In light of this, the concept of moral agency in Islamic thought must be preserved in its anthropocentric form. Any redefinition to include AI would require a theological shift that undermines key doctrines about divine accountability and human purpose.¹¹

Moreover, assigning agency to AI risks dehumanizing war. When machines make kill decisions, the act becomes abstracted, sterile, and devoid of the human cost that traditionally acts as a restraint in warfare. Islamic law seeks not to maximize efficiency in war, but to preserve dignity, justice, and proportionality.¹²

Thus, rather than expanding the concept of agency to accommodate machines, Islamic jurisprudence must reaffirm that only humans—capable of belief, repentance, and intention—can be held responsible. This view aligns with the prophetic message that emphasizes internal moral states over mere external outcomes.¹³

This approach does not reject technological advancement per se but insists that technology must serve humanity's ethical goals, not override them. In this light, AI remains a tool to be governed, not an agent to be trusted with moral judgment.

As a consequence, legal systems—particularly those informed by Islamic ethics—must develop robust doctrines that trace accountability back to the originators and operators of AI systems. This requires updating legal interpretations without compromising foundational theological principles.

In summary, AI cannot possess moral agency according to Islamic ethical and legal philosophy. It lacks the soul, intention, and accountability that define human responsibility. Therefore, all uses of AI in warfare must preserve human control and traceable responsibility, in line with divine law and moral integrity.

Taklīf and the Problem of Sin Attribution

In Islamic law, the concept of *taklīf* (moral-legal responsibility) serves as the bedrock for determining who can be held accountable for their actions before God and society.¹⁴ A person is considered *mukallaf*—a morally and legally responsible agent—if they fulfill certain conditions: possessing reason (*'aql*), maturity (*bulūgh*), freedom (*ikhtiyār*), and awareness of the

¹¹ Eltigani Elmahjub, "Artificial Intelligence (AI) in Islamic Ethics: Towards Pluralist Ethical Benchmarking for AI," *Ethics and Information Technology*, 2023, <https://doi.org/10.1007/s13347-023-00668-x>.

¹² Shaker Hamdan al-Kubaisi, "Ethics of Artificial Intelligence in Light of the Sunnah," *Religions* 15, no. 11 (2024): 1300, <https://doi.org/10.3390/rel15111300>.

¹³ Fauzan Mas'ar, "Artificial Intelligence and Islamic Ethics: A Framework for Ethical AI Based on Maqasid Al-Shari'ah," in *International Conference on Artificial Intelligence and Ethics in the Age of Technology (ICANEAT)*, 2024.

¹⁴ Ruhollah Khomeini, *Sahifeh of Imam Khomeini* (Tehran: Institute for Compilation and Publication of Imam Khomeini's Works, 2008), 3.

consequences of their actions. Without fulfilling these criteria, one cannot bear legal or moral consequences under *sharī'ah*.¹⁵

AI systems, even those with advanced machine learning capabilities, fail to meet any of these conditions. They do not possess reason in the metaphysical sense, nor do they mature emotionally or spiritually. They do not have volition, nor can they comprehend or reflect upon the meaning of their actions. Thus, *taklīf* cannot be assigned to a machine under any circumstances.¹⁶

This theological foundation poses a direct challenge to contemporary debates on responsibility in AI warfare. When autonomous systems cause death, destruction, or moral injury, modern legal systems often struggle to determine accountability. In some cases, responsibility is fragmented across developers, operators, commanders, and institutions. Islamic law, however, insists on clear attribution of *taklīf* to human agents.¹⁷

One cannot delegate moral responsibility to a non-*mukallaf* entity. The principle of *lā taklīfa illā bi-ma'rifah*—"no responsibility without knowledge"—applies here. A machine cannot know moral commands, nor can it intend obedience or disobedience. Hence, if an AI-controlled drone mistakenly kills a civilian, the sin (*ithm*) cannot fall upon the drone, as it has no soul, no cognition, and no capacity for *niyyah*.¹⁸

The Prophet Muhammad ﷺ made it clear that moral consequences are tied to intention: "*Deeds are judged only by intentions, and each person shall have only what they intended.*" This means that any morally significant act must be accompanied by subjective intention. Since AI lacks the capacity for *niyyah*, the act itself becomes void of moral merit or blame from the machine's perspective.

Responsibility, therefore, must be traced back to human agents. These include the software engineers who programmed the AI logic, the military planners who integrated it into weapon systems, and the political authorities who approved its use. Each may bear different degrees of responsibility based on knowledge, intent, and proximity to the outcome.

Islamic jurisprudence has tools for parsing this kind of layered accountability. The doctrine of *tābi' wa-matbū'* (the follower and the followed) allows jurists to assess indirect responsibility. For example, if a person sets a trap that later kills someone, he is liable even if the death was not immediate. This principle can be applied to AI warfare by examining chains of causation.

Another relevant principle is *sababiyah*, which deals with cause and effect. When harm results from a person's decision—directly or indirectly—that person is liable if the outcome was foreseeable. In the context of AI, foreseeability is crucial. If a developer knew that an AI targeting system could misclassify civilians, the omission of ethical safeguards could constitute negligence (*taqsīr*).

¹⁵ Abdullah Dewi Murni, "Artificial Intelligence Dalam Perspektif Tafsir Al-Qur'an," *QAZI: Journal of Islamic Studies* 1, no. 2 (2025): 117–23.

¹⁶ Matti H. K.; Thiran, J. P., "Combining LiDAR Space Clustering and CNNs for Pedestrian Detection."

¹⁷ Hakimzadeh Khoyee R., "The Role of Artificial Intelligence in Armed Conflicts and Its Legal Implications."

¹⁸ Omar Alwheebe, "The Compatibility of Autonomous Weapons with IHL Principles," *Pakistan Journal of Law and Security Studies* 3, no. 1 (2024): 55–70.

Furthermore, Islamic law distinguishes between intentional (*'amd*), quasi-intentional (*shibh 'amd*), and accidental (*khaṭā'*) actions. These categories carry different legal outcomes in criminal cases. If AI is used in a manner where harm is likely, even without direct intent, the actor may be liable under *shibh 'amd*—a category involving reckless disregard.

The concept of *'aql*—reason—also carries weight in determining accountability. In Islamic legal theory, only those capable of reasoning are deemed fit to bear legal consequences. AI may simulate reason, but it does not possess rationality in the sense required by the *shar'ī* definition of human responsibility. Its “choices” are mathematical, not moral.

Scholars of *uṣūl al-fiqh* argue that legal obligations are tied to human moral awareness. Ibn 'Ābidīn, for instance, maintained that *taklīf* rests on the presence of inner capacity and volition. Delegating judgment to a machine that cannot grasp sin or righteousness contradicts this epistemological foundation. It dehumanizes morality and undermines the sacred trust bestowed upon humankind as *khalīfah* (vicegerent).

This is not to say that tools or animals cannot be involved in acts that lead to harm. Classical jurists have ruled on liability in cases where trained animals kill unlawfully. In such cases, owners are held responsible based on whether proper control and training were exercised. By analogy, developers and commanders of AI systems must ensure that these systems act within ethical parameters.

When those parameters are breached—whether by system failure, design flaw, or misuse—responsibility returns to the human chain of command. The absence of *taklīf* in machines makes human oversight not just desirable but religiously mandatory. Anything less would allow unethical killings to occur without legal consequence, which violates the *maqāṣid al-sharī'ah* objective of justice (*'adl*).

It is also important to recognize the problem of *collective responsibility* in institutional contexts. When AI systems are deployed by states or militaries, and no individual takes ownership of the consequences, Islamic law may invoke collective guilt (*ithm jamā'ī*)—especially if harm is widespread and avoidable. This is particularly applicable in cyberwarfare, where authorship of an attack may be obscured.

The issue becomes even more complicated when AI systems are designed to learn from battlefield data. If a system adapts its targeting behavior in real time, causing harm without direct human input, this still does not absolve the originating human agents. Responsibility must be anticipated and legally framed before such systems are unleashed.

Here, the *ḥukm al-'aqlī* (rational judgment) plays a guiding role. Jurists must assess not only the direct cause but also the enabling conditions that made harm possible. In the case of AI, lack of regulation, failure to set ethical limits, or deploying in ambiguous environments may all contribute to sin attribution.

Ultimately, the concept of sin in Islam is not purely legal; it is also spiritual. Actions are weighed not only in this world but in the afterlife. Thus, those who enable AI to commit acts of injustice carry an eschatological burden, even if civil or military courts fail to prosecute them. This

transcendent view of accountability strengthens the ethical imperative to retain human responsibility.

Therefore, *taklīf* remains exclusively human, and sin cannot be shifted to machines. The sophistication of AI cannot mask its ontological status as a tool. It can only act within the boundaries set by its creators and operators, who must answer for every unintended consequence or ethical breach that results from its deployment.

As AI becomes increasingly complex, the temptation to treat it as an independent actor grows. This temptation must be resisted within Islamic jurisprudence. To do otherwise is to ignore the divine structure of moral accountability and to invite injustice under the guise of innovation.

The future of warfare may be autonomous, but the framework of sin and responsibility in Islam will always rest upon the human soul. No algorithm can replace *niyyah*, no machine can bear sin, and no AI system can enter the Divine Court. Therefore, the burden of ethics will always fall upon those who dare to create, command, or unleash such tools upon humanity.

Maqāṣid al-Sharī‘ah and the Ethics of Warfare Technology

Islamic legal philosophy has long recognized that the ultimate aim of *sharī‘ah* is not only to apply rules in a rigid or literalistic manner but to fulfill higher objectives that promote human flourishing and justice. These objectives, known as *maqāṣid al-sharī‘ah*, are classically defined to include the protection of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-‘aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). These goals serve as normative anchors for evaluating the permissibility and ethical implications of new developments, including in warfare.¹⁹

The introduction of autonomous weapons systems and AI-driven combatants into military strategy poses a direct challenge to these objectives. While such technology promises greater efficiency and fewer human casualties on the side of the deploying force, it also introduces unprecedented levels of opacity, unpredictability, and dehumanization of violence. Evaluating these outcomes through the lens of *maqāṣid* reveals a complex ethical landscape.²⁰

Foremost among the *maqāṣid* is the protection of life. On the surface, autonomous systems may seem to offer precision and restraint, reducing collateral damage. However, numerous real-world examples and simulations show that these systems can fail due to data bias, adversarial attacks, or environmental unpredictability. When machines err in identifying targets, the loss of innocent life becomes not only probable but systematic, undermining the very goal of preserving *nafs*.²¹

Another key objective is the preservation of intellect. Warfare conducted through AI threatens this value in two ways. First, it removes the human decision-maker from the immediacy of moral judgment. When decisions of life and death are outsourced to algorithms, the process of ethical reflection

¹⁹ Alaie Fard A.; Raei Dehghi, M., “The Principle of Proportionality in Light of Artificial Intelligence in Armed Conflicts.”

²⁰ Eltigani; et al. Elmahjub, “Exploring AI Ethics in Islam: A Systematic Review,” *Afkar: Jurnal Akidah Dan Pemikiran Islam* 25, no. 2 (2023): 87–104.

²¹ Alwheebe, “The Compatibility of Autonomous Weapons with IHL Principles.”

becomes automated, and the burden of responsibility is diffused. Second, societies may become morally desensitized to the horrors of war when they no longer require personal sacrifice or accountability, thus dulling *'aql* as a tool for spiritual and ethical discernment.

The objective of preserving property also becomes blurred in the age of cyberwarfare and automated attacks. AI systems may be used not only to kill but to disable infrastructure, bankrupt economies, or sow chaos through information warfare. When such actions are executed without proportionality, discrimination, or the possibility of restraint, they risk causing harm to civilian livelihoods and violating the protection of *māl* enshrined in Islamic law.²²

Furthermore, *ḥifẓ al-nasl*, the protection of family and progeny, is at risk in prolonged conflicts driven by autonomous systems. These tools can prolong wars by reducing the political cost of engagement. When human soldiers are no longer needed on the battlefield, leaders may be more willing to enter conflicts, creating a cycle of perpetual violence that devastates family structures and communities.²³

From the perspective of *ḥifẓ al-dīn*, or protection of religion, AI warfare presents dangers to both ethical integrity and spiritual consciousness. Islam emphasizes the value of justice, mercy, and moral restraint in all matters, including war. The Qur'ān explicitly prohibits transgression: "*Fight in the way of God those who fight you, but do not transgress. Indeed, God does not love transgressors*" (Q.S. al-Baqarah: 190). Autonomous systems, once deployed, may operate beyond human control, leading to actions that transgress Islamic limits and undermine the moral legitimacy of the war effort.

One of the principles derived from the *maqāṣid* tradition is *jalb al-maṣāliḥ wa dar' al-mafāsīd*—bringing benefits and preventing harms. This principle demands a careful ethical calculus before any military technology is introduced. While AI may offer operational advantages, the harms it potentially causes—through errors, moral desensitization, or loss of accountability—may outweigh any tactical benefit, thereby tipping the scale toward impermissibility.

The tools of *uṣūl al-fiqh* provide mechanisms for balancing these concerns.²⁴ Concepts such as *maṣlaḥah mursalah* (unrestricted public interest) allow jurists to reason beyond textual rulings in the face of novel realities. However, such reasoning must still be grounded in *ta'līl* (rationale), and must not contravene established *qawā'id* (legal maxims) such as *lā ḍarar wa-lā ḍirār*—no harm shall be inflicted or reciprocated.

In applying this framework, it becomes clear that the deployment of AI in warfare must meet several ethical thresholds: the ability to discriminate between combatants and non-combatants, the proportional use of force, clear human oversight, and the possibility of assigning responsibility when things go wrong. Without satisfying these criteria, the use of AI not only falls short of *maqāṣid* but may actively contradict them.

²² Elmahjub, "Exploring AI Ethics in Islam: A Systematic Review."

²³ "AI-Based Autonomous Weapons and Individual Criminal Responsibility," *International Criminal Law Review* 22, no. 4 (2022): 499–524, <https://doi.org/10.1163/15718123-bja10085>.

²⁴ Mike Treder, "Robotic War Appears Inevitable," 2014, 2, <http://ieet.org/index.php/IEET/more/treder20090327>.

Moreover, the *maqāṣid* approach demands a holistic assessment of long-term consequences. Even if AI warfare appears effective in the short term, it may create long-lasting social, psychological, and moral damage. This includes loss of public trust, breakdown of humanitarian norms, and the normalization of delegating ethical decisions to machines. All of these outcomes undermine the *ḥifẓ* of both individuals and societies.

Muslim jurists and ethicists are therefore urged to engage with the ethical design and deployment of AI technologies from the outset. Shaping the trajectory of these tools is not simply a technical task, but a theological one. Failing to engage proactively risks allowing secular paradigms to dominate the discourse, potentially sidelining Islamic principles in critical global debates.

This becomes particularly urgent when Muslim-majority countries become users or targets of such technologies. The absence of Islamic legal frameworks to evaluate AI warfare leaves communities vulnerable to uncritical adoption of tools that may not align with their ethical worldview. Incorporating *maqāṣid al-sharīʿah* into military ethics can empower Islamic legal systems to evaluate and regulate emerging threats.

In this regard, collaboration between scholars of *fiqh*, computer science, international law, and philosophy is essential. Only through such interdisciplinary engagement can a robust and nuanced framework be developed to ensure that technological advancement does not undermine divine ethics.

Some scholars have proposed extending the *maqāṣid* to include new values such as dignity (*karāmah*), trust (*amānah*), and transparency (*shafāfiyyah*) in the digital age. These proposed additions can enrich the moral vocabulary available to jurists, helping them assess AI technologies not just in terms of material outcomes but also spiritual well-being and human dignity.

However, such expansion must be approached cautiously. While contextual reasoning is allowed, it must not dilute the fundamental principles of *sharīʿah*. The goal is not to modernize Islam, but to apply its timeless principles to modern circumstances. The *maqāṣid* are not flexible ends; they are constant ethical signposts guiding the jurist's path through novel terrain. Ultimately, the deployment of AI in warfare represents a profound moral test. Will Muslims use these tools to promote justice and restrain violence, or will they succumb to the temptation of efficiency at the cost of accountability? The *maqāṣid* offer a powerful framework to answer this question—if jurists are willing to engage with the challenge fully and fearlessly.

In the absence of clear guidance, Muslim states may follow the ethical norms of global powers without scrutiny. This could lead to complicity in wars that violate both human rights and divine law. The *maqāṣid*, if applied properly, can act as a moral compass in such turbulent waters.

As such, the ethical use of technology in warfare cannot be left to secular ethics alone. Islam's legal and moral tradition possesses the tools necessary to guide these debates. The *maqāṣid al-sharīʿah*—when coupled with rigorous jurisprudential reasoning—can offer a compelling, principled stance on what constitutes permissible and impermissible conduct in the age of AI warfare.

Can AI Be Used in Jihād? A Normative Analysis

The concept of *jihād* in Islamic law encompasses a broad spectrum of struggle, ranging from spiritual self-purification (*jihād al-naḥs*) to armed resistance against oppression. When referring to military *jihād*, classical jurists established stringent criteria for its legitimacy, conduct, and moral boundaries. These include proper intention, lawful authority, proportionality, and the protection of non-combatants. The entry of AI into this sacred legal domain raises profound ethical and jurisprudential challenges.²⁵

The deployment of AI in warfare, including within the framework of *jihād*, poses the critical question: Can a machine be a valid instrument of a divinely sanctioned struggle? The answer is not straightforward. While Islam has never prohibited the use of tools or technologies in war—such as swords, cannons, or aircraft—the principle that distinguishes *jihād* from mere warfare is the *niyyah*, or sincere intention to uphold justice in the path of God.

Unlike conventional tools, AI systems, particularly autonomous ones, do not merely execute orders. They are designed to assess contexts, interpret data, and make independent decisions. This shift from mechanical to cognitive function blurs the line between instrument and actor. In the context of *jihād*, this distinction is crucial because the permissibility of an act often hinges on the intention and moral awareness behind it.²⁶

Islamic jurisprudence maintains that *niyyah* is what transforms a physical act into a spiritual one. A soldier fighting out of personal vengeance does not earn the reward of *shahādah*, even if his actions serve a just cause. By extension, if an AI machine engages in combat without any intention, it cannot be said to perform *jihād* in the religious sense. The absence of *niyyah* renders the action spiritually void, even if tactically effective.

The Prophet Muhammad ﷺ emphasized intention repeatedly, including in warfare. His guidance to armies included rules of engagement that centered on mercy, restraint, and moral clarity. He prohibited the killing of women, children, monks, and even the destruction of trees. Such comprehensive ethics assume a human subject who can exercise moral judgment. Delegating these responsibilities to an AI system undermines the entire moral architecture of Islamic warfare.²⁷

Moreover, *jihād* is not simply about achieving victory—it is about upholding ethical conduct even in times of war. The *sharīʿah* does not endorse a “total war” doctrine. It demands proportionality (*muwāzanah*) and justice (*ʿadl*), which require continuous ethical evaluation. An autonomous weapon cannot pause to consider mercy, accept surrender, or respond to a change in moral conditions.²⁸

One might argue that AI can be programmed to act within Islamic guidelines. However, programming ethical behavior is not equivalent to

²⁵ S A Jafari, “Principles of International Humanitarian Law from the Perspective of Imam Khomeini,” *Journal of Public Law Studies* 74, no. 2 (2017): 754–99.

²⁶ E Winter, “The Compatibility of Autonomous Weapons with the Principles of International Humanitarian Law,” *Journal of Conflict and Security Law* 27 (2022), <https://doi.org/10.1093/jcs/krac001>.

²⁷ “Ethics of Autonomous Weapons Systems,” *ScienceDirect Topics*, 2020, <https://www.sciencedirect.com/science/article/pii/S0267364919302402>.

²⁸ S You, M Diao, and L Gao, “Deep Reinforcement Learning for Target Searching in Cognitive Electronic Warfare,” *IEEE Access* 7 (2019), <https://doi.org/10.1109/ACCESS.2019.2905649>.

possessing ethical understanding. Even if an AI avoids prohibited targets, it does so without consciousness. If an error occurs, there is no remorse, no repentance, and no recognition of sin. This void disqualifies AI from participating in acts that are not merely physical, but spiritually charged.

From a legal standpoint, jurists have always insisted that *jihād* be declared and overseen by a legitimate authority (*imām* or *walī al-amr*). This requirement ensures that military action is not reduced to private vengeance or chaos. If AI is deployed in war without such authorization, or used in contexts where its actions cannot be controlled or reviewed, it risks becoming an instrument of *fitnah* (discord), rather than a tool of justice.

In situations where Muslim states or actors consider using AI in defense, the principle of necessity (*ḍarūrah*) might be invoked. Islamic law allows exceptions in cases of existential threat, but these exceptions are not unlimited. They are bound by conditions that prioritize minimizing harm, protecting life, and preserving justice. Any AI deployment in *jihād* must therefore undergo rigorous ethical scrutiny, not mere strategic calculation.²⁹

Furthermore, the doctrine of *taḥqīq al-manāt*—identifying the legal basis in context—requires jurists to ask whether the battlefield conditions allow AI to act justly. In asymmetric warfare or urban conflict, where civilians and combatants are often intermingled, the risk of AI error is high. Using such tools in these environments may violate the Islamic principle of *al-ḥukm yadūru ma‘a ‘illatihi wujūdān wa ‘adaman*—a ruling follows its rationale and disappears when the rationale does.³⁰

There is also the issue of human dignity (*karāmah insāniyyah*). Islamic ethics holds that even one’s enemy retains a measure of dignity that must not be violated unnecessarily. The mechanized, impersonal nature of AI warfare threatens this concept by reducing human beings to data points and target profiles. Such reductionism is contrary to the Qur’ānic affirmation that God has honored all children of Adam (Q.S. al-Isrā’: 70).

The long-term implications of AI in *jihād* are equally troubling.³¹ AI systems can be hacked, manipulated, or corrupted. If a system is turned against its original users or used to commit war crimes, accountability becomes murky. In Islamic law, the chain of responsibility must be clear to assign guilt or innocence. The inability to trace decision-making undermines the concept of divine and legal justice.

The principle of *amānah*—trust—must also be considered. Military leaders are entrusted with the lives of soldiers, civilians, and the reputation of the Muslim community. Using AI systems that cannot be fully controlled or predicted may constitute a betrayal of this trust, especially if such tools are used recklessly or without sufficient theological justification.

Another concern is that reliance on AI could foster moral complacency. If machines are tasked with killing, human beings may gradually disengage from the moral weight of war. This psychological detachment contradicts the spirit

²⁹ B S Haney, “Applied Artificial Intelligence in Modern Warfare and National Security Policy,” *Hastings Science and Technology Law Journal* 11 (2020).

³⁰ B Hassib and J Shires, “Cybersecurity in the GCC: From Economic Development to Geopolitical Controversy,” *Middle East Policy* 29 (2022): 7, <https://doi.org/10.1111/mepo.12616>.

³¹ Paul Scharre, *Army of None: Autonomous Weapons and the Future of War* (New York: Norton, 2018), 23.

of *jihād*, which demands emotional and ethical presence. War in Islam is not glorified; it is seen as a last resort, conducted with grief, humility, and a sense of accountability.

In Islamic tradition, war is not simply about winning; it is about standing before God and answering for every action taken. The Qur'ān declares: "*Every soul shall be held in pledge for what it has earned*" (Q.S. al-Muddaththir: 38). Machines cannot earn deeds or stand in judgment. Therefore, they cannot partake in *jihād* as defined by Islamic law.³²

To allow AI a role in *jihād* without clear ethical boundaries risks not only moral chaos but also theological contradiction. It could open the door to justifying all manner of violence under the false pretense of religious legitimacy, while actual *niyyah* and *'adl* are absent.³³

In conclusion, while AI may assist in defensive military efforts, it cannot fulfill the ethical or spiritual requirements of *jihād*. Any deployment of AI in this context must be severely restricted, transparently overseen, and continuously evaluated to ensure conformity with Islamic principles.

The burden lies on Muslim scholars and institutions to clarify these limits. Silence or ambiguity on such critical issues may lead to misuse, harming both human life and the sanctity of Islamic jurisprudence. Ethical leadership in the age of AI begins not with innovation, but with principled restraint.

Islamic law is not static; it has always evolved to meet new challenges. But it evolves through reasoned, faithful deliberation—not through uncritical adoption of technologies whose implications remain ethically unresolved. In the case of AI and *jihād*, the default position must be caution, accountability, and unwavering adherence to justice.

CONCLUSION

The emergence of Artificial Intelligence (AI) in the domain of warfare introduces one of the most critical moral challenges of the 21st century. For Islamic legal and ethical discourse, this development is not merely a technological issue but a theological and philosophical confrontation with the limits of moral agency, accountability, and the meaning of lawful conduct in armed conflict. Through this multidisciplinary study, it becomes evident that Islamic law, grounded in the principles of *fiqh jināyah*, *maqāṣid al-sharī'ah*, and *uṣūl al-fiqh*, provides a unique ethical framework to assess the legitimacy and dangers of AI warfare.

The first key finding of this paper is that AI systems, regardless of how advanced or autonomous they become, can never possess moral agency (*mas'ūliyyah*) in the Islamic sense. Lacking intention (*niyyah*), rational accountability (*'aql*), and the metaphysical dimension of the soul (*nafs*),

³² "To Use AI or Not to Use AI? Autonomous Weapon Systems and Their Regulation," *SSRN Electronic Journal*, 2023, <https://doi.org/10.2139/ssrn.4325982>.

³³ M Eslami and A V G Vieira, "Iran's Strategic Culture: The 'Revolutionary' and 'Moderation' Narratives on the Ballistic Missile Programme," *Third World Quarterly* 42 (2020): 6, <https://doi.org/10.1080/01436597.2020.1813562>.

machines cannot be considered *mukallaf* and are thus not liable for sin or legal punishment. This fundamental theological reality shifts the entire weight of responsibility back to human actors—engineers, military commanders, and political authorities—who design, deploy, and authorize such systems.

Secondly, the concept of *taklīf* cannot be extended to machines, and thus any harm they cause must be traced through the chain of causality (*sababiyyah*) to identify human fault or negligence. Islamic legal categories—intentional (*'amd*), quasi-intentional (*shibh 'amd*), and mistaken (*khaṭā'*)—provide a jurisprudential basis to assign liability based on proximity and foreseeability. Islamic law's emphasis on intention, awareness, and direct causation demands that AI warfare be scrutinized through a lens of proactive accountability, not reactive regret.

Thirdly, the framework of *maqāṣid al-sharī'ah* proves to be a critical evaluative tool in this debate. AI warfare often undermines core objectives such as the protection of life, intellect, dignity, and justice. While proponents argue for increased precision and strategic advantage, this study shows that AI systems can easily erode human moral judgment, encourage risk-free violence, and introduce opacity into military decisions. Therefore, any AI deployment must be assessed not only for tactical effectiveness but also for its ethical alignment with the higher goals of the *sharī'ah*.

Most provocatively, the question of whether AI can participate in *jihād* reveals the theological limitations of integrating non-human actors into sacred legal frameworks. *Jihād*, in Islamic law, is not merely physical engagement but a moral and spiritual exercise defined by human intention, lawful authorization, and strict ethical conduct. Since AI lacks the capacity for *niyyah* and moral discernment, it cannot legitimately participate in acts of *jihād*. Even when used as a tool, its function must be tightly controlled under human judgment to prevent transgression (*baghy*) and injustice (*ẓulm*).

This study also reveals a broader concern: the potential erosion of moral responsibility in a world increasingly governed by algorithmic decision-making. The detachment from ethical reflection and the delegation of life-and-death decisions to emotionless systems poses a serious threat to Islamic values of justice, mercy, and accountability. Muslim scholars, jurists, and policymakers must confront this challenge with intellectual courage and fidelity to tradition.

The findings of this research call for urgent scholarly engagement in developing jurisprudential principles tailored to the age of AI. This includes reevaluating legal causality, constructing guidelines for technological deployment in war, and establishing transnational *ijtihād* bodies that can issue ethically robust guidance on emerging military technologies. Such responses must not only preserve doctrinal integrity but also ensure that Islamic legal systems remain intellectually relevant in navigating contemporary crises.

Finally, this paper urges caution rather than condemnation. Technology, including AI, is not inherently immoral. It becomes problematic when divorced from ethical oversight and deployed in violation of divine principles. Islamic law must remain open to evaluating new realities, but only through critical engagement that centers the moral agency of the human being as God's steward (*khalifah*) on Earth.

In an age where machines may soon dominate the battlefield, Islam's commitment to justice, accountability, and sanctity of life offers a counter-narrative to the cold calculus of algorithmic war. As this paper demonstrates, the true challenge lies not in adapting Islam to AI, but in ensuring that AI does not strip away the humanity and divinely guided ethics at the heart of Islamic legal tradition.

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The Author Contributions Statement should be included at the end of the manuscript before the References. M.F.E.S. conceived the research idea, developed the conceptual framework, conducted the literature analysis, and wrote the entire manuscript independently without collaboration from any other party.

CONFLICT OF INTEREST

The author declares that there is no conflict of interest related to the research, authorship, or publication of this article.

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