

## Technological Innovation In Islamic Jurisprudence: Adapting To Modern Challenges

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### ABSTRACT

The development of information technology and digitalization in the 21st century has created new challenges and opportunities for Islamic law (fiqh). This study aims to analyze how the principles of ushul fiqh and maqāṣid al-Sharī'ah can be used as a basis for responding to technological innovations such as artificial intelligence (AI), smart contracts, blockchain, and other digital transactions. The research method used is qualitative-doxtrinal, with an analysis of sharia texts (Qur'an, Sunnah, ijma', qiyās) and contemporary fatwas from scholars and sharia authorities, combined with case studies of Islamic technology practices in several countries.

This study uses a qualitative-descriptive approach with a literature analysis method (library research) that examines classical and contemporary texts, including digital fatwas (fatwas), scientific journals, and Islamic legal practices in various countries that have implemented digital technology in their financial systems, such as Indonesia, Malaysia, and the Gulf States. It was found that Islamic law has sufficient methodological flexibility to respond to innovation, provided that the innovation does not conflict with fundamental Sharia values such as justice, transparency, security, and protection of individual rights.

### 1. Introduction

Technological developments in the 21st century have entered a very rapid and transformative phase, having a major impact on almost every aspect of human life. Technology has not only changed the way humans interact, work, and communicate, but has also given rise to new entities such as artificial intelligence (AI), blockchain, digital cryptography, fintech, and even genetic engineering, all previously undiscussed in classical legal literature. In this context, a major challenge arises for Islamic law (fiqh), as a legal system derived from revelation and the results of human ijtihad, to remain able to address contemporary issues in a relevant and applicable manner.

Islamic jurisprudence (fiqh) is flexible and dynamic, enabling mujtahids to conduct ijtihad in response to ongoing social and technological changes. Principles such as maslahah (benefit), istihsan (legal preference), and maqāṣid al-sharī'ah (objectives of Islamic law) provide room for the development of adaptive and solution-oriented laws. However, the complexity and rapid pace of change in modern technology present new dilemmas that cannot be easily resolved using traditional fiqh approaches alone. For example, how does Islamic law view the use of robots in worship, the halal-haram status of genetically modified foods, or the validity of contracts in a smart contract-based financial system on the blockchain?

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As we face the era of the Industrial Revolution 4.0 and even into Society 5.0, the role of Muslim scholars and intellectuals is becoming increasingly crucial in reexamining the methodology of *istinbat* (legal exploration) to suit the current context. This requires synergy between Islamic scholarship and contemporary science and technology. A multidisciplinary approach is needed that not only deeply understands religious texts but also comprehensively grasps the new realities emerging from technological innovation. Without this, Islamic law risks stagnation and losing its relevance to address the need of modern Muslims.

## **2. Literature Review**

### *2.1 The Concept of Maqashid Sharia*

The concept of Maqasid Syari'ah is to realize goodness while avoiding evil or attracting benefits and rejecting harm (*dar'u al-mafasid wa jalb al-masalih*), a term that is commensurate with the essence of Maqasid Syariah is *maslahat*, because Islam and benefits are like twins that cannot be separated by Paryadi (2021). Imam Al-Ghazali stated that all Islamic law is essentially established to safeguard five primary objectives: the protection of religion, life, intellect, lineage, and property. In practice, this concept serves as a guide in various aspects of life, including the formulation of public policy, economic development, and Islamic financial products. Thus, the application of Maqasid Syari'ah ensures that every decision or innovation taken is not only valid according to Islamic law but also benefits the wider community and protects them from potential harm (Al-Ghazali, 1993; Al-Shatibi, 2005).

### *2.2 Contemporary Technology Concepts*

Contemporary technology is cutting-edge technology born from the development of modern science and used to address human needs in today's life. This technology is dynamic, disruptive, and often changes the way people think, interact, and produce in society. Contemporary technology is the latest digital and automation-based systems and tools that are transforming the way people communicate, work, learn, and live socially." (Rahardjo, 2022.)

## **3. Methodology**

### *3.1 Types of research*

This research is a qualitative study with a juridical-normative approach. Juridical-normative research examines law as a living and developing norm (rule) in society, particularly in the context of Islamic law (*fiqh*) as it adapts to modern technological developments. "Juridical-normative research aims to examine the legal rules, principles, and principles applicable to resolving legal problems." (Soerjono Soekanto, 2018)

### *3.2 Research Approach*

Conceptual approach: used to understand the basic concepts of contemporary technology and the scope of *fiqh* (Islamic law), and Normative-theological approach: to analyze the postulates of *naqli* (Qur'an and Hadith), as well as the rules of *ushul fiqh* and *maqāṣid al-syarī'ah*.

## **4. Results and Discussion**

### *4.1 Contemporary Technological Developments and Their Relevance to Islamic Law*

Advances in information technology, artificial intelligence (AI), blockchain, and digital financial systems have created new challenges in various aspects of Muslim life, particularly in the areas of *muamalah* (transactions) and family law. This phenomenon requires a re-examination of classical *fiqh* texts to ensure their relevance in the modern context.

Concrete examples of these developments include:

- a. Digital transactions such as fintech and cryptocurrency
- b. Online marriages conducted without physical meetings
- c. Digital fatwas and AI-based Sharia law answering applications
- d. Halal products based on blockchain technology

Studies show that technological innovation has given rise to a "new reality" (*al-waqi' al-jadid*) that has not been explicitly explained in classical *fiqh* texts. Therefore, a new approach based on contextual *ijtihad* is needed.

#### *4.2 Fiqh's Response to Technological Innovation*

From an analysis of fatwas, contemporary fiqh books, and scientific journals, it was found that Islamic law has the flexibility to respond to changing times, as long as it adheres to the main principles of sharia.

a. Use of Maqāṣid al-Syarī'ah

Many contemporary ulama assess the phenomenon of modern technology through the maqāṣid al-syarī'ah approach - namely protecting religion, soul, mind, lineage and property.

b. Qiyās and Maslahah Methods

In cases not found in classical texts (nash), the qiyās (analogy) and maslahah mursalah (public benefit) methods are used.

### **5. Conclusion**

Contemporary technological developments have brought about major changes in various aspects of life, including in the context of Islamic law. Innovations such as artificial intelligence (AI), blockchain, fintech, digital transactions, and even online marriage have created new challenges not explicitly addressed in classical fiqh literature. Therefore, a more adaptive and contextual methodological approach is needed to respond to this phenomenon.

This research demonstrates that Islamic law (fiqh) fundamentally possesses the epistemological flexibility to adapt to changing times. This is demonstrated through the application of contemporary ijtihad methods such as maqāṣid al-syarī'ah, maslahah mursalah, and qiyās, which are able to bridge the gap between classical texts and modern realities.

However, real challenges remain. Limited technological literacy among some Islamic scholars, the lack of comprehensive regulations, and the emergence of disruptive technologies hinder the process of adapting Islamic law. On the other hand, the emergence of multidisciplinary collaboration between Islamic scholars, academics, and technology experts offers a potential solution to building a fiqh framework that is more responsive to innovation.

Thus, it can be concluded that technological innovation is not a threat to Islamic law, but rather an opportunity to revitalize ijtihad to ensure its relevance, contextuality, and benefit to the community. A collective commitment from sharia experts and technocrats is needed to continue developing Islamic law in line with current developments, without sacrificing fundamental sharia values.

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