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## Recontextualizing hadith on image prohibition to assess AI-generated images through Fazlur Rahman's double movement

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**Abstract.** The rapid development of AI image generation technology has produced more than 60% of digital visual content circulating online, yet Islamic jurisprudence has not provided contextual legal responses to this phenomenon. Traditional hadith-based prohibitions on depicting sentient beings face conceptual challenges when applied to AI-generated images, which are not created by human hands and lack intentionality, agency, or moral capacity. This article explores the legal status of AI-generated images using Fazlur Rahman's double movement hermeneutics to re-read the hadith corpus concerning image-making. Employing a normative-qualitative method and intertextual analysis, the study finds that AI cannot be classified as a legal subject (*mukallaf*) in Islamic law. Thus, legal responsibility lies entirely with the human user (prompt engineer), evaluated through the lenses of intention (*niyyah*), content, and social implications. The study offers a conceptual framework for Islamic legal judgment that aligns with the *maqāṣid al-sharī'ah* and ethical integrity while addressing the ontological shifts in representational media.

**Keywords:** Islam, AI-generated images, Hadith, Islamic law, hermeneutics, visual ethics.

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## Ре-контекстуализация хадиса о запрете изображений для оценки изображений, созданных ИИ, посредством «двойного движения» Фазлура Рахмана

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**Аннотация.** Стремительное развитие технологии создания изображений с помощью искусственного интеллекта привело к появлению более 60% цифрового визуального контента, циркулирующего в Интернете, однако исламская юриспруденция не дала контекстуальных правовых ответов на это явление. Традиционные запреты на изображение живых существ, основанные на хадисах, сталкиваются с концептуальными проблемами при применении к изображениям, сгенерированным искусственным интеллектом, которые не созданы человеком намеренно, свободно и поэтому не могут быть оценены с точки зрения морального действия. В статье исследуется правовой статус изображений, созданных искусственным интеллектом, с использованием герменевтики «двойного движения» Фазлура Рахмана, применительно к корпусу хадисов, касающихся создания изображений. Используя нормативно-качественный метод и интертекстуальный анализ, автор исследования пришёл к выводу, что искусственный интеллект не может быть классифицирован как субъект права (мукаллаф) в исламской религиозной юриспруденции. Таким образом, юридическая ответственность полностью лежит на пользователе-человеке (инженере-проектировщике), оцениваемом через призму намерений, содержания и социальных последствий. Исследование предлагает концептуальную основу для исламского правового суждения, которая согласуется с макасид аль-шариатом и этической интеграцией, а также с онтологическим сдвигом в репрезентативных средствах массовой информации.

**Ключевые слова:** ислам, изображения, созданные искусственным интеллектом, хадисы, исламское право, герменевтика, визуальная этика.

**Финансирование:** исследование не имело спонсорской поддержки (собственные ресурсы).

### Introduction

The current social phenomenon is the increasing use of AI-generated images by young Muslims in producing *dakwah* content, religious educational media, and even digital *mushaf* design. On one hand, this reflects technological advancement and adaptation; on the other, it creates unresolved ethical dilemmas. Research by [Gorian,

Osman 2024] shows that although governments such as Saudi Arabia and the UAE have established national Islamic digital ethics, users themselves still lack specific *fiqh* guidelines to assess the legitimacy of AI-generated images. Furthermore [Sitiris, Busari 2024], state that AI cannot be held legally accountable in Islam because it lacks moral intent (*niyyah*), thus placing the entire burden of recursive legal responsibility on the user. Meanwhile [Zuhri et al. 2024], emphasize that *maqāṣid al-sharī'ah* requires caution in the use of technology so as not to compromise 'aqīdah, intellect, and scholarly integrity. Amidst the normalization of digital imagery, the absence of contextual *fiqh* literacy leaves Muslim youth vulnerable to the misuse of visual representation, which historically has served as a gateway to *shirk*.

One of the most striking facts about the development of AI technology is that in recent years, over 60% of digital visual content circulating on social media and creative platforms has involved AI-generated images – whether in the form of illustrations, avatars, or visual deepfakes. A study by Ezieddin Elmahjub reveals that the use of AI without a normative ethical foundation has led to a “referential crisis”, where society is no longer able to distinguish between human-made works and algorithmic creations [Elmahjub 2023]. In the Islamic context, this is dangerous because it blurs the boundaries of *taṣwīr* that have long been upheld in the *ḥadīth* texts. Indeed Vahram V. Mghdesyan highlights that many 'ulamā' have not yet realized that AI can create hyperrealistic visuals resembling living beings – an act that, in classical *sharī'ah*, may be categorized as a form of *tashabbuh bi khalqillāh* [Mghdesyan 2024]. Unfortunately, there is still no *fiqh* consensus on whether such AI products fall under the strict prohibitions mentioned in the *ḥadīth*. This legal ambiguity exacerbates the unpreparedness of the Muslim community in confronting the post-representational visual era.

The study of AI ethics from an Islamic perspective is undergoing significant development, with a focus on integrating *maqāṣid al-sharī'ah* into the normative framework of digital technology [Elmahjub 2023] emphasizes the importance of a pluralistic approach to AI ethical evaluation, highlighting *maṣlahah* as a bridge between Islamic textual sources and contemporary needs. A similar approach is proposed by [Raquib et al. 2022], who outline an Islamic virtue-based AI ethics model to address bias and ethical threats from autonomous systems [Al-Kubaisi 2024] further refers to the *Sunnah* of the Prophet as the primary foundation for structuring AI ethics, including its design, purpose, and accountability of use. Meanwhile [Sitiris, Busari 2024], assess the *al-ahliyyah* of AI and conclude that AI does not qualify as a *mukallaf*, though responsibility may be indirectly imposed on users or regulators (*vicarious liability*). This body of literature generally adopts a principled-ethical or institutional *fiqh* approach but has yet to examine in detail the legal boundaries of classical *taṣwīr* within the context of AI-based digital representation.

Conversely, articles by [Gorian, Osman 2024] and [Nawi et al. 2023] focus more on the integration of digital ethics and privacy within national Islamic legal systems (Saudi Arabia and the UAE), yet do not address the *fiqh* implications of AI-generated visuals [Zuhri et al. 2024; Mghdesyan 2024] begin to explore aspects of visual representation within Islamic studies, including potential conflicts with the values of *wara'* and *ta'zīm al-shakhṣiyyah*. However, none of these studies propose a *ḥadīth*-based legal interpretive methodology such as the *double movement* hermeneutics of Fazlur Rahman.

This is the critical gap that this article seeks to address: offering a legal analysis of AI-generated imagery not only through the lens of technology and ethics but also via the recontextualization of *ḥadīth* texts concerning image prohibitions, examined through a *double movement* hermeneutical framework. Accordingly, this article presents a novel perspective in the field of Islamic legal-tech ethics – assessing AI-generated images within a *uṣūlī-ḥadīth* framework, rather than through functionalist ethics alone.

In the context of modern visual representation technologies – particularly those driven by artificial intelligence – a fundamental question arises: do AI-generated digital images fall within the legal scope of *taṣwīr* as addressed in the *ḥadīth*? Furthermore, who qualifies as the legal subject in the act of creation – is it the AI as an autonomous tool, or the user as the instructing agent? This article poses three core research questions: First, how can the *double movement* hermeneutical approach be applied to reinterpret the *ḥadīth* prohibition of *taṣwīr* in the context of AI-generated images? Second, can AI be classified as a legal agent within Islamic *sharī'ah*? And third, how are *fiqh* legal criteria to be established for image products generated by non-human, algorithm-based systems? The objective of this article is to construct a contextual legal assessment framework – one that considers not merely the visual form, but also the medium, the user's intent, and the social and spiritual consequences of its usage within Muslim societies.

As a foundational assumption, this article rests on three core arguments. First, that AI-generated images do not constitute *taṣwīr* in the classical sense, as they lack the elements of human intent and manual intervention that form the core of the *ḥadīth* prohibition. Second, that *sharī'ah* responsibility in this context remains with the user – not the machine – because AI lacks the capacity for *niyyah* (intent), volition, or reason, and thus cannot bear legal accountability (*taklifīyyah*). Third, the *ḥadīth* prohibiting *taṣwīr* are fundamentally contextual-issued in response to the cultural practices of idol worship and simulated creation of sentient beings, which carried profound theological implications. Therefore, in the modern digital context, Fazlur Rahman's *double movement* approach is essential for re-reading the *ḥadīth* historically (*first movement*) and reapplying it normatively within contemporary realities (*second movement*). These assumptions will be tested through analysis of the legal context, AI system design, and the role of human agency in producing visual representations in the present day.

## Method

This study adopts a normative-hermeneutical qualitative approach, with its primary methodology centered on *ḥadīth* textual analysis through contextual meaning reconstruction using Fazlur Rahman's *double movement* model [Arman 2024]. The research not only examines normative texts from classical *ḥadīth* compilations and juristic *fatāwā*, but also places these texts in active dialogue with contemporary realities – specifically, the emergence of AI-generated images. This hermeneutical approach is employed to reinterpret the meaning of the *ḥadīth* prohibition on *taṣwīr*, followed by the second movement: deriving normative significance in the present-day context. The *double movement* model is chosen for its ability to preserve the moral continuity of the texts while critically engaging with the challenges of changing times [Ridwan et al. 2022]. This research is also interdisciplinary in nature, combining perspectives from *fiqh*, *uṣūl al-fiqh*, philosophy of technology, and Islamic digital ethics in order to construct a holistic legal analysis.

The data sources in this research consist of two categories: primary and secondary. The primary data comprise *ḥadīth* of the Prophet Muḥammad (peace be upon him) concerning the prohibition of images and *taṣwīr*, drawn from authentic collections such as *Ṣaḥīḥ al-Bukhārī*, *Ṣaḥīḥ Muslim*, and *Sunan al-Nasā'ī*. The secondary data include classical works by scholars such as Imām al-Nawawī and Sayyid Muḥammad 'Alawī al-Mālikī, as well as recent international peer-reviewed articles indexed in Scopus that address AI ethics, *maqāṣid al-sharī'ah*, and the legal discourse on visual representation in Islam. Data collection was conducted through library research, employing textual examination, thematic categorization, and critical citation [Fenlon 2017]. The researcher also utilized a literature matrix tool to map the position of each discourse – both within the classical tradition and contemporary academic literature – in order to ensure the coherence of argumentation between normative sources and their contextual interpretations.

The data analysis technique employed in this study is both descriptive-analytical and interpretive-hermeneutical. First, a descriptive analysis is conducted on the textual formulations of the *ḥadīth* and the juristic opinions concerning the legal status of *taṣwīr*, followed by categorization based on ontological aspects (medium, form), epistemological aspects (intention, purpose), and axiological aspects (function of images). Second, the *double movement* hermeneutical analysis is applied to distinguish between the historical meaning of the image prohibition in the context of *Jāhiliyyah* society and its potential application to AI-generated images. Third, legal analysis is conducted with reference to foundational *fiqh* maxims such as *al-umūr bi maqāṣidihā* (matters are judged by their purposes), *sadd al-dharā'ī* (blocking the means to harm), and *al-aṣl fī al-ashyā' al-ibāḥah* (the default ruling on things is permissibility). This procedure yields a legal synthesis that is not merely literal, but responsive to the evolving nature of visual media and its agency structure. All analytical outcomes are then organized into a systematic argumentative structure aimed at formulating a legal conclusion that is contextual, proportionate, and academically accountable.

## Result and Discussion

### AI-Generated Images as a Modern Phenomenon

The development of artificial intelligence (AI)-based generated image technology has emerged as a global phenomenon over the past decade [Chen et al. 2022]. Since the introduction of models such as DALL-E by OpenAI, Midjourney, and Stable Diffusion, the world has witnessed a revolutionary leap in digital visual production [O'Meara, Murphy 2023]. This technology enables users to generate images using only text prompts – without requiring traditional artistic skills [Oppenlaender et al. 2024]. This transformation has occurred in parallel with advances in deep learning, particularly through transformer architectures and diffusion models, which have significantly enhanced AI's ability to comprehend context, artistic styles, and complex visual imagery. This phenomenon not only reshapes the creative industries but also opens new spaces for visual representation that were previously limited by physical media and human skill [Mahdavi et al. 2024]. Globally, this technology has been widely adopted across sectors including creative industries, education, advertising, and even politics and spirituality – demonstrating how AI has become a representational force shaping the visual culture of the modern world.

One of the fundamental aspects that distinguishes AI-generated images from traditional art is the absence of direct human hand involvement in the creation process. AI systems such as DALL-E and Midjourney do not paint, draw, or photograph in the conventional sense; rather, they analyze big data, process visual patterns, and synthesize images based on probabilistic calculations [Kimura 2017]. This marks an ontological shift: image creation is no longer dependent on human bodily movement, but instead on parameter weighting, latent space manipulation, and complex mathematical operations. This raises profound ethical and ontological questions: if an image is not made by a human, can it still be considered “human-made”? More critically, it challenges classical understandings of art and human endeavor (*ikhtiār*) in the act of creation. In Islam, this issue is significant as it touches upon the core elements of *niyyah* (intent), the identity of the creative agent, and the human role in shaping visual representation – all of which are central considerations in the legal discourse on *taṣwīr* [Hipple 2020].

The social implications of this technology are extensive. In the realm of art, AI-generated images expand the definition of creativity, sparking debates on copyright and originality. In social life, this technology is used in media content, educational visualizations, and even the creation of digital characters within the entertainment and gaming industries [Oppenlaender et al. 2024]. On the spiritual front, a new discourse has emerged regarding the use of AI-generated imagery in religious contexts – such as illustrated scriptures, visual *dakwah*, and even the creation of avatars depicting prophets – which has provoked sharp controversy [Singler 2020]. This transformation has ambivalent effects: while it opens new avenues for visual expression, it also raises concerns over the trivialization of religious symbols and breaches of propriety in visualizing sacred entities [Reed 2021]. This technology blurs the boundaries between representation, simulation, and reality, compelling religious communities – particularly in Islam – to respond with ethical and theological frameworks that are both adaptive and critically grounded.

Conceptually, the emergence of AI-generated images challenges traditional boundaries within Islamic law concerning *taṣwīr*. In various *ḥadīth*, the prohibition against depicting sentient beings is linked to the potential *tashabbuh bi khalqillāh* – the imitation of God’s creation. However, the historical context of this prohibition involved manual activities such as carving, painting, and sculpting, which explicitly entailed human artistic intent. AI technology intervenes in this boundary: is a program executing user commands considered a “creator,” or merely a tool? Does a textual prompt carry valid artistic intention (*niyyah*) from a *fiqh* perspective? This is where the urgency of a hermeneutical approach – particularly Fazlur Rahman’s *double movement* – becomes essential: to distinguish between the historical meaning of the prohibition and the modern context of visual creation by non-human entities. This opens new interpretive space regarding the legal status of AI-generated digital images, especially in the domains of visual ethics and the ontological nature of *khalq* (creation) in Islam [Mahdavi et al. 2024].

Technically, AI generates images through algorithmic processes based on statistical models and large-scale training. Models such as DALL-E are trained on billions of text-image pairs from the internet, enabling them to learn the semantic relationships between words and visual representations. When a user inputs a prompt, the model

accesses a *latent space* – a multidimensional vector space that represents visual features – to construct an image aligned with the given description. In diffusion models, the image generation begins with random noise, which is gradually transformed into a coherent image through guided learning. This process involves no consciousness, intent, or values, but rather a series of mathematical functions optimized through data and parameter tuning. This indicates that AI-generated visuals are emergent – not the result of artistic decisions, but the product of statistics, training data, and algorithmic design [Hipple 2020]. Therefore, the assessment of such images must take into account their algorithmic nature, rather than focusing solely on their final visual form.

### Historical Overview of Prophetic Period Images

The prohibition of images in Islam has strong roots in the *ḥadīth* of the Prophet Muḥammad (peace be upon him), delivered in various social and theological contexts. One of the most frequently cited *ḥadīth* states: “The people who will receive the severest punishment from Allah on the Day of Judgment are the image-makers” (*Ṣaḥīḥ al-Bukhārī*)<sup>1</sup>. This narration reflects a high degree of condemnation toward the act of depicting sentient beings. The censure in this text is not solely due to the visual form itself, but because it is perceived as an act of imitation or rivalry toward God’s creation. This prohibition is reinforced by another *ḥadīth* stating that those who make images will be commanded to breathe life into them – an impossible task for any human – thereby illustrating that such an act transgresses the human limit in attempting to replicate what is solely within Allah’s divine prerogative (*Ṣaḥīḥ al-Bukhārī*)<sup>2</sup>.

The social context during the Prophet’s time played a crucial role in the emergence of this prohibition. Pre-Islamic Arab society was deeply entrenched in idol worship, where statues and paintings were regarded as intermediaries to the divine. In the *ḥadīth* of Ibn ‘Abbās, it is explained that the origins of the idols of the people of Nūḥ – later adopted by the Arabs – such as Wadd, Suwā’, and Yaghūth, began as visual representations honoring pious individuals, which eventually transformed into objects of worship after the first generation passed away (*Ṣaḥīḥ al-Bukhārī*)<sup>3</sup>. This demonstrates the role of imagery as a mediating medium that could initiate doctrinal deviation. Thus, the Prophet’s rejection of images functioned as a preventive measure against symbolic deification – a historically proven phenomenon. In other words, within the Prophetic context, the prohibition is deeply rooted in the strict principle of *tawḥīd* and the safeguarding of representational forms that could potentially become conduits for *shirk*, thereby threatening the collective theological integrity of the Muslim community.

The prohibition of images can also be understood as a response to the dominant visual culture of the time, which was inherently sacred and ritualistic. Statues and images were not neutral elements in the lives of pre-Islamic Arabs; rather, they often served as mediums of worship. A *ḥadīth* stating that angels do not enter a house in which there are images or dogs (*Sunan al-Nasā’ī*) indicates that the presence of images invites spiritual misfortune and blocks divine mercy<sup>4</sup>. This highlights the spiritual dimension

<sup>1</sup> The text of the *ḥadīth* is taken from: Al-Bukhari 1990 a, no. 5950.

<sup>2</sup> See: Al-Bukhari 1990 a, no. 5951.

<sup>3</sup> See: Al-Bukhari 1990 c, no. 4920.

<sup>4</sup> See: An-Nasā’ī 2007.

of the prohibition: images are not merely visual objects but symbolic entities that may obstruct the presence of angels. This adds another layer to why the Prophet (peace be upon him) emphasized refraining from keeping depictions of sentient beings in living spaces – especially those that serve decorative or symbolically representational purposes. From this perspective, images are not morally or theologically neutral, but potentially disruptive to the spiritual atmosphere of worship and the pursuit of nearness to Allah.

From a theological perspective, the prohibition of image-making in Islam is categorized under two primary rationales: first, it is seen as an act of rivalry with God's creation (*tashabbuh bi khalqillāh*), and second, it holds the potential to become a means (*wasīlah ilā al-shirk*) toward idolatry. In a *ḥadīth* narrated from Ibn 'Abbās, the Prophet (peace be upon him) stated that the image-makers will be punished for their inability to “breathe life” into what they have created – implying a symbolic claim to creation<sup>5</sup>. In the context of *shirk*, the historical trajectory of idol worship shows that visual symbols often undergo a degeneration of meaning – from veneration to worship. Therefore, the prohibition functions as a theological safeguard to preserve the purity of *tawḥīd*. Not all images are categorically forbidden, but depictions of sentient beings within contexts that could give rise to polytheistic tendencies are the primary focus of this restriction.

Nevertheless, a contextual reading of these *ḥadīth* through a hermeneutical approach – specifically the *double movement* method – suggests that the prohibition is contextual rather than universal. When a man came to Ibn 'Abbās stating that image making was his livelihood, Ibn 'Abbās did not issue a blanket prohibition but instead advised him to depict trees or inanimate objects (*Ṣaḥīḥ al-Bukhārī*)<sup>6</sup>. This indicates a space for *ijtihād* and legal flexibility, contingent upon intent, context, and the type of subject depicted. Thus, in the Prophetic context, the prohibition was grounded in the protection of *'aqqidah* from the dangers of idolatry and symbolic claims to creation – not a categorical rejection of visual representation itself. This understanding is crucial in assessing the legal status of modern technologies such as AI-generated images, which, both in their technical process and user intent, are far removed from contexts of worship or the simulation of divine creation.

### Taswir According to Classical Scholars and Modern Digital Images

Classical Islamic scholars held firm views on *taṣwīr* – the act of depicting living beings, particularly humans and animals. Based on narrations and legal opinions developed within the Shāfi'ī school and others, the depiction of living creatures was considered an act of imitation of Allah's creation – a practice viewed as *mudāḥāt khalqillāh* (challenging or mimicking the act of divine creation). Imām al-Nawawī, in his *Sharḥ Ṣaḥīḥ Muslim*, asserts that drawing animate beings, regardless of the medium, is absolutely *ḥarām*, due to the severity of the prohibition in the *ḥadīth*. He made no distinction between images on walls, cloth, coins, or vessels [An-Nawawi 1930]. Scholars also made a clear differentiation: depictions of plants and inanimate objects were not considered forbidden. This legal stance was deeply influenced by the pre-Islamic context, in which the visual representation of living beings was closely tied to idol worship – thus forming part of a theologically cautious effort to safeguard the purity of *tawḥīd*.

<sup>5</sup> See: Al-Bukhari 1990 c.

<sup>6</sup> The text of the *ḥadīth* is taken from: Al-Bukhari 1990 b, no. 2225.

To distinguish between images that are *ḥarām*, *makrūh*, or *mubāḥ*, scholars such as Sayyid Muḥammad bin ‘Alawī al-Mālikī formulated specific criteria. In *Majmū’ Fatāwā*, he outlines five conditions which, if all are fulfilled, render the image unanimously prohibited (*ḥarām*): the image depicts a living being, is in complete form, is placed in a location of honor, possesses three-dimensional shadowing, and is not a children’s toy. If any one of these five elements is absent, then the legal status of the image becomes a matter of scholarly disagreement [Al-Hasani 1992]. From here emerges a more flexible space for *ijtihād*. For instance, some scholars consider two-dimensional images (without shadow) or those placed in degraded contexts (such as on doormats) not to reach the level of absolute prohibition. This view indicates that the legal status of images is influenced by their context and intended use, rather than solely their form. Nonetheless, Sayyid Muḥammad bin ‘Alawī al-Mālikī advises that refraining from producing or keeping such images is the superior course of action, as the virtue of *wara’* – religious caution – is a prudent step in safeguarding one’s faith [Al-Hasani 1992].

The emergence of AI-generated image technology presents a new form of imagery that cannot be directly equated with classical *taṣwīr*. Images produced by AI systems such as DALL-E, Midjourney, or Stable Diffusion are not created by the human hand, but by algorithmic systems trained on vast visual datasets [Oyasor 2024]. This raises a key question: do AI-generated digital images fall within the definition of *taṣwīr* as articulated in classical *fiqh*? Technically, AI images do not go through a manual illustration process as assumed in traditional legal rulings. In fact, such images can be generated without any personal artistic intent, as they are the product of code, textual prompts, and statistical logic executed by machines. In contemporary literature – such as the review by [Azisi et al. 2023] – there is a growing call for the contextualization of *fiqh* within modern digital spaces, in response to the evolving nature of media and agency in the act of creation.

The most fundamental differences between classical *taṣwīr* and AI-generated digital images lie in the medium, the creative agent, and the intended purpose. In classical tradition, the human hand is the active agent of creation – imbued with intention, skill, and deliberate effort. In contrast, in the case of AI-generated images, the machine serves as the technical executor, while the human acts merely as a prompt-giver [Korzynski et al. 2023]. This means that the agency of creation is distributed within a complex system that lacks consciousness or artistic intent [Kimura 2017]. Furthermore, the purpose of producing AI-generated images is typically directed toward design, illustration, and digital content – rather than serving as sacred objects or tools of veneration, as was the case with statues in *Jāhiliyyah* tradition. Thus, if one returns to the core rationale behind the *ḥadīth*-based prohibition—namely, the prevention of mimicking divine creation and the risk of *shirk* – it may be argued that AI-generated images are substantively different in terms of function, theological risk, and intent.

Therefore, a legal approach to AI-generated digital images cannot rely solely on the textual application of classical *fatwā*. What is needed is an approach that moves from an understanding of the historical context of the prohibition (the *first movement* in Fazlur Rahman’s hermeneutics) toward a contemporary examination of this new entity [Akbar 2020]. Although AI-generated images may visually resemble classical *taṣwīr*, they represent a significant epistemic and procedural shift. Digital images are not the product of personal expression or artistic intent in the classical sense, but

rather the output of computational systems that blur the boundary between creator and tool. Thus, *fiqh*-based assessment of AI imagery must take into account technical mechanisms, social contexts, and the intent behind their creation – not merely the final visual form. This marks the beginning of a space for deeper, contextual *ijtihad*.

### Legal Analysis of AI-Generated Images

Within the framework of Islamic law, the status of *subject of law* (*mukhaṭṭab*) is clearly defined: the entity must possess intellect (*‘aql*), will (*irādah*), and the capacity for moral responsibility. Therefore, AI cannot be classified as a legal subject in the context of *sharī‘ah*, as it lacks consciousness, intent (*niyyah*), and moral accountability [Oyasar 2024]. In line with the views of contemporary scholars in the field of technology ethics, AI is regarded merely as a tool (*wasīlah*), not as a legal agent (*mukallaḥ*). Consequently, the true subject of law in the use of AI-generated images remains the human user – particularly the prompt creator who determines the content and direction of the generated image. Hence, the application of *aḥkām al-sharī‘ah* cannot be directed toward the AI system itself, but rather toward the user who consciously issues visual commands or instructions [Faizin et al. 2025]. This underscores the importance of recognizing that *fiqh* rulings in the context of AI continue to be grounded in the classical principle of *taklīf*, which is inherently attributed to human agency.

The value of benefit (*maṣlahah*) and the potential for harm (*maḍarrah*) arising from AI-generated image technology must be evaluated objectively. In fields such as education, design, visual *dakwah*, and scientific simulation, this technology has demonstrably enhanced efficiency, reduced costs, and expanded access to new forms of expression [Buiten et al. 2023]. As illustrated in the study *Development of Artistic Digital Quranic Interpretation*, the use of digital visualizations can increase student engagement and comprehension of religious messages – provided they are presented within *sharī‘i* ethical boundaries [Madjid, Basalamah 2024]. On the other hand, this technology can also serve as a medium for disseminating *ḥarām* content – such as pornography, hate speech, or improper depictions of sacred figures – contrary to Islamic *adab*. Therefore, Islam’s position on this technology is not absolute (i.e., strictly *ḥalāl* or *ḥarām*), but rather *ta‘liqī* (conditional), based on the legal maxim: *al-umūr bi maqāṣidihā* – “matters are judged according to their objectives”.

In *fiqh*, the legal responsibility for using AI in image creation falls upon the individual who inputs the prompt. If the prompt instructs the AI to generate images that are prohibited by *sharī‘ah* – such as depictions of sentient beings, nudity (*‘awrah*), blasphemous symbols, or forms that imitate divine creation (*tashabbuh bi khalqillāh*) – then the act is deemed *ḥarām*. Likewise, if the image is used in contexts of veneration, idolization, or as a means that may lead to *shirk*, the user bears the sin based on intent and consequence [Zuhri et al. 2024]. However, if the image generated is neutral, general, or beneficial – such as architectural renderings, medical device schematics, or abstract visualizations – then there is no *sharī‘i* prohibition imposed on the user [Buiten et al. 2023]. Here, the legal maxim *al-aṣl fī al-ashyā’ al-ibāḥah* applies: the default ruling on things is permissibility, unless there is explicit or implicit evidence indicating prohibition.

In the context of abstract imagery – such as non-representational visuals or results from vague prompts that produce unclear forms – the default ruling is *mubāḥ* (permissible). However, in practice, AI-generated images may occasionally

depict sentient beings due to the system's misinterpretation of ambiguous prompts [Oppenlaender et al. 2024]. In such cases, the user is not held sinful, as the error falls under *ma'fū* (pardoned) actions in Islamic law. As stated in *Sūrah al-Aḥzāb* (33:5): “There is no blame upon you for that in which you were mistaken, but [only] for what your hearts intended”. Nevertheless, adopting a stance of *wara'* (religious caution) remains the superior practice – such as by clarifying instructions and ensuring the content does not violate *shar'ī* boundaries [Wazin et al. 2025]. Therefore, caution in the use of this technology becomes an essential ethical dimension, ensuring that AI does not inadvertently become a tool for undermining Islamic values.

Thus, it can be concluded that the legal status of using AI-generated images does not lie in the technology itself, but in the user and the intention behind its use. AI is a neutral tool, and its permissibility or prohibition depends on how it is employed by humans. This position aligns with the *second movement* in Fazlur Rahman's *double movement* hermeneutics – i. e., the adaptation of legal rulings to contemporary realities, grounded in the foundational principles of Islam. Accordingly, users of AI-generated images must understand the boundaries of *shar'ī ah*, avoid deviant visual content, and strive to maximize the technology's potential for *maṣlahah* (benefit) [Faizin et al. 2025]. Through this approach, *fiqh* functions not merely as a system of prohibitions, but as a moral and intellectual guide for ethical and intelligent engagement with modern technologies.

## Conclusion

This study finds that the legal discourse on *taṣwīr* in the *ḥadīth* is contextually rooted in the visual culture of the Prophet's time, wherein images and statues were frequently associated with acts of *shirk* (polytheism) and symbolic claims to divine creation. However, when these *ḥadīth* are reinterpreted through Fazlur Rahman's *double movement* hermeneutical approach, it becomes evident that the prohibition is primarily concerned with the function of representation and its potential for deviation, rather than the visual form itself. In the context of AI-generated images, the study concludes that the imagery produced by algorithmic systems does not involve direct human intent in the artistic process and therefore cannot be fully equated with classical *taṣwīr*. This research affirms that AI is not a legal subject (*mukallaḥ*) in Islam, but rather a tool. Consequently, the user – or prompt-giver – bears full *shar'ī* responsibility for the ethical value of the images produced, taking into account intent (*niyyah*), purpose, and the actual visual content generated.

The main contribution of this study lies in proposing a legal assessment framework for AI-generated images grounded in *uṣūl al-fiqh* and *ḥadīth* hermeneutics, rather than relying solely on general digital ethics. This article offers a novel synthesis between classical jurisprudence and contemporary technological challenges, demonstrating that legal rulings on AI-generated imagery cannot be based solely on visual form; they must address technical mechanisms, ontological structures, and the user's intent. The study further expands the discourse of visual *fiqh*, which has traditionally focused on conventional artistic media, by contextualizing it within the realm of algorithmic digital innovation. As such, this article not only enriches the corpus of Islamic legal literature in the technological era but also paves the way for a renewed methodology of interpreting religious texts concerning visuality and symbolic representation in the contemporary sphere. This methodological innovation provides a crucial

foundation for responding to the evolving discourse on AI ethics within the global Muslim community.

The strengths of this study lie in its interdisciplinary approach, which integrates *ḥadīth* studies, *uṣūl al-fiqh*, philosophy of technology, and Islamic digital ethics in a cohesive framework. The author effectively employs the *double movement* hermeneutic not only as a theoretical lens but also as an operational tool for reinterpreting *ḥadīth* texts and connecting them to modern phenomena. Another notable strength is the integration of primary Islamic sources with recent academic literature indexed in Scopus, resulting in an analysis that is both normatively grounded and contextually robust. However, the study's limitations include a lack of in-depth exploration of the psycho-visual dimensions of AI users, which could more intricately inform the aspect of *niyyah* (intention). Additionally, the absence of field data or direct interviews with users renders the findings more theoretical than practical. Nonetheless, these limitations do not undermine the argumentative strength of the article as a conceptual foundation for Islamic *ijtihād* on digital imagery in the modern age.

Future research is recommended to deepen the empirical dimension of AI-generated image usage in everyday Muslim contexts. Field studies involving Muslim AI users – whether in the production of *dakwah* content, educational design, or visualizations of religious texts – would enrich theoretical findings with concrete social realities. On another front, it is essential to develop a more responsive methodology within Islamic legal theory for addressing autonomous technologies based on machine learning, including applications involving audio, video, and 3D simulations. Interdisciplinary collaboration among scholars of Islam, technologists, and ethicists is also critical in producing *fatwās* grounded in both technical understanding and theological accuracy. Lastly, research on *niyyah* within human – algorithm interaction is increasingly important, as agency in digital systems is no longer linear. With such directions, Islamic law will remain alive, dynamic, and capable of responding to contemporary developments without compromising its normative integrity.

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