

INFERENCE IN THE GENERALITY OF TEXTS IN FINANCIAL TRANSACTIONS: AN APPLIED STUDY ON ARTIFICIAL INTELLIGENCE ENDOWMENTS

Dr. SAEED BIN AHMED SALEH FARAJ

Department of Fundamentals of Jurisprudence - College of Sharia - King Khalid University.

Dr. ALI ALI GOBAILI SAGED

Department of Al-Quran and Al-Hadith, Academy of Islamic Studies, University of Malaya.
Email: saged@um.edu.my

Dr. AHMED MOHAMMED AZAB MOUSA

Department of Fundamentals of Jurisprudence - College of Sharia - King Khalid University.

Abstract

Since the scripts are finite and the facts are infinite, this required that the texts come with qualities that are capable of the assimilation above, so they came with general and absolute flexibility in many of them. God Almighty made the Islamic law valid for every time and place, requiring it to absorb all developments until the day of judgment. To ensure that an incident would not go without a legal resolution, the successors of the prophets had to deduce from these passages' provisions for facts and developments. This research focuses on a significant aspect of this noble duty: the direct derivation of new issues from general scriptures. The main research challenge is inferring the generality of legal texts on contemporary financial transactions and applying this to the endowment of artificial intelligence applications. The researcher chose the endowment on artificial intelligence applications as the emerging issue to use in the research. The researcher followed an inductive and analytical approach and came to several conclusions, the most significant of which are the following: it is permissible to conclude what is included and excluded from general texts, to derive directly from them, and to draw legal conclusions about contemporary developments; adhering to the rule (The consideration is based on the general meaning not on the specific reason) open space for concluding the law; and the legitimacy of waqf in applications including artificial intelligence.

Keywords: Public, General, Financial Transactions, Endowment, Artificial Intelligence.

INTRODUCTION

The Honourable Sharia is valid for every time and place, and it comes with flexible general texts so that the mujtahid can derive from it in a way that suits the eras after the era of the message so that he can make it comprehensive of the developments that take place in an accelerating world with the interruption of revelation. Artificial intelligence and inference for that in the generality of the legal texts contained in the endowment section, so the legal researcher, when searching for the legal ruling on the developments of the era, searches in the legal texts before resorting to others. Then he moves on to other things that he infers, so the paper searches for the rule of reasoning in the generality of the texts in general and then the ruling on the endowment of the applications of artificial intelligence and deriving its wisdom from the general texts. This issue from the researcher's point of view is one of the essential contemporary issues because the endowment is the best door to social solidarity for its

continuity and because the applications of artificial intelligence save effort, money, and easy access to it. The main problem of the research lies in the ruling on deriving the legal order on contemporary developments by referring to the generality of texts, even if it has no precedent to deviate from and no basis for measuring against them. Its example is the legitimacy of the endowment on applications of artificial intelligence.

Significance of the Study:

The importance of this research lies in the following:

- 1) Emphasising that Sharia comprehends all contemporary financial transactions.
- 2) Renewal of direct deduction from the texts by deriving the ruling from the general legal texts.
- 3) The acceleration of the times and the widespread reliance on artificial intelligence applications.
- 4) The importance of resorting to social solidarity, especially the sustainable one, which is the endowment.
- 5) Opening areas for endowment, benefiting from contemporary development, and entering the world of artificial intelligence.

Aim of Study:

This research aims for the following:

- 1) Statement of the legal ruling to derive rulings from the general legal texts
- 2) Explain the nature of artificial intelligence applications
- 3) Clarify the nature of the moratorium on artificial intelligence applications
- 4) Eliciting the endowment ruling on artificial intelligence applications from the general legal texts

Research questions:

The objectives of this study can be fulfilled by answering the following questions:

- a) Can the ruling be deducted from the general legal text?
- b) What are the applications of artificial intelligence?
- c) What is meant by stopping the applications of artificial intelligence?
- d) What is the ruling on stopping artificial intelligence applications?

METHODOLOGY

In this paper, the researcher followed two approaches: inductive and analytical, where he searched for an approach to deal with contemporary financial transactions and the rule of deriving rulings from general legal texts, then he read the opinions of scholars on the issue and

analyze them to come up with a correct statement, then he will apply the case by deriving the endowment ruling on applications of artificial intelligence.

Search Structure:

This research consists of an introduction, three sections, and a conclusion.

The first topic is defining the research vocabulary

The second topic is the legitimacy of inferring the generality of texts on contemporary financial transactions.

The third topic deals with the general legal texts of the endowment on the applications of artificial intelligence.

Conclusion: it contains the results and recommendations.

The first topic is defining the research vocabulary

This topic deals with the definition of research vocabulary and will be organized in the following:

Firstly: Introducing general and generalism.

The general in the language is from the generality, which is the comprehensiveness. As for the terminology, the scholars differed in its definition, the most prominent of its purposes:

- The exhaustive pronunciation of all suitable for it according to one situation without limitation.
- It was said that it is “the expression denoting two things in general”.
- “The single word denoting from one aspect two things onwards” -
- “What is indicated by names, considering an issue in which participated in a strike.”
- “Every word encompasses two or more things in one way, one of which has no advantage over the other:

And all the definitions agree that the general is the encompassing of all that is suitable for it and what is correct to fall under it, and what is meant in this research is every term that is general and correct to be called on what is under it and is valid for it as public or absolute.

Secondly: The definition of the endowment:

The origin of the endowment in the language: imprisonment and prevention is said: the endowment of the animal if it is imprisoned and prevented from moving, and in the terminology: “detention of the origin and the means of benefit.

The endowment is a matter of donation and gifts, as it is a donation by the endower of the endowed property in a specific capacity, and it terminates the owner’s right to his property and prevents him from disposing of it by sale, gift, or other aspects.

Thirdly: Introducing the applications:

Applications plural application, matching the two things: equal, and try to apply the rule, which means experimenting and transferring it to the field of implementation, and from it the application, which means matching the verb with the verb, and the noun with the noun, and in terminology: they are programs that run on computers depending on one of the advantages so that they provide a service specific to its users.

Fourth: Defining artificial intelligence:

Intelligence in language: It is the speed of intelligence, the unity of the heart, so intelligence is the quick and complete of intelligence, and some of them defined it and said: It is "the speed of drawing results, and it was said: the light in the matter, and the speed of cutting with the truth." And it was said: "The intensity of the strength of the soul is prepared for acquiring opinions according to the language."

Artificial in the language: attributed to the artificial, from the verb made, which was made unnatural, it is said: an artificial flower, and an artificial heart.

As for the definition of artificial intelligence in the term (Artificial Intelligence), it is: "One of the fields of science and technology that has developed during the last thirty years and has relied in its development on many fields of knowledge, the most important of which are electronic engineering, computers, cybernetics, psychology, and especially what about the perception and mental operation of information, in addition to the specialized knowledge related to the fields of application.

The American scientist John McCarthy - the inventor of artificial intelligence - defined it as: "the science and engineering of making smart machines, especially smart computer programs, or: it is the branch of computer science that aims to create smart machines."

Some have defined it as: "the study of how to make computers do things that humans do better today."

In easy terms, we can define it as "a study of intelligent behavior in humans, animals, and machines, and it represents an attempt to find ways in which such behavior can be introduced to artificial machines."

The previous definitions summarise that they revolve around a meaning, which is the ability of a device or machine to think or act like humans. But late applications have tried to bypass human intelligence. Artificial intelligence can be defined as simulating optimal computer behavior (in terms of intelligence).

Artificial intelligence is either general or limited. General: the attempt to get a machine to perform human mental, physical, or emotional tasks successfully. Specific: a set of specialized systems that can handle limited tasks.

For example, some applications can master a specific game so that it is difficult for the person himself to overcome it, but they cannot defeat him in another game.

At the beginning of work on artificial intelligence applications, the game of chess represented an exciting challenge and a good example of intelligent human behavior. In one of the 1997 games, the computer called (Deep Blue) defeated the world chess champion (Gary Kasparov), but today Smart machines and intelligent applications can play chess and others better than it was.

Examples of current AI applications include email spam classification applications, Google Translate, Apple's Siri, Amazon Alexa, Microsoft's Cortana, speech recognition applications, untargeted ad classification, and prediction applications. Like Smart Write, it suggests to users the texts they can type in their messages.

Today, AI enters healthcare, aviation, transportation, media, energy, security, education, and entertainment.

Fifth: What is meant by the endowment on artificial intelligence applications:

From all of the above, what is meant by the endowment on artificial intelligence applications? It can be expressed as: allocating imprisoned money from those who hope for the good of the hereafter and making it in artificial intelligence applications that serve Islamic law and its purposes, so the application is treated as an endowment, and its financing is either from the same application if it is He has a return or an endowment for what he finances, and its benefit is for the endowed persons, based on the endowment's declaration and desire.

The second topic: the legitimacy of inferring the generality of texts on contemporary financial transactions.

What has been decided among the scholars of Sharia is that the Sharia texts are finite. The facts are infinite in the sense that the Sharia texts are confined to the Book and the Sunnah, and they are limited with the end of the time of the message after the death of the Prophet. May God's prayers and peace be upon him. A group of contemporary financial transactions, whether due to the acceleration of life or mixing with other nations, or for other reasons, and so that an incident is not devoid of a judgment of God Almighty in it, diligence is done in the incidents of the people of diligence in several ways, including analogy, including graduation, and from them the realization of the sent interest, including Adoption of approval, including striving to include the calamity in the generality of the legal texts, which is the bottom line.

The first requirement: The lesson is in the generality of the texts rather than about the download or the reason.

The second requirement: the application of the general texts of the Companions and after them.

The first requirement: The lesson is in the generality of the texts rather than about the download or the reason.

In the context of scholars dealing with the argument by the general textual evidence, they deal with a rule established by them: The lesson is in the generality of the word rather than in the specificity of the reason and its applications.

The inference is the following:

Firstly: The scholars did not differ that the general term encompasses everything that is validated by it, and they did not differ that if a general term is mentioned in the Shari'ah text, it indicates the validity of the stipulated ruling for all that individuals authenticate, unless specific evidence is established, and accordingly, the general text is not applied in the incident. The novelties fall under the word neglect of the text.

Secondly: The general term is a word from the Lawgiver that necessitates action, and what was mentioned in a dispute about the general and its actions is in its implementation as a matter of certainty or conjecture, and this is not the home of our research. We have - that this is the doctrine of the Hanafis, which is that the general necessitates judgment in all individuals under it definitely and with certainty, and as for the Shafi'is, they see the general in that it necessitates determination as well. Still, on the side of conjecture, not confidence, "Al-Shafi'i said: The general necessitate judgment, not on certainty", And the difference between the two teams is not in Is the year obligatory judgment? But in his thought or cut off and his opposition to the special.

Thirdly: It is inferred from the implementation of the general texts that the text indicates by its ruling on requirements that must be implemented, and it does not include its cause, so specifying it because of it needs to be corrected. You see that most of the incidents, such as zihhaar, li'aan, and so on, were restricted to reasons and were not specific to them.

Fourthly: Scholars made the general run on the general until a specific event came, so they stopped their work in a straightforward to deal with the clear for it, but it is not from the general allocation the reason for the text, but the reason for the text is one of the images that fall under the general. It is carried with us on its generality if it is independent for lack of contradiction, contrary to Al-Shafi'i and Al-Mazni, and if the reason falls within the generality is more appropriate than others. Most of our companions are on that, and on the authority of Malik, there are two narrations." The specificity of the reason does not fit an opposition because there is no contradiction between the word's generality and the reason's specificity.

And Sheikh Khallaf says: "If the Shari'a text is mentioned in a general form, then it is obligatory to act on its generality that is indicated by its formulation, and there is no consideration for the specific reason on which the ruling was based, whether the cause is a question or an incident that occurred because what is obligatory for people to follow is what is stated in the text of the Lawgiver. And the lawgiver's text was mentioned in the form of generality, so it must be acted upon in its generality and not consider the particularities of the question or the incident on which the text was based because the legislator's reversal in the text of his answer or his fatwa from specificities to expression in the form of generality is evidence that he does not consider those specificities.

Fifth: What indicates the implementation of the text with its evidence and not limiting it to its cause is that there are many texts mentioned in the context of a question, but they were received in a more general way than what the questioner asked, and the Prophet, may God's prayers and peace be upon him, did not speak out of desire, so it was necessary to implement the wording

without looking at the questioner or the reason for the question, he said. Al-Razi: “But if the answer is more general than what was asked about, then the truth is that the lesson is the generality of the wording, not the specificity of the reason, unlike Al-Mazni and Abu Thawr, who claimed that the specificity of the reason is specific to the generality of the wording.

Sixth: The consensus of the ummah is that the well-known verses revealed because of the verse of li'aan, zihar, theft, and others are not specific because of it but rather general in their wording, so they deal with what their wording covers. It's ruling, and no one said this generalization contradicts the original.

Seventh: If we concede, for the sake of argument, that the reason for the text is strong enough to oppose the legal text, then there is no doubt that the ruling is for the legal wording because the argument is in the language, not in the reason. Ibn Qudamah said: “The argument is in the wording of the Lawgiver, not in a sense: If it was more specific than the question, it is not permissible to generalize it for the generality of the question.

Eighth: We can invoke the obligation to act in generalities by consensus. Al-Bukhari said: “The invocation of generalizations is well-known on the authority of the generality of the Companions - may God be pleased with them - in the facts without censure on the part of anyone because they acted on the Almighty's saying:(Allah commands you regarding your children) [Surah Al-Nisa: 11] So they used it as evidence for the inheritance of Fatima - may God be pleased with her - until Abu Bakr - may God be pleased with him - said: (We, the prophets. We do not inherit what we leave in charity). And they fulfilled the saying of the Highest: (The adulteress and the adulterer) [Surah An-Nur: 2] (As for male and female thieves) [surah-Al-Maida: 38](And whoever is killed unjustly) [Surah Al-Israa: 33](And give up what remains of usury) [Al-Baqarah: 278](And do not kill yourselves) [An-Nisa: 29](And do not kill the prey while you are in the state of ihram) [Surah Al-Maida: 95] and other countless things in general.

Ninth: This is required by the Arabic language - and it is the one with which God Almighty addressed those charged with it - so if a master said to his servant who entered my house and gave him a dirham, and he offered to everyone who entered, the master could not object to him and admonish him for giving him one of the entrants, for any reason other than his entry into the house, so it is not valid for him to say I was given short and I wanted long, or black and I wanted white. Preventing the enslaved person from entering because he is tall or short, he would have deserved admonition and punishment from his master for his lack of perfect compliance.

All of this makes the researcher inclined to believe that a general Sharia text deals with each of the old images or the incident so that we can derive the ruling from it for the incident, provided that there is no provision, impediment, or restriction, and this is from the implementation of the Sharia text and works with it, and God knows best.

The second requirement: the application of the general texts of the Companions and those after them.

The general texts were acted upon among the honorable Companions and the scholars after them, and there is much evidence that we will limit ourselves to some of them:

- What Abdullah bin Umm Maktum understood, and he was blind, because of its inclusion in the general term: When the Almighty's saying was revealed: ("Those who sit (at home) are not equal among the believers") [Surah An-Nisa: 95] Ibn Umm Maktum said: O Messenger of God, how about those among the believers who cannot fight jihad? And the question of Abdullah, may God be pleased with him, indicates that it is included in the word believers, so God Almighty sent down what removes the generality and applies to those harmed by a special ruling.
- Invoking the general expression on the entry of the angels and Christ, peace be upon him, in His saying, the Highest, that you and what you worship ... the verse: When the Almighty's saying was revealed (you and what you worship besides God are the fuel for Hell) [Surat Al-Anbiya: 98], some of the unbelievers said: Today I deduct Muhammad - may God bless him and grant him peace - so he came and said: Is he, not the servant of the angels and the servant of Christ, so they must be among the Hellfire, so God Almighty revealed (those for whom our good precedents are far from it) [Surat Al-Anbiya: 101], so the unbelievers are Arabs who understand the language and its requirements and implications. The Prophet, may God's prayers and peace be upon him, as well as the honorable companions, protested them. Instead, they accepted their argument and waited until the allotment came from God Almighty.
- The Companions understood the generality of the term (those who believe): When the Almighty's saying was revealed: ("Those who believe and do not obscure their faith with wrongdoing") [Al-An'am: 82], the Companions said, "Which one did not wrong himself?"
- Omar's protest against Abu Bakr, may God be pleased with them: Omar, may God be pleased with him, invoked the hadith of the Prophet - may God bless him and grant him peace -: "I was commanded to fight people until they say: There is no god but God, so whoever says: There is no god but God, his money and his soul are protected from me, except by his right and his reckoning is with God." It was only when I saw God open Abu Bakr's chest to fight that I knew he was the truth. Abu Bakr did not deny Umar his argument for the generality of the wording but explained to him the interpretation of the wording.
- All the rulings that came for a specific reason were carried out by the Companions and the scholars after them in general terms and did not stand by them on their particular reason, an example of which is the Almighty's saying: (Those of you who estrange their wives by equating them with their mothers-they are not their mothers.) [Al-Mujadalah: 2]; The wording is general, and the reason for its revelation: that Aws bin Al-Samit appeared to his wife, and it was customary before Islam that if a man got angry with his wife and wanted to divorce her, he said to her: You are on me like my mother's back, and it was the first incident of zihar in Islam, so his wife went to the Prophet, may God's prayers and peace be upon him, to complain to him, and that he did not mention divorce. The Prophet, may God's blessings and peace be upon him, said: "I do not see you except that you have been forbidden

to him.” So she argued with the Prophet, may God’s prayers and peace be upon him, so God revealed his saying:(God has heard the statement of she who argued with you concerning her husband, as she complained to God. God heard your conversation. God is Hearing and Seeing) [Al-Mujadalah: 1]. All the scholars decide on this legal ruling. Whether in their fatwas or their books, the order on zihar is not specific because of its occurrence.

- The same is true of the incident of li’aan, which is mentioned in Surat Al-Nisa, according to the words of God Almighty: (As for those who accuse their spouses, but have no witnesses except themselves, the testimony of one of them is equivalent to four testimonies, if he swears by God that he is truthful) [Surah An-Nur: 6], which was revealed about Hilal bin Umayyah when he ejaculated his wife in the presence of the Prophet. May God’s prayers and peace be upon him. God bless him and grant him peace, but the ruling has continued to this day, according to the generality of the legal texts, and not to specify them because of their occurrence.

And the same is the punishment for theft contained in the words of God Almighty:(As for the thief, whether male or female, cut their hands as a penalty for what they have reaped- a deterrent from God. God is Mighty and Wise) [Surah Al-Maida: 95] The reason for its revelation is that a man stole the robe of Safwan bin Umayyah, so He brought him to the Prophet may God bless him and grant him peace The thief did not deny it, So the Messenger of God, may God’s prayers and peace be upon him, commanded his hand to cut-off. The fact did not specify the ruling, but the verdict was derived from the generality of the wording and continued.

The third topic: dealing with the general legal texts of the endowment on the applications of artificial intelligence.

Based on the preceding, we can deduce the legitimacy of the endowment on artificial intelligence applications if the legal texts deal with it in general. Hence, the endowment, in general, is legitimate in the Sharia. There is no specification for a specific field or in a particular area, and the legal texts that dealt with the endowment on artificial intelligence applications are of two types, general in doing excellent and specific in the endowment. We will briefly address the following:

First: General texts regarding doing good on its own or spending in general:

The Almighty said: (And whatever good they do, they will never be denied it, and God is All-Knowing of the righteous). [Ali-imran:115] (and do good deeds so that you may succeed.) [Al-Hajj: 77], and he also said: O you who have believed, spend the good things you have earned. [Al-baqarah:267] Many other texts indicate the doing of good, favor, and righteousness in their generality.

Endowment on artificial intelligence applications that serve the purposes of Sharia is one of the aspects of goodness and from righteousness, whose doer is praised, and dealing with the legal texts of this type of endowment on the truth side because it is a kind of goodness, righteousness, and favor, and therefore the endowment on artificial intelligence applications is considered among the righteousness, goodness, and popularity that the verse deals with.

Second: Special texts on waqf:

Let's look at the legal texts that came to urge the endowment and clarify its legitimacy and permissibility. We will find that they came with general texts for the purpose that we talked about, which is the finitude of texts and the infinity of facts, and we can stand on examples of these texts, perhaps the most prominent of which are:

The words of the Prophet, may God's prayers and peace be upon him: "If a person dies, his deeds cease from him except from three: except ongoing charity, or knowledge that benefits him, or a righteous son who prays for him." It makes the endowment on the applications of artificial intelligence included in the hadith, and it cannot be removed from this inclusion except with evidence.

- The Prophet, may God's prayers and peace be upon him, said in another narration: "Among the believer's deeds and good deeds after his death: knowledge that he spreads, a righteous son he left behind, a Qur'an that he inherited, a mosque that he built, a house for the wayfarer he built, a river that he ran, or alms that he gave from his money during his health and life, it catches up with him after his death." Our era is intelligent applications, and so it is said in "The Qur'an that he inherited" if the innovative application is to serve the Holy Qur'an, then the entry of intelligent applications into the world makes the endowment of innovative applications included in the text and not come out except with evidence.

Accordingly, the endowment on artificial intelligence applications that serve the purposes of Sharia law is legitimate. The evidence for it is the general texts in doing good, righteousness, and favor, and the general texts in the legality of the endowment, and God knows best. In conclusion of this paper, it is good to emphasize that the inference of the generality of the texts on contemporary financial transactions is appropriate for the modern era and the universality of the eternal message. The fields of worship have developed a lot, and the texts came with general rules. Therefore, scholars say that the texts are finite, and the facts are infinite, which is the advantage of the final religion. In general, and in the field of waqf in particular, and this is based on what was narrated on the authority of Imam Malik, may God have mercy on him, as "Sahnun asked Imam Abd al-Rahman bin al-Qasim: Have you seen that if he is imprisoned for the sake of God, which are the ways of God? If it is an animal, then it is in jihad, and if it is a yield of money, then it is in the status of what the ruler sees of the objects of charity." But with this, other types may enter the way of God, for God's paths are many, as he said.

RESULTS

Among the most important results of this research are the following

- Artificial intelligence applications are applications that are concerned with studying intelligent behavior in humans, animals, and machines, and it represents an attempt to find ways in which such behavior can be introduced to artificial devices.
- By the endowment of artificial intelligence applications, we mean the allocation of imprisoned money from those who hope for the good of the Hereafter and make it in the applications of artificial intelligence that serve.

- Islamic law and its purposes, so the application is treated as an endowment of endowments, whether in financing the application or in the endowment of the same application, and its benefit is for those who are entitled to it, based on the endowment's statement and desire.
- The deduction of legal rulings for contemporary issues and emerging developments are in several ways, including analogy on the verdict of a fixed legal origin and the graduation of actions on principles that have a stable ruling, including what came in this research of deriving the ruling from the general texts that deal with contemporary developments directly.
- One of the applications of this research is that the endowment on artificial intelligence applications is legitimate and permissible because it is included in the general legal texts urging spending, benevolence, and favor, and it is also dealt with in the particular endowment texts. God knows.

RECOMMENDATIONS

Several recommendations can be derived from the current study including:

- Seeking to invest endowments in artificial intelligence applications because they save effort and multiply results.
- Activate the reasoning in the generality of the texts to deal with many contemporary financial transactions; this means paying attention to other deduction areas.
- They are urging donors and directing them to the doors of goodness that accrue to their owners with an excellent reward, including the endowment of artificial intelligence applications.

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