



## AI-POWERED LEGAL EDUCATION AND PRACTICE: A CASE STUDY OF CHATGPT AND THE ISLAMIC LAW OF INHERITANCE

BY

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### Abstract

*This article explores the integration of ChatGPT into the study of the Islamic Law of Inheritance and its implications for legal education and practice. Although AI-powered tools like ChatGPT have the potential to revolutionize legal education and practice, their application in the context of Islamic Inheritance Law has been relatively unexplored. The research shows that while ChatGPT demonstrates a fair understanding of inheritance principles, it struggles to apply them accurately to cases and allocate shares consistently. Despite these limitations, ChatGPT proves to be a valuable tool in calculating and distributing estates when heirs are identified. Recommendations include further development, training, refinement of share allotment algorithms, addressing inconsistencies, and integrating ChatGPT with expert oversight. It concludes that failure to incorporate AI in legal education and practice is akin to ignoring reality a risky gamble for the future. Embracing AI is essential for navigating the complexities of inheritance in this digital age.*

**Keywords:** ChatGPT, Inheritance, Islamic Law, Heirs

### 1.0 INTRODUCTION

The existence and level of advancement of Artificial Intelligence (AI) is one of the greatest products of science and a remarkable one. The quest for its continual development is the trending scientific innovation that has taken humans by storm under its array of importance and relevance in almost if not all fields of life. AI is a broad field of computer science concerned with building smart machines capable of performing tasks that typically require human intelligence.<sup>1</sup> AI involves investigating intelligent problem-solving behaviour and

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creating intelligent computer systems.’<sup>2</sup> It deals with the creation of intelligent agents, which are systems that can reason, learn, and act autonomously.

AI in the world today has been implemented in two major channels; via virtual platforms like software programs or physical platforms such as robots, drones, machines etc. They have been used to do what humans can do and what humans cannot do. AI has been introduced to virtually all fields of human tasks and engagement such as transportation, test driving and driving, guard, diagnostic services, educational services, religious services and even legal services. The implications of this technological revolution are vast and far-reaching, affecting everything from the way we work to the way we live our daily lives to the way we learn, teach and even practise what we learnt.

One area where this transformation is especially crucial is education and more particularly legal education. Traditional legal education methods are being challenged by the need to adapt to the changing landscape of the legal profession and the demands of a tech-savvy generation.<sup>3</sup> In this context, there is a pressing need to rethink the mode of legal education to ensure that future legal professionals are equipped with the skills and knowledge required to thrive in an AI-powered world.

AI though a product of the modern world has a rich nexus with Islamic law which is a complex and multifaceted one. Islamic law has a long history of promoting innovation and technological development. This is evident in the work of Al-Jazari an Islamic Scholar often regarded as the father of robotics which is a testament to the long and rich history of Islamic engagement with AI.<sup>4</sup>

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<sup>1</sup> Sarker, I. H. (2022). AI-based modeling: Techniques, applications and research issues towards automation, intelligent and smart systems. SN Computer Science, February 10. Available at: <https://link.springer.com/article/10.1007/s42979-022-01043-x> (Accessed 11 August 2025).

<sup>2</sup> Wisskirchen, G. et al. (2017). Artificial intelligence and robotics and their impact on the workplace. IBA Global Employment Institute Artificial. p. 10.

<sup>3</sup> Roux-Kemp, A. L. (2021). A policy agenda for legal education and training and the Fourth Industrial Revolution: The case of England and Wales. Journal of Law, Technology and Trust, June 28. Available at: <https://doi.org/10.19164/jlitt.v2i1.1004> (Accessed 6 October 2023).

<sup>4</sup> Valery, J. P. (2017). Fathers of robotics: Ismail Al-Jazari. Science, Robot Ethics, 12 June. Available at: <https://www.robotshop.com/community/blog/show/fathers-of-robotics-ismail-al-jazari> (Accessed 6 March 2024).



One of the landmark achievements of AI amongst many others is the Large Language Model (LLM) is ChatGPT. It is an AI model trained on large amounts of text data to be able to understand and generate human-like language.<sup>5</sup> LLMs can perform various tasks like; generating texts, translating languages, Answering questions, Summarizing information etc Examples of LLM include ChatGPT, Bard now Gemini, and Perplexity AI amongst others. The rapid progress in this field is not only exciting but also holds great potential for revolutionizing various industries including legal education and practice. With continued advancements in LLM technology, we can expect even more groundbreaking developments in the future. It is in this vain that this current research wants to look at the application of the most popular of these models for the practice of Islamic law of inheritance in the name ChatGPT.

## **2.0 WHAT IS CHATGPT AND WHY CHATGPT?**

ChatGPT<sup>6</sup> is undoubtedly one of the most if not the most used LLMs which is a subset of Natural Language Processing (NLP). ChatGPT is an advanced model developed by OpenAI. It belongs to the family of Generative Pre-trained Transformers (GPT) models, which are designed to understand and generate human-like text based on vast amounts of pre-existing data.

ChatGPT, powered by OpenAI's cutting-edge technology, arguably represents the forefront of natural language processing capabilities. Trained on a diverse corpus of text data, ChatGPT has demonstrated remarkable proficiency in understanding and generating human-like text across various domains. Its ability to comprehend complex linguistic structures and generate coherent responses makes it an ideal candidate for analyzing and interpreting intricate legal texts, such as those found in the Islamic Law of Inheritance. By leveraging ChatGPT in the case study, it aims to explore the potential of AI-powered tools in facilitating the study and application of Islamic legal principles, providing valuable insights into the intersection of technology and legal practice.

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<sup>5</sup>Naveed, H. et al. (2023). A comprehensive overview of large language models. Available at: <https://arxiv.org/abs/2307.06435> (Accessed 23 February 2024).

<sup>6</sup> See OpenAI. ChatGPT. Available at: <https://openai.com/chatgpt> (Accessed 23 February 2024).



For this research, the ChatGPT 3.5 version is being used based on the reason that it is the free version that everyone has access to.

### **3.0 AI, LEGAL EDUCATION AND PRACTICE**

Legal education on its own is the process that empowers aspiring lawyers, judges, administrators, counsellors, and legal scientists with the knowledge of how the government's legislative, executive, and judicial branches are structured and function in society.<sup>7</sup>

AI systems have the potential to revolutionize legal education by providing innovative tools and resources for students and professionals. These systems can offer interactive simulations, case analysis, and personalized feedback, enhancing the learning experience and preparing individuals for the complexities of the legal field. Additionally, AI can assist in legal research by quickly analyzing vast amounts of data and identifying relevant precedents, saving time and improving accuracy in legal analysis.

AI-Driven Legal Research Assistants: AI-driven legal research platforms, chatbots, and virtual assistants provide legal professionals with instant access to relevant case law, statutes, regulations, and legal opinions, saving time and effort in manual searches.<sup>8</sup>

Legal Research Bots and Chatbots: Legal research bots or chatbots, like DoNotPay,<sup>9</sup> ChatGpt,<sup>10</sup> Bard now Gemini,<sup>11</sup> and Perplexity AI<sup>12</sup> can answer legal queries, assist with legal research, and even draft simple legal documents using AI-driven conversations.

### **4.0 AI UNDER ISLAMIC LEGAL EDUCATION AND PRACTICE**

The discussion on AI under Islamic Law is two-phased. The first phase relates to the legality of the use of AI and its products which will lead to the second phase which relates to how to address Islamic issues emanating from the use of AI entities. The legality of the use of AI can be premised on the context in which it is being used or its purpose. The general rule is that

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<sup>7</sup>Olubiyi, I. et al. (2015). The role of technology in the advancement of legal education and practice in Nigeria. *Afe Babalola University Law Journal*, 1, p. 2.

<sup>8</sup>Wilkinson, A. (2023). How AI is revolutionizing legal research. Kira Systems, 28 September. Available at: <https://kirasystems.com/learn/how-ai-is-revolutionizing-legal-research/> (Accessed 5 October 2023).

<sup>9</sup>DoNotPay. Save time and money with DoNotPay! DoNotPay. Available at: <https://donotpay.com/> (Accessed 6 October 2023).

<sup>10</sup>OpenAI. ChatGPT. Available at: <https://openai.com/> (Accessed 23 February 2024).

<sup>11</sup><https://bard.google.com/>

<sup>12</sup><https://www.perplexity.ai/>



the use of AI is permissible under Islamic law based on the fact that it is beneficial. Allah says in the Quran that he has made all good things lawful for humans.<sup>13</sup> This is also evidenced by the maxim '*Al aslu fil manafi al-Ibahawa fil madar at-tahrim*'<sup>14</sup> which means 'the general rule for matters of benefit is permissibility, and in matters of harm is prohibition.' There is a consensus among Muslim scholars that everything is permissible unless there is a clear (proof) to the contrary. This principle has some implications for Islamic law. For example, it means that: New things are generally considered permissible: Unless there is a clear (proof) to the contrary. This includes new technologies, new products, and new practices. The burden of proof is on the one who prohibits: The burden of proof is on the one who prohibits something to show that there is a clear (proof) from the Quran, Sunnah, or scholarly consensus to do so. There is a general preference for ease and leniency: Islamic law generally favours ease and leniency, and this principle is reflected in the default rule of permissibility.<sup>15</sup>

## 5.0 ISLAMIC LAW OF INHERITANCE (WHY INHERITANCE?)

Islamic law of inheritance is a unique branch of Islamic law called '*IlmuMirath*', *Ilmul-Fara'id*.<sup>16</sup> In discussing the field of education, there are ten major considerations which are meaning, contents, aim, root, benefits, founder, title or name, Sources, rules, cases or applications that should be considered.<sup>17</sup>

In consideration of its meaning, it is the Jurisprudence of inheritance and what relates to the shares of heirs.<sup>18</sup> In relation to its content within the multifaceted realm of Islamic education, *IlmulMirath* occupies a distinct position as the jurisprudential and mathematical framework governing inheritance distribution.<sup>19</sup> The core objective and aim of *IlmuMirath* lies in ensuring a just and equitable distribution of wealth among rightful heirs, granting each recipient their divinely ordained share. It is a course founded by Allah as revealed in the

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<sup>13</sup>Suratul Baqarah V 168

<sup>14</sup>Mustapha, S. (2020). The effect of advancement in ICT on the practice of Islamic law in Nigeria. Crescent University Law Journal (CRULJ), 5, p. 20. Available at: <https://www.cuab.edu.ng/7.-Mustapha-The-Effect-of-Advancement-in-ICT-on-The-Practice-of-Islamic-Law-in-Nigeria.pdf> (Accessed 5 March 2024).

<sup>15</sup> Ibid.

<sup>16</sup>Al-Khatraawiy, M. 'I. Al Zaa'idu fi 'IlmulFara'id. Madinah, Saudi Arabia: Darul Turath Publishers, n.d., p. 5.

<sup>17</sup>Ahdal, A. Y. M. (2007). 'I'anutul Taalib fil Bidayati 'IlmulFara'id. Dar Tauq Najaat, p. 11.

<sup>18</sup>Muhammad 'id (n 5), p. 5.

<sup>19</sup>Uthaymeen, M. S. (1983). TasheelulFara'id. Darul Taybah, p. 9.



Quran.<sup>20</sup> It is often called *Ilmulfara'id*, *IlmulMirath*, or *Ilmultarkah*. The sources are the Quran and Sunnah, *Ijma*.<sup>21</sup> Acquiring its knowledge is a collective obligation (*FarduKifayah*) which means that at least a member of a community must know it or else when the rule is wrongly applied everyone will be liable.<sup>22</sup> The application of this knowledge is the basis of this current research work.

Classical exegetes like Imam Qurtubi, a renowned scholar of the Quran, aptly recognized the pivotal role of inheritance law, declaring it "a pillar of the Islamic religion, a fundamental in Islamic law ruling/practice and the mother of the most important verses."<sup>23</sup> This statement underscores the profound impact of the law on both religious tenets and practical everyday life.

It is an important area of Islamic law that requires special attention at all times. MajlisUlama of South Africa asserted that 'Undoubtedly Meerath is a difficult subject with its numerous different cases, classes and categories being somewhat confusing.'<sup>24</sup> In explaining its importance the Prophet (S.A.W) said 'Learn about the inheritance and teach it, for it is half of knowledge, but it will be forgotten. This is the first thing that will be taken away from my nation.'<sup>25</sup> Allah attaches great importance to its study and practice as it is seen as strictly the right of Allah (*hudud*). Allah warns against tweaking any aspect of it against His commandment and promises chastising punishment for anyone who usurps another right.<sup>26</sup> Knowledge has been said to be divided into three branches under the Islamic law and they are the knowledge about the legal verses, the practices of the Prophet (S.A.W) and the distribution of estate.<sup>27</sup> Abu Musa a companion while reiterating the importance of Islamic law inheritance analogized that learning the Quran without inheritance is like having a head without a face. Umar (R.A) the second caliph after the death of the Prophet Muhammad (S.A.W) encouraged people to learn inheritance just as they learn the Quran. He was reported to travel to Sham modern-day Syria to teach people inheritance a year after

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<sup>20</sup>SuratulNisai v 11-14

<sup>21</sup>Ahmad Yusuf Muhammad (n 5), p. 11.

<sup>22</sup>Muhammad Salih Uthaymeen (n 6), p. 9.

<sup>23</sup>Sabuni, M. A. Al Mawarith fi Shari'iyatul Islam fi dauil Kitab wa Sunnah. Warul Haray, n.d., p. 15.

<sup>24</sup>Majlis Ulama South Africa (2006). Introduction on Meerath. Idara Ishaat-E-Diniyat, p. 7.

<sup>25</sup>Ibn Majah, I. M. Y. Sunan Ibn Majah. Vol. 4, Book 23, Hadith 2719. Sunnah.com Online Library. Available at: <https://sunnah.com/ibnmajah:2719> (Accessed 23 February 2024).

<sup>26</sup>SuratulNisai v 13-14

<sup>27</sup>Imam Muhammad bin Yazid (n 6), Vol. 1, Book 1, Hadith 54.



hijrah.<sup>28</sup> Zayd bn Thabit, Ali bn Abi Talib and Abdullah bn Mas'ud are some of the most learned companions in inheritance.<sup>29</sup>

## 6.0 BASIC CONCEPTS OF ISLAMIC LAW OF INHERITANCE

Islamic inheritance law stands as a complex and scrupulously regulated system within Islamic jurisprudence. Its unique rules, if not carefully applied, can significantly impact the distribution of an estate, potentially altering the designated shares of all heirs or even rendering certain individuals ineligible to inherit. This intricate framework rests upon three fundamental pillars which are the *Waarith* (heirs), *Muwarriith* (deceased/propositus) and *Mawruth* (estate/property).<sup>30</sup> The absence of any of these three pillars renders the distribution process impossible. Without *Waarith*, there are no individuals entitled to inherit. Without a *Muwarriith*, there is no estate to be distributed. And without a *Mawruth*, there are no assets to be divided among heirs. While the three pillars of Islamic inheritance law establish the foundational framework, specific conditions must be met before the distribution process can commence. These conditions, outlined in established legal texts and scholarly interpretations, ensure the legitimacy and fairness of the distribution process. The first is the clinical or legal death<sup>31</sup> of the propositus. The second is that the propositus must have been survived by the heir even if for a moment. This principle ensures that the estate is distributed only to those who outlive the individual who accumulated it. The third is the knowledge about the relationship and closeness of the heirs to the propositus.<sup>32</sup> The fulfilment of these three conditions is mandatory for the legitimate distribution of an estate according to Islamic legal principles. Failing to meet any of these prerequisites can render the distribution process invalid and potentially lead to disputes or injustices.

Once the fundamental pillars and essential prerequisites for inheritance distribution are established, the focus shifts to determining individual eligibility. Islamic law recognizes three distinct modes of connection that qualify an individual to inherit from a deceased person's estate. It is either the person is related to the propositus by blood (*Nasab*), by marriage

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<sup>28</sup> Al-Shafi'i, A. M. Ahkamul Mawarith. Al-Darul Jaami'iyah, Beirut, Lebanon, n.d.

<sup>29</sup> Ibid, 18-19

<sup>30</sup> Muhammad 'id al-Khatraawiy (n 5), p. 6.

<sup>31</sup> This relates to a person whose corpse is not found or a missing person. It will require the pronouncement of a court before a person can be assumed dead in this circumstance or the passing a stipulated number of years according to the opinion of the different schools of law.

<sup>32</sup> Muhammad Salih Uthaymeen (n 6), p. 18.



(*Nikkah*) or by emancipation (*wala*).<sup>33</sup> As for blood relationships, it is the most common and foundational mode of inheritance eligibility. It encompasses individuals directly related to the deceased by blood, including parents, children, siblings, grandparents, and descendants. In a marital relationship, only a valid and subsisting marriage at the time of the deceased's death establishes eligibility for inheritance for the surviving spouse.

While the three established modes of connection (*nasab*, *nikah*, and *wala*) generally determine eligibility for inheritance in Islamic law, certain situations or occurrences can act as impediments, preventing individuals from inheriting even if they possess a valid connection to the deceased. These impediments serve to uphold specific ethical principles and ensure a just distribution of wealth. One of these impediments is slavery based on the fact a slave and all his belongings are seen as the property of the master which is to be inherited.<sup>34</sup> It is important to note that the concept of slavery is no longer recognized in the modern world, and this specific impediment to inheritance is no longer applicable. Another situation that impedes the right to inherit is when an heir is responsible for the death of the *propositus* in line with the evidence in the *hadith*.<sup>35</sup> This rule will not apply to a person carrying out an authorized act of retaliation on someone who killed or a person who killed *propositus* in self-defence.<sup>36</sup> The rationale behind this impediment is to prevent individuals from financially benefiting from their wrongdoing. The third condition is the difference of religion and the opinion of the majority of scholars is that a Muslim cannot inherit a non-muslim and vice versa based on the *hadith* of the Prophet (S.A.W).<sup>37</sup> It is imperative to understand that these impediments are not absolute and may have specific exceptions or interpretations depending on the school of Islamic law followed and the specific circumstances of each case.

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<sup>33</sup> Al-Dahm, A. M. (2000). *Al-Fara'id. WaziratuShu'un Islamiyah wal Awqaf walDa'awatul Irshad*, p. 16.

<sup>34</sup> Saabuni, M. A. *Al-Mawarith fi Shari'iyatil Islamiyah fi dau'il Kitab wa Sunnah*, p. 42.

<sup>35</sup> The Holy Prophet Muhammad (ﷺ). *Lāyarithu al-qātil min al-mīrāth* ("The killer does not inherit from the estate"). Reported in *Sunan al-Tirmidhi*, *Hadith* 2109; *Sunan Abu Dawood*, *Hadith* 4564; *Sunan Ibn Majah*, *Hadith* 2731.

<sup>36</sup> Muhammad 'id al-Khatraawi. *Al Zaa'idu fi 'IlmulFara'id*, p. 9. According to the opinion of the Maliki School, which is predominant in Nigeria, it is only intentional murder that bars an heir from inheriting from the deceased (see Saabuni, M. A. *Al-Mawarith fi Shari'iyatil Islamiyah fi dau'il Kitab wa Sunnah*, p. 43).

<sup>37</sup> The Holy Prophet Muhammad (ﷺ). *Lāyarithu al-Muslim al-Kāfirwalā al-Kāfir al-Muslim* ("A Muslim does not inherit from a disbeliever, nor does a disbeliever inherit from a Muslim"). Reported in *Sahih al-Bukhari*, *Hadith* 6764; *Sahih Muslim*, *Hadith* 1614.





Furthermore, heirs can either inherit as a fractional/allocated sharer as contained in the texts or a residuary heir or as a distant kindred.<sup>38</sup> The fractional or allocated sharers are to take their share first and whatever remains is to be shared by the residuary heirs. The legal texts mention six fractional shares namely one-half (1/2), one-quarter (1/4), one-eighth (1/8), two-third (2/3), one-third (1/3) and one-sixth (1/6).<sup>39</sup>

Importantly, when a person is deceased, there are five hierarchical rights attached to his property including distribution of the estate. The first right is the removal of funeral expenses from his property.<sup>40</sup> This relates to the money expended in digging the grave, shrouding etc. This does not in any way bar anyone willing to take the responsibility on a charitable ground but it must not be imposed. The next in the hierarchy is the payment of debts or liabilities attached to the existence of the part or whole of the estate of the propositus such as mortgage and pledge.<sup>41</sup> The third right relates to payment of other forms of debts while the fourth involves the execution *wassiyahi*.e bequest and *Waqf* i.e endowment<sup>42</sup> which must not be to a legal heir or more than one-third of the property left by the testator.<sup>43</sup> The final step is the distribution of the estate amongst the legal heirs.

The designated share allocated to each heir is meticulously calculated based on their relationship to the deceased and the presence of other eligible heirs. This process adheres to specific principles, including the exclusion of distant relatives by closer ones, the prioritization of direct descendants and ascendants over their respective grand counterparts, and partial exclusion through share reduction in certain scenarios. For instance, a son will exclude brothers of the deceased from inheriting, the father will exclude the grandfather. Likewise, the availability of brothers will reduce the share of the mother to 1/6 from the initial 1/3 when the deceased is not survived by children.<sup>44</sup> As a matter of general rule, those who have a direct connection to the deceased cannot be totally excluded and they are father, mother, son, daughter, wife or husband.<sup>45</sup>

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<sup>38</sup> Al-Shafi'i, A. M. Ahkamul Mawarith, p. 60.

<sup>39</sup> SuratulNisai V 11-12

<sup>40</sup> Al-Khatraawi, 'id. Al Zaa'idu fi 'IlmulFara'id, pp. 5-6.

<sup>41</sup> Uthaymeen, M. S. Tasheelul Fara'id, p. 9. According to the opinion of the Maliki, Shafi'i, and Hanafi Schools of Law, debt attached to the existence of property ranks highest in the hierarchy and should be settled first.

<sup>42</sup> SuratulNisai V 11

<sup>43</sup> Hadith

<sup>44</sup> SuratulNisai V 11

<sup>45</sup> Uthaymeen, M. S. Tasheelul Fara'id, p. 51.



The male legal heirs according to the Islamic law of inheritance is by extension fifteen and are the Son, Son's Son (no matter how low), Father, Grandfather (no matter how high), Full-Brother, Nephew (both parents), Nephew (from father), Brother (from Father), Brother (from mother), Uncle (from father), Uncle (from both grandparents), Cousin (from father), Cousin (from both grandparents) Husband and Emancipated Male Slave.<sup>46</sup> The female heirs are 10 according to the consensus of scholars and they are daughter, granddaughter (no matter how low), mother, grandmother (no matter how high), grandmother from father, sister from both parents, sister from father, sister from mother, freeing female master and wife.<sup>47</sup>

Conclusively, Islamic Law of Inheritance issues are not left at the discretion of the Muslim but as ordained by Allah<sup>48</sup> and while complex strives for a just and equitable distribution of wealth after death. By understanding its core pillars, conditions, modes of connection, impediments, and principles of share allocation, one will be well-guided when distributing the estate of the deceased. The importance of understanding these concepts will be apparent while examining the use of ChatGPT in solving cases on the Islamic law of inheritance.

## 9.0 APPLICATION OF CHATGPT IN ISLAMIC LAW OF INHERITANCE

The most daunting challenge in the practice of Islamic law of inheritance is the identification of eligible heirs, identifying their allotted shares and consequently calculating these shares from the estate of the propositus. A little mistake will go to the root of the distribution as it will affect the rights of others. Its comprehensiveness is what led Runsey to assert that '*the Muslim law of inheritance comprises beyond question, the most refined and elaborate system of rules for the devolution of property that is known to the civilised world.*'<sup>49</sup>. The importance attached to this is evidenced in the Quran after the stipulations of share where Allah says

These 'entitlements' are the limits set by Allah. Whoever obeys Allah and His Messenger will be admitted into Gardens under

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<sup>46</sup> Abdulhameed, M. M. (2014). Rules of Inheritance According to the Islamic Doctrines. Beirut, Lebanon: Dar Al-Kotob Al-Ilmiyah, pp. 123–124.

<sup>47</sup> Ibid. p.124

<sup>48</sup> SuratulNisai V 12

<sup>49</sup> Rumsey, A. (1880). Moohummudan Law of Inheritance and Rights and Relations Affecting It: Sunni Doctrine: Comprising, Together with Much Collateral Information, the Substance, Greatly Expanded, of the Author's Chart of Family Inheritance. London: W. H. Allen. (Reprinted 2009, Moohummudan Law of Inheritance and Rights and Relations Affecting It. Kessinger, US).



which rivers flow, to stay there forever. That is the ultimate triumph!.

But whoever disobeys Allah and His Messenger and exceeds their limits will be cast into Hell, to stay there forever. And they will suffer a humiliating punishment.

The complexity of its rules and its implications further necessitates the need to have an alternative or supportive model for inheritance under Islamic Law.

.To this end, the work aims to examine the applicability of ChatGPT in Islamic law of inheritance cases in line with the classical texts of Islamic law. Based on this, and in relation to the classical texts, the objectives are to;

- i. test the understanding and intelligence of ChatGPT on principles of Islamic law of inheritance
- ii. identify legal/eligible heirs and their allotted shares using ChatGPT
- iii. calculate and distribute the shares of heirs from the estate of the deceased using ChatGPT

Consequently, the research questions are;

- i. Does ChatGPT have the intelligence and understanding to apply the principles of Islamic law of inheritance vis-a-vis the classical texts?
- ii. Can ChatGPT identify legal/eligible heirs and their allotted shares?
- iii. canChatGPT correctly calculate and distribute the shares of the heirs from the estate of the deceased?

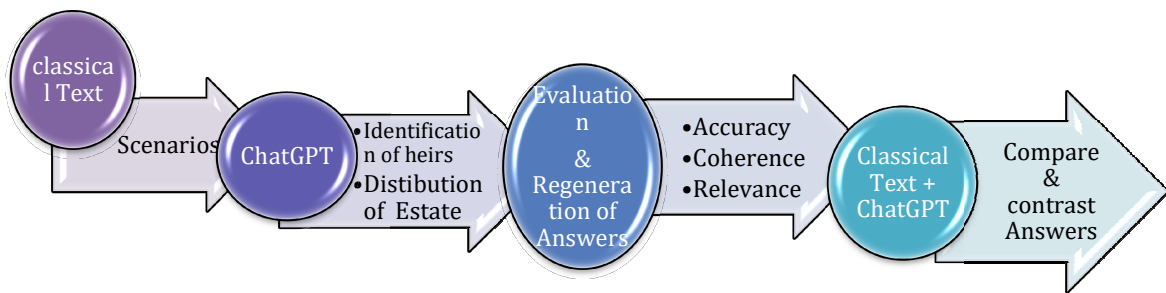
To analyze the application of ChatGPT3.5 in the Islamic Law of Inheritance, a comprehensive dataset of inheritance scenarios from classical Islamic legal texts has been gathered. This encompasses different types of assets, familial relationships, gender considerations, and potential complications such as debts or bequests. The response will then be evaluated focusing on the accuracy, coherence, and relevance of the generated inheritance distribution and the ability to consider relevant factors such as Quranic injunctions, Hadiths, and principles of Islamic jurisprudence in its responses. Relevant cases to answer each research question will be supplied. The work will compare ChatGPT's inheritance distribution recommendations with those derived from classical Islamic legal texts, *fatwas*,



and scholarly opinions to analyze the degree of alignment or discrepancies from classical texts.

The method for testing will involve posing inheritance cases in question format to ChatGPT and extracting the answer. The answer will be generated thrice to evaluate consistency, accuracy or possible options/alternative solutions to the case. A minimum of two cases with six attempts will be used to address each research question.

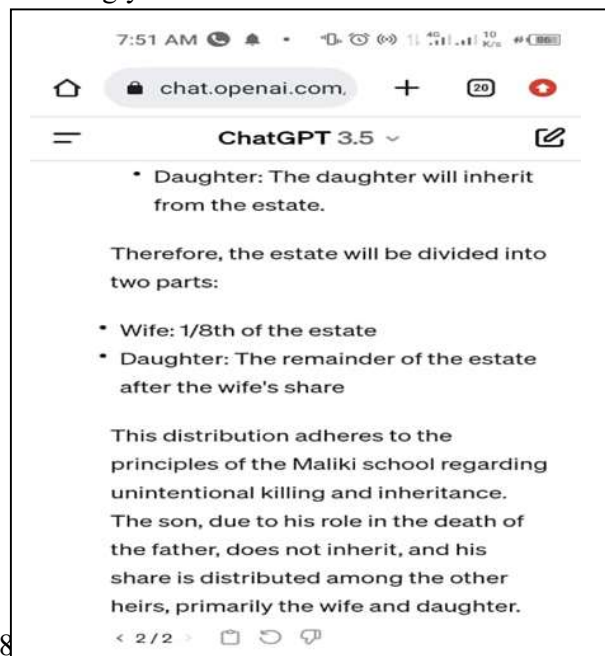
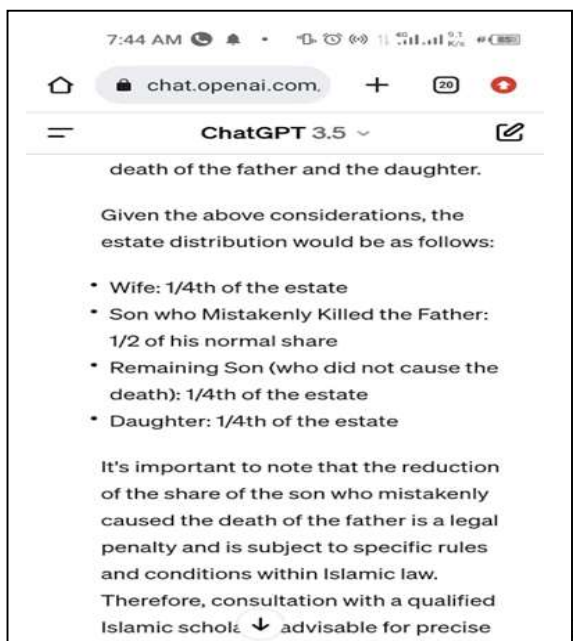
The stages or workflow is as below



### 9.1 Research Question 1

To answer the question ‘Does ChatGPT have the intelligence and understanding to apply the principles of Islamic law of inheritance vis-a-vis the classical texts?’ all the cases of inheritance are relevant. More particularly the case below is relevant

**Case 1:**A Maliki Muslim died while leaving behind Father, Mother, wife, 1 son who killed the dad, and one daughter. Distribute the estate accordingly



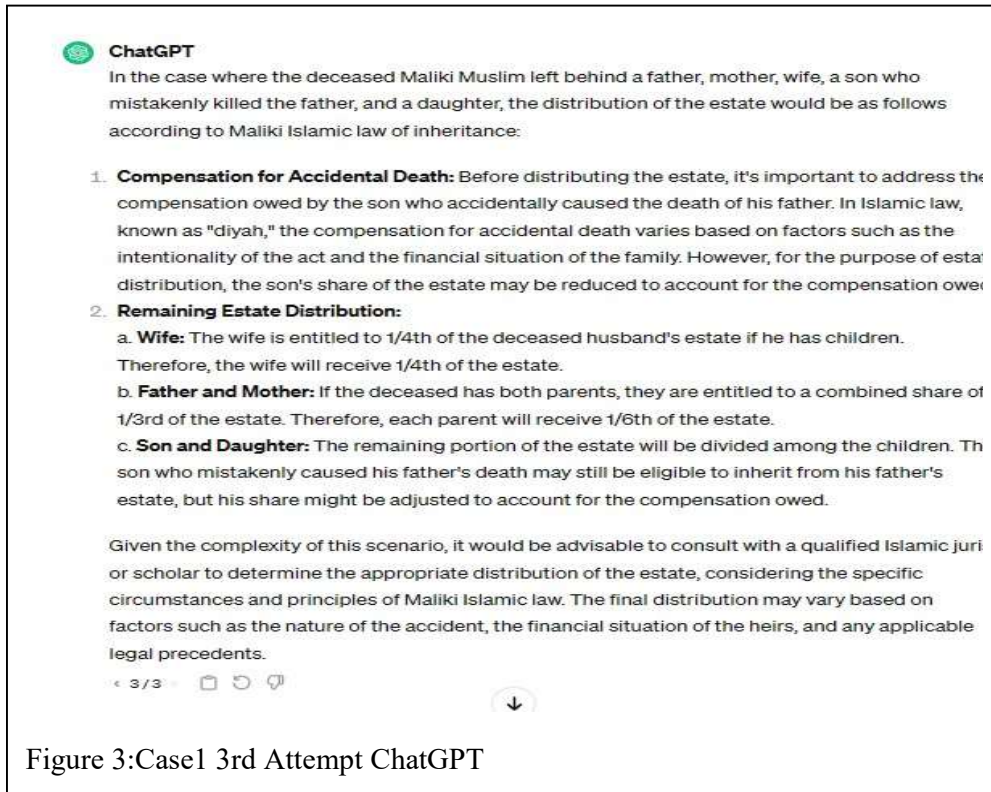


Figure 3:Case1 3rd Attempt ChatGPT

Heirs	Shares	Reason/ Evidence
Father	1/6	Presence of child (Q4v11)
Mother	1/6	Presence of child (Q4v11)
Wife	1/8	Presence of child (Q4v12)
Son	Barred (If Intentional Murder)	For Killing the propositus
	Residuary Heir	to take twice share of daughter (Q4 v 11)
Daughter	½ (If son is Barred for Murder)	Being alone (Q4 v 11)
	Residuary (If with son)	Converted to residuary by son and to take ½ the share of the son (Q v 11)

Table 1: Answer to case 1 according to Classical Texts<sup>50</sup>

There are three responses generated for this question, and all of them are not in tandem with the classical texts on Islamic law of inheritance. The case presents the issue of a son who murdered his father. This is one of the impediments to inheritance discussed earlier. The

<sup>50</sup>Saabuni, M. A. Al-Mawarith fi Shari'iyatil Islamiyah fi dau'il Kitab wa Sunnah, p. 122.



major issue is that the child is barred from taking anything from the property of the deceased based on the evidence of the hadith "The murderer will not inherit."<sup>51</sup> According to the Maliki school of law in line with the case, whether or not the Son will inherit will depend on the nature of the murder, whether intentional or unintentional. If unintentional, he will inherit according to the opinion of the Maliki School of Law.<sup>52</sup> It will then mean that the son will convert the daughter into a residuary heir and they will inherit the remainder of the estate after others have taken in ratio 2:1, meaning the son takes twice the share of the daughter.

The first attempt by ChatGPT took into consideration that murder can affect the share of the son but erroneously reduced the share of the son on that ground by giving the son half of his normal share and all other shares were wrongly allotted such as excluding mother and father from inheritance.

The second attempt provides a similar response but also erroneously asserts that the property will only be divided between the wife and daughter. This is both wrong in principles and in allotment.

The third attempt is the closest to the opinion of the classical scholars in all regards except the wrong allotment given to the wife i.e.  $\frac{1}{4}$  instead of  $\frac{1}{8}$ , because of the availability of offspring. This error as minute as it may seem, will unfortunately affect the entitlement of others. Laudably, the attempt addressed the issue of payment of *diyyah* (blood money) being a punishment for unintentional murder to be paid by the son, but he cannot benefit from the proceeds of the *diyyah*. However, the slight difference from the true reflection of the Maliki school of law is that the compensation is to be paid by the family of the offender in a case of unintentional murder, but the culprit will not inherit from the *diyyah* paid.<sup>53</sup>

## Case 2

ChatGPT was asked "How will you distribute the estate of a Maliki Muslim who died leaving behind a Father, full sister, daughter, full brother, husband, son, uncle, adopted son and a

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<sup>51</sup> At-Tirmidhi, M. ibn 'Ī. Jami' at-Tirmidhi: Chapter 17: What has been related about invalidating the inheritance of the murderer, Book 29: Chapters on Inheritance, Hadith 2109. Available at: <https://sunnah.com/tirmidhi:2109> (Accessed 1 March 2024).

<sup>52</sup> Saabuni, M. A. Al-Mawarith fi Shari'iyatil Islamiyah fi dau'il Kitab wa Sunnah, p. 43.

<sup>53</sup> Mustapha, S. S. et al. (2022). *Diyyah under the Shariah Penal Code of Kano State: A reflection or deflection from classical Maliki School of Law*. Journal of Shariah Law Research, Islamic University of Malaya, Malaysia, 7(1), p. 32.



wassiyah for his sales boy while also owing one of his friend's proceeds of their last business trip?”. The responses are as shown below

**ChatGPT**

In the distribution of the estate of the deceased Maliki Muslim, it is essential to consider various factors, including the presence of different categories of heirs, the existence of specific bequests (wasiyah), and outstanding debts. Based on the principles of Maliki Islamic law of inheritance, here's how the estate may be distributed:

1. **Outstanding Debts:**
  - The proceeds owed to the deceased's friend from their last business trip should be settled as a priority from the deceased's estate before any distribution to heirs or beneficiaries.
2. **Wasiyah (Bequest):**
  - The bequest for the sales boy should be fulfilled from the deceased's estate, ensuring that the specified amount or asset is transferred to the sales boy as per the deceased's wishes.
3. **Distribution of the Estate:**
  - a. **Father:** The father is entitled to a share of the estate as a primary heir. In Maliki Islamic law, if the deceased has children, the father is entitled to 1/6th of the estate.
  - b. **Full Sister:** The full sister inherits along with other heirs, receiving a share based on the residuary estate after fulfilling the father's share.
  - c. **Daughter:** The daughter is entitled to a share of the estate. In Maliki Islamic law, daughters receive a fixed share depending on the presence of other heirs. If there are no other daughters,

Figure 6: Case 2 3rd attempt by ChatGPT

Heirs/Step of Distribution	Share	Reason/Evidence
Debt	Debt should be settled first	(Q4 v 11)
Wassiyah/will (Adopted Son)	Its should be settled after debt but $\leq 1/3$ of whole estate	(Q4 v 11)
Father	1/6	Presence of children (Q4 V 11)
Fullsister	Total Exclusion	Excluded by the availability of the son
Daughter	Residue (to take $\frac{1}{2}$ the share of the son)	Converted to a residuary heir by the son (Q4 v 11)
Fullbrother	Total Exclusion	Excluded by the availability of the son
Husband	1/4	Presence of children (Q4 V 12)
Son	Residue (to take twice the share of the daughter)	(Q4 v 11)

Table 2: Answer to case 2 according to Classical Texts

Looking at the answers generated by ChatGPT in relation to the classical texts, it was only able to demonstrate a fair understanding of the principle that debt and *wassiyah* should be



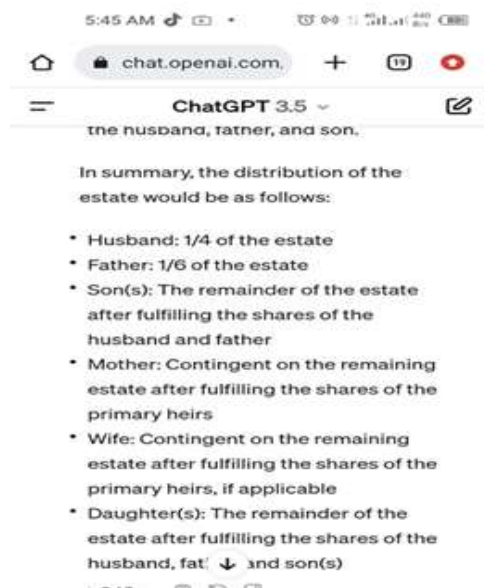
deducted from the estate of the deceased but unable to apply correctly in the 1<sup>st</sup> attempt. Debt should take precedence over *wassiyah* according to the consensus opinion of scholars as discussed earlier. This was remedied in the 3<sup>rd</sup> attempt. Apart from this, the allotment of shares to heirs bearing in mind the familial relationship was wrong in all attempts.

**Case 3**

ChatGPT was asked to distribute the estate of a person who died leaving behind the following

<p>5. <b>Husband:</b></p> <ul style="list-style-type: none"> <li>The husband is entitled to a share of 1/4th of the estate if the deceased has children. However, in this scenario, since the deceased is a woman, her husband does not inherit from her estate under traditional Islamic law.</li> </ul> <p>Given these principles, the distribution of the estate would be as follows:</p> <ul style="list-style-type: none"> <li>Wife: 1/8th of the estate</li> <li>Daughter: 1/2 of the remaining estate after the wife's share</li> <li>Son: Receives the remainder of the estate after the wife and daughter's shares</li> <li>Father: 1/6th of the estate</li> <li>Mother: 1/6th of the estate</li> </ul> <p>It's important to note that Islamic inheritance laws may vary based on factors such as regional interpretations and cultural practices. Therefore, consulting with a qualified Islamic scholar or jurist is recommended to ensure accurate distribution of the estate in accordance with Islamic law.</p>	<p><b>Distribution Recap:</b></p> <ul style="list-style-type: none"> <li>If the deceased is a male, the estate is divided into: <ul style="list-style-type: none"> <li>Husband: 1/4th or 1/2 if no children.</li> <li>Son: 1/2 of the remaining estate after fulfilling other shares.</li> <li>Father: 1/6th of the estate.</li> <li>Mother: 1/6th of the estate.</li> <li>Wife: 1/4th or 1/2 if no children.</li> <li>Daughter: 1/2 of the remaining estate after fulfilling other shares.</li> </ul> </li> <li>If the deceased is a female, the estate is divided into: <ul style="list-style-type: none"> <li>Husband: 1/4th or 1/2 if no children.</li> <li>Son: 1/2 of the remaining estate after fulfilling other shares.</li> <li>Father: 1/6th of the estate.</li> <li>Mother: 1/6th of the estate.</li> <li>Daughter: 1/2 of the remaining estate after fulfilling other shares.</li> </ul> </li> </ul> <p>Figure 8: Case 3 2nd attempt by ChatGPT</p>
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Figure 7:Case 3 1st attempt by ChatGPT







The above question in itself is wrong and only used to test ChatGPT Islamic law of inheritance intelligence. This is based on the fact that it is impossible to have both husband and wife inheriting in the capacity of Husband and wife together in an inheritance case. This is because it is either the husband that dies that will make the eligible to inherit based on marital relationship or the wife dies that will activate the husband also inheriting in that capacity.

**9.2 Research question 2:** Can ChatGPT identify legal/eligible heirs and their allotted shares?

**CASE 4:** The question was posed to ChatGPT ‘A Muslim died, leaving behind a husband, father, and a son. Distribute the shares’

The screenshot shows a chat window with a user asking: 'A Muslim died leaving behind Husband, Father and a Son' distribute the shares'. ChatGPT responds with the following text:

In Islamic inheritance law, when a Muslim dies and leaves behind a husband, a father, and a son, the distribution of inheritance is outlined as follows:

- Husband:** The husband is entitled to receive  $\frac{1}{2}$  (one-half) of the deceased wife's estate if she has no children. However, since there is a son, the husband's share is reduced to  $\frac{1}{4}$  (one-quarter) of the estate.
- Father:** The father is entitled to receive  $\frac{1}{6}$  (one-sixth) of the estate if the deceased has children. In this case, since there is a son, the father's share remains  $\frac{1}{6}$  (one-sixth) of the estate.
- Son:** The son is entitled to receive the remaining portion of the estate after the shares of the husband and father have been allocated. Therefore, the son's share would be the residue of the estate, which is  $\frac{3}{4}$  (three-fourths) after the husband's share and  $\frac{1}{6}$  (one-sixth) for the father have been distributed.

To summarize:

- Husband:  $\frac{1}{4}$  (one-quarter) of the estate
- Father:  $\frac{1}{6}$  (one-sixth) of the estate
- Son: The residue, which is  $\frac{3}{4}$  (three-fourths) of the estate

Figure 10: Case 4 1st Attempt by ChatGPT

The screenshot shows a chat window with a user asking: 'A Muslim died, leaving behind a husband, father, and a son. Distribute the shares'. ChatGPT responds with the following text:

In Islamic law, inheritance is divided according to specific guidelines outlined in the Quran. Here's how the shares would typically be distributed in this scenario:

- Husband:** The husband receives  $\frac{1}{2}$  (or 50%) of the deceased wife's estate if she has no children. However, since she has a son, the husband's share is reduced to  $\frac{1}{4}$  (or 25%).
- Son:** The son receives the remainder of the estate after the husband's share. So, in this case, the son receives  $\frac{3}{4}$  (or 75%) of the estate.
- Father:** In this scenario, the father does not inherit anything because both the husband and the son are entitled to shares.

So, to summarize:

- Husband:  $\frac{1}{4}$  (25%)
- Son:  $\frac{3}{4}$  (75%)

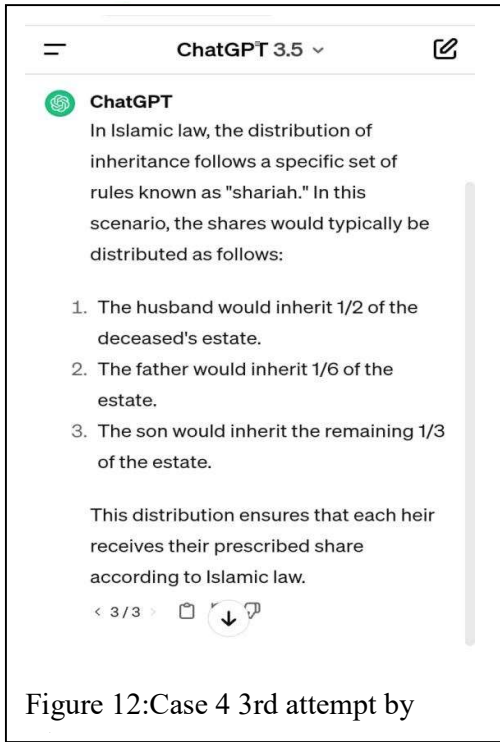


Figure 12:Case 4 3rd attempt by

Heirs	Shares	Reason/evidence
Husband	1/4	Availability of child (Q2 v 12)
Father	1/6	Availability of child (Q2 v 11)
Son	Residue	(Q2 v 11)

Table 3:

Answer to case 4 according to Classical Texts<sup>54</sup>

In answering the research question, the test conducted on ChatGPT revealed that it was able to identify the heirs and their respective positions (fractional legal heir or residuary heir) in two attempts, the 1<sup>st</sup> and the 3<sup>rd</sup> attempts. The 1<sup>st</sup> attempt is the closest to what is obtainable in the classical works except that ChatGPT went further to wrongly fractionalize the residue of the estate as 3/4 after the deduction 1/4 and 1/6 from the estate. Apart from the fact that there is no need to fractionalize since the son takes residue, the fraction of the residue given is wrong. The summation of 1/4 and 1/6 gives 5/12. The remainder would then be  $\frac{12}{12} - \frac{5}{12} = \frac{7}{12}$ . Therefore, the residue is 7/12 not 3/4.

However, the 2<sup>nd</sup> attempt is wrong in all regards, the heirs were neither correctly identified nor shares rightly allotted. It even excluded the father from inheritance which as a matter of general rule without exception, a father can never be totally excluded from inheritance. The major flaw in the third attempt is the wrong allotment of share to the husband who ought to take 1/4 of the estate because of the availability of an offspring and not 1/2.

**Case 5: ChatGPT** was asked to distribute the estate of a Muslim who died and left behind a Husband, Son's Daughter, 2 Full-Sisters and a father's brother.

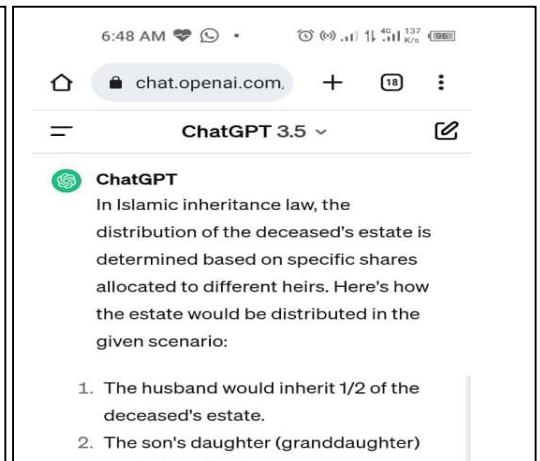
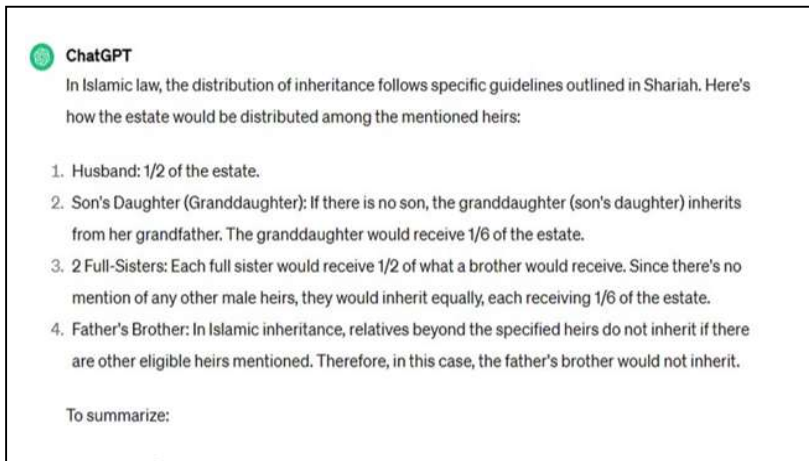
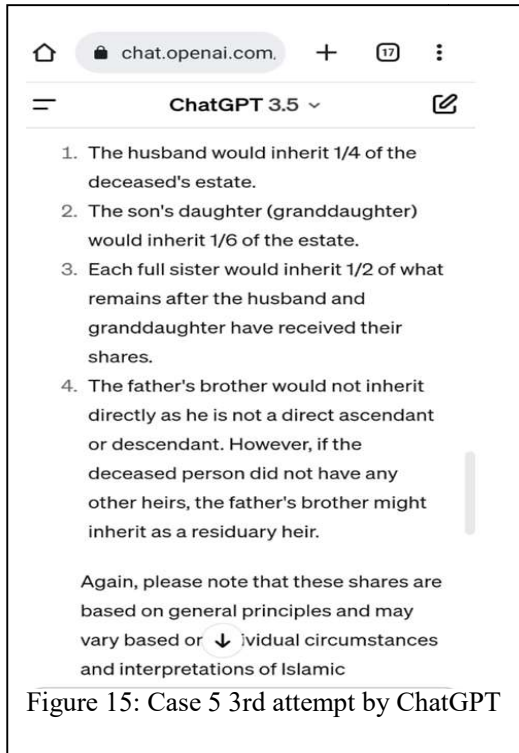




Figure 4: case 2 1<sup>st</sup> attempt ChatGPT



Heirs	Shares	Reason/ Evidence
Husband	1/4	Availability of Offspring (Q 4 v 12)
Son's Daughter	1/2	As a female offspring (Q 4 v 11)
2 Full-Sisters	Residue	Residuary heirs by the availability of Son's Daughter
Father's Brother	Excluded	Excluded by the two full-sisters

Table 4 showing answer to case 5 according to the Classical Texts<sup>5</sup>

In this second case, ChatGPT was able to correctly identify the legal heirs and those that are excluded from inheriting in all three attempts. However, it was not able to correctly identify the category of heirs that they fall into whether a fractional sharer or a residuary heir. This is an improvement to the first case and further shows a fair understanding of the principles of Islamic inheritance in relation *hujbi*.e. a person who is a legal heir but is excluded by the availability of another legal heir, but was not able to recognise the *asabah*, i.e., the residuary heirs.

On the other hand, concerning the allotment of shares, the three attempts failed to correctly allot shares to all heirs despite correctly recognizing them as eligible heirs. It is in total disparity to the classical texts.

From all the above foregone, in six attempts involving two cases, ChatGPT was able to correctly identify eligible heirs in 5 attempts but was unable to correctly allot shares in all attempts.

**Case 6:** ChatGPT was asked to distribute the estate of a Muslim who died leaving behind, Father, Mother, Daughter, Wife, Grandson (son's son) and Granddaughter (Son's Daughter).

<sup>55</sup>Saabuni, M. A. Al-Mawarith fi Shari'iyatil Islamiyah fi dau'il Kitab wa Sunnah, pp. 75-76.

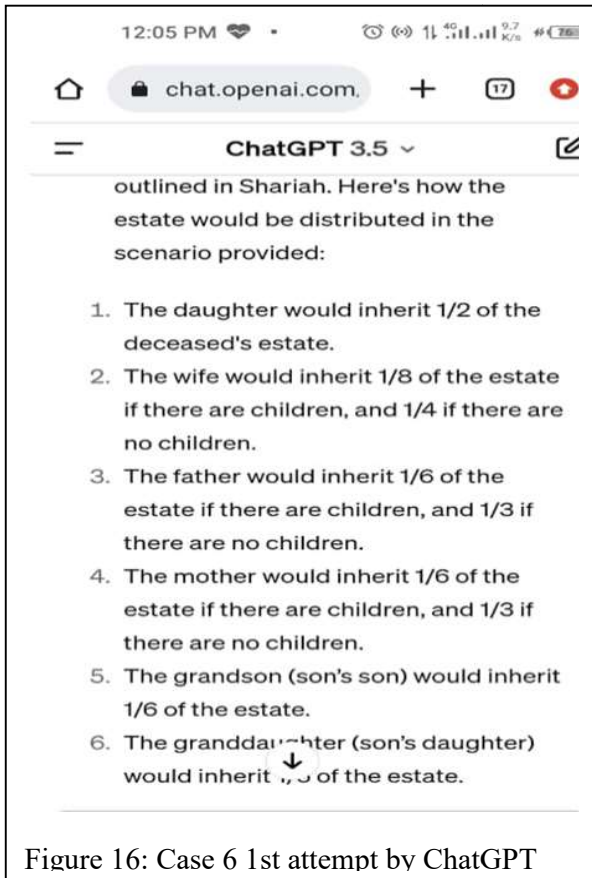


Figure 16: Case 6 1st attempt by ChatGPT

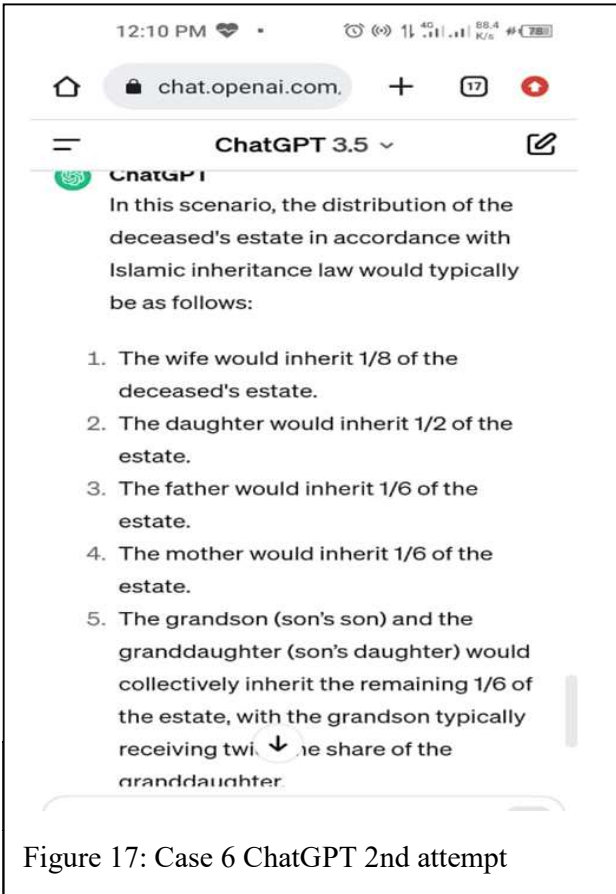


Figure 17: Case 6 ChatGPT 2nd attempt

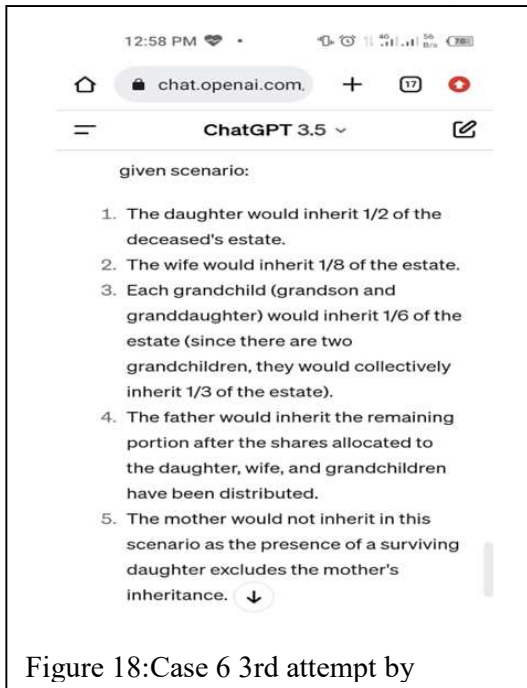


Figure 18: Case 6 3rd attempt by

		11)
Mother	1/6	Presence of offspring (Q4 v 11)
Daughter	1/2	(Q4 v 11)
Wife	1/8	Presence of offspring (Q4 v 12)
Grandson	Residue (2)	Residue to be shared at 2:1 with the Granddaughter
Granddaughter	Residue (1)	

Table 5: Answer to case 6 according to Classical Texts<sup>56</sup>

<sup>56</sup>Khan, S. A. (2011). How to Calculate Inheritance: A Simple Approach. New Delhi, India: Goodword Books, p. 144.



Looking at the three attempts, only the second attempt is correct both in the identification of eligible heir, the type of share to earn and in the allotment of shares.

**Research Question 3:** can ChatGPT correctly calculate and distribute the shares of the heirs from the estate of the deceased?

To answer this question, cases of inheritance where the heirs have been identified and given their respective fractional shares would be provided for ChatGPT to calculate the shares of each heir from the total property left behind by the deceased.

### Case 7

In case 7, ChatGPT was asked to Calculate the estate of the deceased if the Husband takes  $\frac{1}{4}$ , Father  $\frac{1}{6}$ , Mother  $\frac{1}{6}$  and the son is to take the remainder of the property worth \$50,000,000

ChatGPT 3.5

Let's calculate each share:

- Husband's share:  
 $\$50,000,000 * (1/4) = \$12,500,000$
- Father's share:  
 $\$50,000,000 * (1/6) = \$8,333,333.33$
- Mother's share:  
 $\$50,000,000 * (1/6) = \$8,333,333.33$

Now, let's calculate what remains for the son:

Total value distributed to husband, father, and mother:  
 $= \$12,500,000$  (husband's share) +  $\$8,333,333.33$  (father's share) +  $\$8,333,333.33$  (mother's share)  
 $= \$12,500,000 + \$8,333,333.33 + \$8,333,333.33$   
 $= \$29,166,666.66$

Remaining for the son:  
 $=$  Total estate value - Total distributed to husband, father, and mother  
 $= \$50,000,000 - \$29,166,666.66$   
 $= \$20,833,333.34$

Figure 19: Case 7 1st attempt by ChatGPT

The calculation and allotment of property done by ChatGPT is accurate in all attempts despite adopting different approaches.



**ChatGPT**  
 Let's calculate the shares of each heir based on the specified percentages and the total value of the estate (\$50,000,000):

- Husband's share (1/4):  
 $Husband's\ Share = \frac{1}{4} \times \$50,000,000 = \$12,500,000$
- Father's share (1/6):  
 $Father's\ Share = \frac{1}{6} \times \$50,000,000 = \$8,333,333.33$
- Mother's share (1/6):  
 $Mother's\ Share = \frac{1}{6} \times \$50,000,000 = \$8,333,333.33$
- Son's share (remainder):  
 $Son's\ Share = Total\ Estate\ Value - (Husband's\ Share + Father's\ Share + Mother's\ Share)$   
 $Son's\ Share = \$50,000,000 - (\$12,500,000 + \$8,333,333.33 + \$8,333,333.33)$   
 $Son's\ Share = \$20,833,333.34$

Figure 20: Case 7 2nd attempt by ChatGPT

**Case 8** ChatGPT was asked to calculate the estate of a person if Father takes 1/6, Mother 1/6, Daughter 1/2, Wife 1/8 Grandson and Granddaughter both share the remainder in a ratio 2:1 respectively with property worth \$24,000,000

**ChatGPT**  
 To calculate the shares of the heirs based on the given distribution:

- Father's share:  
 $\$24,000,000 \times 1/6 = \$4,000,000$
- Mother's share:  
 $\$24,000,000 \times 1/6 = \$4,000,000$
- Daughter's share:  
 $\$24,000,000 \times 1/2 = \$12,000,000$
- Wife's share:  
 $\$24,000,000 \times 1/8 = \$3,000,000$
- Remaining for the grandchildren:  
 $Total\ estate - (Father's\ share + Mother's\ share + Daughter's\ share + Wife's\ share)$   
 $\$24,000,000 - (\$4,000,000 + \$4,000,000 + \$12,000,000 + \$3,000,000) = \$1,000,000$
- Since the grandchildren (grandson and granddaughter) share the remainder in a 2:1 ratio:
  - Grandson's share:  $2/3 * \$1,000,000 = \$666,666.67$  (approximately)
  - Granddaughter's share:  $1/3 * \$1,000,000 = \$333,333.33$  (approximately)

Figure 21: Case 8 1st attempt by ChatGPT



The responses to the question as given by chatGPT are accurate. It is therefore safe to say that ChatGPT is a viable tool for the calculation and distribution of estate after the shares have been allotted.

## 10.0 CONCLUSION

The work has tried to show the development of AI and its relevance to Legal education, practice and more particularly Islamic law owing to their rich history. This work has explored the integration of ChatGPT, an advanced natural language processing model, into the study and practice of the Islamic Law of Inheritance. Through a case study approach, we outlined the methodology for applying ChatGPT to analyze inheritance scenarios according to Islamic legal principles. By comparing ChatGPT's recommendations with classical works of Islamic jurisprudence, we assessed its proficiency in handling complex inheritance cases.

### 10.1 Knowledge Assessment and Findings:

The assessment of ChatGPT's understanding and application of the principles of Islamic law of inheritance reveals both strengths and limitations. The findings are that;

1. ChatGPT has a fair understanding of the principles of Islamic law of inheritance but still has not yet developed enough to apply the principles to cases correctly.
2. ChatGPT can recognize eligible heirs in most cases but is unable to allot their shares correctly
3. mostly inconsistent, with answers for the same questions asked in the same way.
4. ChatGPT is a veritable tool in the calculation and distribution of estate for identified heirs.

### 10.2 Recommendations

Based on the above findings it is recommended that ChatGPT

1. is a good tool that can be used to get insight into the principles of Islamic law of inheritance but should not yet be relied upon for the application of these principles to cases
2. can be used to complement the recognition of eligible heirs but not yet developed enough for the allotment of shares to heirs.
3. developers and legal scholars should collaborate to ensure that AI recommendations are in harmony with the consensus of Islamic jurisprudence and the interpretation of qualified scholars.
4. Is a good tool that should be used in the calculation and distribution of estate when the shares and heirs have been identified.

It is essential to recognize that ChatGPT's current stage of development is conducive to playing a complementary role in the teaching and practice of Islamic law of inheritance, but it should not be the sole determinant. It is strongly believed that when properly used, chatGPT is a very good tool that can be used for the teaching and practice of Islamic law of inheritance because it is easy, user-friendly, fast and very accurate with the right usage. It should be used in conjunction with expert oversight to validate its recommendations and ensure accuracy. Legal professionals can provide guidance and correction where necessary, enhancing the reliability and trustworthiness of ChatGPT's outputs. Refusing to embrace AI in legal education and practice is akin to wearing blinders in a world of enlightenment, a deliberate



choice to ignore the present reality and an unwise gamble on an ill-prepared future. It will be a deliberate attempt to deviate from reality today and a lack of preparation for tomorrow.

### **Future Research**

Future research should focus on testing ChatGPT's ability to re-learn and apply the principles of Islamic law of inheritance. By refining its algorithms and training methodologies, it may be possible to enhance ChatGPT's accuracy and consistency in handling inheritance cases. Additionally, investigating the outcomes of utilizing ChatGPT in conjunction with expert legal guidance could provide valuable insights into its efficacy as a teaching and practice tool in the field of Islamic law.

Overall, while ChatGPT shows promise as a valuable aid in the study and practice of Islamic law of inheritance, further research and development are necessary to maximize its potential and ensure its reliability in real-world applications. With careful usage and continued refinement, ChatGPT can indeed serve as a valuable asset for legal practitioners and scholars in navigating the complexities of Islamic inheritance law.