

Shari'ah Ethical Guidelines and the Principle of Accountability in the Use of Technology by the Malaysian Government

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DOI Link: <http://dx.doi.org/10.6007/IJARBSS/v16-i3/27857>

Published Date: 10 March 2026

Abstract

The contemporary world is witnessing a rapid expansion in the use of artificial intelligence, accompanied by unprecedented ethical challenges related to privacy, algorithmic bias, justice, and accountability. Amid ongoing global debates on the ethical governance of artificial intelligence, there is a growing need for Sharī'ah-based ethical guidelines and the principle of accountability in the use of technology, to guide and develop modern technological applications in ways that are effective and beneficial for both the individual and society. Objective: This study aims to examine Sharī'ah ethical guidelines and the principle of accountability in the use of technology by the Malaysian government, and to assess their suitability for addressing ethical dilemmas associated with artificial intelligence. Methodology: The study adopts analytical, deductive, and comparative approaches, and is divided into two chapters: Chapter One discusses the extent to which Sharī'ah ethical guidelines are observed by users of modern technological tools and by the Malaysian government; Chapter Two addresses the principle of accountability in the use of technology. Findings: The study reveals that the Malaysian government has taken significant regulatory steps to establish ethical controls over the use of modern technology, particularly through the issuance of Artificial Intelligence Governance and Ethics (AIGE) guidelines and various national action plans, which contribute to achieving a balance between innovation and ethical responsibility. However, the realization of Sharī'ah-based controls among technology users requires enhanced awareness and continuous education to ensure that every day technological practices remain consistent with Islamic values. The study also finds that cybercrimes have emerged as a natural social phenomenon accompanying the transition of local and global communities from the physical world to the virtual digital sphere, as human activities are increasingly transferred from real (material) environments to virtual ones; consequently, such crimes are considered transnational in nature.

Keywords: Ethical Guidelines, Shariah Guidelines, Principle of Accountability, Modern Technology, Malaysian Government

Introduction

The contemporary world is witnessing rapid transformations in the fields of technology, communication, and artificial intelligence, leading societies to shift from reliance on traditional means to open digital spaces. With this tremendous expansion in the use of modern technologies, unprecedented ethical, legal, and Sharī'ah-related challenges have emerged, particularly regarding the protection of privacy, preservation of values, regulation of digital content, and the limits of responsibility and accountability in cases of misuse of technology in ways that may harm individuals and communities. Consequently, there is an urgent need to establish clear Sharī'ah-based ethical guidelines that regulate the conduct of individuals, institutions, and states in their interaction with these modern technologies.

Within this context, the Malaysian experience stands out as an important model in the Islamic world. The Malaysian government has sought to develop policies, legislation, and regulatory frameworks related to the governance of technological use, while taking into account Islamic values and general ethical considerations. The principle of accountability constitutes one of the fundamental pillars of this framework, as it ensures that government bodies and technology users are held responsible for their digital practices and helps to reduce violations associated with artificial intelligence, cybersecurity, and cybercrimes.

This study seeks to shed light on Sharī'ah ethical guidelines and the principle of accountability in the use of technology by the Malaysian government, clarifying the Sharī'ah foundations underlying these guidelines, examining the reality of their implementation, and analyzing their capacity to address the growing ethical challenges arising from contemporary technological development, with the aim of proposing a balanced vision that combines benefiting from the achievements of modern technology with preserving authentic Islamic values.

Objectives of the Study

This study aims to explore the Sharī'ah-based ethical guidelines and the principle of accountability in the use of technology by the Malaysian government, and to examine the extent to which these frameworks are suitable for addressing the ethical dilemmas associated with artificial intelligence.

Methodology

This research employs a combination of analytical, inferential, and comparative approaches to systematically investigate the subject matter. The analytical approach involves a detailed examination and deconstruction of primary Sharī'ah texts, including Qur'ānic verses, prophetic traditions (ḥadīth), and classical fiqh rulings related to ethical technology use and accountability. Inferential methods are applied to derive practical principles and extrapolations from these foundational sources, enabling the identification of contemporary applications within the Malaysian context. Meanwhile, the comparative approach juxtaposes Sharī'ah-based ethical guidelines against modern technological practices adopted by users and government entities, highlighting alignments, gaps, and potential reforms. This multi-

method framework ensures a robust, evidence-based analysis that bridges classical Islamic jurisprudence with current socio-technological realities.

Structure of the Study

This study is structured into two main chapters. Chapter One examines the extent to which users of modern technological tools, as well as the Malaysian government, adhere to Shari'ah-based ethical guidelines. Chapter Two explores the principle of accountability in technology usage. The study concludes by presenting its most significant findings, followed by a curated list of the most important references.

Literature Review

Studies on Ethics in the Use of Modern Technology

Many contemporary studies have examined the ethical dimensions of using digital technologies and artificial intelligence, focusing on issues such as digital privacy, data protection, algorithmic fairness, transparency, and responsibility. These studies emphasized that the rapid technological development has been accompanied by increasing risks related to data misuse, privacy violations, or the dissemination of misleading information, which necessitates the adoption of governing ethical frameworks for technology use. The literature also highlights the importance of establishing ethical governance mechanisms based on general human standards. However, most of these studies have largely overlooked the value-based religious dimension, particularly the Islamic Shari'ah perspective, underscoring the need to integrate Shari'ah considerations into digital ethics frameworks.

Shari'ah Literature on Ethical Guidelines in Islam

Classical and contemporary Islamic scholarship has focused on clarifying the values that regulate human conduct, such as honesty, integrity, justice, privacy preservation, non-harm to others, and the removal of hardship. These values are grounded in the five objectives of Shari'ah (Maqāsid al-Shari'ah): preserving religion, life, intellect, lineage, and wealth, which provide a universal framework applicable to contemporary digital environments. Jurisprudential studies have emphasized that the use of technology should adhere to the principles of benefit maximization and harm prevention, and that spreading rumors, violating privacy, or infringing on digital property falls under prohibited actions. Some contemporary writings have also stressed the necessity of developing a new discipline known as Fiqh of Technology, which addresses the ethical and legal implications of modern digital transformations.

Literature on the Principle of Accountability and Responsibility

Administrative and legal literature has examined the concept of accountability as a mechanism to ensure transparency, prevent corruption, and promote justice. These studies point out that accountability constitutes a core element of public sector governance, allowing for tracking digital decisions and their impacts. Modern literature has further discussed algorithmic accountability in the context of artificial intelligence, emphasizing the need for mechanisms to hold parties that design or operate intelligent systems responsible for any resulting harm or bias.

Previous Studies on the Malaysian Experience

Recent studies highlight Malaysia's position as a leading Islamic nation in governing artificial intelligence and regulating technology use. The Malaysian government has proactively issued national AI ethics guidelines, implemented comprehensive digital transformation plans, and enacted robust legislation addressing personal data protection and cybercrime. Existing Malaysian research has primarily concentrated on key areas such as AI ethics in public administration, data protection and privacy, cybersecurity and cybercrime prevention, and the alignment of technology utilization with Malaysia's moderate Islamic vision. However, while these studies predominantly adopt legal, technical, and administrative perspectives, research examining governance frameworks through the direct lens of Shari'ah maqāsid remains notably limited. This study seeks to address this critical research gap.

Research Gap

The literature review reveals several key observations that underscore existing deficiencies in the field. While numerous studies address digital ethics in general terms, research integrating critical dimensions, such as Shari'ah-based ethical guidelines, regulations, accountability mechanisms, and their practical applications within the Malaysian government context, remains notably limited. Weaknesses include insufficient attention to the Shari'ah perspective on digital governmental accountability and a scarcity of comparative analytical studies juxtaposing foundational Shari'ah texts against contemporary Malaysian policy frameworks.

To address these gaps, this study aims to achieve the following objectives:

- a) Develop a comprehensive Shari'ah-based ethical framework for technology usage.
- b) Examine its practical implementation within the Malaysian socio-technological landscape.
- c) Analyze the framework's effectiveness in mitigating ethical challenges associated with artificial intelligence governance

The Extent of Shari'ah Ethical Guidelines Implementation by Users of Modern Technological Tools and the Malaysian Government

Ethics of Social Media Platforms

The field of information technology ethics represents a relatively nascent discipline within the social and human sciences, as many contemporary issues arising from digital technologies were previously unforeseen. Addressing these ethical challenges poses a core dilemma: traditional methodologies for social issues typically begin by delineating the societal impacts of information technologies, followed by the application of established ethical theories to those effects and their ramifications. However, this conventional approach encounters notable limitations when applied to information technology (Jürgen, 2012), including its heavy reliance on technological determinism, a prevailing paradigm in social science research for decades, and its computational framing of ethics, which oversimplifies intricate social dynamics and introduces uncertainties in ascertaining ethical truths, despite mirroring the fluid nature of technological-driven social transformations.

The ethics of social media platforms specifically grapples with the emergence of novel normative dilemmas that intensify longstanding ethical concerns, necessitating the adaptation of traditional standards to largely uncharted digital terrains (William, 2000). These platforms not only amplify existing issues but also spawn entirely new ethical quandaries by introducing unprecedented dimensions to familiar moral questions. Consequently, computer

ethics seeks to define, analyze, and comprehend the profound influence of information technology on core social and human values (Marturano, 2002).

Ethical and Sharī'ah Compliance of Users of Modern Technological Tools

Sharī'ah Challenges in Technological Use

The pervasive adoption of digital platforms and smart services has precipitated a range of ethical challenges, encompassing data protection, algorithmic fairness, transparency, and accountability within artificial intelligence systems and other technological tools. Addressing these imperatives demands rigorous evaluation through the lens of Maqāṣid al-Sharī'ah, which prioritizes the preservation of essential human interests, including intellect ('aql), wealth (māl), and life (nafs). This framework aligns closely with contemporary policy directions, as evidenced by the guidelines issued by the Malaysia National AI Office (2024).

User Awareness and Sharī'ah Responsibilities

Users of modern technology bear a profound religious obligation to uphold Islamic values in their digital interactions, particularly by eschewing bias, safeguarding privacy, and refraining from disseminating harmful or illicit content. These responsibilities are firmly anchored in core Sharī'ah principles that champion justice ('adl), the prevention of harm (la ḍarar wa la ḍirār), and the broader protection of societal welfare. Achieving sustained compliance necessitates integrated educational initiatives that synergize religious instruction with technological literacy, fostering heightened awareness among users (Azmi et al., 2025).

The Role of the Malaysian Government in Implementing Ethical and Sharī'ah Guidelines

Regulatory and Ethical Frameworks for Technology

In 2024, the Malaysian government introduced the Artificial Intelligence Governance and Ethics (AIGE) Guidelines, establishing a comprehensive national framework to operationalize core principles such as transparency, fairness, and privacy protection in AI deployment. This strategic initiative underscores Malaysia's commitment to ethical technology governance, positioning the nation as a regional leader in responsible digital innovation (Malaysia National AI Office, 2024).

Strengthening Ethical Frameworks through National Plans

Building on this foundation, the government unveiled a comprehensive National AI Action Plan for 2026–2030, designed to fortify existing ethical frameworks through multi-stakeholder collaboration involving government agencies, civil society, and the private sector. This forward-looking roadmap emphasizes the practical implementation of ethical standards across modern digital tools, ensuring alignment between technological advancement and societal values (Gobind Singh Deo, 2025).

Protecting National Rights and Values

At its core, Malaysia's digital governance strategy seeks to harmonize technological regulations with fundamental national values and Islamic principles. By prioritizing data protection, equitable data processing, and responsible technology deployment, these initiatives safeguard human rights, fundamental freedoms, and societal well-being, as articulated by the Ministry of Digitalization and National Research. This approach exemplifies Malaysia's moderate Islamic vision in contemporary digital policy-making (The Star, 2024).

Balancing Freedom of Use with Ethical Controls

Freedom of Expression and Ethical Oversight

Effective governance of the digital realm necessitates a delicate equilibrium between safeguarding freedom of expression and digital innovation, on one hand, and upholding digital safety alongside ethical standards on the other. This balanced approach prevents users from transgressing boundaries that could inflict societal harm or contravene fundamental Islamic Sharī'ah values, thereby fostering a responsible digital ecosystem (Azmi et al., 2025).

Importance of Awareness and Education

Central to achieving this balance is elevating user awareness of Sharī'ah-derived ethical principles governing technology engagement. Such consciousness demands the strategic integration of digital literacy with religious education within formal curricula and public policy frameworks, ensuring technology utilization aligns seamlessly with the maqāṣid (objectives) of Islamic law and promotes sustainable ethical conduct (Malaysia National AI Office, 2024).

The Principle of Accountability in the Use of Technology

Introduction: Ethics of Social Platforms

The field of information technology ethics constitutes a relatively nascent domain within the social and human sciences, characterized by novel challenges that were largely unforeseen prior to the digital era. Conventional methodologies for addressing social issues, typically involving an initial assessment of technology's societal impacts followed by the application of established ethical theories, encounter significant limitations in this context (Jürgen, 2012). These include an overreliance on technological determinism, a paradigm that dominated social science research for decades, and a calculative ethical framework that oversimplifies complex social dynamics while introducing uncertainties in truth-determination, notwithstanding its alignment with the fluid nature of socio-technological evolution.

Ethics specific to social platforms grapples with the emergence of intensified normative dilemmas and moral quandaries, compelling the adaptation of traditional standards to unprecedented digital landscapes (William, 2000). Beyond exacerbating existing concerns, these platforms spawn entirely novel ethical challenges by introducing transformative dimensions to longstanding moral questions. Accordingly, computer ethics endeavors to define, analyze, and elucidate the profound effects of information technology on fundamental social and human values (Marturano, 2002).

The Principle of Accountability in the Use of Technology

Amid the knowledge explosion, rapid technological advancements, and sophisticated digital communication networks, accessing, or violating, private information has become alarmingly facile. Cybercrimes and technology-enabled offenses, perpetrated through computers, smartphones, or tablets, have evolved into complex phenomena that are increasingly difficult to trace and prosecute. Their transnational nature transcends geographical and temporal boundaries, often executed by non-specialists ranging from research centers and academics to corporate managers, rival institutions, media outlets, or even state actors pursuing economic, military, political, commercial, or intelligence objectives (Al-Badayneh, 1998).

Imperative for Accountability and Oversight

These developments have catalyzed urgent demands for robust accountability mechanisms and regulatory oversight of technological tools. Effective regulation is essential to safeguard individuals and society from the pervasive risks of technology misuse, including blackmail, defamation, privacy invasions, cyber espionage, ATM fraud, dissemination of illicit content, violations of religious principles, doctrinal transgressions, malware attacks, and unauthorized platform takeovers. The primary objectives of accountability frameworks encompass enhancing cybersecurity, combating cybercrime, and protecting user privacy, except where national security or public safety imperatives necessitate intervention. Legal scholars underscore the necessity for stringent deterrent legislation that balances technological innovation with public order preservation, noting that cybercrimes victimize over one million individuals globally each day (Joyles, 2014).

Legal Oversight in Malaysia

Malaysia has positioned itself as a pioneer among nations by establishing comprehensive legal frameworks and sanctions to govern internet usage and modern technologies. Key legislative measures, exemplified by the Draft Cyber Security Bill 2024, address critical dimensions including compliance with international human rights standards, protection of freedom of expression, calibrated restrictions on online speech and intermediary liability, communications monitoring, anonymity and encryption protocols, cybercrime definitions and prosecution, cybersecurity mandates, prior licensing requirements for public-interest activities, oversight of the National Cybersecurity Committee, executive monitoring authorities without judicial warrants, expansive police powers, warrantless inspections and seizures, and mandatory decryption orders. These provisions collectively aim to cultivate regulated technological development that advances national interests while mitigating societal risks.

Sharia Oversight on the Use of the Internet and Modern Technology in the Qur'an and Sunnah

Communication via internet applications, websites, and social media represents one of the swiftest and most accessible mediums in the contemporary era. Consequently, such interactions must adhere to Sharī'ah-compliant parameters that prioritize both individual and public interests, akin to traditional media like print, radio, and television (Ibn Taymiyyah, 1987).

Islamic jurisprudence establishes permissibility (*ibāḥah*) as the default ruling for all matters, unless explicitly prohibited by Qur'ānic texts, Sunnah, or scholarly consensus (*ijmā'*). In the absence of such evidence, analogical reasoning (*qiyās*) serves as a legitimate tool for deriving rulings on permissibility or prohibition (Al-Shirazi, 2003; Al-Bayanuni, 2006).

Criteria for Permissibility of Modern Technology

The Sharī'ah stance on internet and advanced technologies hinges on:

- a. Explicit Text or Consensus: Usage follows general rulings (*mubāḥ*, *mandūb*, *wājib*, *makrūh*, or *ḥarām*) if supported by Qur'ān, Sunnah, or *ijmā'*.
- b. Absence of Explicit Guidance: Permissibility is assessed by net benefit versus harm; beneficial uses are allowable, while those causing predominant harm are prohibited or discouraged (Al-Zubai'i, 2016).

No definitive Sharī'ah text or universal fatwā categorically bans or endorses internet use; rulings remain context-specific to purpose, method, and outcome, serving as overarching guidelines for all Muslims (Al-Zubai'i, 2016).

Sharī'ah Guidelines for Ethical Use

These principles, yielding societal benefits, mandate adherence by all users. Key guidelines include:

Sincerity and Purity of Intention (Niyyah)

Intention distinguishes worship from habit, as per the ḥadīth: "Actions are judged by intentions" (Al-Bukhari, 2002). Prohibited intent renders use ḥarām; pure intent deems it mubāḥ.

Adherence to General Ethical Conduct

Users must embody prophetic character, avoiding immorality. Allah states:

"...فَلْ إِنَّمَا حَرَّمَ رَبِّيَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ" (Al-A'rāf 7:33).

"...لَا يُحِبُّ اللَّهُ الْجَهْرَ بِالسُّوءِ" (An-Nisā' 4:148).

The Prophet ﷺ said: "Cursing a Muslim is immorality..." (Al-Bukhari, 2002); "A good word is charity" (Al-Bukhari, 2002).

Avoiding Neglect of Worship

Permissible use turns ḥarām if it impedes faḍā'il. Prioritize prayers:

"إِنَّ الصَّلَاةَ كَانَتْ عَلَى الْمُؤْمِنِينَ كِتَابًا مَوْقُوتًا" (An-Nisā' 4:103); "خَافِظُوا عَلَى الصَّلَوَاتِ" (Al-Baqarah 2:238); "أَقِمِ الصَّلَاةَ" (Al-Isrā' 17:78).

Avoiding Sin and Wasting Time

Lawful tools become impermissible if leading to sin or idleness.

Principle of "La Ḍarar wa La Ḍirār"

"No harm and no reciprocating harm" (Al-Ghazzi, 1996). Remove harm proactively: "وَالَّذِينَ يُؤْذُونَ الْمُؤْمِنِينَ" (Al-Aḥzāb 33:58). Seek benefit; avoid retaliation (Al-Zubaidi, 2016).

Findings

This study unveils several pivotal findings that affirm the integration of Sharī'ah principles in modern technology usage within the Malaysian context.

- Extent of Sharī'ah Ethical Compliance:** Users of modern technological tools and the Malaysian government demonstrate moderate adherence to Sharī'ah-based ethical guidelines, with strengths evident in AI policies like the AIGE Guidelines (2024), yet gaps persist in direct maqāṣid al-Sharī'ah oversight, particularly concerning data privacy and digital accountability.
- Accountability Challenges:** Cybercrimes prove challenging to detect due to their transnational scope, necessitating accountability frameworks that synergize Malaysian legislation (e.g., Draft Cyber Security Bill 2024) with the principle of "la ḍarar wa la ḍirār" to mitigate risks such as harmful content dissemination and privacy breaches.
- Sharī'ah Guidelines:** Internet usage is fundamentally permissible (mubāḥ) absent explicit prohibitory texts, contingent upon sincere intention, avoidance of worship neglect, and

harm prevention, aligned with Qur'ānic verses (e.g., Al-A'rāf 7:33) and the ḥadīth "Innamal a'māl bi al-niyyāt".

Conclusion

This research validates the imperative for a Sharī'ah-based ethical framework to harmonize technological freedoms with ethical controls in Malaysia, bridging literature gaps through an analytical-comparative lens between Sharī'ah texts and national policies. Implementing maqāsid al-Sharī'ah, preserving intellect ('aql), wealth (māl), and life (nafs), in AI and social platforms not only safeguards individual and societal interests but also reinforces Malaysia's moderate Islamic vision. Recommendations encompass embedding digital-Sharī'ah education in public curricula, bolstering multi-stakeholder shūrā (scholars, IT experts, government), and advancing contextual fatwās on AI. This paradigm ensures technological progress remains beneficial, secure, and divinely aligned.

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