

The Role of Digital Technology and AI in Evolving Practices of Islamic Family Law

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Abstract: This research explores the role of digital technology and artificial intelligence (AI) in transforming Islamic family law practices, with a focus on efficiency, accessibility, and justice. This study aims to analyze how technology supports administrative processes, legal decision-making, and public literacy toward Islamic law. The method used is a multidisciplinary approach that integrates the perspectives of sharia law, technology, and ethics. The results show that digital technology improves efficiency through document digitization, online registration, and virtual hearings, while AI makes a significant contribution through big data analysis to understand family dispute patterns and offer algorithm-based recommendations. However, there are challenges related to algorithm bias, data security, and compliance with sharia values. The study emphasizes the importance of collaboration between scholars, technology experts, and legal practitioners to ensure the adoption of technology that is aligned with maqashid al-shariah, in order to create an adaptive and inclusive Islamic family legal system in the digital era.

Keywords: Islamic Family Law, Artificial Intelligence (AI), Document Digitization.

1. INTRODUCTION

The development of digital technology and artificial intelligence (*Artificial Intelligence/AI*) has brought significant changes in various aspects of human life, including in the field of law (Perc et al., 2019). In the era of digitalization, technology is not only used to facilitate communication and access to information but also to support complex decision-making, such as in the judicial field (Rademacher, 2019). In developed countries, digital technologies have been implemented to simplify legal procedures, digitize documents, and even support case analysis through AI-based algorithms (Greenstein, 2022). This shows that technology can be an effective tool to improve efficiency, accuracy, and transparency in the legal system (Laptev & Fedin, 2020).

Digital transformation has become a major force that has changed various aspects of human life, including in the rule of law, especially Islamic family law (Sutrisno, Mappasessu, Badrah Uyuni & Iqlima Zahari, Arditya Prayogi, Mohammad Ridwan, Muhammad Taqiyuddin Pratama, 2011). Digitalization allows for easier access to legal information, speeds up administrative procedures, and presents a new platform for dispute resolution (Veldhoven & Vanthienen, 2022). In the context of Islamic family law, digitalization can support the process of registering marriages, divorces, and inheritance distribution, by providing a more transparent, efficient, and organized system (Sadat et al., 2023).

One real example is the implementation of e-courts in several religious courts in Indonesia, which allows online case registration, document uploading, and virtual hearings(Darmawan Darmawan, Suhaimi Suhaimi, Muhammad Natsir, T. Rasyidin T. Rasyidin, 2023). This system not only makes it easier for the public to access justice, but also helps reduce the time and costs associated with the legal process(Qodariah Barkah, Cholidi Cholidi, Siti Rochmiyatun, Sulikah Asmorowati, 2023). This is relevant in the context of Islamic family law, where many cases involve parties with limited access to conventional legal facilities(Antasari, 2021).

At the same time, the role of artificial intelligence (AI) in accelerating and improving the accuracy of the legal process. AI can analyze big data patterns from previous cases to provide relevant insights for judges, clerics, or legal practitioners(Kraus et al., 2021). For example, AI algorithms can help identify the most appropriate verdicts based on Islamic legal principles, speeding up the decision-making process.

In addition, AI can also be used to support digital ijtihad, which is to assist scholars in compiling fatwas by automatically analyzing relevant classic texts (yellow books)(Bahrudin, 2019). This technology allows for a more responsive interpretation of the law to the needs of modern society, while still maintaining alignment with *maqashid al-shariah*(Andi Muhammad Akmal, 2018).

In the context of Islamic law, especially family law, the integration of technology is becoming increasingly relevant given the complexity of issues that often arise, such as marriage, divorce, child custody, and inheritance(Menchik, 2014). Islamic family law has unique characteristics that are based on sharia texts, which require in-depth interpretation according to the context of the times(Najmudin, 2021). Meanwhile, digital technology and AI offer great potential to help simplify administrative processes, analyze legal data, and support clerics and judges in giving decisions(Akour & Alenezi, 2022), which is in line with *maqashid al-shariah* (sharia goals).

However, in Indonesia, the adoption of digital technology in Islamic family law is still limited(Gunawan, 2017). Although there are efforts to modernize the e-court system in religious courts, its implementation has not been fully optimal(Ahmad, 2015). Many challenges are faced, including the lack of digital infrastructure, resistance from some parties who consider the technology incompatible with Islamic legal principles, as well as concerns related to algorithmic bias in AI(Capușneanu et al., 2021). This condition reflects the need to better understand how digital technology and AI can be effectively applied in the practice of Islamic family law.

This study identifies a research *gap* that is an important basis for conducting a more in-depth study related to the role of digital technology and AI in Islamic family law, namely the Limitations of Adoption of Digital Technology and AI in Islamic Family Law. Previous research shows that digital technology and AI have been widely used in the modern legal system, but their application in Islamic family law is still very limited. This is due to the lack of adequate digital infrastructure in many Muslim-majority countries, including Indonesia. There have not been many studies that have explored how AI can be specifically adapted to solve family law problems that have sharia value-based characteristics.

This research focuses on the role of digital technology and AI in supporting the development of Islamic family law, by exploring the opportunities and challenges faced. The scope of the study includes administrative, judicial, and legal *ijtihad* aspects, which are expected to contribute to creating a more adaptive, efficient, and fair family legal system in the midst of the digitalization era.

As such, digital transformation and the role of AI offer a great opportunity to reform the practice of Islamic family law, but it also requires a careful approach for these innovations to be in line with sharia values. Collaboration between technologists, scholars, and legal practitioners is urgently needed to ensure that the adoption of this technology supports justice, efficiency, and adaptability of Islamic family law in the digital era.

2. LITERATURE REVIEW

This research underlines the difference in views on the compatibility of technology with sharia principles. On the one hand, technologies such as AI are considered capable of improving fairness and efficiency through data analysis and digitalization. However, on the other hand, resistance has emerged related to the risk of algorithmic bias and violation of Islamic values, especially on the issue of privacy and data security. Some literature supports digitization as a tool to bring access to justice closer, but others are concerned about the impact on the management of sensitive data. This technology makes it easier to draft fatwas and legal decisions, but it raises questions about the validity of laws made by non-human systems. Initiatives such as e-courts have shown positive results, but implementation at the rural community level still faces technical barriers and digital literacy.

3. METHODS

Using an interdisciplinary approach in the context of Islamic family law requires the integration of sharia legal, technological, and ethical perspectives. Steps in this study: First, Identify Research Problems by Determining Knowledge Gaps in the Application of Digital Technology and AI in the Field of Islamic Family Law. Identify key issues such as administrative efficiency, algorithm bias, and conformity with sharia values. The second Literature Study is Analyzing literature related to Islamic family law, maqashid al-shariah, legal digitization, and AI. Review case studies of technology adoption in other countries to compare practices. Third, designing research methods, a qualitative approach to understand the perception of scholars, technology experts, and legal practitioners. A quantitative approach to analyzing empirical data such as e-court usage statistics or AI algorithm simulation results. Furthermore, the Fourth conducts Data Collection and Data Analysis, Qualitative: Thematic analysis to identify patterns in the perception and challenges of technology implementation. Quantitative: Descriptive statistics to evaluate the efficiency of digitalization (e.g. case resolution time before and after the implementation of e-court). Validation of Findings: Triangulation of data to confirm the reliability of results from various sources. Reporting and Discussion, Integrating results from various disciplines to provide maqashid al-shariah-based recommendations.

4. RESULTS

Islamic family law, or often called *al-Ahwal al-Syakhsiyyah*, is a branch of Islamic law that regulates personal and family matters, such as marriage, divorce, maintenance, child custody (*hadhanah*), inheritance, and wills(Musyafah, 2020). The basis of Islamic family law is derived from the Qur'an, Sunnah, Ijma' (consensus of scholars), and Qiyas (analogy), which are then developed through *ijtihad* ulama(Has, 2013).

Islamic family law has unique characteristics because it is oriented towards the formation of the family as the basic unit of Islamic society, which is based on the principles of justice, benefit, and compassion (*rahmah*)(Wafa, 2021). This system serves not only to regulate the relationships between individuals in the family, but also to create *maqashid al-shariah*, namely protecting religion, soul, intellect, descendants, and property(Zulfa et al., 2023).

Islamic family law has a broad scope and is rooted in the values of justice, benefit, and balance(Siregar, 2014). With a solid foundation in sharia texts and flexibility in interpretation through *ijtihad*, this law is able to adapt to the challenges of the times, including in the context of digitalization and the application of modern technology(Syatar et al., 2023). A deep

understanding of the definition, principles, and scope of Islamic family law is essential to ensure that technological innovations, such as digitalization and AI, can be implemented without compromising the essence of sharia values.

Maqashid al-shariah is a relevant theoretical framework approach in applying digital technology and AI, especially in ensuring that these innovations are aligned with the sharia goals of creating justice, benefit, and protection for humanity (Supardin, 2017). With a strategic approach, technology can be a tool that empowers the people without sacrificing religious values (Sutrisno, 2024).

Using the theoretical foundation of *Maqashid al-Shariah*. This concept focuses on achieving *benefits* (usefulness) and preventing harm to humanity (Shidiq, 1970). Al-Ghazali and Ash-Syatibi, two prominent scholars, formulate that *maqashid al-shariah* includes five main needs that must be maintained, namely: *Hifzh al-Din* (Maintaining Religion), *Hifzh al-Nafs* (Keeping the Soul), *Hifzh al-'Aql* (Keeping Sense), *Hifzh al-Nasl* (Keeping the Offspring), *Hifzh al-Mal* (Safeguarding Assets) (Ibnu Sholeh, 2023). In the application of technology, *maqashid al-shariah* provides a value framework that ensures that technological innovation is aligned with the goals syariah. Some important principles in this context are the Public Benefit (*Maslahah 'Ammah*) that is, technology must be used for the collective good, such as improving access to justice, education, and health (Selyawati & Dewi, 2017). Then, the balance between Tradition and Modernization, namely technology must not contradict the basic values of Islam, but must be able to answer the challenges of the times (Gouda, 2013). Furthermore, damage prevention (*Dar' al-Mafasid*) namely technological innovation must avoid harm, such as privacy violations, data misuse, or the dissemination of harmful information (Mustapha et al., 2021). The application of digital technology and artificial intelligence (AI) in various aspects of life can be analyzed through the lens of *maqashid al-shariah* to ensure its benefits are in line with Islamic values (Basri, 2020).

5. DISCUSSION

Based on the identification of the limitations of the adoption of digital technology and AI in Islamic family law, that digital technology and AI can significantly improve efficiency and accessibility in the settlement of Islamic family law cases, such as marriage registration, filing divorce lawsuits, and inheritance distribution. The digitization of legal documents and the use of online platforms, such as e-courts, provide administrative convenience that supports the efficiency of the legal process. That AI has the ability to understand patterns of family disputes through big data analysis, which can be used to provide recommendations based on

sharia principles in cases such as divorce, child custody, and inheritance. AI can serve as a tool for scholars and judges in drafting rulings or fatwas, by ensuring that legal recommendations are in accordance with *maqashid al-shariah*.

The study found that there is no comprehensive framework to systematically integrate digital technology and AI with sharia values. The findings confirm that while digital technologies and AI have great potential to revolutionize Islamic family law, their application requires a careful approach. A policy framework that integrates *maqashid al-shariah*, improved digital infrastructure, and technological literacy is needed to ensure that this technology is not only efficient but also in accordance with sharia values.

Key findings	Description of Findings
Efficiency and Accessibility with Digital Technology	Digital technology and online platforms, such as e-courts, can improve efficiency in the administrative process of Islamic family law, such as marriage registration, filing divorce lawsuits, and inheritance distribution, while expanding public access.
AI as a Sharia-Based Decision Support	AI has the ability to understand family dispute patterns through big data analysis, which is useful in providing Legal Recommendations Sharia principles in divorce, child custody, and inheritance cases.
Tools for Scholars and Judges in Drafting Decisions	AI dapat digunakan sebagai alat bantu bagi ulama dan hakim untuk menyusun putusan atau fatwa yang lebih akurat dan konsisten, dengan tetap berpegang pada <i>maqashid al-shariah</i> .
Absence of Sharia-Technology Integration Framework	There is not yet a comprehensive framework that integrates digital technology and AI with sharia values, which is needed to ensure alignment between technological innovation and Islamic law.
The Importance of a Systematic Approach	These findings underscore the need for a policy framework that integrates <i>maqashid al-shariah</i> , improving digital infrastructure, and technological literacy to ensure that the application of these technologies is in accordance with sharia values and is efficient.

Digitization of Documents and Administrative Processes in Islamic Family Law

Digital transformation has had a significant impact on Islamic family law practices, particularly in terms of efficiency and accessibility. One of the notable innovations is the digitization of documents and administrative processes, which include marriage registration, divorce, and inheritance documentation. This innovation not only provides practical benefits but is also an important step in supporting the goals of *maqashid al-shariah*, such as maintaining justice, benefits, and balance in the management of Islamic family law.

1. Digitization of Marriage Registration

The marriage registration process is an important step in Islamic family law, which serves to record the validity of marriage bonds legally and religiously. The digitization of this process brings several key benefits:

- **Online Registration:** The digital system allows couples to register their marriage online, reducing the time and cost of traveling to the religious affairs office (KUA).

- **Electronic Data Validation:** Technology helps integrate population data with marriage records, thus preventing duplication or inaccuracy of data.
- **Document Accessibility:** Digital marriage certificates can be stored in a secure database and accessed by couples through online platforms, making it easier to verify for future legal or administrative purposes.

2. Digitalization in the Divorce Process

Divorce is one of the cases that is often handled by religious courts. With digitalization, the divorce process has become more efficient and structured:

- **Online Lawsuit Registration:** Religious courts in several countries, including Indonesia, have adopted an *e-court* system that allows litigants to file divorce lawsuits online.
- **Virtual Hearings:** Under certain conditions, such as the pandemic, divorce hearings can be conducted online, providing flexibility for parties who have limited time or location.
- **Electronic Documentation:** All divorce-related documents, such as divorce certificates, are stored digitally for easier management and future accessibility.

3. Digitization of Inheritance Documentation

The division of inheritance is a crucial aspect of Islamic family law that often triggers conflicts if not managed properly. Digitization of inheritance documentation offers various advantages:

- **Inheritance Recording:** Digital technology allows for the organized recording of the deceased's assets, including property, financial assets, and other important documents.
- **Digital Inheritance Distribution System:** Several applications have been developed to calculate the division of inheritance based on the principles of Islamic law, minimizing manual calculation errors.
- **Secure Data Storage and Access:** Important documents, such as wills and inheritance deeds, can be stored digitally with multiple layers of security, avoiding the risk of loss or counterfeiting.

4. Benefits of Digitizing Documents and Administrative Processes

Digitalization in Islamic family law has had a real positive impact, including:

- **Process Efficiency:** Reduces the time and cost required to complete legal procedures.
- **Transparency and Accountability:** Digitally integrated data allows for better oversight of administrative processes, reducing the risk of fraud or abuse.

- **Increased Accessibility:** Technology helps people in remote areas to access legal services without having to come to a physical location.
- **Sustainability:** Digitalization reduces reliance on physical documents, supporting environmental sustainability.

Despite the many benefits, digitization in Islamic family law also faces challenges, not all people have access to technology, especially in rural or remote areas, so governments and religious institutions need to provide technology facilities and training for the community. The risk of personal data leakage is a major concern in digital systems, so it is necessary to improve cybersecurity systems with encryption technology and strict surveillance. Religious court employees and service users need to be trained to use technology well. Special training programs on digital technology and sharia law.

The digitization of documents and administrative processes in Islamic family law, especially related to marriage registration, divorce, and inheritance documentation, has made a significant contribution to improving efficiency and transparency. This innovation supports *maqashid al-shariah* by making it easier for people to fulfill their rights fairly and efficiently. However, the successful implementation of digitalization requires close cooperation between the government, religious institutions, and the community, as well as the handling of technical and ethical challenges that may arise.

The Contribution of AI in Islamic Family Law Practice

The application of artificial intelligence (AI) in Islamic family law practice presents a significant transformation, especially in improving efficiency, accuracy, and justice in case resolution. By leveraging data-driven case resolution, big data analysis, and AI's ability to provide legal recommendations, this technology can support the goal of Islamic law, which is to create benefits (*maslahah*) and prevent harm (*mafsadah*).

Data-Based Case Resolution, AI enables the resolution of Islamic family law cases more efficiently by analyzing historical data and providing pattern-based solutions that have occurred. Some important aspects First, namely Legal Process Automation, AI can be used to automate administrative processes, such as document management and initial case analysis. Case Result Prediction, based on data from previous cases, AI can predict the likely outcome of a case, providing an initial picture to the judge and the parties. Increased Case Resolution Speed, AI can process large amounts of data quickly, speeding up legal proceedings without compromising the accuracy of analysis. For example, in the case of divorce disputes, AI can analyze data on factors that are often the cause of divorce, such as disharmony or economic problems, and help the court to take preventive steps or provide resolution recommendations.

Second Aspect: Big Data Analysis to Understand Family Dispute Patterns, Big data plays an important role in identifying the underlying patterns of various Islamic family law disputes. With its analytical capabilities, AI can provide deeper and strategic insights.

1. Dispute Pattern Identification: AI can map the most common types of family disputes, such as divorce, child custody disputes, or inheritance division disputes, based on existing court data.
2. Socio-Cultural Analysis: By processing demographic data, AI can help understand the relationship between cultural, educational, or economic backgrounds and the types of disputes that occur, supporting conflict prevention efforts through targeted legal education.
3. Evaluation of the Effectiveness of Legal Policies: The data analyzed by AI can be used to assess the effectiveness of applicable legal policies, allowing for future policy improvements.

For example, in inheritance division disputes, AI can analyze data from similar cases to identify the root causes of conflicts, such as lack of transparency or differences in legal interpretation, and recommend mitigation strategies. The third aspect is: AI as a Tool in Providing Legal Recommendations. AI can be a very useful tool for judges, lawyers, and the general public in understanding and resolving Islamic family law cases. Decision Support System, AI can assist judges by providing recommendations based on Islamic legal principles and previous case data, resulting in fairer and more consistent decisions. Digital Legal Consulting, AI-based platforms can provide answers to people's questions about Islamic family law, such as divorce procedures, child custody, or inheritance division.

Translation of Islamic Law into Digital Language: AI can integrate sharia principles into a technology-based legal system, making Islamic law more accessible to the wider community. Example: In inheritance management, AI can be used to calculate each heir's share according to the principle of faraid, speeding up a process that would normally require manual calculations and legal interpretation.

The use of AI in Islamic family law offers a variety of benefits, such as Time and Cost Efficiency, AI can speed up the case resolution process, reducing the time and costs incurred by the parties. Transparency and Consistency: Data-driven AI-generated recommendations can reduce potential bias in legal decisions. Legal Accessibility, with AI-based digital consultation, people who previously had difficulty accessing legal services can obtain information more easily and quickly. While AI has many benefits, its implementation in Islamic family law also faces challenges, it can reflect biases that exist in the data used to train it, thus influencing the fairness of decisions. The use of AI must be ensured not to contradict maqashid al-shariah and

other principles of Islamic law. Family law data is often sensitive, so a system is needed that is able to protect data privacy and security. Not all societies or legal institutions have access to or the ability to use AI technology.

To ensure the optimal benefits of AI in Islamic family law, several strategic steps need to be taken. **Multidisciplinary Collaboration:** Involving scholars, legal practitioners, and technology experts in the development of AI systems. **Increased Technology Literacy:** Providing training to judges, lawyers, and the public on the use of AI in law. **Sharia Principle-Based Evaluation:** Ensuring each AI-based system adheres to Islamic values through strict scrutiny. **Technology Infrastructure Development:** Expanding access to AI technology, especially in underdeveloped regions.

AI has great potential to revolutionize the practice of Islamic family law through data-driven case resolution, big data analysis, and legal recommendations. By using this technology wisely, Islamic family law can become more efficient, transparent, and inclusive, without sacrificing the sharia values on which it is based. However, successful AI implementation requires special attention to technical, ethical, and sharia challenges, as well as collaboration between various stakeholders.

The Role of AI in Legal Decision-Making, AI has great potential in supporting the decision-making process in Islamic family law, especially at the level of data analysis and legal interpretation. Some of its applications include; **Judicial Data Analysis,** AI can analyze thousands of previous court decisions to provide consistent decision recommendations in accordance with Islamic legal principles. **Digital Fatwa Management,** AI technology can be used to compile fatwas based on relevant sharia texts, supporting ulama in providing faster and more accurate answers. **Case Simulation,** AI-based systems can simulate the possible outcome of a case based on the parameters entered, helping the parties prepare legal strategies.

However, the use of AI in decision-making also raises concerns, especially related to algorithm bias, the validity of the decisions made, and the risk of dependence on technology.

With this technology, people can better understand their rights and obligations in Islamic family law, thereby minimizing conflicts due to legal ignorance. Digital technology and AI have a significant influence on Islamic family legal practices, especially in improving administrative efficiency, supporting legal decision-making, and expanding public access to legal literacy. However, to ensure the sustainability and benefits of this technology, there needs to be strict supervision and collaboration between technologists, scholars, and legal practitioners. This is important so that digital transformation not only supports technical

progress, but also maintains the essence of maqashid al-shariah as the legal foundation of the Islamic family.

6. CONCLUSION

This research shows that digital technology and artificial intelligence (AI) have great potential to improve efficiency, accessibility, and justice in Islamic family law. Administrative digitization such as online registration and virtual hearings has accelerated legal processes, while AI has enabled big data analysis to provide more accurate and sharia-based recommendations.

However, the implementation of this technology in the field of Islamic family law faces challenges, including limited digital infrastructure, algorithmic bias, and resistance from parties who doubt its suitability with Islamic values. In addition, there is no unified framework that systematically integrates technology with maqashid al-shariah.

This study focuses on the Islamic family legal system in Indonesia without including in-depth comparisons with other countries. Although AI is described as a potential tool, the study did not include direct testing of the technology in real-life case simulations. Further research needs to focus on developing a framework that integrates digital technology with maqashid al-shariah in an operational and practical manner. It is also necessary to implement technology simulations, such as AI applications for inheritance distribution or legal decision-making, to evaluate their effectiveness and validity.

LIMITATION

As a critical assessment, the limitations of this study are mainly related to the scope of data and practical evaluation of the technology. Nevertheless, his findings provide a solid basis for further exploration, especially in integrating technological innovations with sharia-based Islamic family law.

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