

RECONSTRUCTING ISLAMIC FAMILY LAW IN THE DIGITAL ERA: ARTIFICIAL INTELLIGENCE AND FATWA-BASED MARITAL DECISION SYSTEMS

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ABSTRACT

The intersection of artificial intelligence (AI) and Islamic family law presents one of the most consequential jurisprudential debates of the contemporary era. As digital platforms increasingly mediate religious consultation including matters of marriage, divorce, custody, and inheritance questions emerge about the legitimacy, reliability, and ethical boundaries of AI-generated fatwa systems. This article investigates the theoretical and practical dimensions of deploying AI in Islamic family law consultation, with particular attention to fatwa-based marital decision systems. Drawing on a systematic literature review of 40 peer-reviewed sources spanning Islamic jurisprudence, legal technology, and digital ethics, the study develops a conceptual framework for evaluating AI's role within the maqasid al-shari'ah tradition. The findings reveal significant opportunities in terms of accessibility and consistency of legal guidance, yet also expose deep structural tensions surrounding the displacement of human scholarly authority (ijtihad), the algorithmic encoding of gender-sensitive rulings, and the absence of regulatory frameworks governing AI fatwa platforms. The article proposes a tripartite governance model comprising scholarly oversight, algorithmic transparency, and user rights protections as a foundation for responsible AI integration in Islamic family law. This study contributes to the nascent field of Digital Islamic Law Studies and carries implications for legal technology governance across Muslim-majority jurisdictions.

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A. INTRODUCTION

The rapid expansion of digital technologies into domains once governed entirely by human scholarly deliberation has introduced unprecedented challenges and possibilities for Islamic legal tradition. Among the most consequential of these developments is the emergence of artificial intelligence as a tool for generating and disseminating Islamic legal opinions, commonly known as fatwa. While early applications of AI in legal reasoning remained largely confined to procedural and administrative domains, recent years have witnessed the appearance of large-language-model-based platforms that claim to provide Islamic rulings including those bearing on marriage, divorce, child custody, and spousal obligations to ordinary Muslims seeking guidance outside the institutional framework of traditional scholarly bodies (Musarrofa et al., 2024; Usmonov, 2025).

Islamic family law occupies a particularly sensitive position within the broader edifice of Islamic jurisprudence. The rulings governing *nikah* (marriage contracts), *talaq* (divorce), *nafaqah* (financial maintenance), *hadhanah* (child custody), and *mahr* (dower) are not merely technical legal matters; they are embedded in deeply relational, contextual, and spiritual dimensions of Muslim life. Their authoritative determination has historically required not only textual mastery of the Quran, Sunnah, and classical fiqh literature but also the exercise of *ijtihad*—independent juristic reasoning calibrated to circumstances, custom, and the higher objectives of Islamic law (*maqasid al-shari'ah*) (Aslati et al., 2024). The prospect that these determinations might be delegated, even partially, to an AI system raises acute questions that go beyond technical competence to the very foundations of Islamic legal authority.

At the same time, the practical pressures driving digital Islamic legal consultation are substantial. In Southeast Asia, sub-Saharan Africa, and diaspora Muslim communities across Europe and North America, access to qualified Islamic legal scholars remains unequal and, in some contexts, severely constrained (Nasohah, 2024; Zakaria et al., 2025). Online fatwa portals have already transformed the landscape of Islamic religious consultation over the past two decades; AI-powered systems represent a qualitative intensification of this transformation. In Indonesia alone home to the world's largest Muslim population digital platforms including those affiliated with Nahdlatul Ulama, Muhammadiyah, and the Majelis Ulama Indonesia (MUI) have begun experimenting with automated query-response systems covering family law topics (Delia et al., 2025; Zakaria et al., 2025).

This article examines the theoretical foundations and practical implications of AI-assisted fatwa systems with specific reference to Islamic family law. It asks three primary questions. First, what epistemological and jurisprudential conditions must an AI system satisfy before its outputs can be considered legitimate inputs to Islamic marital decision-making? Second, what structural risks do current AI fatwa platforms exhibit in relation to gender equity, scholarly authority, and cross-madhab diversity? Third, what governance framework would be adequate to the task of regulating AI in this domain without foreclosing beneficial innovation? The article proceeds through a systematic review of existing literature, analysis of illustrative platforms, and the development of a normative governance proposal grounded in *maqasid al-shari'ah* principles.

The study contributes to the emerging field of Digital Islamic Law Studies by offering the first comprehensive conceptual framework for evaluating AI's role in Islamic family law consultation. It also engages broader debates in legal technology, algorithmic governance, and the ethics of AI in religious contexts, making it relevant to scholars and practitioners across multiple disciplines.

A. LITERATURE REVIEW

1. Islamic Family Law in Transition

Islamic family law has never been static. From the classical synthesis of the four Sunni madhabs (schools of jurisprudence) through the Ottoman Tanzimat reforms,

colonial-era codification, and post-independence nation-state legislation, the corpus of family law has undergone continuous negotiation between textual fidelity and contextual adaptation (Najichah, 2022; Zayyadi et al., 2023). Contemporary scholars such as Zuhriah et al. (2023) and Nasohah (2024) document how emerging social phenomena including childfree lifestyles, dual-income households, and transnational marriages are generating new jurisprudential questions for which classical fiqh literature provides only partial guidance. The Indonesian Compilation of Islamic Law (Kompilasi Hukum Islam), examined critically by Musarrofa et al. (2024), illustrates the tendency for codified family law to lag behind social transformation, creating regulatory vacuums that digital platforms have rushed to fill.

The gendered dimensions of family law reform deserve particular attention. Scholars including Lestari (2024), Abubakar et al. (2023), and Albara & Ilmi (2025) have traced how patriarchal interpretive traditions encoded in classical fiqh texts continue to produce asymmetric legal outcomes for women in divorce proceedings, custody disputes, and inheritance cases. The question of whether digitalization amplifies or attenuates these asymmetries is central to evaluating AI-assisted family law consultation. Ansori & Juliansyahzen (2022) warn that digital platforms absent explicit gender-equity design criteria tend to reproduce the interpretive biases embedded in the training datasets they draw upon, which in the Islamic legal context means predominantly male-authored classical jurisprudential texts.

2. Digital Technologies and Islamic Legal Practice

The digitalization of Islamic legal consultation predates AI by at least three decades. E-fatwa portals, mobile applications, and online Q&A platforms have progressively routinized the practice of seeking Islamic legal guidance outside direct scholarly interaction (Mappasessu, 2024; Nafi et al., 2024). Nafi et al. (2024) identify this trajectory as a structural shift from personalized ijihad-based guidance to standardized, algorithmic-adjacent responses a process they describe as offering both unprecedented accessibility and significant risks of decontextualization. Sati et al. (2025) extend this analysis to the domain of Quranic interpretation, demonstrating that digital tafsir systems increasingly mediate how Islamic legal rulings are derived from scriptural sources.

Social media has added another dimension of complexity. Novita et al. [6] examine how family conflict disclosure on social media platforms intersects with Islamic reconciliation principles (islah), finding that the public exposure of marital disputes through digital channels creates new evidentiary and relational challenges for Islamic family courts. Delia et al. (2025) analyze a specific divorce case (Putusan No. 0064/Pdt.G/2021/PA.AdI) in which social media behavior was determined to be a contributing factor an indication that digital conduct is increasingly juridically relevant within Islamic family law proceedings. These developments establish the broader context within which AI fatwa systems are being deployed.

3. Artificial Intelligence and Fatwa Generation

The technical landscape of AI fatwa generation has expanded rapidly since the introduction of transformer-based large language models. (Munshi et al., 2022) were among the first to report on automated Islamic jurisprudential opinion generation using computational methods, demonstrating that while AI could reproduce the formal structure of fatwa documents, its outputs frequently lacked the contextual sensitivity and intra-madhab coherence expected of human scholars. A comparative analysis of GPT-3.5 in issuing fatwas for Islamic family cases Abdulrahman & Abdul Hafiz Musa Walusimbi, (2024) found that the model performed adequately on straightforward doctrinal questions but generated systematically inconsistent or erroneous outputs when cases involved contextual ambiguity, competing scholarly opinions, or local custom ('urf).

Rahim et al. (2025) have proposed a set of ethical guidelines for AI fatwa issuance, arguing that any deployment of AI in this domain must satisfy four conditions: doctrinal accuracy, contextual awareness, scholarly accountability, and disclosure to the user. These guidelines remain largely aspirational; empirical evidence suggests that existing AI fatwa platforms satisfy none of these conditions fully (Alamsyah et al., 2025; Usmonov, 2025). Alamsyah et al. (2025) situate the problem within the paradigm of Islamic AI ethics more broadly, drawing on classical Islamic concepts of *amanah* (trust), *'adl* (justice), and *maslahah* (public interest) to argue that AI systems operating in religious domains carry a heightened duty of transparency. (Elmahjub, 2023) reinforces this perspective from a philosophical standpoint, calling for pluralist ethical benchmarking frameworks that draw on multiple civilizational traditions—including the Islamic—rather than universalizing Western AI ethics frameworks.

4. **Maqasid al-Shari'ah and Technological Ethics**

The five objectives of Islamic law preservation of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage (*hifz al-nasl*), and property (*hifz al-mal*) constitute the normative architecture most frequently invoked in contemporary Islamic legal adaptation. Aslati et al. (2024) demonstrate how *maqasid* reasoning has been productively applied to contemporary bioethical dilemmas, environmental policy, and financial regulation, suggesting that it provides a robust framework for evaluating emerging technologies as well. Kausar et al. (2024) and Zafar (2024) extend this analysis to AI specifically, identifying the preservation of intellect and lineage as the *maqasid* most directly implicated by AI-assisted marital decision systems that, if incorrectly applied, could contribute to the dissolution of marriages or the misassignment of custodial rights with potentially irreversible consequences for individuals and families.

The concept of digital *'urf* custom adapted to digital environments proposed by Zulbaidah et al. (2025) offers an additional jurisprudential resource for evaluating AI fatwa systems. If the use of AI platforms for Islamic legal consultation becomes sufficiently widespread and routinized to constitute a recognized social practice, it may generate its own normative expectations within an *ushul al-fiqh* framework. This dynamic is already visible in the context of online marriage registration Zakaria et al. (2025) and digital divorce proceedings (Albara & Ilmi, 2025), where practical necessity has outpaced formal legal recognition.

B. METHOD

1. Research Design

This study employs a systematic literature review (SLR) combined with conceptual framework development, following the PRISMA-inspired protocol adapted for Islamic legal studies. The SLR was designed to map the existing body of scholarship on AI and Islamic family law, identify thematic clusters, assess the state of evidence, and identify gaps warranting further empirical investigation. The conceptual framework component draws on normative analysis within the tradition of *usul al-fiqh* and contemporary legal theory to develop governance principles adequate to the identified challenges.

Literature was sourced from five database streams: Scopus, Web of Science, Consensus AI, Google Scholar, and regional Islamic law journals indexed in DOAJ. Search terms were constructed in both English and Arabic, combining descriptors related to artificial intelligence, fatwa, Islamic family law, digital jurisprudence, marital decision systems, and *maqasid al-shari'ah*. The search covered publications from 2018 to May 2025, with priority given to peer-reviewed journal articles and conference proceedings in recognized indexed venues. After removing duplicates and applying inclusion and exclusion criteria, 40 sources were retained for analysis.

Table 1. Systematic Literature Review Protocol and Source Distribution

Database / Source	Search Strategy	Inclusion Criteria	Papers Retrieved	Papers Included
Scopus	AI + Islamic law + fatwa	Peer-reviewed, 2018–2025	187	14
Web of Science	family law + digital era	English & Arabic, full text	143	9
Consensus AI	marital decision + AI	Empirical / theoretical	212	11
Google Scholar	maqasid + technology	Indexed journals	98	6
DOAJ / Regional	fatwa + digitalization	Islamic law journals	76	0
Total	—	—	716	40

2. Inclusion and Exclusion Criteria

Inclusion criteria required that sources: (a) address at least one of the following topics AI in Islamic legal reasoning, digital Islamic family law, fatwa systems, or maqasid-based technology ethics; (b) be published in peer-reviewed venues or formally recognized conference proceedings; (c) be available in full text; and (d) contain original analysis rather than purely descriptive summaries. Sources were excluded if they: (a) addressed Islamic law in contexts entirely unrelated to digital technology or AI; (b) treated AI ethics without any reference to Islamic jurisprudence or practice; or (c) were published in non-indexed venues without evidence of peer review.

Thematic coding was applied to all retained sources, producing five primary thematic clusters: (1) digital transformation of Islamic family law; (2) AI and fatwa generation; (3) gender and family law in digital contexts; (4) maqasid-based technology ethics; and (5) institutional and regulatory dimensions of digital Islamic law. These clusters informed the structure of the analytical discussion in Section 4.

3. Analytical Framework

The analytical framework for evaluating AI fatwa systems in Islamic family law contexts combines three theoretical lenses. The first is an ushul al-fiqh lens, which evaluates AI systems against the epistemological standards of Islamic juristic reasoning including the distinction between qat'i (definitive) and zanni (speculative) rulings, the conditions for valid ijihad, and the limits of ra'y (opinion-based reasoning). The second is a legal technology lens, drawing on comparative legal informatics literature, that assesses issues of explainability, bias, and accountability in AI decision-support systems. The third is a governance lens informed by international AI ethics frameworks including the OECD AI Principles and UNESCO Recommendation on AI Ethics adapted to the specific institutional context of Islamic scholarly authority.

The interaction among these three lenses generates the evaluative criteria applied to existing AI fatwa platforms (Section 4.2) and the governance framework proposed in Section 5. This multi-lens approach is consistent with the methodological pluralism increasingly recognized as appropriate for studying the intersection of technology, law, and religion (Elmahjub, 2023; Zafar, 2024).

C. RESULT AND DISCUSSION

1. Mapping the Landscape: AI Fatwa Platforms in Practice

The literature reviewed reveals a heterogeneous landscape of AI-assisted Islamic legal consultation systems, ranging from sophisticated research prototypes to commercially deployed chatbot interfaces. These systems differ significantly in their technical architecture, the scholarly resources they draw upon, the degree of human oversight they incorporate, and their awareness of cross-madhab diversity. Table 2 synthesizes findings from the literature regarding representative systems and their key characteristics.

Table 2. Comparative Overview of AI Fatwa Systems in Islamic Family Law

Platform / System	Jurisdiction	AI Approach	Fiqh Coverage	Scholar Oversight	Limitations Noted
IslamQA Bot (pilot)	Saudi Arabia	LLM + retrieval	Ibadah, nikah	Partial	Madhab rigidity; no ijtihad layer
Fatwa GPT-3.5 (research)	Malaysia	Prompt engineering	Marriage, divorce	None	Hallucination risk; authority gap
Digital MUI (Indonesia)	Indonesia	Rule-based NLP	Family, finance	Full	Limited scalability; static KB
e-Fatwa Portal (Malaysia)	Malaysia	Keyword search + KB	All domains	Full	Not AI; retrieval only
AI-Assisted Tafsir System	Gulf region	Neural MT + search	Scriptural basis	Partial	Context loss in translation
Proposed AFDS Model*	Multi-jurisd.	Hybrid LLM + rules	Family law focus	Tiered (proposed)	Awaiting empirical validation

Several patterns emerge from this comparative analysis. First, the most technically sophisticated systems those using large language models consistently exhibit what the literature terms the 'authority gap': the absence of any mechanism by which AI-generated rulings can be authenticated against the living tradition of Islamic scholarship (Rahim et al., 2025; Usmonov, 2025). Second, rule-based systems developed in close collaboration with institutional religious bodies (such as Indonesia's Digital MUI platform) demonstrate higher doctrinal reliability but limited scalability and adaptability to novel cases. Third, no existing platform has developed an adequate mechanism for handling the intra-madhab and inter-madhab diversity that characterizes Islamic jurisprudence on family law matters a critical deficiency given that rulings on talaq, mahr, and hadhanah vary substantially across the Hanafi, Maliki, Shafi'i, and Hanbali schools, as well as Shi'i jurisprudence.

2. Epistemological Tensions: Authority, Ijtihad, and the Limits of Algorithmic Reasoning

The most fundamental challenge facing AI fatwa systems in Islamic family law is epistemological rather than technical. Islamic jurisprudence does not merely require that a legal ruling be derivable from recognized sources; it requires that the derivation be performed by a qualified jurist (mujtahid) possessing both textual expertise and moral accountability. The classical conditions for valid ijtihad mastery of Arabic language, Quranic sciences, hadith methodology, principles of legal reasoning, and awareness of scholarly consensus (ijma') describe competencies that are deeply personal and relational, not reducible to pattern recognition over a corpus of texts (Aslati et al., 2024; Zayyadi et al., 2023).

AI systems, however sophisticated, operate through statistical inference over training data. When applied to Islamic family law, this means that their outputs reflect the frequency distribution of interpretive positions encoded in their training materials rather than reasoned juristic judgment. In a tradition where minority scholarly opinions (aqwal shadhdha) are preserved precisely because they may become relevant under changed circumstances, and where contextual particularization (takhsis) is a recognized jurisprudential technique, a probabilistic aggregator is not epistemically equivalent to a jurist, however extensive its training corpus (Abdulrahman & Abdul Hafiz Musa Walusimbi, 2024; Munshi et al., 2022).

This epistemological gap has practical consequences. Usmonov (2025) documents cases in which AI platforms presented contested Islamic family law positions including on

the permissibility of women initiating khul' divorce as settled doctrine, without flagging the existence of significant scholarly disagreement. Such outputs are not merely technically imprecise; they are jurisprudentially misleading in ways that could cause material harm to individuals making consequential marital decisions on the basis of the information received. Ulfazah et al. (2025) observe an analogous dynamic in the context of marriage agreement provisions in Indonesia, where digital platforms have encouraged reliance on algorithmically generated guidance while the underlying doctrinal landscape remains contested.

3. Gender, Power, and Algorithmic Bias in Islamic Family Law AI

The gender dimensions of AI-assisted Islamic family law consultation constitute a second major area of concern. Islamic family law has historically been elaborated within patriarchal scholarly environments, producing a body of doctrine that while internally diverse tends toward interpretive frameworks that assign differential rights and obligations to husbands and wives. When AI systems are trained on classical fiqh texts without explicit corrective or contextualizing mechanisms, they tend to reproduce these frameworks, potentially amplifying existing gender asymmetries rather than ameliorating them (Albara & Ilmi, 2025; Lestari, 2024).

The transformation of digital masculinity documented illustrates one pathway through which AI systems can exacerbate gender inequality: male users of digital platforms seeking to exercise talaq privileges may receive AI-generated guidance that maximizes their procedural options while providing inadequate information about women's countervailing rights (such as the right to khul', the right to maintenance during the waiting period, and the conditions under which courts can intervene in divorce proceedings). Suryantoro (2025) identifies the lack of attention to women's agency in household decision-making as a systemic weakness in existing digital Islamic legal resources, a gap that AI fatwa systems have not yet begun to address.

Conversely, scholarship by Abubakar et al. (2023) and Fakhyadi et al. (2025) suggests that digital platforms also create opportunities for gender-progressive interpretations of Islamic family law to reach wider audiences. The diffusion of reformed perspectives on marital roles drawing on the long tradition of Islamic feminist jurisprudence is facilitated by digital accessibility in ways that institutional scholarly gatekeeping previously constrained. The question is not whether AI will be used in Islamic family law consultation but whether its deployment will be governed in ways that ensure equitable representation of interpretive diversity.

4. Institutional Responses: Fatwa Bodies in the Digital Age

Established Islamic legal institutions have responded to the challenge of digital fatwa consultation in varied and often inconsistent ways. Zakaria et al.'s (2025) document divergent approaches among Indonesia's three major Islamic organizations NU, Muhammadiyah, and MUI to issues of online marriage and divorce, with MUI adopting the most restrictive stance and Muhammadiyah showing greater openness to digital-mediated legal processes. This institutional diversity reflects genuine jurisprudential disagreements rather than mere organizational preference, illustrating the difficulty of developing a unified governance framework for AI fatwa systems in pluralistic Muslim societies.

The dynamics of fatwa issuance are further complicated by what Hidayah et al. (2024) describe as the 'multimedia reconstruction' of Islamic family law the process by which marital issues are increasingly framed, analyzed, and resolved through digital media forms that reshape the communicative structure of legal consultation. When a fatwa is delivered through a chatbot interface rather than a face-to-face scholarly consultation, the relational and contextual dimensions of the ruling which classical scholars considered essential to its proper application are necessarily attenuated. Bukhari et al. (2024) extend

this analysis to the domain of digital parenting, showing how AI systems' deficiencies in contextual understanding compound the challenges of applying Islamic family law principles to novel digital phenomena.

5. Toward the AI Fatwa Decision Support (AFDS) Model

Synthesizing the preceding analysis, the literature supports the development of what this article terms the AI Fatwa Decision Support (AFDS) model a conceptual architecture for AI-assisted Islamic family law consultation that distinguishes between AI as a decision-support tool and AI as a decision-making authority. The AFDS model is grounded in three principles. *First*, graduated epistemic delegation: AI outputs in Islamic family law contexts should be classified by their epistemological weight from uncontested doctrinal information (high-reliability provision) to contested interpretive questions (advisory with mandatory scholarly referral) to novel contextual applications (AI-generated options with mandatory human scholarly determination). *Second*, madhab transparency: AI systems must disclose which jurisprudential school(s) their outputs represent and where significant inter-madhab variation exists. *Third*, gender-equity auditing: AI fatwa systems operating in family law domains must be subject to systematic review against gender equity criteria derived from both maqasid al-shari'ah and applicable international human rights standards.

This model is consistent with the guidelines proposed by (Elmahjub, 2023; Rahim et al., 2025), which similarly advocate for tiered oversight mechanisms, and with the pluralist ethical benchmarking framework of Elmahjub (2023), which calls for the incorporation of Islamic ethical principles into AI governance at the design stage rather than as post-hoc constraints. It diverges from approaches that either categorically reject AI involvement in Islamic legal reasoning or uncritically embrace AI as an equivalent substitute for scholarly authority.

6. A Tripartite Governance Framework for AI in Islamic Family Law

The findings of this study point toward the need for a structured governance framework that can guide the responsible development and deployment of AI systems in Islamic family law consultation. The proposed framework is organized around three pillars scholarly oversight, algorithmic transparency, and user rights protection each grounded in specific maqasid al-shari'ah principles. A fourth pillar of cross-jurisdictional coordination is proposed as an enabling condition for the other three. Table 3 presents the framework in schematic form.

Table 3. Tripartite Governance Framework for AI in Islamic Family Law

Pillar	Core Principle	Institutional Actor	Implementation Mechanism	Maqasid Alignment
Scholarly Oversight	Authority preservation (wilayah 'ilmiyyah)	Ulama councils (MUI, Darul Ifta)	Tiered fatwa validation protocols	Hifz al-Din (preservation of religion)
Algorithmic Transparency	Explainability and traceability	Tech developers + Shari'ah auditors	Open-source fiqh ontologies; audit trails	Hifz al-'Aql (preservation of intellect)
User Rights Protection	Informed consent + non-deception	Civil society + regulators	Disclosure labels; opt-out mechanisms	Hifz al-Nafs (preservation of self/dignity)
Cross-jurisdictional Coordination	Harmonized standards	OIC, ISESCO, national bodies	Regional AI fatwa protocols	Hifz al-Mal & Nasl (property, lineage)

a. Pillar One: Scholarly Oversight

The preservation of religious authority (*hifz al-din*) demands that AI systems operating in Islamic family law contexts be subject to meaningful scholarly oversight at all stages of the system lifecycle design, training, deployment, and monitoring. This requires the institutional involvement of recognized Islamic legal bodies, not merely the incorporation of classical texts into training corpora. Mappasessu (2024) documents how digital technology has already altered the sociology of Islamic legal authority, creating conditions in which informal digital authorities compete with established scholarly institutions; a governance framework must explicitly counter this tendency by designating roles for recognized bodies such as the Darul Ifta (Egypt), the Fatwa Council (Malaysia), and the MUI (Indonesia).

Scholarly oversight should be operationalized through tiered fatwa validation protocols in which AI-generated outputs are classified and either confirmed, qualified, or withdrawn by designated scholarly reviewers. The frequency and intensity of review should be calibrated to the stakes of the legal domain: marital formation and dissolution rulings demand more intensive oversight than general religious information provision. This approach is consistent with the institutional design logic of the e-fatwa portal in Malaysia Abdulrahman & Abdul Hafiz Musa Walusimbi (2024) and can be extended to accommodate AI-generated outputs within an existing institutional framework.

b. Pillar Two: Algorithmic Transparency

The preservation of intellect (*hifz al-'aql*) requires that users of AI fatwa systems understand the basis and limitations of the guidance they receive. This demands algorithmic transparency in two dimensions: interpretive transparency (disclosure of which jurisprudential sources and methodologies the AI draws upon) and uncertainty transparency (clear communication of doctrinal areas where scholarly consensus is absent or contested). Malik et al. (2024) argue that the failure to disclose interpretive assumptions constitutes a form of deception (*tadlis*) within the Islamic ethical framework a serious violation in a religious consultation context.

Practically, algorithmic transparency requires the development of open-source *fiqh* ontologies that map the conceptual structure of Islamic family law across *madhabs* and historical periods, making it possible for AI systems to represent the interpretive landscape accurately rather than compressing it into a single probabilistic output. The development of such ontologies is technically demanding but jurisprudentially necessary, and represents an area where collaboration between Islamic scholars and AI researchers could produce significant public benefit. Sati et al. (2025) point to digital *Tafsir* databases as a precedent for this kind of structured knowledge organization.

c. Pillar Three: User Rights Protection

The preservation of personal dignity and autonomy (*hifz al-nafs*) grounds a set of user rights that must be protected in the design and deployment of AI fatwa systems. These include: the right to informed consent (users must know they are interacting with an AI system, not a human scholar); the right to non-deception (AI outputs must not misrepresent contested matters as settled doctrine); the right of referral (users must have clear pathways to human scholarly consultation for complex or high-stakes matters); and the right of redress (users who have suffered harm as a result of AI fatwa errors must have recourse mechanisms). These rights align with international AI ethics principles, including those articulated in the EU AI Act and the UNESCO Recommendation on AI Ethics, while being grounded in specifically Islamic normative reasoning.

The right of referral is particularly important in the family law context. Divorce proceedings, custody determinations, and inheritance disputes can have irreversible

consequences for individuals and families; AI systems should be prohibited from serving as the sole source of guidance in these matters and should be required to actively facilitate connection to qualified scholars when users present queries in these domains (Rahim et al., 2025; Zafar, 2024).

d. Pillar Four: Cross-Jurisdictional Coordination

Islamic family law is practiced across more than 50 Muslim-majority countries, as well as by diaspora communities in non-Muslim-majority states, under diverse national legal frameworks. This jurisdictional plurality poses significant governance challenges for AI fatwa systems, which are inherently borderless digital services. The harmonization of standards even partial harmonization would require engagement among the Organisation of Islamic Cooperation (OIC), the Islamic Educational, Scientific and Cultural Organization (ISESCO), and national Islamic legal authorities. Nasohah (2024) identifies the dynamics of Islamic family law in Southeast Asia as a productive starting point for regional coordination efforts, given the relatively advanced state of institutional development in that region.

Cross-jurisdictional coordination need not aim at doctrinal uniformity which would be both jurisprudentially inappropriate and politically unrealistic but at minimum standards of AI system design, transparency disclosure, and user protection. Regional protocols for AI fatwa governance, informed by the maqasid framework, could provide a model for broader OIC-level development.

D. CONCLUSION

The integration of artificial intelligence into Islamic family law consultation is already underway, driven by practical accessibility needs, institutional experimentation, and the irresistible momentum of digital platform development. The question facing Islamic scholars, jurists, technologists, and policymakers is not whether AI will play a role in this domain but what kind of role it will play and under what conditions. This article has argued that the appropriate role for AI in Islamic family law is as a carefully governed decision-support tool—one that enhances access to reliable doctrinal information, reduces the burden on overextended scholarly institutions, and facilitates connection between ordinary Muslims and qualified human scholars rather than as an autonomous authority capable of issuing binding religious opinions.

This conclusion is not a counsel of permanent limitation but a principled response to the current state of AI capability and Islamic legal governance. As AI systems become more capable of representing jurisprudential complexity, and as governance frameworks mature to provide adequate scholarly oversight and user protection, the appropriate scope of AI involvement in Islamic family law consultation may appropriately expand. What is essential is that expansion be governed by the objectives of Islamic law preservation of religion, life, intellect, lineage, and property rather than by the commercial imperatives of platform development.

The tripartite governance framework proposed in this article comprising scholarly oversight, algorithmic transparency, user rights protection, and cross-jurisdictional coordination—provides a normative foundation for this governance project. Its implementation will require sustained collaboration among Islamic legal institutions, AI researchers, civil society organizations, and national governments across Muslim-majority and Muslim-minority societies. The stakes are high: the quality of the governance frameworks developed in the coming years will shape whether AI becomes a tool for expanding equitable access to Islamic legal knowledge or a mechanism for displacing the scholarly authority upon which the legitimacy of that knowledge ultimately depends.

Future research should prioritize empirical investigation of AI fatwa system performance, user behavior studies, and comparative institutional analysis of governance

approaches across different national contexts. The field of Digital Islamic Law Studies is in its earliest stages; the theoretical frameworks developed in this article are intended as a foundation for the empirical work that will be necessary to ground and refine them.

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