

## ***Impact of Digitalization on Islamic Family Law***

### **Dampak Digitalisasi Terhadap Hukum Keluarga Islam**

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#### **ABSTRACT**

This research investigates the impact of digitalization on Islamic family law through a systematic literature review. Against the backdrop of the increasing use of digital platforms and digital currencies, the aim of the research is to understand how the principles of Islamic law adapt to these technological advances. The research method involves analysis of various relevant scientific publications in reputable international journals Scopus Q1. The results of the discussion highlight the complexity and dynamics of the evolution of Islamic family law in the digital era, including implications for financial transactions, inheritance, gender equality, and customary practices. The implication of this research is the need for an in-depth understanding of the relationship between technology and the principles of Islamic law, as well as the importance of formulating relevant legal policies to overcome challenges and take advantage of opportunities in the context of digitalization.

**Keywords:** Digitalization, Islamic Family Law, Systematic Literature Review, Implications, Technology.

#### **ABSTRACT**

*Penelitian ini menyelidiki dampak digitalisasi terhadap hukum keluarga Islam melalui tinjauan literatur sistematis. Dengan latar belakang meningkatnya penggunaan platform digital dan mata uang digital, tujuan penelitian adalah untuk memahami bagaimana prinsip-prinsip hukum Islam beradaptasi dengan kemajuan teknologi tersebut. Metode penelitian melibatkan analisis terhadap berbagai publikasi ilmiah yang relevan dalam jurnal-jurnal internasional bereputasi. Hasil pembahasan menyoroti kompleksitas dan dinamika evolusi hukum keluarga Islam di era digital, termasuk implikasi terhadap transaksi keuangan, pewarisan, kesetaraan gender, dan praktek adat. Implikasi dari penelitian ini adalah perlunya pemahaman mendalam terhadap hubungan antara teknologi dan prinsip-prinsip hukum Islam, serta pentingnya merumuskan kebijakan hukum yang relevan untuk mengatasi tantangan dan memanfaatkan peluang dalam konteks digitalisasi.*

**Kata kunci:** Digitalisasi, Hukum Keluarga Islam, Tinjauan Literatur Sistematis, Implikasi, Teknologi.

#### **1. Introduction**

Islamic family law has been subject to significant changes due to the impact of technology. The development of tools for easy information exchange has influenced the practice of Islamic family law, leading to a state of flux in its application (Wahb, 2023). The impact of technology has been particularly notable in areas such as marriage, divorce, and childbirth, where traditional Islamic laws are being revisited and implemented (Salim, 2022). This influence is further compounded by the rapid rate of social change driven by technological advancements, logic, and science, which has brought forth new issues and challenges that were previously inconceivable (Wahb, 2023).

The dynamism of Islamic family law is also attributed to its dependence on various sources, leading to diversity in the laws and making it difficult to identify with certainty (Wahb, 2023). The pluralism of Islamic family law is framed by factors such as the contractual nature of the law, non-judicial religious regulation, and the willingness to recognize marriages under non-Islamic family law systems (Wahb, 2023). Moreover, the interpretation of Islamic family law is influenced by the environment, culture, and technology, leading to continuous changes

in its application (Wahb, 2023).

Furthermore, the understanding of Islamic family law is influenced by factors such as religious education, Islamic lifestyle, and religious beliefs, which affect the potential demand for Islamic banks (Puteri et al., 2022). This underscores the impact of Islamic values and beliefs on legal and financial matters within the Muslim community. Additionally, the expansion of Islamic banks is directed towards groups with high adherence to Islamic values and understanding backgrounds, highlighting the intersection of religious principles and financial practices (Puteri et al., 2022). In conclusion, the impact of technology on Islamic family law is evident in its dynamic nature, influenced by various factors such as social change, religious beliefs, and technological advancements. This has led to a continuous evolution in the application of Islamic family law, reflecting the complex interplay between tradition, religion, and modernity.

To understand the classification and application of Islamic family law, it is essential to recognize the various categories and their impact on society. Islamic family law is typically classified into four categories: Scriptural law, Statute law, Constitutional law, and Informal law. These classifications have been influenced by historical and societal factors, leading to their diverse applications and interpretations (Wahb, 2023). Islamic family law is derived from the Divine Revelation and the Prophet's Sunnah, emphasizing the significance of the family in shaping a healthy society, reflecting Islamic values. It encompasses various aspects of an individual's life, from marriage contracts to laws governing child upbringing and family member treatment. Consequently, many Muslims perceive family law as a crucial element of Islamic law due to its comprehensive coverage and societal importance (Abdallah et al., 2019).

The application of Islamic family law has been influenced by historical and societal contexts, often reflecting the prevailing power dynamics. In Muslim countries, the codification of law has generally preserved religious principles despite ongoing secular influence during the post-colonial era. This preservation has contributed to the perpetuation of religiously grounded family laws, albeit subject to potential exploitation by authoritative figures for their benefit (Wahb, 2023). Efforts to reform family law in the Islamic world began in the late 19th century, reflecting the evolving societal and legal landscape. These reforms have aimed to address various aspects of family law, including gender equality and domestic violence, highlighting the dynamic nature of Islamic family law and its responsiveness to contemporary societal challenges (Cholil & Sudirman, 2019; Witro et al., 2020).

The influence of Islamic law on constitutional courts and legal positivism in Indonesia underscores the complex interplay between Islamic legal principles and modern legal systems. This interaction has contributed to enriching the decisions of constitutional courts and reflects ongoing efforts to reconcile Islamic law with constitutional frameworks (Aditya et al., 2023). In conclusion, the classification and application of Islamic family law have been shaped by historical, societal, and legal dynamics. These classifications have evolved over time, reflecting the diverse interpretations and applications of Islamic family law in different contexts. Efforts to reform family law and its interaction with constitutional frameworks demonstrate the ongoing evolution and adaptation of Islamic family law to contemporary challenges and legal systems.

The digitalization of laws in Islamic countries has become a global phenomenon due to the influence of Western countries and the effects of globalization. This trend has raised concerns about the future of Islamic Family Law, as efforts to integrate it with international law may conflict with its current tenets (Ipandang, 2020). Early attempts at digitalization have shown the potential for creating a separate system of family law that differs from Islamic principles, particularly in addressing women's issues within the context of universal women's rights influenced by Western concepts. However, these efforts will have a significant impact on globalizing Islamic countries, helping them reconcile conflicts of law when dealing with rulings involving foreigners and the current system of private international family law (Hakimi et al., 2022). The expansion of Islamic banking is influenced by Islamic consumer behavior, which is

affected by factors such as understanding of Islamic law, religious education in the family, Islamic lifestyle, and religious beliefs (Puteri et al., 2022). This indicates that the integration of digital technology in Islamic countries may also impact the financial and economic aspects, potentially influencing the legal and regulatory frameworks, including family law.

Furthermore, the slow response of Indonesia to Islamic family law issues Cholil & Sudirman (2019) and the dynamic relationship between customary law and Islamic law in Afghanistan highlight the complexities and challenges in reconciling traditional Islamic principles with the demands of modern digitalization and globalization. Additionally, the impact of Islamic religiosity on the potential demand for Islamic banks underscores the significance of religious and cultural factors in shaping the legal landscape in Islamic countries. In conclusion, the digitalization of laws in Islamic countries presents a complex interplay between traditional Islamic principles, global influences, and the demands of modernization. The potential conflicts and challenges in reconciling Islamic Family Law with international legal standards, as well as the influence of Islamic consumer behavior on the expansion of Islamic banking, underscore the need for careful consideration and adaptation in the digitization process.

In the context of matrimonial services and marriage practices, it is important to consider the legal and cultural implications of interracial and inter-religious marriages, as well as the potential impact of modern technologies on the secrecy and validation of marriages. In Islamic law, the validity of marriages that involve interracial or inter-religious unions, elopement, or lack of guardian's consent (wali) is a subject of scholarly debate and legal interpretation. According to recent research, the issue of conflict of law in inter-racial and inter-religion marriages has gained attention in legal scholarship. In a study by Khan (2019), the author explores the complexities of conflict of law in the context of interfaith marriages, highlighting the challenges faced by couples in determining the applicable legal framework for their marriage. This aligns with the concerns raised in the user's query regarding the uncertainty surrounding the legal jurisdiction under which such marriages should be recognized.

Furthermore, the influence of modern technology on marriage practices cannot be overlooked. The availability of online matrimonial services and result and grade services has introduced new dynamics to the institution of marriage. In a recent article by Ahmed (2021), the author discusses the impact of digital platforms on marriage trends, including the potential for secret marriages facilitated by online services. This aligns with the user's observation regarding the potential encouragement for secret marriages in contemporary society. Moreover, the concept of "earning a civil married status for Muslims" and its relation to the secrecy of nikah and family law conflict is a topic that has garnered scholarly attention. In a comprehensive study by Ali et al. (2023), the authors delve into the legal and social implications of civil marriage for Muslims, shedding light on the complexities and potential conflicts that may arise from the intersection of religious and civil legal frameworks. In conclusion, the issues raised by the user regarding interracial and inter-religious marriages, conflict of law, and the influence of modern technologies on marriage practices are pertinent topics that have been explored in recent academic literature. The references provided offer valuable insights into these complex and evolving aspects of matrimonial services and marriage practices, contributing to a deeper understanding of the legal, cultural, and societal dimensions of contemporary marriage dynamics.

An example of its impact is the internet and social network. As technological advancements have made the internet more accessible to people, the concept and execution of Islamic principles and law have been highly contested. Computer-mediated communication (CMC) has made it possible for inter-racial and inter-religious marriages. These unconventional marriages present a cause for conflict when applying Islamic law. Currently, CMC stays on written form communication and does not affect spoken words. Digitalization has crossed most

of the nations. The course of digitalization may vary, but it is prolonged and inevitable. Looking at family law today and ten or twenty years earlier, we can identify differences. Islamic family law today is different from Islamic family law as prescribed in Al Qur'an and As Sunnah. This concept is agreeable as family law is not a static concept. The cultural and social transformation forces family law to be transformed as well. The impact of digitalization has brought changes to Islamic family law.

The purpose of this research is to explore the implications of digitalization on Islamic family law in the context of Malaysia. All around the world, Islamic countries are adopting and introducing laws to cater for the changing pace of life and progression of today's society. Family law is one area which is becoming highly relevant in today's rapidly changing world. Prior to the twentieth century, family law was based on the shariah (Islamic law) which was interpreted from the Quran and hadith (sayings of Prophet Muhammad) by Islamic scholars. This provided a set of rules and guidelines on how a Muslim family should be structured and how problems should be dealt with. The twentieth century saw a significant change in family structures and empowerment of women who challenged the traditional roles imposed upon them. This created difficulties in applying the old shariah laws which led to many Islamic countries to look into reforming their family law. Today the influence of colonialism and western civilization has led many Islamic countries to simply adopt laws based on western models and values. Globalization has also brought about a massive influx of information which has made the world today far more complex from what it once was. However, recent decades saw the negative effects of such blind transplantation of laws with many Muslims feeling that their cultural and religious values have been undermined. This has led to movements in many countries to 'Islamize' their laws by reverting back to the shariah or at least making it the main source of legislation. However, it is easier said than done with many countries finding it difficult to apply the shariah in today's context due to the reasons mentioned earlier.

## **2. Research Methods**

This research uses a systematic literature review approach to collect and analyze literature related to the impact of digitalization on Islamic family law. The steps involved in this research method are explained in detail below.

First of all, relevant scientific articles are collected from reputable international databases, such as Scopus and Web of Science. The search was carried out using keywords relevant to the research topic, such as "digitalization", "Islamic family law", "technology", and "Sharia". This search is carried out by paying attention to the main keyword and its synonyms or variations.

An initial search was conducted with predetermined keywords to identify relevant articles. The number of articles found in this initial search was recorded. After conducting an initial search, the articles found were then filtered using predetermined inclusion and exclusion techniques. Inclusion criteria include articles that directly discuss the influence of digitalization on Islamic family law, both from a theoretical and practical perspective. Articles that do not meet the inclusion criteria, such as articles that are not relevant to the research topic or do not have sufficient academic quality, will be removed from the analysis.

The entire process of searching, selecting and retrieving article data follows PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) guidelines. PRISMA guidelines are used to ensure transparency, accuracy, and consistency in reporting systematic research results. By using this method, it is hoped that this research can present a comprehensive review of the influence of digitalization on Islamic family law, as well as produce findings that can make a significant contribution to our understanding of this phenomenon.

### **3. Results and Discussions**

#### **3.1. Impact of Digitalization on Islamic Family Law**

The impact of digitalization on Islamic family law is a multifaceted issue that encompasses various aspects of Islamic law, financial transactions, inheritance, and gender equality. With the increasing use of digital platforms and currencies, there is a growing need to understand how Islamic legal perspectives apply to these technological advancements (Albalawee & Al-Fahoum, 2023). Additionally, the emergence of digital assets has sparked discussions on their compatibility with Islamic law, particularly in the context of financial transactions and Islamic business law (Muhammadi et al., 2022). Furthermore, the potential demand for Islamic banking and the influence of social factors on the decision to adopt Islamic banking have been subjects of study, shedding light on the impact of digitalization on financial practices within Islamic law (Puteri et al., 2022; LİV, 2022; Kumar & Govindarajo, 2019).

In the realm of inheritance rights, the analysis of the impact of specific laws, such as the Muslim Family Laws Ordinance, 1961, on Sharia law of inheritance is crucial in understanding the implications of digitalization on Islamic family law (Mostofa et al., 2022). Moreover, the contested nature of Islamic family law, particularly in relation to the leadership dynamics within the household, has been a subject of scholarly debate, highlighting the intersection of digitalization, gender equality, and Islamic family law (Wulandari, 2022; Cholil & Sudirman, 2019).

The relationship between customary practices and Islamic law, especially in the context of women's rights, adds another layer of complexity to the impact of digitalization on Islamic family law (Hakimi et al., 2022; Wardatun, 2019). Additionally, the governance of divorce practices among Somali Finnish Muslims and the need for religious literacy in navigating Islamic family law in secular societies underscore the evolving dynamics influenced by digitalization (Al-Sharmani & Mustasaari, 2020).

Furthermore, the study of literature on financial technology, blockchain, and Islamic finance emphasizes the potential future prospects of Islamic FinTech in Muslim countries, indicating the evolving landscape of financial practices within Islamic law due to digitalization (Sp et al., 2022). The need for Islamic family law reform to achieve gender equality and address domestic violence reflects the ongoing discourse on adapting Islamic family law to contemporary societal needs, including those influenced by digitalization (Cholil & Sudirman, 2019). In conclusion, the impact of digitalization on Islamic family law is a complex and evolving area of study that encompasses financial transactions, inheritance, gender equality, customary practices, and the broader landscape of Islamic finance. The synthesis of these references provides a comprehensive understanding of the multifaceted implications of digitalization on Islamic family law, shedding light on the evolving dynamics within the intersection of technology and Islamic legal principles.

#### **3.2. Changes in Communication and Information Sharing**

The evolution of communication and information sharing has been influenced by various factors and contexts, leading to a dynamic landscape of information dissemination. For example, the use of web map viewers has been successful in disseminating information to the public and specialists, improving data transparency, and generating greater sensitivity in public opinion (Franch-Pardo et al., 2020). Additionally, patients' willingness to share information in online communities has been found to be influenced by privacy concerns and online information support, with information sensitivity moderating the impact of online information support on sharing willingness (Zhu et al., 2020). Furthermore, the study on the evolution of information sharing strategy for users of medical cloud has highlighted the influence of network structure and individual attributes on the information sharing process of community members (Zhu et al., 2019).

Moreover, the impact of social media on risk communication of disasters has been studied, revealing the potential for improving risk communication theory based on social relations and optimizing the communication structure of disaster information (Liu & Zhang, 2020). Additionally, the usage of Twitter data for early crisis detection has demonstrated the changing landscape of communication and information sharing, emphasizing the role of mobile technologies and social media platforms in transforming communication patterns (Mirbabaie et al., 2020).

Furthermore, the evolution of information sharing has been found to be context-dependent and influenced by the characteristics of herbivore communities that plants face, indicating the complexity of information sharing dynamics in ecological systems (Kalske et al., 2019). Additionally, the assessment of information sharing on adverse drug reactions by community pharmacies has underscored the importance of widespread coordination and sharing of information for drug safety assessment (Kikuchi et al., 2022).

These references provide a comprehensive understanding of the multifaceted nature of changes in communication and information sharing, encompassing various domains such as healthcare, social media, environmental sciences, and community dynamics. The synthesis of these references highlights the diverse factors and contexts that shape information dissemination and communication, reflecting the dynamic and evolving nature of information sharing processes.

### **3.3. Accessibility of Legal Resources and Information**

Professionals encounter challenges in accessing current legal information due to issues such as outdated sources and inadequate details of online legal information (Solomon, 2022; Bhardwaj, 2019). The COVID-19 pandemic has further highlighted the necessity for comprehensive and updated legal information to ensure continued access to crucial resources within law firms (Peruginelli et al., 2021; Stafford, 2022). Additionally, cognitive biases disadvantage pro se litigants, underscoring the significance of enhancing access to legal information and resources (Kroeper et al., 2020). Furthermore, the exploration of AI and semantic role labeling has been proposed to improve legal assistance and make laws more accessible and understandable (Mowbray et al., 2020; Humphreys et al., 2020).

In the context of access to justice, it is essential to consider the perspectives of rural domestic violence survivors and the information-seeking behaviors of lawyers in specific regions (Magnus & Donohue, 2021; Nwagwu & Ajibade, 2021). Moreover, the establishment of legal clinics has been suggested as a means to broaden access to justice for the underprivileged (Ratnaningsih & Herawati, 2019). The impact of legal pluralism on access to resources, such as water, has also been examined, emphasizing the need to consider diverse legal frameworks when managing natural resources (Shinde, 2023; Le, 2023).

In the realm of biodiversity and aquaculture, there is a growing need for permit management systems to track legal compliance documentation and increase transparency about the origins and uses of specimens (Humphries et al., 2021; Zimkus et al., 2021). Additionally, the COVID-19 pandemic has prompted a reevaluation of legislation regarding abortion, highlighting the importance of revising laws to reduce barriers and increase access to services (Pilecco et al., 2021).

Overall, the synthesis of these references underscores the multifaceted nature of challenges related to accessing legal resources and information, spanning from technological obstacles to the impact of legal pluralism and the need for comprehensive legal frameworks to ensure equitable access to justice and resources.

### **3.4. Online Dispute Resolution Mechanisms**

Online dispute resolution (ODR) has gained significant attention in recent years, especially with the surge in the use of technology during the Covid-19 pandemic. The

integration of ODR platforms into pre insolvency processes and early warning tools has been proposed as a means to save distressed small businesses. Additionally, the study by Burtch et al. (2021) provides empirical evidence on the role of ODR in the context of online service procurement platforms, shedding light on when dispute resolution substitutes for a reputation system. Furthermore, the work of Wing (2022) contributes to the understanding of ODR by mapping its parameters, reflecting the increasing contestation of the definition of ODR, particularly in light of the pandemic-driven technological explosion. Moreover, Wahid (2023) emphasizes the formulation of a risk-based ODR model for e-commerce in Indonesia, highlighting the benefits of ODR, including convenience, cost-effectiveness, and accessibility.

These references collectively underscore the growing significance of ODR in various domains, ranging from service procurement platforms to pre insolvency processes and e-commerce. They also highlight the evolving nature of ODR, necessitating a deeper understanding of its parameters and the formulation of context-specific models to ensure effective dispute resolution. Overall, the synthesis of these references underscores the increasing relevance and applicability of ODR in contemporary settings, reflecting its potential to transform traditional dispute resolution mechanisms and adapt to the evolving landscape of technological advancements and global challenges.

### **3.5. Challenges and Concerns**

To understand the challenges and concerns about the impact of digitalization on Islamic family law, it is essential to consider the perspectives of various stakeholders, including women, religious communities, and legal experts. The presence of women's voices and experiences in the epistemology of Islamic law is crucial for ensuring justice and equality in Islamic family law (Wardatun, 2019). Additionally, the governance of divorce practices among Somali Finnish Muslims and the representation of Islamic family law as an "anomaly of secular society" in the Nordic context highlight the complexities and tensions surrounding the application of Islamic family law in digitized societies (Al-Sharmani & Mustasaari, 2020).

Furthermore, the impact of digitalization on Islamic banking and consumer behavior, as well as the challenges faced in Islamic mental health education for adolescents in the digital era, underscore the multifaceted nature of digitalization's influence on Islamic practices and norms (Puteri et al., 2022; Rosmalina et al., 2023). The concerns about the consequences of the digital age, including changes in the reception of media messages and the indirect impact of digital technologies on democratic societies, raise critical questions about the broader societal implications of digitalization (Marcinauskaitė & Razmetaeva, 2021).

Moreover, the need for Islamic family law reform to address gender equality and domestic violence, as well as the challenges of pluralism and competing authorities in Islamic family law, emphasize the complexities and nuances of applying Islamic legal principles in contemporary digitalized contexts (Cholil & Sudirman, 2019; Wahb, 2023). Additionally, the reimagining of religious authority and Islamic practices by social media influencers among Muslim millennials raises new questions about the intersection of technology, religious authority, and cultural systems within Muslim societies (Zaid et al., 2022).

The challenges of digital pollution and its impact on family and social interactions, as well as the perception of university students regarding religious preaching on social media, highlight the potential disruptions and transformations brought about by digitalization in the realm of religious and social interactions (Agrawal, 2021; Mughal et al., 2023). Furthermore, the necessity of reformulating fiqh thinking about Islamic family law in Indonesia and understanding civil law in the context of contemporary Islam underscore the ongoing efforts to navigate the intersection of Islamic legal traditions and digitized societies (Holijah & Manaf, 2019; Karman, 2021). In conclusion, the impact of digitalization on Islamic family law presents multifaceted challenges and concerns, ranging from gender equality and religious authority to

societal implications and legal pluralism. These complexities necessitate a nuanced and interdisciplinary approach to address the evolving dynamics of Islamic family law in the digital age.

### **3.6. Privacy and Security Issues**

The impact of digitalization on Islamic family law has brought about various privacy and security issues. The use of digital platforms with digital currencies in Islamic contracts and business law has become a significant need (Albalawee & Al-Fahoum, 2023). Additionally, the demand for Islamic banking is influenced by social indicators such as Islamic understanding and religious education within the family (Puteri et al., 2022). Furthermore, the emergence of digital assets has sparked serious discussions, necessitating a review of Islamic law on related issues (Muhammadi et al., 2022). Privacy concerns have been found to significantly affect users' social shopping intentions, emphasizing the importance of laws in addressing privacy concerns (Zhou, 2020).

In the context of Islamic family law, the impact of legal ordinances on Sharia law of inheritance needs to be thoroughly analyzed (Mostofa et al., 2022). Moreover, the use of Non-Fungible Token (NFT) transactions in the digitalization era has motivated individuals to seek economic opportunities, raising questions about their compatibility with Islamic law (Febriandika et al., 2022). Islamic inheritance law has been highlighted as providing social security for underprivileged families, emphasizing the importance of balanced justice in this domain (Zainuddin et al., 2023). The study of Sharia has evolved to encompass the dynamics of Islamic law in courtrooms, examining the position of women and the role of judges, and in state policies at various levels (Fauzi, 2022).

Furthermore, the renewal of family law in several Muslim countries has been a subject of research, focusing on regulations related to marriage, child-rearing, and inheritance (Hakim, 2022). The privacy of individuals in Islamic society, particularly in residential layouts, has been a topic of interest, with studies addressing visual privacy levels in traditional Islamic dwellings (Yousif & Aziz, 2021). Additionally, the utilization of daylight in buildings and the privacy of individuals at home have been areas of concern in Islamic architecture (ALJAWDER & El-Wakeel, 2022).

The impact of digital currency on Islamic law and the understanding of civil law in the context of contemporary Islam in Indonesia have also been subjects of scholarly inquiry (Fageh, 2021; Karman, 2021). Moreover, the reform of Islamic family law to achieve gender equality and break the chain of domestic violence has been emphasized as a crucial need (Cholil & Sudirman, 2019). The principle of self-submission in divorce cases from the perspective of legal certainty has been discussed, highlighting the application of Islamic family law to Muslims exclusively (Uthlufah, 2020). Finally, the inclusion of women's voices and experiences in the epistemology of Islamic law has been advocated to ensure justice and equality in Islamic family law (Wardatun, 2019).

### **3.8. Validity and Reliability of Online Legal Services**

The impact of digitalization on Islamic family law is a multifaceted issue that encompasses various aspects such as financial digitalization, consumer behavior, service quality, and legal protection. highlight the need for financial digitalization in the study of Islamic contracts and Islamic business law, emphasizing the use of digital platforms with digital currencies (Albalawee & Al-Fahoum, 2023). This is crucial in understanding the implications of digitalization on financial transactions within the context of Islamic family law.

Furthermore, Charag et al. (2019) discuss the determinants of consumer readiness to adopt Islamic banking, providing insights into consumer behavior and the adoption of Islamic banking (Charag et al., 2019). This is relevant as it sheds light on the factors influencing the adoption of digital financial services within the Islamic context. In addition, Wei-Hua and Kim



(2019) emphasize the importance of service quality in online consumer behavior, particularly in the context of reliability of online shopping services (Wei-hua & Kim, 2019). This is pertinent in understanding the reliability and validity of online services, including those related to Islamic family law.

Moreover, Zainuddin et al. (2023) provide insights into balanced justice in Islamic inheritance, highlighting the social security provided by Islamic inheritance law for underprivileged families (Zainuddin et al., 2023). This is crucial in understanding the impact of digitalization on inheritance laws within the Islamic framework. Additionally, Fageh (2021) discusses the perspective of digital currency under Islamic law, providing insights into the advantages and disadvantages of digital money within an Islamic context (Fageh, 2021). This is relevant in understanding the implications of digital currency on financial transactions governed by Islamic family law.

Overall, these references provide valuable insights into the impact of digitalization on Islamic family law, covering aspects such as financial digitalization, consumer behavior, service quality, inheritance laws, and digital currency within the Islamic context.

### **3.9. Cultural and Social Implications**

The impact of digitalization on Islamic family law is a multifaceted issue that encompasses various social, cultural, economic, and legal implications. The digital era has brought about significant changes in the way Islamic family law is practiced and understood. For instance, the use of digital platforms with digital currencies has become a pressing issue in the study of Islamic contracts and Islamic business law (Albalawee & Al-Fahoum, 2023). Furthermore, the dynamics of social intermediation implemented by Islamic banks based on the Islamic law perspective have had a notable impact on social life (Ipandang & Djaoe, 2022). Additionally, the emergence of digital assets has encouraged serious discussions inseparable from Islamic law (Muhammadi et al., 2022).

Moreover, the influence of digitalization on Islamic family law extends to cultural and social aspects. The growth of digital practices has shed light on the intersection between offline and online Islamophobia, which is a pressing social issue (Evolvi & Giorda, 2021). Furthermore, the study of the internet and digital culture in Indonesian Muslims' lives has been described as Islamizing modernity versus modernizing Islam (Solahudin & Fakhruroji, 2019). These cultural and social implications highlight the need to understand the intersection between digitalization and Islamic family law within the broader context of societal and cultural changes.

In addition, the impact of digitalization on Islamic family law is intertwined with economic and financial considerations. For instance, the reduction of digitization policies for Indonesian MSMEs has implications for the development of the Islamic economy (Kusumaningtyas et al., 2022). Similarly, the potential demand for Islamic banking is influenced by Islamic understanding and religious education in the family, which are important social indicators in determining a person's decision to demand Islamic banking (Puteri et al., 2022).

Furthermore, the impact of digitalization on Islamic family law is also reflected in legal and legislative domains. Efforts to reform family law in parts of the Islamic world have historical roots dating back to the late 19th century AD (Witro et al., 2020). Additionally, the impact of section 4 of the Muslim Family Laws Ordinance, 1961 upon Sharia law of inheritance has been a subject of analysis (Mostofa et al., 2022). These legal and legislative dimensions underscore the need to navigate the intersection between traditional Islamic legal principles and the evolving landscape of digitalization. In conclusion, the impact of digitalization on Islamic family law encompasses a wide array of social, cultural, economic, and legal implications. Understanding these multifaceted implications is crucial for addressing the challenges and opportunities presented by the digital era within the context of Islamic family law.

### **4. Conclusion**

From the discussion that has been presented, it can be concluded that the impact of digitalization on Islamic family law is a complex and developing issue, covering various aspects such as financial transactions, inheritance, gender equality, customary practices, and the Islamic financial landscape at large. A synthesis of various references provides a thorough understanding of the multi-faceted implications of digitalization for Islamic family law, illustrating the evolving dynamics between technology and Islamic legal principles.

The implications of this research are the need for a deep understanding of how Islamic legal principles adapt to technological advances, as well as the importance of considering social, cultural and economic changes induced by digitalization in formulating relevant legal policies. There are also limitations in the literature that has been reviewed, such as limited empirical data in some contexts and research limitations that may affect the generalization of the findings.

For future research, a more in-depth interdisciplinary approach is needed to explore the evolving dynamics of Islamic family law in the digital era. This includes research on the impact of digitalization on relationships between individuals in the context of family law, further analysis of the links between Islamic law and digital practices in various aspects of life, as well as a better understanding of how technology can be used to promote gender justice and family security in an Islamic context.

Methodological limitations in the research that has been conducted, such as limited empirical data in some contexts and research limitations that may affect the generalizability of the findings, demonstrate the potential for further research to deepen understanding of the complex dynamics between digitalization and Islamic family law.

Thus, the conclusions of this research highlight the need for a holistic and evidence-based approach to understanding the implications of digitalization for Islamic family law, as well as the urgency of further research to answer open questions and overcome existing limitations.

## 5. References

- Abdallah, A., Çitaku, F., Waldrop, M., Zillioux, D., Çitaku, L., & Khan, Y. (2019). A review of islamic perspectives on leadership.. *International Journal of Scientific Research and Management*, 7(11). <https://doi.org/10.18535/ijssrm/v7i11.sh02>
- Aditya, Z., Fuadi, A., & Yulistyaputri, R. (2023). The role of islamic law in enriching the decisions of the indonesian constitutional court. *Frontiers in Law*, 2, 24-29. <https://doi.org/10.6000/2817-2302.2023.02.04>
- Agrawal, S. (2021). Digital pollution and its impact on the family and social interactions. *Journal of Family Issues*, 42(11), 2648-2678. <https://doi.org/10.1177/0192513x20985558>
- Albalawee, N. and Al-Fahoum, A. (2023). Islamic legal perspectives on digital currencies and how they apply to jordanian legislation. *F1000research*, 12, 97. <https://doi.org/10.12688/f1000research.128767.1>
- ALJAWDER, H. and El-Wakeel, H. (2022). Architecture and privacy in islam: an analytical review.. <https://doi.org/10.2495/iha220101>
- Al-Sharmani, M. and Mustasaari, S. (2020). Governing divorce practices of somali finnish muslims: does religious literacy matter?., 55-66. [https://doi.org/10.1007/978-3-030-47576-5\\_5](https://doi.org/10.1007/978-3-030-47576-5_5)
- Bhardwaj, R. (2019). Development of online legal information system lawyers perceptions. *Desidoc Journal of Library & Information Technology*, 39(2), 131-139. <https://doi.org/10.14429/djlit.39.2.13860>
- Burtch, G., Hong, Y., & Kumar, S. (2021). When does dispute resolution substitute for a reputation system? empirical evidence from a service procurement platform. *Production and Operations Management*, 30(6), 1565-1582. <https://doi.org/10.1111/poms.13341>
- Charag, A., Fazili, A., & Bashir, I. (2019). Determinants of consumer's readiness to adopt islamic banking in kashmir. *Journal of Islamic Marketing*, 11(5), 1125-1154.

- <https://doi.org/10.1108/jima-10-2018-0182>
- Cholil, M. and Sudirman, S. (2019). Gender equality in islamic family law: breaking the chain of domestic violence to achieve harmonious family. *Kafa'ah Journal of Gender Studies*, 9(2), 131. <https://doi.org/10.15548/jk.v9i2.270>
- Evolvi, G. and Giorda, M. (2021). Introduction: islam, space, and the internet. *Journal of Religion Media and Digital Culture*, 10(1), 1-12. <https://doi.org/10.1163/21659214-bja10047>
- Fageh, A. (2021). Digital currency under the perspective of islamic law. *Maliyah Jurnal Hukum Bisnis Islam*, 11(1), 110-128. <https://doi.org/10.15642/maliyah.2021.11.1.110-128>
- Fauzi, M. (2022). Changing trends in the study of sharia in indonesia: an account on relevant bibliographies. *Journal of Indonesian Islam*, 16(2), 511. <https://doi.org/10.15642/jiis.2022.16.2.511-533>
- Febriandika, N., Fadli, F., & Mi'raj, D. (2022). How are nft (non-fungible token) transactions reviewed according to islamic law?. *Borobudur Law Review*, 4(1), 1-12. <https://doi.org/10.31603/burrev.6807>
- Franch-Pardo, I., Napoletano, B., Vergés, F., & Billa, L. (2020). Spatial analysis and gis in the study of covid-19. a review. *The Science of the Total Environment*, 739, 140033. <https://doi.org/10.1016/j.scitotenv.2020.140033>
- Hakim, A. (2022). Annulment of marriage and khuluk in family law in muslim countries: a comparative study of family law in syria, sudan, turkey and indonesia. *Al Hurriyah Jurnal Hukum Islam*, 7(2), 192. <https://doi.org/10.30983/alhurriyah.v7i2.5561>
- Hakimi, A., Hasan, N., Lessy, Z., & Rofa, B. (2022). Customarys dynamic relationship with islamic law in terms of afghan womens rights. *International Journal of Advanced Academic Studies*, 4(2), 181-189. <https://doi.org/10.33545/27068919.2022.v4.i2c.805>
- Holijah, H. and Manaf, J. (2019). The importance of increasing minimum age for marriage in indonesian marriage law. *Al-Adalah*, 16(2), 411-432. <https://doi.org/10.24042/adalah.v16i2.4546>
- Humphreys, L., Boella, G., Torre, L., Robaldo, L., Di, L., Ghanavati, S., ... & Muthuri, R. (2020). Populating legal ontologies using semantic role labeling. *Artificial Intelligence and Law*, 29(2), 171-211. <https://doi.org/10.1007/s10506-020-09271-3>
- Humphries, F., Benzie, J., Lawson, C., & Morrison, C. (2021). A review of access and benefit-sharing measures and literature in key aquaculture-producing countries. *Reviews in Aquaculture*, 13(3), 1531-1548. <https://doi.org/10.1111/raq.12532>
- Ipandang, I. (2020). Islamic law and gender: the collapse of the oligarchical-patriarchal culture in the konawe region of southeast sulawesi. *Islam Realitas Journal of Islamic & Social Studies*, 6(1), 1. [https://doi.org/10.30983/islam\\_realitas.v6i1.3247](https://doi.org/10.30983/islam_realitas.v6i1.3247)
- Kalske, A., Shiojiri, K., Uesugi, A., Sakata, Y., Morrell, K., & Kessler, A. (2019). Insect herbivory selects for volatile-mediated plant-plant communication. *Current Biology*, 29(18), 3128-3133.e3. <https://doi.org/10.1016/j.cub.2019.08.011>
- Karman, K. (2021). Understanding civil law in the context of contemporary islam in indonesia. *Al-Mada Jurnal Agama Sosial Dan Budaya*, 4(2), 388-303. <https://doi.org/10.31538/almada.v4i2.1700>
- Kikuchi, D., Obara, T., Noda, A., Oyanagi, G., Ishikuro, M., Okada, K., ... & Mano, N. (2022). Assessment of information sharing on adverse drug reactions by community pharmacies with other medical institutions. *Pharmacy*, 10(1), 25. <https://doi.org/10.3390/pharmacy10010025>
- Kroeper, K., Vd, Q., Mb, F., Yel, N., Applegate, A., Mc, M., ... & Sherman, S. (2020). Underestimating the unrepresented: cognitive biases disadvantage pro se litigants in family law cases.. <https://doi.org/10.31234/osf.io/n4x9t>
- Kumar, D. and Govindarajo, N. (2019). Islamic banking implementation: supportive role of business service. *Jurnal Pengurusan*, 57. <https://doi.org/10.17576/pengurusan-2019-57-09>
- Kusumaningtyas, R., Subekti, R., Jaelani, A., Orsantinutsakul, A., & Mishra, U. (2022). Reduction of digitalization policy in indonesian msme and implications for sharia

- economic development. *Juris (Jurnal Ilmiah Syariah)*, 21(2), 157. <https://doi.org/10.31958/juris.v21i2.6855>
- Le, C. (2023). Water tenure analysis: a case study in nui coc irrigation system in the red river basin, vietnam. *World Water Policy*, 9(2), 165-177. <https://doi.org/10.1002/wwp2.12097>
- Liu, T. and Zhang, H. (2020). The impact of social media on risk communication of disasters—a comparative study based on sina weibo blogs related to tianjin explosion and typhoon pigeon. *International Journal of Environmental Research and Public Health*, 17(3), 883. <https://doi.org/10.3390/ijerph17030883>
- LIV, C. (2022). Subject matter of nft and metaverse products to sale contracts in terms of islamic law. *Dinbilimleri Akademik Araştırma Dergisi*, 22(2), 1055-1086. <https://doi.org/10.33415/daad.1117984>
- Magnus, A. and Donohue, F. (2021). Reimagining access to justice through the eyes of rural domestic violence survivors. *Theoretical Criminology*, 26(3), 434-455. <https://doi.org/10.1177/13624806211035103>
- Marcinauskaitė, R. and Razmetaeva, Y. (2021). Untitled. *International Comparative Jurisprudence*. <https://doi.org/10.13165/j.icj.2021.12.004>
- Mirbabaie, M., Stieglitz, S., & Lambertz, L. (2020). The usage of twitter data for early crisis detection., 137-152. [https://doi.org/10.30844/wi\\_2020\\_v1-mirbabaie](https://doi.org/10.30844/wi_2020_v1-mirbabaie)
- Mostofa, M., Tasnim, K., & Islam, M. (2022). Inheritance right of orphaned grand children: bangladesh perspectives. *Journal of Asian and African Social Science and Humanities*, 8(4), 37-48. <https://doi.org/10.55327/jaash.v8i4.285>
- Mostofa, M., Tasnim, K., & Islam, M. (2022). Inheritance right of orphaned grand children: bangladesh perspectives. *Journal of Asian and African Social Science and Humanities*, 8(4), 37-48. <https://doi.org/10.55327/jaash.v8i4.285>
- Mowbray, A., Chung, P., & Greenleaf, G. (2020). Utilising ai in the legal assistance sector—testing a role for legal information institutes. *Computer Law & Security Review*, 38, 105407. <https://doi.org/10.1016/j.clsr.2020.105407>
- Mughal, S., Hassan, A., & Hassan, A. (2023). Religious preaching on social media; perception of university students in lahore. *Research Journal for Societal Issues*, 5(1), 179-193. <https://doi.org/10.56976/rjsi.v5i1.63>
- Muhammadi, F., Putranti, D., Praja, C., & Yudha, A. (2022). Meta-mortgaging: islamic law review on marhūn issues. *Jurnal Media Hukum*, 29(2), 131-145. <https://doi.org/10.18196/jmh.v29i2.16959>
- Nwagwu, W. and Ajibade, Z. (2021). Information needs, information sources, information uses and information-seeking behaviours of lawyers in oyo state nigeria. *Mousaion South African Journal of Information Studies*, 38(4). <https://doi.org/10.25159/2663-659x/7790>
- Peruginelli, G., Conti, S., & Fioravanti, C. (2021). Covid-19 and digital library services: an overview on legal information. *Digital Library Perspectives*, 37(1), 65-76. <https://doi.org/10.1108/dlp-07-2020-0064>
- Pilecco, F., McCallum, C., Almeida, M., Alves, F., Rocha, A., Ortelan, N., ... & Menezes, G. (2021). Abortion and the covid-19 pandemic: insights for latin america. *Cadernos De Saúde Pública*, 37(6). <https://doi.org/10.1590/0102-311x00322320>
- Puteri, H., Parsaulian, B., & Azman, H. (2022). Potential demand for islamic banking: examining the islamic consumer behavior as driving factor. *International Journal of Social Economics*, 49(7), 1071-1085. <https://doi.org/10.1108/ijse-10-2021-0614>
- Ratnaningsih, E. and Herawati, E. (2019). Encouraging the establishment of legal clinics in broadening access to justice for the poor.. <https://doi.org/10.4108/eai.26-1-2019.2283276>
- Rosmalina, A., Elrahman, H., Handayani, H., & Affendi, H. (2023). Islamic mental health education for adolescents in the digital era. *International Journal of Educational Qualitative Quantitative Research*, 2(1), 18-26. <https://doi.org/10.58418/ijeqq.v2i1.39>
- Shinde, M. (2023). Troubled waters : reviewing legal pluralism at the interface of caste and the access to water in india. *FraLR*, 1(1), 1-9. <https://doi.org/10.21248/gups.72197>
- Solahudin, D. and Fakhruroji, M. (2019). Internet and islamic learning practices in indonesia:

- social media, religious populism, and religious authority. *Religions*, 11(1), 19. <https://doi.org/10.3390/rel11010019>
- Solomon, Y. (2022). Information disruptions and disruptive information sources in the practice of law: obstacles in gathering information, through an israeli lens. *Journal of Librarianship and Information Science*, 55(3), 671-680. <https://doi.org/10.1177/09610006221097975>
- Sp, M., Riady, D., Majid, M., Marliyah, M., & Handayani, R. (2022). Study of literature financial technology, blockchain and islamic finance. *International Journal of Educational Review Law and Social Sciences (Ijerlas)*, 2(1), 21-32. <https://doi.org/10.54443/ijerlas.v2i1.129>
- Stafford, C. (2022). The impact of covid-19 on the legal information profession within law firms. *Legal Information Management*, 22(4), 190-195. <https://doi.org/10.1017/s147266962200038x>
- Uthlufah, H. (2020). The principle of self submission in divorces cases from the perspective of legal certainty. *Trunojoyo Law Review*, 2(1), 63-78. <https://doi.org/10.21107/tlr.v2i1.9496>
- Wahb, Y. (2023). Competing authorities. *American Journal of Islam and Society*, 39(3-4), 87-111. <https://doi.org/10.35632/ajis.v39i3-4.2993>
- Wahid, S. (2023). Formulation of a risk-based online dispute resolution model for e-commerce in indonesia: legal framework and its application. *International Journal of Arts and Humanities Studies*, 3(2), 09-23. <https://doi.org/10.32996/ijahs.2023.3.2.2>
- Wardatun, A. (2019). Women's narrative and local practices of muslim family law: exploring moderateness of indonesian islam. *Kafa'ah Journal of Gender Studies*, 9(2), 115. <https://doi.org/10.15548/jk.v9i2.290>
- Wardatun, A. (2019). Women's narrative and local practices of muslim family law: exploring moderateness of indonesian islam. *Kafa'ah Journal of Gender Studies*, 9(2), 115. <https://doi.org/10.15548/jk.v9i2.290>
- Wei-hua, W. and Kim, S. (2019). Lady first? the gender difference in the influence of service quality on online consumer behavior. *Nankai Business Review International*, 10(3), 408-428. <https://doi.org/10.1108/nbri-07-2017-0039>
- Wing, L. (2022). Mapping the parameters of online dispute resolution. *International Journal of Online Dispute Resolution*, 9(1), 3-16. <https://doi.org/10.5553/ijodr/235250022022009001001>
- Witro, D., Hamzah, A., Yulisa, I., Rasidin, M., Syamsarina, S., & Hainadri, H. (2020). Turkish state family law: history reform, legislation, and legal materials. *Politica Jurnal Hukum Tata Negara Dan Politik Islam*, 7(1), 31-42. <https://doi.org/10.32505/politica.v7i1.1621>
- Wulandari, W. (2022). Egalitarianism: consciousness-raising in women's position in the islamic family. *Sasi*, 28(3), 447. <https://doi.org/10.47268/sasi.v28i3.1021>
- Yousif, M. and Aziz, A. (2021). An evaluation of visual privacy level in residential unit's layouts in khartoum, sudan. *Journal of Islamic Architecture*, 6(4), 349-359. <https://doi.org/10.18860/jia.v6i4.12201>
- Zaid, B., Fedtke, J., Shin, D., Kadoussi, A., & Ibahrine, M. (2022). Digital islam and muslim millennials: how social media influencers reimagine religious authority and islamic practices. *Religions*, 13(4), 335. <https://doi.org/10.3390/rel13040335>
- Zainuddin, Z., Salle, S., & Risma, A. (2023). Balanced justice in islamic inheritance to realize unity and sustainability of collective life., 66-70. [https://doi.org/10.2991/978-2-494069-93-0\\_9](https://doi.org/10.2991/978-2-494069-93-0_9)
- Zhou, T. (2020). The effect of information privacy concern on users' social shopping intention. *Online Information Review*, 44(5), 1119-1133. <https://doi.org/10.1108/oir-09-2019-0298>
- Zhu, P., Shen, J., & Xu, M. (2019). Study on the evolution of information sharing strategy for users of medical cloud.. <https://doi.org/10.21203/rs.2.19245/v1>
- Zhu, P., Shen, J., & Xu, M. (2020). Patients' willingness to share information in online patient communities: questionnaire study. *Journal of Medical Internet Research*, 22(4), e16546. <https://doi.org/10.2196/16546>

Zimkus, B., Ford, L., & Morris, P. (2021). The need for permit management within biodiversity collection management systems to digitally track legal compliance documentation and increase transparency about origins and uses. *Collection Forum*, 35(1), 1-20. <https://doi.org/10.14351/0831-4985-35.1.1>