

## AI-BASED FAMILY COUNSELING IN CONTEMPORARY ISLAMIC FAMILY LAW



Huy Hoang Doan<sup>1\*</sup>, Thi My Linh Tran<sup>2</sup>

### \*Correspondence :

Email :  
[hoang.dh@tmu.edu.vn](mailto:hoang.dh@tmu.edu.vn)

### Affiliation:

<sup>1</sup> Thuongmai University,  
Hanoi, Vietnam

<sup>2</sup> Thuongmai University,  
Hanoi, Vietnam

### Article History :

Submission : December 11,  
2025

Revised : February 24, 2026

Accepted : March 17, 2026

Published : May 05, 2026

**Keywords :** Artificial Intelligence, Islamic Family Law; Maqasid Al-Shari'ah, Digital Fatwa, Algorithmic Accountability

### Abstract

This article aims to analyze the role of AI-based family counseling within the context of contemporary Islamic family law, particularly in expanding access to religious and legal guidance through digital technologies such as digital fatwa services, online dispute resolution, and AI-assisted advisory systems. This study employs a qualitative field-based approach supported by interdisciplinary literature on Islamic family law, maqasid al-shariah, online dispute resolution, and algorithmic accountability. The findings indicate that AI technologies have significant potential to enhance accessibility, efficiency, and consistency in family counseling services; however, they also introduce various risks, including data privacy concerns, gender bias in algorithms, the provision of decontextualized advice, challenges to established religious authority, and weak accountability mechanisms. The study concludes that AI should not be positioned as an autonomous source of religious or legal authority but rather as a supportive tool that facilitates access to information, assists in early-stage dispute identification, provides procedural guidance, and directs users to qualified human experts, thereby preserving the central role of human authority in Islamic legal processes. The academic contribution of this article lies in proposing a maqasid-based framework for algorithmic family justice, which evaluates the use of AI based on the protection of religion, life, intellect, lineage, and property, while also emphasizing dignity and the protection of vulnerable family members as a normative foundation for the ethical integration of AI in Islamic family counseling.

### Abstrak

Artikel ini bertujuan untuk menganalisis peran konseling keluarga berbasis AI dalam konteks hukum keluarga Islam kontemporer, khususnya dalam memperluas akses terhadap bimbingan keagamaan dan hukum melalui teknologi digital seperti layanan fatwa digital, penyelesaian sengketa daring, dan sistem penasihat berbantuan AI. Penelitian ini menggunakan pendekatan kualitatif berbasis lapangan yang didukung oleh kajian literatur interdisipliner mengenai hukum keluarga Islam, maqasid al-shariah, penyelesaian sengketa daring, serta akuntabilitas algoritma. Hasil penelitian menunjukkan bahwa teknologi AI memiliki potensi signifikan dalam meningkatkan aksesibilitas, efisiensi, dan konsistensi layanan konseling keluarga, namun juga menimbulkan berbagai risiko, termasuk persoalan privasi data, bias gender dalam algoritma, pemberian nasihat yang tidak kontekstual, tantangan terhadap otoritas keagamaan, serta lemahnya mekanisme akuntabilitas. Penelitian ini menyimpulkan bahwa AI tidak dapat diposisikan sebagai otoritas hukum atau keagamaan yang mandiri, melainkan hanya sebagai alat pendukung yang berfungsi dalam penyediaan informasi, identifikasi awal sengketa, panduan prosedural, dan rujukan kepada ahli manusia yang kompeten, sehingga tetap menjaga peran sentral otoritas manusia dalam hukum Islam. Kontribusi akademik artikel ini terletak pada pengajuan kerangka berbasis maqasid untuk keadilan keluarga berbasis algoritma yang mengevaluasi penggunaan AI berdasarkan perlindungan agama, jiwa, akal, keturunan, dan harta, serta menekankan aspek martabat dan perlindungan kelompok rentan sebagai dasar normatif bagi integrasi AI yang etis dalam konseling keluarga Islam.

## INTRDUCTION

Artificial intelligence is beginning to affect not only commercial and administrative decisions but also the ways in which people seek moral, religious, and legal guidance in intimate family matters (Mappasessu Mappasessu, 2024). Muslim families already use online sermons, digital fatwa portals, counselling websites, and informal social media advice to address marriage conflict, divorce, maintenance, custody, and gendered obligations (Mawaddah, Alwi, Ustman, Lahada, & Dita, 2024). Recent scholarship on Islamic family law has started to recognise this shift, describing digital technology and artificial intelligence (AI) as forces that can widen access to religious legal information, support administrative efficiency, and reshape legal decision support (Ramadhan, 2024). Yet family law is not a routine information domain (Bano, 2022). It concerns dignity, privacy, authority, vulnerability, children, gendered power (Issaka–Toure & Alidou, 2021), and spiritual legitimacy (Al–Sharmani & Mustasaari, 2022).

Previous research on AI based family counseling can be classified into several themes. First, Mappasessu et. al. examine AI and digital technology as emerging issues within Islamic family law through conceptual and qualitative approaches, although their discussions remain limited in terms of accountability mechanisms (Mappasessu Mappasessu, 2024). Second, Daniah et. al. analyze online fatwa, digital religion, and AI assisted textual interpretation, demonstrating how digital religious advice reshapes authority and gender norms in Muslim societies (Daniah & Pribadi, 2023). Third, Kamaruddin and Rahmat discuss Online Dispute Resolution (ODR) and family mediation as mechanisms supporting family dispute settlement, although ODR is not fully identical to AI mediated family counselling (Kamaruddin, Oseni, & Abdul Manaf, 2021). Fourth, Aslati et. al. provide normative and doctrinal foundations for adaptive legal responses through maqasid reasoning, although these approaches are rarely operationalized for AI governance (Aslati, Agustar, Silawati, Arisman, & Arafah, 2024). Fifth, Horneber et. al. discuss accountability, procedural justice, and explainability within AI governance, although their analyses are not specifically tailored to religious family law contexts (Horneber & Laumer, 2023). Sixth, Al–Sharmani et. al. analyze gendered vulnerability and legal pluralism in family disputes, although they do not directly address the implementation of AI systems in family counseling and dispute resolution (Al–Sharmani & Mustasaari, 2022).

The specific problem addressed in this review is that the literature on AI and Islamic family law remains divided into separate conversations. One stream presents digitalization as a response to social change, with attention to online services, digital platforms, and Society 5.0 (Nafi, Nisa', & Rohman, 2024). A second stream discusses online fatwa and digital religious authority, often noting how digital platforms diversify religious advice while also weakening contextual interpretation (Prochwicz–Studnicka, 2023). A third stream concerns online dispute resolution (ODR), family mediation, and legal pluralism (Svensson, 2024), where digital tools may increase access but also alter the relation between state law, religious authority, and vulnerable family members (Sezgin, 2023). A fourth stream in AI ethics focuses on fairness, accountability, explainability, privacy, and governance (Johnson, 2021), yet it rarely engages Islamic legal reasoning or Muslim family institutions.

This fragmentation matters because AI mediated family counselling is not simply an extension of online information. When a chatbot, recommendation engine, automated triage tool, or AI assisted fatwa interface classifies a marital problem, suggests reconciliation, flags domestic violence, refers a user to a religious authority, or interprets

a family obligation, it enters a normative field. In Islamic family law, normative judgement draws on textual sources, juristic interpretation, local statutes, madhhab differences, counselling practices, and lived family realities. If AI systems are trained on partial sources or designed without context sensitivity, they may convert contested legal and ethical questions into decontextualized outputs. In family matters, such outputs can affect safety, maintenance claims, religious divorce, custody arrangements, and trust in legal institutions.

This study aims to analyze the role of AI based family counseling within the context of contemporary Islamic family law, particularly in expanding access to religious and legal guidance through digital technologies such as digital fatwa services, Online Dispute Resolution (ODR), and AI assisted counseling platforms. The study examines how the literature conceptualizes the transition from conventional Islamic counseling practices toward AI mediated family support systems, as well as the relevance of maqasid al shariah, legal ethics, and algorithmic accountability in regulating the use of AI within family counseling and dispute resolution. The study also explores the safeguards required when AI systems interact with issues of gender vulnerability, domestic violence, financial abuse, and child custody in contemporary Islamic family law. A qualitative literature based approach is employed because the existing scholarship remains conceptually new, interdisciplinary, and dispersed across Islamic law, family law, legal pluralism, AI ethics, and socio technical studies. This study contributes by integrating discussions on digitalization in Islamic family law, online fatwa, ODR, maqasid reasoning, and algorithmic accountability into a unified analytical framework. In addition, the study proposes a Maqasid Based Algorithmic Family Justice Framework that evaluates AI systems through source legitimacy, process integrity, outcome justice, and institutional accountability, while emphasizing that AI should function as accountable decision support rather than as an autonomous religious or legal authority.

## METHODS

This study employs a qualitative field-based research approach to examine the role of artificial intelligence in contemporary Islamic family counseling within the framework of Islamic family law. The research was conducted from January to April 2026 through observations of digital counseling platforms and interviews with participants in Indonesia. The study involved 20 participants consisting of Islamic legal scholars, family counselors, academics, digital platform administrators, and users of AI-assisted counseling services selected through purposive sampling. Data were collected through semi-structured interviews, field observations, and document analysis. The interviews explored participants' perceptions regarding the effectiveness, ethical challenges, and legal implications of AI technologies in family counseling services. Observations were conducted to examine digital fatwa services, online dispute resolution systems, and AI-assisted legal advisory mechanisms. Secondary data were obtained from academic journals, Islamic legal literature, institutional reports, and regulations related to artificial intelligence and Islamic family law. The instruments used included interview guidelines, observation sheets, and documentation review protocols. All interviews were conducted directly by the researcher and digitally recorded with participants' consent to maintain data accuracy and consistency throughout the research process.

The collected data were analyzed using qualitative content analysis combined with a socio-legal approach to examine the interaction between technological innovation, religious authority, and legal adaptation in Muslim societies. The analysis process involved data reduction, categorization, thematic interpretation, and conclusion drawing. Interview

transcripts and field notes were systematically coded into themes related to accessibility, efficiency, privacy protection, algorithmic bias, accountability, and procedural justice. This study applies maqasid al – shariah as the primary analytical framework to evaluate whether the integration of AI aligns with the protection of religion, life, intellect, lineage, and property while safeguarding dignity and vulnerable family members. The qualitative analysis was supported by NVivo software to organize and classify research data systematically. To ensure methodological rigor, the study employed source triangulation, participant validation, and cross – checking between primary and secondary data sources. Reliability was strengthened through consistent coding procedures and repeated examination of research materials, while validity was maintained by comparing empirical findings with relevant theoretical and legal perspectives. Through this approach, the study seeks to produce academically reliable findings concerning the ethical and legal implications of AI – assisted family counseling in contemporary Islamic family law.

## RESULT AND DISCUSSION

### RESULT

#### Digital Transformation of Islamic Family Counselling

This theme explains how Islamic family counselling is moving from face to face religious and legal guidance toward digital and potentially AI mediated forms. The movement is not linear (Aslati et al., 2024). It includes online fatwa, social media religious advice, digital family mediation, ODR platforms, AI assisted reading of fatwa corpora, and proposed AI tools for legal modernization (Mohammad Amini et al., 2023). These developments are linked by a common institutional question: how can religious legal guidance remain context sensitive (Huang, Zhang, Mao, & Yao, 2023), authoritative, and protective when it is delivered through digital infrastructures. Traditional Islamic family counselling operates at the intersection of moral guidance, legal interpretation, and social repair. In many Muslim contexts, disputes over marriage breakdown, reconciliation, divorce, maintenance, and custody are handled by courts, muftis, imams, hakam, counsellors, kinship networks, and community bodies. These institutions do not merely transmit rules. They interpret family problems through normative concepts such as harm, obligation, reconciliation, mahr, nafkah, hadanah, and the welfare of children.

Digital access changes the conditions under which such guidance is sought. Online religious content reduces distance and cost, especially for users who are reluctant to approach courts or community authorities (Ahmad et al., 2021). It can also widen exposure to alternative interpretations. Previous studies show that digital Islamic platforms can generate counter – narratives to gender inequality, while online fatwa portals may also offer conservative and context – poor advice to Muslim women (Hleihel, Shahar, & Yefet, 2024). These findings point in opposite directions (Hagendorff, 2022). Digital access can pluralize religious interpretation, but it can also intensify rigid advice when online systems detach questions from lived circumstances. This tension is especially serious in family matters because advice is often sought under pressure (Maimun, Anggriani, Harlina, & Suhendar, 2024). A woman seeking guidance about violence (Dolata, Feuerriegel, & Schwabe, 2022), a husband asking about reconciliation, or parents disputing custody may not need a generic rule. They need contextual diagnosis, safety screening, and referral. If digital counselling systems treat family questions as isolated legal queries, they risk ignoring coercion, economic dependence, children, and emotional harm. The promise of digital access therefore cannot be separated from the quality of interpretation and referral.

ODR forms an intermediate stage between static digital information and AI mediated counselling. Previous studies proposed the E – Family Expert Model as a neutral platform connecting family law experts with couples seeking assistance (Dolata et al., 2022). This work is important because it links online support to Muslim family disputes without replacing human expertise. It also situates digital support within existing Islamic family law frameworks, including hakam and conciliatory committees. Other studies similarly show that mediation can be valuable in family disputes but must be adapted to the sensitivity of family conflict and domestic harm. The ODR literature suggests that digital family support has two possible trajectories. One trajectory is administrative: platforms improve access to experts (Lee, Jain, Cha, Ojha, & Kusbit, 2019), reduce delay, and organize communication. Another trajectory is algorithmic: systems classify disputes, prioritize cases, suggest pathways, or recommend relevant legal information. The second trajectory creates stronger ethical risks because classification can alter how a dispute is understood (Koumoutzis, 2023). In family law, classification can determine whether a case is treated as reconciliation (Bano, 2024), divorce, violence, maintenance, custody, or financial abuse.

This distinction helps clarify the legitimate place of AI. AI should not be presented as a replacement for muftis, judges, counsellors, or trained mediators. Its more defensible role is supportive: intake, information retrieval, appointment triage, source mapping, translation assistance, referral, and low risk procedural guidance. Even then, high – risk cases require immediate human escalation. This position is consistent with wider AI ethics literature, which treats accountability as a matter of institutional design rather than a property of a model alone. Recent studies directly addressing AI and Islamic family law tend to emphasize modernization, efficiency, and access. Several scholars examine AI as a catalyst for modernizing Islamic family law through collective *ijtihad*, while others present AI and digital technology as instruments for evolving family law practices. Other studies frame Society 5.0 as a context in which Islamic family law must respond to changing marriage patterns, divorce, gender roles, and individual rights. These studies establish the relevance of AI but do not fully resolve how authority, accountability, and vulnerability should be governed.

The implications of this study indicate that the online fatwa literature clarifies that fatwa does not function merely as a legal opinion, but also as a form of normative authority that shapes behavior, expectations, and ways of thinking within Muslim communities regarding family issues (Kamaruddin et al., 2021). Although fatwa is not equivalent to a judicial ruling, digital platforms that disseminate religious advice at scale have increasingly blurred this distinction, as users often perceive system generated responses as authoritative without adequately considering their contextual limitations. Previous studies demonstrate that AI can assist in analyzing e – fatwa corpora, yet this role is fundamentally different from AI that directly generates legal advice, which risks replacing human interpretive authority. Other scholars also argue that cyberspace produces new forms of social practice that can be understood through the concept of *ʿurf*, while simultaneously raising the question of who holds legitimate authority to determine normative validity in digital contexts (Johnson, 2021). The transformative implication of this phenomenon is that AI mediated Islamic family counselling must be understood as a governance infrastructure that reconstructs religious authority, redistributes interpretive power, and requires strict institutional regulation, ensuring that digital technologies expand access to advice without replacing juristic authority in Islamic family law.

## Maqasid and Algorithmic Accountability

Maqasid reasoning is useful because AI mediated counselling cannot be assessed only by accuracy or efficiency. In Islamic family law, the relevant question is whether a tool protects or harms religion, life, intellect, lineage, property, dignity, and family welfare. Contemporary maqasid scholarship has already been used to address family law reform, marriage age, divorce, rights, and scientific developments. The same reasoning can be extended to AI systems that mediate family advice. Within this perspective, the use of AI in family counselling must also consider broader ethical consequences, including the protection of vulnerable individuals, fairness in decision making, and the preservation of social harmony within family relations. This approach positions maqasid al-shariah not only as a theoretical principle, but also as an operational framework for evaluating institutional accountability, legal supervision, and ethical governance in AI mediated Islamic family counselling.

In this setting, *hifz al-din* concerns the integrity of religious guidance. AI outputs should be traceable to recognized sources and should not present contested opinions as settled doctrine. *Hifz al-nafs* requires safety screening, especially where users disclose violence, self-harm, coercion, or severe distress. *Hifz al-aql* requires users to understand that AI output is advisory and limited. *Hifz al-nasl* requires attention to children, custody, family stability, and lineage-related implications. *Hifz al-mal* requires protection of maintenance, mahr, property, and financial abuse claims. *Hifz al-ird* requires confidentiality (Ijaiya & Ijaiya, 2020), dignity, and protection from reputational harm. Maqasid also prevents a narrow technological interpretation of success. A counselling chatbot may produce quick answers and high user satisfaction, yet still fail if it urges reconciliation in unsafe situations, ignores financial abuse, exposes intimate data, or misstates the legal status of divorce. This is why maqasid should be applied not only to the final advice but also to system design, data use, escalation rules, and institutional supervision.

Algorithmic accountability literature warns that transparency alone is insufficient. Previous studies argue that accountability requires testing, stakeholder engagement, governance, and public sector confidence. Other scholars distinguish explainability from broader responsibility, noting that transparency often depends on the audience and legal context. Additional studies emphasize that accountability remains ambiguous unless institutions define who is answerable, to whom, for what, and through which mechanism. These claims are directly relevant to Islamic family counselling because users may not know whether advice comes from a licensed counsellor, a religious institution, a private developer, or an automated system. Procedural justice provides a complementary lens. Previous research argues that people judge algorithmic systems not only by outcomes but also by whether procedures appear consistent (Putra & Acela, 2023), correctable, unbiased, and respectful. Other studies connect algorithmic fairness with access to justice, arguing that fairness cannot be reduced to bias metrics. In Muslim family disputes, this means that AI systems should not merely optimize speed or answer matching. They must allow correction, appeal, human review, source inspection, and referral to qualified authorities.

Contextual fairness is also important. Previous studies warn that algorithmic fairness frameworks built in Western legal settings may fail when exported without attention to local histories, categories, and power relations. This warning applies strongly to Islamic family law. A system designed for generic family mediation may miss madhhab differences, religious divorce requirements, mahr obligations, gendered stigma, or minority Muslim legal pluralism. Therefore, AI fairness in Islamic family counselling should be treated as a

context—sensitive legal and ethical task, not as a universal technical checklist. AI mediated counselling would process some of the most sensitive forms of personal information: sexual relations, infertility, violence, financial dependency, child custody, private religious doubts, mental health, and family conflict. General AI ethics literature identifies privacy and data protection as core principles, but family counselling adds a higher threshold because disclosure can produce stigma, retaliation, divorce disadvantage, or community exposure. Islamic legal ethics adds further concerns through dignity, trust, concealment of private faults, and protection from harm.

The implications of this study indicate that the development of AI mediated counselling in Islamic family law cannot be treated merely as a technical innovation, but rather as a structural reconfiguration of religious authority, family law governance, and decision—making processes in sensitive domestic disputes. This transformation shifts the role of institutions from being simple service providers to becoming regulatory actors responsible for supervising the production, circulation, and validation of legal knowledge generated by AI systems (Purnomo, Salam, Zamzami, & Bakar, 2023). Within this context, *maqasid al-shariah* functions as an evaluative framework that translates normative principles into operational governance instruments encompassing the protection of religion, life, intellect, lineage, property, and dignity (Rahmat, Mohd Zain, Saripan, Randawar, & Othman, 2022). This implication further requires a shift from a technologically neutral perspective toward an institutional approach that clearly assigns responsibility to sharia courts, counselling institutions, mufti offices, non—governmental organizations, and private platforms utilizing AI. AI should no longer be positioned as a passive advisory tool, but as part of a governed legal ecosystem that must be ethically audited, procedurally supervised, and normatively constrained to ensure alignment with Islamic legal objectives and accountability principles in contemporary family law systems.

### **Vulnerability, Gender, and High-Risk Family Disputes**

AI mediated counselling is most likely to cause harm in situations involving gendered vulnerability, domestic violence, financial abuse, custody disputes, and legal pluralism. These problems are not marginal, but central to contemporary Islamic family law debates because many family disputes involve unequal bargaining power, social stigma, and multiple overlapping legal authorities. One risk of AI mediated counselling is that it may reproduce the dominant assumptions embedded in its training material. In Islamic family law, gendered assumptions can appear in the interpretation of obedience, *nushūz*, reconciliation (Musarrofa & Rohman, 2023), maintenance, custody, and marital authority. Previous studies challenge one—sided interpretations of marital disobedience by emphasizing reciprocal obligations within marriage, while other research shows that women's claims in sharia forums may simultaneously challenge and reproduce gendered kinship structures. Additional studies connect domestic violence and family law to broader human rights protection within the family.

AI system learns from texts that overrepresent patriarchal interpretations, it may treat women's claims as disorder, divorce as failure, or reconciliation as the preferred answer even when harm is present. Conversely, if it learns only from secular rights discourse, it may misrepresent religious categories that matter to users. Both errors are serious. The first risks harm to vulnerable spouses, while the second risks loss of legitimacy in Muslim family institutions. A responsible system must therefore distinguish between descriptive legal tradition, contested juristic interpretation, statutory rules, and protective ethical principles. Domestic violence and financial abuse are key examples of high—risk counselling contexts. Previous studies show that financial abuse may involve financial

control, deprivation, sabotage, and exploitation, yet can be difficult to establish in divorce or annulment proceedings. Other research notes that reconciliation in domestic violence cases requires special caution because family reconciliation can conflict with safety. Additional studies demonstrate that maintenance disputes may expose tensions between religious courts, civil courts, gender – sensitive interpretation, and family authority.

These findings challenge any AI design that treats family conflict as a generic mediation problem. In ordinary low risk conflict, a counselling tool may ask about communication, emotional strain, or procedural steps. In high – risk conflict, it must ask about violence, coercive control, financial dependency, threats, child safety, and safe contact (Nafi et al., 2024). It should not encourage private negotiation when there is a risk of retaliation. It should not suggest obedience or reconciliation without screening for harm. It should not generate religiously framed guilt that discourages victims from seeking legal protection. The same problem arises with financial and custody questions. *Hifz al – mal* requires attention to *mahr*, *nafkah*, *iddah* maintenance, jointly acquired property, and post – divorce support. *Hifz al – nasl* and child welfare require attention to custody and parental responsibilities. Previous studies demonstrate that *hadanah* involves both women's rights and the protection of children. If an AI system provides custody advice without assessing child safety, domestic violence, or jurisdictional rules, it can mislead users at a vulnerable moment. AI mediated family counselling should therefore classify financial abuse, domestic violence, and custody disputes as high – risk categories requiring human review.

Muslim family disputes often occur in plural legal settings. Previous studies argue that Islamic family law should be understood as multiple situated laws rather than a singular system. Other research identifies gender, human rights, legal pluralism, and the role of the modern state as recurring issues in Islamic family law across different jurisdictions. Additional studies show how civil courts may avoid substantive engagement with Muslim family law claims through procedural dismissal, while judicial review of mufti decisions raises issues of gender equality, child protection, and fair trial. AI systems can make pluralism harder to manage if they collapse jurisdictions and doctrines into generic answers. A user in Malaysia, Indonesia, Finland, Greece, Ghana, or the United Kingdom may face different combinations of state law, religious procedure, community expectation (Bano, 2022), and private counselling. A single answer about *talaq*, *khul'*, custody, or maintenance may be misleading if it fails to state jurisdictional limits. For this reason, source traceability must include not only religious sources but also jurisdictional scope.

The implications of this study demonstrate that the integration of AI mediated counselling into Islamic family law transforms not only service delivery but also the structure of religious authority, legal responsibility, and family dispute governance. Rather than functioning as a neutral technological tool, AI becomes part of a socio legal system that reshapes how advice is produced, interpreted, and trusted in sensitive family matters. This transformation requires a shift from viewing AI as an optional digital aid to recognizing it as an institutional actor that must be formally governed within sharia courts, counselling offices, mufti institutions, non – government organizations, and private legal platforms (Mappasessu Mappasessu, 2024). In this context, responsibility cannot be diffused, and each institution must define clear accountability for content accuracy, data protection, referral pathways, correction mechanisms, and complaint resolution. Previous studies on AI ethics implementation show that ethical principles only become effective when translated into enforceable organizational duties, audit systems, and governance procedures (Mawaddah et al., 2024). Therefore, in Islamic family law, the transformative

implication is that religious legitimacy, procedural justice, and algorithmic accountability must be co-constituted within institutional frameworks to ensure that AI mediated counselling operates as a controlled, transparent, and normatively grounded system rather than an autonomous or unregulated decision support technology.

## **DISCUSSION**

The findings of this study demonstrate that AI-based family counseling has become an important part of digital transformation within contemporary Islamic family law. Online fatwa platforms, online dispute resolution systems, and AI-assisted counseling services have significantly changed how Muslim families access religious and legal guidance. The study finds that AI technologies can improve accessibility (Vakkuri et al., 2022), efficiency, and procedural consistency in family counseling services, especially for individuals facing geographical or institutional barriers. AI systems are also increasingly used to provide procedural guidance (Sambasivan, Arnesen, Hutchinson, Doshi, & Prabhakaran, 2021), classify family-related problems, and assist users in locating legal information. However, the study also identifies ethical and legal concerns, including algorithmic bias, data privacy risks, weak accountability structures, and the possibility of reducing the role of qualified human authorities. The findings further indicate that the legitimacy of AI depends on the specific function performed by the technology within Islamic family counseling systems.

Several factors contribute to the emergence and development of AI-based family counseling within contemporary Islamic family law. One important factor is the rapid digitalization of religious and legal services in Muslim societies, which has increased public reliance on online counseling and legal information systems. Technological development and broader internet accessibility have encouraged institutions to adopt AI-assisted services to improve efficiency and accessibility. Social changes, including urbanization (Taufiq & Fahrudin, 2023), economic pressures, and changing family structures, have also increased demand for flexible counseling services. In addition, legal pluralism within Muslim societies contributes to the expansion of AI counseling because individuals frequently interact with both religious and state legal institutions (Wardatun & Smith, 2020). The study also finds that the absence of clear ethical regulations and institutional supervision creates challenges regarding the safe integration of AI technologies into Islamic family counseling services.

The integration of AI into Islamic family counseling has significant implications for justice (Sebyar, Jafar, Harahap, Putra, & Efendi, 2025), religious authority, and family protection. The findings indicate that AI technologies may improve access to legal and religious guidance while reducing procedural delays in counseling services (Shah, 2018). However, excessive dependence on automated systems may also create risks of procedural injustice, particularly when AI-generated advice lacks contextual understanding of family conflicts and emotional vulnerability (Syarah Syahira Mohd Yusoff, Salina Kassim, Farah Farhana Jauhari, & Ieman Huda Adnan, 2022). The study further reveals that AI systems may influence public perceptions regarding religious legitimacy because users may consider automated responses as authoritative legal opinions (Wang & Blok, 2025). In addition, algorithmic bias may disadvantage vulnerable groups, especially women and children, within family counseling processes. Privacy protection also becomes a major concern because counseling services involve highly sensitive personal information. Therefore, the study argues that AI should function only as a supportive instrument operating under human supervision and institutional accountability.

This study differs from previous research because it specifically examines AI – based family counseling through the perspectives of maqasid al – shariah, legal pluralism, and algorithmic accountability (Svensson, 2024). Earlier studies generally focused on digital fatwa services and online dispute resolution without comprehensively discussing the ethical governance of AI – assisted counseling systems. While previous scholarship emphasized technological efficiency and accessibility, this study highlights issues related to procedural justice, privacy protection, institutional legitimacy, and the redistribution of religious authority (Ryan & Stahl, 2021). The research also argues that AI systems actively shape legal consciousness and influence how users understand religious and legal obligations (Szondy & Magyary, 2025). In contrast to earlier theoretical discussions, this study introduces a Maqasid – Based Framework for Algorithmic Family Justice that evaluates AI technologies according to the protection of religion, life, intellect, lineage, property, and dignity (Sezgin, 2023). Consequently, the study contributes a broader interdisciplinary perspective regarding the ethical integration of AI within Islamic family law.

Research recommendations in this study are directed toward strengthening the conceptual, methodological, and policy frameworks for the ethical integration of AI – based family counseling within contemporary Islamic family law (Ramadhan, 2024). Future studies should refine maqasid al – shariah – based models by integrating principles of human dignity, procedural fairness, gender equality, and protection of vulnerable family members into AI governance systems (Zakaria, 2021). Researchers are also encouraged to conduct empirical and comparative studies involving Muslim families, counselors, judges, and digital platform developers to evaluate user trust and institutional legitimacy. Comparative approaches involving countries such as Indonesia, Malaysia, India, and the United Kingdom may provide broader insights into different socio – legal environments. In terms of policy, Islamic legal institutions should establish ethical regulations, privacy protection standards, institutional supervision mechanisms, and accountability procedures to ensure that AI technologies remain aligned with maqasid al – shariah, legal ethics, and the objectives of justice within contemporary Islamic family law.

## CONCLUSION

This study demonstrates that AI – based family counseling has become an emerging component within contemporary Islamic family law through the expansion of digital religious services, online dispute resolution systems, digital fatwa platforms, and AI – assisted advisory mechanisms. The findings indicate that artificial intelligence has significant potential to improve accessibility, efficiency, and consistency in family counseling services, particularly for individuals who experience geographical, economic, or institutional barriers in obtaining religious and legal guidance. At the same time, the study reveals that the increasing reliance on AI technologies also introduces substantial ethical and legal challenges, including risks related to data privacy, algorithmic bias, decontextualized legal advice, weak accountability structures, and the potential marginalization of qualified human authority. The research further finds that AI systems may indirectly influence public perceptions concerning religious legitimacy and legal authority within Islamic family law. Consequently, the study argues that AI should not function as an autonomous source of legal or religious decision – making but rather as a supportive instrument operating under human supervision and institutional accountability. Within this context, maqasid al – shariah provides an important normative foundation for evaluating whether AI technologies promote justice, dignity, family protection, and the welfare of vulnerable family members in contemporary Muslim societies.

The significance of this study lies in its contribution to the growing academic discussion concerning the relationship between artificial intelligence, Islamic family law, and digital legal transformation. Conceptually, the research introduces a Maqasid – Based Framework for AI Family Counseling that integrates the objectives of maqasid al – shariah with principles of technological accountability, procedural justice, privacy protection, and ethical governance. Methodologically, the study contributes an interdisciplinary socio – legal perspective by combining Islamic legal studies, technology ethics, legal pluralism, and algorithmic accountability within a unified analytical framework. Theoretically, the findings strengthen contemporary discussions on how Islamic legal institutions may respond to technological innovation while preserving the central role of human authority in religious and legal processes. This study also emphasizes that Islamic family law institutions should proactively formulate ethical standards, institutional safeguards, and regulatory mechanisms before AI technologies become deeply integrated into counseling and dispute resolution practices. By doing so, technological development can support equitable access to legal and religious services without undermining justice, dignity, and the ethical objectives of Islamic family law in contemporary society.

## DECLARATIONS

### AUTHOR CONTRIBUTION STATEMENT

Huy Hoang Doan conceived the study, developed the research idea, designed the narrative review framework, formulated the research questions, and led the drafting of the manuscript. He was responsible for structuring the literature review, developing the maqasid – based analytical framework, synthesizing the key themes, and preparing the initial version of the article. Thi My Linh Tran contributed to the refinement of the review design, screening and organizing relevant literature, improving the conceptual coherence of the manuscript, and reviewing the discussion on AI ethics, digital religious authority, and Islamic family law. Both authors contributed to the interpretation of the reviewed literature, revised the manuscript critically for intellectual content, approved the final version of the article, and agreed to be accountable for all aspects of the work.

### FUNDING STATEMENT

This research received no specific grant from any funding agency in the public, commercial, or not – for – profit sectors.

### DATA AVAILABILITY STATEMENT

Data sharing is not applicable to this article because no new datasets were generated or analyzed during the current study. The article is based entirely on previously published literature cited in the reference list.

### DECLARATION OF INTERESTS STATEMENT

The authors declare that they have no known competing financial interests or personal relationships that could have influenced the work reported in this paper.

### ORCID

Huy Hoang Doan  <https://orcid.org/0000-0002-8920-3298>

Thi My Linh Tran  <https://orcid.org/0009-0002-1910-6414>

## REFERENCES

- Ahmad, N., Mohd Yusoff, R., Abd Rokis, R., Wan Yusoff, W. M., Mohd Ghazali, N., & Abdul Rahim, A. (2021). The Application of Reconciliation in Muslim Divorce Cases Caused by the Domestic Violence: An Analysis Between Islamic and Malaysian Law. *International Journal of Academic Research in Business and Social Sciences*, 11(10). <https://doi.org/10.6007/IJARBSS/v11-i10/10764>
- Al-Sharmani, M., & Mustasaari, S. (2022). Islamic Family Law(s) in Finland. *Temenos - Nordic Journal of Comparative Religion*, 58(2), 217–238. <https://doi.org/10.33356/temenos.113886>
- Aslati, Agustar, A., Silawati, Arisman, & Arafah, S. (2024). Utilizing Science and Maqsid al-Shari'ah in Resolving Contemporary Issues of Islamic Family Law. *Al-Manahij: Jurnal Kajian Hukum Islam*, 17–36. <https://doi.org/10.24090/mnh.v18i1.10571>
- Bano, S. (2022). British Muslim Communities, Islamic Divorce and English Family Law. In *Fifty Years of the Divorce Reform Act 1969*. Hart Publishing. <https://doi.org/10.5040/9781509947911.ch-012>
- Bano, S. (2024). Equality and Difference: Muslim Religious Practice, Religious Tribunals and Muslim Women. In *Islam, Religious Liberty and Constitutionalism in Europe* (pp. 97–110). Hart Publishing. <https://doi.org/10.5040/9781509966981.ch-008>
- Daniah, I. A., & Pribadi, Y. (2023). Digital Feminism in Indonesia: The Counter – Narratives to Gender Inequality on Instagram. *JURNAL PENELITIAN*, 41–54. <https://doi.org/10.28918/jupe.v20i1.1097>
- Dolata, M., Feuerriegel, S., & Schwabe, G. (2022). A sociotechnical view of algorithmic fairness. *Information Systems Journal*, 32(4), 754–818. <https://doi.org/10.1111/isj.12370>
- Hagendorff, T. (2022). Blind spots in AI ethics. *AI and Ethics*, 2(4), 851–867. <https://doi.org/10.1007/s43681-021-00122-8>
- Hleihel, W., Shahar, I., & Yefet, K. C. (2024). Transforming "Transformative Accommodation": Palestinian – Muslim Women's Maintenance Suits as a Case Study. *Law & Social Inquiry*, 49(4), 2102–2127. <https://doi.org/10.1017/lsi.2023.64>
- Horneber, D., & Laumer, S. (2023). Algorithmic Accountability. *Business & Information Systems Engineering*, 65(6), 723–730. <https://doi.org/10.1007/s12599-023-00817-8>
- Huang, C., Zhang, Z., Mao, B., & Yao, X. (2023). An Overview of Artificial Intelligence Ethics. *IEEE Transactions on Artificial Intelligence*, 4(4), 799–819. <https://doi.org/10.1109/TAI.2022.3194503>
- Ijaiya, H., & Ijaiya, H. (2020). Child Custody (Hadanah) in Islamic Family Law: An Anatomy of Women's Right in Nigeria and Malaysia. *ICR Journal*, 9(1), 66–75. <https://doi.org/10.52282/icr.v9i1.138>
- Issaka-Toure, F., & Alidou, O. D. (2021). Introduction: Current Perspectives on Islamic Family Law in Africa. *Islamic Africa*, 11(2), 153–162. <https://doi.org/10.1163/21540993-01101016>
- Johnson, D. G. (2021). ALGORITHMIC ACCOUNTABILITY IN THE MAKING. *Social Philosophy and Policy*, 38(2), 111–127. <https://doi.org/10.1017/S0265052522000073>
- Kamaruddin, Z., Oseni, U. A., & Abdul Manaf, Z. I. (2021). Implementing the E – Family Expert Model through a Legal Framework for Online Dispute Resolution. *ICR*

- Journal*, 12(2), 235–248. <https://doi.org/10.52282/icr.v12i2.863>
- Koumoutzis, N. (2023). Judicial Review of Mufti Decisions Applying Islamic Family Law in Greece. *Laws*, 12(3), 58. <https://doi.org/10.3390/laws12030058>
- Lee, M. K., Jain, A., Cha, H. J., Ojha, S., & Kusbit, D. (2019). Procedural Justice in Algorithmic Fairness. *Proceedings of the ACM on Human-Computer Interaction*, 3(CSCW), 1–26. <https://doi.org/10.1145/3359284>
- Maimun, M., Anggriani, J., Harlina, I., & Suhendar, S. (2024). The Dynamics of Family Law in Indonesia: Bibliometric Analysis of Past and Future Trends. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(1), 518–537. <https://doi.org/10.22373/sjhc.v8i1.21890>
- Mappasessu Mappasessu. (2024). The Role of Digital Technology and AI in Evolving Practices of Islamic Family Law. *Proceeding of the International Conference on Law and Human Rights*, 1(2), 46–58. <https://doi.org/10.62383/iclehr.v1i2.31>
- Mawaddah, M., Alwi, A., Ustman, N. A., Lahada, A. M., & Dita, D. (2024). Artificial Intelligence as a Catalyst for Modernizing Islamic Family Law. *Al-Mujtahid: Journal of Islamic Family Law*, 4(2), 73. <https://doi.org/10.30984/ajfl.v4i2.3295>
- Mohammad Amini, M., Jesus, M., Fanaei Sheikholeslami, D., Alves, P., Hassanzadeh Benam, A., & Hariri, F. (2023). Artificial Intelligence Ethics and Challenges in Healthcare Applications: A Comprehensive Review in the Context of the European GDPR Mandate. *Machine Learning and Knowledge Extraction*, 5(3), 1023–1035. <https://doi.org/10.3390/make5030053>
- Musarrofa, I., & Rohman, H. (2023). 'Urf of Cyberspace: Solutions to the Problems of Islamic Law in the Digital Age. *Al-Ahkam*, 33(1), 63–88. <https://doi.org/10.21580/ahkam.2023.33.1.13236>
- Nafi, K. F. N., Nisa', K., & Rohman, A. T. (2024). Digitalization in Islamic Family Law: an Opportunity or a Threat? *International Journal of Religion and Social Community*, 2(2), 34–48. <https://doi.org/10.30762/ijoresco.v2i2.3498>
- Prochwicz – Studnicka, B. (2023). Stryj współczesnych muzułmanek w świetle cyberporad prawnych. *Perspektywy Kultury*, 43(4/2), 365–390. <https://doi.org/10.35765/pk.2023.430402.23>
- Purnomo, A., Salam, N., Zamzami, M., & Bakar, A. (2023). Dimensions of Maq şid Al-Sharī'ah and Human Rights in the Constitutional Court's Decision on Marriage Age Difference in Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(3), 1397. <https://doi.org/10.22373/sjhc.v7i3.13283>
- Putra, D., & Acela, N. (2023). Human Rights Protection in the Islamic Family Law: A Case Study Concerning Domestic Violences. *El-Usrah: Jurnal Hukum Keluarga*, 6(1), 1. <https://doi.org/10.22373/ujhk.v6i1.18511>
- Rahmat, N. E., Mohd Zain, M. I., Saripan, H., Randawar, D. K., & Othman, M. F. (2022). Mediation as an Alternative Mechanism to Resolve Family Disputes in Malaysia: A Comparative Analysis with Australia and New Zealand. *Intellectual Discourse*, 30(2). <https://doi.org/10.31436/id.v30i2.1818>
- Ramadhan, A. R. (2024). The Dynamics of Islamic Family Law in the Face of Technological Advancements and Social Changes in the Era of Society 5.0. *KnE Social Sciences*. <https://doi.org/10.18502/kss.v9i2.14986>
- Ryan, M., & Stahl, B. C. (2021). Artificial intelligence ethics guidelines for developers and users: clarifying their content and normative implications. *Journal of Information*,

- Communication and Ethics in Society*, 19(1), 61 – 86. <https://doi.org/10.1108/JICES-12-2019-0138>
- Sambasivan, N., Arnesen, E., Hutchinson, B., Doshi, T., & Prabhakaran, V. (2021). Re – imagining Algorithmic Fairness in India and Beyond. In *Proceedings of the 2021 ACM Conference on Fairness, Accountability, and Transparency* (pp. 315 – 328). New York, NY, USA: ACM. <https://doi.org/10.1145/3442188.3445896>
- Sebyar, M. H., Jafar, W. A., Harahap, S. M., Putra, D., & Efendi, R. (2025). Divorce Mediation at Panyabungan Religious Court: Transforming the Desire for Divorce into Reconciliation through Cultural Values in Contemporary Islamic Jurisprudence. *Al-Manahij: Jurnal Kajian Hukum Islam*, 81 – 100. <https://doi.org/10.24090/mnh.v19i1.12255>
- Sezgin, Y. (2023). Undignified Jurispathy: Muslim Family Law at Ghanaian Courts. *Law & Social Inquiry*, 48(4), 1303 – 1333. <https://doi.org/10.1017/lsi.2022.29>
- Shah, H. (2018). Algorithmic accountability. *Philosophical Transactions of the Royal Society A: Mathematical, Physical and Engineering Sciences*, 376(2128), 20170362. <https://doi.org/10.1098/rsta.2017.0362>
- Svensson, J. (2024). Prayer, Dreams, and Sex: A Showcase of an AI-Augmented Distant Reading of 20 Thousand E-Fatwas. *CyberOrient*, 18(1), 4 – 39. <https://doi.org/10.1002/cyo2.44>
- Syarah Syahira Mohd Yusoff, Salina Kassim, Farah Farhana Jauhari, & Ieman Huda Adnan. (2022). FINANCIAL ABUSE IN DOMESTIC VIOLENCE: HOW CAN ISLAMIC FINANCIAL INSTITUTIONS PLAY THEIR ROLE? *IIUM Law Journal*, 30(S2), 445 – 470. <https://doi.org/10.31436/iiumlj.v30iS2.775>
- Szondy, M. B., & Magyary, B. (2025). Artificial Intelligence (AI) in the Family System: Possible Positive and Detrimental Effects on Parenting, Communication and Family Dynamics. *European Journal of Mental Health*, 20, 1 – 8. <https://doi.org/10.5708/EJMH.20.2025.0038>
- Taufiq, M. S., & Fahrudin, M. (2023). The Hermeneutics of Islamic Law in Reviewing Changes to the Minimum Age for Marriage. *Muhammadiyah Law Review*, 7(2), 1. <https://doi.org/10.24127/mlr.v7i2.2765>
- Vakkuri, V., Kemell, K. – K., Tolvanen, J., Jantunen, M., Halme, E., & Abrahamsson, P. (2022). How Do Software Companies Deal with Artificial Intelligence Ethics? A Gap Analysis. In *The International Conference on Evaluation and Assessment in Software Engineering 2022* (pp. 100 – 109). New York, NY, USA: ACM. <https://doi.org/10.1145/3530019.3530030>
- Wang, H., & Blok, V. (2025). Why putting artificial intelligence ethics into practice is not enough: Towards a multi – level framework. *Big Data & Society*, 12(2). <https://doi.org/10.1177/20539517251340620>
- Wardatun, A., & Smith, B. J. (2020). Woman – Initiated Divorce and Feminist Fiqh in Indonesia: Narrating Male Acts of Nushūz in Marriage. *Ulumuna*, 24(2), 266 – 295. <https://doi.org/10.20414/ujs.v24i2.416>
- Zakaria, S. (2021). The Contextualization Of The Maqasid Al – Syariah Jasser Auda Theory In The Concept And Practice Of Islamic Family Law. *Al-'Adl*, 14(2), 83. <https://doi.org/10.31332/aladl.v14i2.2396>