

## **Digital Transformation in Family Law Reconstruction: Normative and Implementative Studies**

M. Munjid Sudinoto  
Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan  
Email: [emmunjidsn@gmail.com](mailto:emmunjidsn@gmail.com)

### **Abstract**

Islamic family law in the context of Indonesia plays a strategic role in shaping a just and harmonious social order. The development of digital technology has a significant impact on the legal system, including Islamic family law in Indonesia. Digital transformation enables the emergence of more adaptive, inclusive, and participatory models for family law reconstruction. Digitalization in family law administration processes offers conveniences and efficiencies previously unthinkable. Online recording systems can speed up administration, reduce bureaucracy, and increase accessibility for the community. Apart from technical and regulatory aspects, digital transformation in Islamic family law also faces several challenges. Not all members of the community have the same access to technology, and the understanding and acceptance of these changes vary. This research aims to examine digital transformation as an instrument of family law reconstruction through normative and implementative analysis. The research method used is a normative juridical approach with a descriptive analysis of laws and regulations, legal doctrines, and the practice of legal digitalization in religious courts. The results show that the digitalization of family law through e-court platforms, multimedia-based legal education media, and online legal consultation applications can improve the effectiveness of legal services and the community's understanding of Islamic legal values. However, challenges still arise in aspects of digital literacy, infrastructure gaps, and the oversight of legal ethics in the digital space. Therefore, digital-based family law reconstruction needs to be developed comprehensively by integrating the values of maqashid al-syari'ah and national regulations that are adaptive to changing times

**Keywords:** digital transformation, family law, legal reconstruction, normative approach, digital implementation.

### **Introduction**

In the Indonesian context, Islamic family law plays a strategic role in establishing a just and harmonious social order. Advances in information and communication technology have brought about significant changes in the way modern society functions. The legal world has not escaped the influence of digitalization, including in the field of family law. This digital transformation impacts various aspects, from administrative procedures to public understanding and acceptance of these changes.

Digitization in family law administration processes offers previously unimaginable convenience and efficiency. Online registration systems can speed up administration, reduce bureaucracy, and increase accessibility for the public.

Beyond technical and regulatory aspects, digital transformation in Islamic family law also faces several challenges. Not everyone has equal access to technology, and understanding and acceptance of these changes vary. Some may be comfortable with traditional methods and less prepared to transition to digital systems. Therefore, effective education and outreach efforts are needed to ensure that all levels of society can adapt to these changes.

On the other hand, the digital era also opens up significant opportunities for increasing efficiency and transparency in family law processes. Digital systems can minimize administrative errors, expedite case resolution, and increase accountability. Thus, the public can directly benefit from this digital transformation in the form of faster and more transparent services. However, the capabilities of information and communication technology bring new challenges and opportunities in the implementation and regulation of Islamic family law.

This change encourages society to accept digital systems in family law proceedings, as long as they do not conflict with Sharia principles. The application of technology in family law is also driven by these goals.

Practical goals, such as speeding up administrative processes, reducing costs, and increasing transparency. Individuals and legal institutions use technology to achieve these goals more effectively.

The process of reconstructing family law through multimedia can be carried out by utilizing digital technology in every stage, starting from identifying legal problems, drafting regulatory concepts, public participation, to socialization and implementation.

Multimedia plays a crucial role in bridging the gap between legal regulations and societal realities by presenting legal information in a more interactive, understandable, and participatory manner. Thus, the reconstruction of family law is not only normative but also transformative through the support of multimedia technology.

However, the current model for implementing family law remains conventional and has not fully adapted to digital change. Digital transformation has opened up opportunities to reconstruct the family law system to be more responsive to the needs of modern society. Through the use of multimedia technology, family law can be communicated more effectively to the public, both through online education, electronic court (e-court) platforms, and application-based legal consultations. This phenomenon indicates a paradigm shift in legal administration from a traditional system to an efficient and inclusive digital system.

### **A. Method**

This research uses a normative legal approach with qualitative analysis. Data were obtained from primary legal materials (statutes, religious court regulations, fatwas, and court decisions), secondary legal materials (books, journals, research reports), and tertiary legal materials (legal dictionaries and encyclopedias). The analysis was conducted descriptively and analytically to identify the relationship between Islamic legal principles, legal digitization policies, and implementation practices in the field, particularly in the religious court e-court system.

### **B. RESULTS**

#### 1. Transformation of Islamic Family Law in the Digital Era.

Family law aims to regulate family life so that it runs harmoniously, protect the rights of individuals within the family, and resolve potential conflicts. The use of digital technology has transformed the way family law is administered, such as by registering divorces and submitting documents and applications online. This has increased efficiency in handling family law cases and reduced excessive bureaucracy. With the internet and social media, the public has easier access to information on Islamic family law. They can gain knowledge about their rights and obligations regarding divorce, inheritance, and child custody, as well as better understand legal procedures.

The digital transformation of family law in Indonesia has been gradually underway since the Supreme Court implemented e-court in 2018. Through this

system, family cases such as divorce, inheritance, and hadhanah can be filed online. Digitization has helped speed up administrative processes, reduce costs, and expand access to justice. However, increased legal human resource capacity and regulatory reforms are still needed to ensure the system's sustainability.

One of the main challenges of digital transformation is data protection and privacy. Islamic family law must ensure that personal information collected and processed in the context of family law is kept confidential in accordance with sharia principles. Although technology brings convenience, the challenge faced is how to maintain traditional values in Islamic family law in the context of digitalization. This involves discussing how technology can be established without compromising sharia principles and Islamic ethics.

Digital transformation has also influenced approaches to fatwas and Islamic legal studies. More and more Islamic scholars and scholars are. They use digital platforms to disseminate their views on family law issues, which influences the broader understanding and application of family law. The use of technology can also improve oversight and enforcement of family law implementation. Database systems can help manage case information and ensure compliance with legal decisions.

## 2. Normative Study of Digital Transformation.

Normative studies indicate that digital transformation in Islamic family law requires careful reconstruction. This reconstruction must ensure the legitimacy of religious-legal processes while leveraging digital efficiencies, while remaining firmly grounded in the principles of Maqāṣid al-Kharijī.

Shariah to maintain justice, integrity, and the protection of individual rights in the online era. Normatively, the application of technology in family law must remain guided by Islamic legal sources and national regulations. Aspects that must be maintained include: the confidentiality of family data, justice and legal validity, and the ethics of digital publication.

Digital transformation not only changes the way society interacts, but also forces a normative reconstruction in the practice of Islamic family law in Indonesia, especially in the Religious Court environment. Normative studies focus

on the law that should apply to ensure that justice (al-'adl) and benefit (maqāsid al-sharī'ah) remain guaranteed in the digital era.

Divorce and child custody disputes in Religious Courts are now dominated by the use of digital evidence. Plaintiffs and defendants often include screenshots of conversations (WhatsApp, Telegram), social media posts (Instagram, TikTok), voice recordings, or emails as evidence. Normatively, this creates a dilemma. Regarding the validity of evidence, classical Islamic procedural law does not explicitly regulate the strength of digital evidence. Reconstruction is needed to integrate the ITE Law into the framework of Religious Court Procedural Law. The principle of prudence (Ihtiyat) states that digital evidence is highly susceptible to manipulation (editing). Judges are normatively required to The principle of extreme caution is applied. Digital evidence is only considered legally binding if supported by conventional evidence (direct testimony) and, ideally, verified by testimony from a digital forensic expert. Without rigorous verification, there is concern that legal decisions will be based on fabricated evidence, which violates the principles of Islamic justice.

The Supreme Court's implementation of the e-Court system in case administration, including e-filing and e-summons, aims to realize the principles of fast, simple, and low-cost justice. Normatively, this aligns with the maqāsid al-sharī'ah (objectives of the law) in the field of mu'amalah (civil affairs), which prioritizes convenience and efficiency. However, this reconstruction also faces challenges. Inclusive Access to Justice: Legal norms must ensure that digitalization does not create discrimination in access.

People in remote areas or with low digital literacy should not be deprived of their right to litigation due to technological limitations. Regulations are needed to ensure that manual services remain available as an alternative. Data Confidentiality (Hifz al-'Aurah) concerns family matters, as family matters involve sensitive personal data. Normatively, the e-court system must maintain the highest cybersecurity standards to protect this data from leakage or misuse, in line with the sharia's mandate to safeguard family honor and confidentiality.

### 3. Implementation Implications for Digital Transformation.

Digital transformation has become an implemented reality, fundamentally changing how Islamic family law cases are processed and resolved in Religious Courts. These implementation implications include changes to procedural, evidentiary, and institutional aspects.

The most obvious implication of Digital Transformation is the implementation of the E-Court system by the Supreme Court across all religious courts. a). Simplification of Procedures: The implementation of E-Court (including e-filing, e-payment, and e-summons) allows litigants (especially in (divorce cases, divorce lawsuits, or divorce lawsuits) to register and monitor case progress remotely. This effectively embodies the principle of fast, simple, and low-cost justice mandated by Indonesian positive law. b). Cost and Time Efficiency: For justice seekers, this system reduces transportation costs and waiting time spent traveling back and forth to the Religious Court office. The impact is significant for those living in remote areas or those who are traveling from one place to another.

The implementation of e-court presents real challenges related to digital literacy. Court officials must actively assist those who are technologically illiterate or lack adequate internet access, ensuring that technology does not become a new barrier to accessing justice. Implementation of the Recognition and Management of Digital Evidence. At the implementation level, Religious Courts must now actively manage and assess digital evidence presented by the parties. a). Shifting Evidence: In cases such as domestic disputes or infidelity, the implementation of legal reconstruction forces judges to recognize screenshots of conversations, voice notes, or social media posts as valid evidence. Divorce cases now often rely on digital traces as indicative evidence. b). Infrastructure Needs: The recognition of digital evidence implies the need for new infrastructure and human resources.

Religious Courts must have a secure and reliable digital evidence storage system. Furthermore, tech-savvy judges and clerks with a sufficient understanding of ITE Law and digital forensics are needed to assess the integrity and authenticity of the evidence presented. The use of accurate digital evidence effectively will ensure child custody rights based on the digital track record of more responsible parents. Digital transformation demands reconstruction at the institutional level of the Religious Courts themselves. a). Human Resource Capacity Building:

Implementing a complex digital system requires ongoing training for all court personnel, from judges and clerks to bailiffs. They must be proficient in using applications such as E-Court and understand the legal implications of . b). Data Management and Security: In practice, highly sensitive family data (divorce, joint property, etc.) is now stored digitally. This requires a strict cybersecurity system in every Religious Court to prevent leaks or hacking, as a concrete manifestation of the protection of the parties' personal data.

In terms of implementation, digital transformation opens up opportunities for multimedia-based family law education, online legal consultation services, and the digitization of case archives for transparency and accountability.

### **C. Conclusion**

Digital transformation is a powerful tool for modernizing religious courts. Legal reconstruction must focus on synchronizing regulations (between Islamic jurisprudence (Fiqh), the ITE Law, and Supreme Court regulations) and improving human resource capacity so that technology can fully serve as a means of upholding substantive justice, rather than becoming a barrier or a source of new legal uncertainty in family matters.

Digital transformation plays a crucial role in the reconstruction of family law in Indonesia. Through the application of multimedia technology and digital systems, family law can be disseminated and implemented more efficiently, inclusively, and transparently.

However, digitalization must remain grounded in the values of maqasid al sharia and national legal norms. Collaboration between the government, educational institutions, and the legal community is necessary to ensure that the digitalization of family law is not merely administrative but also substantive, ethical, and just.

### **Bibliography**

- Abdulah Pakarti, M. H. (2023). Family Law Updates in Religious Court Decisions. *Sakina: Journal of Family Studies*, 7(3). (DOI: 10.18860/jfs.v7i3.3935).
- Daulay, S., Arfa, F. A., & Turnip, I. R. S. (2025). Transformation of Islamic Family Law Through Religious Court Decisions. *Fatih: Journal of Contemporary Research*, 1(1). (DOI: 10.61253/fflg0290).

- Muhammad Jazil Rifqi, “Development and Utilization of Information Technology in Religious Courts,” *Al-Qadau Journal: Islamic Courts and Family Law* 7, no. 1 (2020): 70–82.
- Mutamakin, M., & Ansari. (2024). Reconstruction of the Family Law Paradigm in an Effort to Assess Public Legal Political Awareness. *AL ASHLAH: Journal of Family Law and Islamic Law*, 3(1).
- Nur Ali. (2021). Transformation of Islamic Family Law as a Source of Law in Indonesia. *Khuluqiyya: Journal of Legal Studies and Islamic Studies*, 3(1). (DOI: 10.56593/khuluqiyya.v3i1.67).
- Ridwan, M. (2024). Transformation of Islamic Family Law in the Digital Era: A Sociological Analysis of Marriage and Divorce Regulations in Indonesia. *Al-Iqtisodiyah: Journal of Islamic Law and Family Law*, 21, 21–33.
- Rifqi, M. J. (2020). Development and Utilization of Information Technology in Religious Courts. *Al-Qadau Journal: Islamic Courts and Family Law*, 7(1), 70–82.
- Rico Alana Daniswara and Andhita Risko Faristiana, “Transformation of Roles and Family Dynamics in the Digital Era Maintaining Families in the Industrial Revolution 4.0 Challenges in Social Change,” *JISPENDIORA Journal of Social Sciences, Education and Humanities* 2, no. 2 (2023): 29–43.