

The Role of Artificial Intelligence in Divorce Proceedings in the Netherlands: A Legal Analysis Based on Islamic Legal Principles

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ABSTRACT

AI chatbots in divorce cases in the Netherlands offer efficiency but fall short in ensuring justice (al-‘adl), consultation (shura), and the protection of spousal rights in Islamic law. This study highlights the need for human involvement and adherence to shar‘i values to ensure divorce processes are not only legally valid but also substantively and ethically just.

Keywords : Islamic law, AI, chatbot, divorce, justice, consultation.

A. INTRODUCTION

In recent decades, the development of artificial intelligence (AI) technology has brought significant transformations in various sectors of human life, including in the legal field. In developed countries such as the Netherlands, the utilization of AI is not only limited to the industrial, economic, or public service fields, but has also penetrated into complex and value-based domains such as the family law system.¹ One tangible application of AI in the legal process is the use of chatbots or automated conversational robots designed to provide legal information, facilitate initial consultations, and even help draft legal documents in divorce cases. This phenomenon reflects how the modern justice system is trying to adapt to the increasing need for efficiency, accessibility, and digitization in the era of the industrial revolution 4.0.²

The Netherlands as one of the pioneers in the application of technology-based law has developed various digital platforms that support the processing of divorce cases with the help of AI chatbots. For example, platforms such as Rechtwijzer (previously

¹ “Transformasi Digital 4.0: Inovasi yang Menggerakkan Perubahan Global | Cendekia: Jurnal Hukum, Sosial dan Humaniora,” diakses 3 Juli 2025, <https://journal.lps2h.com/cendekia/article/view/98>.

² “Dinamika Digital Governance : Antara Teori Dan Praktek Di Era 4.0 - Yaya Mulyana A, Andre Ariesmansyah, Mona Indrianie, Rifqi Khairul Arifin, Reni Lastari - Google Buku,” Diakses 3 Juli 2025,

developed by HiiL Innovation Lab) offer online services for couples seeking to end their marriage amicably.³ On this platform, users interact with a chatbot that guides them through a series of legal questions, provides advice based on existing legal data, and helps draft divorce agreements that can later be validated by a mediator or judge. The system is claimed to speed up the divorce process, reduce legal costs, and encourage independent conflict resolution without the need for lengthy litigation.

The use of AI chatbots in the field of family law is inseparable from issues of ethics, procedural justice, and deeper normative questions. Divorce is not merely an administrative or formal legal process, but also encompasses emotional, spiritual, and social dimensions.⁴ In the context of Islamic law, divorce is a sensitive issue and is strictly regulated to prevent abuse and to protect the dignity and rights of both spouses. Islam views marriage as a sacred contract (*mitsaqan ghaliza*) that cannot be dissolved without consultation, careful consideration, and protection of vulnerable parties, especially women and children.⁵ It is important to examine the extent to which technological mechanisms such as AI chatbots are in line with or even contradict the fundamental principles of Islamic law.

This phenomenon raises profound questions about whether technological sophistication can replace the ethical and spiritual values contained in Islamic law. How does Islamic law view the divorce process mediated by non-human entities such as chatbots? Can the principles of justice, consultation, and protection of the rights of spouses still be guaranteed in a digitally automated process? These questions form the basis for this research.

The development of digital law, particularly in the form of automated legal services, indirectly challenges the fundamental principles of law that are rooted in human values, norms, and considerations. In the case of AI chatbots, the decisions and information provided are based on algorithmic programming designed using data and

³ “Rechtwijzer And Uitelkaar.NL. Dutch Experiences With Odr For Divorce - Kistemaker - 2021 - Family Court Review - Wiley Online Library,” Diakses 3 Juli 2025, <https://onlinelibrary.wiley.com/doi/abs/10.1111/fcre.12570>.

⁴ “Perencanaan Perkawinan Sebagai Tindakan Preventif: Upaya Menuju Rumah Tangga Sakinah Yang Kokoh Dan Tangguh | Sindoro: Cendikia Pendidikan,” Diakses 3 Juli 2025, <https://ejournal.cahayaimubangsa.institute/index.php/sindoro/article/view/2869>.

⁵ “Spirit Mitsaqan Ghalidza Dalam Pernikahan Sebagai Penguatan Keluarga Di Kalimantan Tengah | Legitima: Jurnal Hukum Keluarga Islam,” Diakses 3 Juli 2025, <https://ejournal.uit-lirboyo.ac.id/index.php/as/article/view/1199>.

positive law. However, this system often fails to consider moral, spiritual, and individual aspects of each person. This poses a serious issue in legal systems rooted in religious teachings, such as Islam, which views law not only as an instrument for regulating human behavior but also as a manifestation of divine will (*syar’iyyah*). Aligning modern legal technology with Islamic legal principles presents a challenge that requires serious academic study.

This research is relevant in two dimensions: first, on a practical level, the use of AI chatbots for divorce cases is a growing reality and will continue to increase with advances in digital technology. Muslim-majority countries, including Indonesia, will one day face the same dilemma in adopting a similar system. Therefore, mapping the systems that have been implemented in countries such as the Netherlands can serve as a starting point for evaluating the compatibility of this technology with Islamic values. Second, on a normative level, this study contributes to the development of a contemporary Islamic legal discourse that is responsive to the challenges of the times, without neglecting the essence of justice and spiritual values that form the foundation of Sharia law.

This research focuses on the Islamic legal perspective on the use of AI chatbots in divorce proceedings, particularly in relation to the principles of justice, consultation, and the protection of the rights of spouses. This research is aimed at critically examining the concept and application of AI chatbots in the Dutch legal system, while analyzing how the existence of this technology is assessed from an Islamic legal perspective, both theoretically and practically. Through this approach, it is hoped that the research can provide a comprehensive picture of the compatibility between the development of legal technology and the basic values upheld in Islamic teachings.

This research aims to fill the gap in the literature on interdisciplinary studies between legal technology (legal tech) and Islamic law, using a normative approach that takes into account the main principles of Sharia. Additionally, this research aims to contribute to the formulation of future legal policies that are responsive to technological developments while upholding Islamic values. Thus, this article is expected to serve as an academic and practical reference for policymakers, academics, and legal tech practitioners interested in developing a fair, ethical, and inclusive legal system for Muslims in the digital age.

This research emphasizes the importance of ensuring that Muslims are able to respond to changes in the times actively and wisely. In the context of technology development, which is neutral in nature, its impact is largely determined by how humans manage it. Efforts are needed to formulate normative and ethical guidelines from an Islamic legal perspective, so that the existence of artificial intelligence technology, including legal chatbots, not only demonstrates technical sophistication but also upholds spiritual dignity and realizes social justice.

B. METHOD

This research is normative legal research, which is legal research based on secondary legal materials and focuses on legal norms as the object of study.⁶ The approaches used in this study are the comparative approach and the conceptual approach.⁷ A comparative approach was used to examine how AI chatbots are used in divorce proceedings in the Netherlands, and then compared with the norms found in Islamic law, particularly those related to the principles of justice, deliberation, and protection of the rights of spouses. A conceptual approach was used to understand Islamic legal concepts in the contemporary context, especially in response to technological developments in modern legal systems.

The data sources used in this study consist of secondary literature, namely legal materials including textbooks, scientific journal articles, contemporary fatwas, regulations related to legal technology and divorce, as well as relevant court decisions, both from the Dutch legal system and from the perspective of Islamic law. The researcher also refers to official documents regarding the legal chatbot system in the Netherlands, such as *Rechtwijzer*, as well as classical and contemporary *fiqh* and *ushul fiqh* literature that explains the principles of Islamic family law. The analysis technique used is normative analysis, which involves examining and interpreting Islamic legal norms, then analyzing their compatibility with the practice of using AI chatbots in divorce, in order to assess whether the technological mechanism is in line with or contradicts the basic values of Islamic law.

⁶ “Pengantar Metodologi Penelitian Hukum: Kajian Penelitian Normatif, Empiris ... - Muhammad Syahrudin, S.T., M.H. - Google Buku,” Diakses 2 Juli 2025,

⁷ Ibid

C. ANALYSIS/DISCUSSION**1. Implementation of AI Chatbots in Divorce Proceedings in the Netherlands****a. Technical and Legal Aspects of Using AI Chatbots in Family Matters**

The Netherlands is one of the countries in Europe known for its progressive integration of technology into public service systems, including the judicial sector.⁸ In the context of family matters, particularly divorce, the Netherlands has adopted a number of technological solutions aimed at simplifying legal processes, reducing costs, and expanding access to justice for the public. One particularly significant innovation is the use of artificial intelligence (AI)-based chatbots implemented in online dispute resolution (ODR) platforms.⁹

One notable example is Rechtwijzer, developed by HiiL (The Hague Institute for Innovation of Law) in collaboration with the Dutch Legal Aid Board. Although Rechtwijzer was officially discontinued in 2017 due to financial and management challenges, the platform was a pioneer in technology-based online divorce mediation systems.¹⁰ Rechtwijzer enables couples seeking divorce to access legal information services, complete relevant forms, engage in system-based negotiations, and communicate via chatbots and human facilitators such as mediators or lawyers.

The chatbot in this system serves as an initial interface to help users understand their rights, draft basic legal documents, and provide settlement simulations based on the information entered by users. Technically, the chatbot uses rule-based algorithms and natural language processing (NLP) to understand users' everyday language and provide appropriate responses.

⁸ Ridwan Syaidi Tarigan, *Reformasi Hukum Tata Negara: Menuju Keadilan Dan Keseimbangan* (Ruang Berkarya, 2024).

⁹ “Hukum Siber: Menyikapi Tantangan Hukum Di Era Digital - Muhammad Husni Abdulah Pakarti, S.H., M.H., Dr. Didik Suhariyanto, Sh., Mh., Dr. Hanuring Ayu, Sh., M.H., Dr. Taqyuddin Kadir, Sh., Mh., Ir. Andrian Sah, S.Kom., M.Kom., Lilik Prihatin, S.H., M.H., Dr. Sri Ayu Astuti, Sh., M.Hum., Dr. Dedy Muharman, S.H., M.Hum., Dr. Arief Fahmi Lubis, Sh., Mh., M.A., Ph.D., Pajar Pahrudin, S.Kom., Mh. - Google Buku,” Diakses 3 Juli 2025,

¹⁰ “Rechtwijzer And Uitelkaar.Nl. Dutch Experiences With Odr For Divorce - Kistemaker - 2021 - Family Court Review - Wiley Online Library,” Diakses 2 Juli 2025, <https://onlinelibrary.wiley.com/doi/abs/10.1111/fcre.12570>.

From a legal standpoint, the chatbot system does not replace judges or legal authorities in making final decisions but functions as a self-help tool in non-litigation or mediation processes. Divorce proceedings initiated through the chatbot still require court approval if they involve legal matters with formal consequences, such as property division, child custody, or alimony decisions. The chatbot allows couples to prepare all such documents independently with minimal human intervention.

The Netherlands has also developed several other platforms that integrate legal technology, such as Uitelkaar.nl (meaning “separating together”), which continues the Rechtwijzer concept with a more private service-oriented approach.¹¹ This platform is still actively used and serves as a reference in managing divorce settlements with the help of AI and limited legal assistance. In all of these systems, AI chatbots serve as tools that assist users from the pre-mediation stage to the drafting of the final agreement.

b. The Goal of Efficiency and Accessibility of Law Through Technology

The adoption of AI chatbots in divorce cases in the Netherlands stems from the need for a more efficient, affordable, and inclusive legal system. One criticism of the traditional judicial system is that it is time-consuming, costly, and involves complex procedures that are not user-friendly for people who are unfamiliar with the law. In divorce cases, the emotional tension between couples is often exacerbated by lengthy legal bureaucracy. The Dutch government and innovative legal institutions are promoting a technological approach as a solution to these issues.¹²

AI chatbots are seen as a solution that can address these efficiency needs. With a system that operates 24 hours a day, people can access legal information at any time without having to visit a lawyer's office or court. This significantly reduces the burden of time, cost, and effort. Couples can arrange their divorce gradually through dialogue with the chatbot, which provides personalized legal

¹¹ B. Dijksterhuis Dan T. Verheij, “The Added Value Of The Dutch Online Divorce Resolution Tools Rechtwijzer Uit Elkaar And Successor Uitelkaar.Nl For High-Conflict Divorces,” *Fampra.Ch* 2024 (2024), <https://Dare.Uva.Nl/Search?Identifier=Fe503db4-59a4-4587-8263-Dd011cf70029;Startdoc=1>.

¹² “Penyelesaian Sengketa Hukum Dan Teknologi | Penerbit Yayasan Prima Agus Teknik,” Diakses 3 Juli 2025, <https://Penerbit.Stekom.Ac.Id/Index.Php/Yayasanpat/Article/View/462>.

instructions and simulations based on the data they enter.

In terms of accessibility, AI chatbots enable anyone, including those in remote areas, without a legal background, or with economic limitations, to access basic justice. In the Netherlands, this system is also integrated with the legal aid scheme, so that low-income individuals can still obtain legal services with state subsidies.

These improvements in efficiency and accessibility are not without challenges. One of the main challenges is the chatbot's limitations in understanding the emotional and cultural context of divorce cases. The divorce process is not just about legality, but also involves psychological dynamics, social relationships, and the interests of children. The AI system is not yet fully capable of adapting its approach to each individual context, as it works based on data and patterns, not human empathy or wisdom.¹³

From a legal perspective, there are concerns about the accuracy and reliability of the legal advice provided by chatbots. If users enter data incorrectly or misinterpret questions, the system may provide inappropriate legal references, which could ultimately harm one of the parties. Most divorce chatbot systems in the Netherlands still include access to human mediators or lawyers who can be consulted during the negotiation process or at the final stage.

Various evaluations of the use of chatbots in the Dutch legal system indicate that this technology can be an effective alternative, particularly in non-contentious cases where the couple has already agreed to separate and only requires administrative facilitation and understanding of the legal consequences. In this context, chatbots serve to strengthen access to justice as a fundamental principle of the modern legal system.¹⁴

¹³ “Agile: Adaptasi Cepat, Sukses Berlipat Cara Cerdas Menghadapi Perubahan - Dr. Sabar Budi Raharjo, M. Pd., Detak Pustaka - Google Buku,” Diakses 3 Juli 2025,

¹⁴ “Hukum Siber: Menyikapi Tantangan Hukum Di Era Digital - Muhammad Husni Abdulah Pakarti, S.H., M.H., Dr. Didik Suhariyanto, Sh., Mh., Dr. Hanuring Ayu, Sh., M.H., Dr. Taqyuddin Kadir, Sh., Mh., Ir. Andrian Sah, S.Kom., M.Kom., Lilik Prihatin, S.H., M.H., Dr. Sri Ayu Astuti, Sh., M.Hum., Dr. Dedy Muharman, S.H., M.Hum., Dr. Arief Fahmi Lubis, Sh., Mh., M.A., Ph.D., Pajar Pahrudin, S.Kom., Mh. - Google Buku,” Diakses 3 Juli 2025,

The Netherlands has also shown concern for legal technology ethics. The development of legal chatbots is guided by the principles of algorithm transparency, system accountability, and user data protection. This is important because chatbots work with highly sensitive personal data, such as marital status, domestic violence, or child identity. The system must be equipped with encryption and strict privacy policies.

In a global context, the Netherlands' experience in integrating AI chatbots into the divorce process serves as a reference for many other countries seeking to reform their family law systems with a touch of technology. This approach, which combines digital mediation, self-service legal access, and minimal assistance, can be adapted to take into account the cultural, religious, and legal values of each country.

2. Analysis of Islamic Legal Principles on the Use of Chatbot AI

The development of artificial intelligence (AI) technology, particularly in the form of chatbots, has entered the realm of family law, including divorce. In countries like the Netherlands, chatbots are used to assist couples in the online divorce process. From an Islamic legal perspective, the use of AI chatbots in divorce proceedings requires thorough examination, particularly in relation to fundamental Sharia principles such as justice (*al-‘adl*), consultation (*syura*), and the protection of spouses' rights. These principles are not merely theoretical norms but ethical and legal values that must be upheld in the resolution of domestic disputes.¹⁵

a. The Principle of Justice (*al-‘adl*)

Justice is a fundamental principle in all aspects of Islamic law. The Qur'an emphasizes that justice is a commandment from Allah that must be upheld in all situations:

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَايَ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ

¹⁵ Bahrul Falah Dan Nerisma Eka Putri, “Artificial Intelligence Berbasis Chatbot: Sarana Baru Panduan Hukum Keluarga Digital,” *Qisthosia: Jurnal Syariah Dan Hukum* 4, No. 2 (2023): 126–40, <https://Scholar.Google.Com/Scholar?Cluster=5067107058949056824&Hl=En&Oi=Scholarr>.

Meaning: “Indeed, Allah commands justice, doing good, and giving assistance to relatives. He also forbids immorality, wrongdoing, and hostility. He instructs you so that you may remember.” (QS. An-Nahl: 90).¹⁶

Justice in the context of Islamic law encompasses not only substantive justice, which refers to the correct and balanced content of the law, but also procedural justice, which refers to a fair legal process that guarantees the participation and understanding of all parties involved.¹⁷

The principle of justice can face serious challenges in the use of AI chatbots. Although chatbots are designed to simplify legal processes, they have the potential to create inequality due to algorithmic bias, namely decisions made based on data that is not neutral or representative of certain social and cultural conditions. For example, if a chatbot system is designed based on heteronormative or Western cultural assumptions, it may overlook the complexity of gender relations in Muslim societies.

Inequalities in access to information and technology also have the potential to undermine the principle of fairness.¹⁸ In Islamic society, justice in divorce requires that both parties, husband and wife, have equal opportunities to understand their rights and obligations. If one party, for example the wife, does not understand the chatbot mechanism or does not have adequate digital literacy, then the automation process can perpetuate injustice. Justice in Islamic law requires human involvement to ensure that every decision is fully understood and agreed upon by both parties with full awareness.¹⁹

¹⁶ “Surat An-Nahl Ayat 90: Arab, Latin, Terjemah Dan Tafsir Lengkap | Quran Nu Online,” Diakses 2 Juli 2025, <https://Quran.Nu.Or.Id/An-Nahl/90>.

¹⁷ “Asas Keadilan Sebagai Salah Satu Landasan Hakim Dalam Memutuskan Putusan Perceraian | Al-Ahwal Al-Syakhsiyyah: Jurnal Hukum Keluarga Dan Peradilan Islam,” Diakses 3 Juli 2025, <https://Journal.Uinsgd.Ac.Id/Index.Php/Al-Syakhsiyyah/Article/View/25998>.

¹⁸ “Analisis Ketimpangan Keadilan Di Indonesia: Potret Buram Hukum Yang Berpihak Pada Kuasa | Pancasila: Jurnal Keindonesiaan,” Diakses 3 Juli 2025, <https://Ejurnalpancasila.Bpip.Go.Id/Index.Php/Pjk/Article/View/728>.

¹⁹ “Peran Lembaga Peradilan Sebagai Institusi Penegak Hukum Dalam Menegakkan Keadilan Bagi Terwujudnya Perdamaian | Rumadan | Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional,” Diakses 3 Juli 2025, <https://Rechtsvinding.Bphn.Go.Id/Ejournal/Index.Php/Jrv/Article/View/128>.

b. The Principle of Deliberation (*Syura*)

The principle of deliberation is a central value in decision-making in Islam, including in resolving family conflicts.²⁰ The Qur'an commands Muslims to consult one another in worldly matters:

In the context of divorce, consultation means a process of fair dialogue and negotiation between husband and wife with the guidance of a wise third party, such as a judge, mediator, or community leader. This is emphasized in QS. An-Nisa: 35

وَأِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا

Meaning: “If you (the guardians) fear a dispute between them, appoint an arbitrator from the husband's family and an arbitrator from the wife's family. If they both intend to reconcile, Allah will grant them success. Indeed, Allah is All-Knowing and All-Aware.”²¹

The presence of humans in the deliberation process is important because only humans are capable of understanding the emotional nuances, social relationships, and moral values that accompany divorce. AI chatbots, although they can facilitate two-way communication, still lack the empathy, wisdom, and cultural context necessary for true deliberation.

The ability of chatbots to facilitate deliberation is limited. They work based on technically determined parameters, not values. In many cases, deliberation involves deep psychological aspects, including the process of mutual forgiveness, consideration for children, and the moral burden of separation. If the divorce process is only regulated by machines without human interaction, then the value of *syura* emphasized by Islam is not fully achieved.

c. Protection of Spousal Rights

One of the main objectives of Islamic law is to uphold *maqashid al-syari'ah*, which is the protection of five main aspects: religion, life, intellect, lineage, and property. In the context of the family, the protection of the rights of husbands,

²⁰ “Prinsip-Prinsip Perkawinan : Analisis Filosofis Implementasi Dalam Meminimalisir Angka Perceraian - Digital Library Uin Sunan Gunung Djati Bandung,” Diakses 3 Juli 2025, <https://Digilib.Uinsgd.Ac.Id/40139/>.

²¹ “Surat An-Nisa’ Ayat 35: Arab, Latin, Terjemah Dan Tafsir Lengkap | Quran Nu Online.”

wives, and children is a major legal responsibility. Islam grants balanced rights and obligations to both parties in marriage and divorce.²²

The use of AI chatbots that do not comprehensively take these dimensions into account has the potential to lead to the neglect of partners' rights. Automation processes, while efficient, often fail to consider specific circumstances, such as domestic violence, information manipulation, or unequal power dynamics between partners. For example, chatbots cannot distinguish between voluntary confessions and those made under emotional pressure.

The rights of spouses, especially the rights of women in divorce, in many cases need to be protected by human supervision, whether from judges, mediators, or religious scholars. In the Islamic legal system, many divorce cases are examined not only from a formal legal perspective but also from moral and social aspects, such as assessing the mental readiness of children, the psychological impact on the wife, and post-divorce harmony. All of this requires a personal approach that cannot be replaced by a chatbot.

Islam also commands that the divorce process not be carried out hastily or in a way that harms either party. In the hadith of the Prophet Muhammad SAW, it is stated:

حَدَّثَنَا كَثِيرُ بْنُ عُبَيْدٍ حَدَّثَنَا مُحَمَّدُ بْنُ خَالِدٍ عَنْ مُعَرِّفِ بْنِ وَاصِلٍ عَنْ مُحَارِبِ بْنِ دِثَارٍ عَنْ ابْنِ عُمَرَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَبْغَضُ الْحَلَالِ إِلَى اللَّهِ تَعَالَى الطَّلَاقُ

Meaning: “Katsir bin ‘Ubaid told us, Muhammad bin Khalid told us from Mu'arriif bin Washil from Muharib bin Ditsar from Ibn Abbas from the Prophet, peace be upon him, who said: 'The lawful thing that Allah hates most is divorce.’”(HR. Abu Dawud)²³.

This hadith shows that although divorce is permissible, the process must be carried out with careful consideration, not merely as an administrative formality regulated by machines.

²² Sifa Mulya Nurani, “Relasi Hak Dan Kewajiban Suami Istri Dalam Perspektif Hukum Islam (Studi Analitis Relevansi Hak Dan Kewajiban Suami Istri Berdasarkan Tafsir Ahkam Dan Hadits Ahkam),” *Al-Syakhsiyyah: Journal Of Law And Family Studies* 3, No. 1 (30 Juli 2021): 98–116, <https://doi.org/10.21154/Syakhsiyyah.V3i1.2719>.

²³ “Hadits Dawud No. 1863 | Dibencinya Talak,” *Hadits.Id*, Diakses 2 Juli 2025, <http://www.hadits.id/hadits/dawud/1863>.

d. The Impact of the Divorce Process

The positive impact is efficiency in terms of time and cost. The use of AI chatbots allows couples who wish to divorce to complete the process more quickly than through formal litigation. The process of filling out documents, providing initial legal information, and conducting initial negotiations can be done automatically and independently without having to attend numerous court hearings. Second, broader legal accessibility. AI can reach communities that previously had difficulty accessing legal information, whether due to economic, geographical, or legal literacy limitations. This supports the principle of access to justice, especially in areas or communities with limited legal resources. Third, procedural neutrality: Chatbots are designed to provide neutral legal information, without emotional bias, thereby reducing the potential for personal bias that sometimes arises in traditional mediation.²⁴

The negative impact is the lack of emotional and spiritual dimensions. Divorce is not only a legal process, but also involves emotional, moral, and spiritual aspects. AI lacks empathy or sensitivity to human feelings, making it difficult to provide a humane approach as recommended in the Islamic principle of consultation (syura). Second, the potential disregard of sharia rights. AI that is not aligned with Islamic legal principles may overlook important post-divorce rights such as iddah maintenance, mut'ah, custody rights, or the fulfillment of a husband's moral obligations toward his former wife and children. This could violate the principles of maqasid al-syari'ah. Third, there is a disparity in access to technology. Not all individuals have the same digital capabilities. Those who are more technologically proficient can dominate the process, while others (such as women or vulnerable groups) may be disadvantaged due to limited access or understanding.²⁵

²⁴ “Pengaruh Artificial Intelligence Terhadap Proses Mediasi Dalam Alternative Dispute Resolution (Adr) Di Kanada | Legal Advice Journal Of Law,” Diakses 3 Juli 2025, <https://jurnal.fhumkendari.ac.id/index.php/jla/article/view/48>.

²⁵ “Pemanfaatan Artificial Intelligence (Ai) Dalam Pembentukan Peraturan Perundang-Undangan Serta Implikasinya Terhadap Etika Dan Keamanan | Community Service Progress,” Diakses 3 Juli 2025, <https://journal.stie-binakarya.ac.id/index.php/csp/article/view/136>.

D. CONCLUSION

Based on the discussion above, it can be concluded that Islamic law views the use of AI chatbots in divorce proceedings as a matter that requires caution, particularly in ensuring the continuity of Sharia principles such as justice (al-‘adl), consultation (syura), and protection of the rights of spouses. AI chatbots do offer efficiency and ease of access to legal services, but their presence cannot fully replace the role of humans, who are normatively and ethically entrusted with ensuring that every divorce process is fair and in line with Islamic values. In Islam, justice is not merely procedural but also substantive, so decisions made through AI must consider the social, emotional, and spiritual context of the divorcing couple. Meanwhile, consultation in Islam emphasizes the importance of direct communication and the role of human mediators in maintaining balance and preventing one-sided harm.

Protection of the rights of both spouses, whether wife or husband, is a fundamental aspect of Islamic family law. AI chatbots that operate based on algorithms still have limitations in understanding the nuances of family relationships, psychological trauma, or information asymmetries between divorcing parties. From an Islamic legal perspective, the use of AI chatbots in divorce proceedings in the Netherlands or other countries should not be relied upon as the sole legal resolution mechanism. The integration of AI must be balanced with the involvement of humans who have sharia competence and a deep understanding of maqashid al-sharia so that the divorce process is not only legally valid but also fair, wise, and upholds the human values recognized in Islam.

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