

THE LIMITS OF ARTIFICIAL INTELLIGENCE IN JUDICIAL REASONING: JURISPRUDENTIAL ANALYSIS OF ISLAMIC LEGAL AUTHORITY

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Abstract

The development of Artificial Intelligence (AI) in judicial systems has raised debates regarding its limitations in judicial reasoning, particularly within the Religious Courts. Previous studies have generally examined AI from technological and administrative perspectives, while Islamic legal studies have focused more on judicial reasoning and *ijtihad*. However, limited research has integrated AI with the perspective of the four *madhhabs* in judicial reasoning. This study aims to analyze the legitimacy, limitations, and position of AI in the legal reasoning of Religious Court judges based on positive law and the perspectives of the four Islamic schools of thought. This research employs a qualitative method with a normative juridical approach through library research and document analysis of Supreme Court regulations, court decisions, classical *fiqh* literature, and scholarly articles related to AI and law. The findings indicate that AI may function as a supporting tool for legal data retrieval and analysis but cannot replace judges' authority in making legal decisions. The four *madhhabs* consistently position humans as the primary subjects of legal determination due to their scholarly competence, moral judgment, and religious responsibility. These findings contribute to the development of legal technology studies by integrating Islamic jurisprudence perspectives into contemporary debates on AI governance in modern judicial systems.

Keywords: artificial intelligence, religious courts, legal reasoning, *madhhab* jurisprudence, judges



Abstrak

Perkembangan Artificial Intelligence (AI) dalam sistem peradilan menimbulkan perdebatan mengenai batas penggunaannya dalam penalaran hukum hakim, khususnya di lingkungan Peradilan Agama. Penelitian sebelumnya umumnya membahas AI dari perspektif teknologi dan administrasi peradilan, sedangkan kajian hukum Islam lebih banyak menyoroti ijtihad dan penalaran hukum hakim. Namun, penelitian yang mengintegrasikan penggunaan AI dengan perspektif fikih empat mazhab masih terbatas. Penelitian ini bertujuan menganalisis legitimasi, batas penggunaan, dan posisi AI dalam penalaran hukum hakim Peradilan Agama berdasarkan hukum positif dan fikih empat mazhab. Penelitian menggunakan metode kualitatif dengan pendekatan yuridis normatif melalui studi kepustakaan dan analisis dokumen terhadap regulasi Mahkamah Agung, putusan pengadilan, kitab fikih, dan jurnal ilmiah terkait AI dan hukum. Hasil penelitian menunjukkan bahwa AI dapat digunakan sebagai alat bantu dalam pencarian data dan analisis informasi hukum, tetapi tidak dapat menggantikan kewenangan hakim dalam menetapkan putusan. Perspektif empat mazhab tetap menempatkan manusia sebagai subjek utama penetapan hukum karena memiliki kapasitas keilmuan, pertimbangan moral, dan tanggung jawab keagamaan. Temuan ini berkontribusi pada pengembangan kajian teknologi hukum dengan mengintegrasikan perspektif fikih Islam dalam diskursus AI pada sistem peradilan modern.

Kata kunci: kecerdasan buatan, pengadilan agama, penalaran hukum, yurisprudensi madzhab, hakim

Introduction

Digital transformation in judicial systems has become a global phenomenon that encourages the integration of Artificial Intelligence (AI) into various aspects of legal processes, ranging from case administration and data management to support for judicial legal reasoning. This development emerged as a response to the demand for the modernization of judicial institutions in order to realize the principles of simple, fast, and low-cost justice. In the Indonesian context, judicial digitalization can be seen through the implementation of e-court systems, e-filing, and electronic hearings as part of technology-based judicial service reform. The use of AI in the legal field is becoming increasingly

relevant because this technology can assist in document analysis, jurisprudence research, identification of judicial decision patterns, and the preparation of legal arguments in a faster and more systematic manner. Several studies show that the integration of digital technology into judicial systems contributes to improving efficiency, transparency, and public access to justice, although it also raises challenges related to ethics, accuracy, and judicial independence (Abigail, 2025).

In the context of the Religious Courts, the use of AI creates more complex issues compared to general courts. This is because the legal reasoning of Religious Court judges is not solely based on positive law norms and statutory regulations, but also involves *fiqh* principles, the process of *ijtihad*, considerations of *maslahat*, and religious scholarly authority derived from the *madhhab* tradition. In practice, Religious Court judges often engage in legal discovery in cases related to marriage, inheritance, wills, grants, and Islamic economic law, so their reasoning process requires a deep understanding of Islamic legal methodology. Therefore, the integration of AI in this field cannot merely be understood as a technical innovation, but must also be examined from the perspective of epistemological legitimacy and its conformity with the principles of *fiqh al-qadha'* as well as judicial independence in exercising *ijtihad* (Supardin et al., 2025).

On the other hand, Artificial Intelligence has significant potential as a supporting instrument for judges' legal reasoning through functions such as legal research, analysis of judicial precedents, identification of argumentation patterns, and mapping of *fiqh* norms relevant to the cases being examined. This technology can assist judges in tracing previous decisions, classifying similar legal issues, and presenting normative references from regulations and *fiqh* literature in a faster and more systematic way. In the context of the Religious Courts, AI also has the potential to support the analysis of complex contemporary cases, such as disputes in Islamic economic law and electronic evidence in Islamic family law cases. However, this function should ideally remain limited to an analytical support tool rather than replacing the authority of judges' legal considerations, so that the principles of substantive justice and judicial responsibility can still be maintained (Faza, 2024).

Nevertheless, the use of AI in the Religious Courts requires a clear normative and epistemological framework so that the technology continues to function as an analytical support tool without shifting the authority of *ijtihad* and the independence of judges as the primary actors in determining judicial decisions. This demonstrates the importance of integrating traditional *ijtihad* with supervised digital *ijtihad* practices in responding to the development of AI within the field of Islamic law (Khusnul Khatimah et al., 2025). In the tradition of Islamic law, judges do not merely act as implementers of legal norms, but also as actors of legal discovery who consider *nash*, *qawa'id fihiyyah*, *maslahat*, and the concrete conditions of the parties involved. Therefore, the implementation of AI cannot be positioned as the primary decision-maker, but rather must be placed within the framework of a decision support system that remains subject to the principles of *fiqh al-qadha'*, substantive justice, and judicial independence in adjudicating cases. This issue has become increasingly important because judicial digitalization, including the e-court system, has opened broader opportunities for the integration of technology into the adjudication process (Iwannudin et al., 2025).

Previous studies have generally discussed the use of AI in legal systems from the perspectives of technology, judicial administrative digitalization, and the efficiency of legal services. On the other hand, several studies in Islamic law have focused more on judicial reasoning, *ijtihad*, and *fiqh* authority in the decision-making process. However, there is still very limited research that integrates these two fields to assess the epistemological legitimacy of AI in Islamic legal reasoning, particularly within the context of the Religious Courts and the perspective of the four *madhhabs*. This gap indicates an important research gap that requires further examination (Sebayang et al., 2024).

The novelty of this research lies in its interdisciplinary analysis between Artificial Intelligence technology, legal reasoning theory, and *fiqh madhhab* concepts concerning the authority of *ahl al-fatwa* in order to formulate the conceptual limits of AI usage in the legal consideration process of Religious Court judges. This research does not merely discuss AI as a

technological instrument, but also examines its normative legitimacy through the approaches of positive law and Islamic legal epistemology. This study aims to analyze the limits of legitimacy, prospects, and the position of AI in the legal reasoning of Religious Court judges from the perspectives of positive law and *fiqh madhhab* (Munjiyat et al., 2026).

This research is urgent because the increasingly widespread development of AI technology has the potential to influence the practice of legal reasoning within the Religious Courts. On one hand, AI offers significant efficiency and analytical support, but on the other hand, it also has the potential to create issues such as algorithmic bias, the reduction of justice-based considerations, and the shift of *fiqh* scholarly authority if it is not properly regulated. Therefore, a theoretical and normative foundation is needed to ensure that digital innovation remains aligned with the principles of justice, *fiqh* scholarly authority, and judicial independence. This urgency is also relevant to the direction of judicial reform in Indonesia, which increasingly emphasizes digitalization as part of the modernization of judicial institutions (Iwannudin et al., 2025).

Methodology

This research is qualitative research using a normative juridical approach. This approach was chosen because the study focuses on the analysis of legal norms, *fiqh* concepts of the four madhhabs, and the limits of the use of AI in the legal reasoning of Religious Court judges. The research was conducted through library research during the preparation process by examining various relevant primary and secondary legal sources. The normative juridical approach was used because the research problems focus on legal legitimacy, ethical limits, and the prospects of AI usage from the perspectives of positive law and Islamic law. Through this approach, the research examines various regulations, legal doctrines, *fiqh madhhab* views, and academic literature related to the use of technology in the judicial system.

The research data sources consist of primary and secondary data. The primary data include Supreme Court regulations related to judicial digitalization, the e-court system,

and Religious Court decisions relevant to the use of technology in judges' legal consideration processes. The secondary data include classical fiqh books from the four madhhabs discussing *ijtihad*, *fatwa*, *qadha'*, and the authority of Islamic legal scholars, as well as scientific journal articles concerning Artificial Intelligence, legal reasoning, judicial digitalization, and legal technology ethics. Data collection was conducted through documentation studies and library research on books, journals, regulations, and court decisions selected purposively based on their relevance to the focus of the research, namely the legitimacy of AI usage, juridical and ethical limits, and the position of AI as a supporting instrument in the legal reasoning of Religious Court judges.

Data analysis was conducted using the content analysis technique through stages of data reduction, thematic categorization, and descriptive-analytical conclusion drawing. The collected data were grouped into several main themes, such as the legal legitimacy of AI usage, judicial independence, ethical limits of AI usage, and the perspectives of the four madhhabs regarding the authority of legal determination. The analytical framework of this research uses the approaches of legal reasoning theory and Islamic legal epistemology to assess the position of AI in the legal consideration process of judges. To maintain the validity of the research, a source triangulation technique was used by comparing data from fiqh books, scientific journals, Supreme Court regulations, and court decisions.

Positive Law Foundations for AI-Assisted Judicial Reasoning

The use of Artificial Intelligence (AI) in the legal reasoning of Religious Court judges from the perspective of Indonesian positive law fundamentally does not yet have explicit regulation in the form of a specific statute. Until now, the national legal system is still at the stage of general regulation concerning digital technology, data protection, and the digitalization of judicial services. This normative gap indicates that AI has not been recognized either as a legal subject or as an entity possessing independent authority in the judicial decision-making process. Nevertheless, this absence of regulation does not automatically

eliminate the possibility of utilizing AI as a supporting instrument in judges' legal reasoning, as long as its use remains within the framework of procedural law and the principles of judicial authority (Utami et al., 2025).

The most relevant legal basis can be traced through judicial digitalization policies developed by the Supreme Court, particularly through the e-Court system, e-Litigation, and the Case Tracking Information System (*Sistem Informasi Penelusuran Perkara* or SIPP). This digitalization serves as an initial normative foundation for the use of technology in judicial processes, including within the Religious Courts. Research concerning the digitalization of Religious Court services shows that digital transformation has become part of institutional reform aimed at realizing the principles of a simple, fast, and low-cost judiciary. Through this system, technology has been utilized in case registration, payment of court fees, summoning of parties, and electronic hearings, thereby implicitly opening opportunities for the development of AI technology as a further stage in judicial modernization (Amelia, 2025).

From the perspective of judicial authority, the legal basis must be connected to the principle of judicial independence in Indonesian positive law. Judges remain the only officials authorized to assess facts, interpret legal norms, and formulate the *ratio decidendi* within judicial decisions. Therefore, AI cannot be positioned as a decision-maker, but only as a legal reasoning support tool (*decision support tool*). Functions that can be legally justified include assisting in jurisprudence searches, classification of similar cases, analysis of judicial decision patterns, and identification of relevant legal norms. Juridical responsibility for judicial decisions remains fully with judges as legal subjects granted authority by statutory law (Septiawan et al., 2024).

In the context of the Religious Courts, the use of AI possesses a relatively stronger basis of legitimacy when positioned as a supporting legal research instrument that assists judges in tracing various relevant legal sources. These sources include positive law, the Compilation of Islamic Law previous judicial decisions, and *fiqh* literature related to the cases being examined. With its rapid data-processing capabilities, AI can be used to identify and map patterns in cases such as divorce, maintenance, inheritance, and Islamic economic disputes, thereby

helping judges accelerate their understanding of the legal issues arising in a case. In addition, AI can also present information in a more systematic and structured manner, making it easier for judges to compare various judicial decisions and legal foundations previously applied. Nevertheless, the analytical results produced by AI do not possess legally binding force and cannot serve as the primary basis for judicial decision-making. Judges still have the obligation to actively explore, follow, and understand the legal values and sense of justice living within society, as well as to consider the concrete circumstances of the parties involved in litigation (Asriawan et al., 2024). Therefore, AI functions only as a supporting tool that strengthens the analytical process, while the responsibility for legal reasoning and judicial determination remains entirely in the hands of judges.

Furthermore, the findings of this research indicate that the legitimacy of the use of AI in Indonesian positive law remains implicit and instrumental rather than explicitly normative. This means that the existence and use of AI have not yet been specifically regulated through legislation that directly governs its role in judges' legal reasoning. The current legal basis relies primarily on judicial digitalization policies, such as the development of electronic-based services and efforts to improve efficiency and the quality of public services. In other words, AI is utilized as part of strengthening judicial technology systems rather than as a subject possessing independent legal legitimacy. This condition demonstrates the existence of a regulatory vacuum or legal gap, particularly regarding the limits of AI usage in decision-making processes, mechanisms of accountability for AI-generated analyses, and the protection of judicial independence. Therefore, more specific and comprehensive regulations are required so that the use of AI within the judiciary can ensure legal certainty, remain within ethical boundaries, and not interfere with the fundamental principles of judicial authority (Utami et al., 2025).

Thus, it can be concluded that the legal basis for the use of AI in the legal reasoning of Religious Court judges within the framework of Indonesian positive law currently rests upon two main foundations, namely judicial digitalization policies as the structural basis and judicial authority as the authoritative basis.

Digitalization policies provide opportunities for the use of technology in supporting judicial processes, while judicial authority remains central in determining and establishing legal decisions. In this position, AI only obtains legitimacy as a supporting instrument that functions to assist analytical processes, improve work efficiency, and maintain consistency in legal reasoning. Nevertheless, AI does not possess the authority to make decisions or replace the role of judges in considering facts, evidence, and the values of justice. Therefore, the final authority in determining judicial decisions remains entirely with judges as subjects who possess juridical legitimacy and legal responsibility. These findings emphasize that the use of AI in the Religious Courts must be positioned proportionally and under proper control so that it does not conflict with the principle of judicial independence while still preserving the integrity of the judicial process.

***Fiqh Madhhab* Perspectives on AI-Assisted Judicial Reasoning**

The primary normative basis within the perspective of *fiqh madhhab* regarding the use of scholarly assistance in the process of legal determination can be traced to the teachings of the Qur'an, which provide clear guidance on the importance of referring to authorities of knowledge.

A primary textual foundation for the concept of taqlid is found in the Qur'an, specifically in Surah An-Nahl (16:43): "*Ask the people of knowledge if you do not know.*" Classical and contemporary Muslim jurists have interpreted this verse as establishing the legitimacy of consulting qualified authorities in matters beyond one's expertise. Within the framework of *uṣūl al-fiqh*, *ahl al-dhikr* are commonly identified as scholars, jurists, and muftis who possess the requisite qualifications for *istinbāt al-aḥkām* (the derivation of legal rulings). Accordingly, this verse provides a normative basis for the reliance of lay Muslims on recognized legal authorities, thereby serving as one of the principal scriptural justifications for the practice of taqlid. Therefore, in the contemporary context, the use of AI can be analyzed as a supporting means for accessing expert knowledge, but it cannot be equated with the experts themselves because AI

does not possess the capacity for *ijtihad*, moral responsibility, or *syar'i* authority. This principle is also consistent with the epistemological structure of the *madhhabs*, which places legal authority upon qualified human experts rather than upon instruments.

According to *Tafsir Ibn Kathir*, Ibn Kathir explains that the phrase *ahl al-dzikir* refers to *ahl al-'ilm wa al-ma'rifah*, namely people who possess knowledge and understanding of revelation and the laws of Allah. This interpretation demonstrates that scholarly authority is the primary requirement for providing legal answers. Therefore, the legitimacy of legal reasoning in Islam always rests upon subjects who possess knowledge, not upon instruments (Katsir, 1998). Consequently, the position of AI is more appropriately understood as a *wasilah* or supporting instrument for accessing expert knowledge, while the authority of legal reasoning remains with judges as subjects who possess *syar'i* and juridical legitimacy.

From the perspective of the Shafi'i *madhhab*, the legal basis of legal reasoning rests upon a strict and hierarchical methodology of *istinbath*, namely the Qur'an, Sunnah, *ijma'*, and *qiyas*. Therefore, the authority to determine legal rulings cannot be separated from the scholarly competence of a *mujtahid* or judge. Imam al-Shafi'i, in his work *al-Risālah*, emphasized that the use of *qiyas* is not permissible as long as there is a clear *nash* (Syafi'i, 1938). This demonstrates that the process of legal reasoning must always be grounded in sources possessing *syar'i* legitimacy. In this context, the use of AI in the legal reasoning of Religious Court judges can only be accepted as a supporting instrument for tracing legal arguments, previous decisions, and relevant legal references, but it cannot replace the judicial function of *ijtihad*. This is in line with the explanation of Imam al-Nawawi in *al-Majmū' Sharḥ al-Muhadhdhab*, where he affirmed that a *mujtahid* must possess mastery over *nash*, *qiyas*, and methods of *tarjih* (Al-Nawawy, 1431). Imam al-Nawawi's statement indicates that AI does not fulfill the requirements to be considered *ahl al-fatwa* or an actor of *istinbath al-hukm*. Therefore, according to the Shafi'i *madhhab*, AI does not occupy the position of an expert, but merely functions as a supporting tool that assists the legal analysis process, while the authority and

responsibility for judicial decisions remain with judges as legitimate legal subjects.

From the perspective of the Hanbali *madhhab*, legal reasoning strongly emphasizes the authority of the Qur'an, Sunnah, and the *atsar* of the Companions. Therefore, the process of legal determination must always be based on evidence possessing *syar'i* legitimacy before resorting to *qiyas* or other forms of *ijtihad*. Imam Ahmad ibn Hanbal was widely known for his caution in issuing *fatwas* and for placing scholarly authority upon experts who possessed deep mastery of *nash*. This principle is reflected in a statement narrated by Ibn Qayyim, in which Imam Ahmad emphasized that no one is permitted to speak or determine legal rulings in a matter without possessing clear authoritative references (Al-Jauziyyah, 1991). Within this framework, the use of AI in the legal reasoning of Religious Court judges can only be accepted as a supporting instrument for tracing legal arguments, *hadith*, opinions of the Companions, and relevant legal precedents, but it cannot be positioned as an actor of *ijtihad*. Therefore, according to the Hanbali *madhhab*, AI does not possess the status of a legal expert or *ahl al-fatwa*, but merely serves as a means (*wasilah*) that assists judges in the analytical process, while the authority and responsibility for judicial decisions remain with judges as subjects possessing juridical and *syar'i* legitimacy.

From the perspective of the Maliki *madhhab*, legal reasoning is not only based on the Qur'an and Sunnah, but also provides broad space for *al-maslahah al-mursalah* (unrestricted public interest) and *sadd al-dhara'i'* (blocking harmful consequences) as methods of *istinbath al-hukm* (legal deduction). This *madhhab* views law as something that must always be directed toward the realization of benefit and the prevention of *mafsadah* in society. This principle was further elaborated by al-Shatibi in his work *al-Muwāfaqāt*, where he stated that the *shari'ah* was fundamentally established for the welfare of humanity in this world and the hereafter (Al-Syathiby, 1998). In this context, the use of AI in the legal reasoning of Religious Court judges can be accepted insofar as it functions as a supporting instrument for mapping case patterns, tracing judicial precedents, and assisting administrative case analysis. However, AI does not possess the capability to assess *maslahat*

substantively and contextually as judges or *fuqaha* do, because considerations of *maslahat* within the Maliki *madhhab* are closely connected to social realities, the values of justice, and the objectives of the *shari'ah*. Therefore, according to the Maliki *madhhab*, AI cannot be positioned as a legal expert, but merely as a supporting tool for judges who possess the authority to understand and apply the principles of public welfare.

From the perspective of the Hanafi *madhhab*, legal reasoning is built upon a hierarchical structure of legal sources, namely the Qur'an, Sunnah, *ijma'*, and then *qiyas*, with a relatively strong emphasis on *ra'yu* (reasoned opinion) and *istihsan* (juristic preference) as methods of *istinbath al-hukm* (legal deduction). The rational character of this *madhhab* provides broad room for the use of legal reasoning when the *nash* does not provide explicit answers. Imam al-Sarakhsī, in *Uṣūl al-Sarakhsī*, explained that *qiyas* is one of the foundations of the *shari'ah* that must be employed when no *nash* is available (Muhammad bin Ahmad al-Sarkhasy, 1431). Furthermore, in the Hanafiyah tradition, the method of *istihsan* is understood as shifting from *qiyas zhahir* toward stronger evidence in order to realize justice and public welfare, as emphasized by al-Karkhī (Abdul Aziz al-Bukhary al-Bazdawiy, 1431). In this context, the use of AI in the legal reasoning of Religious Court judges can be accepted as a supporting tool that facilitates legal analogy, searches for case precedents, and identifies similar patterns of legal argumentation. Nevertheless, AI does not possess the capacity for *ra'yu*, is incapable of conducting *tarjih*, and cannot consider the dimensions of justice and public welfare that form the core of Hanafi methodology. Therefore, according to the Hanafi *madhhab*, AI can only be positioned as a supporting instrument in the process of *qiyas* and legal analysis, while the authority to determine legal rulings remains with judges as experts possessing juridical and scholarly legitimacy.

The findings of this research demonstrate that all *madhhabs* fundamentally continue to place humans as the parties possessing the authority to determine legal rulings because humans possess knowledge, moral consideration, and religious responsibility. Therefore, AI can only be used as a supporting tool in the process of legal reasoning, such as assisting in searching

for legal arguments, tracing previous judicial decisions, and organizing case analysis more systematically, rather than replacing judges. This demonstrates that in Islamic law, the validity of a judicial decision is not solely determined by the ability to provide legal answers, but also by the scholarly authority and ethical responsibility of the judge deciding the case.

The findings of this study are consistent with the research of (Soraya & Fernando, 2024) which states that AI cannot replace the function of judges in decision-making because legal reasoning still requires human consideration and the values of justice. However, this research differs because it does not merely examine AI from the perspective of positive law, but also tests its epistemological legitimacy through the perspective of the four *madhhabs*. Therefore, this research expands previous studies by positioning AI within the structure of Islamic legal authority.

Juridical and Ethical Limits of the Use of Artificial Intelligence in Judicial Decisions

The use of Artificial Intelligence (AI) in the process of legal reasoning and the drafting of judicial decisions raises important issues concerning juridical and ethical limits. In the legal context, the first issue that must be clarified is the legal standing of AI. Up to the present time, AI does not possess the status of a legal subject within the Indonesian judicial system. AI is neither a judge, nor a judicial official, nor a party possessing constitutional authority to adjudicate cases. Therefore, from a juridical perspective, AI can only be positioned as an analytical support tool rather than as a legal decision-maker (Sourdin, 2018).

The next juridical limit lies in the clear distinction between AI as a supporting tool and AI as a decision-maker within judicial processes. In practice, AI may be utilized to support various aspects of judicial work, such as assisting in the search for relevant jurisprudence, classifying cases based on similarities in facts or legal issues, and preparing preliminary frameworks for legal reasoning drafts in a more structured and systematic manner (Awad & Amal, 2025). In addition, AI can accelerate the process of identifying legal foundations, whether from statutory regulations, previous judicial decisions, or other

legal literature, thereby helping improve judicial efficiency. Nevertheless, the use of AI still has strict limitations, namely that it must not take over the primary functions of judges in assessing trial facts, evaluating evidence, and determining the appropriate legal norms to be applied in a case. These processes require contextual judgment, consideration of justice values, and legal responsibility that cannot be replaced by technological systems. Such functions remain the absolute authority of judges as guaranteed by the principle of judicial power. Therefore, the use of AI must be positioned proportionally within the framework of a *decision support system*, namely as a supporting instrument that assists the process of judicial legal reasoning rather than as a *decision maker* that takes over the authority to determine judicial decisions (Andriati et al., 2024).

Furthermore, the use of AI must also be limited by the principles of judicial independence and judicial discretion. One of the primary characteristics of judicial authority is the freedom of judges to decide cases based on facts, law, and their convictions. If AI is used excessively to the extent that it dominantly influences the direction of legal reasoning, this may potentially interfere with judicial independence and narrow the scope of *judicial discretion*. In the context of the Religious Courts, this issue becomes even more sensitive because judges frequently perform *ijtihad* concerning matters of family law, inheritance, and Islamic economic law that require contextual consideration (Arbani, 2025).

AI must also not replace the *ijtihad* of judges. Judicial decisions, especially within the Religious Courts, are not solely based on the application of legal texts, but also on interpretation, the sense of justice, the values of *maslahat*, and the social conditions of the parties involved (Mustafa, 2020). These aspects require human judgment that cannot be fully replicated by algorithms. Therefore, AI can only assist by providing information and references, while the substantive reasoning process must still be carried out by judges (Soraya & Fernando, 2024).

Another highly important issue concerns legal responsibility when AI produces inaccurate analysis. If AI recommendations are proven incorrect and influence the content

of a judicial decision, questions arise regarding who should bear responsibility. From the perspective of procedural law and the principle of judicial accountability, the primary responsibility remains with the judge because the judge is the one who signs and validates the judicial decision. AI itself does not possess direct legal responsibility (Saputra, 2025).

Nevertheless, responsibility does not rest solely with judges. In the institutional context, judicial institutions also bear responsibility for ensuring that the AI systems being used have undergone proper feasibility testing, auditing, and supervision. If errors originate from system design, biased data, or programming mistakes, then system vendors or developers may also be held accountable administratively or civilly. In other words, responsibility in the use of AI is layered in nature, involving judges, institutions, and system vendors (Idris & Kossay, 2025).

From the perspective of judicial ethics, one of the most frequently discussed issues is the potential for algorithmic bias in the use of AI. Fundamentally, AI operates based on data that are entered into and processed within the system. If the data used are unbalanced, limited, or contain discriminatory patterns, then the analytical results generated by AI also have the potential to reflect such biases (Zhao & Fariñas, 2022). This condition may produce recommendations that are not objective and do not reflect the principles of justice that should be upheld in judicial processes. In practice, algorithmic bias may occur due to poor data quality, inappropriate selection of variables, or system designs that fail to comprehensively consider aspects of justice. In the judicial context, this becomes highly dangerous because it may influence judicial reasoning, disadvantage one of the parties, and create injustice within judicial decisions. Furthermore, if the use of AI is not properly controlled, this potential bias may also reduce public trust in judicial institutions. Therefore, it is essential to ensure that AI systems used within the judiciary have undergone strict evaluation, testing, and supervision processes in order to uphold the principles of justice, objectivity, and accountability (Idris & Kossay, 2025).

Apart from the issue of bias, the confidentiality of case data also constitutes a highly important ethical limit in the use of AI within judicial institutions. Case data in the Religious Courts generally contain highly sensitive information, such as the

identities of the parties, household conditions, family conflicts, inheritance distribution, and transactions in Islamic economic law. Such information is not only related to legal aspects, but also concerns the privacy and dignity of the parties, both of which must be protected. Therefore, the use of AI must be able to guarantee maximum data security and protection, whether from risks of leakage, misuse, or unauthorized access. The systems employed must possess strict security standards, including access control, data encryption, and supervision of information usage. In addition, data management must remain subject to the principles of confidentiality applicable within procedural law. Thus, the principle of data confidentiality must become the primary foundation in every effort to integrate technology into the judicial system, so that the utilization of AI does not compromise the privacy rights and trust of justice seekers (Hidayat & Muis, 2025).

Another important aspect is fairness, transparency, and explainability. Judicial decisions assisted by AI must still be explainable in terms of their logical basis in an open manner. Judges must be capable of explaining why a particular AI recommendation was either adopted or rejected. If an AI system operates as a black box whose processes cannot be explained, then this contradicts the principles of judicial transparency and accountability. Therefore, the systems used must possess explainability capabilities, namely the ability to explain the analytical basis and patterns employed within the system (Princes & Rasji, 2025).

Thus, the juridical and ethical limits of the use of AI in judicial decisions lie in the affirmation that AI functions solely as a supporting tool, must not interfere with judicial independence and discretion, and must fulfill the principles of justice, transparency, data protection, and accountability. Judicial decisions remain entirely within the authority of judges, while AI merely assists in strengthening the efficiency and quality of legal analysis (Andriati et al., 2024).

The Prospects of Using AI as a Supporting Instrument in Religious Court Judicial Decisions

The development of Artificial Intelligence (AI) technology opens significant opportunities to support the modernization of judicial systems, including within the Religious Courts (Haq et al., 2024). In this context, AI has promising prospects as a supporting instrument capable of improving efficiency, accuracy, and consistency in the legal reasoning process of judges. Several studies indicate that the utilization of AI in legal systems can accelerate case analysis, assist in tracing legal sources, and improve the quality of technology-based judicial services (Pasaribu, 2024).

One of the most realistic opportunities for implementation lies in the areas of jurisprudence search and legal research. AI can be used to trace previous judicial decisions that possess similarities in legal facts, normative issues, or patterns of legal argumentation. Through this system, judges can more quickly identify relevant precedents (Shahzady, 2025). In addition, AI can also assist in tracing statutory regulations, the Compilation of Islamic Law, *fatwas*, and legal doctrines related to the cases being examined. This function has strong potential to strengthen the quality of legal research within judicial reasoning (Kusnianto et al., 2024).

Another highly applicable prospect is the use of AI in drafting legal reasoning and classifying cases. AI can assist in preparing preliminary frameworks for legal considerations based on existing patterns of judicial decisions, such as the structure of case chronology, factual considerations, legal grounds, and judicial rulings. Furthermore, AI can also be used to classify cases based on the types of disputes involved, such as *cerai talak*, *cerai gugat*, inheritance, *hadhanah*, and Islamic economic disputes. As a result, administrative processes and preliminary case analyses can proceed more quickly and systematically (Azizi, 2026).

Within the context of the Religious Courts, the opportunities for AI usage become more distinctive because they can be directed toward the dominant categories of cases handled by these courts. In inheritance cases, AI can assist in mapping heirs, determining their respective shares, and simulating inheritance distribution based on *fiqh* principles and the

Compilation of Islamic Law. In maintenance cases, AI can help process data concerning the economic capacity of the parties, standards of living, and patterns of previous judicial decisions. In child custody cases, AI can assist in identifying factors that frequently become judicial considerations, such as the child's age, psychological condition, and parental caregiving capacity. Meanwhile, in Islamic economic law, AI has strong potential to analyze patterns of contractual disputes, breaches of contract, and calculations of the parties' obligations. These prospects make the use of AI within the Religious Courts more specific in character compared to other judicial environments (Pasaribu, 2024).

The ideal model for the use of AI within judicial systems should not aim to replace the role of judges, but rather should follow the principle of *AI-assisted reasoning, not AI-made decision*. This means that AI must be positioned as a supporting tool in the reasoning process rather than as the party making judicial decisions. This model is highly important in order to preserve judicial independence, the freedom of *ijtihad*, and juridical responsibility for judicial decisions. Even the Supreme Court, in various studies on digital transformation, has emphasized that technology should strengthen the quality of judicial decisions, while the conscience and wisdom of judges must remain the center of justice (Azizah, 2025).

In the future, the prospects for the use of AI will also require clearer regulatory support. Therefore, policy recommendations are needed for the Supreme Court to formulate ethical and technical guidelines concerning the use of AI within the judiciary, particularly regarding the limits of AI functions, protection of case data, algorithmic transparency, and institutional responsibility. Such regulations are important to ensure that the utilization of AI remains consistent with the principles of fair, transparent, and accountable judicial processes (Pasaribu, 2024).

Thus, the prospects for the use of AI as a supporting instrument in Religious Court judicial decisions are highly open and relevant to the direction of judicial digital transformation in Indonesia. Although AI has significant potential to improve judicial efficiency, its use also carries the risk of creating algorithmic dependency that may reduce the scope of judicial

discretion if not strictly regulated. Therefore, the implementation of AI within the Religious Courts must remain limited within the framework of *AI-assisted reasoning* so that it does not undermine judicial independence as the central element of legal reasoning.

Conclusion

This research demonstrates that the use of AI in the legal reasoning of Religious Court judges possesses a justifiable foundation from both the perspectives of positive law and *fiqh madhhab*, as long as AI is positioned as a supporting instrument rather than as a decision-maker. From the perspective of positive law, the legitimacy of AI usage is grounded in the direction of judicial digitalization through e-court, e-litigation, and case information systems developed by the Supreme Court, while still affirming that the absolute authority to examine, consider, and decide cases remains with judges. From the perspective of *fiqh madhhab*, all *madhhabs* fundamentally place the authority of legal determination upon experts who possess the capacity for *ijtihad* and ethical responsibility. Therefore, AI cannot be equated with *ahl al-fatwa* or *mujtahids*, but only functions as a supporting tool for judges in the process of legal analysis.

Furthermore, this research finds that the juridical and ethical limits of AI usage lie in the protection of judicial independence, the scope of judicial discretion, the confidentiality of case data, and the principles of justice, transparency, and algorithmic accountability. AI must not undermine the freedom of judges in conducting *ijtihad* and assessing legal facts contextually. If errors occur in AI-generated analysis, legal responsibility remains with judges as the parties who determine judicial decisions, while institutional responsibility may also attach to judicial institutions and system developers. On the other hand, the prospects for the use of AI are highly promising, particularly in jurisprudence searches, legal research, preparation of draft legal reasoning, case classification, and the analysis of cases specific to the Religious Courts, such as inheritance, maintenance, child custody, and Islamic economic law disputes.

Thus, the ideal model proposed by this research is *AI-assisted reasoning*, not *AI-made decision*, namely the use of AI as an instrument that supports the quality and efficiency of legal reasoning without diminishing the authority of judges as the

central actors in judicial decision-making. This research recommends the formulation of ethical guidelines and technical regulations by the Supreme Court regarding the use of AI within judicial systems, so that digital innovation remains aligned with the principles of justice, judicial independence, and the values of Islamic law.

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