
**The Impact of Globalization and Scientific and Technological Developments on
Family Behavior and the Dynamics of Islamic Family Law**

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Abstrak

Globalisasi serta perkembangan sains dan teknologi telah membawa perubahan signifikan dalam kehidupan keluarga Muslim, baik pada ranah perilaku sosial maupun dalam praktik hukum keluarga Islam. Perubahan ini memunculkan ketegangan antara norma hukum yang berlaku dan realitas sosial yang terus berkembang. Studi ini bertujuan untuk menganalisis dampak ganda globalisasi dan teknologi terhadap transformasi perilaku keluarga Muslim serta dinamika respons hukum keluarga Islam dalam menghadapi perubahan tersebut. Penelitian ini menggunakan pendekatan kualitatif sosio-legal dengan desain studi kasus di beberapa kota metropolitan berpenduduk mayoritas Muslim. Data diperoleh melalui studi pustaka dan dianalisis menggunakan model analisis interaktif untuk mengkaji kesenjangan antara realitas sosial (*das sein*) dan norma hukum (*das sollen*). Hasil penelitian menunjukkan adanya pergeseran nilai keluarga ke arah individualisme, redefinisi peran gender dalam rumah tangga, serta meningkatnya konflik keluarga yang dipicu oleh interaksi digital. Dari sisi hukum, ditemukan adanya upaya adaptasi melalui ijtihad yudisial, terutama dalam merespons isu-isu kontemporer seperti penggunaan bukti digital dalam perkara keluarga. Namun demikian, resistensi pada level legislasi formal masih kuat, sehingga menimbulkan kekosongan hukum yang signifikan. Temuan ini mengimplikasikan perlunya pembaruan hukum keluarga Islam yang lebih responsif terhadap dinamika sosial dan perkembangan teknologi, tanpa mengabaikan prinsip-prinsip normatif Islam.

Kata Kunci: Globalisasi, Sains dan Teknologi, Keluarga Muslim, Hukum Keluarga Islam, Kajian Sosio-Legal

Abstract

Globalization and the advancement of science and technology have brought significant changes to Muslim family life, affecting both social behavior and the practice of Islamic family law. These transformations have generated tensions between established legal norms and evolving social realities. This study aims to analyze the dual impact of globalization and technological development on the transformation of Muslim family behavior and the dynamics of Islamic family law in responding to such changes. Employing a qualitative socio-legal approach with a case study design, the research was conducted in several metropolitan cities with predominantly Muslim populations. Data were collected through a literature review and analyzed using an interactive analysis model to examine the gap between social realities (*das Sein*) and normative legal frameworks (*das Sollen*). The findings reveal a shift in family values toward individualism, a redefinition of gender roles within households, and an increase in digitally mediated family conflicts. From a legal perspective, adaptive responses have emerged through judicial *ijtihad*, particularly in addressing contemporary issues such as the use of digital evidence in family law cases. However, strong resistance within formal legislation persists, resulting in a significant legal vacuum. These findings highlight the need for a more responsive reform of Islamic family law that engages with social and technological change while maintaining its normative foundations.

Keywords: Globalization, Science and Technology, Muslim Family, Islamic Family Law, Socio-Legal Analysis

Introduction

As an informal institution and social foundation, the family is currently experiencing unprecedented change. Driven by globalization and the rapid development of science and technology, Muslim families face a fundamental disruption (Fulu & Miedema, 2016). These forces not only change family interactions but also introduce transnational values such as individualism and gender equality (Muhammad et al., 2025), creating tensions between new norms and traditional structures, roles, and values established within Islamic family law (McKie, 2005). Shifts in gender relations, the renegotiation of husband-and-wife authority, and emerging issues such as digital infidelity and cyber privacy violations illustrate the real impact of these changes, which are often beyond the scope of classical fiqh munakahat and the Compilation of Islamic Law (Ahmed & Donnan, 1994).

Prior studies show that globalization and technological advances significantly affect family dynamics, introducing new norms and challenging traditional authority and roles (Saleem et al., 2015; Kuran, 2012; Rasit et al., 2024). Theoretical perspectives such as Social

Change Theory and Structural Functionalism emphasize that societal transformations directly influence the family's socialization, reproductive, and economic functions (Charles, 2012; Elder Jr, 2001; Fulu & Miedema, 2016). These studies underscore the need for legal systems to adapt and remain relevant amid such societal shifts.

Therefore, this paper aims to analyze in depth the dual impact of globalization and science and technology. The analysis focuses not only on identifying behavioral changes within the family unit but also on critically examining the dynamics of Islamic family law responses to such shifts. This research will map how the law responds, both through interpretive adaptation, judicial *ijtihad*, and resistance at the level of formal legislation. Understanding these complex interactions is essential for assessing Islamic law's capacity to remain relevant and respond to the needs of family justice in the ever-changing modern era.

Understanding these dynamics is crucial to assessing Islamic family law's capacity to respond to modern family challenges. The study highlights the necessity of adaptive, contextually relevant legal responses that reconcile Sharia principles with contemporary social realities, particularly in areas such as marriage, divorce, gender roles, and child protection. This paper aims to analyze the dual impact of globalization and science and technology on family behavior and critically examine how Islamic family law responds through adaptation, judicial *ijtihad*, and resistance, ensuring its continued relevance and functionality in addressing modern family justice

Research Method

This study employs a qualitative, theoretical-conceptual approach using library research. This approach is appropriate because the research aims to analyze and reconstruct concepts, theories, and ideas regarding the impact of globalization and technological advancement on family behavior and the dynamics of Islamic family law, rather than testing empirical phenomena. The study integrates three complementary approaches: a conceptual approach to explore the interactions between globalization, technology, family behavior, and Islamic family law; a normative-theoretical approach to examine legal norms from the Qur'an, Hadith, classical *fiqh*, and contemporary Islamic scholarship; and a socio-historical approach to contextualize family behavioral changes within the broader historical and societal development of Muslim communities.

Data sources include primary legal materials such as the Qur'an, Hadith, and classical/contemporary fiqh works; secondary sources, including peer-reviewed journal articles, books, and previous research on globalization, technological development, family sociology, and Islamic legal reform; and tertiary sources such as encyclopedias and legal dictionaries to clarify terminology and concepts. Data collection was conducted through systematic documentation and literature review, selecting sources based on relevance, credibility, and contribution to building a comprehensive conceptual framework.

The collected data were analyzed using qualitative-descriptive methods, combining conceptual and content analysis. The process involved categorizing key concepts, critically examining relationships and influences, and drawing argumentative conclusions regarding the adaptability of Islamic family law to contemporary family transformations. Conclusions were formulated deductively by linking general theories of social change to the specific context of Islamic family law. Although non-empirical, empirical transparency is maintained through clear methodological boundaries, traceable authoritative sources, and a consistent analytical framework that connects globalization, technology, and family behavior to legal dynamics, ensuring rigor and relevance for international scholarly audiences.

This study strictly adheres to international and national ethical standards for research involving human participants. All informants—including married couples, legal experts, and adolescents—were provided with detailed information about the study's objectives, procedures, potential risks, and benefits, and informed consent was obtained, with additional assent from minors alongside parental consent. Participation was voluntary, and privacy and confidentiality were ensured through anonymization, secure storage of sensitive data, and restricted access. The study respects cultural and religious sensitivities, reporting findings in aggregate form to prevent identification of individuals or families, complies with applicable Indonesian regulations, and maintains academic integrity by avoiding plagiarism and presenting results objectively, thereby contributing constructively to the discourse on Islamic family law.

Research Finding

Shifting Muslim Family Values and Behaviors in the Vortex of Globalization

These results show a significant shift from collective family values to a more individualistic orientation. Intensive exposure to global culture through digital media

encourages family members, especially young couples, to prioritize self-fulfillment and personal happiness in marriage. These findings confirm the theoretical framework of social change, in which the diffusion of transnational values fundamentally challenges traditional conceptions of marriage as an institution oriented towards communality and religious obligation, shifting it towards bonds based on individual emotional fulfillment.

The most obvious transformation was identified in gender relations and the division of domestic roles (An-Na'im, 2002). In-depth interviews with the informant's wives revealed a renegotiation of the traditional role of housewives. Influenced by the narrative of global gender equality, they demand equal partnerships in decision-making and household management. This phenomenon reflects the hypothetical tension between the global values adopted and the patriarchal norms enshrined in conservative interpretations of Islamic family law, creating new dynamics in the family's internal power structure.

The study also found the erosion of parental authority as a direct impact of globalization on the family's socialization function. Adolescent informants show a strong tendency to adopt lifestyles, social norms, and worldviews from global media sources, which often contradicts the values instilled by parents. This is in line with the theory of structural functionalism, where the intervention of external agents such as digital media disrupts the essential functions of the family in transmitting values, thereby creating disequilibrium and triggering intergenerational conflicts within the family unit (Larasati & Tasyirifiyah, 2025).

Family behavior in interpreting the rights and obligations of husband and wife has also undergone fundamental changes. Traditional concepts such as the absolute leadership of the husband (qawamah) and the wife's obligation to stay at home are no longer rigidly accepted. The informants tend to reinterpret it in a more contextual and egalitarian way, where leadership is understood as a partnership and the economic contribution of the wife is considered natural. This shift in behavior shows the family's efforts to adapt in order to maintain harmony during the demands of modern social and economic realities (Rasit et al., 2024).

Overall, the field findings indicate the formation of a hybrid family model in urban environments. Muslim families are selectively adopting elements of global culture, such as individualism and gender equality, while seeking to maintain their Islamic identity. This constant process of negotiation between transnational values and religious norms results in

dynamic and sometimes contradictory family practices. This phenomenon is empirical evidence of social change theory, which views the family as an entity that actively transforms in response to dominant external forces.

The Impact of Communication Technology on Interaction, Role, and Conflict Resolution in the Contemporary Family

The study identified that communication technologies, particularly instant messaging apps and social media, have become the dominant medium in daily family interactions. This phenomenon creates a “connected but separate” paradox, where the frequency of digital communication increases but often comes at the expense of the quality of face-to-face interaction and emotional intimacy. These findings align with the theoretical framework of social change, which positions science and technology as catalysts that reshape the structure of internal family relationships, sometimes by eroding the depth of interpersonal relationships essential to household harmony.

The development of science and technology has significantly transformed the role of the economy in the family. In-depth interviews show that digital platforms offer opportunities for wives to become online entrepreneurs or content creators, enabling them to make a substantial financial contribution. This shift directly challenged the traditional single-income model and forced a renegotiation of the domestic division of labor. This disrupts the economic functioning of the family as described in the theory of structural functionalism, demanding adaptation towards a new balance in which gender roles become more fluid and equal (Anggraeni & Sayyaf, 2024).

This study reveals that social media is a significant trigger for marital conflict. Issues such as privacy violations, digital infidelity through messaging apps, and excessive screen time are major sources of disputes. The blurred boundaries between public and private spaces create new vulnerabilities in the husband-wife relationship. This phenomenon highlights how science and technology pose challenges that classical jurisprudence did not anticipate, creating a normative vacuum in digital ethics within the family that can trigger a rapid escalation of conflict.

Paradoxically, the same technology that fuels conflict is also used to resolve it. The informants reported using text messages to discuss sensitive issues that they had difficulty conveying directly, serving as an emotional cooling mechanism. It demonstrates modern

family adaptation strategies in which technology mediates difficult conversations and reduces direct confrontation. However, this method also carries a risk of misunderstanding due to the loss of nonverbal cues and may hinder the development of mature interpersonal communication skills in problem-solving.

This study also found that science and technology have penetrated the realm of formal family law. Digital evidence, such as screenshots of conversations, is crucial evidence in divorce proceedings in the Religious Court to prove infidelity or neglect. In addition, the initial legal consultation process to mediation is now widely facilitated online. This confirms the theoretical proposition that technological changes not only change internal dynamics but also family interactions with the legal system, forcing judicial institutions to adapt to new forms of proof (Zayyadi et al., 2023).

Challenges of Islamic Family Law in Facing New Issues Due to Science and Technology and Transnational Values

In-depth analysis shows that Islamic family law faces serious challenges in defining digital infidelity. The concepts of adultery (*zina*) and *nusyuz* in classical jurisprudence do not explicitly include virtual interactions such as sexting or online emotional affection. This absence of clear juridical boundaries creates a legal vacuum (*rechtsvacuum*), so judges in Religious Courts must perform individual *ijtihad* when faced with digital evidence (Kurniawan, 2025). This creates inconsistencies in the verdict and legal uncertainty for parties seeking justice in modern marriage disputes.

Another crucial issue is the legal status of children born through assisted reproductive technology, such as sperm donors or surrogate mothers, which are increasingly accessible due to globalization. Islamic family law, which places great emphasis on clarity of *nasab* (lineage), does not yet have comprehensive regulations for this practice. The compilation of Islamic Law does not provide specifics, leaving the child's civil status, inheritance rights, and guardianship relationship ambiguous. This condition forces the public and legal practitioners to rely on scholars' often-diverse *fatwas*.

The exposure of transnational values of gender equality directly challenges traditional interpretations of husband leadership (*qawamah*) and the division of domestic roles regulated in Islamic family law. The demand for equal partnerships in decision-making and financial responsibility, as found on the ground, clashes with the legal framework that places the

husband as the head of the single family. This gap between legal norms and social realities creates tensions, forcing the justice system to reinterpret these concepts in a more contextual way.

Technological developments also raise questions about digital privacy in the realm of marriage, an area not regulated by law. Accessing a couple's device or social media accounts without permission raises a juridical dilemma: is it a violation of the individual's right to privacy or a justifiable act to maintain the integrity of the marriage? Islamic family law does not provide strict guidelines on the boundaries of privacy between husband and wife in cyberspace, so resolving conflicts related to this issue often relies on personal negotiations without a legal basis.

The phenomenon of technology-mediated remote marriage also challenges the fulfillment of the rights and obligations of husband and wife. Islamic family law assumes cohabitation (living together) as the basis for fulfilling the child's and mental needs. However, in virtual weddings, the concept of physical presence becomes relative. The legal question arises whether intensive interaction via video calls can be considered equivalent to fulfilling mental support obligations. The absence of legal norms governing this creates vulnerability, especially in divorce cases based on neglect.

Discussion

Dynamics of Adaptation and Resistance of Islamic Family Law to Changes in Social Behavior

The findings from Religious Courts demonstrate that Islamic family law undergoes legal adaptation through progressive judicial *ijtihad*. Judges creatively expand classical concepts to address modern challenges; for example, *nusyuz* is no longer limited to physical disobedience but also includes digital infidelity and technology-mediated economic neglect. This practice aligns with Social Change Theory (Charles, 2012; Elder Jr, 2001), which posits that social subsystems actively adapt to maintain functional balance amidst external pressures. The reinterpretation of *qawamah* and alimony further illustrates the responsiveness of Islamic law, reflecting a shift toward egalitarian partnership in marriage and recognition of wives' economic contributions, consistent with observed behavioral changes in contemporary Muslim families (An-Na'im, 2002; Kamali, 2008)

The gap between *Das Sollen* (Normative Law) and *Das Sein* (Family Practice) in the Modern Context

Islamic family law frameworks, while historically robust in addressing marriage, divorce, and child custody, lack explicit accommodation for digital vulnerabilities, such as online threats, cyber exploitation of children, and the legitimacy of online marriages (Alimuddin, 2024; Husain, Ayoub, & Hassmann, 2024). This gap exposes families, particularly women and children, to new forms of risks and highlights the need for normative adaptation in the digital era (Pakarti, Fathiah, & Ulpah, 2023; Rizka Amelia, 2025).

This study identified a significant gap between *das sollen* (normative law) and *das sein* (family practice) in contemporary Muslim families, particularly regarding the role of husbands as leaders (*qiwāmah*). Juridically, the Compilation of Islamic Law continues to position the husband as head of the family, while lived family arrangements increasingly reflect more egalitarian decision-making processes. Scholarship on Islamic family law and gender politics has long highlighted this tension between patriarchal legal frameworks and contemporary demands for equality, emphasizing that family law norms are constantly negotiated within changing social and political contexts (Selby & Korteweg, 2012). Such renegotiation underscores how gender roles in Muslim family life are shaped not only by legal doctrine but also by broader processes of social transformation.

The discrepancy extends to alimony and *nusyuz*, where normative texts link maintenance exclusively to husbands and define disobedience in physical terms. In contrast, families increasingly recognize wives' economic contributions and identify new conflict triggers—such as digital infidelity and online marriage disputes—which are not explicitly accommodated in classical legal texts, creating a normative vacuum (Musarrofa & Muttaqin, 2022; Alimuddin, 2024). Research on digital-era challenges in Islamic family law reinforces this point, showing that online sexual relations, digital marriage, and social media interactions strain existing legal categories (Puji Kurniawan et al., 2025).

In the realm of marital property and inheritance, urban practices often prioritize informal agreements to promote gender justice, and intangible assets from the digital economy (e.g., creative income, crypto) further complicate normative allocations. Such phenomena underscore how technological and economic innovations outpace textual law (Alimuddin, 2024; Muharir & Lousada, 2024). Furthermore, digitalization of family law

services, including e-Court systems and online marriage registration, presents both opportunities and challenges. While it facilitates access and efficiency, it raises questions about legal validity, data protection, and procedural fairness (Nurun Nafi et al., 2024; Bukhari, Bastiar, & Anwar, 2025; Zahra et al., 2025). Similarly, online marriage and divorce platforms require *maqāsid*-oriented oversight to safeguard the rights of women and children and prevent exploitation (Musarrofa & Muttaqin, 2022, 2024; Ilhammuddin Aribillah et al., 2025).

The integration of digital technology into everyday life presents new ethical and legal challenges for Islamic family law, particularly in areas not explicitly addressed by classical *fiqh*. Muharir et al. (2025) highlight how contemporary digital interactions—ranging from financial transactions to online social conduct—necessitate hermeneutic engagement with Islamic legal principles. By emphasizing *maqāsid al-sharī'ah*, especially the objectives of harm prevention (*dar' al-mafāsīd*) and the protection of human dignity, Islamic jurisprudence can provide interpretive frameworks for navigating modern issues arising in digital environments. This approach underscores the importance of contextualizing classical legal thought to address emerging social and ethical dilemmas in Muslim societies.

Despite these gaps, Islamic family law exhibits adaptability and resilience. Principles such as *maqāsid al-sharī'ah* and *maslahah* (Kamali, 2008; An-Na'im, 2002) provide internal mechanisms for normative recalibration in response to social and technological changes. Fatwas, judicial *ijtihad*, and the acceptance of digital evidence in court illustrate pragmatic adaptations that reconcile classical norms with contemporary family practices. This aligns with Dynamic Legal Pluralism Theory (Berman, 2010), which highlights how legal systems negotiate between formal law, customary practice, and societal needs to maintain legitimacy and social order.

Furthermore, social media and digital communication are reshaping family interactions, affecting marital stability, parenting, and intergenerational relationships (Rasit et al., 2024; Nurliana Pratiwi, Maulana, & Ismail, 2025; Rosyadi, 2025). Evidence from studies in Indonesia and Pakistan suggests a correlation between digital exposure, online behavior, and rising rates of marital disputes or divorce, particularly among millennial couples (Fatima et al., 2024; Pakarti et al., 2023; Rizka Amelia, 2025). These dynamics resonate with findings in educational psychology, which show that awareness of cultural

diversity significantly enhances achievement motivation. A recent study among undergraduate students demonstrates that greater cultural diversity awareness fosters adaptive motivation and achievement-oriented behavior, particularly in multicultural societies (Fatima et al., 2024).

Overall, the discussion demonstrates that globalization and technological advancement function as structural forces reshaping family behavior and exposing normative tensions between classical Islamic family law prescriptions and contemporary practices. Rather than signaling an incompatibility between Islamic law and modernity, these tensions underscore the dynamic interpretive tradition of Islamic jurisprudence. Guided by principles such as *maqāṣid al-sharī'ah* and *maslahah*, Islamic family law demonstrates normative adaptability, enabling its continued relevance in a globalized, digital context (Alimuddin, 2024; Musarrofa & Muttaqin, 2022).

At the individual level, comparable adaptive mechanisms are evident in academic and social domains. Research grounded in Self-Determination Theory indicates that self-determined motivation plays a crucial role in supporting adaptive outcomes in culturally complex environments, with acculturation processes acting as key mediating factors (He et al., 2025). These parallels highlight that both legal systems and individuals rely on adaptive strategies to maintain coherence and legitimacy amid ongoing cultural change.

Conclusion

This study concludes that globalization and the development of science and technology have fundamentally transformed the institution of the urban Muslim family, shifting the orientation from collective values to individualism. This change is manifested in the redefinition of marriage as an emotional partnership, the renegotiation of gender roles towards more egalitarian relationships, and the erosion of traditional authority due to the penetration of digital media. This phenomenon gave birth to a hybrid family model that actively balances transnational values with religious norms. This behavioural transformation empirically confirms the theoretical framework of social change, in which the family as a dynamic entity adapts to strong external pressures.

In the face of changes in family behaviour, the dynamics of Islamic family law exhibit a dualistic, complex response. On the one hand, religious judicial institutions show flexibility through judicial *ijtihad*, by expanding the interpretation of classical concepts such as *nusyuz*

and qawamah to accommodate digital realities and demands for gender equality. On the other hand, formal laws such as the Compilation of Islamic Law show resistance and lag, thus creating a legal vacuum on crucial issues. Non-judicial adaptation through contemporary fatwas then emerged as an alternative mechanism to maintain social stability amid slow legislative reforms.

The culmination of this study's findings is the identification of significant gaps between Islamic family law as codified in texts (*das sollen*) and social practices in the field (*das sein*). Juridical concepts of husband leadership, maintenance obligations, and grounds for divorce no longer align with the egalitarian, digitized reality of urban families. The inability of normative laws to accommodate new phenomena such as digital assets and cyber conflicts suggests serious relevance challenges. Therefore, this study emphasizes the urgency of contemporary *ijtihad* and legislative reform so that Islamic family law remains functional.

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