

Artificial Intelligence And Smart Arbitration In Resolving Disputes In Islamic Financial Institutions

¹Sahri

¹UNUGIRI Bojonegoro, Indonesia.

sahriunugiri@gmail.com

*Correspondence Email: sahriunugiri@gmail.com.

Abstract: The rapid expansion of Islamic financial institutions has increased the complexity of dispute resolution in sharia-based financial transactions. Conventional arbitration mechanisms often face challenges related to efficiency, cost, and transparency. Artificial intelligence offers new opportunities to improve arbitration systems through automation, predictive analytics, and digital decision-support tools. This study examines the potential role of artificial intelligence in developing smart arbitration mechanisms for resolving disputes in Islamic financial institutions. The research applies a qualitative approach using doctrinal legal analysis and a conceptual review of emerging technological frameworks in dispute resolution. The findings indicate that artificial intelligence can support arbitration processes through case classification, legal reasoning assistance, document analysis, and predictive decision systems aligned with sharia principles. Smart arbitration systems may enhance procedural efficiency, increase transparency, and strengthen access to justice for financial stakeholders. Ethical governance, regulatory oversight, and compliance with Islamic legal norms remain essential considerations in implementing AI-based arbitration mechanisms. The study contributes to the development of technology-driven dispute resolution frameworks within the context of Islamic finance.

Keywords: Artificial Intelligence, Smart Arbitration, Islamic Finance, Dispute Resolution, Sharia Compliance.

INTRODUCTION

Islamic financial institutions have experienced remarkable expansion across many regions during the last two decades. The global Islamic finance industry now encompasses Islamic banking, takaful insurance, sukuk markets, and a variety of sharia-compliant investment instruments. The growth of these institutions reflects increasing demand for financial systems grounded in Islamic legal and ethical principles. Islamic financial assets are estimated to exceed two trillion US dollars globally, indicating the strong development of the sector and its institutional infrastructure (MIFC, 2023). This expansion creates extensive financial interactions among institutions, investors, and customers, which naturally increases the possibility of contractual disputes in Islamic financial transactions.

Disputes in Islamic financial transactions often arise from contractual interpretation, profit-sharing arrangements, delayed payments, or disagreements regarding sharia compliance within financial products. Islamic finance relies on contractual structures such as *murabaha*, *mudarabah*, *ijarah*, and *sukuk* agreements. Each contract requires careful interpretation based on Islamic jurisprudence and contemporary financial regulations. Complex financial arrangements may generate disagreements between contracting parties when obligations, profit distribution, or risk allocation become contested (Oseni & Ali, 2019). Effective dispute resolution mechanisms therefore become essential for maintaining trust and stability within Islamic financial markets.

Arbitration has emerged as one of the most preferred mechanisms for resolving disputes in Islamic financial transactions. Arbitration offers flexibility, confidentiality, and procedural efficiency compared with conventional litigation processes. Arbitration also allows the appointment of experts who possess knowledge of both Islamic jurisprudence and financial law. Specialized arbitration institutions and dispute resolution bodies have been established to address conflicts involving Islamic financial contracts. Institutions such as Islamic arbitration centers and international arbitration bodies provide procedural frameworks that integrate commercial arbitration principles with sharia considerations (Khan, 2021). These institutions play a crucial role in strengthening the credibility of Islamic financial systems by offering fair and efficient dispute settlement processes.

Technological transformation in the financial sector introduces new opportunities for improving dispute resolution mechanisms. Financial institutions increasingly employ digital technologies to support compliance monitoring, fraud detection, credit evaluation, and regulatory reporting. Artificial intelligence has become one of the most significant technological innovations in modern financial systems. AI technologies utilize machine learning algorithms, natural language processing, and data analytics to process large volumes of information and generate analytical insights (Dwivedi et al., 2021). Financial institutions rely on these capabilities to increase operational efficiency and improve risk management strategies.

The application of artificial intelligence within the legal sector has also expanded rapidly. Legal technology platforms now incorporate AI-based tools capable of analyzing contracts, classifying legal documents, predicting case outcomes, and assisting legal research. These

developments have introduced the concept of intelligent dispute resolution systems. AI-supported legal systems can significantly reduce the time required to review complex legal documentation while also improving the accuracy of legal analysis. Digital legal platforms increasingly integrate automated workflows that streamline procedural stages within dispute resolution mechanisms (Ashley, 2017).

Within the context of arbitration, the integration of artificial intelligence has contributed to the emergence of smart arbitration systems. Smart arbitration refers to arbitration processes supported by intelligent digital infrastructure designed to assist arbitrators in managing disputes more efficiently. Artificial intelligence can facilitate case management, document review, and legal analysis by identifying relevant legal provisions or precedents associated with a dispute. Predictive analytics may also assist arbitrators by providing data-driven insights derived from historical arbitration decisions (Scherer, 2019). These technological tools do not replace arbitrators. They support decision-making processes by improving access to relevant legal information and analytical resources.

The adoption of artificial intelligence in dispute resolution raises important normative and ethical considerations within Islamic finance. Islamic legal principles emphasize justice (*adl*), accountability (*amanah*), and public benefit (*maslahah*). Arbitration processes within Islamic financial institutions must reflect these values to ensure legitimacy and fairness. Artificial intelligence systems must operate as supportive instruments rather than autonomous decision makers. Human arbitrators remain responsible for interpreting legal arguments, evaluating evidence, and applying Islamic jurisprudence in dispute settlement (Oseni & Ali, 2019). The involvement of human judgment ensures that technological systems remain aligned with ethical and religious considerations embedded within Islamic financial law.

Regulatory oversight also plays a significant role in guiding the adoption of artificial intelligence within arbitration systems. The use of algorithmic decision-support tools introduces concerns regarding transparency, accountability, and data governance. AI systems rely on large datasets that may contain biases or incomplete information. Inaccurate algorithmic outputs could influence legal reasoning if technological tools are applied without careful supervision. Legal scholars and policymakers emphasize the need for regulatory frameworks that ensure transparency

in algorithmic design and accountability in digital dispute resolution systems (Dwivedi et al., 2021).

The integration of artificial intelligence into arbitration processes also reflects broader digital transformation trends in the financial sector. Digital platforms have already transformed financial services through online banking, automated investment platforms, and digital payment systems. Dispute resolution mechanisms are beginning to experience similar transformations through the emergence of online dispute resolution systems and intelligent arbitration platforms. These innovations offer opportunities to enhance procedural efficiency while expanding access to justice for financial stakeholders (Scherer, 2019).

This study examines the potential role of artificial intelligence in developing smart arbitration mechanisms for resolving disputes within Islamic financial institutions. The research explores how intelligent digital technologies can support arbitration procedures while maintaining compliance with Islamic legal principles. Particular attention is given to the balance between technological efficiency and the preservation of human legal judgment in arbitration processes. The study also evaluates governance challenges associated with AI-driven dispute resolution, including ethical considerations and regulatory oversight. The findings aim to contribute to the development of technology-based arbitration frameworks capable of strengthening dispute resolution practices within the Islamic financial industry.

METHOD

This study adopts a qualitative research design grounded in doctrinal legal research and conceptual analysis. The qualitative approach enables an in-depth examination of legal principles, institutional structures, and technological developments associated with arbitration in Islamic financial institutions. Doctrinal legal research focuses on identifying, interpreting, and systematizing legal norms derived from legislation, judicial decisions, and scholarly interpretations. This approach is widely applied in legal scholarship to analyze the development of legal doctrines and their practical implications within specific institutional contexts (Van Hoecke, 2011).

The research explores the interaction between Islamic financial law, arbitration mechanisms, and artificial intelligence technologies. Islamic financial law provides the normative framework derived from Islamic jurisprudence that governs financial transactions and dispute resolution practices. Arbitration serves as an alternative dispute resolution mechanism designed to address commercial conflicts outside formal court systems. Artificial intelligence introduces technological capabilities that can assist legal professionals in analyzing documents, organizing legal information, and supporting decision-making processes. Examining these three domains together allows the study to assess the feasibility of integrating intelligent technologies into arbitration systems within Islamic finance.

The data employed in this study are derived from secondary legal materials. These materials include peer-reviewed journal articles, legal textbooks, arbitration guidelines, and regulatory documents related to Islamic finance and dispute resolution. Academic publications discussing legal technology and artificial intelligence also form an important component of the data sources. These materials provide theoretical insights and analytical perspectives on the development of arbitration practices and digital legal tools. Secondary legal materials are commonly used in doctrinal research to examine how legal rules and institutional frameworks evolve in response to emerging societal and technological developments (Smits, 2015).

The analytical process involves several stages of legal interpretation and conceptual synthesis. The analysis begins with an examination of legal doctrines governing arbitration in Islamic financial institutions. Relevant legal principles derived from Islamic jurisprudence and international arbitration practices are reviewed to identify the normative foundations of dispute resolution within Islamic finance. This stage also evaluates institutional frameworks used by arbitration bodies that handle disputes involving Islamic financial contracts.

The analysis then examines recent developments in artificial intelligence within legal technology. Scholarly discussions on machine learning, natural language processing, and automated legal analysis are reviewed to understand how digital technologies support legal processes. Particular attention is given to technological applications that assist document analysis, case management, and legal reasoning within arbitration procedures.

Insights derived from these analyses are synthesized to construct a conceptual framework for smart arbitration systems compatible with Islamic legal principles. Normative legal reasoning is applied to evaluate governance considerations, including transparency, accountability, and the continuing role of human arbitrators in technology-assisted dispute resolution systems. This approach allows the research to assess both the opportunities and limitations of integrating artificial intelligence into arbitration practices within Islamic financial institutions.

RESULT AND DISCUSSION

Artificial Intelligence in Legal and Arbitration Systems

Artificial intelligence has become an influential technological development within contemporary legal practice. The integration of intelligent computational systems into legal environments has reshaped how legal professionals analyze documents, manage case information, and support decision-making processes. Legal technology platforms increasingly incorporate artificial intelligence tools capable of performing large-scale document analysis and identifying relevant legal information within extensive datasets. These technological capabilities enable legal professionals to access legal knowledge more efficiently while reducing the time required to conduct traditional legal research (Surden, 2019).

Artificial intelligence systems rely on advanced computational methods such as machine learning and natural language processing. Machine learning allows computer systems to recognize patterns within historical legal data, including judicial decisions and arbitration awards. Through training on extensive datasets, algorithms can identify similarities between previous disputes and new cases presented for arbitration. This analytical capability supports legal professionals in identifying relevant legal reasoning, contractual interpretations, and dispute patterns that may influence arbitration outcomes (Casey & Niblett, 2016).

Natural language processing enables artificial intelligence systems to interpret human language contained in legal documents. Arbitration proceedings often involve extensive documentation, including financial contracts, written submissions, evidentiary materials, and expert reports. AI-based language processing tools can review these materials rapidly by extracting key legal terms, identifying contractual clauses, and categorizing relevant issues within dispute

submissions. Automated document review significantly improves efficiency in arbitration procedures because arbitrators and legal practitioners gain quicker access to essential information required for case analysis (Ashley, 2017).

Artificial intelligence also contributes to the development of predictive legal analytics. Predictive systems analyze patterns within previous legal decisions to generate probabilistic insights regarding potential outcomes of disputes. These systems do not determine final judgments. Their function involves assisting legal professionals by providing analytical perspectives derived from historical legal data. Predictive analytics may support arbitrators in identifying common dispute characteristics, evaluating legal arguments presented by parties, and understanding broader trends within arbitration jurisprudence (Katz, Bommarito, & Blackman, 2017).

Digital arbitration platforms increasingly incorporate artificial intelligence tools to improve procedural management. Case management systems supported by AI technology can organize documentation, schedule procedural stages, and track the progress of arbitration proceedings. These systems facilitate structured communication between disputing parties, arbitrators, and administrative institutions responsible for overseeing arbitration processes. Digital platforms reduce administrative burdens associated with traditional arbitration procedures and increase procedural transparency (Brownsword, Yeung, & Scotford, 2017).

Artificial intelligence also assists arbitrators in conducting comprehensive legal research. AI-powered legal databases provide advanced search functions capable of identifying relevant legal precedents, scholarly interpretations, and regulatory frameworks related to arbitration disputes. These systems rely on semantic search technologies that analyze the contextual meaning of legal queries rather than relying solely on keyword matching. Enhanced legal research capabilities enable arbitrators to evaluate disputes more thoroughly while maintaining consistency with established legal principles (Surden, 2019).

The integration of artificial intelligence into arbitration environments contributes to improved efficiency in dispute resolution procedures. Traditional document review processes may require extensive time and human resources, particularly when arbitration involves complex financial contracts and large volumes of evidence. AI-assisted review tools can process thousands of documents within a short period while identifying legally relevant information. This efficiency

reduces procedural delays and supports more timely dispute resolution outcomes (Casey & Niblett, 2016).

Despite these technological advantages, artificial intelligence does not replace the role of human arbitrators. Arbitration decisions require contextual interpretation, ethical evaluation, and balanced legal reasoning. Human arbitrators remain responsible for assessing the credibility of evidence, evaluating the intentions of contracting parties, and interpreting legal principles within the specific circumstances of each dispute. Artificial intelligence functions as a supportive analytical instrument rather than an autonomous decision-making authority. Maintaining human oversight ensures that arbitration outcomes remain grounded in legal reasoning and professional judgment (Brownsword et al., 2017).

The growing adoption of artificial intelligence within legal systems reflects broader transformations occurring within digital governance and technological regulation. Legal institutions increasingly recognize the need to establish frameworks that regulate the responsible use of algorithmic technologies in legal practice. Transparency, accountability, and data governance represent essential elements in ensuring that artificial intelligence systems operate within acceptable legal and ethical standards. Regulatory frameworks addressing algorithmic decision-support tools aim to preserve fairness and procedural integrity within dispute resolution processes (Katz et al., 2017).

Technological innovation within arbitration systems indicates that artificial intelligence will continue to influence the evolution of legal dispute resolution. Digital platforms supported by intelligent analytical tools enable legal professionals to manage complex disputes more effectively while maintaining procedural integrity. The integration of artificial intelligence into arbitration procedures represents a significant step toward modernizing dispute resolution practices in an increasingly digital financial environment.

Smart Arbitration in Islamic Financial Disputes

Smart arbitration represents the evolution of traditional arbitration through the integration of advanced digital technologies. Intelligent dispute resolution platforms combine artificial intelligence, blockchain-based record systems, and automated case management tools to improve the efficiency and transparency of arbitration procedures. These technological systems assist

arbitrators and disputing parties in organizing legal documentation, managing procedural stages, and analyzing contractual information. The development of smart arbitration reflects broader transformations occurring within digital governance and financial technology ecosystems (Arner, Barberis, & Buckley, 2017).

Islamic financial institutions operate within a contractual framework derived from Islamic commercial jurisprudence. Financial agreements such as *murabaha*, *mudarabah*, *ijarah*, and *sukuk* structures involve complex legal arrangements that regulate profit sharing, asset ownership, and financial obligations. Disputes often arise from differences in contractual interpretation, delayed obligations, or disagreements regarding compliance with sharia principles. The complexity of these financial instruments requires arbitration systems capable of analyzing detailed contractual provisions and financial documentation (Hassan & Aliyu, 2018).

Artificial intelligence systems offer analytical capabilities that can assist arbitrators in examining contractual disputes within Islamic finance. AI-based document analysis tools can evaluate financial agreements by identifying contractual clauses, obligations of parties, and relevant legal terminology contained within dispute submissions. Machine learning algorithms can also identify patterns across previous arbitration cases, which helps legal professionals understand how similar disputes have been addressed in earlier proceedings. These analytical tools provide arbitrators with structured insights that support more comprehensive legal reasoning (Arner et al., 2017).

Predictive analytics constitutes another technological capability associated with smart arbitration platforms. Predictive systems examine historical legal decisions and arbitration awards to generate analytical insights regarding potential dispute outcomes. These insights are generated through statistical modeling and data analysis of previous cases involving comparable contractual structures or legal issues. Predictive analysis does not determine legal judgments. The technology functions as an advisory instrument that assists arbitrators and legal practitioners in understanding possible dispute trajectories within arbitration processes (Blemus, 2020).

Blockchain technology plays an important role in strengthening the reliability and transparency of smart arbitration systems. Blockchain-based record management enables arbitration documents and procedural steps to be stored in distributed digital ledgers. These ledgers

provide immutable records that cannot be altered without network verification. Digital immutability ensures that arbitration agreements, submissions, evidentiary materials, and procedural decisions remain securely documented throughout the dispute resolution process. Blockchain systems also support the verification of procedural integrity, which increases trust among disputing parties and arbitration institutions (De Filippi & Wright, 2018).

Smart arbitration platforms supported by blockchain infrastructure also improve traceability in dispute resolution procedures. Each procedural step within arbitration can be recorded through timestamped digital entries that document submissions, responses, and procedural determinations. Such transparent documentation allows parties to verify the chronology of arbitration proceedings while reducing risks associated with document manipulation or procedural uncertainty. Digital transparency contributes to stronger institutional credibility in arbitration systems used by Islamic financial institutions (Blemus, 2020).

Technological innovation in arbitration procedures must remain compatible with the ethical and legal foundations of Islamic jurisprudence. Islamic law emphasizes principles such as justice (*adl*), trustworthiness (*amanah*), and public interest (*maslahah*) in commercial transactions and dispute settlement. Arbitration mechanisms in Islamic finance must therefore reflect these ethical values while ensuring that legal reasoning remains grounded in Islamic legal scholarship. The presence of advanced technological tools does not alter the fundamental requirement that legal decisions must be guided by human judgment and moral accountability (Hassan & Aliyu, 2018).

Artificial intelligence systems within smart arbitration platforms function primarily as decision-support instruments. These systems assist arbitrators by organizing information, analyzing documents, and identifying relevant legal materials. Final legal determinations remain the responsibility of human arbitrators who evaluate evidence, interpret contractual intentions, and apply legal principles within specific dispute contexts. Human oversight ensures that technological systems operate within ethical boundaries while preserving fairness in arbitration proceedings.

The emergence of smart arbitration systems indicates a significant transformation in dispute resolution within Islamic financial institutions. Digital technologies offer tools that increase efficiency, transparency, and procedural integrity. Arbitration institutions capable of integrating artificial intelligence and blockchain infrastructure may strengthen trust among financial

stakeholders while improving the management of complex contractual disputes. These developments illustrate how technological innovation can support the modernization of dispute resolution mechanisms without undermining the ethical and legal principles that guide Islamic financial systems.

Governance and Ethical Considerations

The integration of artificial intelligence within arbitration systems requires well-structured governance frameworks. Arbitration institutions operating in Islamic financial environments must ensure that technological innovation remains consistent with legal standards, ethical norms, and institutional accountability. Artificial intelligence tools influence how legal information is processed, analyzed, and presented during dispute resolution processes. Governance frameworks therefore play a critical role in regulating the design, implementation, and supervision of intelligent legal technologies. Effective governance mechanisms provide regulatory guidance that ensures transparency and accountability in algorithmic systems used in arbitration procedures (Floridi et al., 2018).

Regulatory oversight becomes particularly important when artificial intelligence systems are employed to support legal reasoning or procedural decision-making. Arbitration institutions must establish clear policies regarding the use of digital technologies within dispute resolution platforms. These policies may address issues related to algorithmic transparency, system reliability, and the ethical responsibilities of technology developers. Transparent governance structures ensure that arbitrators and disputing parties understand the functions and limitations of artificial intelligence tools used during arbitration proceedings (Cath et al., 2018).

Data governance represents another central component of responsible artificial intelligence implementation. AI systems depend heavily on large datasets that contain legal documents, arbitration records, and financial transaction information. Data integrity directly affects the accuracy of algorithmic outputs. Poor-quality data or incomplete datasets may generate biased analytical results that influence legal interpretation. Reliable data governance mechanisms ensure that datasets used in artificial intelligence systems remain accurate, representative, and secure. Effective data management practices also contribute to the protection of sensitive financial information involved in arbitration disputes (Mittelstadt et al., 2016).

Algorithmic bias constitutes one of the most widely discussed ethical concerns in artificial intelligence governance. Machine learning models develop analytical patterns based on historical data. Historical datasets sometimes reflect structural biases embedded within earlier legal or institutional decisions. If these datasets are used without careful validation, algorithmic systems may reproduce unfair patterns in legal analysis. Continuous monitoring and auditing of artificial intelligence systems become necessary to ensure that algorithmic tools do not compromise fairness within arbitration procedures. Institutional oversight mechanisms should evaluate algorithmic performance to detect unintended biases that may affect dispute resolution outcomes (Mittelstadt et al., 2016).

Human oversight remains a fundamental requirement in arbitration systems supported by artificial intelligence. Legal decision-making involves interpretative reasoning that cannot be entirely delegated to computational systems. Arbitration requires evaluative judgment concerning contractual intent, evidentiary credibility, and ethical responsibility between disputing parties. Artificial intelligence systems function as analytical instruments that assist legal professionals in processing information. Arbitrators retain authority in interpreting legal principles and determining final dispute outcomes. Preserving human control over decision-making processes ensures that arbitration remains consistent with principles of justice and procedural fairness (Floridi et al., 2018).

Professional training plays an essential role in enabling arbitrators and legal practitioners to engage effectively with artificial intelligence technologies. Legal professionals require sufficient understanding of how algorithmic systems operate, including their analytical strengths and limitations. Training programs may focus on digital literacy, data interpretation, and the responsible use of technological tools in dispute resolution contexts. Knowledge of AI technologies enables arbitrators to critically evaluate algorithmic outputs rather than relying on them without scrutiny. Professional competence in technology-assisted arbitration contributes to maintaining independence and objectivity in legal decision-making processes (Cath et al., 2018).

Ethical governance frameworks within Islamic financial systems must also reflect the normative foundations of Islamic jurisprudence. Islamic legal philosophy emphasizes values such as justice (*adl*), trustworthiness (*amanah*), and the pursuit of public welfare (*maslahah*). These

ethical principles guide commercial conduct and dispute resolution practices in Islamic financial institutions. Artificial intelligence systems employed within arbitration procedures must operate in ways that respect these ethical foundations. The legitimacy of smart arbitration platforms depends on their ability to support fair dispute resolution while preserving the moral responsibilities embedded within Islamic legal traditions.

Institutional frameworks that integrate ethical AI principles with Islamic jurisprudence can strengthen the credibility of technology-assisted arbitration systems. Regulatory authorities, arbitration institutions, and financial regulators may collaborate to develop ethical guidelines for artificial intelligence in Islamic finance. These guidelines could address algorithmic accountability, transparency in automated systems, and protection of stakeholder interests. Ethical governance structures that combine technological oversight with Islamic legal values provide a balanced foundation for the responsible adoption of artificial intelligence in arbitration systems.

The development of governance mechanisms for artificial intelligence in arbitration reflects a broader challenge facing contemporary legal systems. Digital technologies introduce significant benefits in efficiency and analytical capability. Responsible governance ensures that technological innovation does not undermine fundamental principles of justice, fairness, and accountability. Arbitration systems within Islamic financial institutions must therefore adopt governance models that integrate technological advancement with ethical and legal integrity.

CONCLUSION

The study demonstrates that artificial intelligence has the potential to transform dispute resolution mechanisms within Islamic financial institutions through the development of smart arbitration systems. AI technologies support arbitration procedures by enabling efficient document analysis, case classification, predictive legal insights, and digital case management. These technological capabilities contribute to faster dispute resolution processes, improved transparency, and more systematic analysis of complex financial contracts such as *murabaha*, *mudarabah*, and *sukuk* agreements. Smart arbitration platforms that integrate artificial intelligence and digital infrastructure can strengthen the operational efficiency of arbitration institutions while improving access to justice for stakeholders in Islamic finance. The use of intelligent technologies within

arbitration environments also reflects broader digital transformation occurring in financial services and legal governance.

The findings also emphasize the continuing importance of human oversight and ethical governance in technology-assisted arbitration. Artificial intelligence should function as a decision-support instrument that assists arbitrators in organizing information and analyzing legal materials. Final legal judgments remain dependent on human interpretation, professional expertise, and adherence to Islamic legal principles. Governance frameworks grounded in transparency, accountability, and data integrity are essential for ensuring responsible implementation of artificial intelligence in arbitration systems. Ethical foundations derived from Islamic jurisprudence, including the principles of justice (*adl*), trust (*amanah*), and public welfare (*maslahah*), provide important normative guidance for technological innovation in dispute resolution. Collaboration between regulators, arbitration institutions, legal scholars, and technology developers will support the development of reliable and ethically responsible smart arbitration frameworks for Islamic financial disputes.

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RIBAB: Review of Islamic Business Arbitration

ISSN(Online): XXXX-XXXX

Vol 1 No 1 (2026): May 2026

<https://journal.eduglobal.ac.id/index.php/ribab/index>

Email: ribabeditor@gmail.com

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