

Electronic Judiciary (E-Court) from the Perspective of Maslahah Theory and Its Correlation with the Realization of a Supreme Judicial Institution

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ABSTRACT

The advancement of information technology has significantly driven reform within Indonesia's judicial system, particularly through the implementation of an electronic court system (e-Court). This article aims to analyze e-Court from the perspective of maslahah theory in Islamic law and to assess its contribution to the realization of a supreme and dignified judiciary. Employing a qualitative-descriptive approach through a literature review method, this study evaluates the relevance of maqāṣid al-sharī'ah values in the e-Court system. The findings reveal that e-Court not only enhances administrative efficiency but also aligns with the core principles of Islamic law, such as the protection of life (hifz al-nafs), intellect (hifz al-'aql), wealth (hifz al-māl), and religion (hifz al-dīn). During the pandemic, the role of e-Court evolved from serving a secondary need to becoming a primary necessity due to its function in safeguarding human existence. Therefore, the e-Court system can be regarded as a strategic instrument for supporting a judicial institution that is inclusive, adaptive, and oriented toward public benefit (maslahah). This study recommends strengthening the implementation of e-Court based on Islamic values to ensure comprehensive substantive justice for society.

Peradilan Elektronik (E-Court) Perspektif Teori Mashlahah dan Korelasinya Dalam Perwujudan Lembaga Peradilan Yang Agung

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ABSTRAK

Perkembangan teknologi informasi telah mendorong reformasi signifikan dalam sistem peradilan Indonesia, salah satunya melalui implementasi sistem peradilan elektronik (e-Court). Artikel ini bertujuan untuk menganalisis e-Court dari perspektif teori maslahah dalam hukum Islam dan menilai kontribusinya terhadap perwujudan lembaga peradilan yang agung. Penelitian ini menggunakan pendekatan kualitatif-deskriptif dengan metode studi pustaka untuk mengevaluasi relevansi nilai-nilai maqāṣid al-sharī'ah dalam sistem e-Court. Hasil kajian menunjukkan bahwa e-Court tidak hanya efisien secara administratif, tetapi juga sejalan dengan prinsip-prinsip syariat, seperti perlindungan terhadap jiwa (hifz al-nafs), akal (hifz al-'aql), harta (hifz al-māl), dan agama (hifz al-dīn). Dalam situasi pandemi, e-Court bahkan telah meningkat kedudukannya dari kebutuhan sekunder menjadi kebutuhan primer karena perannya dalam melindungi eksistensi manusia. Oleh karena itu, sistem e-Court dapat diposisikan sebagai instrumen strategis dalam mendukung lembaga peradilan yang inklusif, adaptif, dan maslahat. Penelitian ini merekomendasikan

A. INTRODUCTION

In the context of Islam, the judiciary plays a vital and sacred role in ensuring justice and maintaining societal order. This institution functions to uphold social stability by enforcing the law and embodying the moral values reflected in the Qur'an and Hadith. Law enforcement by the judiciary is not limited to procedural aspects but also aims to realize substantive justice grounded in Islamic values, particularly the principle of *amar ma'ruf nahi munkar* enjoining what is right and forbidding what is wrong (Rahma et al., 2023).

One of the main functions of the judiciary is to foster a safe and orderly society. In this regard, the judiciary is responsible for resolving disputes and conflicts that arise in the community. Fair and transparent law enforcement by the judiciary fosters public trust in the legal system. This aligns with Islamic teachings that emphasize justice as a divine attribute that should be manifested in all aspects of life (Dahlan, 2020).

Islamic justice values require the judiciary to protect the rights to life, property, and dignity of every individual. This reflects the essence of *maqāṣid al-sharī'ah*, which aims to safeguard fundamental human interests and rights. In doing so, the judiciary not only serves as an arbiter but also upholds the moral and ethical fabric of society (Flora, 2023; Kusnadi & Zulkarnain, 2018).

The application of *amar ma'ruf nahi munkar* in judicial decisions demonstrates the judiciary's commitment to social justice. This principle mandates the judiciary not only to grant rightful claims but also to prevent acts that may harm others or the public at large (Kusnadi & Zulkarnain, 2018; Badarussyamsi et al., 2021). This philosophy serves as the moral foundation for judges, ensuring that judicial decisions align with Islamic principles of justice.

Moreover, the judiciary plays an educational role by raising public awareness of legal rights and obligations. A legally literate society is more likely to maintain harmony and mutual respect. Additionally, the judiciary must engage in effective communication with the public to better understand and involve them in the justice process, thus fostering a sense of participation and ownership of the legal system (Noorashid et al., 2020; Irawan & Wahyono, 2024).

It is equally important to explore the role of judges in applying law and upholding *amar ma'ruf nahi munkar*. As bearers of public trust, judges are tasked not only with enforcing laws but also with ensuring that Islamic values are integrated into every legal decision. A system that prioritizes justice and the well-being of society, both morally and socially, should guide judges in the performance of their duties (Badarussyamsi et al., 2021; M. et al., 2023).

In this regard, the judiciary functions as the executor of justice, using law as a tool to achieve humanitarian goals and collective welfare. Conflict resolution is not only expected through judicial decisions but also through restorative justice mechanisms, which allow dialogue between offenders and victims, thus enabling social rehabilitation and reconciliation (Flora, 2023; Irawan, 2019).

As a sacred institution holding judicial power, the judiciary embodies public hope and belief in justice and truth (Arafah, 2019). This trust is essential to maintaining the legitimacy and impartiality of the legal system, which underpins the rule of law in society.

The implementation of justice must also consider prevailing cultural values and social norms, so that legal outcomes are not only evaluated from a legal perspective but also from ethical and societal viewpoints (Sugiyono & Khojir, 2021). Accordingly, collaboration between the judiciary, the public, and government agencies is crucial to building a civilized social order that upholds humanitarian values.

The judiciary is also expected to serve as a model in applying principles of justice in daily life. This role is essential in educating the public on legal matters, helping them understand their rights and obligations, and facilitating better access to justice (Zaifuddin, 2021).

In the modern era, the judiciary faces increasingly complex challenges at both global and local levels. Therefore, a synthesis between positive law and Islamic law becomes essential to ensure that justice is applied fairly and equitably. Innovations in the legal system are also necessary to accommodate public interests and prevent dissatisfaction with judicial outcomes (Susanti, 2019).

Through strengthening its role and institutional capacity, the judiciary is expected to realize integral social justice. As a legitimate law enforcement body, the judiciary must ensure that justice is delivered fairly and impartially to all levels of society. Hence, fostering social dialogue and transparency between the judiciary and the public becomes vital in building public trust and minimizing disparities in the administration of justice (Sugiharto et al., 2024; Madaniah & Rohmah, 2022; Fadzlurrahman & Madrah, 2023; Lubis & Fatimah, 2023).

In Indonesia, the judiciary is one of the key pillars of government in the trias politica framework, exercising judicial authority and obliged to deliver policies that uphold public interest (*maṣlahah*), in accordance with the Islamic legal maxim: “Any policy enacted by a leader must be based on the benefit of the people” (Djazuli, 2011, p. 147). As such, judicial policies must prioritize social welfare over decisions that may harm the public.

The Supreme Court, as the highest judicial authority, oversees four judicial bodies. In 2018, the Court launched a transformative initiative by introducing an electronic court system through Supreme Court Regulation (PERMA) No. 3 of 2018 on Electronic Case Administration in Courts (E-Court), which was later refined through PERMA No. 1 of 2019 on Electronic Case Administration and Trials (E-Litigation). This initiative forms part of the Court's broader vision of establishing a dignified and progressive judiciary (Direktorat Jenderal Badan Peradilan Agama, 2018, p. 3).

Upon further analysis, the concept of a dignified judiciary essentially refers to the application of *maṣlahah*-based principles in serving public interests. According to *maṣlahah* theory, these interests are categorized into three levels: *al-ḍarūriyyāt* (essentials), *al-ḥājīyyāt* (complementary needs), and *al-taḥsīniyyāt* (refinements), each playing a distinct role in ensuring communal well-being (al-Ghazālī, 1997, pp. 416–417). Therefore, this paper will examine the implementation of electronic justice in relation to the framework of *maṣlahah* both in terms of its functional status and its contribution to achieving public benefit as a pathway to realizing a dignified judiciary.

B. RESEARCH METHODOLOGY

This study employs a qualitative-descriptive approach to explore and analyze the implementation of the electronic court system (e-Court) through the lens of *maṣlahah* theory. This approach was chosen because the research does not focus on statistical measurements, but rather aims to achieve a deep understanding of legal phenomena within normative and



philosophical contexts. The method used is library research, involving the collection of data from various secondary sources such as legislation (PERMA No. 1 of 2019), Islamic legal texts, academic journals, and official documents from the Supreme Court of Indonesia.

These sources are analyzed both textually and contextually to identify the alignment between the concept of e-Court and the principles embedded in *maslahah* theory. Data analysis is conducted using content analysis techniques, by examining the relationship between the features of the e-Court system and the objectives of *maqāṣid al-sharī'ah*, particularly in relation to public benefit (*maṣlaḥah*). The results of this analysis are used to construct arguments regarding the relevance and contribution of e-Court to the realization of a dignified and just judiciary.

C. DISCUSSION

Characteristics and Operational Procedures of Electronic Judiciary in Indonesia

The Electronic Court (e-Court) system is an innovative development in Indonesia's judiciary, designed to facilitate case resolution through digital platforms utilizing information technology. This system provides convenience for justice seekers by allowing them to engage in legal proceedings without being physically present in court. In practice, e-Court encompasses various stages such as case registration, payment of court fees, submission of litigation documents (such as answers, rebuttals, rejoinders, and conclusions), and summoning of parties through electronic domiciles. These procedures are stipulated under Article 1 of Supreme Court Regulation (PERMA) No. 1 of 2019.

This system is accessible to two categories of users: registered users such as advocates, and other users designated by the Supreme Court, including individuals and legal entities. The process of resolving disputes electronically, or e-Litigation, is conducted through several integrated stages within the system.

At the case filing stage, Article 5 paragraph (1) of PERMA No. 1 of 2019 specifies that e-Court users are divided into two types: registered users and other users. Registered users refer to advocates who meet certain administrative requirements, while other users are non-advocate legal subjects authorized by the Supreme Court to access the system. After registration and obtaining an official account, users can file their cases online. This process includes the payment of court fees via electronic payment systems (e-payment) and the uploading of claim or petition documents into the e-Court system. As part of the process, each user is also required to establish an electronic domicile to replace their physical domicile, in accordance with the provisions of Article 118 HIR/142 R.Bg. (Suadi, 2019, pp. 89–90).

The next stage is the summoning of parties. In the e-Court system, summonses are issued digitally using the e-summons feature. According to Article 15 paragraph (1) of PERMA No. 1 of 2019, plaintiffs who have registered their cases electronically will be summoned via their electronic domiciles. Meanwhile, defendants can only be summoned electronically if they express consent to participate in electronic proceedings during the first hearing and submit a formal statement of agreement. This provision also applies to parties residing outside the court's jurisdiction, including those living abroad. In such cases, summonses are issued through the online rogatory application managed by the Ministry of Foreign Affairs. However, for *in absentia* cases—particularly in divorce proceedings—electronic summonses are not yet fully applicable due to a lack of specific regulatory provisions (Suadi, 2019, p. 94).

The final stage involves the court hearing process. At the initial hearing, the panel of judges is obligated to inform the parties of their rights and obligations concerning electronic proceedings. This includes the defendant's right to decide whether or not to proceed with the trial electronically. Electronic trials may only proceed if both parties consent (Suadi, 2019, p. 99).

If mediation does not result in a settlement and the parties agree to continue electronically, the judge will prepare a schedule for subsequent hearings (court calendar). These hearings include the submission of documents such as answers, rebuttals, and rejoinders via the e-Court system, all according to the agreed timeline. As for the evidentiary stage, proceedings must be conducted in person at the court due to the importance of verifying evidence and hearing witness testimonies directly, in accordance with the applicable procedural law (Suadi, 2019, p. 108).

Electronic Judiciary from the Perspective of *Maslahah* Theory

Conceptual Review of Maslahah Theory

In Islamic legal theory, the concept of *maslahah* holds a fundamental role as a foundational principle in the formulation of laws aimed at achieving public benefit. Scholars of *uṣūl al-fiqh* (Islamic legal theory) have identified *maslahah* as a key element across various terminologies such as legal principles (*al-aṣl*, *al-qā'idah*, *al-mabda'*), legal sources (*al-maṣḍar*, *al-dalīl*), and as a doctrine, method, and theoretical framework in both classical and contemporary Islamic legal discourse. This view is supported by leading scholars such as Khallāf, al-Zuhaylī, al-Būṭī, Baderin, al-Zarqā', Opwis, and Kamali, who emphasize the centrality of *maslahah* in shaping Islamic legal thought.

Etymologically, *maslahah* refers to notions of goodness, benefit, appropriateness, and suitability. Terminologically, it is defined as the effort to preserve and actualize the ultimate objectives of Islamic law (*maqāṣid al-sharī'ah*), which are the protection of five essential aspects of human life: religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). Any policy or action that ensures the continuity of these five aspects is classified as *maslahah*, while anything that endangers them is categorized as *maḥṣadah* (harm), which must be prevented (al-Shāṭibī, n.d., p. 25).

Al-Shāṭibī classifies *maslahah* into three hierarchical levels. First is *maslahah ḍarūriyyah* (essential), which pertains to basic needs necessary for human and societal existence. Second is *maslahah ḥājīyyah* (complementary), which refers to needs that, if unmet, would not endanger life but could lead to hardship. Third is *maslahah taḥṣīniyyah* (enhancement), referring to needs that beautify and perfect life from ethical, aesthetic, and moral standpoints. These three levels complement each other and serve as the basis for enacting policies and laws that are beneficial to the ummah (al-Shāṭibī, n.d., p. 374).

Furthermore, scholars classify *maslahah* by its scope and legal effect. In terms of scope, *maslahah* is divided into *maslahah 'āmmah* (public benefit), which pertains to the welfare of the broader community, and *maslahah khāṣṣah* (individual benefit), which focuses on personal interest. Islamic jurisprudence prioritizes public benefit over individual interest, especially in cases of conflict between the two (Nasrun, 1996, p. 117).

From the perspective of permanence, *maslahah* is also classified into *maslahah thābitah* (permanent), which remains unchanged across time—such as the obligation to perform prayers, fast, pay zakat, and go on pilgrimage—and *maslahah mutaghayyirah* (variable), which evolves in accordance with social context, time, and local customs, particularly in areas of civil



transactions and societal practices. This classification highlights the flexibility of Islamic law in addressing societal change.

Application of the Maslahah Paradigm in the Context of Electronic Judiciary

The implementation of the electronic judiciary system (e-Court) is part of a broader initiative to realize inclusive and adaptive access to justice aligned with technological advancement. Several tangible benefits of the e-Court system include cost efficiency, procedural simplicity, and improved legal certainty in case resolution.

Simultaneously, e-Court represents a procedural reform aligned with the demands of the digital era. Initially, the system may be regarded as fulfilling a secondary need (*hājīyyah*); however, in the context of the COVID-19 pandemic, its significance elevated to the level of a primary necessity (*darūriyyah*) due to its direct role in safeguarding human life.

First, regarding the protection of life (*hifẓ al-nafs*), the implementation of e-Court during the pandemic supported government efforts to limit physical interaction and reduce virus transmission. Thus, the system contributed significantly to the prevention of widespread harm, such as the risk of death from infection.

Second, in terms of protecting intellect (*hifẓ al-‘aql*), e-Court has encouraged society to adapt to technology. The ability to access and utilize digital systems is a crucial asset to prevent intellectual and functional marginalization in the information era.

Third, in relation to the protection of property (*hifẓ al-māl*), the e-Court system offers significant financial efficiency. For instance, the elimination of physical summons fees—one of the highest litigation costs in conventional court processes—allows resources to be allocated toward more productive uses. Digital summons via electronic domiciles reduce unnecessary expenses.

Fourth, with respect to the protection of religion (*hifẓ al-dīn*), the judiciary serves as a medium for promoting the values of justice and the implementation of Islamic law. The introduction of e-Court demonstrates that religious outreach (*da‘wah*) and the application of Islamic legal principles can evolve beyond traditional forms and adapt to contemporary digital platforms.

Based on the above analysis, it is evident that electronic judiciary has become a primary necessity in modern society. Neglecting its implementation may lead to significant disadvantages, including reduced access to justice, technological backwardness, and increased economic burdens during legal processes. Thus, e-Court can be categorized not only as an administratively beneficial policy but also as one that is *sharī‘*-compliant, as it holistically supports the preservation of *maqāṣid al-sharī‘ah*.

The Dimension of Maslahah in Electronic Judiciary as a Pillar of a Supreme Judiciary

The concept of a supreme judiciary refers to a judicial institution that can guarantee broad and substantive access to justice for all members of society. This concept not only encompasses formal aspects such as institutional independence and fair procedures but also involves the formulation and implementation of policies that directly address the essential needs of the public. From the perspective of Islamic law, the quality of such a judiciary can be assessed through the lens of *maslahah*, namely, the extent to which the system upholds and protects the five principal objectives of *sharī‘ah* (*maqāṣid al-sharī‘ah*): religion, life, intellect, lineage, and property.

Maslahah serves as a relevant and contextual benchmark for evaluating the effectiveness of the judicial system, particularly in its ability to deliver substantive justice to society. Hence, an ideal judiciary should adopt the principle of *maslahah* as a guiding framework in formulating and executing its legal policies. As an institution entrusted with constitutional judicial authority, the judiciary bears the responsibility to ensure that every policy it enacts reflects the comprehensive public benefit of the people it serves.

In the context of the electronic judiciary system, the values of *maslahah* are visibly realized. The implementation of the e-Court as an alternative method for dispute resolution effectively addresses four out of the five core elements of *maslahah ḍarūriyyah* (essential public interests).

First, in terms of the protection of life (*ḥifẓ al-naḥs*), the e-Court allows the public to access justice during crises such as the COVID-19 pandemic without compromising their health due to excessive physical contact.

Second, regarding the protection of intellect (*ḥifẓ al-‘aql*), the electronic judiciary promotes public literacy and skill development in using digital technologies. This initiative enhances the community’s adaptive capacity, enabling them to stay relevant amidst rapid technological advancements.

Third, in the aspect of protecting wealth (*ḥifẓ al-māl*), the e-Court system provides notable efficiency, particularly in reducing costs associated with traditional court procedures such as physical summonses and transportation. The use of electronic domiciles replaces the need for high-cost physical summonses, allowing those resources to be redirected to more productive and beneficial needs.

Fourth, in the dimension of protecting religion (*ḥifẓ al-dīn*), the e-Court opens opportunities for the judiciary—especially religious courts—to continue disseminating the laws of Allah SWT in ways that are consistent with contemporary realities. The digital transformation of the judiciary does not diminish the principles of *sharī‘ah*; on the contrary, it strengthens the transmission and application of Islamic teachings in a more progressive and adaptable format.

In conclusion, from the perspective of *maslahah*, the implementation of the e-Court represents a judicial reform that supports the realization of a dignified and supreme judiciary. The system not only addresses technical and administrative needs but also fulfills the aspirations for substantive justice rooted in *maqāṣid al-sharī‘ah*. Thus, the e-Court can be considered a transformative and strategic instrument that aligns with the ideals of public benefit and the future of Indonesia’s judicial institutions.

D. CONCLUSION

The implementation of the electronic court system (e-Court) within the Indonesian legal context demonstrates strong compatibility with the *maslahah* theory in Islamic law. As a judicial service innovation, the e-Court not only fulfills procedural efficiency and effectiveness but also makes a substantive contribution to the protection of core *sharī‘ah* values, including the safeguarding of life, intellect, property, and religion. From the perspective of *maqāṣid al-sharī‘ah*, the e-Court system addresses the challenges of the modern era while preserving the essence of substantive justice grounded in Islamic values. Digital transformation through the e-Court has become an essential component of the national judicial reform, making the system more inclusive, adaptive, and oriented toward public benefit (*maslahah*). Therefore, strengthening e-Court policies in the future is highly relevant for enhancing the integrity and

professionalism of Indonesia's judicial institutions.

This study recommends that the Supreme Court and all judicial bodies enhance the implementation of the e-Court system by expanding access for non-advocate users, improving public legal digital literacy, and conducting regular evaluations of the system's *maslahah*-based impact. Furthermore, the development of e-Court features must remain aligned with the values of *maqāṣid al-sharī'ah* to ensure that digital judicial transformation continues to uphold the principle of comprehensive substantive justice.

E. REFERENCES

- Abd al-Rahmân, Jalâl al-Dîn ‘, *al-Masâlih al-Mursalah wa Makânatuhâ fi alTasyrî‘ al-Islâmiy*, (Kairo: Dâr al-Kitâb al-Jâmi‘iy, 1403 H/1983 M),
- al-Bûti, Muhammad Sa‘îd Ramadân, *Dawâbit al-Maslahah fi al-Syarî‘ah*
- al-Gazâli, Abu Hâmid Muhammad, *al-Mustasfa min ‘Ilm al-Usûl*, Juz ke 1, *alIslâmiyyah*, (Beirut: Mu’assasat al-Risâlah, 1421 H/2000 M).
- al-Zarqâ’, Mustafa Ahmad, *al-Istislâh wa al-Masâlih al-Mursalah fi alSyarî‘ah al-Islâmiyyah wa Usûl Fiqhiha*, (Damaskus: Dâr al-Qalam, 1408 H/1988 M).
- al-Zuhaili, Wahbah, *Usûl al-Fiqh al-Islâmiy*, (Beirut: Dâr al-Fikr, 1406 H/1986 M)
- Arafah, M. (2019). Sistem keuangan islam: sebuah telaah teoritis. *Al-Kharaj Journal of Islamic Economic and Business*, 1(1). <https://doi.org/10.24256/kharaj.v1i1.801>
- Aripkah, N. (2023). Urgensi bantuan hukum sebagai wujud perlindungan anak dalam sistem peradilan pidana anak. *Notary Law Journal*, 2(4), 291-302. <https://doi.org/10.32801/nolaj.v2i4.51>
- Asy-Syatibi, *al-Muwafaqat fi Ushul al-Syari‘ah*, (Kairo: Musthafa Muhammad, t.th), Jilid 2,
- Badarussyamsi, B., Ridwan, M., & Aiman, N. (2021). Amar ma‘ruf nahî munkar: sebuah kajian ontologis. *Tajdid Jurnal Ilmu Ushuluddin*, 19(2), 270-296. <https://doi.org/10.30631/tjd.v19i2.175>
- Baderin, Mashood A., *International Human Rights and Islamic Law*, (New York: Oxford University Press, 2003)
- Dahlan, M. (2020). Mashlahah fiqh paradigm of hasyim muzadi.. <https://doi.org/10.4108/eai.1-10-2019.2291656>
- Direktorat Jenderal Badan Peradilan Agama, Prospek dan tantangan implementasi e-court (Majalah Peradilan Agama, Edisi 4 tanggal 6 November 2018)
- Fadzlurrahman, F. and Madrah, M. (2023). Paradigma baru dalam pelaksanaan e-court di peradilan agama ditinjau dari teori efektifitas hukum. *Adhki Journal of Islamic Family Law*, 4(2), 115-130. <https://doi.org/10.37876/adhki.v4i2.114>
- Flora, H. (2023). Perbandingan pendekatan restorative justice dan sistem peradilan konvensional dalam penanganan kasus pidana. *Al-Manhaj Jurnal Hukum Dan Pranata Sosial Islam*, 5(2), 1933-1948. <https://doi.org/10.37680/almanhaj.v5i2.3812>
- H.A Djazuli, *Kaidah Kaidah Fiqh* (Jakarta : Kencana Pranada Media Grup, 2011)
- Hamâdi al-‘Ubaidi, *Ibn Rusyd wa ‘Ulûm al-Syarî‘ah al-Islâmiyyah*, (Beirut: Dâr al-Fikr al- ‘Arabiy, 1991),
- Ikhwansyah, M., Hamidah, H., & Supriadi, A. (2024). Akhlak dalam pendidikan islam menurut q.s al-baqarah: 258-260 prespektif al-baghawi. *Jiip - Jurnal Ilmiah Ilmu Pendidikan*, 7(3), 2165-2174. <https://doi.org/10.54371/jiip.v7i3.3496>
- Irawan, A. and Wahyono, W. (2024). Restorative justice bagi anak pelaku pidana dalam kuhp baru di indonesia. *Sanskara Hukum Dan Ham*, 2(03), 169-178. <https://doi.org/10.58812/shh.v2i03.373>

- Irawan, B. (2019). Institutional pluralism sistem peradilan indonesia dan kekuatan negara di era globalisasi. *Jurnal Borneo Administrator*, 15(3), 237-256. <https://doi.org/10.24258/jba.v15i3.436>
- Khallâf, Abdul al-Wahhâb, *Masâdir al-Tasyrî' al-Islâmiy fîmâ lâ Nass fih*, (Kuwait: Dâr al-Qalam, 1392 H/1972 M).
- Kusnadi, K. and Zulkarnain, Z. (2018). Makna amar ma'ruf nahi munkar menurut muhammad asad dalam kitab the message of the qur'an. *Wardah*, 18(2), 95. <https://doi.org/10.19109/wardah.v18i2.1777>
- Lubis, S. and Fatimah, S. (2023). Studi komparasi madrasah tsanawiyah: mts tarbiyah islamiyah/perti (1954-2022) dan mts muhammadiyah (1970-2022) di paraman ampalu kabupaten pasaman barat. *Jurnal Kronologi*, 5(2), 285-298. <https://doi.org/10.24036/jk.v5i2.708>
- M., M., Frimayanti, S., Rizki, F., Siddik, R., & Hulu, L. (2023). Analisis yuridis terhadap peranan kepolisian dalam sistem peradilan pidana di indonesia. *Journal on Education*, 5(4), 11077-11082. <https://doi.org/10.31004/joe.v5i4.2032>
- Madaniah, A. and Rohmah, S. (2022). Hubungan islam dan negara dalam negara hukum: analisis pemikiran moh. mahfud md. *Salam Jurnal Sosial Dan Budaya Syar I*, 9(1), 285-302. <https://doi.org/10.15408/sjsbs.v9i1.24789>
- Nasrun, Haroen, *ushul fikih 1* (Jakarta: logos , 1996),
- Noorashid, N., Raihan, M., & Trisnawati, R. (2020). gema dari menara (1968): amar ma'ruf nahi munkar as islamic da'wahism in bruneian film. *Southeast Asia a Multidisciplinary Journal*, 20(2), 66-79. <https://doi.org/10.1108/seamj-02-2020-b1007>
- Opwis, Felicitas, "Maslaha in Contemporary Islamic Legal Theory", dalam *Journal Islamic Law and Society*, Vol. 2, No. 12, 2005, Koninklijke Brill NV, Leiden, 2005).
- Peraturan Mahkamah Agung Nomor 1 Tahun 2019 tentang Administrasi Perkara dan Persidangan di Pengadilan secara elektronik.
- Rahma, F., Hidayat, T., Kusumah, M., Hafidhuddin, D., & Al-Hamat, A. (2023). Konsep pendidikan al-qur'an dalam membentuk masyarakat islami (al-mujtama' al-islami). *Zad Al-Mufasssin*, 5(2), 200-226. <https://doi.org/10.55759/zam.v5i2.93>
- Suadi, Amran, *Pembaruan Hukum Acara Perdata di Indonesia : Menakar Beracara di Pengadilan Secara Elektronik* (Jakarta : Kencana, 2019)
- Sugiharto, B., Rahmanita, S., Kinanti, S., Andrina, R., & Hermansyah, B. (2024). Keadilan dalam perspektif hukum islam. *Journal of Management Education Social Sciences Information and*, 1(2), 809-815. <https://doi.org/10.57235/mesir.v1i2.3121>
- Sugiyono, S. and Khojir, K. (2021). Materi alat dan metode pembelajaran dalam sistem pendidikan islam di era digital. *El-Buhuth Borneo Journal of Islamic Studies*, 125-142. <https://doi.org/10.21093/el-buhuth.v4i1.4084>
- Susanti, E. (2019). Fungsi pengawasan hakim pengawas dan pengamat terhadap pembinaan warga binaan. *Indonesian Journal of Criminal Law*, 1(2), 77-88. <https://doi.org/10.31960/ijocl.v1i2.298>
- Zaid Mustafa, al-Maslahah fi al-Tasyrî' al-Islâmiy wa Najm al-Dîn al Tûfi, (Kairo: Dâr al-Fikr al-'Arabiyy, 1384 H/1964 M);
- Zaifuddin, M. (2021). Dasar pemikiran moneter dalam sistem keuangan islam.. <https://doi.org/10.31219/osf.io/xyz5g>

