


Transforming Sharia Economic Dispute Resolution through E-Court for Simple, Fast, and Affordable Justice

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Abstract.

*This study critically examines the implementation of the electronic court (e-Court) system in resolving Sharia economic disputes within Indonesia's Religious Courts, focusing on selected jurisdictions in Jakarta, Yogyakarta, Central Java, and East Java. Introduced through Supreme Court Regulations No. 1 of 2019 and No. 7 of 2022, the e-Court system aims to modernize judicial processes and realize justice that is simple, fast, and affordable. Using a qualitative descriptive approach, the research draws on data from eight Religious Courts: East Jakarta, South Jakarta, Sleman, Wonosari, Sidoarjo, Surabaya, Pemalang, and Slawi, through interviews, observation, and document analysis. Findings show that while the e-Court system enhances administrative efficiency and transparency, its implementation remains uneven. Urban courts such as Jakarta and Surabaya demonstrate successful digital integration, whereas Wonosari, Pemalang, and Slawi face obstacles in infrastructure, internet access, and digital literacy. These disparities create hybrid practices and raise concerns about procedural validity and data security. From a prophetic law perspective, the e-Court reform embodies the moral ideals of humanization (*amar ma'ruf*), liberation (*nahi munkar*), and transcendence (*tu'minuna billah*). However, unequal access to digital justice contradicts these prophetic values. The study concludes that achieving ethical and inclusive digital transformation requires embedding prophetic legal principles into judicial policy to ensure that modernization serves humanity and justice, not merely administrative efficiency.*

Keywords: Digital Justice, Judicial Reform, Sharia Economic Disputes



INTRODUCTION

Over the past decade, Indonesia's judicial system has undergone a significant transformation in line with advances in information technology. One of the revolutionary steps taken by the Supreme Court of the Republic of Indonesia was the implementation of an electronic court system, or e-Court, as stipulated in Supreme Court Regulation (PERMA) No. 1 of 2019 on Electronic Case Administration and Court Trials. This provision was later strengthened by PERMA No. 7 of 2022, which expanded the scope and application of the electronic court system to the appellate and cassation levels.¹ This innovation responds to demands for simpler, faster, and more cost-effective judicial processes, while simultaneously realizing a more transparent and accountable system.² Normatively, these aims resonate with constitutional commitments to accessible justice and due process, and, within Islamic legal philosophy, with the Prophetic justice paradigm that orients legal reform toward *tahqīq al-'adl* (realizing justice) and public welfare (*maṣlahah*).

One of the most relevant areas for testing the effectiveness of the e-Court system is in the context of resolving Islamic economic disputes within the Religious Courts. The Islamic economy in Indonesia is growing rapidly, reflected in the increase in Islamic-based financial transactions such as *murabahah*, *ijarah*, *musyarakah*, and *mudharabah*.³ This growth has also increased the potential for disputes between businesses, consumers, and Islamic financial institutions. Since the enactment of Law No. 3 of 2006, amending Law No. 7 of 1989, the Religious Courts have been granted absolute authority to resolve Islamic economic disputes. However, in practice, various structural and cultural barriers continue to hinder parties' effective access to the judicial process, particularly in terms of time efficiency, costs, and trial techniques

¹ Rina El Maza et al., "Sharia Economic Law Regulation on The Development of Sharia Financial Institutions in Indonesia," *Journal of Social Work and Science Education* 3, no. 2 (2022): 154–67, <https://doi.org/10.52690/jswse.v3i2.290>.

² Badruddin et al., "Sharia Economic Harmony: Reconstructing Peace through Negotiation and Mediation in Conflict Resolution," *Jurnal Ekonomi* 12, no. 4 (2023): 1976–84, <https://ejournal.seaninstitute.or.id/index.php/Ekonomi/article/view/3200/2658>.

³ Fahmi Putra Hidayat and Asni, "Efektifitas Penerapan E-Court Dalam Penyelesaian Perkara Di Pengadilan Agama Makassar," *Qadauna: Jurnal Ilmiah Mahasiswa Hukum Keluarga Islam* 2, no. 1 (2021): 104–18, <https://doi.org/10.24252/qadauna.v2i1.16648>.

and procedures.⁴ From a *maqāṣid al-sharī'ah* perspective, especially *ḥifẓ al-māl* (protection of wealth), *ḥifẓ al-nafs* (protection of persons), and *ḥifẓ al-'aql* (protection of reason), procedural accessibility and cost reduction are not merely administrative targets but ethical imperatives aligning dispute resolution with justice and welfare.

The implementation of the e-Court system is expected to address these obstacles. Through this platform, parties can register cases, make down payments, exchange documents (answers, replies, and duplicates), and participate in trials electronically without physically appearing in the courtroom. Thus, e-Court not only promotes administrative efficiency but also expands access to justice, especially for people living in remote areas or with limited mobility.⁵ In Prophetic terms, *amar ma'rūf, nahy al-munkar*, and *īmānī* orientation. Digital facilitation should humanize procedure, liberate parties from undue burdens, and elevate trust (*amānah*) in adjudication.

However, despite the widespread recognition of e-Court's benefits, its implementation remains uneven and faces numerous technical and non-technical challenges. Field research conducted in several Religious Courts in East Java, Central Java, the Special Region of Yogyakarta (DIY), and Jakarta showed varying dynamics. Some Courts have achieved high levels of e-Court usage, even exceeding 95% for civil cases, including Sharia economic cases. On the other hand, some Courts still face obstacles such as limited internet access, low digital literacy among justice seekers, and resistance to change from some court officials and users. These disparities signal an implementation gap that, viewed through *maqāṣid*, risks undermining equity in access (*'adālah*) and frustrates the constitutional ideal of justice that is simple, expeditious, and low-cost.

Conditions in areas like Wonosari, Special Region of Yogyakarta, provide an interesting example. In this region, the majority of litigants come from rural communities that lack access to basic technologies such as email or smartphones. In this situation, court officials are required to play a more involved role in assisting with the e-Court account registration process, often using the email addresses of village officials, neighborhood

⁴ Lisfer Berutu, "Mewujudkan Peradilan Sederhana, Cepat Dan Biaya Ringan Dengan e-Court," *Jurnal Ilmiah Dunia Hukum* 5, no. 1 (2020): 41–53, <http://dx.doi.org/10.56444/jidh.v5i1.1552>.

⁵ Dedi Putra, "A Modern Judicial System in Indonesia: Legal Breakthrough of E-Court and E-Legal Proceeding," *Jurnal Hukum Dan Peradilan* 9, no. 2 (2020): 275–97, <https://doi.org/10.25216/jhp.9.2.2020.275-297>.

associations (*Rukun Tetangga*), or close relatives of litigants. This demonstrates that the spirit of digitalization in the judicial system is not yet fully inclusive, as its implementation still requires a manual approach in specific social contexts.⁶

Furthermore, electronic trial or litigation procedures have not yet been fully implemented. Although Supreme Court Regulation No. 7 of 2022 allows for electronic trial proceedings from the beginning to the presentation of evidence, in practice, particularly in Islamic economic cases, many Courts still choose to conduct the mediation, evidence presentation, and witness oath-taking stages in person or using a hybrid approach (a combination of electronic and physical). Concerns about the validity of witness identities, the authenticity of documents, and the strength of digital evidence are the primary reasons judges prefer to maintain the physical presence of parties.⁷

Another emerging issue is the limited availability of teleconferencing facilities, particularly in areas with unstable internet connections. This obstacle can disrupt the litigation process, which should ideally proceed without technical hiccups. It is also not uncommon for electronic summons (e-Summons) sent via email or registered mail to fail to reach the defendant, resulting in the defendant's failure to appear in Court, and the case being decided by default.⁸ This situation undoubtedly impacts the legitimacy and acceptance of Court decisions and raises the potential for procedural injustice. Nevertheless, most Courts studied stated that the e-Court system is invaluable in expediting case resolution, saving costs, and increasing process transparency. Integration with the Case Tracking Information System (SIPP) and collaboration with PT Pos Indonesia also strengthen the digital justice ecosystem, fostering greater accountability.⁹

⁶ Ni Putu Riyani Kartika Sari, "Eksistensi E-Court Untuk Mewujudkan Asas Sederhana, Cepat, Dan Biaya Ringan Dalam Sistem Peradilan Perdata Di Indonesia," *Yustitia* 13, no. 1 (2019): 1–17, <https://doi.org/10.62279/yustitia.v13i1.275>.

⁷ Harry Yuniardi et al., "The Effectiveness of Sharia Economic Dispute Resolution in the Commercial Court Related to Sharia Bankruptcy after the Constitutional Court Decision No. 93/PUU-X/2012 Concerning Legal Certainty in the Settlement of Sharia Banking Cases," *Istinbath: Jurnal Hukum* 21, no. 2 (2024): 133–56, <https://doi.org/10.32332/istinbath.v21i02.10153>.

⁸ Djalaludin et al., "Assessing the Impact of Electronic Court Systems on the Efficiency of Judicial Processes in the Era of Digital Transformation," *Volkgeist: Jurnal Ilmu Hukum Dan Konstitusi* 6, no. 1 (2023): 1–18, <https://doi.org/10.24090/volkgeist.v6i1.8082>.

⁹ Dian Latifiani et al., "Reconstruction of E-Court Legal Culture in Civil Law Enforcement," *Journal of Indonesian Legal Studies* 7, no. 2 (2022): 441–48, <https://doi.org/10.15294/jils.v7i2.59993>.

Based on this description, this paper aims to critically examine the extent to which the implementation of e-Court in resolving Sharia economic disputes in the Religious Courts of East Java, Central Java, Yogyakarta, and Jakarta has been able to realize the principles of simple, expeditious, and low-cost justice. The primary focus is on the effectiveness of e-Court in ordinary and small claims cases, as well as its impact on time and cost efficiency. Furthermore, this paper also highlights various technical and structural obstacles that require attention in optimizing the e-Court system in the future. Analytically, the study employs the Prophetic justice paradigm anchored in *maqāṣid al-sharī'ah* to assess whether digital transformation substantively advances welfare, equity, and trust, thereby aligning procedural modernization with constitutional mandates and Islamic normative objectives.

METHODOLOGY

This research used a descriptive qualitative approach to gain an in-depth understanding of the implementation of the e-Court system in resolving Sharia economic disputes within the Religious Courts. The research locations included several strategic areas, namely the Religious Courts in East Java, Central Java, the Special Region of Yogyakarta (DIY), and Jakarta. These areas were selected purposively based on e-Court utilization levels and the distribution of social characteristics within the justice-seeking community. Data were collected through in-depth interviews, participant observation, and documentation studies. Interviews were conducted with various parties, including judges, Court clerks, e-Court officers, and service users (litigants), to explore perceptions, experiences, and challenges in implementing the e-Court system.

Furthermore, the researchers analyzed documents on Sharia economic cases resolved electronically, including statistical data on e-Court usage and reports on litigation implementation. The obtained data were analyzed thematically, identifying patterns related to the principles of simple, fast, and low-cost justice, as well as obstacles and strategies for e-Court implementation. Data validity was

strengthened through triangulation of sources and methods, and through discussions among interdisciplinary research teams to obtain comprehensive and objective interpretations.

RESULT AND DISCUSSION

Religious Courts and the Settlement of Sharia-Based Economic Conflicts

The implementation of the e-Court system within Indonesia's Religious Courts represents a strategic initiative by the Supreme Court to realize the principles of justice that are simple, fast, and low-cost, particularly in the settlement of Sharia economic disputes. Regulated under Supreme Court Regulation (PERMA) No. 1 of 2019 and later expanded by PERMA No. 7 of 2022, the e-Court system enables end-to-end electronic case administration, from case registration and down payment of court fees to issuance of summons and conduct of trial proceedings.¹⁰ The intended outcome is not only greater efficiency in time and cost but also broader access to justice, especially for parties in high-mobility urban centers or those facing geographical barriers.¹¹ Normatively, these goals align with *maqāṣid al-sharī'ah*, particularly *ḥifẓ al-māl* (protection of wealth), *ḥifẓ al-nafs* (protection of persons), and *ḥifẓ al-'aql* (clarity and reason in procedure), and with access-to-justice theory's focus on justiciability, affordability, and quality of outcomes.

The research findings reveal a significant gap in e-Court implementation between urban and non-urban jurisdictions. In urban areas such as East Jakarta, the adoption of e-Court has been relatively optimal. Between 2019 and the present, the East Jakarta Religious Court recorded 15 Sharia economic dispute cases, of which 1 case was withdrawn, 12 were settled through mediation, and 12 resulted in judicial rulings. By case type, 7 were small claims, and 8 were ordinary lawsuits. Of these, 11 cases were processed through the e-Court system, while four were handled

¹⁰ Umihani and Hesti Kamariah, "Resolution of Sharia Economic Disputes: A Case Study on Default in Murabahah Contracts," *International Journal of Islamic Finance* 2, no. 2 (2024): 74–86, <https://doi.org/10.14421/ijif.v2i2.2322>.

¹¹ Ummi Maskanah et al., "Sharia Banking Dispute Resolution Model That Is Effective, Efficient and Fair," *Awang Long Law Review* 7, no. 1 (2024): 147–55, <https://doi.org/10.56301/awl.v7i1.1390>.

manually. The high rate of e-Court utilization there is supported by robust technological infrastructure, well-trained human resources, and relatively high digital literacy among the urban population. A similar pattern is observed in South Jakarta, where e-Court has accelerated case resolution and reduced trial waiting times. The remaining challenges primarily concern assisting parties unfamiliar with the electronic court application. From an access-to-justice lens (Cappelletti-Garth), these Courts illustrate the “third wave”: institutional innovations and legal-tech that reduce entry costs and improve procedural navigation, provided user-side capabilities are supported.¹²

Surabaya serves as another metropolitan example of successful e-Court adoption. From 2019 to mid-2025, the Surabaya Religious Court registered 66 ordinary Sharia economic cases and 15 small claims. Of these, 63 ordinary cases were processed electronically, whereas only two small claims used e-Court. The high usage rate is driven by strong digital infrastructure, competent personnel, and public familiarity with online services, although occasional internet disruptions still pose technical challenges.¹³

Sidoarjo shows a trend comparable to Surabaya’s. Benefiting from its proximity to East Java’s economic hub, most Sharia economic cases in Sidoarjo are now processed through e-Court, both ordinary and small claims, supported by adequate infrastructure and relatively high digital literacy. Technical interruptions and the need to assist less tech-savvy litigants remain minor but manageable issues.

In contrast, in non-urban jurisdictions such as Wonosari, Pemasang, and Slawi, e-Court use remains limited. Constraints include poor internet connectivity, low digital literacy, and a preference for face-to-face proceedings. Court staff frequently assist litigants by registering cases using email addresses belonging to village officials, neighbourhood heads (RT), or relatives, reflecting that the spirit of

¹² Fadia Fitriyanti et al., “Securing Personal Data in E-Kyc: Vital for Digital Economy Growth,” *Diponegoro Law Review* 9, no. 1 (2024): 104–20, <https://doi.org/10.14710/dilrev.9.1.2024.104-120>.

¹³ Achmad Zacfar Shidiq et al., “Sistem E-Court sebagai Wujud Implementasi Asas Peradilan Sederhana, Cepat dan Biaya Ringan (Studi di Pengadilan Negeri Mojokerto),” *Dinamika: Jurnal Ilmiah Ilmu Hukum* 27, no. 3 (2021): 331–49, <https://jim.unisma.ac.id/index.php/jdh/article/view/9400>.

digitalisation has yet to become fully inclusive. Furthermore, non-litigation dispute resolution through informal mediation, family channels, or Sharia arbitration bodies such as BASYARNAS remains dominant in these areas. Doctrinally, reliance on third-party accounts raises *amānah* (trust) and identity-authenticity issues, potentially undermining *ḥifz al-'ird* (reputation/privacy) and procedural integrity, an access-to-justice concern about the quality and fairness of process, not merely its availability.

Across jurisdictions, many Sharia economic disputes conclude through mediation or withdrawal rather than judgment, indicating that litigation remains a last resort. This trajectory coheres with the *maqāṣid* orientation toward *iṣlāḥ* (reconciliation) and with access-to-justice priorities that value problem-solving outcomes over purely adjudicative endpoints, so long as consent is informed and power imbalances are mitigated.

Overall, in urban jurisdictions, the e-Court system has demonstrably expedited proceedings, improved transparency, and reduced the costs of dispute resolution. However, its implementation still faces substantial structural and cultural barriers in non-urban areas. Thus, optimizing e-Court for Sharia economic disputes requires a context-sensitive approach that integrates technological innovation with infrastructure investment, public legal and digital literacy programs, and effective assistance mechanisms for unfamiliar users. With such adaptive strategies, e-Court can evolve beyond a procedural innovation to become a substantive solution for ensuring equitable access to justice across Indonesia, in line with the constitutional ideals of a simple, fast, and affordable judiciary.¹⁴

The implementation of the e-Court system within Indonesia's Religious Courts represents a strategic initiative by the Supreme Court to realize the principles of justice that are simple, fast, and low-cost, particularly in the settlement of Sharia economic disputes. Regulated under Supreme Court Regulation (PERMA) No. 1 of 2019 and later expanded by PERMA No. 7 of 2022, the e-Court system enables end-

¹⁴ Indriati Amarini et al., "Digital Transformation: Creating an Effective and Efficient Court in Indonesia," *Legality: Jurnal Ilmiah Hukum* 31, no. 2 (2023): 266–84, <https://doi.org/10.22219/ljih.v31i2.28013>.

to-end electronic case administration, from case registration and down payment of court fees to issuance of summons and conduct of trial proceedings. The intended outcome is not only greater efficiency in time and cost but also broader access to justice, especially for parties in high-mobility urban centers or those facing geographical barriers.¹⁵

The research findings reveal a significant gap in e-Court implementation between urban and non-urban jurisdictions. In urban areas such as East Jakarta, the adoption of e-Court has been relatively optimal. Between 2019 and the present, the East Jakarta Religious Court recorded 15 Sharia economic dispute cases, of which 1 case was withdrawn, 12 were settled through mediation, and 12 resulted in judicial rulings. By case type, 7 were small claims, and 8 were ordinary lawsuits. Of these, 11 cases were processed through the e-Court system, while four were handled manually. The high rate of e-Court utilization here is supported by robust technological infrastructure, well-trained human resources, and relatively high digital literacy among the urban population.

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¹⁵ Kukuh Santiadi, "Expanding Access To Justice Through E-Court In Indonesia," *Prophetic Law Review* 1, no. 1 (2019): 75–89, <https://doi.org/10.20885/PLR.vol1.iss1.art5>.

¹⁶ Yordan Gunawan and Rizaldy Anggriawan, "E-Court: The Future of Commercial Dispute and the Quality of Judicial Processes in Indonesia," in *Advances in Business Strategy and Competitive Advantage*, ed. Patricia Ordóñez De Pablos et al. (IGI Global, 2021), <https://doi.org/10.4018/978-1-7998-6477-6.ch001>.

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In contrast, in non-urban jurisdictions such as Wonosari, Pemalang, and Slawi, e-Court use remains limited. Constraints include poor internet connectivity, low digital literacy, and a preference for face-to-face proceedings. Court staff frequently assist litigants by registering cases using email addresses belonging to village officials, neighborhood heads (RT), or relatives, indicating that the spirit of digitalisation remains only partially inclusive. Furthermore, non-litigation dispute resolution through informal mediation, family channels, or Sharia arbitration bodies such as BASYARNAS remains dominant in these areas.

An interesting observation across all jurisdictions, including those with high e-Court adoption¹⁷, is that most Sharia economic disputes do not end with a formal Court judgment. Instead, they are often resolved through mediation or withdrawn after an out-of-court settlement. This suggests that litigation remains a last resort after other non-judicial avenues have been exhausted.¹⁸

Overall, in urban jurisdictions, the e-Court system has demonstrably expedited proceedings, improved transparency, and reduced the costs of dispute resolution.¹⁹ However, in non-urban areas, its implementation still faces substantial structural and cultural barriers. A context-sensitive optimization should therefore integrate: (i) infrastructure and secure identity solutions (to safeguard *amānah* and *ḥifz al-nafs*), (ii) user-facing assistance and digital-legal literacy (addressing the "capability" prong of access-to-justice), and (iii) mediation pathways designed to preserve voluntariness

¹⁷ Iyus Suryana, *E-Court Dalam Perspektif Hukum Dan Keadilan: Reformasi Sistem Peradilan Indonesia Di Era Digital* (Cendekia Press, 2025).

¹⁸ Sawitri Yuli Hartati S et al., "Implementation of Online Dispute Resolution Sharia Arbitration in the New Normal Era (Basyarnas-Indonesia)," *KnE Social Sciences* 9 (January 2024): 236–49, <https://doi.org/10.18502/kss.v8i21.14721>.

¹⁹ Bambang Soebiyantoro et al., *Praktik dan Wacana Seputar Persidangan Elektronik (E-Litigation) di Peradilan Tata Usaha Negara*, 1st ed. (Deepublish, 2020).

and equity (advancing *maṣlahah* and *iṣlāḥ*). With such adaptive strategies, e-Court can evolve beyond a procedural innovation to become a substantive solution for ensuring equitable access to justice across Indonesia, in line with the constitutional ideals of a simple, fast, and affordable judiciary.²⁰

Justice in the Digital Lane: E-Court as a Catalyst of Legal Reform

One of the most critical aspects of Indonesia's judicial system modernization is the Supreme Court's implementation of the e-Court system. This system encompasses several key stages in the voting process: straightforward case registration, electronic questioning between parties, and electronic conferences or litigation.²¹ Through e-Court, the judicial process becomes more efficient, transparent, and more widely accessible, while also addressing demands for simple, expeditious, and low-cost justice. Field findings from several Religious Courts in East Java, Central Java, Yogyakarta, and Jakarta indicate that this system has brought about tangible changes, particularly in three key aspects: administrative ease, time efficiency, and process transparency.²²

First, regarding administrative convenience, the e-Court system has reduced many bureaucratic procedures previously considered difficult for justice seekers. While previously case registration had to be done in person at the Court, complete with physical queues and manual verification processes, all administrative steps can now be done online.²³ Parties simply need to create a verified user account, upload lawsuit documents, and pay a down payment for Court fees electronically through an integrated banking channel. In many cases, down payments that previously reached Rp 500,000 for simple cases can now be reduced to around Rp 250,000.

²⁰ Rina Elsa Rizkiana, "The Future of Online Dispute Resolution: Building A Framework for E-Commerce Dispute Resolution in Indonesia," *The Lawpreneurship Journal* 1, no. 2 (2021): 114–38, <https://doi.org/10.21632/tlj.1.2.114-138>; Soebiyantoro et al., *Praktik dan Wacana Seputar Persidangan Elektronik (E-Litigation) di Peradilan Tata Usaha Negara*.

²¹ Putri Anggia et al., "Legal Justice: The Abolition of the Principle of Bank Secrecy for Tax Interests in Indonesia," *Jambura Law Review* 5, no. 2 (2023): 314–31, <https://doi.org/10.33756/jlr.v5i2.18793>.

²² Ni Ketut Ragawati et al., "Implementation of Supreme Court Regulation No. 7 of 2022 Concerning Electronic Case Administration and Court Proceedings at the Denpasar District Court," *Indonesian Journal of Multidisciplinary Science* 3, no. 11 (2024): 1–5, <https://doi.org/10.55324/ijoms.v3i11.986>.

²³ Vania Shafira Yuniar et al., "The Court Role in Providing E-Court System Education to Community: Post-Enactment of Supreme Court Regulation Number 1 of 2019," *Unifikasi: Jurnal Ilmu Hukum* 8, no. 1 (2021): 34–42, <https://doi.org/10.25134/unifikasi.v8i1.3697>.

These savings not only affect formal costs but also reduce indirect costs such as transportation, time, and energy consumption for the parties.

Second, in terms of time efficiency, the litigation system allows for more dynamic and expedited trial scheduling. Whereas previously trial schedules had to wait until the following week due to space and time constraints, judges can now schedule hearings within days, even two days, of the initial hearing. Question-and-answer stages, such as replications and duplicates, no longer require an in-person meeting in the Courtroom; instead, they can be uploaded and read digitally by both the panel of judges and the opposing party.²⁴ This not only expedites the litigation process but also provides greater flexibility for the parties and court officials in managing case schedules and documents. Third, in terms of transparency, the e-Court system provides greater access to case documents and the progress of the trial.²⁵ Parties can monitor the status of their cases in real time through a dashboard integrated with the Case Tracking Information System (SIPP).

Furthermore, trial history, the panel of judges' determinations, and the final verdict can be accessed without having to appear in Court. However, this implementation of transparency does not fully reflect the meaning of "open to the public" as stipulated in the civil procedure law. Under the manual system, the general public or the media could attend trials as a form of public oversight. In litigation, access to the process is still limited to parties registered in the system, so the principle of openness has not been fully realized in an ideal manner.²⁶

Nevertheless, field findings indicate that the majority of judges and Court officials welcome this digitalization, believing it improves institutional performance and significantly reduces administrative burdens. However, the implementation of this

²⁴ Zahid Hasan and Abid Nurhuda, "The Role of Sharia Economic Law in Supporting a Healthy Economic System for Indonesian Communities," *Asas: Jurnal Hukum Ekonomi Syariah* 15, no. 2 (2024): 11–19, <https://doi.org/10.24042/asas.v15i02.16426>.

²⁵ Dewi Puji Astuti and Suriyadi, "Pelaksanaan E-Litigasi Dalam Penyelesaian Perkara Sengketa Ekonomi Syariah Di Pengadilan Agama Makassar," *Iqtishaduna: Jurnal Ilmiah Mahasiswa Hukum Ekonomi Syariah* 4, no. 2 (2023): 109–17, <https://doi.org/10.24252/iqtishaduna.v4i2.29736>.

²⁶ Saut Maruli Tua Manik et al., "Efforts to Improve the Quality of Handling Sharia Economic Disputes by Indonesian Religious Courts," *Penajustisia: Media Komunikasi Dan Kajian Hukum* 23, no. 3 (2024): 1–15, <https://doi.org/10.31941/pj.v23i3.5509>.

system is not without challenges, such as gaps in technological literacy between regions, the readiness of the internet network infrastructure, and uneven understanding among Court service users.²⁷ Especially in Islamic economic cases, e-Court opens up significant opportunities for efficient dispute resolution that adheres to the principles of substantive justice. However, this success remains contingent on the commitment of court officials to consistently implement the system, as well as Regulatory support and ongoing training for all stakeholders. Overall, e-Court not only revolutionizes the administrative aspects of the judiciary but also serves as a gateway to a more modern, responsive, and adaptive legal system. While not yet perfect, this digital transformation marks a significant step toward a technology-based judiciary that is more inclusive and accountable to all citizens.²⁸

Implementation Challenges in the Regions

The implementation of the e-Court system in Indonesia's Religious Courts has marked significant progress in judicial administration, making the courts more efficient, transparent, and accessible. However, field realities indicate that its implementation remains uneven across the country. Obstacles persist in both rural and urban areas, ranging from public digital literacy and infrastructure availability to operational issues such as the e-summons service in cooperation with PT Pos Indonesia (POS).

In rural regions such as Wonosari, Sleman, Pemasang, and Slawi, the main challenges lie in low technological literacy and limited access to necessary devices. Many litigants lack personal email addresses or adequate equipment, such as computers and smartphones. In some cases, they are unfamiliar with how to create an e-Court account or upload case documents. As a result, the digital process cannot be carried out independently, forcing Court staff to assist in account creation and electronic document submission. These tasks are often completed using email

²⁷ Luthfiana Basyirah et al., "The Development of Islamic Economic Politics in Sharia Banking in The Reform Era to Date in Indonesia," *JPPUMA: Jurnal Ilmu Pemerintahan Dan Sosial Politik Universitas Medan Area* 10, no. 2 (2022): 200–215, <https://doi.org/10.31289/jppuma.v10i2.7515>.

²⁸ Elsy Renie, "The Urgency of Fatwa in the Law of Sharia Economics in Indonesia," *Juris: Jurnal Ilmiah Syariah* 20, no. 2 (2021): 201–8, <https://doi.org/10.31958/juris.v20i2.4059>; Richard Susskind, *Online Courts and the Future of Justice*, 1st ed. (Oxford University Press, 2021).

addresses belonging to village officials, neighbourhood association (RT/RW) leaders, or relatives, which, although practical in the short term, carry long-term risks to data security, privacy, and the authenticity of parties' identities.

Infrastructure and internet connectivity constraints also present serious technical barriers, particularly during online evidence presentation and witness examination.²⁹ Unstable connections often cause trial delays or cancellations, resulting in wasted time and increased costs for litigants. To mitigate this, some Courts adopt a hybrid model, combining online and in-person hearings. Key stages such as mediation, witness oath-taking and submission of original evidence are still conducted in person to maintain legal certainty and document validity. However, this hybrid approach reduces some of the efficiency benefits that e-Court was designed to deliver.

A nationwide challenge faced by nearly all Religious Courts, both rural and urban, is the operational issue with e-summons delivery via PT Pos Indonesia. Frequently, summons letters fail to reach their intended recipients due to reasons such as "no one at home" or incorrect addresses. Returned summonses result in defendants' absence from hearings, often leading to *verstek* (default) judgments. This, in turn, can trigger further legal disputes, such in objections or appeals. The problem is compounded by the fact that POS's tracking system is not always synchronized with the Case Tracking Information System (SIPP), making it difficult for Court staff to monitor delivery status in real time.

Despite these challenges, some urban Religious Courts, such as those in East Jakarta, South Jakarta, Surabaya, and Sidoarjo, have achieved more optimal results. For example, the East Jakarta Religious Court recorded 15 Sharia economic cases between 2019 and the present, with 12 resolved through mediation, one withdrawn, and 12 reaching a verdict. Of these, seven were handled as simple claims and eight as regular claims, with 11 cases processed electronically and only four manually. Similar successes have been recorded in South Jakarta, Surabaya, and Sidoarjo, driven by robust technological infrastructure, well-trained human resources, and

²⁹ Zheng Sophia Tang, *Smart Court: The Court of the Future* (Cambridge University Press, 2025).

higher digital literacy among urban residents, enabling smoother implementation of e-payment, e-summons, and e-litigation services.

The contrast between rural and urban areas highlights that e-Court success depends not only on regulations but also on infrastructure readiness, digital literacy, and human resource capacity. Yet, the persistent POS-related issue demonstrates that even in well-equipped jurisdictions, operational challenges can undermine system effectiveness. Therefore, Strategic interventions are needed, including improving public digital literacy, investing in internet infrastructure within the court system, providing continuous training for court personnel, and revising cooperation mechanisms with POS to ensure accurate and timely delivery of electronic summons nationwide.

With these measures in place, the e-Court system can move beyond being a mere symbol of legal modernization and become a tangible instrument for expanding access to justice for all Indonesians, whether in major cities or remote areas that remain digitally underserved.

Hybrid Approaches and Mediation Dynamics in Sharia Disputes

Efforts to implement a fully digital litigation system in Indonesia's Religious Courts have faced significant practical challenges. Although the Supreme Court has provided a strong normative foundation through Supreme Court Regulations (PERMA) No. 1 of 2019 and No. 7 of 2022, which establish the legal basis for electronic litigation at all court levels, the reality on the ground shows that full adoption of e-Court remains challenging to achieve. Consequently, many courts, in both urban and non-urban areas, have opted for hybrid approaches that combine electronic and face-to-face procedures.³⁰

The hybrid model is not solely a product of infrastructure limitations but also a deliberate judicial choice, particularly in cases with substantial moral, ethical, or relational dimensions. This is especially true for disputes arising from Islamic

³⁰ Anita Afriana and Hazar Kusmayanti, "Review of Syaria Economy Disputes in Religious Courts within the Perspective of Small Claims Court (SCC)," *Fiat Justisia: Jurnal Ilmu Hukum* 15, no. 2 (2021): 183–94, <https://doi.org/10.25041/fiatjustisia.v15no2.2086>.

economic transactions such as *murabahah* (cost-plus financing), *musyarakah* (partnership), *ijarah* (leasing), and *mudharabah* (profit-loss sharing).³¹ These contracts are not only legally binding but also carry ethical obligations rooted in Islamic values such as honesty (*sidq*), trust (*amanah*), and social responsibility (*mas'uliyah*), which are often more effectively evaluated through in-person interaction.³²

One of the most significant stages affected by the hybrid approach is mediation. While PERMA No. 1 of 2016 allows online mediation, Religious Courts in Jakarta, Yogyakarta, Central Java, and East Java still overwhelmingly conduct mediation in person. Judges and mediators generally believe that physical presence fosters greater trust and sincerity, two elements essential for achieving reconciliation (*ishlah*), which in Islamic economic disputes is not merely a procedural preference but also a moral and religious obligation.³³

In simple claim procedures, the potential for mediation is further constrained by the strict procedural time limit of 25 working days.³⁴ Although mediation is not mandatory under PERMA No. 4 of 2019, some courts, particularly in Jakarta and Sleman, still facilitate it when both parties express a willingness to settle. However, in the absence of a clear regulatory framework for expedited mediation (express mediation), these sessions are often rushed or formalistic, failing to address the substantive issues of the dispute.³⁵

Hybridization is also evident in the evidentiary stage, witness examination, and the delivery of verdicts, with variations across regions. Courts have successfully conducted document verification and witness hearings via video conference in Jakarta, Surabaya, and Sidoarjo, where internet infrastructure, case management

³¹ Berutu, "Mewujudkan Peradilan Sederhana, Cepat Dan Biaya Ringan Dengan e-Court."

³² Shidiq et al., "Sistem E-Court sebagai Wujud Implementasi Asas Peradilan Sederhana, Cepat dan Biaya Ringan (Studi di Pengadilan Negeri Mojokerto)."

³³ Wardanisman Larosa et al., "Application of Online Arbitration to Dispute Resolution E-Commerce Business in Indonesia (in Academic Discourse and Practice)," *Asian Journal of Engineering, Social and Health* 2, no. 3 (2023): 228–46, <https://doi.org/10.46799/ajesh.v2i3.56>.

³⁴ Erie Hariyanto, "Public Trust in the Religious Court to Handle Dispute of Sharia Economy," *Abkam: Jurnal Ilmu Syariah* 22, no. 1 (2022): 185–208, <https://doi.org/10.15408/ajis.v22i1.26216>.

³⁵ Dian Latifiani, "Human Attitude and Technology: Analyzing a Legal Culture on Electronic Court System in Indonesia (Case of Religious Court)," *Journal of Indonesian Legal Studies* 6, no. 1 (2021): 157–84, <https://doi.org/10.15294/jils.v6i1.44450>.

systems, and legal aid services are more advanced. However, even in these urban jurisdictions, final verdicts are predominantly delivered in person. Judges cite the need to preserve the solemnity of the proceedings, ensure the presence of the parties, and avoid misunderstandings regarding the substance of the decision.³⁶

In contrast, courts in Wonosari (Yogyakarta), Slawi (Central Java), and Pemalang (Central Java) not only require in-person attendance for evidentiary and witness examination stages but also almost always deliver verdicts physically in the courtroom. Concerns over digital forgery, identity fraud, and the symbolic significance of courtroom proceedings often outweigh the convenience of remote verdict delivery.

These differences reveal a regulatory gap: there is still no standardized national guideline that clearly defines which litigation stages are best suited for online hearings and which must remain in-person, including verdict delivery. This ambiguity leads to inconsistent practices across jurisdictions, potentially undermining legal certainty and user expectations.

From the user's perspective, particularly among self-represented litigants or those unfamiliar with Islamic economic law, the hybrid process can be confusing. For example, a litigant may file a case electronically but later be required to attend mediation or verdict delivery in person without clear prior notice. Such fragmented experiences risk eroding public trust in the efficiency of judicial reform. Nevertheless, the hybrid model should not be viewed merely as a temporary compromise. When implemented with procedural transparency, adequate support systems, and ethical awareness, it can serve as a context-sensitive mechanism for integrating technological advancements with cultural and religious realities. In Sharia economic disputes where justice entails not only legal resolution but also moral restoration, the hybrid model is not only practical but essential.³⁷

³⁶ Irene Fransisca Liemanto et al., "The Urgency of Regulating Online Arbitration in Dispute Settlement of E-Commerce Transactions in Indonesia," *IJMMU: International Journal of Multicultural and Multireligious Understanding* 8, no. 7 (2021): 278–84, <https://doi.org/10.18415/ijmmu.v8i7.2847>.

³⁷ Evi Eka Elvia et al., "Basyarnas as a Place for Dispute Resolution of Musyarakah Financing in Sharia Banking in the Disruption Era," *El-Mashlahah* 13, no. 1 (2023): 39–56, <https://doi.org/10.23971/el-mashlahah.v13i1.5345>.

In the future, the Supreme Court should consider issuing detailed national technical guidelines for hybrid proceedings, particularly regarding mediation, evidentiary stages, and verdict delivery in Religious Courts. In addition, strengthening digital infrastructure in non-urban Courts and expanding digital literacy training for judges, Court staff, and litigants will be essential to ensure that hybrid justice is accessible, equitable, and dignified for all.

Evaluating the Principles of Simple, Fast, and Affordable Justice

The core aim of the e-Court system introduced by the Supreme Court is to fulfil the long-standing judicial mandate of providing justice that is simple (*sederhana*), fast (*cepat*), and affordable (*biaya ringan*). These three principles are not only embedded in the Constitution and judicial ethics but also serve as benchmarks for evaluating the effectiveness of Court reforms. In the context of Sharia economic dispute resolution through Religious Courts, the adoption of e-Court provides a unique lens for assessing the success of these principles in practice. Based on field research conducted in eight jurisdictions, East Jakarta, South Jakarta, Sleman, Wonosari, Sidoarjo, Surabaya, Pematang, and Slawi, this section analyses how the implementation of e-Court reflects or falls short of these ideals.

1. Simplicity

In terms of procedure, the e-Court system has streamlined the stages of case registration, summons delivery, document exchange, and payment of Court fees. Litigants in South Jakarta and East Jakarta, where digital infrastructure and legal services are widely accessible, reported positive experiences with the user interface and the system's responsiveness. Courts in these areas have dedicated e-Court help desks and staff who guide users through each step, making the system more intuitive even for first-time users. However, in Pematang, Slawi, Wonosari, and parts of Sidoarjo, simplicity remains a relative experience, heavily influenced by the litigant's digital literacy. Many individuals, particularly small business owners and rural residents, in these areas are unfamiliar with basic digital platforms, let alone legal-tech systems.

Several Courts still assist users by allowing them to register using email accounts provided by relatives, neighborhood heads, or legal representatives. While practical, this workaround undermines user autonomy and raises privacy concerns. In Sleman, a positive example was found where the Court cooperates with local universities and legal aid groups to provide on-site e-Court assistance, significantly improving procedural access. These initiatives suggest that simplicity is most effective when paired with human-centered design and local support structures.

2. Speed

The e-Court system has demonstrated its potential to reduce case processing time, especially in routine civil and economic disputes. In Surabaya and South Jakarta, judges and clerks noted that once both parties are digitally registered, stages such as submission of answers, replies, and rejoinders can be completed in a matter of days rather than weeks. In some Sharia economic disputes, especially those involving simple contracts such as *murabahah*, the digital platform accelerates the case timeline by eliminating physical delays.

Nevertheless, speed gains are not evenly distributed. Courts in Wonosari and Slawi reported that delays often occur when litigants do not read email summons in time, fail to respond to system notifications, or encounter upload errors due to poor internet quality. Moreover, in simple claim procedures (*gugatan sederhana*), which must be resolved within 25 working days, technical problems frequently force judges to convert cases into regular litigation, thereby losing the procedural advantages intended by GS.

In Sidoarjo, despite being a relatively developed area, staff indicated that speed can be slowed when one party is digitally engaged. At the same time, the other insists on physical attendance, forcing the Court to adopt a hybrid model that delays synchrony. Therefore, while the digital system removes many physical bottlenecks, it still depends on equal digital engagement from both parties.

3. Affordability

The e-Court system substantially reduces costs for users in urban jurisdictions such as East Jakarta, South Jakarta, and Surabaya. Savings arise from reduced transportation needs, streamlined summons delivery via integration with PT Pos Indonesia, and automated case fee calculations. For litigants who are digitally literate and legally aware, the process saves money and time, which is economically significant for business owners.

Conversely, in Pemalang, Slawi, and Wonosari, affordability remains challenging for the digitally marginalized. Many litigants in these areas rely on third-party cyber cafés, legal service providers, or informal agents to manage their e-Court processes. These services often come with additional fees, reducing or even nullifying the system's cost efficiency. Furthermore, failure to comply with digital procedures due to confusion or inaccessibility can result in missed deadlines or default judgments, adding further costs in the form of appeals or retrials.³⁸

The hidden costs of digital justice include psychological and administrative expenses. Courts reported that litigants frequently experience stress or confusion when navigating the e-Court interface, especially when dealing with e-signatures, scanned attachments, and PDF formatting. Without adequate digital support, affordability becomes a conditional benefit, dependent on access to resources beyond the Court's control.

Principle	Achieved in Jakarta & Surabaya	Partially Achieved in Sleman & Sidoarjo	Limited Achievement in Pemalang, Slawi, Wonosari	Notes
Simplicity	High	Medium	Low	Depends on assistance services & digital access
Fast	High	Medium	Low to Medium	Dependent on digital participation

³⁸ Elvia et al., "Basyarnas as a Place for Dispute Resolution of Musyarakah Financing in Sharia Banking in the Disruption Era."

				from both parties
Affordability	High	Medium	Low	Hidden costs due to intermediaries or tech barriers

Table 1. Summary Evaluation

While the e-Court system offers transformative potential to realize the ideals of simple, fast, and affordable justice, its realization remains uneven across Indonesian Religious Courts. In cities like South Jakarta, East Jakarta, and Surabaya, where infrastructure, human resources, and public digital literacy are relatively advanced, the system has enhanced judicial efficiency and public access. However, in Courts such as Wonosari, Pemalang, and Slawi, the same system poses usability challenges and risks further marginalising those already at a disadvantage.

This disparity illustrates that technological reform must be sensitive to local conditions. Digital innovation cannot stand alone; it must be accompanied by legal empowerment, targeted digital literacy programs, clear regulatory guidelines, and ongoing institutional investment. Only with this comprehensive approach can the e-Court initiative truly fulfil the constitutional promise of equitable justice for all, particularly in the growing and complex domain of Sharia economic disputes.

Comparative Perspective: Indonesia and Malaysia on e-Court for Sharia Economic Disputes

In a regional frame, Indonesia and Malaysia advance judicial digitalisation through distinct institutional designs. Indonesia places Sharia economic disputes squarely within the jurisdiction of the Religious Courts. It supports adjudication with a national e-Court platform spanning e-Filing, e-Payment, e-Summons, and e-Litigation, as elaborated in legal-doctrinal studies on PERMA No. 1/2019 and its amendment by PERMA No. 7/2022.³⁹ By contrast, Malaysia generally routes Islamic banking and finance disputes to the Civil Courts while referring Sharia questions to the Sharia Advisory Council (SAC); other Sharia matters proceed in state-level

³⁹ Jonathan Hiero Tambunan and Yunanto, "Penyelesaian Gugatan Sederhana Melalui E-Court Pasca Diundangkannya Perma 7 Tahun 2022," *Notarius* 17, no. 3 (2024): 2191–206, <https://doi.org/10.14710/nts.v17i3.57734>.

Sharia Courts, a division mapped in comparative legal scholarship and Islamic finance literature.⁴⁰

Digitally, Indonesia offers end-to-end capabilities but faces uneven uptake beyond metropolitan centers, producing hybrid practice in mediation, evidentiary stages, and verdict delivery, an implementation pattern echoed in empirical and doctrinal Indonesian studies.⁴¹ Malaysia's Civil Courts emphasize online case management (e-review) and extensive video hearings, and scholarship documents growing clarity around electronic evidence and records governance. A salient operational difference is identity assurance: Malaysian work highlights stronger credentialing/PKI-style safeguards that reduce proxy filing and enhance evidentiary trust, whereas Indonesian reports still note staff-assisted filings that raise privacy and *amānah* concerns.

At the level of Courtroom practice, both systems deliberately retain in-person or hybrid stages for disputes with pronounced moral and relational textures. Indonesian Religious Courts frequently preserve face-to-face mediation and critical evidentiary steps; Malaysian practice similarly balances online case management with physical hearings where credibility, solemnity, or community norms are at stake, an approach consistent with Islamic finance litigation analyses.⁴² Authoritative Sharia guidance also differs: Malaysian materials underscore that SAC rulings bind Civil Courts on Sharia questions in Islamic finance matters (*JRI Resources v. KFH*), a point widely discussed in legal commentary and doctrinal notes.

Pragmatic takeaways for Indonesia follow from this comparison: (i) harden digital identity and document integrity to curb third-party accounts and bolster procedural legitimacy; (ii) institutionalize e-review-style online case management to compress pre-trial timelines in ordinary and small-claim Sharia economic cases; and (iii) issue

⁴⁰ Rusni Hassan and Ibtisam Ilyana Ilias, "Islamic Banking Dispute Resolution: The Experience of Malaysia and Indonesia," *IJUMJ: IJUM Law Journal* 30, no. 2 (2022): 317–58, <https://doi.org/10.31436/ijumlj.v30iS2.771>.

⁴¹ Supriadi et al., "Legal Effectiveness of E-Litigation Implementation on Case Settlement: Evidence from the Malang City Religious Court," *Lex Publica* 12, no. 1 (2025): 118–46, <https://doi.org/10.58829/lp.12.1.2025.281>.

⁴² Hasyim Sofyan Lahilote et al., "Digitalisasi Peradilan Di Indonesia Tengah: Studi Implementasi E-Court Dan E-Litigasi Di Pengadilan," *Syariah: Jurnal Hukum Dan Pemikiran* 24, no. 2 (2025): 315–32, <https://doi.org/10.18592/sjhp.v24i2.13879>;; Ethan Katsh and Orna Rabinovich-Einy, *Digital Justice: Technology and the Internet of Disputes* (Oxford University Press, 2017), <https://doi.org/10.1093/acprof:oso/9780190464585.001.0001>.

national technical guidance clarifying which stages are presumptively online versus in person, especially mediation, evidence, witness oaths, and pronouncement of judgments, to reduce inter-Court variability and user confusion. These steps align with the Prophetic Law Perspective: robust identity assurance protects dignity (*ḥifẓ al-ʿird*), efficient case management safeguards time and wealth (*ḥifẓ al-māl*), and calibrated hybridity preserves truthfulness and trust (*ṣidq* and *amānah*).

CONCLUSION

The rollout of e-Court in Indonesia's Religious Courts is a meaningful advance toward justice that is simple, fast, and low-cost, particularly for Sharia economic disputes. Urban courts in East Jakarta, South Jakarta, Surabaya, and Sidoarjo demonstrate clear gains, supported by strong infrastructure and capable personnel. By contrast, rural and peri-urban jurisdictions such as Wonosari, Pematang, Slawi, and parts of Sidoarjo still face infrastructure gaps, low digital literacy, uneven hybrid practices, and recurring problems with e-Summons delivery via PT Pos Indonesia, which collectively blunt the system's effectiveness. To close these gaps, the Supreme Court should tighten rules on hybrid procedures (specifying which stages are online vs in-person), strengthen cooperation with POS through verified addresses and real-time SIPP integration, and enforce accountability for failed deliveries. Budget priorities should include connectivity upgrades, widened internet access, sustained digital-legal literacy programs, and targeted subsidies for low-income litigants, so that e-Court functions as a genuine vehicle for equitable access, not merely a symbol of modernization.

A light comparison with Malaysia points to actionable improvements: adopt stronger digital identity and PKI-based signatures, and institutionalize e-review-style online case management to compress pre-trial stages. For Indonesia, the immediate agenda is to codify clear hybrid standards, harden user and document verification, integrate real-time POS-SIPP tracking with accountability, and invest in infrastructure and user capability. Together, these steps translate e-Court from procedural reform into nationwide equitable and trusted adjudication.

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COMPETING INTEREST

There is no conflict of interest in the publication of this article.

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