

RECONSTRUCTING PROFESSIONAL LEGAL ETHICS WITHIN THE FRAMEWORK OF FIQH QADHA AND QUR'AN: A NORMATIVE STUDY OF ISLAMIC JUDICIAL INTEGRITY

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Abstract: This study examines the crisis of legitimacy currently confronting judicial institutions in Muslim-majority countries, reflected in ethical violations, corruption allegations, and declining public confidence in the judiciary. It argues that this condition requires a reconstruction of professional legal ethics grounded in Islamic normative sources, particularly Fiqh Qadha and Qur'anic principles. Existing scholarship has often focused on procedural aspects of Islamic courts or institutional reforms within secular legal systems, while the substantive ethical reconstruction of the judicial profession remains underexplored. Using a normative juridical method based on library research, this study analyses the Qur'an, classical fiqh literature, contemporary fatwas, and statutory instruments through qualitative textual and jurisprudential comparison. The findings indicate that Islamic judicial ethics are founded on justice (*al-adl*), trustworthiness (*amanah*), intellectual integrity (*fathanah*), and moral steadfastness (*istiqamah*). These principles exceed the procedural minimalism of positive law because they place judicial authority under divine accountability. The study concludes that integrating Fiqh Qadha and Qur'anic values provides a transformative framework for restoring judicial credibility, strengthening institutional legitimacy, and promoting ethical accountability. It recommends Islamic ethics training, shari'ah-based ethics commissions, and maqasid-oriented oversight mechanisms.

Keywords: *Islamic judicial ethics, Fiqh Qadha, Qur'anic principles, professional integrity, judicial reform, maqasid al-shariah*

Abstrak: Penelitian ini mengkaji krisis legitimasi yang dihadapi lembaga peradilan di negara-negara mayoritas Muslim, yang tercermin dalam pelanggaran etika, dugaan korupsi, dan menurunnya kepercayaan publik terhadap institusi peradilan. Kondisi ini menuntut rekonstruksi etika profesi hukum yang berlandaskan sumber normatif Islam, khususnya Fiqh Qadha dan prinsip-prinsip Al-Qur'an. Kajian sebelumnya cenderung membahas aspek prosedural peradilan Islam atau reformasi kelembagaan dalam kerangka hukum sekuler-positivistik, sementara rekonstruksi substantif etika profesi hakim belum banyak dikaji. Dengan menggunakan metode yuridis normatif berbasis studi kepustakaan, penelitian ini menganalisis Al-Qur'an, literatur fiqh klasik, fatwa kontemporer, dan instrumen hukum positif melalui pendekatan kualitatif, hermeneutik tekstual, serta perbandingan yurisprudensial. Temuan penelitian menunjukkan bahwa etika peradilan Islam bertumpu pada keadilan (*al-adl*), amanah, integritas intelektual (*fathanah*), dan keteguhan moral (*istiqamah*). Prinsip-prinsip tersebut melampaui minimalisme prosedural



hukum positif karena menempatkan kewenangan hakim dalam kerangka pertanggungjawaban ilahiah. Penelitian ini menyimpulkan bahwa integrasi Fiqh Qadha dan nilai-nilai Qur'ani menawarkan paradigma transformatif untuk memulihkan kredibilitas peradilan, memperkuat legitimasi institusi, dan meningkatkan akuntabilitas etis melalui pelatihan etika Islam, komisi etik berbasis syariah, serta mekanisme pengawasan berorientasi maqasid.

Kata Kunci: Etika peradilan Islam, Fiqh Qadha, prinsip-prinsip Al-Qur'an, integritas profesional, reformasi peradilan, maqasid al-shariah

INTRODUCTION

The contemporary Islamic judicial system confronts a multifaceted crisis of professional ethics manifesting across institutional, normative, and behavioral dimensions. Judicial corruption, ethical violations by judges, abuse of authority, and the instrumentalization of courts for political purposes represent endemic problems in Muslim-majority countries, reflecting a broader phenomenon of institutional degradation affecting the legitimacy of Islamic legal frameworks. This critical moment represents not merely a technical challenge of institutional management but a fundamental questioning of the epistemological foundations upon which judicial authority itself rests.¹ The convergence of increasing ethical violations, declining public confidence, and the absence of coherent ethical frameworks grounded in Islamic normative sources constitutes an emergency requiring urgent scholarly attention and systematic institutional reconstruction.

The urgency of reconstructing professional legal ethics derives from the cascading consequences of judicial failure for social cohesion, legal legitimacy, and the realization of Islamic values in governance. When judges violate ethical standards of trustworthiness and impartiality, the entire adjudicatory system loses its moral foundation, undermining both the rule of law and public confidence in Islamic institutions.² Beyond institutional dysfunction, ethical judicial failure represents a failure to fulfill the fundamental Islamic obligation of justice (*al-adl*), a principle articulated as binding upon all authority holders in the Qur'an and elaborated extensively in classical fiqh literature. The contemporary prevalence of judicial corruption in Muslim societies demonstrates that positive legal codes and secular institutional frameworks alone have proven insufficient to maintain ethical standards; a reconstruction grounded in transcendent Islamic principles becomes necessary to restore the moral authority of the judiciary and thereby strengthen the legitimacy of Islamic legal systems.

Global scholarship on judicial ethics has developed extensively within secular legal traditions emphasizing procedural justice, institutional independence, and human rights frameworks. Western legal discourse has produced sophisticated literature on judicial conduct codes, disciplinary mechanisms, and institutional accountability structures. However, this scholarship operates largely within anthropocentric and positivist epistemologies that do not

¹ Aris Bintania, Rendra Setyadiharja, and Abd. Rahman Mawazi, "Judicial System in the Islamic Judicial Heritage in the Malay World: The Study of Tsamarat Al-Muhimmah, Written by Raja Ali Haji" 7, no. 1 (n.d.), <https://doi.org/10.35961/perada.v7i1.1385>.

² Azis Gaffar and Narendra Jumadil Haikal Ramadhan, "Violation of the Prosecutor's Professional Code of Ethics in the View of Islamic Law and Its Application in Court" 2, no. 3 (n.d.), <https://doi.org/10.61677/al-masail.v2i3.299>.

adequately accommodate the transcendent ethical dimensions central to Islamic jurisprudence. International comparative studies have examined judicial systems across diverse cultures, yet systematic analysis of how Islamic normative sources uniquely conceptualize judicial ethics remains underdeveloped.³ Furthermore, the global literature predominantly treats Islamic law as a subject for externalist legal analysis rather than engaging its internal normative architectures on their own terms. This represents a significant gap in comparative jurisprudence, as it precludes understanding how Fiqh Qadha systematically addresses judicial ethics in ways that transcend secular professional codes.

Recent Indonesian and Southeast Asian scholarship has examined Islamic judicial practice, particularly within Religious Courts (Pengadilan Agama), yet systematic study of professional judicial ethics grounded in Fiqh Qadha remains limited. Existing research addresses procedural dimensions of Islamic adjudication, family law implementation, and institutional reform, but does not comprehensively reconstruct the ethical foundations of judicial professionalism within classical Islamic jurisprudential frameworks.⁴ Studies examining Code of Ethics and Guidelines for Judges Conduct (KEPPH) in Indonesia have focused on institutional effectiveness and compliance mechanisms without deeply engaging Islamic ethical principles. Furthermore, scholarship on Islamic legal reformism in Muslim-majority Southeast Asia has typically emphasized legislative modernization rather than reconstructing professional ethics from classical sources. The gap between institutional reform literature and fundamental jurisprudential reconstruction creates a situation where ethical standards are borrowed from secular frameworks without sufficient grounding in Islamic normative sources, resulting in disconnection between formal codes and substantive judicial practice.

The central problem addressed by this research concerns the crisis of professional judicial ethics in Muslim-majority legal systems and the absence of a comprehensive normative framework integrating Fiqh Qadha and Qur'anic principles to address this crisis. The research is guided by the following primary questions: (1) What ethical principles concerning judicial professionalism are articulated in classical Fiqh Qadha and Qur'anic sources? (2) How do these Islamic normative principles compare with and exceed contemporary positive law codes of judicial conduct? (3) What institutional mechanisms and reform strategies would operationalize Islamic ethical principles in contemporary judicial governance? (4) How can reconstructed Islamic judicial ethics simultaneously honor classical jurisprudence and address modern governance challenges within pluralistic legal systems?

The theoretical significance of this research lies in its potential to bridge the conceptual divide between Islamic jurisprudence and positive law governance while enriching legal ethics discourse with transcendent normative principles. From an Islamic perspective, the Qur'an establishes justice as an absolute divine imperative binding upon all authority holders, articulating standards of integrity, trustworthiness, and accountability that exceed procedural

³ Yusuf Sani Abubakar, R H Aji, and M Saidi, "The Principles of Natural Justice: A Comparative Analysis Between Secular and Islamic Law in Administrative Decision-Making" 56 (n.d.), <https://doi.org/10.24252/mazahibuna.vi.56855>.

⁴ Muhamad Raka Putra Satriya and M Junaidi, "Urgensi Etika Profesi Hakim Dalam Pandangan Hukum Islam Sebagai Upaya Penegakan Keadilan Di Indonesia" 4, no. 4 (n.d.), <https://doi.org/10.58578/ahkam.v4i4.7515>.

minimalism.⁵ Fiqh Qadha, as the classical Islamic jurisprudence of judicial administration, develops a comprehensive framework addressing judge qualification, ethical conduct, procedural fairness, and accountability mechanisms grounded in divine revelation and prophetic example. This framework exists as a sophisticated legal science with internal theoretical coherence and practical relevance for contemporary governance. In the positive law context, most Muslim-majority nations have adopted secular or hybrid legal systems incorporating Islamic elements, yet the ethical foundations of these systems remain largely disconnected from classical Islamic sources. The theoretical challenge thus involves demonstrating how Islamic principles can effectively ground ethical professionalism while maintaining compatibility with modern institutional structures and democratic governance principles.

This study pursues three interconnected objectives: (1) to systematically reconstruct the ethical principles governing judicial professionalism as articulated in classical Fiqh Qadha and Qur'anic sources, examining how these principles address judge qualification, conduct standards, accountability mechanisms, and the realization of substantive justice; (2) to conduct a comparative analysis between Islamic normative standards and contemporary positive law codes, identifying points of convergence and areas where Islamic principles offer distinctive contributions to professional legal ethics; and (3) to develop a framework for institutional integration of Islamic ethical principles into contemporary judicial governance structures, proposing concrete reform mechanisms that operationalize Fiqh Qadha principles within modern legal systems while respecting institutional autonomy and professional competence requirements.

This research contributes significantly to legal ethics scholarship by establishing a rigorous academic discourse on Islamic judicial professionalism grounded in classical jurisprudential sources rather than derivative interpretations. The study argues that Fiqh Qadha represents not merely a historical artifact but a living jurisprudential tradition offering sophisticated frameworks for addressing contemporary challenges of judicial integrity and public trust. Furthermore, the research demonstrates that Islamic ethical principles centered on divine accountability, transcendent justice, and integral human flourishing provide a distinctive normative foundation for judicial professionalism that exceeds the capacity of purely secular frameworks constrained by positivist epistemologies. By reconstructing judicial ethics within this framework, the study contributes to the theoretical development of Islamic jurisprudence in governance contexts while offering practical guidance for legal reform in Muslim-majority nations. The scholarly contribution extends beyond Islamic legal studies to comparative jurisprudence, demonstrating how religious normative systems can meaningfully engage with modern institutional challenges without compromising either doctrinal integrity or contemporary relevance.

⁵ Tamyiz Mukarrom Candra Boy Seroza M Irfan Rusdi Rizki Lubis Asmuni Asmuni, "Reconstruction of Obligatory Bequest in the Perspective of the Objectives of Islamic Law: Contextualizing Islamic Law in a Case Study of The Secret Wife in Polygamous Marriage," n.d., <https://doi.org/10.29300/mzn.v12i1.3809>.

LITERATURE REVIEW

Contemporary research on judicial ethics and professional legal responsibility reflects several distinct but interconnected trends emerging from multiple disciplinary perspectives. First, there is increasing recognition that judicial ethics cannot be reduced to procedural compliance or bureaucratic regulation but must engage deeper questions of institutional legitimacy, moral authority, and public trust in legal systems.⁶ Second, comparative legal scholarship demonstrates significant variation in how different jurisdictions conceptualize and operationalize judicial ethics, reflecting divergent philosophical traditions, cultural contexts, and institutional structures. Third, scholarship increasingly emphasizes the relationship between judicial ethics and broader governance objectives, recognizing that ethical violations undermine not merely professional standards but fundamental principles of the rule of law and constitutional governance. Fourth, there is a growing body of research examining how religious and ethical frameworks can meaningfully inform professional conduct standards in secular or hybrid legal systems, representing a shift away from rigid compartmentalization of law and religion. These trends collectively indicate that contemporary scholarship is moving toward more integrated, holistic understandings of judicial ethics that incorporate multiple normative sources and recognize deeper philosophical foundations for professional responsibility.⁷

Research examining factors influencing judicial ethics identifies multiple dimensions affecting whether judges maintain ethical standards or engage in misconduct. Institutional factors include the strength of disciplinary mechanisms, independence from external political pressure, adequacy of compensation and working conditions, and the presence of clear ethical guidelines.⁸ Individual factors encompassing judicial background, legal education, moral formation, and personal integrity significantly influence ethical conduct. Contextual factors, particularly the degree of political stability, rule of law, and public institutional trust, create environments either enabling or constraining ethical practice. Islamic law scholarship adds a distinctive dimension by identifying transcendent factors as fundamental motivations for ethical conduct exceeding instrumental or professional concerns.⁹

Research on Islamic judicial administration emphasizes that judges trained in classical fiqh methodology and grounded in religious consciousness exhibit different ethical commitments than those trained exclusively in secular legal paradigms. The comparative analysis of these factors reveals that while institutional and structural variables matter significantly, the deepest determinants of sustained ethical practice involve motivational frameworks grounded in transcendent values and comprehensive worldviews.

Process-oriented research examines how judicial ethics standards are developed, implemented, disseminated, and enforced within legal systems. Classical fiqh scholarship

⁶ Ochirbat Nomuulin and Sodovsuren Narangerel, "Legal and Judicial Ethics: Issues of Professional Responsibility and Integrity" 1209 (n.d.), <https://doi.org/10.14738/assrj.1209.19437>.

⁷ Mustafid Ahmad Iffan et al., "Justice in Human Rights Courts: Integrating the Concept of Islamic Judiciary and the Principles of International Law" 5, no. 2 (n.d.), <https://doi.org/10.47945/muadalah.v5i2.2293>.

⁸ Irman Syiar et al., "Judicial Neutrality in Corruption Trials: A Contemporary Islamic Law Perspective on Independence in Transitional Legal Systems" 4, no. 2 (n.d.), <https://doi.org/10.32332/milrev.v4i2.11425>.

⁹ Abdullah Al-Ghifari, "Etika Profesi Hakim Dalam Perspektif Peradilan Islam" 2, no. 2 (n.d.), <https://doi.org/10.29313/bcsifl.v2i2.2697>.

demonstrates that Fiqh Qadha developed ethical standards through hermeneutical engagement with Qur'anic sources, prophetic example, and rational jurisprudential methodology, creating a rigorous process of ethical derivation grounded in authoritative sources.¹⁰ Contemporary positive law processes typically involve legislative codification of ethical standards, creation of ethics commissions or judicial discipline bodies, and development of professional conduct guidelines communicated through training and enforcement mechanisms.

Recent Indonesian research examines how Religious Courts implement ethical standards drawn from both Islamic jurisprudence and positive law, revealing the complexity of integrating multiple normative sources within institutional practice.¹¹ Process-oriented analysis demonstrates that effective implementation of ethical standards requires not merely formal codification but systemic transformation involving judicial education, institutional culture change, professional socialization mechanisms, and accountability structures. Islamic approaches emphasize that ethical development requires ongoing engagement with classical sources, systematic reflection on judicial practice, and integration of ethical consciousness into professional identity, processes that exceed technical compliance mechanisms.

Research examining the impact of judicial ethics demonstrates that ethical standards, when effectively maintained, produce measurable effects on public confidence, institutional legitimacy, and the quality of justice. Empirical studies indicate that judges demonstrating integrity and impartiality enhance public trust in courts and strengthen social willingness to accept judicial decisions even when unfavorable.¹² Research on corruption in judicial systems shows that ethical violations fundamentally undermine institutional legitimacy, creating cascading distrust affecting all aspects of legal governance. Islamic jurisprudential scholarship emphasizes that judicial integrity serves as the foundation for realizing divine justice in human society, affecting not merely institutional effectiveness but the moral quality of social order itself.

Comparative studies of legal systems demonstrate that jurisdictions maintaining rigorous ethical standards show greater capacity to resolve disputes effectively, facilitate social cooperation, and promote the rule of law. Research on the Indonesian Judicial Commission reveals that independent ethical oversight, while facing institutional constraints, meaningfully contributes to transparency and accountability in judicial processes.¹³ The broader impact analysis suggests that professional judicial ethics functions as a critical variable affecting entire systems of governance, with implications extending far beyond individual judge conduct to encompass fundamental dimensions of social justice and institutional credibility.

¹⁰ Wardatun Nabilah, Ja'far Shodiq, and Deri Rizal, "Basic Analysis of the Exercise of Judicial Power (Integration of Islamic Law and Positive Law)" 12, no. 1 (n.d.), <https://doi.org/10.30736/ji.v12i1.279>.

¹¹ Mohammad Ilhamuna, "Modernizing Islamic Judicial Administration in the Contemporary Era: An Analysis of Responsive Law and Siyasa Idriyyah" 7, no. 1 (n.d.), <https://doi.org/10.20885/mawarid.vol7.iss1.art7>.

¹² Urwatul Wutsqah, "Bridging Islamic Legal Ethics and Humanitarian Values in Judicial Governance: Exploring the Ethical Role of Indonesia's Judicial Commission in Preserving Integrity and Human Dignity" 1, no. 2 (n.d.), <https://doi.org/10.64268/jilhs.v1i2.54>.

¹³ Putra Satriya and Junaidi, "Urgensi Etika Profesi Hakim Dalam Pandangan Hukum Islam Sebagai Upaya Penegakan Keadilan Di Indonesia."

Existing scholarship on judicial ethics, while extensive, exhibits significant limitations when examined from the perspective of Islamic jurisprudential sources. Much Western legal scholarship presupposes a secular-positivist epistemology that effectively precludes engagement with transcendent ethical dimensions central to Islamic normative frameworks. Research on Asian and African legal systems has begun addressing this limitation through comparative approaches, yet comprehensive Islamic jurisprudential reconstruction remains underdeveloped.¹⁴ Studies examining professional ethics in Islamic institutions often emphasize formal compliance with codes rather than deep engagement with classical jurisprudential sources and their contemporary application.

Research on Indonesian judicial ethics has productively examined institutional mechanisms yet has insufficiently integrated the rich resources of classical Fiqh Qadha into ethical analysis. Furthermore, much existing scholarship treats Islamic principles as supplementary to secular frameworks rather than as self-sufficient normative systems capable of addressing governance challenges with distinctive sophistication. The critical evaluation reveals that while contemporary scholarship has produced valuable insights on institutional mechanisms and comparative approaches, it has failed to conduct systematic jurisprudential reconstruction of Islamic judicial ethics grounded in primary sources while maintaining contemporary relevance. This scholarly gap represents both a limitation in existing literature and an opportunity for original contribution.

This research pursues a novel direction by integrating classical Fiqh Qadha with contemporary jurisprudential methodology to conduct comprehensive reconstruction of judicial ethics while maintaining explicit engagement with modern governance contexts.¹⁵ The novelty lies not merely in examining Islamic sources but in demonstrating their capacity to provide sophisticated responses to contemporary ethical challenges while contributing to comparative legal discourse on a global scale. Previous scholarship has examined Fiqh Qadha as historical artifact; this research treats it as living jurisprudence capable of generating original insights for modern practice.

Furthermore, the research advances the field by moving beyond institutional analysis to engage fundamental questions concerning the philosophical foundations of judicial authority, the relationship between transcendent values and positive law, and the integration of religious normativity with democratic governance principles. The research direction establishes that reconstruction of Islamic judicial ethics requires simultaneous fidelity to classical sources and creative engagement with contemporary challenges, resulting in a jurisprudential synthesis that honors tradition while addressing modern realities. This approach opens new directions for Islamic legal studies by demonstrating how classical jurisprudence can meaningfully inform institutional governance without necessitating rejection of modern legal structures or democratic principles.

¹⁴ Windhu Sugiarto et al., "Strengthening Ethical Responsibility in the Prosecutor's Office: A Comparative Study of Positive Law and Islamic Legal Principles" 10, no. 2 (n.d.), <https://doi.org/10.29240/jhi.v10i2.13123>.

¹⁵ Faisol Mahmoud Adam Ibrahim and Moh Aziz Arifin, "The Quran and Positive Law: A Philosophical Review in a Normative Legal Perspective" 4, no. 1 (n.d.), <https://doi.org/10.32503/klausula.v4i1.7036>.

METHOD

This research employs a normative juridical research design based on library research, systematically examining primary and secondary legal sources. The normative approach is used to understand law as a coherent system of principles, values, and rules, rather than simply a social phenomenon within institutional practices. This approach allows the research to analyze how the professional ethics of judges are formulated, justified, and systematized within the framework of Fiqh Qadha (Islamic jurisprudence) and the principles of the Quran. This approach allows for a more in-depth study of the internal structure of Islamic law, allowing the reconstruction of the professional ethics of judges to be conducted based on the logic and methodology of Islamic law itself, rather than through external analytical frameworks that could obscure its normative substance. Furthermore, this research integrates a comparative analysis to compare the principles of Islamic judicial ethics with modern codes of ethics and international standards regarding judicial conduct. Thus, this research not only contributes to the development of Islamic legal studies but also enriches the study of comparative law and professional ethics globally.

The primary unit of analysis in this study is the ethical principles, moral standards, and normative frameworks contained in classical literature Fiqh Qadha and Qur'anic sources regarding judicial professionalism. This study covers various important aspects, such as the requirements for an ideal judge, including knowledge, piety, justice, integrity, and practical wisdom. The research also examines principles of professional ethics such as trustworthiness, honesty, impartiality, moral responsibility, as well as procedural rules regarding fair trials and the prohibition of conflicts of interest. Furthermore, mechanisms for judicial accountability, both through institutional oversight and moral responsibility to God, are a crucial part of the analysis. As a secondary unit of analysis, this study also examines modern codes of ethics and institutional practices in Muslim-majority countries to determine the extent to which contemporary judicial systems implement or deviate from Islamic ethical principles.

The primary data sources for this study consist of various Islamic legal texts and jurisprudential literature discussing normative standards for the judicial profession. First, Quranic verses relating to justice, trustworthiness, judicial authority, and divine accountability were systematically analyzed to understand the ethical foundations of Islamic law. Second, the hadiths of the Prophet Muhammad (peace be upon him) that provide guidance on judicial selection, ethical behavior, and the relationship between judicial duties and religious responsibilities were also used as primary sources. Third, classical texts on Fiqh Qadha from various schools of thought were analyzed to explore the concepts of judicial ethics, judicial procedures, requirements for judicial appointment, and disciplinary mechanisms within the Islamic legal tradition. Fourth, this study also utilized contemporary fatwas and constitutional documents from Muslim countries that integrate Islamic principles into modern judicial systems. Meanwhile, secondary sources included academic literature on Islamic law, professional ethics, judicial administration, comparative legal studies, and policy documents and institutional reforms from various Muslim-majority countries.

Data collection was conducted through systematic documentation and text analysis. The research began with a literature search to identify Islamic jurisprudence texts, Quranic exegesis, hadith, and academic studies relevant to judicial ethics. Next, data extraction was conducted in the form of quotations, concepts, and normative arguments related to the ethics of the judicial profession. In analyzing the Qur'an, the study examined verses on justice, trustworthiness, and moral responsibility through classical and contemporary interpretations. In terms of Islamic jurisprudence (fiqh), the study examined the works of scholars from various schools of thought to gain a comprehensive understanding of how Islamic law systematically constructs a system of judicial ethics. Furthermore, the study collected institutional documents and codes of ethics for judges in Muslim countries to examine the implementation of these principles in modern practice.

Data analysis was conducted using a qualitative-hermeneutic method based on Islamic jurisprudential reasoning. The analysis began with a textual review of primary sources to identify ethical principles and the underlying normative logic. A comparative analysis was then conducted across schools of thought to identify similarities and differences in the scholars' views on judicial ethics. The data were then thematically synthesized into key concepts such as justice, trustworthiness, integrity, accountability, and divine awareness. The study also conducted an institutional analysis of the modern judicial system to assess the extent to which Islamic principles are applied or ignored in practice. This analytical approach seeks to maintain a balance between fidelity to classical Islamic legal methodology and openness to the challenges of modern governance. Thus, the study produces a conceptual framework demonstrating that Fiqh Qadha provides a comprehensive foundation for developing professional ethics for judges that are imbued with integrity, fairness, and relevance to the needs of the contemporary judicial system.

RESULTS

Islamic Normative Framework for Judicial Ethics

The systematic examination of Fiqh Qadha and Qur'anic sources reveals a comprehensive, deeply articulated ethical framework for judicial professionalism that encompasses judge qualification standards, ethical conduct principles, procedural fairness requirements, and accountability mechanisms. Classical Islamic jurisprudence establishes that judicial authority derives not from secular institutional appointment but from a sacred trust (amanah) requiring extraordinary moral and intellectual capacities¹⁶. The Qur'anic foundation for judicial ethics appears in direct divine mandate establishing justice as an absolute obligation: "Indeed, We have sent Our messengers with clear proofs and revealed to them the Scripture and the Scales so that people may uphold justice" (Qur'an 57:25). This revelation articulates that justice represents a divinely ordained objective transcending individual judges' preferences, institutional convenience, or political considerations. The research identifies five core ethical principles articulating Islamic judicial professionalism: (1) Justice (al-adl) as the overarching

¹⁶ Bintania, Setyadiharja, and Mawazi, "Judicial System in the Islamic Judicial Heritage in the Malay World: The Study of Tsamarat Al-Muhimmah, Written by Raja Ali Haji."

purpose and fundamental obligation binding all judicial conduct; (2) Trustworthiness (*amanah*) requiring the highest level of moral integrity and faithful fulfillment of the judicial trust; (3) Knowledge and Wisdom (*fathanah*) establishing that judicial competence encompasses both legal expertise and practical wisdom; (4) Moral Steadfastness (*istiqamah*) requiring consistency between judicial pronouncements and ethical principles; and (5) Divine Consciousness (*taqwa*) grounding judicial authority in transcendent accountability to God rather than human institutions alone.

The reconstruction of Islamic judicial ethics establishes that classical Fiqh Qadha articulates a self-coherent normative system addressing professional judicial responsibility through principles fundamentally grounded in revelation and sustained through sophisticated jurisprudential elaboration. This framework operates on the understanding that judges occupy positions of sacred responsibility requiring extraordinary moral qualifications, rigorous knowledge standards, and unwavering commitment to justice that exceeds the requirements of ordinary professional conduct. The Qur'an establishes that judges answer ultimately to God for their conduct, creating a framework of divine accountability that functions as the deepest motivation for ethical practice. Furthermore, Islamic jurisprudence systematically develops specific ethical standards addressing judge qualifications, comportment, decision-making processes, and accountability to both institutional superiors and the broader community. These ethical standards are not presented as extrinsic regulations imposed upon judicial work but as intrinsic requirements of the judicial office itself, constitutive of what it means to serve as a judge within Islamic tradition. The ethical framework connects professional standards directly to fundamental Islamic principles concerning justice, divine guidance, and human dignity, establishing that judicial ethics is not merely a matter of professional etiquette but a central dimension of Islamic governance and communal welfare.

The detailed examination of Islamic judicial ethics reveals several distinctive features that differentiate classical Islamic approaches from contemporary positive law frameworks. First, the Qur'anic establishment of justice as a divine mandate creates a framework where judges bear ultimate responsibility to God for their decisions, fundamentally affecting motivation for ethical conduct.¹⁷ Classical fiqh develops this accountability through systematic examination of judge qualifications: judges must possess extensive knowledge of Islamic law (*fiqh*), intellectual capacity for reasoning (*ijtihad*), moral integrity enabling trustworthiness (*amanah*), practical wisdom enabling sound judgment (*fathanah*), and justice as a fundamental character trait (*adl*).

The detailed jurisprudential development addresses specific ethical issues: judges must avoid accepting gifts or benefits that might bias judgment, must recuse themselves from cases involving personal interests or family relationships, must provide equal access to justice regardless of litigants' status or wealth, and must base decisions solely on evidence and legal principles rather than personal preference.¹⁸ Islamic jurisprudence articulates detailed procedural fairness standards ensuring litigants receive fair hearings, can present evidence and

¹⁷ Gaffar and Ramadhan, "Violation of the Prosecutor's Professional Code of Ethics in the View of Islamic Law and Its Application in Court."

¹⁸ Al-Ghifari, "Etika Profesi Hakim Dalam Perspektif Peradilan Islam."

arguments, and can understand judicial reasoning. The framework addresses accountability through multiple mechanisms: superior judges (*qadi al-qudat*) supervise judges' conduct and discipline violations, the community maintains right to petition against unjust judges, and judges answer to God for their conduct. Furthermore, Islamic jurisprudence establishes that judges' authority is limited by *shari'ah* principles; judges cannot create law but must apply existing principles, and they remain bound by the same ethical obligations binding all Muslims. This comprehensive framework demonstrates that Islamic jurisprudence addresses judicial ethics not as peripheral professional matter but as central element of legitimate governance.

Comparative Assessment of Islamic and Positive Law Frameworks

The comparative analysis of Islamic judicial ethics with contemporary positive law codes reveals both significant points of convergence and distinctive areas where Islamic principles offer superior normative foundations. Convergence appears in shared commitment to several core principles: both systems emphasize the importance of impartiality and freedom from bias, require judges to avoid conflicts of interest, establish standards for legal knowledge and competence, and recognize necessity for accountability mechanisms.

However, fundamental differences emerge in epistemological foundations and comprehensiveness.¹⁹ Positive law approaches typically ground judicial ethics in secular sources such as constitutional principles of fairness, human rights frameworks, and professional competence standards. Islamic approaches ground judicial ethics in revealed sources the Qur'an and Prophetic example creating a framework where ethical standards are understood as divine mandate rather than human convention. Positive law frameworks generally emphasize procedural fairness and institutional independence, whereas Islamic approaches additionally emphasize transcendent dimensions of judicial conduct including moral formation, religious consciousness, and divine accountability.

The comparative analysis reveals that positive law codes often address judicial ethics through negative prohibitions (what judges must not do), while Islamic jurisprudence emphasizes positive virtues and character development (what judges must cultivate). Furthermore, Islamic frameworks integrate judicial ethics into comprehensive systems of Islamic governance and *maqasid al-shariah*, connecting professional standards to fundamental objectives of Islamic law, whereas positive law typically treats judicial ethics as specialized professional domain disconnected from broader governance purposes.²⁰

The critical comparison demonstrates that while contemporary positive law addresses important aspects of judicial ethics through institutional mechanisms and behavioral standards, Islamic jurisprudential frameworks provide more comprehensive normative foundations for professional judicial responsibility. This does not mean that positive law approaches are fundamentally deficient or that Islamic principles oppose modern institutional safeguards; rather, it indicates that Islamic sources address deeper dimensions of judicial ethics that positive

¹⁹ Abubakar, Aji, and Saidi, "The Principles of Natural Justice: A Comparative Analysis Between Secular and Islamic Law in Administrative Decision-Making."

²⁰ Syiar et al., "Judicial Neutrality in Corruption Trials: A Contemporary Islamic Law Perspective on Independence in Transitional Legal Systems."

law frameworks, operating within positivist epistemologies, cannot fully engage. The Islamic integration of professional ethical standards with transcendent values, moral formation, and divine accountability creates a framework where ethical conduct is motivated not merely by fear of professional discipline or desire for institutional reputation but by fundamental commitment to justice as a divine obligation.

This framework addresses not only formal procedures and behavioral prohibitions but the interior moral transformation and spiritual consciousness required for genuine judicial integrity. Furthermore, the Islamic systematic integration of judicial ethics with *maqasid al-shariah* (objectives of Islamic law), with principles of governance (*siyasah shari'ah*), and with fundamental Islamic values concerning human dignity creates a holistic approach where judicial conduct contributes to overarching purposes of Islamic law. This comprehensiveness means that Islamic ethical frameworks can address contemporary challenges not merely through institutional adjustment but through deepening judges' understanding of their sacred responsibility and their motivation to achieve substantive justice rather than merely formal procedure.

The critical analysis identifies significant implications of these differences for judicial reform and institutional effectiveness. First, the epistemological difference affects how ethical standards are justified and enforced. Positive law justifies ethical standards through institutional effectiveness arguments, human rights principles, or social contract theory; Islamic approaches justify standards through their grounding in divine revelation and their role in realizing divine justice.²¹ This difference affects not merely theoretical understanding but practical implementation: judges motivated by understanding themselves as accountable to God may sustain ethical conduct under conditions where institutional mechanisms are weak, whereas those motivated solely by professional consequences may compromise ethics when institutional safeguards are inadequate. Second, the comprehensiveness difference has implications for addressing the deepest sources of judicial corruption.

Positive law approaches attempt to prevent corruption through institutional mechanisms including oversight, discipline, and transparency; however, these mechanisms remain vulnerable to evasion when judges prioritize political loyalty or personal gain.²² Islamic frameworks, by contrast, address not merely external behavior but internal motivation, attempting to cultivate judges whose commitment to justice operates at the deepest level of consciousness and moral identity. This distinction does not mean that Islamic approaches eliminate need for institutional mechanisms; rather, it suggests that institutional mechanisms function most effectively when combined with deep motivational frameworks grounded in transcendent values.

²¹ Rusdi Rizki Lubis Asmuni Asmuni, "Reconstruction of Obligatory Bequest in the Perspective of the Objectives of Islamic Law: Contextualizing Islamic Law in a Case Study of The Secret Wife in Polygamous Marriage."

²² Iffan et al., "Justice in Human Rights Courts: Integrating the Concept of Islamic Judiciary and the Principles of International Law."

Toward Reconstructed Framework for Judicial Ethics

The reconstruction of professional judicial ethics within the framework of Fiqh Qadha and Qur'anic principles generates several transformative implications for contemporary judicial governance and institutional reform in Muslim-majority legal systems. The research establishes that effective judicial ethics requires integration of multiple dimensions: technical legal knowledge, institutional mechanisms ensuring accountability, procedural fairness standards, professional competence requirements, and deep moral formation grounding judges in transcendent values and commitment to substantive justice. Contemporary judicial systems in Muslim-majority countries, operating primarily within secular or hybrid legal frameworks, have adopted institutional mechanisms borrowed from Western models emphasizing procedural fairness and institutional independence, yet these mechanisms remain insufficient for addressing the deepest sources of judicial corruption and loss of public trust.²³

The reconstruction demonstrates that genuine restoration of judicial integrity requires not merely procedural adjustment but fundamental reorientation of judicial consciousness and institutional culture toward understanding judges as accountable to God, entrusted with sacred responsibility for justice, and obligated to serve the community's moral and spiritual welfare. The framework identifies four institutional dimensions requiring transformation: (1) judicial education and professional development incorporating systematic study of Islamic jurisprudential sources and Qur'anic principles alongside positive law; (2) ethical formation processes including moral mentoring and spiritual development grounding judges in transcendent values; (3) ethical oversight and accountability mechanisms integrating Islamic jurisprudential principles with modern institutional structures; and (4) systemic cultural change establishing that commitment to substantive justice and judicial integrity represents the highest professional value rather than competing with other institutional priorities.

The transformative implications derive from recognition that reconstruction of judicial ethics cannot occur through purely formal institutional adjustment but requires comprehensive reorientation of judicial profession toward integration of Islamic normative principles with modern governance. This reorientation does not require rejection of positive law or institutional mechanisms borrowed from secular models; rather, it involves situating these mechanisms within a deeper normative framework grounded in Islamic principles and transcendent values. The reconstruction demonstrates that judges in Muslim-majority countries occupy a distinctive position requiring integration of multiple ethical sources: positive law establishing institutional procedures and human rights protections, Islamic jurisprudential principles articulating transcendent standards of justice and accountability, and professional ethics codes establishing standards of competence and integrity.

The transformative framework establishes that effective integration of these sources requires not merely adding Islamic content to existing institutional structures but fundamentally reconceiving how judicial authority is understood, how judges are selected and developed, how ethical standards are articulated and enforced, and how judicial responsibility relates to both

²³ Wutsqah, "Bridging Islamic Legal Ethics and Humanitarian Values in Judicial Governance: Exploring the Ethical Role of Indonesia's Judicial Commission in Preserving Integrity and Human Dignity."

institutional accountability and divine accountability. The framework recognizes that judges motivated primarily by secular institutional incentives alone may prove vulnerable to corruption when institutional mechanisms weaken, whereas judges grounded in understanding themselves as accountable to God for their conduct may sustain ethical commitment even under institutional strain.²⁴

The research proposes a reconstructed model for professional judicial ethics integrating Islamic normative principles with contemporary institutional structures and democratic governance. This model, termed the "Maqasid-Grounded Judicial Ethics Framework," operates on several foundational commitments: (1) recognition that judicial authority derives its ultimate legitimacy from commitment to substantive justice grounded in Islamic values and human dignity; (2) understanding that judges bear accountability not merely to institutional superiors but fundamentally to God for their conduct; (3) commitment to integrating transcendent values with institutional procedures, creating coherence between external conduct standards and internal moral formation; and (4) recognition that judicial ethics contributes to overarching purposes of Islamic law including protection of life, intellect, wealth, progeny, and religion, and the realization of justice and human dignity in social life.

The framework establishes specific mechanisms for implementation: (1) creation of Shari'ah-Based Judicial Ethics Commissions integrating Islamic scholars, judges, and institutional representatives to develop ethical standards grounded in Islamic sources and provide ongoing ethical guidance; (2) systematic integration of Islamic jurisprudential and Qur'anic study into judicial education, creating judges with deep understanding of Islamic ethical foundations for their profession; (3) establishment of judicial mentoring and spiritual formation programs grounding judges in transcendent values and understanding of their sacred responsibility; (4) development of oversight mechanisms ensuring both institutional accountability and alignment with Islamic ethical principles; and (5) creation of professional development standards requiring ongoing engagement with Islamic jurisprudence and ethical reflection on judicial practice.²⁵

This reconstructed framework addresses contemporary challenges while remaining grounded in classical Islamic jurisprudential sources, demonstrating how Islamic principles can inform modern institutional governance without necessitating rejection of democratic principles or contemporary legal structures.

DISCUSSION

The comprehensive reconstruction of professional judicial ethics within the framework of Fiqh Qadha and Qur'anic principles establishes that Islamic jurisprudential sources articulate a sophisticated, comprehensive ethical framework for judicial professionalism that addresses dimensions of ethical responsibility inadequately engaged by contemporary positive law

²⁴ Sugiarto et al., "Strengthening Ethical Responsibility in the Prosecutor's Office: A Comparative Study of Positive Law and Islamic Legal Principles."

²⁵ Fahmi Hamdi et al., "Integrating Maqashid Al-Sharia, Fiqh Al-Biah, and Islamic Ethics for Sustainable Water Management" 10, no. 1 (n.d.), <https://doi.org/10.22515/alakhkam.v10i1.11277>.

codes.²⁶ The research demonstrates that classical Islamic jurisprudence develops systematic standards concerning judge qualifications, requiring not merely legal knowledge but extraordinary moral capacity, practical wisdom, and commitment to justice that exceeds typical professional competence standards.

The Qur'anic foundation for judicial ethics creates a distinctive motivational framework where judges understand themselves as accountable to God for their conduct, a principle absent from secular frameworks but critical for understanding Islamic judicial responsibility.²⁷ The research identifies five core ethical principles justice, trustworthiness, knowledge, moral steadfastness, and divine consciousness articulating how classical Islamic jurisprudence systematically addresses professional judicial conduct. Furthermore, the comparative analysis reveals that while positive law and Islamic frameworks share important commitments to procedural fairness and institutional accountability, Islamic approaches provide more comprehensive normative foundations addressing deeper dimensions of judicial ethics including moral formation, transcendent motivation, and integration with broader governance objectives. The transformative implications indicate that reconstruction of judicial ethics in Muslim-majority countries requires not merely institutional adjustment but fundamental reorientation of judicial profession toward integration of Islamic principles with modern governance structures.

The reconstruction of judicial ethics must be contextualized within the specific challenges facing contemporary Muslim-majority legal systems and the broader dynamics of Islamic jurisprudential development in modern contexts. The contemporary crisis of judicial integrity in Muslim-majority countries reflects multiple factors: institutional weaknesses including inadequate independence from political pressure, insufficient disciplinary mechanisms, and limited resources for judicial systems; professional challenges including recruitment of insufficiently qualified judges, inadequate professional development, and vulnerability to corruption; and cultural factors including declining public confidence in institutions, normalization of corruption, and disconnect between formal rules and actual practice. Within this context, the reconstruction of judicial ethics grounded in Islamic principles addresses these challenges not through purely institutional adjustment but through deepening judges' understanding of their professional responsibility and motivation for ethical conduct.²⁸

Furthermore, the contextualization recognizes that Islamic jurisprudence itself is not static but has continuously developed and adapted throughout Islamic history, maintaining living engagement with contemporary challenges while remaining grounded in foundational sources. The modern reconstruction therefore operates within established Islamic jurisprudential tradition of creative interpretation (*ijtihad*) and contextual application (*takhrijat*),

²⁶ Lukis Alam, "Negotiating Ethnic and Religious Identities : Indonesian Chinese Muslims in Shari' Ah Compliant Business" 25, no. 1 (2025): 29–54, <https://doi.org/10.18326/ijtihad.v25i1.29-54>.

²⁷ Jamil Akhtar, "Reinterpreting Religious Authority: Women as Islamic Jurists for Addressing Gender Justice in Pakistan," *Women's Studies International Forum* 116 (2026): 103300, <https://doi.org/https://doi.org/10.1016/j.wsif.2026.103300>.

²⁸ Abubakar, Aji, and Saidi, "The Principles of Natural Justice: A Comparative Analysis Between Secular and Islamic Law in Administrative Decision-Making."

demonstrating how classical principles generate fresh understanding addressing contemporary problems. The contextualization also recognizes that Muslim-majority countries operate within hybrid legal systems incorporating both Islamic and secular or Western-derived legal elements; the reconstruction must therefore demonstrate compatibility between Islamic ethical principles and modern institutional structures rather than requiring wholesale rejection of existing systems. Finally, contextualization recognizes that effective judicial reform requires institutional change, professional development, cultural transformation, and individual moral development operating simultaneously; isolated focus on any single dimension proves insufficient.

The theoretical interpretation of the research findings establishes that professional judicial ethics, when properly understood, represents far more than technical rules or behavioral standards; it constitutes the fundamental expression of how judicial authority relates to justice, to community welfare, and to divine purpose. Classical Islamic jurisprudence interprets judicial ethics through the lens of *maqasid al-shariah*, understanding professional standards as instrumental to realizing the fundamental objectives of Islamic law: protection of life, intellect, wealth, progeny, and religion, and the realization of justice and human dignity in social existence.²⁹

From this perspective, judicial ethics is not constraint imposed upon judicial power but the proper expression of judicial authority, understood as accountability to God for realization of substantive justice. The theoretical interpretation also engages the concept of *amanah* (sacred trust), establishing that judges hold their authority as a trust from God and from the community, obligating them to serve purposes beyond their personal interest. This concept grounds judicial responsibility in transcendent accountability, creating a distinctive theoretical framework where professional ethics addresses the relationship between human conduct and divine purpose. Furthermore, the theoretical interpretation recognizes that judicial ethics operates at multiple levels: behavioral level concerning specific rules and prohibitions; character level concerning moral development and virtue cultivation; institutional level concerning accountability mechanisms and professional structures; and spiritual level concerning understanding of judges' role in advancing divine justice in human society.

The comprehensiveness of this framework distinguishes Islamic approaches from secular frameworks, which typically address behavioral and institutional levels while remaining agnostic about character development and spiritual meaning.³⁰ The theoretical interpretation establishes that effective judicial ethics requires coherence across all these levels, integrating behavioral rules, character formation, institutional mechanisms, and spiritual understanding into a unified framework.

The research deepens understanding of how Islamic normative principles can inform professional ethics within modern institutional contexts, moving beyond treating Islamic sources as historical artifacts or supplementary moral resources to recognizing them as providing distinctive, sophisticated frameworks for addressing contemporary challenges. The

²⁹ Ibrahim and Arifin, "The Quran and Positive Law: A Philosophical Review in a Normative Legal Perspective."

³⁰ Sugiarto et al., "Strengthening Ethical Responsibility in the Prosecutor's Office: A Comparative Study of Positive Law and Islamic Legal Principles."

understanding establishes that Fiqh Qadha represents living jurisprudential tradition capable of generating original insights for modern practice, not merely historical precedent requiring replication. This understanding challenges common assumptions that Islamic jurisprudence is incompatible with modern institutional governance, demonstrating instead that Islamic principles can meaningfully engage contemporary challenges while maintaining their distinctive identity and normative force.

Furthermore, the research understanding establishes that judges cannot operate effectively within purely secular frameworks stripped of normative meaning and transcendent purpose; judges require frameworks helping them understand their work as meaningful, as contributing to purposes beyond institutional effectiveness, and as grounded in values transcending individual preference or institutional convenience. Islamic frameworks provide this normative meaning by connecting judicial work to divine justice and community welfare, thereby addressing deep human needs for purposeful work grounded in transcendent values.³¹ The understanding also recognizes that Islamic principles do not eliminate need for institutional mechanisms, procedures, and modern governance structures; rather, they provide deeper normative foundations upon which institutional mechanisms rest most effectively.

This understanding avoids false dichotomy between Islamic principles and modern institutions, instead demonstrating how transcendent values and pragmatic institutional design can be integrated into coherent frameworks.³² The enhanced understanding also recognizes that effective professional ethics requires simultaneous attention to external structures and internal motivation, to behavioral standards and character development, to institutional accountability and divine accountability.

The research builds upon and significantly extends previous scholarship examining judicial ethics in Islamic contexts and comparative legal studies addressing judicial professionalism. Previous research on Islamic judicial systems has productively examined institutional structures, procedural mechanisms, and contemporary applications of Islamic law in modern courts; however, it has typically treated Islamic jurisprudential sources as historical material to be referenced rather than as living frameworks demanding systematic reconstruction.³³

This research advances beyond previous work by demonstrating how classical Fiqh Qadha can be systematically reconstructed to address contemporary challenges, showing that Islamic jurisprudential sources provide distinctive resources for judicial reform exceeding those available from purely secular frameworks. Previous comparative studies of judicial ethics have examined multiple legal systems and identified varied approaches; however, these studies have generally operated within secular analytical frameworks that treat religious sources as

³¹ Irham, "Integrative Research of Islamic Studies in Indonesian Islamic Higher Education," *Social Sciences & Humanities Open* 13 (2026): 102689, <https://doi.org/https://doi.org/10.1016/j.ssaho.2026.102689>.

³² Denny Suwondo Muhammad Ngazis Ratih Mega Puspa Sari Andri Winjaya Laksana Muhammad Ridwan Lubis, "Integrating Maqasid Al-Shariah in Contemporary Islamic Legal Reform on Drug Policy," n.d., <https://doi.org/10.32332/milrev.v4i1.10665>.

³³ Ilhamuna, "Modernizing Islamic Judicial Administration in the Contemporary Era: An Analysis of Responsive Law and Siyasa Idriyyah."

expressions of cultural belief rather than as sophisticated normative systems with internal coherence and distinctive theoretical contributions.³⁴ This research advances comparative jurisprudence by demonstrating how Islamic principles can meaningfully engage with contemporary institutional challenges, offering frameworks for judicial reform that are theoretically rigorous, practically implementable, and grounded in transcendent values. The research distinguishes itself from previous studies by moving beyond descriptive examination of Islamic judicial practices to conduct systematic jurisprudential reconstruction demonstrating how classical principles generate fresh understanding addressing modern governance challenges.

The implications of this research extend across theoretical, practical, and policy dimensions, offering contributions to multiple domains of legal scholarship and governance reform. Theoretically, the research enriches Islamic legal studies by demonstrating how jurisprudential reconstruction can address contemporary challenges³⁵ while maintaining fidelity to classical sources, advancing methodological understanding of how Islamic law develops and applies across historical periods.

The research contributes to comparative jurisprudence by establishing that religious normative systems possess distinctive theoretical resources for addressing professional ethics that secular frameworks alone cannot fully provide, challenging dominant assumptions that legal sophistication requires secularization. Practically, the research provides judges, judicial administrators, and legal professionals in Muslim-majority countries with frameworks for understanding their professional responsibilities as grounded in transcendent values while operating within modern institutional structures.³⁶ The reconstruction demonstrates how judges can integrate Islamic ethical principles into their professional practice without necessitating rejection of positive law or democratic governance.

Furthermore, the research provides concrete guidance for judicial education, professional development, and ethical oversight systems that incorporate Islamic principles alongside modern institutional mechanisms. At the policy level, the research recommends systematic integration of Islamic jurisprudential study into judicial education curricula, establishment of Shari'ah-Based Judicial Ethics Commissions providing guidance grounded in Islamic sources, development of professional standards articulating Islamic ethical principles in accessible language, and creation of oversight mechanisms ensuring both institutional accountability and alignment with Islamic principles. The research additionally recommends that Muslim-majority countries engage in systematic examination of how positive law codes addressing judicial ethics can be strengthened through explicit incorporation of Islamic jurisprudential principles, creating legal frameworks that integrate multiple normative sources into coherent systems.

³⁴ Wutsqah, "Bridging Islamic Legal Ethics and Humanitarian Values in Judicial Governance: Exploring the Ethical Role of Indonesia's Judicial Commission in Preserving Integrity and Human Dignity."

³⁵ Hacer Şaduman Okumuş and Mustafa Alper Gümüő, "Revitalizing 'mahr' for Muslim Women's Empowerment within Türkiye's Secular Legal System," *Social Sciences & Humanities Open* 12 (2025): 101644, <https://doi.org/https://doi.org/10.1016/j.ssaho.2025.101644>.

³⁶ Ibrahim and Arifin, "The Quran and Positive Law: A Philosophical Review in a Normative Legal Perspective."

CONCLUSION

This study demonstrates that Fiqh Qadha and Qur'anic principles provide a comprehensive and adaptable framework for reconstructing contemporary judicial ethics in Muslim-majority countries. The findings confirm that Islamic legal traditions are not merely historical references, but remain normatively and practically relevant for addressing modern challenges of judicial integrity, corruption, and declining public trust in legal institutions. By employing a normative-juridical approach, the study positions Islamic law as a living and dynamic system capable of integrating ethical, institutional, and spiritual dimensions within contemporary judicial governance.

The study further reveals that judicial ethics in Islam extends beyond formal procedural standards and encompasses moral character, accountability, and transcendental responsibility before God. The integration of Qur'anic values, Prophetic exemplars, and Islamic jurisprudential reasoning establishes a coherent ethical model that rejects the dichotomy between religious normativity and modern legal professionalism. In this regard, the study contributes theoretically to comparative legal studies and professional ethics by demonstrating that Islamic normative systems can interact constructively with contemporary governance frameworks without losing their substantive moral foundations.

Practically, this research proposes an integrated judicial ethics model combining positive law and Islamic ethical principles through institutional reform, judicial education, and transparent oversight mechanisms. The establishment of a Sharia-based judicial ethics commission involving judges, legal experts, and Islamic scholars is recommended to formulate contextual ethical standards and strengthen judicial accountability. Ultimately, the study concludes that reconstructing judicial ethics through Fiqh Qadha and Qur'anic principles is essential for building a justice system grounded in integrity, substantive justice, and public legitimacy in the modern Muslim world.

CREDIT AUTHOR STATEMENT

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REFERENCES

- Abubakar, Yusuf Sani, R H Aji, and M Saidi. "The Principles of Natural Justice: A Comparative Analysis Between Secular and Islamic Law in Administrative Decision-Making" 56 (n.d.). <https://doi.org/10.24252/mazahibuna.vi.56855>.
- Akhtar, Jamil. "Reinterpreting Religious Authority: Women as Islamic Jurists for Addressing Gender Justice in Pakistan." *Women's Studies International Forum* 116 (2026): 103300. <https://doi.org/https://doi.org/10.1016/j.wsif.2026.103300>.
- Al-Ghifari, Abdullah. "Etika Profesi Hakim Dalam Perspektif Peradilan Islam" 2, no. 2 (n.d.). <https://doi.org/10.29313/bcsifl.v2i2.2697>.
- Alam, Lukis. "Negotiating Ethnic and Religious Identities : Indonesian Chinese Muslims in

- Shari'ah Compliant Business" 25, no. 1 (2025): 29–54. <https://doi.org/10.18326/ijtihad.v25i1.29-54>.
- Andri Winjaya Laksana Muhammad Ridwan Lubis, Denny Suwondo Muhammad Ngazis Ratih Mega Puspa Sari. "Integrating Maqasid Al-Shariah in Contemporary Islamic Legal Reform on Drug Policy," n.d. <https://doi.org/10.32332/milrev.v4i1.10665>.
- Bintania, Aris, Rendra Setyadiharja, and Abd. Rahman Mawazi. "Judicial System in the Islamic Judicial Heritage in the Malay World: The Study of Tsamarat Al-Muhimmah, Written by Raja Ali Haji" 7, no. 1 (n.d.). <https://doi.org/10.35961/perada.v7i1.1385>.
- Gaffar, Azis, and Narendra Jumadil Haikal Ramadhan. "Violation of the Prosecutor's Professional Code of Ethics in the View of Islamic Law and Its Application in Court" 2, no. 3 (n.d.). <https://doi.org/10.61677/al-masail.v2i3.299>.
- Hamdi, Fahmi, Kamel Ladraa, Mounir Ben Jammour, Anwar Hafidzi, and Hamidi Ilhami. "Integrating Maqashid Al-Sharia, Fiqh Al-Biah, and Islamic Ethics for Sustainable Water Management" 10, no. 1 (n.d.). <https://doi.org/10.22515/alahkam.v10i1.11277>.
- Ibrahim, Faisol Mahmoud Adam, and Moh Aziz Arifin. "The Quran and Positive Law: A Philosophical Review in a Normative Legal Perspective" 4, no. 1 (n.d.). <https://doi.org/10.32503/klausula.v4i1.7036>.
- Iffan, Mustafid Ahmad, Ali Hasan, Ahmad Addary Padangsidimpuan, and others. "Justice in Human Rights Courts: Integrating the Concept of Islamic Judiciary and the Principles of International Law" 5, no. 2 (n.d.). <https://doi.org/10.47945/muadalah.v5i2.2293>.
- Ilhamuna, Mohammad. "Modernizing Islamic Judicial Administration in the Contemporary Era: An Analysis of Responsive Law and Siyasa Idriyah" 7, no. 1 (n.d.). <https://doi.org/10.20885/mawarid.vol7.iss1.art7>.
- Irham. "Integrative Research of Islamic Studies in Indonesian Islamic Higher Education." *Social Sciences & Humanities Open* 13 (2026): 102689. <https://doi.org/https://doi.org/10.1016/j.ssaho.2026.102689>.
- Nabilah, Wardatun, Ja'far Shodiq, and Deri Rizal. "Basic Analysis of the Exercise of Judicial Power (Integration of Islamic Law and Positive Law)" 12, no. 1 (n.d.). <https://doi.org/10.30736/ji.v12i1.279>.
- Nomuulin, Ochirbat, and Sodovsuren Narangerel. "Legal and Judicial Ethics: Issues of Professional Responsibility and Integrity" 1209 (n.d.). <https://doi.org/10.14738/assrj.1209.19437>.
- Okumuş, Hacer Şaduman, and Mustafa Alper Gümüş. "Revitalizing 'mahr' for Muslim Women's Empowerment within Türkiye's Secular Legal System." *Social Sciences & Humanities Open* 12 (2025): 101644. <https://doi.org/https://doi.org/10.1016/j.ssaho.2025.101644>.
- Putra Satriya, Muhamad Raka, and M Junaidi. "Urgensi Etika Profesi Hakim Dalam Pandangan Hukum Islam Sebagai Upaya Penegakan Keadilan Di Indonesia" 4, no. 4 (n.d.). <https://doi.org/10.58578/ahkam.v4i4.7515>.
- Rusdi Rizki Lubis Asmuni Asmuni, Tamyiz Mukarrom Candra Boy Seroza M Irfan. "Reconstruction of Obligatory Bequest in the Perspective of the Objectives of Islamic Law: Contextualizing Islamic Law in a Case Study of The Secret Wife in Polygamous Marriage," n.d. <https://doi.org/10.29300/mzn.v12i1.3809>.
- Sugiarto, Windhu, Suparto Wijoyo, Sendy Ayu Mitra Uktutias, and Antoni Julian. "Strengthening Ethical Responsibility in the Prosecutor's Office: A Comparative Study of Positive Law and Islamic Legal Principles" 10, no. 2 (n.d.). <https://doi.org/10.29240/jhi.v10i2.13123>.
- Syiar, Irman, Indera Dewi, Fifi Loanardy, Jamil Khairunnisah, and Bilal Hussain. "Judicial

Neutrality in Corruption Trials: A Contemporary Islamic Law Perspective on Independence in Transitional Legal Systems” 4, no. 2 (n.d). <https://doi.org/10.32332/milrev.v4i2.11425>.

Wutsqah, Urwatul. “Bridging Islamic Legal Ethics and Humanitarian Values in Judicial Governance: Exploring the Ethical Role of Indonesia’s Judicial Commission in Preserving Integrity and Human Dignity” 1, no. 2 (n.d). <https://doi.org/10.64268/jilhs.v1i2.54>.