

## ETHICAL CONTESTATION IN LAW ENFORCEMENT: REACTUALIZING ISLAMIC VALUES WITHIN INDONESIA'S RULE OF LAW FRAMEWORK

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**Abstrak:** Pelanggaran nilai-nilai etika dalam penegakan hukum telah menjadi fenomena yang semakin mengemuka di Indonesia dan memicu perdebatan luas di ruang publik, khususnya terkait lemahnya penegakan hukum dan sulitnya mewujudkan keadilan. Artikel ini bertujuan untuk menganalisis kontestasi nilai-nilai etika dalam praktik penegakan hukum melalui upaya mereaktualisasikan nilai-nilai Islam sebagai basis moral guna mewujudkan supremasi hukum yang berkeadilan. Secara akademis, studi ini menegaskan relevansi teori etika normatif yang berpandangan bahwa tindakan yang benar harus selaras dengan norma moral, sementara secara praktis menyoroti pelanggaran etika sebagai persoalan moral serius dalam sistem hukum. Penelitian ini menggunakan pendekatan hukum normatif-filosofis dengan menelaah sumber-sumber hukum dan pemikiran etika, yang selanjutnya dianalisis secara filosofis. Hasil penelitian menunjukkan bahwa perdebatan publik mengenai etika dan lemahnya penegakan hukum telah menjadi fakta sosial yang mencerminkan krisis moral dalam praktik hukum. Oleh karena itu, internalisasi dan penerapan nilai-nilai etika menjadi keharusan agar penegakan hukum tidak terus menjadi objek kontroversi mengenai keadilan dan legitimasi moral. Penelitian ini menyimpulkan bahwa kontestasi nilai-nilai etika dalam penegakan hukum perlu diarahkan melalui mereaktualisasikan nilai-nilai Islam sebagai fondasi etis untuk mewujudkan supremasi hukum. Studi ini merekomendasikan penguatan penanaman nilai-nilai etika berbasis nilai-nilai Islam dalam seluruh proses penegakan hukum guna menciptakan sistem hukum yang adil dan bermartabat.

**Kata kunci:** Nilai Etika, Nilai Islam, Supremasi Hukum, Indonesia

**Abstract:** Violations of ethical values in law enforcement have become an increasingly prominent phenomenon in Indonesia, giving rise to extensive public debate, particularly concerning weak law enforcement and the difficulty of achieving justice. This paper aims to analyze the contestation of ethical values in law enforcement by re-actualizing Islamic values as a moral foundation for realizing the supremacy of law. Academically, this research is significant as it reinforces normative ethical theory, which asserts that morally right actions are those aligned with moral norms. Practically, it highlights ethical violations in law enforcement as a serious moral problem within the legal system. This study employs a normative–philosophical legal approach by examining legal sources and ethical discourses, which are subsequently analyzed through philosophical reasoning. The findings reveal that public debates surrounding ethics and weak law enforcement have become a social fact, reflecting a moral crisis in legal practice. Therefore, the internalization and implementation of ethical values are imperative to prevent law enforcement from continually becoming an object of controversy regarding justice and moral legitimacy. This study concludes that the contestation of ethical values in law enforcement must be directed through the re-actualization of Islamic values in order to realize the supremacy of law. Based on these findings, the study recommends strengthening the internalization of ethical values grounded in Islamic values throughout the law enforcement process to establish a just and dignified legal system.

**Keywords:** Ethical Values, Islamic Values, Supremacy of Law, Indonesia

## INTRODUCTION

The Contestation of ethical values in law enforcement is an interesting theme to examine, both academically and practically, particularly in the context of the re-actualization of Islamic values to realize the supremacy of law. Academically, the contestation of ethical values represents an effort to understand how ethical value struggles manifest in the pursuit of just law enforcement. Practically, law enforcement efforts can be carried out by positioning ethical values as a foundation to ensure that the implementation of law is conducted fairly, independently, transparently, and in accordance with ethical principles. Ethical values are understood as rules that must be followed by every individual or community.<sup>1</sup> In addition, ethics is understood as good conduct that arises through rational and moral deliberation.<sup>2</sup> Ethical values serve not merely as standards or measures but also as considerations for determining the goodness or badness of an action. Thus, research on the necessity of contesting ethical values through the re-actualization of Islamic values in law enforcement is not merely rhetorical but a practical reality that can be implemented. This is because the Islamic values related to the legal system are highly comprehensive and established upon the Divine legal framework, providing credible guidance in mediating conflicts.<sup>3</sup>

Study on the importance of ethical values in law enforcement tends to be associated with the role of ethics, as emphasized by Toule, who stated that ethical guidance serves as a principal foundation in ensuring the correctness of actions in law enforcement practice.<sup>4</sup> Siti Zuliyah's study reveals that in law enforcement, the application of ethical values is essential, functioning as both an instrument and guideline for law enforcers in carrying out their duties and exercising their authority.<sup>5</sup> Oluwatoyin Ajoke Fayayola asserts that ethical values are a process of systematically evaluating ethical issues to become a moral action framework, serving as a basis for judgment grounded in norms, principles, and ethical standards. Furthermore, ethical and moral law enforcement can foster public trust, which in turn depends on the proper implementation of professional ethics rooted in morality.<sup>6</sup> Several previous studies have discussed how ethical values shape the practice of law enforcement. However, existing studies suggest that the importance of contesting ethical values in law enforcement through the re-actualization of Islamic values has not been fully recognized. Hardly any research explicitly links ethical values with the reactualization of Islamic values as a framework of analysis. Therefore, this paper introduces a new perspective that the contestation of ethical values in law enforcement can be realized through the re-actualization of Islamic values in order to uphold a just supremacy of law. This study differs from previous research by employing Immanuel Kant's deontological ethical theory<sup>7</sup> to analyze how ethical values and the actualization of Islamic values play roles in achieving just law enforcement in Indonesia. Consequently, the literature review demonstrates that this research holds both relevance and the potential for further inquiry, as the contestation of ethical values in law enforcement through the re-actualization of Islamic values has yet to be specifically addressed. For these fundamental reasons, this study seeks to offer a distinct analytical perspective compared to prior works.

This research seeks to provide a new analytical perspective on the contestation of ethical values in law enforcement by emphasizing the actualization of Islamic values as a means to achieve the supremacy of law in Indonesia. The general objective of this discussion is to complement the shortcomings found in previous studies. Based on the author's observation, earlier research has

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<sup>1</sup> Gholam et al., "The Role of Ethical Values in the Meaning of Life and Its Impact on Education from the View of Frankl's Approach."

<sup>2</sup> Gholam et al.

<sup>3</sup> Zaimuariffudin Shukri Nordin, Ismail Ruslan, and Nur Hamzah, "Integrating Islamic Law and Customary Law : Codification and Religious Identity in the Malay Buyan Community of Kapuas Hulu" 6, no. 1 (2025): 89–111.

<sup>4</sup> Rina and Toule, "Rule of Law and Rule of Ethic in Law Enforcement in Indonesia."

<sup>5</sup> Zuliyah, "The Importance Of Moral Value Through Law Enforcement In Indonesia In Nonsystematic Legal Approach."

<sup>6</sup> Hamdi et al., "Law Enforcement Professional Ethics : An Analysis of Legal Philosophy on Morality and Integrity in Law Enforcement Practice."

<sup>7</sup> Udayakumar, "Immanuel Kant's Deontology Theory."

not specifically addressed the aspect of ethical value contestation in law enforcement through the actualization of Islamic values in realizing legal supremacy in Indonesia. The specific objective is to answer the question of why contesting ethical values in law enforcement through the actualization of Islamic teachings and values is necessary to uphold the supremacy of law in Indonesia. Therefore, this paper aims to provide a new perspective compared to existing studies, emphasizing the novelty of this research. Research novelty serves as a crucial instrument in academic inquiry, encompassing innovations in methodology or the discovery of new knowledge.<sup>8</sup> Hence, this study is designed to analyze the theme comprehensively and integrally.

This research is based on the argument that ethical values not only play a role in law enforcement but also maintain one's moral integrity in adhering to existing legal rules, grounded in the commitment to legal principles that uphold justice. The implementation of ethical values in law enforcement is necessary<sup>9</sup> to foster individual awareness and compliance with legal norms in order to create a safe and orderly society. The awareness and effectiveness of law enforcement can be enhanced through the reactualization of Islamic values, which provide normative guidance that can be practically implemented to realize the supremacy of law in Indonesia. A study conducted by Ais Surasa demonstrates that building moral integrity is essential for effective law enforcement in Indonesia. Furthermore, ideal law enforcement should correspond to social conditions, necessitating efforts to cultivate legal awareness among both law enforcers and society, as such awareness has direct implications for social life.<sup>10</sup> Therefore, this research tests the hypothesis that the application of ethical values through the re-actualization of Islamic principles can be effectively implemented in law enforcement efforts to achieve the supremacy of law.

## LITERATURE REVIEW

### Contestation

Theoretically, contestation refers to a social practice associated with struggles over specific issues that arise within social life, involving various actors. It represents social practices that factually express disagreement toward established norms,<sup>11</sup> in this case, toward norms in which acts or processes of dispute and debate frequently occur. The theory of contestation is useful for analyzing concepts despite differing interpretations, such as viewing it as a social practice or as an act of opposing norms (principles, rules, or values). Through this opposition, it functions as a form of critique within discourses concerning norms.<sup>12</sup> Conceptually, the theory of contestation serves to reinforce contestation related to social order as well as to act as a critical instrument in addressing value-related issues upheld within legal practices, thus rendering them meaningful in social and civic life.

Contestation in relation to legal practices continuously evolves in accordance with its dynamics. Therefore, the theory of contestation can explain the form of resistance that emerges as a struggle against the legitimacy of norms<sup>13</sup> in this case, legal norms—whose legitimacy serves to strengthen legal sovereignty and ensure its enforcement. Accordingly, the theory of contestation elucidates the development of legal norms in relation to ethical values within the framework of legal supremacy, highlighting the struggle among ethical values grounded in philosophy, culture, and religion. The contestation of ethical values in law enforcement is evident, for example, in the ethically driven pursuit of justice to ensure the realization of legal fairness. Nevertheless, it cannot be denied that a tension persists between the two domains, primarily due to the moral and normative dimensions embedded in law enforcement and compliance.

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<sup>8</sup> Bajuri et al., "Referensi Kunci, State of the Art, Dan Novelty Dalam Pelaksanaan Penelitian Bahasa."

<sup>9</sup> S., "Perspektif Moral Penegakan Hukum Yang Baik."

<sup>10</sup> Ahyani, Surasa, and Suryani, "Idealitas Penegakan Hukum Yang Baik (Ideal) Menurut Gaya Moral Di Indonesia."

<sup>11</sup> Wiener et al., "A Theory of Contestation –."

<sup>12</sup> Wiener et al.

<sup>13</sup> Connectivity, "Understanding Contestation :"

## Ethical Values

Values are, in theoretical terms, beliefs that guide an individual to act based on personal choice. Values can be understood as ideas concerning what is considered significant and meaningful in an individual's life. The role and contribution of ethical values are profoundly influential in human life,<sup>14</sup> including within the sphere of law. On the other hand, ethics is a discipline that examines what is customary or related to habitual conduct.<sup>15</sup> The existence of ethics cannot be separated from discussions concerning moral values, as stated by Zegwaard and Campbell.<sup>16</sup> Meanwhile, Kant's deontological ethical theory posits that actions deemed morally good and right derive their value from duty.<sup>17</sup> From this perspective, ethical values serve as guiding principles for human behavior, shaping what is considered right and good. In such a context, moral existence functions as the fundamental principle governing action. This is because the contestation of ethical values involves debates regarding the notions of good and bad prevailing within society. In the field of law, such contests of values inevitably influence the way law is enforced and justice realized.<sup>18</sup> A conceptual framework of ethical values can be articulated through four core moral principles. *First*, fairness, which underscores justice, autonomy, and impartiality in decision-making processes. *Second*, honesty, a principle grounded in truthfulness, integrity, and the rejection of deceitful practices. *Third*, equality, which emphasizes the equitable treatment of all individuals irrespective of social status, position, or background. *Fourth*, humanity, a moral principle that highlights respect for human dignity, compassion, and ethical sensitivity toward others.<sup>19</sup>

The ethical values have a highly significant relationship with law enforcement. Ethical values influence and shape the decisions and actions of law enforcers in fulfilling their duty as guardians of the supremacy of law. Therefore, law enforcers must possess and implement these ethical values to ensure that their actions do not violate human rights. At the very least, the indicators of ethical value implementation in law enforcement can be observed through three main aspects: *First*, Public trust in the efforts of law enforcement. *Second*, the level of transparency in law enforcement processes, particularly as it relates to moral integrity. *Third*, The existence of equality in the application of law for all citizens. These indicators illustrate that when the contestation of ethical values is properly managed, ethical awareness in legal matters can be achieved. Consequently, law enforcers will be able to consistently implement ethical values in their professional practice.

Immanuel Kant's moral philosophy, known as deontology, posits that human behavior should be assessed based on duty and conformity to universal moral principles, in contrast to utilitarianism, which evaluates actions according to their consequences. According to Kant, moral conduct must respect and acknowledge the intrinsic value of human autonomy and rationality.<sup>20</sup> In other words, Kantian ethics emphasizes the respect for human dignity as the foundation of moral behavior, requiring individuals to act in accordance with moral law rather than for their own

<sup>14</sup> Gholam et al., "The Role of Ethical Values in the Meaning of Life and Its Impact on Education from the View of Frankl's Approach."

<sup>15</sup> Hadi, "Ethics and Logic Analysis in the Development of Science, Technology, and Arts."

<sup>16</sup> Haryanto and Rahmania, "Nilai-Nilai Yang Penting Terkait Dengan Etika."

<sup>17</sup> Udayakumar, "Immanuel Kant's Deontology Theory."

<sup>18</sup> Hidayat, Yunus, and Helmi, "Law Enforcement Ethics and Morality Contribution in Reducing the Culture of Corruption."

<sup>19</sup> Schroeder et al., *Partnerships A Global Code of Conduct to Counter Ethics Dumping Foreword by Klaus Leisinger*.

<sup>20</sup> Nur Syakiran Akmal Ismail et al., "A Narrative Review Of Ethics Theories: Teleological & Deontological Ethics A Narrative Review Of Ethics Theories: Teleological & Deontological Ethics," *IOSR Journal Of Humanities And Social Science (IOSR-JHSS)* 23, no. 7 (2018): 31–38, <https://doi.org/10.9790/0837-2307063138>; Mark D. White, "A Kantian Perspective on Teaching Ethics to Economists," in *Handbook of Teaching Ethics to Economists* (Edward Elgar Publishing, 2023), 278–92, <https://doi.org/10.4337/9781802207163.00021>.

benefit.<sup>21</sup> Kant's deontological framework underscores the objectivity and universality of moral duty, asserting that moral principles apply to all rational beings in all circumstances.<sup>22</sup>

Islamic ethics constitutes a system of fundamental values and principles that guide human behavior in accordance with the teachings of Islam. Its ultimate purpose is to establish a balance between worldly life and the hereafter in the pursuit of happiness and perfection. In his book *Ethical Theories in Islam*, Majid Fakhry explains Islamic ethics through four main dimensions: scriptural morality, theological ethics, philosophical ethics, and religious ethics.<sup>23</sup>

The application of Kant's deontological ethics in analyzing the framework of ethical values alongside Islamic values can be justified on several grounds. First, both share an emphasis on moral obligation, as Kant's deontological ethics assumes the significance of moral duty and the absoluteness of moral law<sup>24</sup> without compromise. This aligns with the spirit of Islamic teachings, which emphasize the moral duty (*akhlak*) to act righteously in accordance with sharia principles. Second, both emphasize intention and motivation: Kant highlights the importance of good will<sup>25</sup> and moral motivation as determinants of moral action, while Islamic teachings similarly underscore the role of intention and motivation in defining the moral worth of human deeds. Third, rationality constitutes a shared value, as Kantian ethics asserts the primacy of rationality in determining moral actions; likewise, Islamic teachings affirm the essential role of reason in understanding and interpreting religious doctrine.

## Islamic Values

In Islam, there are clearly established values grounded in divine revelation<sup>26</sup> (al-Qur'an) and human reasoning, which together form a conceptual framework of values appropriate for practical application. Islamic values constitute a set of moral principles and guidelines that serve as the foundation for the lives of Muslims. The fundamental Islamic values include: *First*, justice, impartiality and the assurance that the rights of every individual are respected and legally protected. *Second*, compassion, benevolence, extended to all beings without discrimination. *Third*, equality, the belief that all humans are inherently equal. Charles E. Merriam emphasizes that justice is a fundamental principle and foundational goal of the state, wherein all individuals are treated equally, thereby eliminating social stratification.<sup>27</sup> When compared to ethical values that can serve as the foundation for law enforcement, Islamic values are equally significant, and indeed more comprehensive and inclusive in all aspects. Compared to ethical values that can serve as the basis for law enforcement, Islamic values are similarly relevant and even more comprehensive across all dimensions of life. Nurcholish Madjid affirms that Islam embodies core values to be implemented in daily life,<sup>28</sup> particularly justice, compassion, and equality for all beings.

The conceptual framework of Islamic values can be outlined through the following key elements: *First*, Tawhīd, a firm belief in the Creator as the foundation of faith. *Second*, morality is the emphasis on practicing moral conduct within social life. *Third*, integrity, honesty in words and actions, is the basis of personal trustworthiness. These elements form the behavioral foundation

<sup>21</sup> Kerstein, "Hastening Death and Respect for Dignity: Kantianism at the End of Life"; Demenchonok, "Learning from Kant: On Freedom."

<sup>22</sup> Mensah and Agyemang, "A Comparative Philosophical Analysis of the Kantian Principle of Moral Theory and the Utilitarian Theory: Applications and Critiques"; Cyprian, Chijioke, and Kingsley, "An Appraisal of Kant's Deontology As a Remedy To Morality Challenges in Nigeria."

<sup>23</sup> Zaroug, "Ethics from an Islamic Perspective : Basic Issues."

<sup>24</sup> Kant, *Groundwork of the Metaphysics of Morals*.

<sup>25</sup> Kant, *Critique of Practical Reason*.

<sup>26</sup> Supriatno et al., "Philosophy of Islamic Values and Life : A Review of the Methodology of Cultivating Islamic Values Towards Modern Culture."

<sup>27</sup> Aringga, "Equality Before the Law in Law Enforcement in Indonesia."

<sup>28</sup> Ardiansyah and Alkosibati, "The Social Relevance of Ḥassān Ḥanafī 's and Nurcholish Madjid 's Thoughts : A Sociological Analysis in the Context of Islam in Indonesia."

of a sincere Muslim.<sup>29</sup> When ethical values are compared with Islamic values in the context of law enforcement in Indonesia, Islamic values offer a broader and deeper role for at least three reasons. First, Islamic values function as spiritual moral guidance reinforced through religious education.<sup>30</sup> Second, they embody the mission of *amar ma'ruf nahi munkar* to enjoin good and forbid evil. Third, Islamic values encourage repentance and self-improvement, providing individuals who commit wrongdoing an opportunity to correct themselves and pledge not to repeat their mistakes. Thus, Islamic values play a crucial role in guiding and directing how the Muslim majority in Indonesia can actualize their religious teachings in support of law enforcement, ultimately contributing to the realization of legal supremacy.

### Supremacy of Law

Supremacy of Law refers to the principle of law as the ultimate authority, meaning that legal problems must be resolved through the implementation of law.<sup>31</sup> This principle is also known as the rule of law, which asserts that law itself holds sovereign power.<sup>32</sup> Supremacy implies the existence of legal protection, where law enforcement within a political system—implemented by the executive, legislative, and judicial branches—is grounded upon authority defined and limited by law. In essence, the supremacy of law represents the primary principle in upholding justice.<sup>33</sup> Therefore, legal certainty must be upheld fairly for all individuals, as law functions in both evaluative and responsive capacities.<sup>34</sup> Law possesses two intrinsic characteristics: command and prohibition, both of which necessitate compliance and impose sanctions upon violations.<sup>35</sup> The three principal pillars of law enforcement institutions are the police, prosecutors, and judges, which also include advocates.<sup>36</sup> When these four institutions function synergistically, the achievement of effective law enforcement within the state becomes feasible. The conceptual framework related to the supremacy of law encompasses four key principles: *First*, justice is the fair and impartial enforcement of law. *Second*, equality is equal treatment of all individuals before the law. *Third*, Legal Certainty is a predictable, interpretable, and consistently applied law.<sup>37</sup> *Fourth*, accountability is the responsibility of law enforcers in carrying out their duties with integrity.

The interaction between those who create the laws and the community that is governed by those laws<sup>38</sup> reflects the dynamic interplay between state policy, societal response, and the rule of law itself. In analyzing the relationship between the contestation of ethical values and the supremacy of law in Indonesia, it becomes evident that such contestation may emerge among competing ethical frameworks. Within the context of Indonesian law enforcement, this can be observed through at least three key indicators: *First*, Equality before the law, ensuring that all individuals are subject to the same legal standards.<sup>39</sup> *Second*, Judicial independence, free from external interference or partiality. *Third*, firm and consistent legal certainty, whereby all individuals must comply with and respect the law. When comparing ethical values and Islamic values, a fundamental distinction lies in their sources. Ethical values may be derived from religion, culture,

<sup>29</sup> Saefullah et al., "Islamic Values and Morality in The Hikayat Nabi Isa Manuscript : A Textual Study."

<sup>30</sup> Bandung et al., "Jurnal Ilmiah IJGIE International Journal Of Graduate Of Islamic Education."

<sup>31</sup> Suci Rahmah Tursina, Firman, and Riska Ahmad, "Konsep Supremasi Hukum, Masyarakat Madani Dan Kaitan Keduanya."

<sup>32</sup> Khalid, Hukum, and Kuning, "Penerapan Supremasi Hukum Di Indonesia : Fakta Atau Ilusi."

<sup>33</sup> Tutik, "Position and Functions of Judges in Enforcing the Supreme of the Law: Case Study of Code of Ethics Violation by Judge."

<sup>34</sup> Supremasi et al., "Lex Et Lustitia."

<sup>35</sup> Rabbani Deden Rafi (Universitas Padjadjaran), "Supremasi Hukum."

<sup>36</sup> Ali Imron, "Jurnal Surya Kencana Dua: Dinamika Masalah Hukum Dan Keadilan Vol. 6 No.1, Maret 2016 83."

<sup>37</sup> Ekotrans and Anshar, "JIEE : The Essence of Legislation in Realizing a Legal State Based on Justice and Welfare."

<sup>38</sup> Suci Rahmah Tursina, Firman, and Riska Ahmad, "Konsep Supremasi Hukum, Masyarakat Madani Dan Kaitan Keduanya."

<sup>39</sup> Ahmad Ihsan Amri and Bayu Dwi Anggono, "Al-Syakhsiyyah IMPLEMENTASI ASAS EQUALITY BEFORE THE LAW ( Sebuah Perbandingan Sistem Peradilan Pidana Di Indonesia Dan Negara Lain ) Ahmad Ihsan Amri , 1 Bayu Dwi Anggono , 2 Fakultas Hukum Universitas Jember PENDAHULUAN Indonesia Adalah Negara Konstitus."

or tradition, whereas Islamic values originate directly from the Qur'an and Hadith, alongside customary practices and cultural contexts that do not contradict sacred scripture.<sup>40</sup> Accordingly, law exists to be enforced—not to be violated. Within this framework, the law functions as the sovereign authority that provides protection and justice for all. The establishment of legal supremacy aligns with the founding purpose of the Indonesian state as articulated in Pancasila and the 1945 Constitution,<sup>41</sup> which envisions the creation of a just, prosperous, and equitable society under the rule of law.

Law holds the highest authority (law as the ultimate sovereign) and must be accepted as the fundamental reference in all matters concerning the pursuit of justice. Accordingly, the supremacy of law in Indonesia represents a core principle asserting that it governs the resolution of social, cultural, economic, and political issues alike. This implies that all individuals, including the government and state officials, are subject to the law and that no one is above it, as everyone is equal before the law.<sup>42</sup>

## METHOD

This research focuses on examining the contestation of ethical values in law enforcement through the re-actualization of Islamic values to achieve legal supremacy in Indonesia. The study limits its scope to analyzing ethical values as essential instruments in law enforcement, viewed through the lens of reinterpreting Islamic principles. The primary focus of this research is to explore how ethical values can guide law enforcement behavior, particularly by promoting integrity, fairness, and moral uprightness in legal practice.<sup>43</sup> By analyzing the contestation of ethical values within law enforcement, this study seeks to reveal that law, by its very nature, must be obeyed by everyone, law enforcers and citizens alike, for the sake of the common good. Thus, this research specifically explores the dynamics of ethical value contestation in Indonesian law enforcement as part of efforts to realize the supremacy of law.

This study employs normative-philosophical law by collecting and processing data, followed by a philosophical analysis. This approach serves three primary purposes:<sup>44</sup> *First*, to explore and examine the foundational assumptions and principles underlying selected theories. *Second*, To develop logical, systematic, and methodological arguments for strengthening particular viewpoints. *Third*, to critically assess and evaluate theoretical frameworks and arguments to achieve holistic understanding. data analysis is essential to ensure the validity of findings by comparing them with previous studies conducted on the same research theme..<sup>45</sup> The data analysis process followed three key stages: *First*, Data Reduction organizing and simplifying data to clarify key findings. *Second*, data Presentation identifying patterns and emerging trends from the findings. *Third*, conclusion Drawing interpreting and synthesizing data to reveal underlying meanings.<sup>46</sup> In addition, it is also necessary to employ an analytic-interpretative approach, which utilizes qualitative research methods to understand and interpret qualitative data.

Through this philosophical and analytical approach, the study aims to develop a comprehensive understanding of how ethical values, when re-actualized through Islamic principles, can contribute to achieving the supremacy of law in Indonesia.

The data for this study consist of both primary and secondary sources collected through library research relevant to the research theme. Primary data were gathered from theoretical

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<sup>40</sup> Haron, Jamil, and Ramli, "WESTERN AND ISLAMIC VALUES AND ETHICS : ARE THEY DIFFERENT?"

<sup>41</sup> Noor, Hasan, and Khasyi'in, "Review of Political Theory of Islamic Law Abul 'Ala Al Maududy Positive Perspective of the Political System of Indonesian Islamic Law."

<sup>42</sup> Aringga, "Equality Before the Law in Law Enforcement in Indonesia."

<sup>43</sup> Anggraeni and Damayanti, "Penegakan Hukum Yang Berkeadilan Di Indonesia."

<sup>44</sup> Istikhomah and Wachid, "Filsafat Sebagai Landasan Ilmu Dalam Pengembangan Sains."

<sup>45</sup> Nugraha, Z, and Winarno, "The Role of Philosophical Schools in Scientific Research."

<sup>46</sup> Rijali, "Analisis Data Kualitatif."

sources—primarily works on Kant’s deontological ethics while secondary data include supporting documents discussing the contestation between ethical and Islamic values. Both types of data were collected, refined, cross-referenced, and analyzed comparatively to ensure coherence and balanced representation. Collectively, these data provide substantial contextual depth for examining ethical value contestation in Indonesian law enforcement.

The process of data collection involved selecting and reviewing relevant theoretical, conceptual, and methodological materials. The stages included identifying credible academic works, organizing them thematically, and classifying data into reliable analytical categories. This careful selection process aimed to ensure the accuracy and validity of the selected literature. Following this, the data were refined and analyzed systematically according to the objectives of the study.

## RESULTS

The contestation of ethical values in law enforcement in Indonesia may occur through the contextualization of Islamic values. This argument operates in close connection with several phenomena: *First*, Ethical failure in law enforcement, *Secondly*, Ethics-religion interface in legal reasoning, *Third*, Impact on rule of law legitimacy. The contestation of ethical values within law enforcement provides an opportunity to enhance public awareness, advance fairer legal development, and strengthen public trust. It can foster greater confidence in the legal and governmental systems, while enabling more effective oversight, including by civil society itself.

In the Indonesian context, a notable instance of ethical value contestation can be seen in the arrest of human rights activist Haris Azhar, who was detained by the police in 2021 for allegedly making hate speech against the Coordinating Minister for Maritime Affairs and Investment, Luhut Binsar Pandjaitan. His arrest prompted widespread support from various human rights and social activists. Within the framework of ethical contestation, this case reflects a violation of legal enforcement and an act of injustice, as Haris Azhar was arrested and detained without a transparent legal process by the law enforcement authorities.<sup>47</sup>

From the discussion above, it is evident that both ethics and law share a common goal—namely, the realization of justice for all members of society without exception. Although in practice, ethical values are often violated in the process of law enforcement, the tension between idealism and undesirable reality persists. Nevertheless, despite operating within different domains, both ethics and law contribute to the creation of justice, as each plays an essential role in shaping individual and collective consciousness, guiding behavior, and formulating just regulations that safeguard the rights of all people.

### 1. Ethical failure in law enforcement

The Public Debate on Ethical Issues in Law centers around ethical concerns arising in law enforcement within Indonesian society. One notable example is the case of Nenek Minah, who was accused of stealing three cocoa beans belonging to PT Rumpun Sari Antan a fact discovered by the company’s field supervisor. Nenek Minah, feeling remorseful, returned the three cocoa beans and apologized to the supervisor. However, the company continued to pursue the case legally and reported it to the authorities (the police).<sup>48</sup> The case was eventually brought before the Purwokerto District Court, where the judge found Nenek Minah guilty.

This case reveals several critical points. First, an impoverished elderly woman was sentenced to one month and fifteen days in prison merely for stealing three cocoa beans. Second, the case demonstrates a loss of public trust in legal institutions that are expected to uphold justice equitably. Third, society’s confidence in ethical values has eroded due to the failure of law enforcement institutions to consider humanitarian aspects.

<sup>47</sup><https://www.mediajustitia.com/berita/tolak-penjagalan-demokrasi-ma-vonis-bebas-aktivis-ham-haris-fatia-dari-kasus-dugaan-pencemaran-nama-baik-pejabat-pemerintahan/>

<sup>48</sup> Jadidah, “Kasus Nenek Minah Ditinjau Dari Perspektif Teori Hukum Positivisme.”



Observation of this case reveals significant trends, namely an ethical failure in the enforcement of law. The law was not upheld fairly, either in terms of morality or humanity. This reinforces the notion that ethical-rational balance has not served as one of the foundational considerations in legal decision-making, even though it should be a determining factor. The consideration referred to in this discussion corresponds to what Kant describes as rational judgment. In Kant's deontological ethics, rationality is emphasized as the key determinant in evaluating the moral worth of an action.<sup>49</sup> This principle underscores that ethical reasoning should not be assessed solely from a humanitarian perspective. Islamic law possesses a complete and well-structured set of legal instruments.<sup>50</sup> Similarly, Islamic law also highlights the role of rationality in the implementation of legal principles, as justice. In this context, *fiqh* plays a crucial role as part of a Muslim's endeavor to realize the Divine will (*sharī'ah*) in practical actions,<sup>51</sup> within the Islamic legal framework, holds its own significance by upholding rational deliberation. Nevertheless, it must also be recognized that in Islamic law, it is an obligation to assist those who are deprived of justice before the law.<sup>52</sup> In this context, a notable historical example can be seen in the decision of Caliph 'Umar ibn al-Khaṭṭāb, who suspended the punishment of hand amputation for theft during a period of severe famine across his territory.<sup>53</sup> In contemporary cases in Indonesia, however, judicial decisions that convict defendants without due consideration of rational judgment reflect a lack of moral reasoning. For instance, when a defendant commits theft not out of greed or to enrich oneself but out of hunger and poverty merely to survive such situations warrant rational and ethical deliberation in judicial decision-making.

The broader public discourse has highlighted ethical dilemmas in law enforcement especially concerning morality and the disregard of humanitarian considerations in legal rulings. The popular expression "the law is sharp downward and blunt upward" seems increasingly evident. Although poverty cannot justify violating the law since the law must apply equally to all it should nevertheless inspire a more compassionate legal perspective. The public continues to question where justice lies when someone becomes a convict merely for acting out of hunger and survival necessity. Thus, proper law enforcement remains a shared societal aspiration<sup>54</sup> but ethical dimensions in legal practice must not be neglected. The disregard of ethics by authoritative institutions in law enforcement<sup>55</sup> fosters disappointment and erodes faith in justice, underscoring the fact that ethical considerations are fundamental to achieving the true supremacy of law. This situation ultimately results in the visible failure to provide adequate legal protection for citizens.<sup>56</sup>

Thus, the ethical deficit in law enforcement in Indonesia arises from a condition in which the implementation of law deviates from prevailing ethical and moral principles. Injustice in law enforcement occurs when ethical principles those that dictate how law should be applied with genuine fairness are neglected. Fundamentally, the weakness of law enforcement and the frequent violations of legal ethics stem from a lack of moral awareness to comply with legal norms, even

<sup>49</sup> Kant, *Critique of Practical Reason*.

<sup>50</sup> Rohmad Adi Yulianto and Abdul Mufid, "Ahkam : Jurnal Ilmu Syariah The Principle of Proportionality in Armed Conflict under International Law and Islam" 25, no. 1 (2025): 105–24.

<sup>51</sup> Muhammad Habibi Siregar and Zulkarnain Abdurrahman, "And Ethical Governance: Negotiating Islamic Normativity and Online Narcissism in Contemporary Indonesia" 24, no. 1 (2025): 181–91, <https://doi.org/10.31958/juris.v24i1.13218>.

<sup>52</sup> Mutiara Fahmi et al., "Islamic Jurisprudence and Local Wisdom in the Humanitarian Protection of Rohingya Refugees by Acehnese Figures" 14, no. 2 (2024): 323–42, <https://doi.org/10.23971/el-mashlahah.v14i2.8958>.

<sup>53</sup> Amin and Sarimov, "Evolution of the Islamic Judicial System : Justice in the Governance of Caliph 'Umar Ibn Al-Khaṭṭāb."

<sup>54</sup> Akbar Kusuma Hadi, "Penegakan Hukum Di Indonesia Dilihat Dari Perspektif Sosiologi Hukum."

<sup>55</sup> Handoyo et al., "Krisis Integritas Penegak Hukum Dalam Jalannya Penegakan Hukum (Menyoroti Kasus Narkoba Teddy Minahasa )."

<sup>56</sup> Tika Widiastuti, "Strategic Solutions for Women ' s Empowerment through Islamic Social Finance in Light of Maq ā ṣ Id Syar ī ' Ah : A Delphi-ANP Approach Keywords : " 20, no. 1 (2025): 28–62.

though enforcing and adhering to the law constitute ethical actions essential for fostering harmony in social life.

## 2. Ethics-religion interface in legal reasoning

The Weakness of Law Enforcement in Indonesia is exemplified by recent bribery allegations involving law enforcement officials.<sup>57</sup> One prominent case concerns Supreme Court Justice Patrialis Akbar, who was implicated in accepting bribes in connection with a legal case he adjudicated. This case illustrates the profound weakness of law enforcement when those entrusted with upholding justice instead become the very perpetrators of legal violations.

Analysis of this case reveals several underlying tendencies. *First*, In legal reasoning, violations of ethical values should never be tolerated, as the law is upheld within a moral framework. The disparity between law and justice cannot be separated from the dynamic nature of legal reasoning itself, considering that legal reasoning is a highly practical instrument that remains capable of accommodating various social problems.<sup>58</sup> Ethics constitutes a system of moral values that provides guidance for human actions.<sup>59</sup> Therefore, in the context of legal implementation, ethics serves as the foundational basis that directs how the law ought to be enforced. Consequently, the primary emphasis of ethics in law enforcement lies in the realization of justice<sup>60</sup>. Secondly, within legal reasoning, an individual is considered to have violated religious values when they breach the law. The rational explanation for this is that legal and religious values are interrelated and mutually reinforcing. The values carried by Islam have a distinct advantage because they are able to adapt to existing traditions and harmonize them with Islamic principles, thereby aligning with ethical contexts, including those within society,<sup>61</sup> as both aim to regulate proper human behavior. The distinction, however, lies in their focus: ethical values seek to foster a good life characterized by harmony and justice, thereby achieving balance between individual and social life, improving the quality of human existence, and cultivating mutual trust between individuals and the community.<sup>62</sup>

Upholding the law constitutes a moral obligation. In this regard, Kant's view through his concept of the categorical imperative underscores the importance of adhering to moral law as an absolute duty, one that is not contingent upon consequences alone.<sup>63</sup> This duty arises from a full awareness of moral and legal responsibility, which must be observed by all individuals without exception including law enforcers themselves. Accordingly, law enforcement will not be inherently weak if it is accompanied by a collective commitment to comply with both moral and legal norms across all levels of society. Hence, to determine whether an action is right or wrong, one only needs to assess whether the action conforms to a valid moral rule.<sup>64</sup> Meanwhile, religious values can play a crucial role in law enforcement as an effective means of fostering legal awareness<sup>65</sup> in the pursuit of justice. Law enforcement can thus be strengthened by incorporating religious values as the foundation for formulating legal norms, upholding the supremacy of law, and ensuring legal protection. This approach aligns with the objectives of Islamic law (*maqāṣid al-shari'ah*), which,

<sup>57</sup> Hukum et al., "IDENTIFICATION OF ABUSE OF POWER IN THE ALLAGED BRIBERY OF SUPREME JUDGES BASED ON LEGAL SOCIOLOGICAL PERSPECTIVE Artikel."

<sup>58</sup> Gustav Radbruch, "LEGAL REASONING COMPARATIVE MODEL OF ASY SYATIBI AND," 2013, 28–30.

<sup>59</sup> Muhammad Yahdi, "No Title" 9, no. 3 (2025): 1465–90, <https://doi.org/10.22373/fqsf065>.

<sup>60</sup> Hidayat, Yunus, and Helmi, "Law Enforcement Ethics and Morality Contribution in Reducing the Culture of Corruption."

<sup>61</sup> Muhamad Riandi, "The Interaction between Islam and Local Wisdom in Indonesia : A Normative-Philosophical Study 02, no. 1 (2025): 93–115, <https://doi.org/10.62976/ajisc.v2i1.1370>.

<sup>62</sup> Supriyatno et al., "Philosophy of Islamic Values and Life : A Review of the Methodology of Cultivating Islamic Values Towards Modern Culture."

<sup>63</sup> Kant, *Critique of Practical Reason*.

<sup>64</sup> Ezedike et al., "Pinisi Discretion Review A Contemporary Analysis of Kant ' s Concept of Goodwill and the Categorical Imperative."

<sup>65</sup> Nordin, Ruslan, and Hamzah, "Integrating Islamic Law and Customary Law : Codification and Religious Identity in the Malay Buyan Community of Kapuas Hulu."

according to al-Shāṭibī, include the preservation of life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), property (*ḥifẓ al-māl*), and religion (*ḥifẓ al-dīn*). These objectives collectively aim to realize human well-being and ultimate happiness.<sup>66</sup> The maqāṣid al-sharīʿah are regarded by Islamic legal scholars as the principal foundation for ijtihād carried out by qualified jurists (mujtahid).<sup>67</sup>

### 3. Impact on rule of law legitimacy

The direct impact of failing to uphold the supremacy of law can be observed through public disappointment, often expressed in the form of criticism within public spaces and social media. This phenomenon arises from the erosion of public trust in legal institutions and law enforcement officials, as people feel that their rights are unprotected and their sense of justice has become increasingly distant. Such a condition inevitably threatens the social order, as society loses its moral compass and confidence in the legal system. When the law is no longer trusted, public disillusionment with legal enforcement grows, resulting in diminished faith in the justice system and its institutions. This is understandable, particularly in light of perceived injustices—such as unequal treatment toward the poor or marginalized groups, contrasted with preferential and advantageous treatment afforded to certain individuals.

A notable case is that of the defendant Harvey Moeis, who was convicted in a massive corruption case that caused state losses amounting to hundreds of trillions of rupiah. Despite the gravity of the offense, he was sentenced to only six years and six months in prison a sentence significantly lighter than the prosecution's demand.<sup>68</sup> His decision triggered widespread public criticism as citizens perceived the ruling as inconsistent with the principle of justice. The leniency of the verdict, given the magnitude of the financial damage (estimated at IDR 271 trillion), deepened public disillusionment and raised serious questions about judicial transparency and fairness.<sup>69</sup>

A study by Aderonke E. Adegbite and George Adesola Asonja<sup>70</sup> emphasizes the need for a comprehensive approach to ethical considerations in legal research in its broadest sense. Moreover, mass media and social media play a significant role as instruments of control in addressing various issues within human life. Consequently, social media constitutes an integral component that cannot be separated from efforts to observe, disseminate, and provide public education related to law enforcement.<sup>71</sup>

Analysis of this case highlights several critical tendencies. First, the public has become increasingly critical of judicial decisions deemed unjust and readily expresses that criticism through social media platforms. Second, the public demonstrates a growing awareness of its rights concerning justice; thus, an unjust verdict represents a form of rights violation. Third, citizens demand transparency and accountability in judicial proceedings, insisting that law enforcers and judges take full responsibility for the decisions they issue.

According to Kant, criticism of legal injustice may arise when moral action is grounded solely in individual or group pleasure particularly when all means are justified in pursuit of self-interest, thereby disregarding the sense of justice within the wider society. Such a tendency often leads to

<sup>66</sup> Islamic, "MAQĀSHID AL-SYARĪ ʿ AH AL-SHĀTHIBĪ AND IBN ʿ ASHŪR ʿ S PERSPECTIVES ON AL-QITĀL VERSE."

<sup>67</sup> Muhammad Shohibul Itmam, "Legal Politics of Mining Spatial Planning in Indonesia : Maqās } Id Syarī ʿ Ah Overview" 25, no. 1 (2025): 1–27, <https://doi.org/10.18326/ijtihad.v25i1.1-27>.

<sup>68</sup> Science, "JUSTLAW : Journal Science and Theory of Law."

<sup>69</sup> Science.

<sup>70</sup> Adegbite and Asonja, "Ethical Considerations in Cross-Border Legal Research : Navigating Cultural Sensitivities and Human Rights Issues."

<sup>71</sup> Goswami, "Research Paper on " The Role of Social Media in the Legal Profession with Ethical Considerations "."

the neglect of justice itself and forms the basis of Kant's critique of utilitarianism.<sup>72</sup> In essence, Kant asserts that justifying any means for personal benefit, especially to favor those who violate the law, sacrifices justice in favor of those with power and influence while disadvantaging others. In contrast, Kant's deontological ethics emphasizes the intrinsic worth and dignity of every individual, which must be respected fairly regardless of social status, as all persons are equal before the law.

This evidence underscores the necessity of maintaining public criticism as a form of social control,<sup>73</sup> since all individuals—including law enforcement officers—are equal before the law. Constructive criticism should be viewed positively as a balancing mechanism that ensures law enforcement stays on the correct path.<sup>74</sup> John Rawls emphasizes the importance of civic rationality, asserting that a fair pluralistic society rests upon equal liberty for all citizens. The absence of such commitment threatens democracy and national unity.<sup>75</sup> Accordingly, law enforcers should interpret public criticism as motivation to perform their duties with integrity and professionalism. By embracing public accountability, they contribute to the establishment of legal supremacy and ensure that justice is achieved for all members of society without discrimination.

The new assertion emphasized in this study is that the legal framework in Indonesia has been well established, and law enforcement officers have been properly educated, even sworn, to act firmly and consistently in carrying out their duties. Ethical and religious values are expected to serve as supporting pillars of this framework. However, the supremacy of law has still not been fully realized. The key finding of this research reveals the absence of moral and religious awareness both among law enforcement officials and law violators in adhering to and upholding the law. Although they possess a clear understanding of moral teachings concerning proper conduct, including consistent compliance with the law, and are well aware of how to apply religious principles in practice, they nevertheless fail to embody and internalize moral and religious consciousness. Religion, in essence, teaches moral goodness to its followers. The lack of moral awareness and the limited practice of religious values significantly influence moral behavior. Ideally, religion should function as a means of self-control and a moral compass that guides individuals to act righteously in accordance with divine teachings.<sup>76</sup>

## DISCUSSION

This study also aims to identify and explain the actors involved in the contestation of ethical values in law enforcement, namely: first, law enforcement institutions (judges, prosecutors, police officers, and advocates); second, the general public; and third, mass media (including social media). Meanwhile, the contestation of ethical values in law enforcement reveals three key findings: First, public debate on ethical issues in law enforcement reveals that violations of law are often committed by law enforcers themselves. This reality has sparked widespread public concern and debate regarding how such misconduct can occur among those entrusted with upholding justice. Consequently, the implementation of a professional code of ethics in law enforcement is indispensable to prevent further disputes and to ensure that justice and ethics are properly integrated into practice. Second, the weakness of law enforcement remains a major obstacle to the realization of legal supremacy. When law enforcers themselves violate the law, it undermines institutional integrity and public trust. A lack of awareness, responsibility, and commitment has weakened the capacity of legal institutions to enforce the law decisively. Genuine law enforcement

<sup>72</sup> Kant, *Groundwork of the Metaphysics of Morals*.

<sup>73</sup> Amin et al., "ANALYZING THE CONTRIBUTION OF CRITICAL THINKING SKILLS AND SOCIAL SKILLS ON STUDENTS' CHARACTER BY APPLYING DISCOVERY LEARNING Keyword s."

<sup>74</sup> Sunaryo, "Konsep Fairness John Rawls, Kritik Dan Relevansinya."

<sup>75</sup> Sunaryo. Husain, Muhammad Zakir. "Religious Moderation and the Development of Multicultural Societies in Indonesia: A Normative-Islamic Legal Study." *ASEAN Journal of Islamic Studies and Civilization (AJISC)* 2.1 (2025): 27-60.

<sup>76</sup> Irawan, "Fungsi Dan Peran Agama Dalam Perubahan Sosial Individu, Masyarakat."

must adhere strictly to legal principles, yet corruption such as bribery by defendants continues to compromise justice. Third, public criticism of judicial decisions reflects society's growing awareness and critical engagement with justice. The public frequently voices dissatisfaction when court rulings fail to uphold fairness, viewing their criticism as a legitimate form of social control. Fundamentally, citizens recognize that all individuals, including law enforcers, are equal before the law.

In this study, the author deems it necessary to clarify that Islamic values are positioned as religious norms that shape moral behavior within Indonesian society, where the majority of the population adheres to Islam. This position aligns with several key arguments. First, the application of Islamic values in the process of law enforcement,<sup>77</sup> does not contradict universal ethical principles. The core of Islamic ethics emphasizes honesty, justice, and benevolence toward all. Hence, Islamic values remain relevant in legal enforcement by maximizing the ethical role of law enforcers to uphold principles of justice, integrity, and strong independence,<sup>78</sup> all of which are consistent with the principles of sharia.<sup>79</sup> Second, *akhlak* (moral conduct) represents the moral mission brought by Prophet Muhammad. Islam stresses the importance of virtuous character; fulfilling one's duty in a proper manner constitutes an expression of moral obedience. This notion parallels Kant's deontological ethics, in which moral duty is fundamental to ethical reasoning.<sup>80</sup> Third, Islamic teaching also emphasizes the importance of legal consciousness.<sup>81</sup> An Islamic model of legal awareness can be promoted within society to enhance understanding and foster positive perceptions of Islamic values as a universal mercy (*rahmatan lil-'alamin*) that should be practically implemented.<sup>82</sup> his understanding corresponds with Kant's deontological ethics, in which legal consciousness serves as a crucial aspect in determining the morality of one's actions—driven by moral obligation, universality of moral principles, and rational consistency,<sup>83</sup> Consequently, morally right actions are those grounded in practical reason. Thus, no epistemological tension exists between universal ethics and Islamic values;<sup>84</sup> rather, they reinforce one another. Although approached from different perspectives, both share the same fundamental principles.

The theoretical perspective: Ethics and values. Kant provides a moral framework, asserting that ethical decisions should be formed through rational consideration of the substance of an action.<sup>85</sup> Within his deontological ethics, Kant emphasizes the concept of moral duty,<sup>86</sup> that every individual has an obligation to adhere to universal moral laws, which constitute the foundation of moral principles. According to Kant, there are three fundamental principles of deontological ethics: (1) moral values as the basis of fundamental duty, (2) universality of ethical principles, and (3) moral deliberation prior to action.<sup>87</sup> Together, these principles are directed toward a single

<sup>77</sup> Billah, Gassing, and Bakry, "Law Enforcement Professional Ethics in the Perspective of History and Philosophy of Law / Islamic Law and Law Enforcement Code of Ethics."

<sup>78</sup> Wirawan, "Understanding of Islamic Law Enforcement in Some Islamic Countries ( Analysis of International Islamic Studies )."

<sup>79</sup> HR, "Lemahnya Penegakan Hukum Di Indonesia." Kurniawan, Cecep Soleh. "Reforming Islamic Family Law in Southeast Asia: A Comparative Study of Indonesia, Malaysia, and Brunei Darussalam." *ASEAN Journal of Islamic Studies and Civilization (AJISC)* 2.1 (2025): 1-25.

<sup>80</sup> Udayakumar, "Immanuel Kant ' s Deontology Theory."

<sup>81</sup> Muyassar et al., "Strengthening Islamic Legal Literacy for Indonesian Migrant Workers in Kuching : Efforts to Ensure Legal Protection and Certainty through Community Service Activities."

<sup>82</sup> Al et al., "Building the Values of Rahmatan Lil ' Alamin for Indonesian Economic Development at 4 . 0 Era from the Perspective of Philosophy and Islamic Economic Law Abstract : Keywords : Abstrak : Kata Kunci :"

<sup>83</sup> Kant, *Groundwork of the Metaphysics of Morals*.

<sup>84</sup> Arkin Haris et al., "Eco- Maqāṣid in Climate Change Campaigns : From an Ecolinguistics Study to the Philosophy of Islamic Law" 18, no. 2 (2024): 219–36.

<sup>85</sup> Abakare, "Kantian Ethics And The Hesc Research : A Philosophical Exploration."

<sup>86</sup> Journal et al., "Human Life Obligations According To Immanuel Kant."

<sup>87</sup> Al-huda, Hakim, and Khairil, "PENDIDIKAN ETIKA PERSPEKTIF IMMANUEL KANT DALAM PENDIDIKAN ISLAM DI ABAD 21."

end—good will, which represents the highest moral intention.<sup>88</sup> Applying Kant's deontological theory to the context of Indonesian law enforcement provides a philosophical understanding that realizing the supremacy of law requires adherence to universal and just moral principles. The essence of morality lies in discerning right from wrong based on intrinsic moral values, thereby aligning ethical action with legal integrity.<sup>89</sup> In harmony with this view, Nurcholish Madjid affirms the foundational Islamic values that must be implemented in everyday life.<sup>90</sup> Islam carries the mission of justice, compassion, and equality for all creation. Consequently, upholding the principle of justice produces a positive and civilizing effect on society, strengthening both moral consciousness and the ethical foundations of legal enforcement.<sup>91</sup>

On the other hand, Islam emphasizes the values of *tawhid* (monotheism), *akhlak* (moral conduct), and *ihsan* (excellence in virtue), which, when implemented, foster goodness for all humankind. Islamic values can contribute to the realization of a just, peaceful, and harmonious society characterized by noble character.<sup>92</sup> Virtuous character (*akhlak al-karimah*) represents the moral virtues that individuals are encouraged to embody, while reprehensible conduct (*akhlak mazmumah*) refers to immoral behaviors that must be avoided. Thus, within the framework of moral teachings, the principles of ethical values and Islamic values converge in guiding human beings toward righteous behavior in both social and civic life.

The study identifies a fundamental issue underlying the contestation of ethical values in achieving fair legal supremacy in Indonesia.<sup>93</sup> Within the legal framework, it is essential to uphold transparency, enforce proportional and just legal sanctions, and ensure ethical accountability.<sup>94</sup> Violations of ethical norms in law enforcement represent a serious moral and institutional crisis.<sup>95</sup> The nation's aspiration to achieve progress, prosperity, and justice cannot be realized if hindered by systemic weaknesses in law enforcement. From this perspective, it can be concluded that achieving fair and independent legal supremacy<sup>96</sup> requires more than the application of ethical principles alone. In a predominantly Muslim society such as Indonesia, Islamic values provide a strong normative framework for justice. Islam carries three core moral principles: justice, compassion, and equality, which, according to Nurcholish Madjid, can be effectively applied to statecraft and governance. The Qur'an repeatedly emphasizes justice, with the term '*adl*' (justice) appearing 28 times and *al-qist* 25 times.<sup>97</sup> signifying the deep relevance of Islamic values to the concept of justice within law.

This study therefore recommends not only the implementation of ethical principles in law enforcement,<sup>98</sup> but also the comprehensive re-actualization of Islamic values. The re-actualization of Islamic values in the Indonesian context refers to efforts undertaken by various elements both the government and the wider society to revitalize Islamic values that are relevant and appropriate to contemporary Indonesian social life. This endeavor is highly feasible given that the majority of the country's population adheres to Islam.

Law enforcement must be guided by the spirit of Islamic teachings aligned with the principles of justice and equity. Furthermore, open dialogue and constructive criticism concerning legal practice should be encouraged as integral elements of a democratic society. Divergent

<sup>88</sup> Goli, "Immanuel Kant's Ethical Thought and Its Relevance in Islamic Religious Education."

<sup>89</sup> Bhakta and Dutta, "Degradation of Moral and Ethical Values Among Indian Youths: An Emerging Issue."

<sup>90</sup> Djamal, "Pelaksanaan Nilai-Nilai Ajaran Islam Dalam Kehidupan Masyarakat Di Desa Garuntungan Kecamatan Kindang Kabupaten Bulukumba."

<sup>91</sup> Almubarak, "Keadilan Dalam Perspektif Islam."

<sup>92</sup> Rawi, "Implementation of Moral Values in the Social Life of Muslim Communities."

<sup>93</sup> "Polemik Dan Tantangan Penegakan Hukum Progresif Di Indonesia Oleh: M. Syafi'ie □."

<sup>94</sup> Ia Hidarya, "A New Restorative Justice Paradigm in the Sociology of Islamic Law in Indonesia : Nahdlatul Ulama and Muhammadiyah's Responses to Corruption Cases" 24, no. 2 (2025).

<sup>95</sup> Vallen Noya and Walakutty, "Hukum Berparadigma Cita Hukum Indonesia Demi Tercapainya Keadilan."

<sup>96</sup> Hanifah and Lewoleba, "Peran Masyarakat Dalam Menjaga Supremasi Hukum."

<sup>97</sup> Saputra, "KONSEP KEADILAN MENURUT AL- QUR'AN DAN PARA FILOSOF Agus Romdlon Saputra \*."

<sup>98</sup> Savelya et al., "Implementasi Etika Profesi Penegak Hukum Dalam."

interpretations of law and justice should be addressed through scholarly debate involving legal experts, practitioners, and the public to enhance the credibility, independence, and transparency of law enforcement institutions. By engaging ethical contestation through the re-actualization of Islamic values, this study envisions the emergence of a moral, accountable, and just legal system that firmly upholds the supremacy of law.

## CONCLUSION

The key findings and implications highlights the central finding that the contestation of ethical values in law enforcement plays a crucial role in achieving the supremacy of law. This study addresses the primary research question: Why is the contestation of ethical values in law enforcement through the actualization of Islamic teachings necessary to realize legal supremacy in Indonesia. In reality, ethical values have failed to be effectively practiced in law enforcement to realize the moral principle of justice for all. Under such conditions, a normative space opens for Islamic values as a rational alternative within the legal system, through the reactualization of Islamic values based on *tawḥīd*, morality, and honesty. Furthermore, the application of equality and compassion as core spiritual principles fosters moral commitment and religious consciousness, encouraging individuals to uphold ethical conduct in the spirit of faith. This framework offers a new perspective for understanding the contestation of ethical values in Indonesia's law enforcement system. The theoretical strength of this study lies in its significant contribution to analyzing the interaction between ethical values and legal practice within the Indonesian context. Practically, the study suggests that while ethical values emphasize the implementation of rational moral principles, Islamic values extend further into the spiritual dimension, encompassing divine norms rooted in the Qur'an and other sacred teachings. Whereas ethical values may be relative and context-dependent, Islamic values address moral issues in an absolute and transcendental manner.

Despite its theoretical and practical contributions, this research acknowledges certain limitations. The study's scope remains specific to selected cases of ethical contestation in law enforcement and may not fully represent the conditions across all regions of Indonesia. Nevertheless, the findings underscore that moral and ethical disputes within law enforcement remain central issues in achieving legal supremacy. The re-actualization of Islamic values, therefore, offers a constructive pathway toward realizing a just and equitable legal order. For future research, it is recommended to expand the analytical scope beyond ethical value contestation, including other interrelated factors influencing the strength and fairness of law enforcement in Indonesia. Although this study is limited in scope, it is expected to serve as a foundation for further inquiry and provide a more comprehensive understanding of the challenges surrounding law enforcement and justice in Indonesia.

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