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Judicial Neutrality in Corruption Trials: A Contemporary Islamic Law Perspective on Independence in Transitional Legal Systems

Abstract: This study examines the dynamics of judicial neutrality in corruption trials within transitional legal systems, analysed through the lens of Contemporary Islamic Law. The research aims to investigate how political pressures, systemic weaknesses, and legal culture affect judicial independence, and to evaluate the alignment of judicial conduct with the ethical and procedural principles embedded in Islamic legal thought. Employing a qualitative legal research method that draws on statutory, case, and conceptual approaches, the study synthesises legal texts, judicial decisions, and scholarly commentaries. The findings reveal that in transitional legal systems, judicial neutrality is often compromised by political interference, inadequate institutional safeguards, and cultural tolerances toward corruption, resulting in a crisis of public trust. From the perspective of Contemporary Islamic Law, the preservation of judicial independence is not only a procedural requirement but also a moral imperative grounded in *maqāṣid al-shārī‘ah*, particularly the protection of justice (*hifz al-‘adl*) and public interest (*maṣlaḥah’ āmmah*). The study concludes that integrating Contemporary Islamic legal principles into anti-corruption judicial reforms can strengthen institutional independence, reinforce ethical accountability, and restore public confidence in the judiciary. This research contributes academically by bridging the discourse between legal reform in transitional contexts and the evolving application of Islamic legal theory to contemporary governance challenges.

Keywords: Corruption Trials, Judicial Neutrality, Legal Reform, Public Trust, Transitional Legal Systems.

INTRODUCTION

Judicial neutrality is one of the main pillars in realising the rule of law and maintaining public trust in the judiciary. In the context of a transitional legal system—one transitioning from an authoritarian regime to a democratic one—judicial neutrality faces significant challenges, particularly in politically nuanced cases and those involving the interests of the power elite. One of the most crucial issues is the trial of corruption cases, where political intervention, public pressure, and potential conflicts of interest often test the judiciary's integrity and independence. This phenomenon occurs not only in Indonesia but also in other countries that have established legal institutions following political reform.¹

Several previous studies have examined judicial independence from various perspectives, both theoretical and practical. Andra Triyudiana et al. (2022), for example, highlight aspects of the Neutrality of the Judge Profession in the Midst of Political Intervention. This study confirms that political intervention is often a serious threat to judges' independence, underscoring the need for a stronger mechanism to maintain the profession's neutrality.² Meanwhile, Rasji et al. (2024), through their study entitled The Neutrality of the Honorary Council of Constitutional Judges in Enforcing the Code of Ethics for Judges: A Comparative Study with the Judicial Commission, provide a more specific perspective by comparing the role of ethics supervisory institutions, both the Honorary Assembly and the Judicial Commission. The focus of this research is on how the two institutions contribute to ensuring that judges remain within the ethical corridor and free from conflicts of interest.³ Adinda Thalia Zahra et al. (2023), in their research titled

¹ Andra Triyudiana et al., 'Netralitas Profesi Hakim Di Tengah Intervensi Politik', *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* 1, no. 01 (2022), <https://journal.forikami.com/index.php/dassollen/article/view/98>.

² Andra Triyudiana et al., 'Netralitas Profesi Hakim Di Tengah Intervensi Politik', *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* 1, no. 01 (2022), <https://journal.forikami.com/index.php/dassollen/article/view/98>.

³ Rasji et al., 'Netralitas Majelis Kehormatan Hakim Konstitusi dalam Menegakkan Kode Etik Hakim: Kajian Perbandingan dengan Komisi Yudisial', *Jurnal Hukum Lex Generalis* 5, no. 10 (2024), <https://doi.org/10.56370/jhlg.v5i10.932>.

"The Problem of Judges' Independence as Executors of Judicial Power," highlight the fundamental challenges judges face in carrying out their judicial functions. The study emphasises that although judges' independence is constitutionally guaranteed, the practice still faces various internal and external obstacles, including political, social, and economic pressures.⁴

Nevertheless, these studies are still dominated by structural, regulatory, and institutional analysis, while the ethical-normative dimension derived from Islamic legal values is rarely included. In fact, in a Muslim-majority society, *sharia* values can provide a strong moral foundation for strengthening the integrity of judges. The research gap is clearly visible, specifically that there have been few studies that combine the political analysis of judicial law in corruption cases within the transitional legal system with the ethical-normative foundations of contemporary Islamic law. Much of the literature separates the study of judicial neutrality from that of Islamic law, even though integrating the two could strengthen judicial independence, especially in Muslim-majority countries undergoing legal reform. The novelty of this research lies in the incorporation of legal political analysis, empirical studies of corruption trials, and the reinterpretation of the principle of justice in contemporary Islamic law as a conceptual framework to strengthen judges' neutrality in the transitional legal system.

Based on this background, this research is directed to answer three main questions: how the practice of judicial neutrality in the trial of corruption cases in countries with transitional legal systems is practiced, what factors influence the crisis of judicial independence in such contexts, and how contemporary Islamic legal perspectives can contribute to formulating the concept of judicial neutrality that is relevant to the transitional legal system. Academically, this research is significant because it fills a literary gap at the intersection of the study of political law, judicial integrity, and contemporary Islamic law. In practice, the findings of this study are expected to serve as a reference for

⁴ Adinda Thalia Zahra et al., 'Problematika Independensi Hakim Sebagai Pelaksana Kekuasaan Kehakiman', *Bureaucracy Journal : Indonesia Journal of Law and Social-Political Governance* 3, no. 2 (2023): 2009-2025, <https://doi.org/10.53363/bureau.v3i2.303>.

policymakers, judicial institutions, and civil society organisations in formulating strategies to strengthen judges' independence and to integrate positive law and Islamic justice principles.

METHOD

This study employs a qualitative legal research design,⁵ integrating legislative, case, and conceptual approaches to comprehensively analyse the neutrality of judges in corruption trials within the transitional legal system. The legislative approach examines national laws and regulations, judicial codes of ethics, and relevant international legal instruments to regulate judges' conduct and combat corruption, alongside contemporary interpretations of Islamic law provisions on justice and judicial independence. The case approach involved an in-depth analysis of selected corruption cases that posed challenges to judicial neutrality, with a focus on the interactions among political influences, institutional protection mechanisms, and judges' decision-making in a transitional context. The conceptual approach examines the relationship between judicial independence and *maqāṣid al-shari‘ah*, in particular the principles of *hifz al‘adl* (protection of justice) and *maṣlaḥah ‘āmmah* (the common good), with reference to legal theories and academic works. Data sources comprise primary legal materials, such as laws, regulations, court decisions, and Islamic legal texts, as well as secondary legal materials, including academic journals, books, and policy reports. Data analysis using a hermeneutical-interpretive framework allows for the contextualisation of legal norms within socio-political reality and for the synthesis of contemporary Islamic legal thought with modern governance principles to formulate normative recommendations.

RESULTS AND DISCUSSION

The Practice of Judicial Neutrality in the Trial of Corruption Cases

Judicial neutrality is one of the main pillars in upholding the rule of law and maintaining the legitimacy of the judicial system. Without neutrality, public trust in court

⁵ Matthew B Miles and A. Michael Huberman, *Analisis Data Kualitatif : Buku Sumber Tentang Metode Metode Baru* (Universitas Indonesia Press, 2014).

decisions will collapse, and the judicial process will lose its function as an instrument of justice.⁶ However, in a country with a transitional legal system, maintaining judges' neutrality is not easy. Political complexity, public pressure, and the legacy of old systems often create challenges that are difficult to avoid. In the trial of corruption cases, especially those involving high-ranking officials or influential political actors, this situation is increasingly felt. In Indonesia, decisions considered too lenient are often accused of political compromise, while those deemed too harsh are often perceived as the result of public or media pressure. This perception, although not always grounded in fact, suggests a crisis of public trust in the judiciary's independence.⁷

The results of observations on several decisions indicate inconsistencies in the application of the principle of neutrality.⁸ These inconsistencies are not only caused by judges' personal weaknesses but also by the judicial system's vulnerability to external influences. A senior judge (HA) admitted, "If the case involves officials or political figures, the atmosphere is different. That pressure is not always in the form of direct instructions, sometimes through public opinion that is constantly being formed."⁹ This statement illustrates that the challenge of neutrality does not always manifest overtly, but is often present through opinion influence and media framing. Similar phenomena also occur in other countries during a political transition. In the Philippines, judges handling high-profile corruption cases are reportedly receiving frequent security threats, while in Guatemala, legislative intervention in the judicial mechanism remains a significant issue.¹⁰

⁶ Aldo Aldo et al., 'Zona Netral Dan Akibat Hukum Menurut Hukum Internasional', *TATOHI: Jurnal Ilmu Hukum* 3, no. 1 (2023): 1-14, <https://doi.org/10.47268/tatohi.v3i1.1547>.

⁷ Rasji Rasji et al., 'Optimalisasi Pengawasan Kode Etik Hakim Konstitusi Berbasis Internal Department of Court Administration Guna Menjamin Clean and Good Judicial', *SAKOLA: Journal of Sains Cooperative Learning and Law* 2, no. 1 (2025): 658-667, <https://doi.org/10.57235/sakola.v2i1.5889>.

⁸ Hendra Gunawan, 'Korupsi Dalam Perspektif Hukum Islam', *Yurisprudentia: Jurnal Hukum Ekonomi* 4, no. 2 (2019): 182-199, <https://doi.org/10.24952/yurisprudentia.v4i2.1506>.

⁹ H A, 'Personal Interview', 2025.

¹⁰ Alva Dio Rayfindratama, 'Kebebasan Hakim Dalam Menjatuhkan Putusan di Pengadilan', *Birokrasi: Jurnal Ilmu Hukum Dan Tata Negara* 1, no. 2 (2023): 1-17, <https://doi.org/10.55606/birokrasi.v1i2.409>.

At the technical level, interventions against judicial neutrality are often carried out in subtle and difficult-to-prove ways. The former clerk of the corruption court (MR) revealed his experience: "It is not through the direct influence of the judge, but through administrative delays, the placement of certain staff, or even the schedule of hearings arranged in such a way."¹¹ This form of intervention demonstrates that threats to neutrality can arise through administrative mechanisms that appear procedural but are in fact significant. From the perspective of legal practitioners, this problem cannot be separated from the legal culture factor. A senior lawyer (FD) assessed, "The problem is not only the rules or code of ethics, but the mindset. If judges are used to working in a compromising culture from the beginning, the code of ethics becomes just a formality." This statement shows that building neutrality depends not only on a positive legal framework but also on reforming the judiciary's mentality and work ethic.¹²

Weak protections for judges also exacerbate the vulnerability of neutrality in the transitional legal system. Security threats, both physical and psychological, can affect the judge's perspective in deciding cases. In some cases, this threat leads to judges being placed in safer administrative positions or even to mutations that affect the continuation of their careers. This factor prompts some judges to choose the "middle ground" in their decisions, not just for the sake of the law, but also for personal safety and to maintain their position. Normatively, judges' neutrality is regulated by a code of ethics and supervisory mechanisms, both internal to the Supreme Court and external to the Judicial Commission. However, in countries with transitional legal systems, the effectiveness of these mechanisms is often limited. Limited supervisory capacity, lack of resources, and resistance from the judiciary itself are obstacles. As a result, the monitoring mechanism often plays a reactive rather than preventive role.¹³

¹¹ M R, 'Personal Interview', 2025.

¹² F D, 'Personal Interview', 2025.

¹³ Alva Dio Rayfindratama, 'Kebebasan Hakim Dalam Menjatuhkan Putusan di Pengadilan', *Birokrasi: Jurnal Ilmu Hukum dan Tata Negara* 1, no. 2 (2023): 1-17, <https://doi.org/10.55606/birokrasi.v1i2.409>.

This condition leads to the conclusion that the neutrality of judges is not only a legal-formal issue, but also a matter of legal culture, professional protection, and institutional integrity. Building a truly neutral justice system requires reforms that address structural, cultural, and personal aspects simultaneously. Without it, neutrality will remain a slogan that is difficult to realise in practice. By understanding these dynamics, it becomes clear that maintaining judicial neutrality in corruption cases within a transitional legal system requires moral courage, professionalism, and adequate institutional support. Without such support, judges will continue to be at the crossroads between enforcing the law and adjusting to oppressive political realities.¹⁴

Factors Influencing the Crisis of Judicial Independence

The crisis of judicial independence in corruption cases in countries with a transitional legal system does not appear in a vacuum. It is the result of the interaction of various mutually reinforcing factors, ranging from political pressures to structural weaknesses, to complex socio-cultural dynamics. These three dimensions form an ecosystem that renders judges' positions vulnerable to overt and covert intervention. The political dimension is one of the most obvious factors.¹⁵ In many cases, judges are not only tasked with enforcing the law but also with dealing with executive and legislative powers that have a direct interest in the outcome of the decision. A corruption judge with the initials HA admitted, "If our verdict is considered to interfere with certain political interests, the risk can be sudden mutation or even frozen promotion." This statement highlights that, in practice, independence is often compromised for career advancement or personal security.¹⁶

¹⁴ Başak Çali, 'On Interpretivism and International Law', *European Journal of International Law* 20, no. 3 (2009): 805-822, <https://doi.org/10.1093/ejil/chp038>.

¹⁵ Mellani Mugia Adhita, 'The Independence of Constitutional Court Judges in the Case of Testing the Law Containing Conflict of Interest in the Decision of Mk No. 90/PUU-XXI/2023', *Nusantara: Journal of Education, Arts, Science and Social Humanities* 1, no. 02 (2023), <https://journal.forikami.com/index.php/nusantara/article/view/440>.

¹⁶ H A, 'Personal Interview', 2025.

This political pressure prompted some judges to adopt a "middle way" in sentencing. This middle ground is often viewed as a survival strategy, but to the public, it can be perceived as a sign of compromise or partisanship. This dilemma puts the judiciary at double risk: losing public trust while being targeted by sustained intervention by interested parties.¹⁷ The structural dimension exacerbates the problem. Existing regulations often do not provide judges with adequate grounds to refuse intervention. Former clerk of the corruption court, MR, revealed, "The judge is sometimes alone. If he refuses a certain request, there is no guarantee that the institution will defend him."¹⁸ This lack of protection creates a space that allows political and economic forces to manipulate the judicial process. The accumulated burden of cases adds to vulnerability. In the rush to examine the case, the space to comprehensively analyse the evidence becomes limited.

The prevailing supervision system is also not effective. Although the Supreme Court and the Judicial Commission have a mandate to supervise judges, weak coordination makes supervision more reactive than preventive. Violations are processed only after they occur, while early prevention is rare. In this loose space, informal practices that influence decision-making can flourish undetected. The socio-cultural dimension is no less influential. Massive public opinion, especially amplified by biased media reporting, can create significant pressure on judges. A senior advocate, FD, recounted his experience speaking with a judge: "He said that sometimes they are afraid that if the verdict does not meet public expectations, their names will go viral in the media with negative labels."¹⁹ This kind of fear can shift judges' focus from law enforcement to maintaining their personal image. Media bias exacerbates the pressure. Excessive framing of a case's sensational aspects often leaves the judge in a position where the verdict must "look fair" in the public eye, even though the facts of the trial lead to different conclusions.²⁰

¹⁷ Semuel Walangitan, 'Independensi Mahkamah Konstitusi di Tengah Tekanan Politik', *Indonesia of Journal Business Law* 4, no. 2 (2025): 45-56, <https://doi.org/10.47709/ijbl.v4i2.6596>.

¹⁸ M R, 'Personal Interview', 2025.

¹⁹ F D, 'Personal Interview', 2025.

²⁰ Kusnu Goesnadhie S, 'Prinsip Pengawasan Independensi Hakim', *Jurnal Hukum IUS QUA IUSTUM* 14, no. 3 (2007), <https://journal.uii.ac.id/IUSTUM/article/view/1083>.

Behind all that, a cultural heritage of compromised law has developed over time. In such a system, loyalty to hierarchy or political interests is often considered more important than the courage to enforce a purely law-based verdict²¹. As long as this culture persists, the code of ethics will remain a formality that can be easily disregarded for the sake of maintaining security of position or power relations. These three dimensions—political, structural, and socio-cultural—do not operate in isolation, but reinforce each other. Political pressure capitalises on structural weaknesses, while public and media pressure amplify its effects. In such a situation, judicial independence is the target of intervention from multiple directions simultaneously, making the protection of judges even more urgent.²²

Therefore, fixing the crisis of judicial independence requires a comprehensive approach. Reforms should include adequate protection for judges from political interference, an improved, more proactive supervisory system, and efforts to build public awareness of the importance of judicial neutrality. Without changes in these three areas, independence will remain a principle on paper, difficult to realise in practice.

Table 1. Summary of Factors of the Crisis of Judicial Independence in Corruption Cases in the Transitional Legal System

Dimension	Key Factors	Pressure Forms	Impact on Judges	Source of Findings
Politics	Executive/legislative intervention	Mutations, career freezes, criminalisation	Decisions influenced by political interests	Interview, Hirsch (2004)
Structural	Regulatory gaps, weak supervision, and high case burden	Time pressure, minimal protection	Deterioration in the quality of examinations and verdicts	Wawancara, Transparency International (2021)

²¹ Ali Maulida et al., ‘Tindak Pidana Korupsi Dalam Perspektif Hukum Indonesia dan Pidana Islam’, *Al-Mashlahah Jurnal Hukum Islam dan Pranata Sosial* 8, no. 01 (2020): 43-67, <https://doi.org/10.30868/am.v8i01.677>.

²² Asma Ulhusna Br Lingga et al., ‘Implementasi Hukum Jinayah Dalam Menangani Kejahatan Korupsi Perspektif Syariah’, *Jurnal Pendidikan Tambusai* 9, no. 1 (2025): 4495-4504.

Socio-cultural	Public opinion, media bias, populist expectations	Psychological and reputational stress	Populist verdict, <i>trial by the press</i>	Interview, Posner (2010)
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Source: Author's Interpretation

The table above maps the three main dimensions that affect the crisis of judicial independence in corruption cases in the transitional legal system, namely political, structural, and socio-cultural, along with empirical indicators and data from field interviews. The political dimension highlights the influence of executive and legislative intervention, as evidenced by threats of judicial mutation, career freezes, or the criminalisation of judges who issue decisions that diverge from political interests. This is also reinforced by the informant's recognition that political pressure is often covert and legitimised through administrative mechanisms. The structural dimension highlights weaknesses in regulation and internal oversight that make it difficult for judges to refuse intervention, as well as a heavy case burden that reduces the depth of scrutiny. Interviews revealed that the lack of legal protections for judges is often exploited by interested parties to influence the trial process.

Meanwhile, the socio-cultural dimension describes the influence of public opinion, biased media, and societal expectations that drive judges to make populist decisions. Some of the judges interviewed admitted that they had sacrificed legal consistency to maintain public legitimacy and avoid negative stigma. These three dimensions are intertwined, forming a systemic condition that erodes judicial neutrality and increases the opportunity for distortions in the enforcement of corruption laws.

The Role of Contemporary Islamic Law in Strengthening Judicial Neutrality in the Transitional Legal System

The role of contemporary Islamic law in strengthening judicial neutrality within the transitional legal system cannot be separated from the ethical and normative dimensions it brings. The principle of *al'adālah* (justice) places the judge as the party who is obliged to weigh the case objectively, without being influenced by the social status, wealth, or power

of the litigant. This principle aligns with the *maqāṣid al-sharī‘ah*, particularly *hifz al-māl* (protection of property) and *hifz al-nafs* (protection of life), which require the judiciary to eradicate corruption to uphold public interest.²³ In practice, this requires judges not only to understand the legal text but also to interpret the case within the framework of substantive justice.²⁴ The concept of *al-amānah* (integrity) emphasises that the position of a judge is a mandate that must be carried out with full responsibility. Judges are not only the judges of cases, but also the guardians of public trust in the judiciary. Meanwhile, the principle of *wasatiyyah* (moderation) guides judges to avoid excessive partiality towards one of the parties.²⁵

In an interview with one of the senior judges of the High Court, who wished to remain anonymous, he emphasised that the principles of *al-amānah* and *al-adālah* are not mere rhetoric. According to him, "Judges in transitional countries are often at the crossroads between written rules and unwritten interventions. Islamic values such as trust and justice can be a 'moral compass' that keeps us on the right track, despite pressure coming from various directions." This testimony demonstrates that Islamic values extend beyond the normative level, becoming a personal guide in judicial practice. However, in the context of a secular transitional legal system, integrating these principles requires reinterpretation. The application of Sharia values in state law must be negotiated within the framework of positive legal norms. Thus, a synergy is created between the framework of religious ethics and the modern legal structure, without causing ideological clashes. This

²³ Irwan Waris et al., 'Reframing Public Policy on Narcotic Case Dismissals: Integrating Maqasid al-Shari‘ah and Restorative Justice in the Contemporary Era', *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 566-596, <https://doi.org/10.32332/milrev.v4i1.10579>.

²⁴ Malthuf Siroj, 'Korupsi Dalam Perspektif Hukum Islam Dan Strategi Pemberantasannya', *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 11, no. 2 (2016): 293-312, <https://doi.org/10.19105/alihkam.v11i2.1038>.

²⁵ Syamsul Anwar, 'Korupsi Dalam Perspektif Hukum Islam', *Jurnal Hukum IUS QUA IUSTUM* 15, no. 1 (2008), <https://doi.org/10.20885/iustum.vol15.iss1.art8>.

process is crucial to ensure that Sharia values are not perceived as a threat but as a contribution to the integrity of the judiciary.²⁶

Islamic law is essentially dynamic and adaptive. Therefore, its principles can be adapted to address contemporary challenges, such as the politicisation of the judiciary and structural corruption. This flexibility provides judges in transitional countries with the opportunity to apply Islamic values contextually without compromising the legitimacy of the prevailing positive law. This is important because the most significant challenge lies not only at the regulatory level but also in law enforcement officials' mindset. In practice, the integration of contemporary Islamic legal values must also take into account the challenges of legal globalisation. Countries with transitional legal systems often adopt judicial models from other countries that may not be compatible with local or religious values. This is where the relevance of the *wasatiyyah* principle becomes important, namely as a middle point that allows for the absorption of international law principles without sacrificing the roots of local values. This approach fosters harmony between the demands of legal modernisation and the need to preserve the nation's ethical identity.²⁷

However, applying these values is inseparable from obstacles. Political pressure, dependence on office, and weak accountability mechanisms are factors that test judges' ability to maintain neutrality. From the results of interviews with young judges at the District Court, it was revealed that "Ideally, all judges hold the principle of justice. However, the reality is that not everyone dares to resist intervention. This is where the role of ethical education and spiritual formation must be strengthened." This view shows that strengthening Islamic values in the judiciary requires systematic institutional support.²⁸

²⁶ Andri Winjaya Laksana et al., 'Integrating Maqasid Al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy', *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 416-439, <https://doi.org/10.32332/milrev.v4i1.10665>.

²⁷ Kusnu Goesnadhie S, 'Prinsip Pengawasan Independensi Hakim', *Jurnal Hukum IUS QUA IUSTUM* 14, no. 3 (2007), <https://journal.uii.ac.id/IUSTUM/article/view/1083>.

²⁸ Esra Julita BR Pa et al., 'Analisis Strategi Pencegahan Korupsi Menurut Perspektif Hukum Islam Dalam Implementasi Asas Legalitas Tindak Pidana: Hukum Islam Dalam Konteks Pencegahan Korupsi', *Mandub: Jurnal Politik, Sosial, Hukum Dan Humaniora* 1, no. 4 (2023): 268-279, <https://doi.org/10.59059/mandub.v1i4.646>.

The integration of contemporary Islamic law in the judiciary also has strategic implications for legal reform. Not only does it strengthen judges' moral legitimacy, but it also increases public trust in the judiciary. Public trust is a form of social capital that significantly determines the effectiveness of judicial institutions. If the public sees the judge as a figure who upholds trust, the legitimacy of the court's decision will be more readily accepted, even when it is not in favour of all parties. From a sociological perspective, applying the principles of al-adālah and al-amānah can also create a domino effect among other law enforcement officials. The integrity of judges will encourage prosecutors, lawyers, and police officers to adjust their ethical standards. This effect has the potential to gradually change the legal culture, allowing the transitional legal system to develop into a more mature and stable one. In the long run, this can reduce entrenched corrupt practices.²⁹

Therefore, the perspective of contemporary Islamic law not only serves as a moral discourse but can also be an integral part of judicial reform in countries with transitional legal systems. This integration will build a legal culture that places judicial neutrality not only as a professional obligation, but also as a moral and spiritual commitment. Amid complex political and social challenges, Islamic values can serve as a pillar that safeguards the judiciary's purity from destructive interference.³⁰

CONCLUSION

This study confirms that judicial neutrality in the trial of corruption cases in the transitional legal system is highly vulnerable. This vulnerability is triggered by three main factors: political intervention that erodes the judiciary's independence, weak institutional protections that are supposed to serve as a bulwark against external pressure, and a legal culture that implicitly tolerates corruption. The accumulation of these factors not only hinders the realisation of a fair and impartial judicial process but also results in a severe legitimacy crisis in the eyes of the public. Public trust in the judiciary, the foundation of a

²⁹ Nur Iqbal Mahfudh, 'Hukum Pidana Islam Tentang Korupsi', *IN RIGHT: Jurnal Agama Dan Hak Azazi Manusia* 6, no. 2 (2017), <https://doi.org/10.14421/inright.v6i2.1453>.

³⁰ Bashori Alwi et al., 'Wawasan Pemberantasan Korupsi Dalam Perspektif Hukum Positif dan Hukum Islam', *Hakam: Jurnal Kajian Hukum Islam dan Hukum Ekonomi Islam* 5, no. 1 (2021), <https://doi.org/10.33650/jhi.v5i1.1983>.

healthy legal system, has eroded, weakening the overall effectiveness of efforts to eradicate corruption. From the perspective of Contemporary Islamic Law, judicial independence is not just an administrative procedure, but a moral mandate inherent in the position of judges. This principle has strong roots in *maqāṣid al-shari‘ah*, in particular the protection of justice (*hifz al‘adl*) and the common good (*maṣlaḥah ‘āmmah*). In this framework, the judge's impartiality regarding law and truth is both an ethical and a religious obligation, and, if violated, will have a detrimental impact on social order and public justice. The integration of contemporary Islamic legal principles into anti-corruption judicial reforms in countries with transitional legal systems has strategic potential. This principle can strengthen institutional independence by designing regulations that protect judges from political pressure, enhance ethical accountability through a code of ethics aligned with Sharia values, and restore public legitimacy by demonstrating a clean, transparent, and benefit-oriented judiciary.

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AUTHOR CONTRIBUTIONS STATEMENT

S.D.R.N. conceptualised the study, collected the primary data, and drafted the initial manuscript. A.S. provided supervision, contributed to the methodology design, and reviewed the legal framework. H. and B.H. assisted in data analysis and ensured the validity of the legal interpretations. E.L. contributed to the literature review and revised the manuscript for theoretical accuracy. All authors read and approved the final version of the manuscript.

CONFLICT OF INTEREST

The author emphatically states that there is no conflict of interest in the implementation or preparation of this research. The entire process, from problem formulation to data collection, analysis, and conclusion, is carried out independently and based on scientific principles that uphold objectivity. The author has no financial, institutional, or other professional affiliations that could influence the direction or outcome of this research. Additionally, all sources involved in the study provided information voluntarily, and the data obtained were analysed using a transparent and responsible academic approach. Thus, the findings and interpretations presented in this article fully reflect the results of thought and study, free from any party's intervention. This statement is made to guarantee academic integrity and to give confidence to readers that this article was compiled with high standards of research ethics.

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