



The Transformation of Judicial Supervision: Tracing the Legacy of Qadhi al-Qudhah in Shaping Indonesia's Modern Judicial Commission

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ABSTRACT:

Background: The practice of judicial oversight plays a central role in maintaining the credibility of a legal system. In Indonesia, this function has evolved through institutional reforms and bears conceptual resemblance to historical Islamic governance, particularly the role of Qadhi al-Qudhah.

Aims: This study explores how Indonesia's Judicial Commission functions in overseeing judges, and examines to what extent its authority aligns with or departs from the supervisory principles embedded in Fiqh Siyasah. The comparison aims to deepen understanding of ethical control in both classical and contemporary contexts.

Methods: The research applies a doctrinal legal method grounded in literature review. Primary sources include Indonesian statutory laws and Islamic jurisprudential texts, analyzed through comparative interpretation to reveal thematic convergence and divergence between the two systems.

Results: The study finds that while both the Judicial Commission and Qadhi al-Qudhah serve to uphold ethical standards among judges, their scope of action differs markedly. The Commission's external nature and advisory status limit its effectiveness compared to the integrated and authoritative position held by Qadhi al-Qudhah within Islamic governance.

Conclusion: Despite structural differences, the core mission of ensuring justice and judicial integrity unites both models. Adopting foundational values from Islamic political jurisprudence may enrich Indonesia's current oversight system, reinforcing its legitimacy and moral grounding.

Keyword:

Fiqh Siyasah; Judicial Commission of Indonesia; Judicial Ethics; Judicial Oversight; Qadhi al-Qudhah

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INTRODUCTION

Growing concerns over judicial misconduct in Indonesia have prompted an urgent need to reassess how the integrity of judges is maintained. Public confidence in court decisions has weakened due to recurring scandals and inconsistent rulings, often linked to ethical violations (Hilary & Huang, 2023; Rottinghaus, 2023). These issues raise critical questions about the adequacy of current oversight mechanisms and whether they are sufficient to uphold justice. In response to these challenges, Indonesia established the Judicial Commission as a constitutional body designed to promote transparency, accountability, and ethical behavior within the judiciary (Sulastri et al., 2025; Suparto et al., 2024). Although it was envisioned as an external monitor independent from the judiciary itself, its authority has been limited by legal ambiguities and institutional resistance. These limitations reflect broader tensions in balancing judicial independence with accountability. Without effective oversight, judicial autonomy risks becoming a shield for abuse rather than a principle of fairness. Hence, there is an increasing need to explore alternative frameworks that can enhance both legitimacy and effectiveness in supervising judges.

One compelling framework emerges from Islamic political jurisprudence, which has long emphasized the ethical foundations of governance and justice (Elmahjub, 2021). Within this tradition, the role of Qadhi al-Qudhah—or chief judge—embodied a form of oversight that was both spiritual and administrative. Appointed by the head of state, the Qadhi al-Qudhah held the power to evaluate, discipline, and, when necessary, remove judges who failed to meet ethical or legal standards. This institution operated under a system where legal responsibility was deeply intertwined with moral accountability. Unlike modern secular models that often separate law from ethics, classical Islamic systems integrated the two within a shared moral vision. The oversight conducted by Qadhi al-Qudhah was not merely procedural but grounded in principles of justice and divine responsibility. Exploring how this model functioned in practice may provide valuable insights for reforming contemporary institutions. Such exploration can help reconnect the moral and institutional dimensions of legal accountability.

Indonesia's position as the world's largest Muslim-majority nation adds further relevance to this comparison (Munandar & Fahrurrozi, 2025). Although its legal system is secular in structure, Islamic values continue to influence public expectations regarding fairness, justice, and the moral character of public officials. The expectation that judges should exemplify both competence and integrity resonates with the Islamic view of leadership as an ethical trust. In this context, the concept of Fiqh Siyasah—which addresses governance through Islamic legal and ethical principles—offers a rich foundation for rethinking judicial conduct. Rather than seeking to replace the existing system, this study aims to examine how Islamic ethical traditions can complement and reinforce Indonesia's legal mechanisms. Bridging normative ideas from the Islamic past with institutional structures of the present may contribute to a more culturally aligned and morally robust judiciary. Such integration may also strengthen public trust, which is often eroded when law appears detached from the values of the society it governs. Therefore, engaging with Fiqh Siyasah is not only a theoretical exercise but a practical necessity.

The institution of Qadhi al-Qudhah also provides a distinctive model of authority that merges internal discipline with external oversight. Operating with a direct mandate from the state, this office

had the legitimacy to enforce judicial conduct while remaining insulated from political manipulation. The Qadhi al-Qudhah ensured that judges were not only technically proficient but also ethically reliable, safeguarding the legal process from corruption and bias. Compared to Indonesia's Judicial Commission, which often depends on cooperation with other branches and lacks coercive power, the classical model appears structurally stronger (Kristiana & Hutahayan, 2024; Wiratraman, 2022). This contrast raises important questions about the design of oversight institutions and how authority is distributed and exercised. Institutional independence is crucial, but without effective tools for enforcement, supervision becomes symbolic rather than substantive. By drawing lessons from the structure and function of Qadhi al-Qudhah, modern legal reforms may discover new ways to balance freedom and responsibility. This reflection offers a meaningful contribution to current debates on the future of judicial governance.

Indonesia's post-reform legal architecture emerged from a desire to dismantle authoritarian legacies and build institutions that reflect democratic values (Kristiana & Hutahayan, 2024; Umam, 2021). The creation of the Judicial Commission was one of many initiatives aimed at ensuring the separation of powers and accountability across branches. Yet, structural reform alone cannot guarantee moral conduct; ethical failure often persists even under legally sound institutions. Herein lies the relevance of Islamic jurisprudence, which places ethical responsibility at the heart of leadership. In Islamic thought, justice is not just an outcome but a moral commitment anchored in accountability to God and society (Topkara, 2025). Introducing such values into the modern legal sphere could offer a deeper, more resonant approach to judicial ethics. This is particularly true in societies like Indonesia, where public expectations remain closely tied to religious and moral frameworks. Thus, the study is positioned to contribute not only to academic discourse but also to the practical evolution of judicial accountability.

Moreover, the analysis of Qadhi al-Qudhah underscores the importance of unifying fragmented oversight functions into a single, coherent authority. In Indonesia, oversight responsibilities are divided between internal judicial bodies and the external Judicial Commission, often resulting in confusion or conflict (Rasyid et al., 2023; Suparto et al., 2024). In contrast, the classical Islamic model integrated administrative, ethical, and legal authority under one leadership. Such unification enabled swift and credible action against misconduct while reinforcing the judiciary's moral authority. This coherence enhanced both the perception and the reality of justice in the eyes of the public. The implications for contemporary reform are clear: oversight must not only be independent but also functionally effective. Structural fragmentation weakens deterrence and undermines public trust (Di Lonardo & Tyson, 2022; Wigell, 2021). Reimagining institutional design through lessons from Qadhi al-Qudhah may thus support a more streamlined and credible system of supervision.

Ethics cannot be reduced to codes and procedures alone; they must be lived and internalized by those who serve the law (Babri et al., 2021; Hagendorff, 2022). In Islamic tradition, this internalization is expressed through taqwa, a spiritual sense of accountability that guides decision-making beyond legal rules. The Qadhi al-Qudhah was chosen not only for legal knowledge but for moral integrity, setting a precedent for ethical leadership in the judiciary. Modern reforms could benefit from reintroducing these selection criteria into the recruitment and development of judges. Training programs that integrate both professional standards and ethical cultivation may produce a

judiciary that inspires greater public confidence (Amaya, 2023; Žiha, 2024). The goal is not simply to prevent wrongdoing but to promote a culture of responsibility. Such a culture must be built over time and supported by institutions that reflect the values they seek to uphold. In this light, Fiqh Siyasah offers more than historical perspective—it offers a guide for ethical governance.

Given these considerations, this study is both timely and necessary. It addresses a critical gap in current reform discourse by linking institutional design with ethical tradition (Donia & Shaw, 2021; Twyford et al., 2024). By comparing the Indonesian Judicial Commission with the classical Islamic model of Qadhi al-Qudhah, the research illuminates potential pathways for meaningful improvement. It invites scholars and policymakers to revisit foundational principles of justice while remaining grounded in contemporary realities. Far from being antiquated, Islamic political thought offers enduring insights for modern institutions struggling with legitimacy and performance (Jong & Ali, 2023). Through this exploration, the paper contributes to a broader understanding of how legal systems can be both effective and ethically grounded. It argues that sustainable judicial reform requires more than structural adjustments—it needs a cultural and moral reorientation. In a society where law and religion continue to shape public life, this integration may be essential. Therefore, the present study serves not only as academic inquiry but as a practical proposal for reforming judicial supervision in Indonesia.

Judicial ethics and supervision have been examined through both procedural and philosophical lenses. In the Indonesian context, the Judicial Commission's limited enforcement power has raised concerns about its actual impact on judicial integrity. Widłak,(2025) stresses the significance of cultivating personal virtues within judges, particularly when institutional mechanisms fall short. Zaorski,(2025) builds on this by arguing that the legal profession should be accessed and exercised based on moral excellence, echoing Islamic ideas of amanah and 'adl. Hsu et al.(2025), through an educational lens, advocate for courtroom simulations to instill ethical awareness in law students. From a technological standpoint, Tampubolon et al.(2025) and Chakraborty (2025) explore how artificial intelligence reshapes courtroom dynamics, raising fresh questions about legal accountability. warn against the unintended consequences of AI-generated hallucinations in judicial processes, highlighting the ethical stakes in automated decisions. Mahani and Zadu (2025) examine how ethical lapses occur in medical trials, showing the law's vulnerability when enforcement and compliance are weak. Denney,(2025) introduces the dimension of psychological evaluation in judicial competence, broadening the perspective on legal responsibility. Lastly, Wiley & Gostin, (2025)underscore the necessity of integrating ethical discipline into public legal systems. Together, these studies support a shift toward frameworks like Fiqh Siyasah, where moral, spiritual, and legal supervision are unified.

Maintaining judicial credibility requires more than institutional independence—it demands effective ethical supervision. In Indonesia, the Judicial Commission was created to fill this role, yet its impact has often been constrained by vague legal mandates and contested authority. Despite formal efforts to establish accountability mechanisms, public skepticism toward judicial behavior continues to surface. At the same time, Islamic governance offers a compelling precedent through the role of Qadhi al-Qudhah, a classical figure entrusted not only with legal rulings but also with the moral conduct of judges. This position reflects a broader Islamic principle in which legal authority must



align with ethical responsibility, rooted in the values of *taqwa* (God-consciousness), *amanah* (trust), and justice. Given that Indonesia is both constitutionally secular and culturally Islamic, this duality presents an opportunity to explore whether traditional Islamic frameworks can offer insights for strengthening judicial oversight. This research is grounded in the belief that ethical models from Islamic jurisprudence can inform and possibly enrich existing legal structures. Thus, revisiting classical supervision frameworks is not a matter of returning to the past but seeking ethical clarity for the present.

Most current research on Indonesia's Judicial Commission centers on legal analysis—its constitutional basis, scope of authority, and procedural shortcomings. While these discussions are necessary, they tend to overlook the normative aspects of judicial oversight, especially from religious or philosophical viewpoints. The role of *Qadhi al-Qudhah*, for example, has been well-documented historically but rarely discussed in comparison with modern judicial institutions. Similarly, there is little scholarly attention paid to how principles from *Fiqh Siyasah* could contribute to contemporary ethics enforcement within the judiciary. This oversight leaves a significant conceptual gap in the literature, particularly regarding how cultural and religious frameworks might supplement formal legal mechanisms. With Indonesia's unique socio-legal landscape, where state law and religious values often intersect, this gap becomes even more critical. A study that draws from both constitutional law and Islamic political thought could offer a more holistic understanding of judicial accountability. Bridging this divide is essential for developing an oversight model that resonates not just with legal experts, but with the broader public.

The main objective of this study is to examine how Indonesia's Judicial Commission functions in supervising judicial behavior and to assess its conceptual relationship with the classical Islamic model of *Qadhi al-Qudhah*. This involves analyzing both systems' structures, principles, and practical challenges. The research also aims to explore whether values embedded in *Fiqh Siyasah*—such as justice, integrity, and moral guardianship—can be relevant to modern oversight frameworks. Specifically, the study will: (1) investigate the legal mandate and operational realities of the Judicial Commission; (2) explore the historical functions of *Qadhi al-Qudhah* as a supervisory authority in Islamic governance; and (3) identify ethical and structural elements that could inform improvements to Indonesia's current judicial oversight system. By comparing these two traditions, the research seeks to propose an integrative perspective that enhances not only the technical effectiveness of oversight bodies, but also their ethical credibility. The broader aim is to offer insights that contribute to a justice system aligned with both modern democratic ideals and deeply held moral values.

METHOD

Research Design

This research is grounded in a qualitative normative legal method, focusing on the study of laws, institutional structures, and jurisprudential traditions. Rather than gathering field data, it analyzes legal documents and classical texts to interpret how judicial oversight is conceptualized in

both modern Indonesian law and Islamic governance. The approach is descriptive-analytical, allowing a deep exploration of meanings, structures, and values embedded in supervisory mechanisms. A comparative perspective is used to place the Indonesian Judicial Commission alongside the Islamic role of Qadhi al-Qudhah, highlighting differences and shared principles. The study does not attempt to quantify phenomena but instead to understand how legal authority and moral responsibility interact. This design supports the aim of producing theoretically informed recommendations based on historical and normative inquiry. It also enables the researcher to synthesize contemporary legal challenges with classical ethical thought in a coherent framework.

Participants

As a doctrinal study, this research does not involve human respondents or direct observation. Instead, its "participants" are legal sources, classical jurisprudential writings, and scholarly analyses relevant to the oversight of judicial conduct. Key Indonesian legal instruments such as the 1945 Constitution and Laws No. 22/2004 and 18/2011 are central to the investigation. From the Islamic tradition, authoritative writings on Fiqh Siyasah and the duties of Qadhi al-Qudhah are studied as historical parallels. Academic interpretations from both modern and classical contexts serve as supplementary materials to deepen understanding. These sources are selected based on their relevance and contribution to the research questions. The purposive selection process ensures that only those texts with direct relevance to the issue of judicial supervision are included. Through this approach, legal texts become active components of the analytical process.

Instrument

The main tool used in this study is textual analysis, carried out through systematic reading and interpretation of legal and religious documents. A thematic framework is used to extract core ideas such as "authority," "accountability," "ethical conduct," and "supervisory role." These themes help in comparing the statutory function of the Judicial Commission with the normative expectations surrounding Qadhi al-Qudhah. No interview, survey, or quantitative instrument is applied, since the study relies entirely on written sources. The researcher acts as the primary analytical instrument, applying logical reasoning and contextual understanding to make sense of the material. Supporting tools may include annotation techniques and content categorization tables to organize findings. The strength of this approach lies in its ability to trace the development of legal ideas and ethical norms through written discourse.

Data Analysis

The data are processed through a descriptive-interpretive technique, emphasizing meaning over measurement. Legal texts are read with attention to wording, context, and implications, especially regarding the powers and limitations of the Judicial Commission. Meanwhile, classical Islamic texts are examined to understand the moral rationale behind judicial oversight and how it was institutionalized through roles like Qadhi al-Qudhah. The researcher compares both systems, identifying key differences and possible integrations. The analysis moves fluidly between inductive reflection—where insights are derived from close reading—and deductive logic—where theoretical assumptions are tested against historical norms. No software is employed; the emphasis is on intellectual engagement with the materials. The final synthesis seeks to present a model that bridges historical Islamic ethics with the modern Indonesian legal framework for judicial governance.



Figure 1. Judicial Oversight Research Flow

RESULTS AND DISCUSSION

Results

The results of this study reveal important differences in the structure and philosophy of judicial oversight between Indonesia's Judicial Commission and the Islamic institution of Qadhi al-Qudhah. The Judicial Commission, although legally founded through constitutional amendment and national laws, operates with limited enforcement capacity. Its authority is often questioned due to the lack of coercive power and dependence on cooperation with the Supreme Court. In contrast, the Qadhi al-Qudhah held both administrative and ethical control over judges, acting independently and with full sanctioning authority under Islamic governance. This office embodied a moral-legal fusion, drawing legitimacy from divine law and public trust. A comparative evaluation illustrates that while both institutions aim to ensure judicial accountability, their operational foundations are fundamentally different. The Judicial Commission is restricted by procedural norms and institutional boundaries, while the Qadhi al-Qudhah model represents a more integrated approach combining legal authority with moral leadership. Key principles such as 'adl (justice), taqwa (God-consciousness), and muraqabah (ethical vigilance) form the core of Islamic oversight but are often absent or underemphasized in Indonesia's current framework.

To visualize the differences, a comparative chart was created based on six key aspects: source of legitimacy, authority scope, ethical function, institutional independence, sanction enforcement,

and philosophical roots. The chart below highlights the relative strength of each institution on a 1–5 scale:

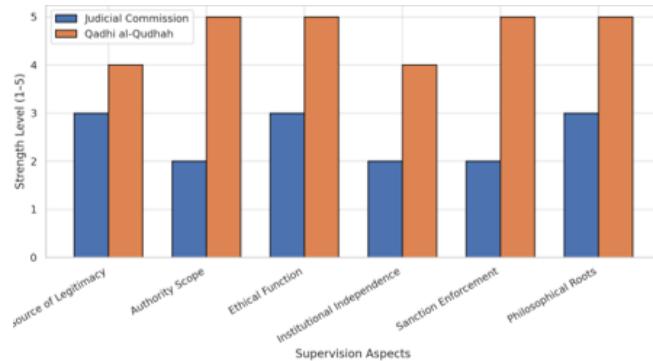


Figure 2. Comparative Characteristics of Judicial Oversight: Judicial Commission vs Qadhi al-Qudhah

Discussion

Judicial oversight plays a pivotal role in preserving the integrity of the legal system. In Indonesia, the establishment of the Judicial Commission was a response to long-standing concerns over judicial misconduct. Although grounded constitutionally, its enforcement capabilities remain limited. This institutional weakness often impedes effective disciplinary action against unethical judges. In contrast, Islamic governance introduced the Qadhi al-Qudhah, a centralized figure that merged ethical and administrative authority. Unlike fragmented systems, this role allowed coherent control over judicial conduct. Widłak (2025) stresses the importance of virtues like integrity and prudence in shaping trustworthy judicial institutions. His findings suggest that building ethical character within institutions is as vital as structural reforms.

Ethical considerations also influence who gains access to judicial positions. According to Zaorski (2025), judicial appointments should not rely solely on qualifications but also on internal virtues. This aligns with Islamic perspectives where judges were selected based on piety, justice, and trustworthiness. In Indonesia, the current system lacks formal processes for evaluating character or ethical aptitude in recruitment. Mahani and Zadu (2025) showed how the absence of ethical prioritization weakens institutional performance, particularly in legal frameworks like clinical trials. Their analysis supports the view that ethical screening must be embedded early in appointment procedures. The role of Qadhi al-Qudhah offers a precedent for ensuring both competence and character in leadership. Without such dual qualifications, judicial integrity may remain elusive. Ethical gatekeeping is thus central to sustainable legal oversight.

Technology is reshaping how justice is administered and supervised. Magalhães and Matos (2025) caution that artificial intelligence can introduce false data and erode judicial accuracy if not ethically managed. As courts integrate digital tools, oversight bodies must be proactive in regulating their use. Chakraborty (2025) argues that legal systems should adapt in tandem with technological governance to maintain credibility. In this context, the Judicial Commission must anticipate—not just react to—digital challenges. Islamic legal models like Qadhi al-Qudhah highlight the importance of

ethical constancy regardless of medium. Whether analog or digital, oversight must retain clarity of principles. Institutions that fail to harmonize technology and ethics risk undermining the justice they seek to protect. Embedding timeless moral values helps legal systems remain resilient amid innovation.

Education is another foundational area where ethical reinforcement must begin. Hsu et al. (2025) advocate for courtroom simulations as an effective way to foster moral awareness in law students. Islamic legal traditions placed great emphasis on mentoring judges in both law and ethics before granting authority. Indonesia's legal training could benefit from similar approaches by including value-based mentorship in judicial education. The Judicial Commission, while supervisory, could partner with law schools to promote ethical development. Wiley and Gostin (2025) emphasize that ethical duty should anchor public service professions, including law. Public trust grows when judges reflect not only technical expertise but moral alignment with societal values. Combining legal theory with ethical practice produces more grounded and respected legal actors. Reform must therefore address both institutional design and early professional formation.

Competency goes beyond intellectual capability; psychological readiness is equally critical. Denney (2025) proposes that legal institutions incorporate psychological evaluations in assessing judicial performance. This idea resonates with Islamic principles, where emotional stability and self-control were expected of those who exercised legal authority. The absence of these assessments in Indonesia may leave ethical blind spots in judicial behavior. Ethical lapses often stem not from ignorance of the law but from personal instability or bias. Introducing character and psychological evaluations could complement the Commission's efforts to enforce standards. Such measures build deeper accountability by focusing on internal discipline. Oversight should not only punish but also prevent misconduct through predictive evaluation. Balanced judgment requires a clear mind as much as it does legal knowledge.

Fragmentation within judicial oversight structures can dilute effectiveness. Indonesia's current setup involves both the Judicial Commission and internal court mechanisms, often leading to overlapping jurisdictions. This redundancy can cause delays, confusion, or even institutional conflict. In contrast, the Qadhi al-Qudhah model centralized supervisory powers under one office, streamlining accountability. Tampubolon et al. (2025) emphasize that disjointed legal-tech systems contribute to inefficiency and erode institutional trust. Consolidating or clearly delineating oversight authority could improve responsiveness and legitimacy. Ethical supervision must be both timely and decisive to deter misconduct. A more integrated system could increase both public trust and operational clarity. Coordination is key to preventing ethical governance from becoming symbolic or ineffective.

Philosophical underpinnings greatly influence how judicial roles are performed. Fiqh Siyasah, or Islamic political jurisprudence, conceptualizes judgeship as a divine trust—amanah—rather than merely a function. Modern Indonesian legal structures often emphasize procedural integrity without embedding moral purpose. Widłak (2025) contends that institutions lacking ethical foundation are prone to resistance and dysfunction. By incorporating values like mas'uliyyah (accountability) and istiqamah (steadfastness), judicial roles become more than administrative—they become ethical



mandates. The Judicial Commission could redefine its image by embodying these moral expectations. Ethical stewardship builds long-term legitimacy even where formal authority is limited. Cultural and philosophical depth strengthens institutions from within. Reform, therefore, must be as spiritual as it is structural.

Values endure, even as legal systems evolve. Wiley and Gostin (2025) argue that public institutions should be guided by ethical obligation rather than policy alone. Zaorski (2025) reinforces that moral suitability should determine access to judicial power, a concept deeply rooted in Islamic judge selection. Indonesia's reform agenda could benefit from hybridizing legal norms with ethical traditions. Such integration makes institutions more relatable to the public, who often evaluate fairness through both legal and cultural lenses. The Judicial Commission could bridge these worlds by grounding reform in values familiar to the society it serves. Legal changes gain traction when they resonate with inherited norms. Reform is most effective when it not only corrects procedures but elevates public morality. This synergy between legality and legitimacy is vital for enduring trust. Judicial reform cannot be inward-looking—it must engage with broader domains like education, technology, ethics, and governance. Scholars like Magalhães, Denney, and Hsu have shown that institutional performance depends on interconnected dimensions. Likewise, Islamic legal models offer holistic supervision that blends procedural precision with moral clarity. The Qadhi al-Qudhah embodied this synthesis by uniting administrative oversight with spiritual responsibility. Indonesia need not replicate such systems wholesale but can extract principles to refine its current framework. Ethical reform does not contradict constitutional values—it enhances them. The Judicial Commission must position itself not just as a regulator, but as a promoter of a justice culture. Only by aligning form with spirit can oversight achieve genuine transformation. In conclusion, Indonesia stands at a crossroads in its effort to establish ethical and effective judicial oversight. The Judicial Commission, though well-intentioned, remains constrained by limited authority and cultural disconnect. Lessons from Islamic governance, particularly the model of Qadhi al-Qudhah, demonstrate the power of integrating ethics with legal function. Contemporary researchers—from Widłak to Chakraborty—remind us that institutional reform must be multidimensional. Trust is not built by structure alone but by the values that structure represents. If the Judicial Commission can internalize this wisdom, it may evolve into a body that commands both legal and moral legitimacy. Without ethics, legal systems become procedural shells. With ethics, they become instruments of justice that truly serve society.

Implications

The insights drawn from this study open new possibilities for strengthening judicial supervision in Indonesia. By juxtaposing the role of the Judicial Commission with that of Qadhi al-Qudhah in Islamic governance, a more value-oriented model of oversight emerges. Principles such as amanah (trust), mas'uliyyah (responsibility), and taqwa (ethical self-discipline) could reinforce the moral basis of legal authority. In a nation where Islamic values still shape public perceptions of fairness, these concepts may bridge the gap between legal formality and ethical substance. Policymakers could explore the inclusion of character-based evaluations alongside professional qualifications during judicial recruitment. In academic circles, these findings invite further interdisciplinary discussions linking law with religion, ethics, and governance. For institutions of



legal education, the study encourages curriculum improvements that embed ethical reflection into legal training. More broadly, this research positions Indonesia as a case study for other Muslim-majority countries seeking to harmonize tradition with institutional modernization.

Limitations

Despite its conceptual contributions, this study has several inherent limitations. Its reliance on normative legal research restricts engagement with real-world institutional dynamics and judicial behavior. Without empirical evidence—such as field interviews or case analysis—the conclusions remain interpretive rather than experiential. The comparison with Qadhi al-Qudhah is also influenced by selective textual readings and may not capture the full historical variability across Islamic legal schools. Moreover, applying a medieval oversight model to a modern, democratic legal framework comes with contextual challenges. The scope of the research is largely limited to Indonesian law, potentially narrowing its global relevance. Access to classical Islamic legal texts and contemporary judicial data was also constrained. Additionally, the influence of political culture and bureaucratic inertia on judicial reform was not addressed in detail. These limitations highlight the importance of complementing normative work with empirical inquiry in future research.

Suggestions

For future investigations, it is advisable to conduct empirical studies that examine how ethical principles from Islamic jurisprudence could be operationalized in today's judicial context. Researchers may consider interviews with judges, law students, or judicial commission officials to gain insights into their perceptions of moral accountability. Pilot programs introducing ethics-based evaluation in judicial training could be tested and assessed for effectiveness. Comparative research involving other countries with similar cultural or religious backgrounds might also offer valuable cross-contextual perspectives. Collaboration between legal scholars and Islamic ethicists could enrich institutional discourse on judicial morality. Public perception studies could reveal how cultural expectations align—or conflict—with existing oversight models. Institutions may also develop practical tools for ethical screening as part of judicial appointments. These suggestions are intended to ensure that the normative vision outlined in this study translates into meaningful institutional practices.

CONCLUSION

This research affirms that the Judicial Commission of Indonesia, while established to promote ethical conduct among judges, continues to face structural limitations that constrain its role in enforcing discipline. In contrast, the classical institution of Qadhi al-Qudhah, rooted in Islamic political jurisprudence, operated through a more unified framework that merged legal authority with moral obligation. The comparison suggests that integrating ethical values such as taqwa, amanah, and maslahah into Indonesia's current legal oversight mechanisms could significantly enhance their effectiveness and societal trust. Rather than imitating pre-modern systems, the study encourages a context-driven adoption of moral insights that reflect Indonesia's cultural and religious identity. Institutional credibility in judicial supervision, therefore, is not solely dependent on formal rules but also on the ethical framework that guides those rules. Reform must go beyond technical restructuring



and embrace normative renewal to ensure that justice is not only performed but also perceived as fair and accountable. The Judicial Commission, with the right philosophical grounding, has the potential to evolve into an institution that unites legal enforcement with ethical leadership. Sustainable reform lies in this convergence between constitutional mandate and culturally anchored values of justice.

AUTHOR CONTRIBUTION STATEMENT

Author 1 (Diah Kusuma Ningrum) initiated the research topic, conducted the legal literature review, and developed the overall analysis on the authority of the Judicial Commission in light of Fiqh Siyasah. She was responsible for drafting the manuscript and synthesizing key arguments

Author 2 (Drs. H. Irwantoni, M.Hum) (First Supervisor) provided substantial guidance on Islamic jurisprudential theory, helped refine the conceptual framework, and ensured the scholarly relevance of the discussion.

Author 3 (Eti Karini, S.H., M.Hum) (Second Supervisor) contributed to the legal-constitutional analysis, reviewed the methodological design, and offered critical feedback during the revision and finalization stages.

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