

Efforts to Improve the Quality of Handling Sharia Economic Disputes by Indonesian Religious Courts

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Abstract

The development of religious courts to address Sharia economic cases in Indonesia is considered a historic moment by many parties. However, efforts to improve the quality of resolving Sharia economic issues in religious courts have become increasingly important. This aims to enhance the trust of legal seekers, especially in Sharia economic disputes, towards dispute resolution through the alternative path faced through religious courts. The research was conducted using normative research methods and the analysis used was qualitative. The results show that religious courts in Indonesia have absolute jurisdiction in handling Sharia economic cases. Although the number of cases is increasing, the expansion of this authority challenges all elements of religious courts, including employees and judges. Despite the efforts of guidance carried out by the Supreme Court (Mahkamah Agung) in this case implemented by the Directorate General of Religious Courts, there are still several obstacles, such as the lack of harmony in laws related to Sharia economic matters. Then there are other factors influencing the quality of problem handling, namely the dualism of judicial institutions, namely Religious Courts as well as General Courts. The dualism of dispute resolution after the issuance of the Constitutional Court Decision Number 93/PUU-X/2012 remains a barrier, so the public has not fully been able to trust religious courts in the context of handling Sharia economic problems. Submission to the Consumer Dispute Settlement Board (BPSK) and agreements in contracts to use General Courts as a forum for resolving Sharia economic disputes reflect distrust in religious courts. Therefore, concrete steps are needed to overcome these barriers and increase public trust in religious courts to resolve Sharia economic problems.

I. Introduction

When talking about Indonesia based on legal principles, the urgency of the judicial system becomes extremely vital as it plays a crucial role as the last line of defense in upholding the law in this country (Crouch 2019). Consequently, the 1945 Constitution in Article 24 paragraph (2) states that regarding the authority over judicial power, the task is given to the Supreme Court along with other judicial bodies under the Supreme Court, which includes the General Courts, Religious Courts, Military Courts, Administrative Courts, and lastly the Constitutional Court.

Religious Judiciary, as part of the judicial structure, plays a central role as a justice enforcement institution that provides special access for Muslim citizens in handling specific cases (Salim 2015). Its existence philosophy is closely related to the principles of Pancasila, especially the first, "Belief in the One Supreme God," which permeates into other values. Religious Judiciary relies on Islamic legal principles, reflecting the norms adhered by the majority Muslim community in Indonesia. The existence of Religious Judiciary is not only as a legal institution but also as a reflection of every value reflected in the community's daily life, where Islamic law is used as the main pillar since the spread of Islam in the country, providing the foundation for this judicial system. Thus, Religious Judiciary not only serves a legal function but also becomes a symbol of diversity and justice in the context of Indonesian social life.

The importance of Religious Courts is increasingly recognized as a historical milestone, especially through the expansion of its authority in Sharia economics issues, as stated in the amendment of the Religious Courts, Law No. 7 enacted in 1989. This expansion shows a positive response to the dynamics of Sharia economics in Indonesia.

With these regulatory changes, the Religious Courts have exclusive authority to assess, make judgments, and seek solutions regarding Sharia economic issues, in accordance with the principle of absolute jurisdiction (Silvia, Leksono, and Anand 2017). The decision issued by the Constitutional Court with Number 93/PUU-X/2012 further solidifies the position of the Religious Judiciary as a specific institution with litigative authority to conduct examinations, make judgments, and find solutions regarding Sharia economic issues.

This expanding role has a significant impact on establishing a legal certainty and opening up wider access for the community involved in Sharia economic transactions. It also reflects ongoing efforts to accommodate the development of legal complexity and the needs of society in the context of Sharia economics.

However, in reality, there are still cases where Sharia banks experience issues, and the handling process is carried out through General Courts (Hidayah and Azis

2023). This reflects the challenges and complexities in implementing legal principles and jurisdiction on the ground. Over time, coordination and synergy among judicial institutions are needed to ensure consistent and effective law enforcement, especially in the context of Sharia economics.

Classified as a new authority, judges handling cases must also have Sharia economic certificates, so if there is a dispute case filed, Religious Courts can find and prepare regulations or legal norms related to the Sharia economic dispute to ensure justice for all parties involved in the case or issue. The role of judges in Religious Courts in applying Islamic law aims primarily to maintain harmony with all other legal components (Williams 2008). In this context, the competence of Religious Court judges becomes a primary determinant in harmonizing legal instruments and increasing legal awareness, intending to realize order and legal certainty in society, especially for justice seekers (Dungga, Muhtar, and Djaafar 2023).

Disputes in the realm of Sharia economics include differences of opinion between two or more parties regarding the interpretation of rights or property ownership (Ahmed 2014). The potential legal consequences of such disputes can affect all parties involved, even possibly leading to sanctions against one of the disputing parties. Disputes among economic actors who base their business on Sharia economic principles often arise due to various interpretations related to interests or property rights. Such situations have a significant impact on the legal consequences for both parties involved and may result in sanctions against one of them.

For example, in the case of CV. Makmur Rezeki facing PT. Bank Mandiri Syariah KCP Medan Ringroad, the settlement of Sharia conflicts occurs through the involvement of the General Courts when customers of Sharia banks file claims through the Consumer Dispute Settlement Agency (BPSK). After a decision is issued, the parties involved submit requests to annul a decision a quo to the General Courts. Another example involves Bank Mandiri Syariah KCP Panam and its clients, such as Swin Haryono with No. 88/PDT-Sus/BPSK/2016/PN.BKN, Rubiyanto with No. 89/PDT-Sus/BPSK/2016/PN.BKN, Tri Agus Hariyanto with No. 90/PDT-Sus/BPSK/2016/PN.BKN, and Ahmad Sayuti with No. 92/PDT-Sus/BPSK/2016/PN.BKN.

In this process, it can be seen that the dispute resolution involves a legal path that includes BPSK as the initial stage, followed by the involvement of the General Courts as the next level. This step is taken after Sharia bank customers file lawsuits against the BPSK decision. Specific cases like those in the Bank Mandiri Syariah KCP Panam and several clients show the complexity and frequency of legal issues involving Sharia financial institutions.

The importance of dispute resolution in the Sharia realm emphasizes the need

for an effective and clear legal system. In this context, the process through BPSK and the General Courts becomes an important means to achieve justice and resolution that satisfies all disputing parties (Gunarto and Witasari 2022). If not handled properly, such issues can have negative impacts on the public's trust in Sharia financial institutions and create uncertainty in the market. Therefore, a deep understanding of legal aspects and regulations is key to maintaining stability and trust in the Sharia banking system.

Observing this situation, legal uncertainty in resolving Sharia economic conflicts remains an issue without a clear solution. Its impact can create a form of lack of confidence felt by Sharia economic actors in the credibility of the Courts, especially Religious Courts, which currently handle such disputes, posing a serious challenge. Criticism of the dispute resolution process at this level creates uncertainty in the Sharia economic community, worrying business actors and clients involved in similar cases (Hariyanto 2022). Parties filing cases with the Consumer Dispute Settlement Agency (BPSK) agree to use other arbitration bodies such as BANI, with its implementation or cancellation in the General Courts, and the drafting of agreements in contracts designating and authorizing the General Courts to issue decisions related to disputes, all happening due to the lack of alignment in regulations governing Sharia economics in Indonesia, involving a number of regulations designed to regulate and facilitate various aspects of economics that should be in line with Sharia law.

Sharia economic practitioners, especially in the Sharia banking sector, feel uncomfortable when in waiting rooms and hearings also used for divorce and polygamy cases. They also experience a lack of trust in Religious Courts to conduct audits, run judicial processes, and resolve conflicts in the context of Sharia economics. Legal uncertainty in handling Sharia economic conflicts continues to evolve, and without improvement, this situation has the potential to create a form of lack of confidence felt by Sharia economic actors regarding the effectiveness of the Courts, especially Religious Courts, which currently play a key role in resolving such issues. This lack of trust arises due to inhibiting factors affecting the course of the resolution process in Religious Courts. Therefore, efforts are needed for reform and regulation alignment to increase trust and effectiveness in resolving Sharia economic conflict in court.

The existence of dualism in Sharia economic dispute resolution institutions has negative impacts not only on customers and Sharia business units but also affects investors' trust to invest in Indonesia. This situation has the potential to cause losses for the country. Legal clarity is a crucial element in the legal system, especially in written law. The uncertainty of a value, then the legal significance will disappear as a guide to behavior for all individuals.

Therefore, there is an urgent need to improve the quality of resolving disputes in Sharia economics within the Indonesian religious court environment (Huda

and Sumbulah 2024). The goal is to strengthen trust for those who need justice facing Sharia economic issues and choose religious courts as a conflict resolution institution (Suadi 2020). This is not only an internal need to maintain justice but also an external factor that affects the investment climate in Indonesia.

Legal uncertainty and dualism in dispute resolution can make investors hesitate to invest, considering legal clarity is an important factor in business decision-making (Collins 2023). By improving and aligning regulations and enhancing the quality of Sharia economic dispute resolution, Indonesia can build a reputation as a stable and attractive business environment for investors.

Efforts to restructure Sharia economic dispute resolution systems must involve regulatory improvements, better coordination among relevant institutions, and enhancing the capacity of religious courts. These steps will not only strengthen trust in the religious court system but also increase legal certainty, promote economic growth, and maintain investment sustainability in Indonesia.

2. Research Method

The research was conducted using normative research method and the analysis used was qualitative. The research findings indicate that Religious Courts in Indonesia have absolute jurisdiction in handling Sharia economic cases (Yumarni 2023). Despite the increasing number of cases, this expansion of authority challenges all elements of the Religious Courts, including staff and judges (Devlin and Dodek 2016). Although efforts for development conducted by the Supreme Court (Mahkamah Agung), in this case, implemented by the Directorate General of Religious Court Administration, are ongoing, there are still several obstacles, such as the lack of harmony in laws related to Sharia economics.

Furthermore, another factor influencing the quality of problem handling is the dualism of judicial institutions, namely the Religious Courts and also the General Courts. The dualism in dispute resolution after the issuance of the Constitutional Court Decision Number 93/PUU-X/2012 still remains a barrier. Hence, the public has not fully entrusted the Religious Courts in the context of handling Sharia economic issues.

3. Results and Discussion

The steps taken by the Supreme Court to improve the quality of handling Sharia economic disputes by the Indonesian Religious Courts

In the realm of social life, interactions among different social groups often arise due to their efforts to fulfill their respective needs. These interactions can lead to conflicts and disputes due to differences in opinions and interests among the parties involved.

Therefore, to address these conflicts, effective methods and efficient dispute resolution processes are crucial. Over time, conflicts and disputes have become increasingly complex, reflecting the complexity of human existence.

The development of the Religious Courts, seen as very rapid with Law No. 3 of 2006, resulted in changes in its status, institutional structure, and scope of authority (Durham Jr and Scharffs 2019). This development is the result of the reform efforts driven by Indonesian society, bringing progress in the Islamic Sharia legal system through the expansion of the Religious Courts' authority (Salim 2015). This process reflects the harmonization of Pancasila values, the beliefs of the Muslim community, tolerance towards other religious communities, and Indonesia's cultural diversity. The reform also achieved ongoing recognition and respect through amendments to the 1945 Constitution and changes in Religious Courts laws.

The impact of these changes is evident in the role of the Religious Courts, which are now recognized as balanced with other judiciary powers. According to Satjipto Rahardjo, the court is not only a law enforcement institution but also has ideological, political, judicial, sociological, and administrative dimensions.

In terms of the legal basis for the Religious Courts, namely Law No. 7 of 1999, then first amended by Law No. 3 of 2006, and subsequently revised through Law No. 50 of 2009, provide a strong legal basis for expanding the authority possessed by the Religious Courts entirely. This can be seen in Article 49, which serves as the main foundation for the Religious Courts in carrying out examination tasks, decision-making, and finding solutions to problems at the first level regarding issues involving individuals who adhere to the Islamic religion.

This significant expansion of authority covers various legal fields, such as marriage, inheritance issues, wills, endowments, agreements, almsgiving, and economic matters in the Sharia field. Thus, the Religious Courts are mandated to handle disputes involving these aspects of the daily lives and needs of the Muslim community. The main objective of this increased authority is to provide a more holistic and integrated resolution to disputes related to the daily lives and needs of the Muslim community (Habash and Omata 2023).

The provision of this legal foundation reflects the legislative awareness of the importance of institutions that play a crucial role in upholding the law and bringing about fairness (Harel 2014). In this context, the Religious Courts, especially for the Muslim community, are significant (Peletz 2018). With expanded authority, it is hoped that the Religious Courts can make a positive contribution to creating a legal environment that supports and protects individual rights, as well as promoting developments in the domestic Sharia economy (Peletz 2018).

In the context of economic issues within the Sharia context, Indonesia now designates the Religious Courts with absolute jurisdiction to adjudicate Sharia

economic cases. Breach of contract issues often arise, where parties neglect their obligations as agreed upon in contracts or agreements.

The legal basis for the Religious Courts is Law No. 7 of 1999, which was first amended by Law No. 3 of 2006, and subsequently revised through Law No. 50 of 2009, significantly impacting the fields of development, management, and the execution of duties and authorities held by the Religious Courts. The increased authority of the Religious Courts reflects the government's efforts to provide more comprehensive and equitable legal protection for citizens of the Islamic faith in various aspects of their lives. Along with this, these changes also promote efficiency in handling disputes and enforcing the law in the realm of Sharia economics.

Andi Syamsu Alam explains that policies regarding a unified umbrella, aimed at forming an unencumbered power separate from the influence of other powers, encompass several aspects such as organizational management, administration, and finances that were initially within the Department of Religion, are now transferred to the Supreme Court. The Directorate of Religious Courts has also undergone a transformation into the Directorate and Development of Religious Courts, providing greater space for the development and enhancement of the judicial system (Salim 2008).

Furthermore, adjustments have been made to the selection process for judicial candidates within the Religious Courts to accommodate the dynamics. This includes enhancing judges' understanding of various aspects of Sharia economics and related legislation, such as banking, insurance, reinsurance, mutual funds, and capital markets. All of these changes are expected to support the nation's economic growth and provide justice to those seeking it.

To ensure the future optimal growth of Islamic banking, legal support from various aspects, especially in handling disputes, becomes crucial. Dispute resolution among customers, Sharia banks, and other related parties is an essential aspect. Just as in various business sectors, disputes in the Islamic banking world are considered inevitable. With Sharia principles as its foundation, the dispute resolution mechanism must also be in line with Sharia principles.

The application of procedural law when dealing with Sharia economic conflicts is civil procedural law according to Article 54 of the legal basis for the Religious Courts, Law No. 7 of 1999, which was amended by Law No. 3 of 2006. This article provides a relevant legal basis for resolving Sharia economic issues handled by courts dealing with cases of individuals adhering to Islam, namely the Religious Courts.

In the provision of the aforementioned article, it is stated that in cases handled by the Religious Courts, the procedural law applied is civil procedural law as regulated in the Civil Code, unless there are specific regulations in other legislation (Yeazell, Schwartz, and Carroll 2022). Therefore, the application of procedural law when

dealing with Sharia economic conflicts is civil procedural law, including Sharia economic conflicts (Suadi 2020).

In essence, the application of civil procedural law provides clarity on the procedures and stages to be followed in resolving disputes in the Religious Courts. This includes the examination process, evidence presentation, and decision-making based on the principles of applicable civil law (Babcock, Massaro, and Spaulding 2021). However, it should be noted that the use of civil procedural law must still be in line with the principles of Islamic law, especially in the context of Sharia economics.

Referring to Article 54 of the Law on Religious Courts, this judicial institution can execute its duties in a more structured and transparent manner when resolving economic issues, particularly those pertaining to Sharia economics. The application of procedural law based on civil procedural law provides a framework to achieve legal certainty for all those with legal issues. Article 54 stipulates that when handling economic conflicts in Sharia, the Religious Courts apply civil procedural law, serving as a reference unless there are other specific regulations. However, the primary guidance remains civil procedural law in general courts such as the HIR, Rv, Civil Code, General Court Law, Supreme Court Law, Judicial Authority Law, and other relevant regulations.

The implementation of civil procedural law within the procedural system of the Religious Courts can be seen as progress, an effort to realize a fair and quality judicial process for resolving economic issues in the field of Sharia (Hidayah and Azis 2023). The primary reference in the civil procedural law regulation, which is also applied in regular courts, ensures standardization and legal certainty. However, specific regulations regarding procedural law in the Religious Courts are still necessary to align the litigation process with Sharia values. Thus, substantive justice for Muslims can be optimally realized through a professional judicial process that is Sharia-compliant.

The use of the terminology "Sharia economics" expands the jurisdiction of the Religious Courts beyond issues related solely to Islamic banks to encompass various other aspects of Sharia economics. This is explained in Law No. 3 of 2006, specifically in Article 49 letter i, which defines Sharia economics as efforts based on Sharia principles. According to the Compilation of Sharia Economic Law, specifically Article 1 number 1, Sharia economics refers to individual or corporate activities aimed at meeting needs in accordance with Sharia. Therefore, in cases handled by the Religious Courts, the procedural law applied is civil procedural law as regulated in the Civil Code, unless there are specific regulations.

The broad and comprehensive definition of Sharia economics in relevant regulations provides a foundation for addressing various forms of Sharia economic activities handled by the Religious Courts. The application of general civil procedural law with adjustments for Sharia values is important to ensure assurance that steps taken in

resolving issues are perceived as fair and of high quality. Efforts to harmonize regulations are necessary to ensure that the procedural legal framework in the Religious Courts truly supports the resolution of Sharia economic disputes according to Sharia principles and values. Thus, legal certainty and substantive justice can be optimally achieved for parties involved in Sharia economic disputes.

In further development, the integration of civil procedural law in handling Sharia economic conflicts reflects the importance of harmonizing between aspects of general law and Sharia law. While general civil procedural law is typically used, specific adaptations to the Sharia economic context are essential to ensure fair resolution in line with Sharia principles. This indicates the complexity of integrating two different legal systems, requiring careful attention and analysis in handling Sharia economic conflicts.

Furthermore, rapid developments in Islamic banking have garnered positive sentiment in Indonesia. The positive impact of Islamic banking growth in Indonesia includes the acceleration of Sharia-based business units within conventional banks. These two aspects, growing simultaneously, contribute to the development of various activities in the Sharia economic sector. Specifically, in the realm of Sharia finance, the emergence of associations and organizations, such as Baitul Muttanwil (BMT) in the context of Sharia financial institutions, as well as insurance, guarantee institutions, and pawnshops, has been observed. Additionally, there has been progress in Sharia-compliant business activities such as multi-level marketing, information technology, hospitality, education, and legal services like arbitration and litigation. All of these developments occur simultaneously, establishing a solid foundation for Sharia economic development across various sectors. In this context, the significant number of Muslim residents presents great potential as customers in the Islamic financial industry. This support can create a positive economic environment, bolstered by the abundance of natural resources that can serve as a basis for transactions in Sharia-based financial industries. The growth of Sharia-oriented businesses is likely to lead to various issues and potential disputes.

Generally, debates on Sharia-based finance can be categorized as follows:

- a. Disputes in the realm of Islamic finance involving education related to money and Islamic financial education and its consumers.
- b. Disputes in the realm of Islamic finance involving financial educators and Islamic financial institutions.
- c. Disputes in the realm of Sharia finance involving individuals adhering to Islam, where the transaction agreements clearly state that trading activities adhere to Sharia principles.

Resolving Sharia economic dispute cases involves Sharia financial legal sources, especially valid formal sources and premises as the basis for resolving conflicts in Sharia finance. These sources have a compelling force, where violations of the rules contained therein will result in clear and tangible sanctions.

Based on reports from the Religious Court magazine, there has been an increase in the submission of issues received by the Religious Courts each year, albeit not significantly high. For example, in December 2015, there were six Sharia economic issues nationally in the Religious Courts. This added to the total of Sharia economic disputes to 42, including 36 cases from the previous month. However, in January 2016, there was a significant increase with the addition of 50 Sharia economic issues to the Religious Courts after adding the previous month's cases.

Until November 2016, records obtained through the Case Tracking Information System (SIPP) from the Supreme Court noted that there had been 146 cases in the field of Sharia economics examined by the Sharia Courts or Religious Courts throughout Indonesia. This figure includes cases that were resolved in that year but does not include cases that are still undergoing other legal efforts, such as appeal or cassation, until reconsideration.

It should be noted that these figures may not fully cover all activities in the field of Sharia economics, considering some cases may still be in the settlement or appeal stage. Additionally, these records do not include cases that may still remain from previous years and were only resolved in that year.

Although these figures provide an initial overview of the involvement of the Religious Courts in handling Sharia economic issues, further information on the development and resolution outcomes of cases, including rulings on each dispute, can deepen understanding of the impact and effectiveness of the judicial system in addressing Sharia economic issues in Indonesia.

The increasing number of disputes regarding Sharia economics is believed to continue rising. Records from the Financial Services Authority (OJK) regarding payment defaults or non-performing loans in the Sharia banking sector remain high, reaching around 3%, surpassing the conventional industry's rate of only 2%. This increase is attributed to adjustments to the slowing economic conditions. For example, an issue of non-payment at Bank Sumut Syariah Tebing Tinggi involved the bank auctioning off assets such as land and a building valued at Rp 1 billion (One Billion Rupiah) due to non-payment amounting to Rp 181,716,500. Customer dissatisfaction with what they perceived as unprofessional handling by the bank emerged, even though they initially trusted in the superiority of Islamic banks. However, the impact of these non-performing loans resulted in asset auction sales, adversely affecting the sustainability of customers' businesses.

The Indonesian Consumers Foundation (YLKI) released a report indicating a significant increase in the number of complaints or disputes in the banking sector in general through court analysis. Sudaryatmo, the Chairman of YLKI's Executive Board, stated that banking was one of the top three fields frequently reported by consumers as entities utilizing their services. The growth of Sharia economics, both

in the Sharia banking sector and through the diversification of Sharia banking products and services, is a primary factor in the increased diversity of Sharia economic disputes.

The development of the role of Religious Courts in handling conflicts in the Sharia economic sector is a new reality that demands involvement and adaptation from all personnel, including employees and judges. Although all judges in the Religious Courts have a basic knowledge of Islamic law, they may not have previously been involved in handling Sharia economic disputes, resulting in limited knowledge in this area. Therefore, adaptation and knowledge enhancement are key in facing this new challenge.

By granting absolute authority to handle Sharia economic issues to the Religious Courts, the Supreme Court (MA) has made an innovative move to maximize the role and responsibility of the Religious Courts. Through focused training for judges, the goal is to bring about a change in the extensive knowledge of Sharia and jurisprudence. Enhancing judges' thinking methods and methodologies is crucial to ensure appropriate understanding and application in executing judicial duties.

As part of the initiative to enhance human resources in the Religious Courts in technical matters, collaboration is underway with universities. This cooperation aims to provide education to Religious Court officials, especially judges responsible for handling Sharia economic disputes. As a primary requirement, they are obliged to pass an "exam" conducted by the Supreme Court to obtain a certificate as a judge in Sharia economics.

This initiative includes efforts to establish formal and substantive legal frameworks as guidelines for Religious Court officials in conducting examinations, adjudicating, and issuing decisions in Sharia economic matters. Such initiatives aim not only to enhance judges' technical knowledge but also to ensure they have a deep understanding of applicable Sharia economic principles. The education provided involves both formal and substantive legal frameworks so that judges can apply fair and Sharia-compliant decisions.

The certification process for Sharia economic judges organized by the Supreme Court (MA) is a significant step in ensuring the quality and competence of judges in handling Sharia economic issues. Additionally, the establishment of legal guidelines provides clear guidance for Religious Court officials in dealing with complex Sharia economic cases. Thus, these steps are in line with the vision to strengthen the role of Religious Courts in providing comprehensive legal solutions in accordance with the principles of Sharia economics in Indonesia.

Andi Syamsu Alam noted that efforts to improve the Religious Courts' handling of disputes in the field of Sharia economics have been underway since the National Working Meeting of the Indonesian Supreme Court held in Batam in October 2006.

At that time, Sharia Economic Teams were established at each Religious Court and High Religious Court to prepare them for handling Sharia economic disputes. Various ongoing meetings and collaborations with higher education institutions have also been conducted to enhance the capacity of the religious courts. One important step taken by the Supreme Court in enhancing the handling of Sharia economic disputes is the design of both formal and substantive legal foundations for addressing these issues. The drafting team, led by Bagir Manan, proved to be effective. In the process of developing this legal framework, each judge in the Religious Courts showed proactive efforts to enhance their knowledge and capabilities. Currently, many judges in the Religious Courts are pursuing master's and doctoral degrees focusing specifically on Sharia economics to deepen their understanding of Islamic law principles related to economics.

The development of legal frameworks and the enhancement of judges' competencies through further education are strategic steps for optimizing the handling of Sharia economic cases in the Religious Courts. With the support of a legal framework and competent judges, it is hoped that the application of Sharia principles can ensure legal certainty and protect the economic rights of Muslim individuals through fair and high-quality judgments within the framework of Islamic values.

In addition to formal education, various training programs are held regularly. Some of these programs are organized with support and facilitation from countries such as Sudan and Saudi Arabia in the Middle East. This collaboration provides Religious Court judges with the opportunity to gain deeper insights into the practical and contextual implementation of Sharia economic law. The experiences and knowledge gained from countries with strong Islamic legal traditions can serve as a valuable source of inspiration and learning in handling Sharia economic disputes in Indonesia.

These steps reflect a continuous commitment to improving the quality of human resources in the Religious Courts, specifically regarding addressing the highly dynamic and increasingly complex issues of Sharia economics. Consequently, judges involved in law enforcement in this field can render more accurate, fair, and Sharia-compliant decisions as the legal basis in this country.

Although the Supreme Court through the Religious Court Judiciary has made maximum efforts, significant positive impacts related to increasing public trust, especially among Sharia economic actors, have not yet been visibly apparent. Challenges in implementing these efforts are the main cause, triggered by the lack of harmony in Sharia economic regulations before and after the Constitutional Court's decision on the judicial review of the Sharia Banking Law, as well as the slow response from the Supreme Court regarding conflicts between two institutions in resolving Sharia economic issues.

Another obstacle is the inability of the Religious Courts to handle Sharia economic issues in terms of law substance, human resources, and legal culture. To overcome

this and enhance effectiveness in resolving Sharia economic issues, the establishment of a specialized institution within the Religious Courts should be considered.

The establishment of a Sharia economic specialized court can be characterized by the appointment of ad-hoc judges and a specified time limit for case resolution. The presence of ad-hoc judges is expected to create a sense of comfort and legal certainty for businesses labeled as Sharia-compliant, which in turn can have a positive impact on national economic growth. This step is expected to make the judicial system more responsive, efficient, and in line with the demands of Sharia economic development in Indonesia.

Sharp analysis should be emphasized on the urgency of establishing a specialized Sharia economic court, identifying concrete barriers faced, and considering its positive impact on the trust of Sharia economic actors and national economic growth as a whole. Overall, this solution offers a more specific and responsive approach to the dynamics of Sharia economic law in Indonesia.

The aspect of legal certainty and its impact on national economic growth also becomes a focus by evaluating the level of trust of Sharia business actors in the judicial system used. Therefore, ad-hoc judges can be an important instrument in supporting the development of the Sharia economic sector at the national level.

4. Conclusion

The rapid development of the Religious Courts post-reform has expanded the authority of the Religious Courts to handle various Sharia economic issues. This is an effort to harmonize with the values of Pancasila, the beliefs of Muslims, and the cultural diversity of Indonesia. The implementation of civil procedural law in the procedural system of the Religious Courts has provided legal certainty in resolving economic issues in the field of Sharia. However, there needs to be adjustment with Sharia values to achieve substantive justice. The number of Sharia economic disputes continues to increase with the development of the Sharia financial industry in Indonesia. This demands adaptation of personnel in the Religious Courts through certification and competency enhancement. Efforts to improve the capacity of human resources in the Religious Courts through formal education, training, and cooperation with Middle Eastern countries have been made. This is to ensure decisions are in accordance with Sharia principles. The trust of Sharia economic actors in the Religious Courts remains low. The establishment of a special Sharia economic court with ad hoc judges is being considered to be more responsive and enhance legal certainty. In-depth analysis regarding the urgency and impact of the establishment of a special court needs to be conducted considering its relationship with the trust of Sharia economic actors and economic growth.

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