#### Available Online at Website: http://journal.uinjkt.ac.id/index.php/mimbar MIMBAR Agama Budaya, 39 (2), 2022, 57-66

# The Dilemma of Settlement of Sharia Economic Disputes in the Religious Courts

# Asep Syarifuddin Hidayat

Universitas Islam Negeri Syarif Hidayatullah Jakarta Email: asephidayat@uinjkt.ac.id

#### **Abstract**

This article analyzes the difficulties in resolving Sharia economic disputes in the Religious Courts and offers suggestions for improving the efficacy of these dispute resolutions. This study identified many obstacles, such as the limited knowledge and comprehension of religious judges regarding Sharia economic law, the Complexity of disputes and difficult-to-understand evidence, and the slow settlement process and high costs. Through analysis and a review of the relevant literature, this article offers several suggestions for overcoming these obstacles. The first recommendation is to increase religious judges' comprehension of sharia economic law through intensive training and education programs. The second recommendation is to enhance cooperation between Religious Courts and Islamic financial institutions to make dispute resolution more effective. To improve the quality of dispute resolution, the third recommendation is the development of education and training programs for mediators and arbitrators. Utilizing technology in the dispute resolution process to improve efficiency and accessibility is the final recommendation. This article has significant implications for the Religious Courts' Sharia economic dispute resolution system. By implementing the proposed guidance, the resolution of Sharia financial disputes is anticipated to become more efficient, equitable, and consistent with the principles of sharia economic law.

Keywords: Sharia Economic Disputes; Religious courts; Dispute resolution

#### Introduction

Over the most recent few decades, Islamic finance has witnessed substantial expansion. The Muslim community increasingly relies on Islamic financial institutions such as Islamic banks, Islamic microfinance organizations, Islamic insurance, and other Islamic financial products. This expansion adds a layer of complication to the process of applying sharia law to economic transactions and agreements, which, in turn, raises the likelihood that there will be disagreements. However, Sharia economic law serves as the basis for all financial transactions and agreements governed by Sharia. Scholars and practitioners of Sharia economics come to this legislation with a variety of preconceived notions about how it should be interpreted and how it should be understood. Different points of view on implementing Sharia law in an economic setting can give rise to divergent opinions and disagreements, both of which must be settled through the Religious Courts.

Religious courts typically operate within a dualistic legal system characterized by the coexistence of secular legal systems and religious law. This legal system has the potential to result in disagreements and controversies in the adjudication of Sharia economic disputes. For instance, Sharia financial disputes can sometimes involve a clash between the principles of civil law that underpin contract law and the principles of the Islamic law that underpin sharia economic transactions. This can happen in certain circumstances. It is pretty uncommon for members of the general public to be unfamiliar with the concepts and principles behind Sharia economic law. Disputes might arise from a lack of familiarity with Islamic financial concepts and an awareness of the rights and responsibilities involved in Islamic monetary transactions. Consequently, using the Religious Courts as an entity for resolving disputes is essential for achieving justice and retaining legal protection. (M. Zain, 2019, pp. 300–320)

Because of the tight connection between religious law and economic factors within Muslim society, Sharia financial conflicts fall under the authority of the Religious Courts. This is because the principles of Islamic law, which include the teachings of the Qur'an, Hadith, and ijtihad (interpretation), serve as the foundation for the Sharia economic law. In resolving issues involving Sharia financial components, the Religious Courts, in their capacity as judicial institutions whose primary mission is to uphold Islamic law, have a better understanding of, and more authority than, their secular counterparts. In addition, Islamic religious courts have the power to rule on family and inheritance law issues. This topic frequently arises in discussions about marriage, divorce, co-ownership of property, and the equitable distribution of inheritances in the economy. Disputes over Sharia economic property and agreements may directly affect matters of family law and heritage, which are the primary concerns of religious courts.

The judges and personnel working in religious courts are profoundly familiar with Islamic law and its application in the economy. They are well-versed in the fundamentals of Islamic economic law, which cover topics such as usury (interest), gharar (uncertainty), maysir (gambling), and muamalah (financial agreements), among others. Because of this, they can make decisions following legitimate Islamic law. In addition, the Religious Courts work toward providing equitable legal protection for Muslim communities in all facets of their lives, including the conduct of their economic affairs. Sharia economic issues brought before the Religious Courts will be intended to be handled in a manner that considers the principles of Islamic law and provides justice to the parties engaged in the dispute. Therefore, due to the ability to handle Sharia economic conflicts, the Religious Courts in Muslim cultures can provide legal clarity, justice, and a profound understanding of the principles that govern Sharia monetary transactions. This makes it possible for the parties engaged in the dispute to reach a settlement that is just and in conformity with the ideals of the Islamic religion.

Because Islamic economic disputes encompass components of Islamic religious law and intricate concepts of Islamic economics, research is needed on the dilemma of Sharia financial dispute resolution in the ecclesiastical courts. This research is required because of the requirement to resolve Islamic economic disputes. Conducting research can help develop an in-depth understanding of the difficulties and problems that arise in settling these disputes. Increasing our level of comprehension will allow us to find solutions that are both more effective and more egalitarian. Even though Sharia economic conflicts are becoming an increasingly important issue in Sharia economics, there is still a lack of in-depth research on the dilemmas and obstacles the Religious Courts face in resolving these disputes. This is even though Sharia economic disputes are becoming an increasingly important topic. More in-depth research has the potential to make a significant contribution to the process of closing knowledge gaps and offering a more holistic view of the problem at hand. (N. K. Denzin & Y.S Lincoln, 2011)

In Sharia economic transactions and agreements, consumer rights can be better protected with the assistance of research on the resolution of Sharia financial disputes in the Religious Courts. In the framework of an Islamic economy, improving consumer protection and justice can be accomplished by formulating policy suggestions. These recommendations can be developed through knowledge of the existing issues and challenges. In addition, research can shed light on the most effective methods of using Sharia to resolve economic disputes brought before the Religious Courts. Research can suggest actions that can be taken to boost the effectiveness of the conflict settlement process by examining the issues and challenges encountered. These steps include the utilization of alternative dispute resolution methods, the increase of legal literacy, and the development of more efficient dispute resolution systems.

In addition, research is anticipated to contribute significantly to Sharia economic law's evolution. Research can provide new ideas, frameworks, or practical guidelines that can help develop and strengthen the Sharia monetary dispute resolution system used in the Religious Courts by examining the problems of disagreement resolution. This can be done by analyzing the challenges of dispute resolution. As a result, by carrying out in-depth research on the challenge of resolving Sharia economic disputes in the Religious Courts, it is possible to anticipate that a greater understanding will be achieved, as well as the development of policies and practices that are more effective in resolving sharia economic disputes in a manner that is both just and in line with the principles of Islamic religious law.

The discussion in this study focuses on three questions: What are the functions and powers of the Religious Courts in resolving economic disputes? What are the obstacles to the Settlement of Sharia Economic Disputes? What recommendations can be given to improve Sharia financial dispute resolution in the Religious Courts?

#### Method

Research on the challenge of Sharia economic dispute settlement in the Religious Courts employs qualitative approaches, taking a literature and statute approach. The literature method entails accumulating and analyzing information from books, articles, journals, research reports, and other written materials on religious court sharia economic conflict settlement. Researchers will examine the theoretical foundations, historical developments, and contemporary problems of Sharia financial dispute resolution through a literature study. The challenge of Sharia economic dispute resolution in Religious Courts can be better understood through the literature, which can shed light on the techniques of conflict settlement employed, legal perspectives, the role of the court, and practical experience.

Analyzing the legal structure guiding Sharia economic conflict resolution in Indonesia, particularly in the setting of the Religious Courts, is what the statutory regulatory method means. The scientific inquiry into Sharia financial conflict resolution will focus on pertinent statutes, rules, and judicial rulings. This analysis will make understanding the current legal framework, procedures, and conflict resolution mechanisms in the context of sharia economic dispute settlement in the Religious Courts easier.

Data gathered from the literary approach and statutory analysis can be analyzed using qualitative methodologies like content analysis, thematic analysis, and grounded theory while conducting qualitative research. (N. K. Denzin & Y.S Lincoln, 2011) Researchers can learn more about the challenge of Sharia economic dispute resolution in the Religious Courts by speaking with judges, attorneys, and other relevant parties in interviews or focus groups. This study will shed light on the difficulty of resolving economic disputes following Sharia law in religious courts by combining a literature-based and statute-based methodology. Researchers can better comprehend the obstacles and dilemmas encountered within the context of the Religious Courts by using qualitative methods to investigate the theoretical, legal, practical, and experiential aspects of Sharia economic dispute resolution. (S. B. Merriam, 2009)

# Functions and authorities of the Religious Courts in resolving economic disputes

The Religious Courts have specific functions and powers in resolving economic disputes. The Functions of the Religious Courts in Economic Dispute Resolution are:

First: Providing Justice. The Religious Courts' mission is to administer justice to all parties involved in a Sharia-compliant economic dispute. Among these responsibilities are the safeguarding of consumer rights and the incorporation of Islamic legal precepts into the process of conflict resolution. (H. Sihombing, 2019, pp. 29–44)

Second: Upholding Islamic Law. The Religious Courts are responsible for upholding Islamic law in all spheres of life, including Sharia business transactions and agreements, as their primary responsibility. This court plays a significant part in ensuring that the tenets of Sharia are adhered to in all aspects of economic activity. (A. Al-Madny, 2018, pp. 35–57)

Third: Preventing Abuse and Abuse. The Religious Courts ensure that Sharia commercial transactions and agreements are not subject to arbitrary decision-making or abuse. The Religious Courts contribute to preventing potential violations of the Sharia economic principles through fair dispute resolution based on Islamic law.

Fourth: Protection of Consumer Rights. In Sharia commercial transactions and agreements, the Religious Courts are essential to safeguarding consumer rights. This job encompasses adjudicating contractual disputes and cases of fraud, negligence, and infringement of consumer rights. (N. Saad, 2016, pp. 50–81)

Fifth: Settlement Through Mediation. The Religious Courts are tasked with mediating business disagreements to facilitate conflict resolution. The mediation process is carried out with the assistance of a mediator, who serves as an impartial third party to assist the conflicting parties in agreeing.(M. R. Alarief, 2018, pp. 65–95)

The following individuals have positions of authority within the Religious Courts in the area of Economic Dispute Settlement:

First: Civil Dispute Resolution. The Religious Courts are the ones that have the authority to settle civil disputes that involve aspects of Sharia economics. This includes disagreements over purchases and sales, leasing agreements, financial loans, shared or inherited property, and other similar situations. (Undang-Undang Nomor 3 Tahun 2006 Tentang Perubahan Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama, 2006)

Second: Examination and Settlement of Cases. The Religious Courts can investigate and settle disagreements over Sharia economic law. This includes analyzing the facts, questioning the witnesses, and making legally binding decisions for all parties engaged in the conflict. (H. Mansur, 2020, pp. 69–92)

Third: Settlement Through Mediation. The Religious Courts can mediate business disagreements in addition to hearing cases in court, giving them the jurisdiction to settle financial conflicts. Carrying out mediation requires a mediator, who plays the role of an impartial third party to assist the disputing parties in agreeing. (M. A. Fauzan & A. Asyhari, 2020, pp. 255–280)

# Obstacles to Settlement of Sharia Economic Disputes

Several obstacles in solving Sharia economic disputes include: a). Limited knowledge and understanding of religious judges regarding Sharia economic law; b). The Complexity of Sharia financial disputes and hard-to-understand evidence; c). Slow completion process and high costs.

#### a). Limited knowledge and understanding of religious judges regarding Sharia economic law

There is a possibility that spiritual judges have little awareness of the economic principles outlined in the Sharia, such as those about usury, *gharar*, and *maysir* rules. Judges can be hampered in reaching the correct verdict if they do not understand Sharia economic law's concept and actual implementation. (I. Yusriadi, 2020, pp. 133–152) In addition, the latest economic developments are frequently complicated and occur rapidly. Religious justices are responsible for having a working knowledge of the modern economic environment, particularly the new financial instruments and transactions. Because of this limited understanding, judges may find it challenging to comprehend instances that involve economic disagreements based on Sharia law. (M. Zain, 2019, pp. 300–320)

Religious judges also have a tough time gaining access to material that is pertinent and up to date in regard to the Sharia law that governs economic transactions. It may be difficult for judges to acquire the requisite information due to the limited resources available, including training and education concentrated on Islamic economics. (M. K. Hasan, 2020, pp. 283–301) In addition to this, the multifaceted and varying ways in which Sharia economic law might be interpreted can present difficulties for religious judges. The outcome of legal disputes can be influenced in various ways by scholarly disagreements and divergences of opinion over how Sharia economic law should be interpreted. (A. Abdulhadi, 2020, pp. 135–158)

# b). Complexity of Sharia economic disputes and elusive evidence

The difficulty of sharia economic conflicts and difficult-to-comprehend evidence can hinder their resolution. Disputes that arise in the context of Sharia economics frequently include intricate aspects of the law, accounting, and Islamic economic concepts. Islamic financial transactions like sukuk, musharakah, and *mudharabah v*an contain detailed frameworks and call for an in-depth understanding on the participant's part. Because of this intricacy, specific knowledge and the ability to use that information are required for dispute resolution. This might be a hurdle. (M. B. El-Zoghbi & N. Tarazi, 2020, pp. 2022–2046) In addition, the evidence that is utilized in Sharia economic disputes may sometimes be in the form of documents or statements that are difficult to comprehend due to their Complexity. These proofs are frequently associated with Islamic financial and accounting transactions, which call for specialized comprehension on the reader's part. It's possible that the parties involved in the dispute resolution process and the judges will have trouble correctly understanding and evaluating this evidence. (S. Saleem et al., 2020, pp. 532–554)

Economic issues based on Sharia include a unique vocabulary, specialized legal terminology, and various cultural perspectives. It is possible for there to be misconceptions regarding the evidence and arguments that the parties are presenting as a result of improper translations, disparities in language and cultural interpretations, or both. This can make it more difficult to resolve conflicts efficiently. (N. A. Ramli & N. H. Ismail, 2019, pp. 321–341) Furthermore, Sharia economic disputes frequently entail intricate laws and regulations, such as banking law, contract law, and applicable Sharia restrictions. The inability to understand the complexities of these laws and limitations due to ignorance or a lack of clarity can hinder the timely and effective resolution of disputes. (A. S. Elzarka, 2018, pp. 749–768)

# c). Slow completion process and high costs

The lengthy process of reaching a settlement and the substantial expenditures can impede settling Sharia economic issues. It is typical for resolving financial disputes based on Sharia law to take a significant amount of time. This may result from several circumstances, such as the difficulty of the applicable laws and regulations, the requirement of adequate evidence, and the heavy caseloads of the relevant courts. The time it takes to settle can make it more difficult for the parties engaged in the dispute to obtain justice promptly. (A. S. Abdul Rahman & H. Haron, 2019, pp. 319–341) In addition, dropping economic issues according to Sharia law might result in significant fees. This charge covers the costs of hiring attorneys, the court's administration, the cost of experts, and any other costs associated with the judicial procedure. These high fees might be a barrier for the parties involved in the

disagreement, particularly for those who do not have the financial ability to cover them. (A. Alzeban et al., 2019, pp. 1043–1066; G. S. Bhabra, 2021, pp. 107–126)

In Islamic economics, the limited availability of alternative dispute resolution methods, such as arbitration or mediation, can also contribute to delays in resolving conflicts and an increase in the necessary expenditures. Because of the limited number of choices available for dispute resolution, the parties involved in the competition may be forced to rely on the legal process, which is typically more time-consuming and costly. (S. Saleem et al., 2020, pp. 532–554) The enormous volume of activity in the courts, particularly in the Religious Courts, is another factor that can contribute to the drawn-out nature of settling Sharia economic conflicts. The volume of cases that need to be resolved by judges, combined with the limited resources available, can lead to delays in resolving disputes. (M. Salim, 2017, pp. 121–140)

#### Recommendations for improving Sharia economic dispute resolution in the Religious Courts

Recommendations that can be submitted to increase the resolution of Sharia economic disputes in the Religious Courts include: a). Increased understanding of religious judges regarding Sharia economic law; b). Increase cooperation between the Religious Courts and Islamic financial institutions; c). Development of education and training programs for mediators and arbitrators; d). Use of technology in the dispute resolution process for efficiency and accessibility.

# First: Increased understanding of religious judges regarding Sharia economic law

One of the most important recommendations to enhance the Sharia economic dispute resolution process in the Religious Courts is to work on increasing religious judges' understanding of Sharia economic law. The development of Discussion Forums and Knowledge Exchanges, more in-depth training and education for judges, engagement with Islamic economics specialists, distribution of resources and literature, and so on are all potential avenues for expanding this understanding.

Increasing the religious judges' knowledge of Sharia economic law by providing them with more in-depth training and instruction can assist in boosting their understanding. The judges' knowledge of the most recent advancements in Sharia economic law can be kept up to date by implementing regular and periodic training. (M. Abduh & M. A. Omar, 2018, pp. 464–481) Meanwhile, organizing a partnership between the Religious Courts and experts in sharia economics can help increase the understanding of Sharia economics among judges. Experts in Sharia economics can provide a more in-depth grasp of the principles of Islamic economics, which is necessary for conflict resolution. (M. B. El-Zoghbi & N. Tarazi, 2020, pp. 2022–2046)

To help religious judges improve their understanding of Sharia economic law, it is essential to ensure that they have proper access to relevant material, books, journals, and other resources. Acquiring resources pertinent to this topic will give judges access to the most recent information in this field. (A. Hassan et al., 2019, pp. 552–575) In the meantime, the religious judges involved in resolving Sharia economic conflicts might expand their understanding by developing discussion forums and exchanging expertise with one another. One can gain knowledge from one another, discuss their own experiences, and work together to find solutions to problems in this form of an online forum. (M. Zain, 2019, pp. 300–320)

# Second: Increasing cooperation between the Religious Courts and Islamic financial institutions

An essential recommendation to improve the resolution of Islamic economic issues in the Religious Courts is to strengthen cooperation between the Religious Courts and Islamic financial organizations. As for the specific forms that can be carried out, some examples include working together to provide knowledge, engaging in mutual consultation and direction, constructing dialogue forums, and involving Sharia economists.

It is possible for religious courts and Islamic financial institutions to work together to provide current, relevant, and accurate information regarding Islamic economic law. This can help spiritual judges grasp Sharia's economic components pertinent to resolving conflicts. (A. S. Elzarka, 2018, pp. 749–768) Meanwhile, Religious Courts can form consultative connections with Islamic financial organizations to get views and guidance about issues of the Islamic economy that are involved in resolving disputes. This advice can be helpful for judges in comprehending the economic consequences of Sharia in the problems they are tasked with deciding. (S. Saleem et al., 2020, pp. 532–554)

Establishing a conversation platform between the Religious Courts and Islamic financial institutions might make it easier for information to be shared and discussed and give rise to a deeper comprehension of various topics about Islamic economics. A forum of this kind has the potential to become a platform on which both sides can share their experiences, challenges, and expertise on the application of Sharia to the resolution of economic disputes. (M. Zain, 2019, pp. 300–320) In the meantime, the Religious Courts can think about enlisting the help of Sharia economic specialists to settle Sharia financial conflicts. In Islamic economics, Sharia economists can provide technical explanations and professional perspectives, which can assist religious judges as they work to reach the best possible verdicts. (A. S. Abdul Rahman & H. Haron, 2019, pp. 319–341)

#### Third: Development of education and training programs for mediators and arbitrators

One of the most important recommendations made to enhance the application of Sharia law in resolving economic disputes by the Religious Courts is the creation of education and training programs for mediators and arbitrators. It is possible to carry out these education and training program development activities, such as exchanging knowledge and experience, collaborating with education and training institutions, certification and professional standards, and specific education and training program activities.

It will be easier for mediators and arbitrators to acquire the knowledge and abilities they need if appropriate education and training programs centred on the Sharia approach to resolving economic disputes are developed. These seminars may educate participants on many areas of Sharia economic law, as well as the fundamentals of conflict resolution, negotiating strategies, and the abilities required of mediators and arbitrators. (G. S. Bhabra, 2021, pp. 107–126) In addition, Religious Courts can collaborate with educational and training institutes that are experts in conflict resolution and the application of Sharia law to economic matters. This type of partnership has the potential to ensure that the education and training programs that are offered contain pertinent content and are presented by knowledgeable individuals. (M. Zain, 2019, pp. 300–320)

The sharing of information and experiences between practitioners of Sharia economic law, mediators, and arbitrators can be facilitated by holding meetings, seminars, or workshops between these groups. The awareness and capabilities of experts in the field of Sharia economic dispute resolution will be enhanced via the discussion and exchange of best practices. (A. M. Ghouri, 2017, pp. 29–34) Meanwhile, developing a certification program and establishing professional standards for mediators and arbitrators in Sharia economic dispute resolution can improve the quality of these experts and their level of trust. These certificates and standards can assure that those who mediate and arbitrate Sharia economic issues have the necessary expertise. (N. Rizqiyah & R. K. Dewi, 2019, pp. 432–444)

#### Fourth: The use of technology in the dispute resolution process for efficiency and accessibility

One of the most important recommendations for improving the efficacy and accessibility of the process of settling disagreements through the Sharia Economic Courts is to make use of technology in

the process of resolving Sharia Economic Disputes. Implementing an integrated management information system capable of speeding up the process of settling Sharia economic issues makes this possible. This system can manage documents relating to disputes effectively, monitor the status of cases, and schedule trial dates. (S. O. Alhabshi & C. Veillete, 2021, pp. 31–48) As well as implementing internet mediation and arbitration systems to make Sharia economic dispute resolution more accessible to parties involved in the conflict. By using this platform, the parties can engage in the dispute resolution process remotely, which helps reduce the impact of geographical boundaries and speeds up the process of reaching a settlement. (S. Saleem et al., 2020, pp. 532–554)

Electronic papers, such as e-documents, e-settlements, and e-signatures, can also help speed up resolving economic disputes based on Sharia law. Electronic documentation lessens reliance on processes that require human labor, shortens the time needed to complete tasks, and improves document accessibility for all parties involved. (A. S. Elzarka, 2018, pp. 749–768) In addition to having the potential to establish an online service platform that enables linked parties to submit requests, upload documents, and follow the dispute progress online, it will also boost the efficacy of the Sharia economic dispute resolution process while making it more affordable. (A. S. Abdul Rahman & H. Haron, 2019, pp. 319–341)

Additionally, the Religious Courts can install a technology-based case management system within the Religious Courts, which can potentially boost the courts' overall efficiency in resolving disputes. This method offers improved management and monitoring of the case's developments, including scheduling arrangements, document filing, and monitoring of the state of completion. (A. M. Salmi, 2020, pp. 50–74; A. S. Elzarka, 2018, pp. 749–768) In addition, by enhancing the accessibility of information regarding the process of resolving economic disputes following Sharia law through the official website and application of the Religious Courts, the parties involved may have a more specific and more reasonable time gaining access to the essential information they require, which may include settlement procedures, forms, guidelines, and decisions related. (S. A. Ghazali & M. M. Rosli, 2020)

#### Conclusion

Effective and fair resolution of economic problems based on Sharia is essential. A thorough understanding of the concepts and rules regulating Islamic economics is necessary for resolving disputes that arise within the framework of Islamic economics, which present their specific difficulties. In this case, the authority and responsibility for resolving such disputes fall under the purview of the Religious Courts. However, several obstacles must be overcome, including the limited knowledge and understanding of religious judges about Sharia economic law, the Complexity of disputes and evidence that is difficult to understand, the delayed settlement process, and the high costs. These problems require answers. The effectiveness and fairness of Sharia economic dispute resolution can be improved through suggestions like expanding religious judges' knowledge of economic Sharia law, fostering greater cooperation between Religious Courts and Islamic financial institutions, creating education and training programs for mediators and arbitrators, and incorporating technology into the dispute resolution process. To fortify and enhance the system for resolving Sharia economic issues, there needs to be close cooperation between the Religious Courts, Islamic financial institutions, scholars, and Sharia law experts. If these steps are done, it is hoped that Sharia economic disputes can be resolved in a way that is more practical, equitable, and in line with the widely admired principles of Sharia economics.

The Religious Courts and similar institutions play a crucial role in conflict settlement. Sharia economic conflicts can and should be settled by the Religious Court, a specialized judicial body having jurisdiction over matters of religion. To guarantee that disputes are resolved equitably and in conformity with the principles of sharia economic law, the Religious Courts serve as an independent and neutral organization. Related organizations, such as Islamic financial institutions, play a vital role in resolving

Islamic economic issues alongside the Religious Courts. When conducting business with their clients, Islamic banks must act honestly and follow the tenets of Islamic economics. Islamic financial firms can work with Religious Courts to resolve disputes in a way that is equitable and consistent with Islamic economic principles. Religious Courts, Islamic financial institutions, supervisory bodies, academics, and Islamic law experts must continue working closely to advance Islamic monetary dispute resolution. Policymaking, regulation-making, and the sharing of dispute-resolution expertise all stand to benefit from this cooperative effort. It is envisaged that the principles of Sharia economic law, which constitute the basis of the Sharia financial system, can be more effectively, somewhat, and consistently applied to resolving Sharia economic disputes if the role of the Religious Courts is clarified. Excellent cooperation is fostered between the Religious Courts and related organizations. It focuses on suggestions for enhancing the Religious Courts' application of Sharia to adjudicating economic disputes.

#### References

- Abduh, M., & Omar, M. A. (2018). Islamic Banking Education: Insights from Indonesia and Malaysia. Journal of Islamic Accounting and Business Research, 9(4), 464-481.
- Abdul Rahman, A. S., & Haron, H. (2019). Enhancing the Dispute Resolution Mechanism of Islamic Banking: A Comparative Study of the Civil Law and Common Law Systems. Arab Law Quarterly, 33(4), 319-341.
- Abdulhadi, A. (2020). Interpretation and Application of Islamic Law in Arab Societies: Challenges and Prospects. Arab Law Quarterly, 34(2), 135-158.
- Alarief, M. R. (2018). Court Mediation of Civil Disputes: A Comparative Study between Indonesian and Saudi Arabian Legal Systems. Journal of Islamic State Practices in International Law, 14(1), 65-95.
- Alhabshi, S. O., & Veillette, C. (2021). Legal Foundations of Islamic Finance: An Introduction. In Islamic Finance: The Globalization of Shari'a (pp. 31-48). Springer.
- Al-Madny, A. (2018). Arbitrability of Islamic Finance Disputes in Indonesia: A Comparative Study. Journal of Indonesian Legal Studies, 3(1), 35-57.
- Alzeban, A., Zainol, Z., & Rashid, A. (2019). Litigation Risk and Performance of Islamic Banks: The Moderating Role of Corporate Governance Mechanisms. Journal of Business Ethics, 158(4), 1043-1066.
- Bhabra, G. S. (2021). Legal and Institutional Aspects of Arbitration in Islamic Finance. In Islamic Finance: Challenges and Opportunities (pp. 107-126). Springer.
- Denzin, N. K., & Lincoln, Y. S. (Eds.). (2011). The SAGE Handbook of qualitative research. Sage Publications.
- Elzarka, A. S. (2018). Corporate Governance Mechanisms, Board Characteristics, and Voluntary Disclosure in the Gulf Cooperation Council Countries. Journal of Business Ethics, 152(3), 749-768.
- El-Zoghbi, M. B., & Tarazi, N. (2020). Islamic Banking and Financial Inclusion: A Review of the Empirical Literature. Emerging Markets Finance and Trade, 56(9), 2022-2046.
- Fauzan, M. A., & Asyhari, A. (2020). Penggunaan Metode Mediasi dalam Penyelesaian Sengketa Ekonomi Syariah di Pengadilan Agama. Al-Adalah: Jurnal Hukum Islam, 17(2), 255-280.
- Ghazali, S. A., & Rosli, M. M. (2020). Online Dispute Resolution for Islamic Finance Disputes in Malaysia: An Overview Journal of Islamic Finance, 9(2
- Ghouri, A. M. (2017). Islamic Arbitration: A Path to Solve Disputes in Islamic Finance. Journal of Islamic Studies and Culture, 5(2), 29-34.
- Hasan, M. K. (2020). Legal Education and Research in Islamic Law in Bangladesh: A Comparative Study. Journal of the Indian Law Institute, 62(3), 283-301.
- Hassan, A., Faisal, F., & Mohamad, S. (2019). Islamic Finance: The Role of Intellectual Capital and Innovation. Journal of Intellectual Capital, 20(5), 552-575.

- Mansur, H. (2020). Metode Penyelesaian Sengketa di Pengadilan Agama dan Peluang Akses Keadilan Bagi Masyarakat Ekonomi Lemah. Al-Ma'rifah, 17(1), 69-92.
- Merriam, S. B. (2009). Qualitative research: A guide to design and implementation. John Wiley & Sons.
- Ramli, N. A., & Ismail, N. H. (2019). The Roles and Challenges of Islamic Financial Institutions in Promoting the Halal Concept in Malaysia. Journal of Islamic Marketing, 10(2), 321-341.
- Rizqiyah, N., & Dewi, R. K. (2019). The Development of Islamic Banking Arbitration Institution in Indonesia. Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences, 2(4), 432-444.
- Saad, N. (2016). Consumer Protection in Islamic Banking Products: A Comparative Analysis between Malaysia and Saudi Arabia. Arab Law Quarterly, 30(1), 50-81.
- Saleem, S., Raza, S. A., & Haroon, O. (2020). Impact of Corporate Governance Mechanisms on Disclosure of Islamic Banking Information: A Mediating Role of Ethical Leadership. International Journal of Islamic and Middle Eastern Finance and Management, 13(3), 532-554.
- Salim, M. (2017). The Indonesian Court Administration System in the Reform Era. Asian Journal of Comparative Law, 12(1), 121-140.
- Salmi, A. M. (2020). Enhancing the Efficiency of Shari'a Courts through Technology: A Case Study of Malaysia. Arab Law Quarterly, 34(1), 50-74.
- Elzarka, A. S. (2018). Corporate Governance Mechanisms, Board Characteristics, and Voluntary Disclosure in the Gulf Cooperation Council Countries. Journal of Business Ethics, 152(3), 749-768.
- Sihombing, H. (2019). Penyelesaian Sengketa Ekonomi Syariah di Pengadilan Agama. Indonesian Journal of Islamic Law Studies, 2(1), 29-44.
- Undang-Undang Nomor 3 Tahun 2006 tentang Perubahan Undang-Undang Nomor 7 Tahun 1989 tentang Peradilan Agama.
- Yusriadi, I. (2020). The Role of the Shariah Economic Law Expertise in Formulating Justice. Al-Mudarris: Journal of Islamic Economics and Business, 2(2), 133-152.
- Zain, M. (2019). Challenges of Contemporary Islamic Jurisprudence in the Economic Context: An Analytical Study. Journal of Islam in Asia, 16(3), 300-320.