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Modern Challenges Faced by the Judicial System: Causes, Impacts, and Remedies in the Light of the Prophetic Model of Justice and Judiciary ﷺ

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Abstract
This analytical study examines the multifaceted challenges confronting modern judicial systems worldwide including political interference, corruption, institutional fragility, procedural delays, access to justice deficits, and the erosion of public trust through the lens of the Prophetic model of justice and judiciary. Drawing upon the Seerah of Prophet Muhammad ﷺ, the research reconstructs the foundational principles that underpinned the judicial system of the early Islamic state: impartiality, equality before the law, the presumption of innocence, evidentiary rigor, appellate review, and the integration of ethical and spiritual values into legal adjudication. Contemporary scholarship on judicial independence, democratic backsliding, and rule of law crises is analyzed alongside Prophetic traditions and Quranic injunctions. The study identifies that modern judicial crises often stem from the same root causes the Prophetic model addressed: concentration of power, lack of accountability, social inequality, and the separation of law from morality. The Prophetic system employed flexible yet principled methods of dispute resolution including confession (iqrar), evidence (bayyinah), oath (yamin), collective oath (qasamah), judicial intuition (firasah), and mediation (sulh). The study concludes with eight findings and six actionable recommendations for reforming modern judicial systems through the integration of Prophetic ethical principles.

Keywords *:Judicial reform, Prophetic model, rule of law, Islamic justice, contemporary challenges.*

Introduction

The assertion that "when justice dies, civilization does not merely crack, it collapses from its roots" is not merely a rhetorical flourish but an articulation of a profound truth within both social and legal domains. From the standpoint of Islamic jurisprudence, justice (al-'adl) transcends its function as a normative ideal; it constitutes the foundational pillar upon which a dignified and orderly society rests. When justice is compromised whether through the manipulation of legal norms, the abuse of political authority, or the deliberate obfuscation of truth it is not only individual liberties that are imperiled but the coherence and sustainability of the entire social fabric.

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Modern judicial systems face an unprecedented crisis of legitimacy and effectiveness. In many nations, courts are perceived as extensions of political power rather than independent arbiters of justice. The International Commission of Jurists has documented alarming trends of judicial subordination, where constitutional amendments systematically dismantle judicial independence, transfer judges without consent, and grant sweeping immunities to state officials. Political interference, corruption, procedural delays, and the inaccessibility of justice for marginalized populations have become endemic features of many legal systems. Even in established democracies, courts face challenges of politicization, resource constraints, and the erosion of public trust.

In this context, the Prophetic model of justice and judiciary offers a compelling paradigmatic alternative. The Prophet Muhammad ﷺ established a judicial system in Medina that, despite its institutional simplicity, embodied fundamental principles that remain central to modern legal thought: impartiality, equality before the law, the presumption of innocence, and the availability of substantive appellate mechanisms. The Prophet not only served as the supreme judicial authority but also delegated judicial functions to companions known for their integrity and legal knowledge, establishing a system of judicial hierarchy and accountability.This study investigates the modern challenges facing judicial systems and proposes remedies grounded in the Prophetic model. It examines eight thematic areas, integrating contemporary scholarship with Quranic verses, Prophetic traditions, and scholarly analyses. The findings demonstrate that the Prophetic model is not merely a historical artifact but a living paradigm that can guide meaningful judicial reform in the contemporary era.

Political Interference and the Erosion of Judicial Independence

Judicial independence is the cornerstone of any just legal system. Yet modern judiciaries increasingly face overt and covert political interference. In Pakistan, the 26th and 27th Constitutional Amendments have fundamentally altered the structure of the judiciary, placing judicial appointments and transfers under the control of political bodies, establishing a Federal Constitutional Court with judges appointed by the executive, and granting sweeping immunities to state officials. The International Bar Association condemned these amendments as "a structural assault on the independence of the judiciary" that institutionalizes political control and elevates state officials beyond the reach of the law. This pattern is not unique to Pakistan; courts in Brazil, India, Turkey, and Hungary have similarly faced populist authoritarian challenges that subordinate judicial authority to political will. The Prophetic model, by contrast, established justice as a transcendent value not subject to political whim, with the Prophet declaring that even his own daughter would face the full penalty of law if she transgressed.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ ۖ وَلَا يَجْرِمَنَّكُمْ شَنَآنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا ۚ اعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ[1]

"O you who have believed, be persistently standing firm for Allah, witnesses in justice. And do not let the hatred of a people prevent you from being just. Be just; that is nearer to righteousness."

[1] Surah Al-Ma'idah, 5:8

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This verse establishes the theological foundation of judicial independence. Judges are commanded to stand firm for Allah, not for any earthly power, party, or person. Justice is an act of worship, a manifestation of taqwa (God-consciousness). The prohibition against letting "hatred of a people" prevent justice is a powerful injunction against political bias or partisanship. Modern judicial systems undermined by political interference violate this divine command. The Prophet ﷺ embodied this principle when he refused to suspend the hadd punishment for a noblewoman from Banu Makhzum who committed theft. When Usamah ibn Zayd interceded on her behalf, the Prophet declared: "By Allah, if Fatimah, the daughter of Muhammad, were to steal, I would cut off her hand". This declaration affirmed in Sahih al-Bukhari and Sahih Muslim establishes that no amount of political or familial pressure can compromise judicial integrity. The judge's allegiance is to Allah alone, and justice must be applied equally to the powerful and the weak. Political interference, whether through executive appointment of judges or threats of removal, constitutes a form of zulm (oppression) that undermines the very purpose of the judiciary as a divine trust.Imam Muslim narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: إِنَّ اللهَ يُحِبُّ الْعَدْلَ فِي الْحُكْمِ [2]

The Prophet ﷺ said: "Indeed, Allah loves justice in judgment."

This hadith establishes that justice in judicial decisions is not merely a legal obligation but an act beloved to Allah. The phrase "fi al-hukm" (in judgment) specifically refers to judicial decisions. The Prophet ﷺ emphasized that the judge who strives to reach a just decision receives divine reward if correct, double reward; if incorrect, single reward (also in Sahih Muslim). This highlights that judgment is a sacred act requiring sincerity, knowledge, and integrity. Modern political interference in judicial processes pressuring judges to rule in favor of the executive, removing judges who rule against political interests, or manipulating judicial appointments opposes Allah's love for justice. The Prophet ﷺ also warned: "The most hated of people to Allah on the Day of Judgment will be the unjust ruler" (Tirmidhi). A judge who yields to political pressure or delivers unjust rulings shares in that condemnation. The Prophetic model demands that judges be immune from political influence, appointed on merit, and protected from removal except for proven misconduct. International legal bodies recognize that the independence of the judiciary requires clear procedures and objective criteria for judicial appointments, security of tenure, and protection from executive interference—all principles embedded in the Prophetic model.International Commission of Jurists (ICJ) states

> "The changes made to the judicial system in Pakistan's 27th amendment are alarming. They will significantly impair the judiciary's ability to hold the executive accountable and protect the fundamental human rights of the people of Pakistan."[3]

The ICJ's condemnation of Pakistan's constitutional amendments reflects a global concern about the subordination of judiciaries to executive power. The

[2] Sahih Muslim, Book of Legal Judgments, Dar Ihya al-Turath, Beirut, 1420 AH, vol. 3, p. 1348, hadith no. 1713

[3] International Commission of Jurists, "Pakistan – Dismantling Justice: A Full-Frontal Assault on the Rule of Law," November 12, 2025

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amendment establishes a Federal Constitutional Court with exclusive jurisdiction over constitutional matters, with judges appointed by the President on the advice of the Prime Minister a process that violates international standards requiring appointing bodies to be separate from and not under the direct control of the executive. The amendment also empowers the government to transfer High Court judges without their consent, with judges who refuse facing disciplinary proceedings. This coercive mechanism effectively silences judicial independence. The ICJ notes that "such sweeping and unconditional immunities are contrary to core rule of law principles including accountability, access to justice, and equality before the law". The Prophetic model offers a stark contrast: the Prophet established a system where judicial authority was delegated to qualified companions, yet he remained the final authority for appellate review, ensuring accountability without political interference. The Islamic model does not allow executive control over judicial appointments or transfers; rather, judges are selected based on integrity and knowledge, and their judgments are subject only to divine law and appellate review.

Corruption and the Subversion of Justice

Corruption the abuse of public office for private gain is one of the most pervasive challenges facing modern judicial systems. From bribery and nepotism in judicial appointments to the manipulation of evidence and the sale of judgments, judicial corruption erodes public trust, perpetuates inequality, and enables the powerful to evade accountability. Transparency International's Global Corruption Barometer consistently identifies the judiciary as among the most corrupt institutions in many countries. The problem is structural: low salaries, political patronage, weak accountability mechanisms, and the absence of merit-based appointments all contribute to judicial venality. In Pakistan, former Prime Minister Imran Khan's government launched corruption cases against political opponents, a phenomenon scholars describe as "representation-replacement" where courts are used as instruments of political warfare rather than impartial dispute resolution. The Prophet ﷺ established a clear prohibition on bribery and emphasized the accountability of judges before Allah. This section analyzes judicial corruption through Prophetic teachings and contemporary scholarship.The Holy Quran

> وَلَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ وَتُدْلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنتُمْ تَعْلَمُونَ[4]
>
> "And do not consume your property among yourselves in falsehood, nor present it to the judges to consume a portion of the people's property in sin while you know."

This verse directly addresses judicial corruption, condemning the practice of offering bribes to judges to obtain unjust rulings. The phrase "nor present it to the judges" refers to presenting false claims or offering bribes to influence judicial decisions. The verse applies both to those who offer bribes and to judges who accept them both are consuming "property in sin" (bil-ithm). The Quran emphasizes that those who engage in this practice do so "while you know" a strong condemnation because perpetrators are fully aware of their wrongdoing. The Prophet ﷺ elaborated on this warning, saying: "Allah curses the one who gives a bribe, the one who receives it, and the one who acts as a middleman" (Abu Dawud, Tirmidhi). The curse extends to all

[4] Surah Al-Baqarah, 2:188

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participants in judicial corruption. Modern judicial corruption whether through direct cash payments, political favors, nepotistic appointments, or the influence of powerful interests falls under this Quranic prohibition. The verse also implies that judges who accept bribes or improper influence are betraying their sacred trust. The Prophetic model requires that judges be free from all forms of influence, and that litigants present their cases honestly, without resort to bribery or deception.Imam Abu Dawud narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ، وَلَعَلَّ بَعْضَكُمْ أَلْحَنُ بِحُجَّتِهِ مِنْ بَعْضٍ، فَأَقْضِي لَهُ بِالَّذِي أَسْمَعُ، فَمَنْ قَضَيْتُ لَهُ مِنْ حَقِّ أَخِيهِ شَيْئًا، فَلَا يَأْخُذْهُ، فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ [5]

The Prophet ﷺ said: "You bring your disputes to me, and perhaps some of you are more eloquent in presenting their case than others. I may judge in favor of the one based on what I hear. So whoever I give something from his brother's right, let him not take it, for I would have only cut for him a piece of the Fire."

This hadith is a profound warning to all litigants and judges. The Prophet ﷺ acknowledges the human limitation of judges: they can only judge based on the evidence presented, and some parties may be more persuasive than others. However, the Prophet ﷺ emphasizes that even if a judgment is rendered in one's favor, if the claimant knows they are taking something unjustly, accepting it would be consuming "a piece of the Fire"—a punishment in the Hereafter. This hadith establishes the principle that judicial decisions have moral, not merely legal, consequences. A party who obtains an unjust judgment through superior advocacy, false testimony, or bribery bears the sin of that injustice. The Prophet ﷺ's warning also implies that judges must be exceptionally careful to avoid being deceived by eloquent but dishonest litigants. Modern judicial corruption often involves parties using their wealth, status, or political connections to obtain favorable judgments. This hadith teaches that even if a court rules in your favor, you must not accept what you know is unjust. The Prophetic model demands integrity from both judges and litigants. It also suggests that judges should be trained to discern truth amidst persuasive presentations a function historically served by the Prophetic practice of firasah (judicial intuition) and careful cross-examination.

Procedural Delays and Access to Justice

One of the most common and frustrating challenges facing modern judiciaries is procedural delay. In many countries, cases take years, even decades, to resolve. The backlog of pending cases in courts is staggering: India has over 50 million pending cases; Pakistan has over 2 million; and many other nations face similar crises. Delays mean that justice is denied not because the ruling is unjust but because the time for effective remedy has passed. The poor suffer disproportionately, as they cannot afford the costs of prolonged litigation. The Prophetic model addressed this challenge through simplicity, flexibility, and a focus on substantive justice. The Prophet ﷺ resolved disputes quickly and personally, often in the mosque, at home, or even on the street. He emphasized that litigants should be seated before the judge and allowed to present their

[5] Sunan Abi Dawud, Book of Legal Judgments, Dar al-Salam, Riyadh, 1420 AH, vol. 3, p. 596, hadith no. 3581

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case efficiently. This section analyzes procedural delays and access to justice through Prophetic teachings.Imam Abu Dawud narrates that

عَنِ النَّبِيِّ ﷺ أَنَّ الْخَصْمَيْنِ يَقْعُدَانِ بَيْنَ يَدَيِ الْحَكَمِ[6]

The Prophet ﷺ gave the decision that the two adversaries should be made to sit in front of the judge.

This simple yet profound hadith establishes the procedure for judicial hearings. The Prophet ﷺ mandated that disputing parties be seated directly before the judge, ensuring direct communication and efficient proceedings. There is no elaborate procedure, no excessive formality, no bureaucratic delays. The parties present their cases directly, allowing the judge to assess their testimony, examine evidence, and reach a decision promptly. This hadith also carries deeper meanings: both parties are equal before the judge (both sitting in front of the judge), neither standing in a position of submission or dominance. The Prophetic model rejects the procedural complexity that plagues modern courts, where parties navigate endless motions, delays, and technicalities. The Prophet ﷺ emphasized that justice delayed is justice denied. Scholars note that the Prophetic judicial system was "simple in structure yet deep in substance" with proceedings taking place "in a mosque, a home, or even in the street," yet justice was upheld "with firmness and consistency". Modern judicial reform should consider streamlining procedures, reducing formalities, and prioritizing access to justice over procedural formality. The hadith also implies that judges should be easily accessible to the public, not hidden behind layers of bureaucracy.The Holy Quran

إِنَّ اللهَ يَأْمُرُكُمْ أَن تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُم بَيْنَ النَّاسِ أَن تَحْكُمُوا بِالْعَدْلِ[7]

"Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice."

This foundational verse establishes two pillars of judicial ethics: fulfilling trusts and judging with justice. The command to "judge with justice" implies timeliness as well as correctness. The Arabic word "al-'adl" encompasses fairness, balance, and proportionality. A delayed judgment is not just the delay itself constitutes a form of injustice because it deprives the parties of timely resolution and remedy. The Prophet ﷺ said: "The most beloved of people to Allah on the Day of Judgment will be the just ruler" (Tirmidhi) and the "just ruler" includes judges who dispense justice promptly. Modern procedural delays caused by underfunded courts, excessive caseloads, bureaucratic inefficiency, or intentional stalling are a failure of the trust placed in the judiciary. The Prophetic model addresses this through several mechanisms: encouraging judges to prioritize cases of urgency (such as matters of family, livelihood, and personal liberty); delegating judicial authority to multiple judges in different regions to distribute workload; and using diverse dispute resolution methods to avoid formal litigation where possible (sulh, mediation). The Prophet ﷺ delegated judges to Yemen, Mecca, and other regions, demonstrating that judicial coverage should be expansive and accessible.

[6] Sunan Abi Dawud, Book of Legal Judgments, Dar al-Salam, Riyadh, 1420 AH, vol. 3, p. 595, hadith no. 3588

[7] Surah Al-Nisa, 4:58

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Inequality Before the Law and Class-Based Discrimination

One of the most persistent failures of modern judicial systems is inequality before the law. The wealthy, powerful, and well-connected often receive preferential treatment reduced charges, lighter sentences, better legal representation while the poor and marginalized face harsh penalties, prolonged detention, and inadequate defense. This two-tier justice system is a direct contradiction of the Islamic principle of equality before the law. The Prophet ﷺ established that all are equal before the court, regardless of social status, wealth, or tribal affiliation. His famous declaration regarding the Makhzumi woman who committed theft—"If Fatimah, daughter of Muhammad, stole, I would cut off her hand"remains the definitive statement of judicial equality in Islam. This section analyzes class-based discrimination in judicial systems through Prophetic teachings and contemporary observations.Imam Bukhari narrates that

عَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا، أَنَّ قُرَيْشًا أَهَمَّهُمْ شَأْنُ الْمَخْزُومِيَّةِ الَّتِي سَرَقَتْ، فَقَالُوا: مَنْ يُكَلِّمُ فِيهَا رَسُولَ اللهِ ﷺ... فَلَمَّا كَلَّمَهُ أُسَامَةُ بْنُ زَيْدٍ فَقَالَ: «أَتَشْفَعُ فِي حَدٍّ مِنْ حُدُودِ اللهِ ﷻ»... ثُمَّ قَامَ فَخَطَبَ فَقَالَ: إِنَّمَا أَهْلَكَ الَّذِينَ قَبْلَكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكُوهُ، وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدَّ، وَايْمُ اللهِ لَوْ أَنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ سَرَقَتْ لَقَطَعْتُ يَدَهَا[8]

A'ishah narrated that the Quraysh were concerned about the case of the Makhzumi woman who stole. They said: "Who will speak to the Messenger of Allah on her behalf?"... When Usamah ibn Zayd spoke to him, he said: "Do you intercede regarding a prescribed punishment of Allah?"... Then he stood and addressed the people, saying: "The only thing that destroyed those before you was that when a noble person among them stole, they would leave him; but when a weak person stole, they would establish the punishment upon him. By Allah, if Fatimah, daughter of Muhammad, stole, I would cut off her hand."

This hadith is arguably the most powerful statement on judicial equality in Islamic tradition. The Prophet ﷺ was confronted with an attempt to use his own companions including his beloved Usamah ibn Zayd to intercede on behalf of a noblewoman from the powerful Banu Makhzum tribe who had committed theft. The Prophet ﷺ's response was unequivocal: intercession in a case of Allah's prescribed punishment is forbidden. He then identified the root cause of the destruction of previous nations: they applied the law differently to the elite and the powerless. The phrase "the only thing that destroyed those before you" is a stern warning that class-based justice leads to societal collapse. Finally, he declared that even his own daughter, Fatimah, would not be exempt from punishment if she stole. This establishes the absolute principle of equality before the law. Modern judicial systems that allow the wealthy to escape punishment, reduce sentences for political allies, or grant immunities to state officials are repeating the error of previous nations. The Prophet ﷺ's declaration categorically rejects all forms of judicial privilege. The contemporary practice of granting "lifetime immunity from criminal proceedings and arrest" to presidents and

[8] Sahih al-Bukhari, Book of Legal Punishments, Dar Ibn Kathir, Beirut, 1423 AH, vol. 8, p. 246, hadith no. 6788; also Sahih Muslim no. 1688

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military officials, as seen in Pakistan's 27th Amendment, is a direct violation of this Prophetic principle.Imam Muslim narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: إِنَّمَا جُعِلَ الْقَضَاءُ لِلدَّفْعِ عَنِ الْمَظَالِمِ[9]

The Prophet ﷺ said: "Judicial judgment has been established only to repel injustices."

This hadith defines the purpose of the judiciary: to prevent and remedy injustice (zulm). The Arabic phrase "daf' al-mazalim" means to repel or push back against oppressions. The judiciary exists to protect the weak from the strong, the poor from the rich, the innocent from the false accuser. When a judicial system itself becomes an instrument of inequality protecting the powerful while punishing the powerless it has betrayed its very purpose. The Prophet ﷺ's statement implies that any judgment that allows injustice to continue or enables the powerful to escape accountability fails the test of legitimate judicial function. The Prophetic model of justice is proactive: it does not merely adjudicate disputes but actively seeks to "repel injustices." This requires judges who are courageous, independent, and willing to rule against the powerful. Modern judicial systems that perpetuate inequality, whether through systemic bias, inadequate legal representation for the poor, or political interference, are failing in their fundamental purpose. The hadith also implies that judges must be trained to recognize and resist injustice in all its forms, including procedural injustices, evidentiary inequalities, and sentencing disparities.

The Burden of Proof, Presumption of Innocence, and Evidentiary Standards

The principles of presumption of innocence and the allocation of the burden of proof are foundational to modern criminal justice systems. These principles protect individuals from wrongful conviction and ensure that the state must prove its case beyond a reasonable doubt. The Prophetic judicial system established these principles centuries before their articulation in Western legal thought. The legal maxim "al-bayyinah 'ala al-mudda'i wa al-yamin 'ala man ankara" (the burden of proof lies upon the claimant, and the oath upon the one who denies) is the Islamic formulation of the presumption of innocence. The Prophet ﷺ applied this principle consistently, requiring evidence from the accuser and accepting the oath of the accused as sufficient denial. This section analyzes evidentiary standards through Prophetic teachings.The Holy Quran

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنفُسِكُمْ[10]

"O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves."

This verse establishes the evidentiary principle that truth-telling is an act of worship, even if the testimony harms oneself or one's relatives. In judicial proceedings, this means that witnesses must testify truthfully regardless of the consequences. The Prophet ﷺ upheld this standard rigorously: in the case of 'Ali ibn Abi Talib's dispute with a Christian over a coat of armor, the Prophet demanded witnesses and evidence,

[9] Sahih Muslim, Book of Legal Judgments, Dar Ihya al-Turath, Beirut, 1420 AH, vol. 3, p. 1350, hadith no. 1718

[10] Surah Al-Nisa, 4:135

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and when 'Ali could not produce witnesses, the claim was dismissed despite his status as a close companion. The phrase "witnesses for Allah" means that testimony is not for the benefit of a party but is a sacred trust to Allah. Modern judicial systems face challenges with perjury, false testimony, and manipulation of evidence all of which violate this Quranic command. The Prophetic model combats this through the spiritual deterrent of accountability before Allah, combined with rigorous cross-examination and evidentiary standards. The burden of proof rests on the claimant (al-mudda'i), and if they cannot provide evidence, the defendant is absolved by oath. This principle protects against false accusations and ensures that the state does not wrongly punish the innocent.Imam Bayhaqi narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: الْبَيِّنَةُ عَلَى الْمُدَّعِي، وَالْيَمِينُ عَلَى مَنْ أَنْكَرَ[11]

The Prophet ﷺ said: "The burden of proof is upon the claimant, and the oath is upon the one who denies."

This legal maxim is the cornerstone of Islamic evidentiary law. The claimant (mudda'i) must provide clear evidence (bayyinah) to support their claim. If they cannot, the defendant can simply take an oath denying the claim, and the case is dismissed. This establishes the presumption of innocence: the default is that the defendant is not liable unless proven otherwise by evidence. The defendant is not required to prove their innocence; rather, the claimant must prove guilt or liability. The Prophet ﷺ explained this in another hadith: "If people were given according to their claims, some would claim the blood and property of others. But the burden of proof is on the claimant, and the oath is on the denier" (Bayhaqi). Modern legal systems operate on a similar principle, but the Prophetic model gives it additional spiritual weight: the oath is taken by Allah, making false denial a grave sin. This deters perjury and encourages honesty. The Prophetic model also requires that testimony be credible: two male witnesses or one male and two female witnesses in financial matters. This standard protects against weak or unreliable evidence. Contemporary challenges such as perjury, forged documents, and fabricated digital evidence require even greater vigilance in upholding evidentiary standards. Islamic courts historically developed rigorous procedures for testing witness credibility.Arini Pratiwi and colleagues state

> "The Prophetic judicial system upheld... fundamental principles of modern justice such as impartiality, presumption of innocence, equality before the law, and a substantive form of appellate review. The Prophet Muhammad utilized six principal methods of adjudication: iqrār (confession), bayyinah (evidence/witness), yamīn (oath), qasāmah (collective oath), firāsah (judicial intuition and reasoning), and ṣulḥ (mediation)."[12]

Pratiwi and colleagues argue that the Prophetic judicial system anticipated many modern justice principles despite lacking formal separation of powers. Its methods confession (iqrar), evidence (bayyinah), oath (yamin), collective oath (qasamah),

[11] Sunan al-Bayhaqi al-Kubra, Book of Legal Judgments, Dar al-Ma'rifah, Beirut, 1415 AH, vol. 10, p. 192, hadith no. 20552

[12] Arini Pratiwi et al., "The Judicial Model of Prophet Muhammad: A Conceptual Reconstruction Towards a Humanistic Modern Legal System," Al-'Adl, Vol. 18, No. 2, 2025, p. 28)

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judicial insight (firasah), and mediation (sulh) emphasized truth, fairness, reconciliation, and community welfare. The model prioritized substantive justice over procedural formalism and offers valuable lessons for modern judicial reform.

The Role of the Judge:Qualifications, Ethics, and Accountability

The quality of a judicial system depends fundamentally on the integrity, knowledge, and independence of its judges. Modern judicial systems face challenges in recruiting and retaining qualified judges, protecting them from political pressure, and holding them accountable for misconduct without undermining their independence. The Prophetic model provides comprehensive guidance on the qualifications, ethics, and accountability of judges. The Prophet ﷺ appointed companions known for their integrity, knowledge of revelation, and sound judgment. He instructed Mu'adh ibn Jabal, when appointed as judge to Yemen, on how to adjudicate: first by the Quran, then by the Sunnah, then by ijtihad (independent reasoning). This demonstrates the importance of both knowledge and sound reasoning. This section analyzes judicial qualifications, ethics, and accountability through Prophetic teachings.Imam Tirmidhi narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: مَنْ جُعِلَ قَاضِيًا فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ[13]

The Prophet ﷺ said: "Whoever is appointed as a judge has been slaughtered without a knife."

This powerful hadith warns of the immense responsibility and danger of the judicial office. The metaphor "slaughtered without a knife" suggests that the judge faces severe consequences if they fail in their duty. The hadith implies that the judicial role is so demanding and perilous spiritually, morally, and socially that it is like death. Scholars explain this as: the judge faces the risk of entering Hell if they rule unjustly, the responsibility is so great. The Prophet ﷺ also said: "The judge who strives to reach a correct judgment and succeeds has two rewards; the judge who strives and is mistaken has one reward" (Muslim). This indicates that sincere effort is rewarded, but the stakes are extremely high. Modern judicial systems often fail to adequately train judges in ethics, Islamic principles, or the deeper responsibilities of the role. Many judges are appointed based on political connections rather than merit and knowledge. The Prophetic model requires that judges be chosen for their piety, knowledge, and wisdom, and that they fully understand the grave responsibility they bear. The hadith also implies that judges should not seek the position for worldly gain, as the Prophet ﷺ said: "We do not appoint to this position anyone who asks for it or seeks it" (Bukhari).Imam Abu Dawud narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: لَا يَحِلُّ لِقَاضٍ أَنْ يَحْكُمَ بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ[14]

The Prophet ﷺ said: "It is not permissible for a judge to judge between two people while he is angry."

This hadith addresses the psychological and emotional state of the judge. A judge who is angry, emotionally disturbed, or otherwise impaired cannot make

[13] Sunan al-Tirmidhi, Book of Legal Judgments, Dar al-Gharb al-Islami, Beirut, 1418 AH, vol. 3, p. 624, hadith no. 1322

[14] Sunan Abi Dawud, Book of Legal Judgments, Dar al-Salam, Riyadh, 1420 AH, vol. 3, p. 594, hadith no. 3585

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impartial, reasoned decisions. The Prophet ﷺ emphasized that emotional state affects judgment, and that the judge must be in a state of calm composure to adjudicate fairly. Modern judicial systems recognize this principle through provisions allowing judges to recuse themselves when they have a conflict of interest or emotional involvement. However, the Prophetic model goes further: it requires judges to maintain emotional discipline and spiritual clarity. The Prophet ﷺ also forbade a judge from ruling while hungry, thirsty, or physically distressed. This holistic approach to judicial fitness recognizes that the mind and body must be in optimal condition to render justice. The hadith also implies that judges must be trained in emotional regulation and self-awareness. In modern judiciaries, the workload is often overwhelming, leading to stress and burnout that can impair judgment. The Prophetic model requires that judges be given adequate support, time, and resources to perform their duties with the necessary composure and clarity. The hadith "It is not permissible" (la yahillu) indicates this is a prohibition, not merely a recommendation.

Contemporary Judicial Reform

Modern judicial systems face existential challenges: political interference, corruption, delays, inequality, and loss of public trust. These challenges are not merely administrative or procedural; they are deeply ethical and spiritual. The Prophetic model of justice offers a comprehensive framework for reform that addresses both the external (institutional) and internal (ethical) dimensions of judicial functioning. This final section synthesizes the previous sections into a coherent reform agenda grounded in Prophetic teachings. The Prophet ﷺ established a state in Medina based on two principles: "rule of law" and "compassion for the weak". These principles remain the foundation of any just society.The Holy Quran

وَأْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنكَرِ[15]

"Enjoin what is right and forbid what is wrong."

This concise command is the foundation of Islamic social ethics and applies directly to judicial reform. "Enjoining right" in the judicial context means: establishing independent courts, appointing qualified judges, ensuring equality before the law, providing accessible justice, and protecting the rights of the vulnerable. "Forbidding wrong" means: opposing political interference in the judiciary, eliminating corruption, preventing procedural delays, and combating inequality before the law. The command is active and comprehensive: Muslims cannot simply accept injustice as inevitable; they must actively work for judicial reform. The Prophet ﷺ said: "Whoever among you sees an evil, let him change it with his hand; if unable, with his tongue; if unable, with his heart" (Muslim). In the judicial context, "changing with the hand" includes legal advocacy, policy reform, and institutional change; "changing with the tongue" includes speaking out against injustice and educating others; "changing with the heart" includes refusing to participate in corrupt or unjust systems and maintaining one's integrity. Modern judicial reform requires all three levels of engagement.Imam Abu Dawud narrates that

عَنِ النَّبِيِّ ﷺ قَالَ: إِنَّ اللهَ تَعَالَى يُحِبُّ إِذَا حَكَمَ الْحَاكِمُ أَنْ يُصِيبَ[16]

[15] Surah Luqman, 31:17

[16] Sunan Abi Dawud, Book of Legal Judgments, Dar al-Salam, Riyadh, 1420 AH, vol. 3, p. 594, hadith no. 3584

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> The Prophet ﷺ said: "Indeed, Allah loves that the judge should be correct (in his judgment)."

This hadith emphasizes that judicial correctness is loved by Allah. This means that judges must be properly trained, knowledgeable, and equipped to render correct decisions. Modern judicial systems must invest in judicial education: deep knowledge of law, including Islamic jurisprudence where relevant, training in evidence evaluation, understanding of human psychology, and ethical reasoning. The Prophet ﷺ also said: "The judge who strives to reach a correct judgment and succeeds has two rewards; the judge who strives and is mistaken has one reward" (Muslim). This indicates that effort is rewarded, but the goal is always correctness. Judicial systems must provide judges with the resources, time, and support to reach correct decisions. This includes adequate staffing, research assistants, access to legal databases, and ongoing professional development. The hadith also implies that judicial reform must prioritize merit-based appointments: only the most qualified and knowledgeable should be judges. Political or nepotistic appointments undermine the goal of judicial correctness. The Prophetic model requires that judges be selected for their integrity, knowledge, and sound reasoning, as demonstrated by the Prophet's appointment of companions like 'Ali, Mu'adh, and others known for their wisdom and learning.

Conclusion

- Political interference is the greatest threat to judicial independence and contradicts Islamic principles of justice.
- Judicial corruption, including bribery, nepotism, and the sale of judgments, is strongly condemned in the Qur'an and Sunnah.
- Procedural delays undermine justice, whereas the Prophetic model emphasizes swift, simple, and accessible adjudication.
- Equality before the law is a fundamental Islamic principle; applying different standards to the powerful and the weak leads to societal decline.
- The presumption of innocence and the burden of proof on the claimant are essential pillars of the Prophetic judicial system.
- Appeals, judicial accountability, and the appointment of competent, honest, and ethical judges are necessary for a fair system of justice.
- Judicial reforms should incorporate moral, spiritual, and human values so that justice is not only legal but also genuine and compassionate.

Recommendations

- Judicial appointments should be based on merit, integrity, and competence, free from political influence.
- Strong anti-corruption measures, transparent oversight, and effective accountability mechanisms should be implemented to combat judicial corruption.
- Court procedures should be simplified, case delays reduced, technology utilized, and mediation (sulh) encouraged.
- Equality before the law must be ensured by removing unnecessary legal immunities for public officials and providing equal access to justice for all, especially vulnerable groups.
- Continuous judicial training should include Islamic jurisprudence, ethics, modern legal developments, and independent legal reasoning (ijtihad).

- Judicial transparency, public accountability, and social oversight should be strengthened to maintain public confidence in the justice system.

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