

CHARACTERISTICS OF CIVIL CASE DECISIONS BASED ON THE PRINCIPLE OF JUDGES SEARCHING FORMAL TRUTH IN HALAL TRIALS (STUDY OF MAKASSAR DISTRICT COURT DECISIONS)

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Abstract.

The emergence of civil case decisions that fail to deliver justice has significant implications for the legal system's goals of fairness and societal benefit. A pressing concern is identifying the traits of a truly fair civil case decision. This analysis aims to dissect the judge's decision-making process, ensuring it remains just and equitable, particularly amid technological advancements that facilitate online implementations. Utilizing the Statute, Conceptual, Case, and Comparative Approaches, we systematically evaluate legal reasoning and interpretation to address critical legal issues. Our findings underscore that the characteristics of civil cases play a pivotal role in regulating individual interests and compelling compliance among the parties involved. Importantly, general civil cases in the District Court are governed by different rules than specific civil cases, which follow distinct regulations like those of the Commercial Court under Law No. 4 of 1998. Additionally, the resolution processes for lawsuits and applications show notable variations. In Singapore, while the overall civil case resolution framework remains consistent, differences manifest primarily in evidentiary types and the openness of the evidence process. These insights highlight the necessity for judges to base their decisions on the principle of seeking formal truth from the evidence presented. By balancing the interests of all parties, judges must tailor their decisions to ensure they reflect justice, legal certainty, and societal benefit, thereby reinforcing the integrity of the legal system.

Keywords: characteristics; civil cases; halal trials