

JUDICIAL REASONING IN UNILATERAL EMPLOYMENT TERMINATION FROM THE PERSPECTIVE OF FIQH SIYASAH

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Abstract

Judicial reasoning determines the legitimacy of unilateral employment termination and influences the balance between legal certainty and workers' rights. Divergent judicial approaches to employment disputes have raised questions regarding procedural justice and substantive justice in Indonesian industrial relations. This study examines the judicial reasoning adopted by the Supreme Court in Decision Number 566 K/Pdt.Sus-PHI/2024 from the perspective of *Fiqh Siyasa*, particularly *Siyasa Qadha'iyah*. Normative legal research was employed using statutory, case, and conceptual approaches. Primary legal materials consisted of the Supreme Court decision, supported by legislation, legal doctrines, and relevant literature. The findings reveal that the Supreme Court validated unilateral employment termination based on preliminary evidence derived from internal audit reports and an ongoing criminal investigation without requiring a final criminal judgment. This approach strengthens legal certainty and corporate protection but raises concerns regarding the presumption of innocence, proportionality, and the protection of workers' rights. The study demonstrates that judicial reasoning should balance legal certainty, public interest, and substantive justice to achieve equitable industrial dispute resolution.

Keywords: *employment termination, Fiqh Siyasa, industrial relations, judicial reasoning, Supreme Court*

INTRODUCTION

Employment relationships constitute a fundamental pillar of economic growth and social welfare by ensuring income security for workers and supporting business sustainability. Industrial relations have become increasingly complex as economic competition, organizational restructuring, and labor market flexibility reshape employment practices across many countries. Unilateral employment termination remains one of the most significant sources of industrial disputes because it directly affects workers' legal protection, financial stability, and social security. Courts therefore assume a decisive role in resolving employment disputes by interpreting statutory provisions and balancing the competing interests of employers and employees. Judicial reasoning determines whether employment termination satisfies legal requirements while preserving fairness, proportionality, and substantive justice within industrial relations (Mutaqin et al., 2025).

Employment termination in Indonesia is regulated through legal instruments that emphasize the protection of workers' rights while recognizing the legitimate interests of employers. Law Number 13 of 2003 concerning Manpower, as amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law, establishes that employment termination must comply with substantive and procedural requirements. Industrial Relations Courts therefore assess not

only the legality of dismissal but also the fairness of the decision based on available evidence and applicable legal principles. Judicial reasoning serves as the primary basis for determining whether the rights and obligations of both parties have been fulfilled in accordance with statutory provisions. Consistent judicial interpretation is essential to strengthen legal certainty while maintaining justice in industrial relations (Ayu & Kurniawan, 2024).

Industrial disputes concerning unilateral employment termination continue to increase as differences arise over the interpretation of legal procedures and evidentiary standards. Judicial decisions frequently demonstrate varying approaches in assessing the validity of dismissal, particularly when termination is based on allegations of employee misconduct that have not been confirmed through a final criminal judgment. Decision Number 566 K/Pdt.Sus-PHI/2024 illustrates this issue because the Supreme Court upheld the employer's decision by considering internal audit findings and an ongoing criminal investigation as sufficient preliminary evidence. This judicial approach reflects an effort to preserve legal certainty while simultaneously generating debate regarding the protection of workers' rights and the application of the presumption of innocence. Differences in judicial reasoning indicate that employment disputes require comprehensive legal analysis to ensure that procedural compliance remains consistent with substantive justice (Siddik, 2025).

Previous studies have extensively examined unilateral employment termination from the perspectives of labor law, legal protection, industrial relations, and dispute settlement mechanisms. Existing literature primarily evaluates the implementation of statutory provisions, procedural compliance, and the fulfillment of workers' rights within industrial relations. Limited attention has been given to judicial reasoning in Supreme Court decisions that uphold employment termination based on preliminary evidence without a final criminal conviction. Comprehensive analysis integrating positive law with *Fiqh Siyasah*, particularly the principles of *Siyasah Qadha'iyyah*, also remains limited. This gap demonstrates the need for further research to evaluate whether judicial reasoning reflects both legal certainty and the values of justice emphasized in Islamic legal thought (Asya et al., 2023).

This study offers a different perspective by examining judicial reasoning in Decision Number 566 K/Pdt.Sus-PHI/2024 through the framework of *Fiqh Siyasah*, particularly *Siyasah Qadha'iyyah*. Analysis extends beyond assessing compliance with statutory provisions by evaluating whether judicial considerations embody the principles of justice, public interest (*maslahah*), legal certainty, and balanced protection for both employers and workers. Integration of positive law and Islamic legal thought provides a more comprehensive understanding of judicial decision-making in industrial relations disputes. Findings from this study are expected to enrich the discourse on employment law while expanding the application of *Fiqh Siyasah* in the analysis of contemporary judicial decisions (Al-Zikri & Gusmarani, 2025).

This study aims to analyze the judicial reasoning adopted by the Supreme Court in Decision Number 566 K/Pdt.Sus-PHI/2024 concerning unilateral employment termination from the perspective of *Fiqh Siyasah*. Analysis focuses on the conformity between judicial considerations and the principles of *Siyasah Qadha'iyyah*, particularly justice, legal certainty, public interest, and the protection of rights within industrial relations. The study is expected

to contribute to the development of employment law scholarship and provide a broader understanding of the relevance of Islamic legal principles in evaluating contemporary judicial decisions (Tabita et al., 2025).

RESEARCH METHOD

This study employed normative legal research to analyze judicial reasoning in Decision Number 566 K/Pdt.Sus-PHI/2024 concerning unilateral employment termination from the perspective of *Fiqh Siyasah*. The research adopted statutory, case, and conceptual approaches. The statutory approach examined legislation governing employment termination in Indonesia, particularly Law Number 13 of 2003 concerning Manpower as amended by Law Number 6 of 2023. The case approach focused on Supreme Court Decision Number 566 K/Pdt.Sus-PHI/2024, while the conceptual approach applied the principles of *Fiqh Siyasah*, particularly *Siyasah Qadha'iyyah*, to evaluate judicial reasoning.

Primary legal materials consisted of legislation and Supreme Court Decision Number 566 K/Pdt.Sus-PHI/2024, supported by secondary legal materials including books, peer-reviewed journal articles, and other relevant scholarly publications. Legal materials were collected through document studies and literature review. Qualitative descriptive analysis was conducted by interpreting statutory provisions, judicial reasoning, and the principles of *Fiqh Siyasah* to assess the consistency of judicial considerations with the values of justice, legal certainty, public interest (*maslahah*), and legal protection in industrial relations disputes.

RESULTS AND DISCUSSION

Judicial Reasoning in Supreme Court Decision Number 566 K/Pdt.Sus-PHI/2024

Employment termination constituted the central legal issue examined by the Supreme Court in Decision Number 566 K/Pdt.Sus-PHI/2024, requiring the Court to determine whether the employer's unilateral dismissal complied with the substantive and procedural standards established under Indonesian employment law. The dispute originated from allegations that the employee had committed misconduct causing financial losses to the company, prompting the employer to terminate the employment relationship before the completion of criminal proceedings. Judicial examination consequently extended beyond verifying the factual basis of the alleged misconduct and focused on whether the evidence presented was legally sufficient to justify termination within the framework of industrial relations law. The Court therefore evaluated the relationship between statutory requirements, evidentiary standards, and the legal obligations of both parties to determine the legitimacy of the employer's decision. This judicial approach illustrates that employment disputes require comprehensive legal assessment because the legality of dismissal depends not solely upon the occurrence of alleged misconduct but also upon the adequacy of the legal justification supporting the employer's action. Judicial reasoning consequently became the principal mechanism through which the Court balanced the competing interests of legal certainty, contractual obligations, and the protection of workers' rights (Kabazzi, 2021).

A significant aspect of the Supreme Court's reasoning concerned its assessment of evidentiary sufficiency in establishing the legality of unilateral employment termination. The Court attributed substantial evidentiary value to the employer's internal audit findings and

the ongoing criminal investigation, concluding that these materials constituted adequate preliminary evidence to support dismissal despite the absence of a final criminal conviction. This judicial interpretation demonstrates that evidentiary assessment in industrial relations disputes operates independently from the determination of criminal liability because employment disputes primarily concern contractual obligations rather than criminal responsibility. Recognition of preliminary evidence as a sufficient legal basis reflects a broader interpretation of judicial discretion in evaluating factual circumstances surrounding employment relationships. Expansion of judicial discretion also signifies that judges possess authority to determine the relevance and reliability of available evidence according to the objectives of industrial relations law, provided that such assessment remains rational, objective, and consistent with statutory principles. Judicial reasoning adopted in this decision therefore reinforces legal certainty by affirming that civil consequences arising from employment relationships may be resolved without awaiting the completion of criminal adjudication (Peach, 2024).

Another significant element of the Court's reasoning involved the recognition of the deterioration of mutual trust between the employer and the employee as a legally relevant consideration in determining the continuation of the employment relationship. Employment contracts are founded upon reciprocal confidence, making trust an indispensable component supporting cooperation, responsibility, and organizational stability. Judicial consideration of the employer's loss of confidence demonstrates that the Court evaluated not only procedural compliance but also the practical feasibility of maintaining an employment relationship that had fundamentally deteriorated due to the alleged misconduct. This interpretation indicates that judicial reasoning extended beyond the formal application of statutory provisions by recognizing the functional realities of industrial relations and the legitimate interests of employers in preserving institutional integrity. Acceptance of the loss of trust doctrine nevertheless requires careful judicial scrutiny because subjective assessments unsupported by convincing evidence may create opportunities for arbitrary dismissal and weaken legal protection afforded to workers. Judicial reasoning therefore must ensure that the concept of diminished trust remains supported by objective evidence capable of satisfying the standards of fairness and proportionality required within employment law (Zulfikar, 2020).

Critical evaluation of the Supreme Court's reasoning demonstrates that the decision strengthens legal certainty by expanding the scope of judicial discretion in assessing evidentiary sufficiency within industrial relations disputes. Recognition of preliminary evidence enables employers to respond more effectively to serious allegations of misconduct without postponing employment decisions until criminal proceedings reach final resolution, thereby supporting organizational stability and business continuity. Expansion of judicial discretion, however, also introduces important legal implications concerning proportionality, procedural fairness, and the protection of workers' rights because employment termination based upon evidence that has not been conclusively tested through criminal adjudication may generate uncertainty regarding the application of the presumption of innocence. Judicial reasoning adopted in Decision Number 566 K/Pdt.Sus-PHI/2024 therefore reflects an attempt to reconcile competing legal interests rather than to prioritize one party over another.

Evaluation of this decision indicates that sustainable industrial relations require judicial reasoning capable of integrating legal certainty with substantive justice so that protection of employers' legitimate interests develops concurrently with the preservation of workers' fundamental rights under Indonesian employment law.

Legal Implications of Judicial Reasoning in Unilateral Employment Termination

Judicial reasoning adopted in Supreme Court Decision Number 566 K/Pdt.Sus-PHI/2024 carries significant implications for the development of legal certainty within Indonesian industrial relations. Legal certainty constitutes a fundamental principle of employment law because it enables both employers and workers to understand the legal standards governing the exercise of their respective rights and obligations. Recognition of internal audit findings and ongoing criminal investigations as sufficient preliminary evidence demonstrates that judicial assessment of employment disputes is not invariably dependent upon the conclusion of criminal proceedings. Such an interpretation strengthens the autonomous character of industrial relations adjudication by confirming that judges may independently evaluate the legality of employment termination based upon the evidence presented during civil proceedings. Judicial reasoning consequently reinforces the principle that employment disputes possess distinct legal characteristics requiring independent assessment rather than automatic reliance upon criminal adjudication. Consistency in applying this legal approach may enhance predictability in future industrial relations disputes by providing clearer guidance regarding the evidentiary threshold required to justify unilateral employment termination. Development of consistent judicial interpretation therefore contributes not only to legal certainty but also to greater coherence in the application of employment law across comparable cases (Munthe & Ramadhani, 2024).

Recognition of preliminary evidence as a sufficient basis for employment termination also influences the evidentiary standards governing industrial relations disputes. Conventional legal understanding frequently associates allegations of serious employee misconduct with the necessity of obtaining a final criminal conviction before imposing substantial legal consequences. Judicial reasoning adopted in Decision Number 566 K/Pdt.Sus-PHI/2024 reflects a different interpretative approach by distinguishing contractual liability arising from employment relationships from criminal responsibility adjudicated within criminal courts. Such differentiation broadens the evidentiary framework applicable to employment disputes while simultaneously expanding judicial authority to determine the relevance, credibility, and sufficiency of available evidence. Expansion of evidentiary discretion nevertheless requires careful judicial restraint because excessive reliance upon preliminary findings may reduce procedural safeguards designed to protect workers against arbitrary dismissal. Maintenance of an appropriate balance between evidentiary flexibility and procedural fairness therefore becomes essential to preserve public confidence in industrial relations adjudication while ensuring that judicial discretion continues to operate within the limits established by the rule of law.

Recognition of preliminary evidence as an adequate basis for employment termination also expands the scope of judicial discretion in industrial relations adjudication. Judicial

discretion enables courts to interpret statutory provisions according to the factual complexity of individual disputes rather than relying exclusively on rigid procedural formalities. Decision Number 566 K/Pdt.Sus-PHI/2024 demonstrates that the Supreme Court exercised this discretionary authority by evaluating the probative value of internal audit findings and ongoing criminal investigations within the context of employment obligations instead of postponing legal determination until criminal proceedings reached final resolution. Such an approach reflects judicial responsiveness to the practical realities of employment relationships, where employers frequently face immediate organizational risks that cannot reasonably await prolonged criminal litigation. Expansion of judicial discretion nevertheless requires clearly defined legal boundaries because broad interpretative authority may produce inconsistent judicial outcomes if evidentiary standards differ substantially among courts. Consistency in the exercise of judicial discretion therefore becomes essential to preserve equality before the law, maintain public confidence in judicial institutions, and ensure that comparable disputes receive comparable legal treatment. Judicial reasoning should consequently remain anchored in objective legal principles and transparent evidentiary assessment to prevent discretionary authority from evolving into subjective judicial preference (Rizqillah et al., 2026).

The legal consequences arising from this judicial approach further redefine the relationship between criminal proceedings and industrial relations dispute resolution. Indonesian employment law and criminal law pursue different legal objectives despite occasionally originating from identical factual circumstances. Criminal proceedings determine individual criminal responsibility through stringent evidentiary standards, whereas industrial relations adjudication primarily evaluates the legality of contractual obligations and the continuation of employment relationships. Judicial reasoning adopted in Decision Number 566 K/Pdt.Sus-PHI/2024 confirms that these two legal regimes operate independently while remaining capable of influencing one another where relevant factual evidence exists. Recognition of this institutional separation strengthens the autonomy of industrial relations courts by allowing employment disputes to be resolved according to their own legal framework without unnecessary dependence upon criminal adjudication. Practical implementation of this principle nevertheless demands careful judicial evaluation because excessive reliance upon unresolved criminal allegations may create legal uncertainty for workers whose rights remain protected until contrary evidence has been objectively established. Sustainable harmonization between criminal law and employment law therefore requires judicial reasoning capable of balancing procedural independence, evidentiary reliability, and substantive justice without diminishing the fundamental legal protections guaranteed within either legal system.

Judicial reasoning adopted in Decision Number 566 K/Pdt.Sus-PHI/2024 significantly influences the scope of legal protection afforded to workers within industrial relations. Protection of workers' rights constitutes a fundamental objective of Indonesian employment law because employment relationships inherently involve unequal bargaining positions between employers and employees. Judicial recognition of preliminary evidence as a sufficient basis for employment termination establishes an important legal precedent that

may affect future disputes involving allegations of employee misconduct. Application of this evidentiary standard provides employers with greater flexibility in responding to conduct considered detrimental to organizational interests while simultaneously reducing dependence upon the completion of criminal proceedings. Expansion of judicial authority in assessing evidentiary sufficiency nevertheless requires strict adherence to the principles of due process, proportionality, and objective evaluation to prevent premature dismissal based upon allegations that remain legally contested. Judicial protection of workers cannot be interpreted solely as preserving employment status but must also encompass the protection of procedural rights, equal treatment, and the opportunity to challenge evidence through fair judicial proceedings. Sustainable industrial relations therefore depend upon judicial reasoning capable of balancing institutional efficiency with effective legal safeguards designed to prevent arbitrary termination and preserve the dignity of workers as subjects of legal protection (Santoso & PN, 2026).

Judicial reasoning embodied in this decision also reinforces the legitimate interests of employers in maintaining organizational integrity and ensuring the continuity of business operations. Employers bear legal responsibility not only for protecting corporate assets but also for preserving public confidence, operational stability, and effective corporate governance. Recognition of internal audit findings as relevant preliminary evidence demonstrates judicial acknowledgment that employment relationships are founded upon mutual trust and that serious indications of misconduct may substantially undermine the feasibility of continuing contractual cooperation. Preservation of managerial authority, however, cannot justify unrestricted discretion in terminating employment because employer prerogatives remain subject to statutory limitations and judicial oversight. Effective industrial relations require a balanced legal framework in which managerial decisions are exercised responsibly and remain open to independent judicial scrutiny. Equilibrium between managerial authority and workers' rights ultimately strengthens legal certainty by ensuring that employment termination reflects objective legal assessment rather than unilateral institutional preference. Judicial reasoning capable of maintaining this equilibrium contributes to the development of a more predictable, equitable, and sustainable system of industrial relations consistent with the objectives of Indonesian employment law.

Judicial reasoning adopted in Decision Number 566 K/Pdt.Sus-PHI/2024 is likely to influence the future development of industrial relations adjudication by providing interpretative guidance for courts confronted with comparable legal issues. Judicial acceptance of preliminary evidence as a sufficient basis for assessing the legality of unilateral employment termination establishes a judicial orientation that may shape the application of evidentiary standards in subsequent disputes. Development of consistent judicial interpretation is essential to reduce disparities among court decisions and strengthen legal certainty within industrial relations. Uniform application of legal principles enables employers and workers to anticipate the legal consequences of their actions while promoting greater predictability in dispute resolution. Consistency in judicial reasoning, however, should not diminish judicial independence because every employment dispute presents distinct factual and legal circumstances requiring individualized assessment. Sustainable development

of industrial relations jurisprudence therefore depends upon judicial reasoning that maintains coherence in legal interpretation while preserving sufficient flexibility to accommodate the complexity of individual cases. Balanced interaction between consistency and judicial independence ultimately reinforces public confidence in the credibility, impartiality, and effectiveness of industrial relations courts.

Judicial implications arising from this decision also contribute to the progressive development of Indonesian employment law by reaffirming that industrial relations disputes require legal reasoning extending beyond literal statutory interpretation. Evaluation of unilateral employment termination demands comprehensive assessment of evidentiary sufficiency, contractual obligations, institutional interests, and the protection of fundamental rights within a unified legal framework. Judicial reasoning reflected in Decision Number 566 K/Pdt.Sus-PHI/2024 demonstrates that effective dispute resolution depends upon the integration of legal certainty, procedural fairness, and substantive justice rather than the predominance of a single legal objective. Recognition of these interconnected principles provides a stronger doctrinal foundation for interpreting employment legislation in response to increasingly complex industrial relations. Development of employment law should therefore continue to encourage judicial reasoning that remains adaptive to contemporary legal challenges without compromising the principles of fairness, proportionality, and legal protection guaranteed under Indonesian law. Comprehensive evaluation of these legal implications confirms that judicial legitimacy is ultimately determined by the capacity of judicial reasoning to produce balanced, rational, and equitable outcomes capable of sustaining both legal certainty and justice within industrial relations.

Judicial Reasoning from the Perspective of *Fiqh Siyasa*

Judicial reasoning occupies a pivotal position within *Fiqh Siyasa*, particularly under the doctrine of *Siyasah Qadha'iyyah*, because the legitimacy of judicial authority is measured not only by adherence to statutory provisions but also by the ability to realize justice as the ultimate objective of adjudication. Islamic jurisprudence recognizes that judges exercise independent authority to resolve disputes through careful examination of legal norms, factual circumstances, evidentiary sufficiency, and the broader implications of their decisions for society. Judicial authority therefore extends beyond resolving legal conflicts and encompasses the responsibility to preserve legal order, protect individual rights, and promote public welfare (*maslahah*). Evaluation of Supreme Court Decision Number 566 K/Pdt.Sus-PHI/2024 demonstrates that the Court attempted to reconcile the employer's interest in safeguarding institutional integrity with the employee's right to legal protection within the framework of industrial relations. Judicial reasoning consequently reflected an effort to maintain equilibrium between competing legal interests rather than prioritizing the exclusive benefit of either party. Assessment from the perspective of *Siyasah Qadha'iyyah* requires consideration of whether such equilibrium genuinely fulfills substantive justice or merely satisfies the procedural requirements established by positive law (Alsaia, 2026).

The Supreme Court assigned substantial evidentiary value to the employer's internal audit findings and the ongoing criminal investigation when determining the legality of unilateral employment termination. Judicial consideration of preliminary evidence indicates

that the Court regarded civil and employment liability as capable of being assessed independently from the final outcome of criminal proceedings. Analysis through the perspective of *Fiqh Siyasah* acknowledges that judges possess discretionary authority (*ijtihad al-qadhi*) to evaluate available evidence according to the circumstances of each dispute, provided that the assessment remains objective, proportional, and directed toward the realization of justice. Judicial discretion nevertheless carries corresponding responsibility because evidentiary evaluation must protect every litigant from arbitrary conclusions or disproportionate legal consequences. Allegations of misconduct that have not yet resulted in a final criminal conviction require careful judicial scrutiny to ensure that legal certainty does not diminish the presumption of innocence or weaken the procedural safeguards afforded to workers. Judicial reasoning therefore becomes legitimate only when evidentiary assessment reflects fairness, rationality, and balanced legal protection for all parties involved (Rosidi et al., 2025).

Analysis based on the principle of *maslahah* demonstrates that judicial decisions should preserve broader social and economic interests without sacrificing the protection of individual rights. Employment relationships depend upon mutual trust, making integrity and confidence essential elements supporting organizational sustainability and productive industrial relations. Serious allegations of misconduct may reasonably justify termination when supported by convincing legal evidence demonstrating that continuation of the employment relationship is no longer feasible. Judicial reasoning adopted in Decision Number 566 K/Pdt.Sus-PHI/2024 reflects this consideration by recognizing that the employer possesses a legitimate interest in protecting corporate governance and preventing greater institutional losses. Protection of public interest, however, cannot become an absolute justification for limiting workers' rights because *Fiqh Siyasah* consistently requires proportionality between collective welfare and individual justice. Balanced judicial reasoning therefore remains indispensable to prevent the pursuit of organizational interests from producing excessive restrictions upon legal rights guaranteed under employment law (Fitriana et al., 2026).

Evaluation of the Supreme Court's reasoning ultimately demonstrates that the decision reflects an effort to harmonize positive law with broader principles of justice recognized in *Fiqh Siyasah*. Judicial consideration emphasized legal certainty by validating employment termination based upon preliminary evidence considered sufficiently persuasive within the context of industrial relations, while simultaneously seeking to preserve stability in employment governance. Critical analysis nevertheless indicates that reliance upon evidence unsupported by a final criminal judgment continues to invite debate regarding proportionality, procedural fairness, and the scope of judicial discretion in employment disputes. Assessment from the perspective of *Siyasah Qadha'iyyah* suggests that judicial reasoning should continuously maintain equilibrium between legal certainty, substantive justice, and the protection of fundamental rights so that judicial authority remains consistent with both statutory objectives and ethical principles embodied in Islamic jurisprudence. Integration of these normative frameworks enriches the evaluation of judicial reasoning by demonstrating that the legitimacy of judicial decisions depends not solely upon legal

conformity but also upon their capacity to realize justice in a comprehensive and balanced manner within contemporary industrial relations (Baqi & Fesya, 2025).

CONCLUSION

This study demonstrates that the judicial reasoning adopted by the Supreme Court in Decision Number 566 K/Pdt.Sus-PHI/2024 balances legal certainty, evidentiary sufficiency, and the protection of the legitimate interests of employers and workers in unilateral employment termination disputes. Analysis from the perspective of *Fiqh Siyasah*, particularly *Siyasah Qadha'iyyah*, indicates that judicial discretion should uphold the principles of justice ('*adl*'), public interest (*maslahah*), proportionality, and balanced legal protection. Integration of positive law and Islamic legal principles provides a more comprehensive framework for evaluating judicial reasoning in industrial relations disputes. The findings contribute to employment law scholarship by emphasizing that judicial legitimacy should be measured not only through statutory compliance but also through the realization of substantive justice.

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