

The judiciary functions as a governmental body that offers a public service by upholding the constitutional right of individuals to seek legal redress. Despite these contrasts, arbitration and judicial systems share a core purpose: to resolve disputes through decisions that are legally enforceable. Typically, they waive court fees for litigants, while the state assumes the financial burden—covering judicial expenses through public funding, including the salaries of judges as public officials. While this ideal has been fully realized historically within Islamic legal traditions, most modern legal systems interpret it more narrowly. This contrast brings into focus the key differences between judicial proceedings and arbitration.