

DAFTAR PUSTAKA

- Abdullah. 2008. *Pertimbangan Hukum Putusan Pengadilan*. Surabaya: Program Pasca Sarjana Universitas Sunan Giri.
- Albert Rumokoy, Donald dan Frans Maramis. 2014. *Pengantar Ilmu Hukum*. cet. II. Jakarta: RajaGrafindo Persada.
- Asikin, Zainal. 2015. *Hukum Acara Perdata Di Indonesia*. Jakarta: Kencana.
- Chaniago, Amran YS. 1996. *Kamus Lengkap Bahasa Indonesia*. Bandung: Pustaka Setia.
- Departemen Pendidikan dan Kebudayaan. t.t. *Kamus Besar Bahasa Indonesia*. Jakarta: Balai Pustaka.
- Dewi, Gemala. 2006. *Hukum Acara Perdata Peradilan Agama Di Indonesia*. Cet. II. Jakarta: Kencana.
- Direktur Jenderal Badan Peradilan Agama Mahkamah Agung. 2010. *Pedoman Pelaksana Tugas Dan Administrasi Peradilan Agama; Edisi Revisi*. Jakarta: t.p.
- Dja'is, Mochammad, *et. al.* 2015. "Institutionalization of The Indonesian Civil Execution Law (TICEL)". *Journal of Law: Policy and Globalization*. Vol. 38.
- Haskell, James. *What Is Difference Between a Concurring & Dissenton Opinion?*. Legal Beagle, 2017. <http://legalbeagle.com/8599709-difference-between-concurring-dissenting-opinion.html> (9 Mei 2017).
- Harahap, Yahya. 2015. *Hukum Acara Perdata*. Cet. XV. Jakarta: Sinar Grafika.
- . 1997. *Kedudukan Kewenangan dan Acara Peradilan Agama Undang-Undang No 7-Th 1989*. Cet. III. t.t: Pustaka Kartini.
- . 2014. *Ruang Lingkup Permasalahan Eksekusi Bidang Perdata*. Cet. VII. Jakarta: Sinar Grafika.
- Hasan Bisri, Cik. 1998. *Peradilan Agama Di Indonesia*. Cet. II. Jakarta: RajaGrafindo Persada.
- Makarao, Taufik. 2009. *Pokok-pokok Hukum Acara Perdata*. Cet. II. Jakarta: RINEKA CIPTA.

- Maley, Yon. 1994. "The Language of The Law". Dalam John Gibbons, eds. *Language And The Law*. London: Longman.
- Manan, Abdul. 2008. *Penerapan Hukum Acara Perdata Di Lingkungan Peradilan Agama*. Cet. VIII. Jakarta: Kencana.
- Mardani. 2010. *Hukum Acara Perdata Peradilan Agama & Mahkamah Syar'iyah*. Cet. II. Jakarta: Sinar Grafika.
- Mertokusumo, Sudikno. 1993. *Hukum Acara Perdata Indonesia*. Edisi IV. Yogyakarta: LIBERTY.
- Nashiruddin al-Albani, Muhammad. 2013. *Shahih Sunan an-Nasa'i*. diterj. Kamaluddin Sa'diyatul Haramain. Jakarta: Putra Azzam.
- , 2013. *Shahih Sunan Ibnu Majah*. diterj. Ahmad Taufiq Abdurrahman. Jakarta: Pustaka Azzam
- Puspa, Yan Pramudya. 1977. *Kamus Hukum Edisi Lengkap*. Semarang: Aneka Ilmu.
- Republik Indonesia. "Undang-undang R.I. Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman".
- , "Undang-undang R.I Nomor 7 Tahun 1989 tentang Peradilan Agama, Undang-undang Nomor 3 Tahun 2006 tentang Perubahan Atas Undang-undang R.I Nomor 7 Tahun 1989, dan Undang-undang Nomor 50 Tahun 2009 tentang Perubahan Kedua Undang-undang R.I Nomor 7 Tahun 1989," dalam *Amandemen Undang-Undang Peradilan Agama (UU RI No. 50 Th. 2009)*. 2012. Cet. II. Jakarta: Sinar Grafika.
- , "Kitab Undang-Undang Hukum Perdata," dalam *Kitab Undang-Undang Hukum Perdata*. 1976. Jakarta: Pradnya Paramita.
- Rimdan. 2012. *Kekuasaan Kehakiman Pasca Amandemen Konstitusi*. Jakarta: Kencana.
- Sarwono. 2014. *Hukum Acara Perdata; Teori dan Praktik*. Cet. IV. Jakarta: Sinar Grafika.
- Satjipto Rahardjo. "Hukum Progresif: Aksi, Bukan Teks," dalam Satya Arinanto dan Ninuk Triyanti, eds. 2011. *Memahami Hukum Dari Konstruksi sampai Implementasi*, Cet. II. Jakarta: RajaGrafindo.
- Soerodjo, Irawan. 2016. "The Development of Indonesian Civil Law". *Scientific Research Jurnal (SCIRJ)*. Vol. VIII.

- Sugeng, Bambang dan Sujayadi. 2012. *Pengantar Hukum Acara Perdata Dan Contoh Dokumen Litigasi*. Jakarta: Kencana.
- Sutantio, Retnowulan dan Iskandar Oeripkartawinata. 2005. *Hukum Acara Perdata Dalam Teori Dan Praktek*. Cet. X. Bandung: Mandar Maju.
- Suyuthi Mustafa, Wildan. 2013. *Kode Etik Hakim*. Jakarta: Kencana.
- Zaenal Fanani, Ahmad. "Hermeneutik Hukum Sebagai Metode Penemuan Hukum Dalam Putusan Hakim." *Varia Peradilan*, no. 297 (Agustus 2010).
- az-Zuhaili, Wahbah. 2006. *al-fiqh al-islami wa adillatuh*. juz. VIII. Damaskus: Dar al-fikr bidamasyq.

KUTIPAN BAHASA ASING

1. az-Zuhaili, Wahbah. 2006. *al-fiqh al-islami wa adillatuh*. juz. VIII. Damaskus: Dar al-fikr bidamasyq:

الاصل في مشروعية الدعوي: الاصل في الدعوي قول النبي صلي الله عليه وسلم: لو يعطي الناس بدعواهم لا دعي رجل أموال قوم ودماءهم, لكن البينة علي المدعي, واليمين علي من أنكر. ولفظ مسلم: ولكن اليمين علي المدعي عليه. وبما أن الخصومات والمنازعات أمر واقع بين البشر, فكان لا بد من الفضل فيها بطريق الدعوي, لأن في امتدادها فسادا كبيرا, والله تعالي لا يجب الفساد

2. Soerodjo, Irawan. 2016. "The Development of Indonesian Civil Law".

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The nature of the civil law enforcement in Indonesia is dualism. The Indonesian Civil Code remains applicable; however, there are a lot of enactments of new law and regulation in civil law.

3. Maley, Yon. 1994. "The Language of The Law". Dalam John Gibbons, eds.

Language And The Law. London: Longman:

In all societies, law is formulated, interpreted and enforced: there are codes, courts and constables. and the greater part of these different legal processes is realised primarily through language. language is medium, process and product in various arenas of the law where legal text, spoken or written, re generated in service of regulating social behaviour.

4. Haskell, James. *What Is Difference Between a Concurring & Dissenton Opinion?*. Legal Beagle, 2017. <http://legalbeagle.com/8599709-difference-between-concurring-dissenting-opinion.html> (9 Mei 2017):

a. Dissenting opinion is an opinion written by a justice who voted in the minority. The dissenting opinion explains why the dissenting justice disagrees with the outcome and reasoning of the majority of the court. Since the dissenting opinion represents the minority position, the reasoning is not binding precedent. However, the dissenting opinion offers valuable insight into the deliberative process behind a case and articulates reasoning that future court cases could revisit.

b. A concurring opinion agrees with the outcome of the majority opinion but not necessarily the reasoning found in the majority opinion. The concurring opinion gives a concurring justice an opportunity to further explain the legal reasoning of a case or to offer a completely different legal reasoning for the decision.

5. Dja'is, Mochammad, *et. al.* 2015. "Institutionalization of The Indonesian Civil Execution Law (TICEL)". *Journal of Law: Policy and Globalization*. Vol. 38:

This principle applies in the field of civil law, in particular the executions carried out by the District Court or the Court of religion, KPKNL, customs and Excise officers. The effort is an effort of the civil code execution rights, well sourced right on court decisions, treaties, and legislation or regulations. In the field of the civil code, if a rights will be realised or not depends entirely

on the holder of the rights. A plaintiff wins reserves the right to determine whether his victory realised or not. It is related to the principle of judges should be follow the opinion of the parties. In an auction, auction officials also banned initiative carry out auctions of execution when there are no solicitations.

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Penulis,

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