

DAFTAR PUSTAKA

Dirasat Islamiyah
Kurikulum *Nilai-Nilai Budi Pekerti dalam*

Resource *Teaching*

Filsafat Pendidikan Islam

L4=(<!"%\$)4(*+!X0J)4!I0#0*()(*!/IJ20)0*<4+!IJ)0<RJ*\$0*<4+!@)(3=(.4<=0
 \$(*!>%\$%)4+!')%*(&!@0*\$4\$4-(*!MQDV""+!UJ&!5!BJ!F+!N!)D!FGFF9
 L%\$%!L%<a()(!N(?2=%\$4*+!@0*3(*.!)A&=%!>%-%=!,1(*\$%*3!@X!D0S4-(!
 "\$4.(=+!FGG7B
 Q\$4!N%&E(\$4+!Q-4!P%)hJ*9!WM4<.0=!@0=0)4*.2(*!N(<E()(-.!)>%-%="\$(.
 1(\$%E!L(&(!I0)(*3-(!M4<.0=V.J*J=4!L(0)(2W+!";%\$4-(<4!/!')%*(&!
 A&=%!>%-%=+!FGF5!
 Q\$E!M%R(4*J+!N().4*!DJ0<.(=E9!W:03(&!D03%&(.4J*!"#J%.!X20!Y<0!VS!>(&(!
 :(#0&!XJ!@)JO4\$0!N%<&4=!`J*<%=0)<!@)J.0?.4J*W+!'%)*(&!A&=4(2!
 :4O4*3!:(a+!FG5H
 Q-J!BJ0)!4<.4E(*.J9!WA=R&0=0*.(<4!I0!)4S(*!J-(&!M%8(#!@0*(.(!
 D%(*3!N0*%)%!.!Y*\$(*3*\$(*3!BJ=J)!F!X(2%*!FGGK!X0*.*3!
 @0*(.(!D%(*3!M.%\$4!L4!1(*\$%*3!'(a(!1)(.W+!'%)*(&!@0*0&4.4(*!
 >%-%=!L0!'%)0+!FG5H!
 Q-J!J%&4(<.%4+!>(-(!M2J&(2%\$4\$4*+!:0S4.(!L0a4!:4)(<())49!W@0*E0&0<(4(*
 M0*3-0.(!1(.(<X(*2!N0&(&%40\$4(<4W+!J)%<.4.4(#0&0*!+!FGFF!
 Q&=#()J-+!i9+!N0=#%=4-(*!@0*\$4\$4-(*!B4&(4+!,1(*\$%*3!/"&S(#0.(+!FGGH8+!
 29!K9
 Q&f(!ME)(40S+!FG5H
 37.1.2017
 Khusus Pertanahan+!'(-).(!@X9!T)=(0\$40
 Q)4?!1)(2=!k!%'&4(*!%0&&0.+!L0<43*4*3!B0a!L4<R%.0.4D0M&8%+=!
 X20!10EJ*\$!A*.)?(.#4&4.E!@)J;0?/!X20!`J*S&4?!.A*SJ)=(.4J*!
 `J\*<J).4%!=!Y\*4O0)<4.E!JS!`J&J)(\$J+!FGG7+!29!7!9
 Q<.4J*J+!I0.%(!@0*3(\$4&(*!B030)4!:2J-40%+&(<!A!1!X(2%*!FG5H+!
 Q-<4<.0*<4!I0)(4S(*!J-(&!L(&(!M4<.4=!@0)(\$4&(*!L4!A*\$J*0<4(+!
 N(-(&(29!!
 QO(\$*0!T)(*+!>%=(*!D432.<+!`%&.%)(&!L4O0)<4.E+!""\$!`%<.J=())E!:(a!A*!
 MJ%.2!"S)4?(+!,FGG[8+!UJ&%=0!ZG!BJ=J)!5+!'J%)*(&!VS!"S)4?(*!:(a!
 F+5F9
 P(\$&4+!"9!!N9+!!b(2E%\$4\$4*+!!N9+!!k!")S(2+!!'9!!P4&<(S(!!A&=%!!\$(*!;!J34-(!
 ,J3E(-).(!L00R%#&4<2!@%#&4<20)+!FGFF8+!5Z9
 P(.2J)!D(2=(*+!Q-<4<.0*<4!@0)(\$4&(*!"\$(.L(&(!@0)(.%)(*!@0)%*3(*
 Y*\$(*3(*!L4!A*\$J*0<4(!,N0&(?(!10)&(-%*E(!I0=#(&4!@0)(\$4&(*!
 "\$(!L4!A*\$J*0<4(!L(*!D0&O(*<4*E(!1(34!YR(E(!@0=#(*3%(*!
 >%-%=!B(<4J*(&8+!'%)*(&!>%-%=!M(=%\$)(!I0(\$4&(*!UJ&%=0!57+!
 BJ=J)!F+!'%840<0=#0)!FG5H
 P(.42(.%&!N%;(24\$!D(S<(*;(*4!@J*.J2+!'0**E!I)4<.4(*!N(.%(*-J..(+!BJOE.(
 Y-.J&<0;(9!W!0-%(*!>%-%=!D034<.0)!L(.4!M0#(3(4!"&(!1%-4!
 X0)2(\$R@0*3%(<(!(*!L(*!@0=4&4-(*!>(-!"(<X(*2W+!X(.J24!/!')%*(&!
 A&=%!>%-%=+!FGFF!
 P(%f4(2!D<(\$9!W!J)%R<4!L(*!>(-!"(<4!N(*%<4!L(&(!M0-.J)!I02%.((*W+
 '%)*(&!>(+!FG5H!
 T(!I0.%!"").(4-+!T0\$0!'(E(!I%=(+!A!@%.%!M(<.)(!b4#(a9!WM%#(-!M0#(3(4
 I0<(.%(*!N(<E()(-.!)>%-%="\$(.!,I=2(8!/!@0)<R0-.4S!I0=(;0=-(*!
 >%-%=W+!U4\$E(!b0)..(!/!N0\$4(!IJ=%*4-(<4400)<4.(<!>4*\$%!
 A*\$J*0<4!FG5d!

Criminology Today

Masa Hukum Adat Indonesia, Perkembangan Dari Masa ke

A!T0\$0!!%<%=(!").4-(!+!b0<.4!Y.(=49!W@0)?0R.(?!@0=#0*(2*!L.(!14\$(*3!
X*(2! I&%<.0)! j! N0&(&%4! M%)O04! L.(! @0).(*2(*W+! 12%=4/! '%)*(&!
"3)(4(!L(*!@0).(*2(*+!FGFG!
A!N(\$0!b4\$*E(*(!" &.0)*(.4S!@0*E0&0<(4(*!M0*3-0.(!, "LD8+!(!-).(!/!9GGK
A*\$ (2!N(%&4\$4E(2!N<-+!]%<\$4E(*.J!]%<\$4E2=(\$!M(&029!W!0\$%\$%-(*!
L(*!@0).4<4R(<4! :0=#(3(!"\$(!L(&(!@0=#0*.%-(*!@0)(.%)(*!@0-J*!
L4!@0-J*!b(E!Q=R%&(!Y%&!I0?9!1(&4-!1%-4.+!!(#9!:(=R%*3!1()(.W+!
P4(!!"%<.4<4(+!FG5Z!
A<;a()(!P+!@0*3(*.!)!A&=%!@J&4.4-+!`0.9!U4+!,14\$%4B!(856KH
'(=4&%<! '(=4&%<9! WVR.4=(&4<(<4! N0\$4(<4! I0-(E(!! A*.0&0-.%(&! L4
I0=0*.0)4(*!>%-%=!L(*!>=(W+!'%)*(&!@0*0&4.4(*!>%-%=!L0!'%)0+!
FGFG!
'0=(2!19!")40S!M4\$2()).(+!X(2%*!_44+!BJ=J)!5+!'(*%())4!56677Z
'0**E! I)4<.4(*! N.(%(*-J..(9! W@0*3(-%(*! L(*! @0)&4*\$%*3(*! >%d-%=
X0)2(\$ (R!Q-<4<.0* <4!@0=0)4*.(2(*!"\$ (.W+!M(<4+!FGFG!
'4=&E! "<24\$\$4h40+! *Consolidasi Naskah UUD 1945*!, '(-).(! J())<4S!
b.(=RJ0+!FGG78
'4=&E! "<24\$\$4h40+d!>%A%&(!=\$4!"*.)(!"30*\$ (!D0SJ)=(<4!>%-%=!
B(<4J*(&d+!\$(&(!L0R()).0=0*"3=(!DA9+! *Bar Hukum*
Aktualisasi Hukum Islam+!(!-).(!!"&!>4-=(2!k!L4.#4*#(R0)!(A<&(!=
L0R(3!DA9+!FGG5
I()4=(.%&!12(<(* (29!W@)J#&0=(.4-(!>%-%=!A=R&0=0*.(<4!M4S(!P4*(&!L(*!
14*\$4*3!@%.%<(*!](*34#%(!V&02!1(<E()*(<!L(&(!@0*E0&0<(4(*!
M0*3-0.(! 14<*4<! ME()4(2W+! UJ&-<304<./! '%)*(&! A&=%! >%-%=! L(*!
IJ*<.4.%<4+!FG5H!
I4*<0*3!D4&%<9!FGGK!%-%.30*<4!/M0#%(2!X0J)4!X4*\$(-(*9!MJ\$(&4.E!'%)*(&!
MJ<4J&J34!@0\$0<(!!"AR#!UJ&%=#0Z+!BJ!
IJRJ*3! @()J*! @4%&(*! LJ=4*4-%<! D(.J9! 56H69! I(;4(*! X0)2(\$ (R!
@0&(-(*(*! "f(<! @0)(\$4&(*! `0R(.+! M0\$0)2(*(!L(*! 14(E(!N%) (2!
@(\$ (!10#0)(R(!@0*3(\$4&(*!B030)4!L4!b4&(E(2!Qn!I!)0<4\$0*!10<%-49!
'0=#0)! :0=&4. b!Y*0;9!
I)4<(*(!"30&(+!"*4-!M0.E(a(.49!W"*(&4<4<!@0&(-(*(*!@0*3(\$(!"X(*2!L4!
".(<!X(*2!Y&(E(!N(<E()(-.!)>%-%=!"\$(!L(&(!D(*3-(!@)JE0-!
M.).(B4!B(<4J*(&! ,@<*8!L0=4!I0R0*.4*3(*!Y=%=W+!'%)*(&!>%-%=!
:0n!T0*0)(&4<+!FGFF!
:(%)(!B(\$0)!L(*!>())E!P9!XJ\$!)!+56KH+!X20!L4<R%.4*3!@)J?0<<!(a!A*!X0*!
MJ?40.40<+!`J&%=#4(!Y*400)<4.E!@)0<<+!B0a!J.5592/42!6
'%3(!A2)J=4!X9V9+!5667+!"*.)JRJ&J34!>%-%=!/M0#%(2!1%*3(ID(=R(4+!
J(E(<(*!V#J)+!(!-).(! 9
:(a)0*?0! N9! P)40\$=(+! M4<.0=! >%-%=! L(&(! @0)<R0-.4S! A&=%! MJ<4(&+!
,1(*\$%*3!/B%<(!N0\$4(+!FG558
N(2\$4!"?029!WQ-<4<.0* <4!@0)(\$4&(*! "\$(!L4!"?02W+!>%*(S(!!'%)*(&!M.%\$4(!
A<&(&4-(!FG55!
N()\$(*!Y=(+!Y)30*<4!B4&B4&(4!D0&434%<!L(&(!I024\$%R(*!N(<E()(-.!)
>0.0)J30*!L4!A*\$J*0<4(+!&J*4O4?!Q\$%?(.4J+!UJ&9!7!BJ9!5!'%*4!
FG56+!KSK9

N()J;(2(*! 'M! @(*;(4.(+! N0=#(*3%*! 1(\$(*! @0)(\$4&(*! E(*3! 10)(\$#+!
10)#%\$(E(+!\$(*!10)-0(\$4&(*!N0*%)%.!X0J)4+!@)(-4-!\$(*!YYL!56jZ!
,1(*\$%*3!/!@%<.-(!D0-(!`4R+!FG5K8
N0&(*4(!M9P9>9!Y<=(!E+!Penyelesaian Kejahatan Menurut Kultur Duan
Lolat di MTB sebagai Sarana Non-Penal,!X0<4<+!YBLA@!M0=()(*3+!
FG5G9
NJ2(==(\$!(=4&!)"\$4(*<E(29!W@0=#()%(?!>%-=%=!V&02!N(2-=(2!"3%†3
L(&(!=! N0*34<4! I0-J<J*3(*!>%-=%=! "?()(! @0)\$(.! L4! A*\$J*0<4(W+!
'%)*(&A&=4(2!I0#4;(-(*!>%-=%=!+!FGFG!
N%\$(-4)! A<-(*\$!)! ME(2+! @(*\$%(*! N0*3%)%<! M0).4S@0*E0&0<(4(*!
M0*3-0.(!X(*2!, '(-).(!/T)=(0\$4(+!FG568
N%29! ")4<! N()S(4+! @0*3(*.!)! Q.4-(! :4*3-%*3(*! L(*! I0()4S(*! :J-(&+!
,J3E(-).(!/T(;2!Y*400)<4.E!@)0<<+!FG5F8
N%2(4=4*!N%2(4=4*9!W!0\$%\$%-(?!I0()4S(*! :J-(&!L(&(!=! @0*(.(!D%(*3!
@)JO4*<4!1(&4W+!%)*(&!@0*0&4.4(*!>%-=%=!L0!%)0+!FG5H!
N%2(==(\$!"=4*!@%.)9!WQ-<4<.0*<4!.03#03()(!L(&(!=!@0*03(-(*!>(-!
"<(<4!N(*%<4(!L4!A*\$J*0<4(W+!P4(.!%<.4<4(+!FG5!
N%2(==(\$!"a(&%\$4*! D4*;(4+! X4*;(?!*!)JRJ&J34! >%-=%=! X0)2(\$R!
@0*E0&0<(4(*!M0*3-0.(!, @0)(\$4&(*!"\$.8!N0&(&%4!L0a(*!"\$.!L4!L0<(!
IJ)JaJ%9!,M-)4R<4+!P(-%&.(!>%-=%=!Y*400)<4.(!>(<(*%\$4*!FGG689
N%2.(\$&4! N%2.(\$&49! WD0?J3*4.4J*! VS! X)(\$4.4J*(&! U4&&(30<! "<! :J?(&
TJO0)*=0*!"\$=4*4<.)(.J)<!A*A*\$J*0<4(!1(<0\$!V*!X20!@)4*?4R&0!VS
"%J*J=EW+!`J*<.4.%4J*(&0+!FGFG!
N%-2.())!%*%<+!\$--9+!I0()4S(*! :J-(&!N(<E()(-.!)XJ!b(*4!XJ!:J.(*3!L(*!
@0)>(*E(! X0)2(\$R! @0*3%.(?! B4&48(4! I0#24*0-(!L4!
A*\$J*0<4(+! :0=#(3(!@0*0&4.4(*!L(*!@0*3(#\$4(*!I0R(\$!N(<E()(-.!)
A*<.4.%!"3=(!A<&(!=!B030)4!,A"AB8!@()0R()Q+!FG56
N%&E(*4! i%&(02(+! N0\$4(<4! A*.0)0<.! 1(<0\$! L(&(!=! @0*E0&0<(4(*! M0*3-0.(!
X(*2+!I0).2(!@(.4-(!UJ&!7H!BJ!5!('(*%4R)4&!FG5[+!56[9!
N%<.)4+! B4&(4! I()(-.0)+D0S&0-<4! Y*%.-! @0*\$4\$4-(*! ,(-).(! @X9! D(;(!
T)(S4*\$J!@0)<(\$(+!FG5j8+!29!j9
B4-J&(<! M4=(*,%*.-+! @0*3%.(?! :0=#(3(! "\$(! M0#(3(4! "&.0)*(4S!
@0*E0&0<(4(*! M0*3-0.(+!%)*(&!B03()(!>%-=%=! UJ&%=0!j!BJ=J)!5+!
'%*4!FG57
BJOE.(!Y-.J&<0;(+! @40.0)! D(\$;(a(*09! WX4*;(?!%(*! '%)4\$4<! @0)-0=#(*3(*
X(*2 X(*2!"\$(!,L(2%&%+!4*4!L(*!"-(*!L(.!38W+!M(<4+!FG56!
B%)%&!>%<(+!cA&=%!I0<0;(2.0)(!MJ<4(&!L(*!@0-0);(!MJ+4(&+d!
Bayan UJ&%=0!FG+!BJ=J)!F6!,FG5j8779
B%)%&! '0=R(+! B034&(4! "3=(! A<&(!=! '%)*(&! A&=4(2! @0*\$4\$4-(*! \$(
@0=#0&(;)(!
P(-%&.(!X()#4E(2!Y*400)<4.(!<N%2(==(\$4E(2!"?02!UJ&9!j+!BJ9!F!
,FG5K89
@()=(4.(! `2E(*4*3! L0a(*.4+! D(2=(\$4! A*\$)!(X0-.J*(9! W@0)&4*\$%*3(*
>%-=%=! 1(34! ")4<! ".(<! @0*33%*(?! @J.)0.! L(&(!=! `JO0)! BJO0&!
P(*S4-<4M+%&4<!'4O4&!(a!D0O40a+!FGF5!
@0.0)!N(2%\$!N()f%-4+!@0*0&4.4(*!>%-=%=! ,(-).(!I0*?(*(+!FG5j8

@)4<-(!A)O4*0!:J%R(.E+!%&4%<!M0=#4)4*3+!"2=(\$!B(<242!:%.2S49!W!O)(3=(?!
M4<.0=!!>%-%=!!@0).(*2(*!J-(&!X0)2(\$R!@0*\$S.)(?!X(*2!M.%\$4!
@0&(-(*(!@.<&!L4!V2J4!B3(#%#L(*!V2J4!M(.20(*+!@)JO4*<4!
@%..)4!:0<.)49!W@0*3(\$((2X*.%-!@0=#(*3%*(?!L0=4!lOR0*.4*3(*!
Y=%=!!L4!A*\$J*0<4(!10)\$(<(-(*!@(*?(<4&(W+!M43*!%)*(&!>%-%=+!
FGFG!
D(S(0&!D(3(!N()(*+!@0*3(*.!)!MJ<4J&J34!@J&4.4-+!'0.9!A+!,(-).(!@X!D4*0-(!
'4R.(8!FGG5+!Z59!
D(2=(!b4*(.4+!J)%<%S!>4\$(E.(+!""(<!:%.S49!WQ-<4<.0*<4!L(*!l@)J<R0-
@0*E0&0*33()((?!1(*!X(*2W+!%)*(&!N(34<.0)!A&=%!>%-%=+!FGFF!
D(*\$E!"=(9!W@0*E0&0*3-0.(!'(&%)!N0\$4(<4!M0#(3(4!@0)a%;%\$(*!
l0=#(&4*E(!>%-%=!!10)#(<4<l!O)(4S(*!J-(&W+!14&(*?4(!!%)*(&!M.%\$4!
A&=%!ME)(4(2!L(*!>%-%=+!FGF5!
D0<.%!"\$4!@%.)(+!A)2(=!D(2=(*+!T0*.%)!`2EJ!M0.4J*J9!WX4*;%(*!J)%4\$4<!
X0)2(\$R!l0<0<%4(*!lOR0)%*.%-(*!X(*2!L(4!@0=#(*3%*(?!
A#%-J.(!1())%!B%<(*.)(!L4.4*;%!L)(4!L(=R(-!4*3-%*3(*W+!
X)(*<R)(*<4!>%-%=+!FGF7!
D0O4!%&4<.4(*4!b%&(*\$2)(4+!B4&(4!MJ<4(&!L(&(!BJOQ&BV)(4<(!
l)(E(!"\$)0(!>4).(!,l;4(*!P4&<(S.(!@)JS9!L)9!BJ.J*03J)J8+!'J%)*(&!
1(R(&(!UJ&%=0!H!BJ=J)!K!X(2%*!FGFG5G
DJJ<0*J!DJJ<0*J9!WQ-<4<.0*<4!YQ\$(\$*3!BJ=J)!F5!X(2%*!FGG5!
X0*.(3!V.J*J=4!l2%<%<!1(34!@)JO4*<4!@R%(!,Qn4<.0*?0!VS!X20!"?!.
B%=#0)!F5^FGG5!V*!MR0?4(&!"%2!VS!@R%(!@)JO4*?08W+!%)*(&!
@0*0&4.4(*!>%-%=!!L0!%)0+!FG5!
DJJ<0*J!DJJ<0*J9!WQ-<4<.0*<4!YQ\$(\$*3!BJ=J)!F5!X(2%*!FGG5!
X0*.(3!V.J*J=4!l2%<%<!1(34!@)JO4*<4!@R%(!,Qn4<.0*?0!VS!X20!"?!.
B%=#0)!F5^FGG5!V*!MR0?4(&!"%2!J=E!VS!@R%(!@)JO4*?08W+!%)*(&!
@0*0&4.4(*!>%-%=!!L0!%)0+!FG5[9
M(=<%&+A+!@0*3%(*! :0=#(3(! "\$(! M0#(3(4! :0=#(3(! "&.0)*(4S!
@0*E0&0<(4(*!M0*3-0.(o.M.%\$4!X0)2(\$R! :0=#(3(!"\$(!L4!l(#%R(.0*!
1(*E%! "<4*+!M%=<0&lL(*!L4!@)JO4*<4!@R%(8!M.)0*3.20*4*3!X20!"\$(!
A*<.4.%4J*<! "<! ""! "&.0)*(4O0!L4<R%.0!D0<J&%.4J*!A*<.4.%4J*<! ,!
M.%\$E!V*!X20!"\$(!A*<.4.%4J*!A*!1(*E%! "<4*!L4<.)4?+!@)JO4*?0!VS!
MJ%.2!M%=(.0)!""\$!@)JO4*?0!VS!@R%(89!B03()(!>%-%=!!
N0=#(*3%*!>%-%=!!Y*.%-!lO(\$4&(*!L(*!l0<0;(2.0)((+!UJ&%=0!Z!
BJ=J)!F+!,FG5[85FK5jF9!
M)(42J.! :%#4<+!A<)(*!A\$)4<+!>0)&4*(!N(*4-9!WQ-<4<.0*<4!X(*2!Y&(E.(!
N(<E)(-(!>%-%=!!"\$(!L%<%*!M4J=Q=(!L(&(!iJ*(!>4;(%!
l02%.(?!L4!l0?=(.(*!T())J3!X(R(*%&4!Y.)(W+!i((-0*!l'J%)*(&!
VS!4O4&!"\$!1%<4*0<!:!(a+!FGFF!
M(%)4+!N0=#(*3%*!l)(-.0)!N0&(&%4!@0=#4*(*!@)JS0<4J*(&4<=0!T%)%!
10)#(<4<!@0*\$4\$4-(*!B4&(4+!%)*(&!@0*\$4\$4-(*!l)(-.0)!UJ&9!F!
P0#)%(4!X(2%*!FG5G529!5
M0-(4! :0*\$(!@(&0&0+!").4-0&!M-)4R<4+!:0n!@)4O(.%=!UJ&9!UAA^BJ9!F^P0#^FG56!
@0*E0&0<(4(*!M0*3-0.(!X(*2!L4!@0\$4&(*!N0*%)%.!YY@!"!BJ9!Z!
X(2%*!56[G9

M0=4*(!)>%-%=! "\$(! B(<4J*(&! R\$(! .(*33(&! 56KZ! '(*%()4! 56KZ! E(*3!
\$4<0&0*33()(-(*!J&02!Y*4O0)<4.(!<T\$;(2!N\$(!\$(!1\$(!@0=#4*(!
>%-%=! B<4J*(&+! #2a(! 2%-%=! (\$(! \$4().4-(*! <0#(3(4! 2%-%=!
A*\$J*0<4!(!<&4!E(*3!4\$(-!0).%&4<!\$(&(!#0*.%-!R0%\$\$(3!
D0R%#&4-! A*\$J*0<4(+! E(*3! \$4! <(*! <4*4! =0*3(*\$%*3%*%
(3=(9!
M0.EJ!Y.J=J9!WB4B4&(4!I0()4S(*!J-(&!>%-%=!"\$(!L(&(!>%-%=!X(*2
B(<4J*(&W+!')*(!&!>%-%=!N0\$4(!12(-.4+!FGFG!
M434.!M(R.J!B%3)2UM();4E(.4!M());4E(.4!WN(<E()(-.!)>%-%=!"\$(!,N2(8!
M.%\$4!@0*3%(.(*!R(<4.(!<:0=#(3(!"\$(!N0&(&%4!@0=#0*.%-(*!
@0)(.%)(*!L0<(W+!P%*\$\$(=0*.(!&/'%)*(!A&=4(2!>%-%=+!FGF5!
M434.! M(R.J! B%3)J2J+! >())=J*4<(<4! >%-%=/! M0#%(2! L4(&0-.4-! A*.0)(-<4!
BJ)=(! >%-%=! "\$(! L(*! >%-%=! "\$(! L(&(! @0*30&J&(*!
IJ*<0)O(<4!M%=#0)!L(E(!"(&(!+!')*(!&]!%<.4<4(!N0)\$0-(!+!UJ&%=0!F!
BJ=J)!F!M0R.0=#0)!FG5[+!5H9!
M4.J)%<! V+! IJ*\$4<4! "-.%(! @0*3%(<(*! X(*2! Y&(E(! L4! N(&%-%/! X0&((2!
X0)2\$(\$R!T(3(<(*!@0*\$\$(S.)(*!X(*2*E(+!12%=4/!')*(!&'3)()4(!L(*!
@0).(*2(*+!UJ&%=0!Z+!FG569
M&((! L(*! @J).40)+! 566F+! L()4! D4-()J! M4=()=(.(!+! FG579! cN0)%=%<-(
@0)(\$4&(*! "\$(! L(&(! M4<.0=! @0)(\$4&(*! B(<4J*(&d+! N(-(&(2+!
L4<=(R(4-(*!L(&(! L4(&J3! B(<4J*(&! 10)<=(! @0)-%=R%&(*!>%=(!
L(*!N(2-=(2!)*3%*3+!DJE(&!)*4*3(*+!5G!V-.J#0)!FG579!
MJ0-(*J+! P4&<(S(! @(*?(<4&(! N0*%)%.! 1%*B!,]03E(-).(! N0\$4(!
@)0<<4*\$J+!FGG[8
MJ0);J*J! MJ0-(*J+! QS0-.4O4-(<4! >%-%=! L(*! @0)(*! M(*-<4+!,1(*\$%*3/!
D0=(\$(!I()E(+!56HH9
M%\$(*.)+!A9!9k!M%-0).4!B9B9!@0*3(.%)(*!@0)(\$4&(*!"\$(!L(&C4443
L0<(! @(-)=(*! M.%\$4! @0*\$\$(2%&%(*! X0*.(34Q0*<4! @0)(\$4&(*!
"\$(! L(&(! I0<(.%)(*! N(<E()(-.!)>%-%=! "\$(! L0<(! @(-)=(*9!
,')*(!&! N(34<.0)!>%-%=! Y\$(E(*!,Y\$(E(*! N(<.0)!:(a!'J%)*(!&8+!
7,F8+!FG5j8+!7579!
M%\$4-*J! N0).J-%<%=J+! N0*30*(&! >%-%=!,J3E(-).(! Y*4O0)<4.(! "<(!
'E(+!FG598
M%2().4*4+! I0()4S(*! :J-(&! L(*! IJ*<0)O(<4! I0(*0-())3=((*! >(E(.4+!
]J3E(-).(!YTN!@)0<<+!FGG6+!29KH!
M%E(*.J+!N0.J\$0!@0*0&4.4(*!>%-%=!@0*3(*.!)!@0*0&4.4(*!BJ)=(.4S+!Q=R4)4<!
\$(*!T(#%*3(*!,'(a(!X4=%)!Y*43)0<!@)0<<+!FGFF8+!5K9
M%E4.*J! N%<&4=+! \$--+! @(*\$(*3(*! P4&<(S(! @0*\$4\$4-(*! L()4! 10)#(3(4!
@0)<R0-.4S/! NJ)(+! A<&(!+! \$(*! I)4<.0! ,1(*\$%*3/! N0\$4(! M(4*<!
A*\$J*0<4(+!FGF78+!FZ9
ME(2)4f(&!"##(<+!N0\$4(<4!L(&(!>%-%=!ME()4(2+!>%-%=!"\$(!+!\$(*!B(<4J*(&!
,(-).(!@0)*\$(!N0\$4(!T)%R+!FG5589
ME()4S%\$4\$4! ME()4S%\$4\$4*9! W@(*?(<4&(! M0#(3(4! P4&<(S(! A&=%! L(*! A=R&4-(<4!
X0)2\$(\$R! @0*30=#(*3(*! A&=%! @0*30.(2%(*! L(*! X0-*J&J34W+! Q&
N%2#4#/'%)*(!&!@0=4-4)(*!L(*!@0*0&4.4(*!@0*\$4\$4-(*!L(<()!+!FG5H!

Jurnal Hukum Progresif

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