

JURNAL MAGISTER HUKUM
Pascasarjana Fakultas Hukum
UNIVERSITAS ISLAM INDONESIA
No. 1 Volume 1, Bulan Januari 2010

Penulis : A. Najib Umar

Judul : **Prinsip Kehati-Hatian dalam Pembiayaan di Bank Syariah**

ABSTRACT: *The main function of the banking system in Indonesia is as a collector as well as a distributor of society's fund. Syariah banking, within its function as a fund collector, gives its service in the form of defrayal, which in the practice, it may contain so many risks until it has to establish cautious principles to avoid some bad consequences during the clearance process. It is performed by carrying out a careful analyze to every clearance request from debtors.*

Key words : *Cautious principle, clearance, syariah banking*

JURNAL MAGISTER HUKUM
Pascasarjana Fakultas Hukum
UNIVERSITAS ISLAM INDONESIA
No. 1 Volume 1, Bulan Januari 2010

Penulis : Afifah Riansari

Judul : Kedudukan dan Peran Mahkamah Syar'iyah dalam
Kekuasaan Kehakiman di Pemerintahan Provinsi Nanggroe Aceh
Darussalam

ABSTRACT: *Muhkamar Syar'iyah, an Islamic legal justice court, reflects one of the implementation of Nanggroe Aceh Darussalam Province's special autonomous rule. It is positioned as the extension of NAD's preceding the religious justice court task, and on the other hand, it still becomes an integral part of the State court. Based on Qanun No. 10 year 2002, Muhkamar Syar'iyah's authority not only replaces all religious affair authority and but its coverage also reaches every law aspects that must be executed through justice court. Nevertheless, the position of Muhkamar Syar'iyah within NAD's local government is not yet clear, related to its liaison with the local government institutions. The ambiguous part that is mentioned here is especially associated with the question about how the relationship mechanism among it and the other institutions, such as the executive as well as the judicative, runs well, for example, how to depict the mechanism process when Muhkamar Syar'iyah intends to publish an Islamic rule in religious matter to the DPRD (local government).*

Key words : *Muhkamar syar'iyah, Islamic law, special autonomous rule.*

JURNAL MAGISTER HUKUM
Pascasarjana Fakultas Hukum
UNIVERSITAS ISLAM INDONESIA
No. 1 Volume 1, Bulan Januari 2010

Penulis : Diah Widi Astuti
Judul : Kedudukan Hukum Rekam Medis dan *Informed Consent*
Sebagai Alat Bukti dalam Kasus Malpraktek

ABSTRACT: *A medical action is considered as a full-of-risk act. In the law discourse, whether it is done in some intentions or not, any medical action that causes loss to the patients is called malpractice. In order to prove the malpractices action that causes harms to the patients or leads them to death, some evidences are required. In every medical service process, it must provide a medical record and informed consent, which later, those documents are useful to be the foremost evidence whenever any malpractice action is occurred.*

Key words : Medical record, informed consent, wvidence, malpractice.

JURNAL MAGISTER HUKUM
Pascasarjana Fakultas Hukum
UNIVERSITAS ISLAM INDONESIA
No. 1 Volume 1, Bulan Januari 2010

Penulis : Jamaludin Ghafur
Judul : Konfigurasi Politik dalam Pembentukan Undang-Undang
Pemilihan Umum Presiden dan Wakil Presiden

ABSTRACT: *Since the reformation era in 1998, Indonesia's politics configuration was directed to the democratic one. Nevertheless, the nowadays law products are mostly led by elites. One of the products is the Regulation No. 42/2008 about the Election System of the President and the Vice President. Based on the observable indication, it can be perceived that the Indonesia's politics configuration is not only democracy, but also oligarchy.*

Key words : *Politic configuration, the regulation forming, the election of the president and the vice president.*

JURNAL MAGISTER HUKUM
Pascasarjana Fakultas Hukum
UNIVERSITAS ISLAM INDONESIA
No. 1 Volume 1, Bulan Januari 2010

Penulis : Jayanti Puspitaningrum
Judul : Pengaturan Pengujian Peraturan Perundang-Undangan
Pasca Perubahan UUD 1945

ABSTRACT: *In the trial of the Regulation rule, the Supreme Court is given a mandate by the constitution in the Article 24A 1945 Constitution to make a trial on the Regulations rule under the regulation to regulations, meanwhile, the Constitution Court, based on the Article 24A, has an authority to make a trial on a regulation of the 1945 Constitution. In the further application, the practice of the trial regulation between the Constitution Court and the Supreme Court has initiated a problem since both of them are different. The fact shows that the different between the Constitution Court and the Supreme Court actually triggers a problem. It happens because while they are facing the same problem, they may issue different result. Along with this reason, the idea for implementing judicial review to be concentrated for the Constitution Court appears, so that the Supreme Court will have a focus on administering justice for the cases that appeal in the jurisdiction of the highest court.*

Key words : *The test of the rule of regulation, constitution court, noble constitution.*

JURNAL MAGISTER HUKUM
Pascasarjana Fakultas Hukum
UNIVERSITAS ISLAM INDONESIA
No. 1 Volume 1, Bulan Januari 2010

Penulis : Sri Murtinah

Judul : Pengangkatan Anak Bagi Orang Islam Dalam Perspektif
Hukum Islam Di Indonesia

ABSTRACT: *Before the regulation No.3 / 2006 about religious justice court is established, the verdict for adopting a child (especially for Muslim) was mostly done in the Civil Court. However, along with its regular initiation, especially for Muslim, the verdict must be done in the religious justice court. Nevertheless, based on the Article 5 (2) and Article 21 (2) in the regulation No.12 / 2006 about the Indonesian Citizenship, the civil justice court is still bestowed the authority to grant a decision for the adopted child.*

Key words : *Adopting a child, Islamic law.*

