

Analisis yuridis Putusan Pengadilan Agama Jakarta Selatan tentang ahli waris non muslim (Studi kasus Putusan No.2554/Pdt.G/2011/PAJS) = Juridical analysis of South Jakarta Islamic Court Judgement about non moslem heirs (Case study of the Judgement No.2554/Pdt.G/2011/PAJS).

Hari Mugti Subroto, author

Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20347122&lokasi=lokal>

Abstrak

Skripsi ini membahas mengenai pemberian wasiat wajibah kepada ahli waris yang berbeda agama. Dalam penelitian ini, Penulis menganalisis dasar pertimbangan dan peran Hakim dalam pemberian wasiat wajibah kepada ahli waris yang berbeda agama melalui putusan Pengadilan Agama Jakarta Selatan No. 2554/Pdt.G/2011/PA.JS. Hasil penelitian menyimpulkan bahwa pemberian wasiat wajibah kepada ahli waris non-Muslim adalah untuk memenuhi rasa keadilan masyarakat, khususnya terhadap ahli waris non-Muslim. Hakim memiliki peranan penting dalam pemberian wasiat wajibah bagi ahli waris non-Muslim. Dalam kasus ini, Hakim telah menjalankan perannya sebagai pelaksana kekuasaan kehakiman dapat menegakkan hukum dan keadilan berdasarkan Pancasila dan Undang Undang Dasar 1945.

.....This thesis discusses the "Wasiat Wajibah" provision to the heirs of different religions. In this study, the authors analyze the basic considerations and the role of judges in the "Wasiat Wajibah" provision to the heirs of different religions through the South Jakarta Islamic Court judgement No. 2554/Pdt.G/2011/PA.JS. The results concluded that the "Wasiat Wajibah" provision to the heirs of a non-Muslim is to satisfy the justice of the people, especially the non-Muslim heirs. Judges have an important role in the "Wasiat Wajibah" provision for non-Muslim heirs. In this case, the judge has to perform its role as the executor of judicial power to enforce the law and justice based on Pancasila and the Undang-Undang Dasar 1945.