

## PROCESS FOR RESOLVING SHARIA ECONOMIC DISPUTES IN RELIGIOUS COURTS

Aestitie Qoulam Fatiah<sup>1</sup>, Dinda Rizqi Amalia<sup>2</sup>, Farel Eki Alifauzan<sup>3</sup>, Rizqi  
Rahmat Ramadhan<sup>4</sup>, Makhrus<sup>5</sup>

<sup>1,2,3,4,5,6,7</sup>Sharia Economic Law Study Program Universitas Muhammadiyah Purwokerto

Email : [aestitie123@gmail.com](mailto:aestitie123@gmail.com)<sup>1</sup> [dindarizqi90@gmail.com](mailto:dindarizqi90@gmail.com)<sup>2</sup>

[farelekialifauzan@gmail.com](mailto:farelekialifauzan@gmail.com)<sup>3</sup> [rizkirahmatramadhan@gmail.com](mailto:rizkirahmatramadhan@gmail.com)<sup>4</sup> [makhrus@ump.ac.id](mailto:makhrus@ump.ac.id)<sup>5</sup>

### ABSTRACT

A dispute is a difference between the parties brought about by a breach of an agreement. The steps and challenges involved in settling sharia economic issues in the Cilacap Religious Court are covered in this article. Data collection methods used in this sort of research include interviews, observation, and documentation. It is a field study with a descriptive qualitative approach. Data reduction, data presentation, conclusion drawing, and verification were all used in the data analysis process. The findings of this study suggest that the Cilacap Religious Court uses both simple litigation and regular lawsuits as a means of settling sharia economic conflicts. A civil case with a maximum material claim value of \$200–\$500 million is referred to as a simple lawsuit when it is examined in court. In contrast, a typical lawsuit is a letter the plaintiff sends to the chief of the appropriate court that includes a claim for rights, a dispute, and a reason for evaluating the case and establishing the validity of a right. While the barriers include a lack of qualified judges and the creation of real contracts without a sharia economic dispute resolution process.

**Keywords:** Dispute Resolution, Sharia Economy, Religion Court

### ABSTRAK

*Sengketa merupakan selisih yang muncul di antara para pihak dikarenakan di suatu perjanjian terdapat pelanggaran. Artikel ini mendiskusikan proses dan hambatan penyelesaian sengketa ekonomi syariah di Pengadilan Agama Cilacap. Jenis penelitian ini adalah penelitian lapangan dengan pendekatan kualitatif deskriptif, sementara teknik pengumpulan data dilakukan dengan cara wawancara, observasi dan dokumentasi. Analisis data dilakukan dengan reduksi data, penyajian data, penarikan kesimpulan, dan verifikasi. Hasil penelitian ini menunjukkan bahwa proses penyelesaian sengketa ekonomi syariah di Pengadilan Agama Cilacap dilakukan melalui dua cara yaitu dengan melalui gugatan sederhana dan gugatan biasa. Gugatan sederhana adalah susunan pemeriksaan dipersidangan pada gugatan perdata dengan nilai gugatan materil paling banyak 200-500 juta. Sedangkan gugatan biasa adalah surat yang diajukan oleh penggugat kepada ketua pengadilan yang berwenang dimana gugatan tersebut memuat tuntutan hak yang mengandung suatu sengketa sekaligus merupakan dasar dari pemeriksaan perkara dan pembuktian kebenaran suatu hak. Sementara hambatan-hambatannya adalah kurangnya kualitas sumber daya manusia dari para hakim dan pembuatan akta otentik yang tidak mencantumkan mekanisme penyelesaian sengketa ekonomi syariah.*

**Kata kunci:** Penyelesaian Sengketa, Ekonomi Syariah, Pengadilan Agama

## **A. Introduction**

Humans are social creatures who require engagement with and connections to other people. In order to foster harmony and peace in society, which is what law is, there must be legally binding laws. Every human activity is governed by rules, and Indonesian citizens' behavior is similarly governed by laws. In a social society, disagreements are unavoidable. Indonesia, which has a society that is predominately Muslim, is likewise not immune to conflicts. A religious court may be used to decide issues when they must be settled through litigation.

The Religious Court is a judicial body with legal authority that deals with civil disputes involving Indonesia's Muslim population. Along with other courts operating under the supervision of the Supreme Court, Indonesia's Religious Courts exercise judicial authority. This complies with Article 24 of the Constitution from 1945. Following the passage of Law No. 48 of 2009, the Supreme Court assumed control of all judicial matters, including coaching, organization, administration, and financial matters. This included the religious court. so while settling sharia economic problems, the religious court has the power and responsibility (Yunita, 2021).

In tandem with the growth and development of sharia economic activities, the likelihood of a dispute or conflict between sharia economic actors increases. Disputes result from protracted and unresolved disagreements between parties to prior agreements, causing discrepancies in the implementation of their rights and obligations. The larger and more extensive the business activity, the more disputes must be resolved. Every form of conflict that arises requires prompt resolution and management (Pramudya, 2018). Islamic economics encompasses, among other things, Islamic banking, Islamic insurance, reinsurance, Islamic mutual funds, Islamic bonds and Islamic medium-term securities, Islamic securities, Islamic pawnshops, and pension funds from Islamic financial institutions, as well as Islamic microfinance (Hariyanto, 2014).

The Religious Courts Law No. 3 of 2006 expands the Religious Courts' authority to resolve sharia-based economic disputes. According to Article 49 of Law No. 3 of 2006, the Religious Courts have the responsibility and authority to examine and decide cases at the first level for Muslims in the areas of marital inheritance, sadaqah wills, endowments, zakat, infaq, grants, and sharia economics. The issuance of Constitutional Court Decision No. 93/PUU-X/2012 authorizes religious tribunals to engage in litigation to resolve sharia economic disputes. When entering into a sharia economic contract, the parties can determine whether disputes will be resolved through non-litigation or litigation channels. Since the issuance of Constitutional Court Decision

No. 93/PUU-X/2012, out-of-court dispute resolution will be conducted by religious courts. No longer are district courts competent to adjudicate sharia economic disputes (Yunita, 2021).

In the field of sharia economics, the legal environment of religious tribunals already encompasses all subfields. This is also evident from the meaning of the term sharia economics, which is defined in the article's abstract as an act or business conducted in accordance with sharia principles. In other words, the Religious Courts' authority to adjudicate the environment encompasses all economic actions and activities conducted in accordance with sharia principles. Since the types enumerated in detail are only a partial list, there may be instances of other special forms (Hariyanto, 2014).

Not only must Islamic economic activities adhere to sharia principles, but they must also be accompanied by legal relationships or consequences. Disputes can arise when someone commits fraudulent acts during a transaction (agreement) made between two parties as a result of economic activities. Disputes are caused by divergent interests between two parties, which can be detrimental to both. Disputes referred to as defaults arise when a loss or breach of contract occurs. In addition, default is the failure of one party to accomplish the conditions stipulated in the contract (Samin, 2020). The settlement is not yet optimal due to the mediator or judge's lack of mediator and sharia economic certification (Yunita, 2021), and the phases of the mediation procedure are conducted in two ways: premediation and mediation (Ridho, 2018).

## **B. Method**

This is a field study employing a qualitative descriptive methodology, and it was conducted at the Cilacap Religious Court. Which lasted for roughly one month. In this study, there are two categories of data sources: primary data derived from interviews and secondary data derived from books, journals, and the internet. Documentation and interviews with sources at the Cilacap Religious Court, specifically Muslim justices. This study employs an inductive analysis approach, and there are three data analysis methods: data presentation, deriving conclusions, and verification.

## **C. Results and Discussion**

The meaning of the word "dispute" in English is "dispute." "dispute" is defined as "difference, quarrel, rival, things that cause differences" in the Big Indonesian Dictionary (KBBI). "conflict" is defined as "opposition, dispute, tension between two parties, conflict between two forces" A dispute is a situation in which one party injures the other or causes the other party inconvenience. A dispute can be used to describe a

situation in which there is disagreement. In the context of contract law, a dispute is a disagreement between the parties resulting from a breach of part or all of the contract's terms; it can also be referred to as default by the parties or one of them. Thus, a dispute refers to a disagreement between two or more parties who respect each other's legal rights. These disputes may result from the parties' or one of the contracting parties' negligence (Emy, 2022). Islamic economics identifies a number of causes for Islamic economic disputes, including:

1. Default

Default, i.e., an obligation that is not fulfilled in an engagement, both the determined engagement and the legal obligation. Default in question is the insurer who is obligated to not carry out and not pay claims as previously agreed to by both parties, and default can also be the insured party who is not carried out by not paying premiums or appropriate obligations, such as failing to provide the insured's medical and non-medical health history (Agoes Parera, 2022).

2. Contravene the law

The definition of illegal conduct Article 1365 of the Civil Code describes a criminal act as one that is committed with the intent to cause injury to another. The article stipulates that a person may submit a claim for compensation with a district court if he suffers a loss as a result of an unlawful act committed by another individual against him (Reza, 2021).

In addition to the causes of sharia economic disputes, there are a number of methods for resolving sharia economic disputes, including:

1. In Indonesia, non-litigation settlement is a comparatively new system for resolving disputes outside of the court system. It was introduced more than ten years ago. Generally, out-of-court dispute resolution can be resolved swiftly and effectively. Settlement through litigation (judiciary) consumes a great deal of time, effort, and money; therefore, the non-litigious path is preferable (Achmad, 2016).

Initially, in the development and implementation in Indonesia, legal consultation is carried out by providing legal information services to clients so that they can provide clarity and comprehension of the problems they face and know the most effective solution (Muhammad Reza, 2022).

Second, negotiation is the process by which two or more conflicting parties reach a general agreement through mutual concessions and freedom. Negotiation is an English word, and it denotes negotiations. In common usage, negotiation is

synonymous with negotiation, deliberation, and consensus. The individual who negotiates is known as a negotiator. The outcome of the negotiation is the resolution of a legally nonbinding agreement. Through negotiation, the disputing parties can engage in a process of reconsidering their respective rights and obligations by releasing certain rights based on the principle of reciprocity (Herniati, 2019).

Thirdly, the English term for mediation is mediation. Mediation is a method for resolving disputes in the presence of a neutral third party without decision-making authority who assists disputing parties in reaching a mutually acceptable agreement (solution). Mediation, or emergent mediation, if the mediator is a member of the social system of the parties in conflict, is interested in the outcome of the negotiation, or wishes to make a positive impression, such as by being a trustworthy friend. As partners and advisors, third parties or mediators function as partners. As a dispute resolution mechanism, mediation is employed in a variety of social contexts and in a number of instances.

Fourth, Agreement. Conciliation is derived from the English word "conciliation", which means "peace." Several definitions, according to legal experts, show that the meaning of conciliation is not far from what is outlined in articles 1651 to 1863 of the Civil Code, namely a written agreement between parties to settle disputes outside of court (Wilhelmus, 2022).

Fifth, expert opinion. Evaluation is a form of expert opinion that disputing parties can comprehend and embrace. In procedural law, an expert witness is the competency of one or more individuals to pursue a resolution to a disagreement. Expert opinion is also known as expert testimony, as stated in Law No. 8. Article 1 number 28 of the 1981 Criminal Procedure Code (KUHAP) decision stated, "expert testimony is information provided by a person with special knowledge of the criminal process for the benefit of investigators."

Arbitration comes in sixth place. The Latin word for "arbitration" is arbitro, which signifies the authority to act based on "wisdom." Arbitration is, broadly speaking, a process in which two or more parties submit their dispute to one or more neutral individuals (called arbitrators) for a final and binding decision. Paragraph 1 number 1 of Law No. 30 of 1999 states: Arbitration is an external method for resolving civil disputes in a public court based on a written arbitration agreement between the disputing parties. From these terms, you can deduce that disputes in the civil field are subject to arbitration. The parties agree in writing that if their agreement is breached, they will resolve the dispute through arbitration and

not through litigation in a public court. Thus, the choice of forum, or the jurisdiction in which the dispute will be investigated, is determined, and there is no conflict of laws. (Gatot, 2006)

2. Litigation settlement. Litigation is the process of litigating a conflict, in which the parties may present the decision-maker with two contrasting options. Litigation is a process that is always familiar to attorneys, with a third party having the authority to determine a resolution between the disputing parties. Litigation is an administrative and judicial procedure (court and administrative proceedings) (Wilhelmus, 2022). Disputes in litigation are typically pursued when efforts to resolve disputes through deliberation are no longer effective in resolving problems. Consequently, litigation settlement as a last resort is frequently referred to as *ultimum remedium*. The nature of the litigation process is formalized through institutions that operate in accordance with their attributional authority. Even though there are parties in a litigation dispute, the judge cannot be influenced by them when making a decision. The judge's decision is based solely on the legal circumstances of the case. As part of the judicial process's commitment to openness, the trial itself must be conducted in public. Due to their complexity and length, the formal character of litigation makes the resolution of disputes slow. (Ma'ruf Akib, 2022).
3. Religious courts are those that exercise judicial authority on behalf of the people, who in this case are Muslims seeking justice related to Islam. In Indonesia, the Religious Courts are also interpreted as administrators of judicial authority. In conjunction with other judicial institutions under the Supreme Court's authority. In accordance with Islamic law, the Religious Court examines, decides, and settles disputes between Muslim parties in the disciplines of *waisat*, *waqf*, marriage, charity, inheritance, and grants. In this context, the sphere of marriage refers to matters governed by Law No. 1 of 1974 concerning marriage. The field of inheritance is concerned with determining who will be the heir and the value of the inheritance if it is administered in accordance with Islamic law (Nurwandi, 2022).

This research resulted in a discussion of the sharia economic dispute resolution process at the Cilacap Religious Court as well as the obstacles to this process. At the Cilacap Religious Court, there are two methods for resolving sharia economic disputes: a simple litigation and an ordinary lawsuit. Here is the clarification. Simple petition According to PERMA No. 2 of 2015, the concept of simple lawsuit settlement refers to a procedure for investigating civil lawsuits with claims of up to 200 million dollars

that are resolved through simple procedures and verification. Article 3 (2) of PERMA No. 14 of 2016 defines a simple action settlement as an investigation of a case with a simple procedure, i.e., an investigation of sharia financial cases with a maximum value of US\$200 million.

At the Cilacap Religious Court, the material loss for a simple lawsuit was between 300-400 million and a maximum of 500 million, because there was a deadline of 25 days on the first day of trial, during the trial process peace efforts were also made, which was in accordance with *pacta sunt servanda*, which means having provisions in an agreement in the implementation of which should be carried out in good faith, honestly, and sincerely, then the implementation of the pact was carried out in good faith, In contrast, the Ordinary Lawsuit is a letter sent from the plaintiff to the court's chairman. Including a dispute claim and serving as the premise for examining and proving something. According to Sudikno Mertokusumo, a litigation is a demand for things, specifically an act in which the court provides protection against vigilante actions (Sudikno, 2002). In addition, a simple case was reviewed and decided by a single judge. PERMA No. 4 of 2019 was issued to enhance PERMA No. 2 of 2015, which aims to speed up resolving cases in accordance with the principles of simple, quick, and inexpensive justice. PERMA issuance is also a method for reducing the number of Supreme Court cases.

Cases tried in special tribunals and land rights disputes cannot be classified as simple lawsuits; this is already governed by statutory regulations. The parties to a simple lawsuit are not required to be represented by attorneys or lawyers; however, they must be present in person at the trial, either with attorneys or on their own. However, if the plaintiff or defendant uses the services of an advocate, it is feared that they will lose because the attorney's fee exceeds the value of the lawsuit. In a straightforward litigation, the Plaintiff registers his case with the court clerk. Claims may be filed in writing or by filling out the provided claim forms, which contain the following information: the identity of the parties, both the plaintiff and the defendant, a brief explanation of the case, the plaintiff's claims, and the attachment of legalized and mandatory documentary evidence.

First, Registration of Lawsuit; second, Service of Process; and third, Final Judgment. Thirdly, verifying the completeness of a basic lawsuit. The next stage, after verifying the completeness of a simple lawsuit, is to appoint a judge and a replacement clerk. The chairperson appoints only the judge who will preside over the fourth trial. Preliminary Assessment, This is done after the judge has received and evaluated the case file. Assessing the viability of the case, the evidence and witnesses presented,

determining the date of the trial, and issuing summonses to the defendant and the plaintiff. Following the preliminary examination, the judge will determine the trial date, also known as the PHS (Determining the Day of the Session). This PHS is a judge-made product, and the sixth is trial examination and judicial endeavors for peace. The judge will attempt to achieve peace by observing the time limit for scrutinizing the case. These peace initiatives are excluded from the Supreme Court's mediation procedures regulations. When peace is achieved, the magistrate will make a legally binding decision regarding the peace agreement. Against the decision of the deed, legal remedies cannot be filed. At the Cilacap Religious Court, the success rate of the mediation procedure was, on average, successful. In a straightforward case, mediation is required. Time allotted for mediation is limited to 30 days and may be extended by one month. The seventh, eighth, and final evidence is the verdict.

If in accordance with a straightforward lawsuit, the chairman will issue a final dismissal product and there will be no legal recourses. In dismissal, a lawsuit is declared invalid or unfounded, and the plaintiff is ordered to pay court costs. The clause is signed by the chairperson and chief/assistant registrar. In the absence of the chairman, it may also be signed by the vice chairman. Dismissal clause in the absence of the court's president. The judge's role in a simple lawsuit is to first provide the parties with a clear explanation of the simple lawsuit's procedure. Second, pursuing a negotiated resolution also encourages the defendant and plaintiff to make peace outside of court. Third, guide the parties through the evidence. Describe legal remedies available to the parties

Ordinary Claims, there are a number of ordinary litigation procedures, the plaintiff must complete the following: First, file a written and verbal complaint with the Cilacap Religious Court. The matter was then presented to the Cilacap Religious Court. Third, those who cannot afford to pay the initial fee will receive a case for free or at no cost. Fourth, the Plaintiff and the Defendant or their attorneys must attend the examination proceeding based on the Religious Courts' summons. The typical phases of a litigation trial are as follows:

1. Peaceful initiatives. The panel of justices is required to offer reconciliation advice to the parties.
2. If the peaceful efforts fail, the panel of judges will begin scrutinizing the case at the next lawsuit reading by reading out the lawsuit.
3. The opportunity for the defendant to respond to the litigation either in writing or orally.



4. Replica. The plaintiff can respond orally or in writing to the defendant's response.
5. Duplic, the antithesis of the defendant's replica, can respond orally or in writing to the response (plaintiff's replica).
6. Evidence, including at this point both the evidence required by the plaintiff to support the fundamentals of the argument and the evidence required by the defendant to support his objection.
7. Finalization. At this point, the plaintiff and defendant present their concluding conclusions regarding the case under review.
8. Deliberation by a council of judges to reach a verdict on the case under consideration.
9. The panel of judges will then read the decision based on the outcomes of their previous deliberations.

There are obstacles in the process of resolving sharia economic disputes at the Cilacap Religious Court. After elaborating on the procedures for resolving issues pertaining to the sharia economy, we will examine the obstacles or hurdles involved in resolving the case, both in straightforward and standard lawsuits. In the interview we conducted yesterday, more time was devoted to explaining the uncomplicated lawsuit, even though the issue at hand involved the Islamic economy.

Training is required for judges in Indonesia so that they share the same perspective on the existence of the regulation and there are no future misunderstandings regarding the issue of straightforward lawsuits. In addition, this straightforward case is determined and examined by a single judge within the jurisdiction of the general court. According to the Muslim viewpoint, something that is not included in a simple lawsuit in field research because it becomes an impediment to resolving it is a case in which the settlement of this dispute is resolved by a special court, as stated in the laws and regulations, and the matters relating to this court are dealt with separately. The second difficulty involves land ownership.

According to Muslim perspectives, one of the problems that arise is the condition of human resources, specifically justices who are deemed inadequate. Religious court judges who manage issues pertaining to waqf, grants, inheritance, and marriage unquestionably require additional economic education or training. In each religious court, at least one panel of justices is equipped to resolve shariah economic disputes. The problem arises when a portion of the panel of judges must be transferred, and when the absence of one member of the panel of judges does not prompt an immediate

replacement or filling of the vacancy. In addition, it comes out that some of the existing Islamic financial institutions lack a concrete legal foundation. This demonstrates that Sharia Banking has already been codified and is governed by explicit material law. Therefore, the fundamental issue with religious court judges is a deficiency of human resources, such as less-competent judges and inadequate material legal resources from sharia economic financial institutions. When problems of this nature are permitted to persist, the law governing economic cases governed by sharia will one day be unclear. It is prohibited for a judge to refuse to investigate and resolve a dispute if the applicable law is ambiguous or there is no legal basis to decide the matter.

Incomplete collections of periodicals, books, laws, and articles are typically found in the libraries of religious courts, even though these collections aid judges in enhancing their body of knowledge and discourse, particularly regarding developments in the field of law. In practice, the formation of contracts and authentic deeds in many economic activities governed by shari'ah does not include dispute resolution procedures that are subsequently resolved by religious courts. Therefore, Muslim also encouraged land officials and notaries to provide counsel and input to the party entering into a Shari'ah economic contract. religious tribunals. In fact, it is almost certain that the official creating the land deed and the notary in the process of creating the authentic deed are still using extremely outdated forms and formats, so the dispute resolution process will likely wind up in district court.

In general, the community does not yet comprehend the Religious Courts' procedures for resolving disputes in the shari'ah economic field. This will also relate to the level of legal awareness in society; consequently, there is a need to inform the public about the existence of Law No. 3 of 2006 concerning Amendments to Law No. 7 of 1989 on Religious Courts and other material laws that regulate activities in the sharia economic sector. Existing and growing among the general public is the belief that if a dispute or case is subsequently resolved through litigation or court, it will require financial or financial support, as well as a considerable amount of time. In addition, the emergence of case mafias (markus) exacerbated the situation and the state of the Indonesian legal system, causing people to be reluctant to bring cases to religious tribunals.

The results of this study indicate that the process of resolving shari'ah economic disputes at the Cilacap Religious Court, both using simple lawsuits and ordinary lawsuits, is in accordance with PERMA 14 of 2016. This conclusion is based on interviews with judges at the Cilacap Religious Court who stated that in the trial process they were guided by PERMA and the implementation of the trial, both technically and

in terms of time, was in accordance with the PERMA mention.

#### **D. Conclusion**

At the Cilacap Religious Court, there are two methods for resolving sharia economic disputes: a simple litigation and an ordinary lawsuit. According to PERMA No. 2 of 2015, the concept of a simple lawsuit settlement is a procedure for investigating civil lawsuits with material claims of up to 200 million dollars that are resolved through simple procedures and verification. Article 3 (2) of PERMA No. 14 of 2016 defines a simple action settlement as an investigation of a case with a simple procedure, i.e., an investigation of sharia financial cases with a maximum value of US\$200 million. While the Ordinary Lawsuit is a letter sent by the plaintiff to the head of the competent court containing a claim for rights, a dispute, and the basis for examining a case and proving the truth of a right, the Special Lawsuit is a document filed by the defendant against the plaintiff. Moreover, the obstacles that exist in the process of resolving sharia economic disputes at the Cilacap Religious Court include inadequate human resources originating from judges, inadequate human resources originating from judges, and insufficient material legal sources for sharia economic financial institutions. A number of the extant Islamic financial institutions lack a solid legal foundation.

#### **E. References**

- Abubakar, Rafa'i. (2021). Pengantar Metodologi Penelitian. Yogyakarta. SUKA-Press UIN Sunan Kalijaga
- Achmad Romsan, (2016). Alternatif Dispute Resolution Teknik Penyelesaian Sengketa Di Luar Pengadilan. Malang: Setara Press
- Almasdi Syahza. (2021). Metodologi penelitian (Edisi Revisi Tahun 2021). Pekanbaru. UR PRESS.
- Anwar, Syahrul. 2010; Ilmu Fiqh dan Ushul Fiqh, Gahlia Indonesia, Bogor
- Bahrudin, Ahmad. (2015). Pendapatan perusahaan dalam kriteria penerbitan efek syariah. Perpustakaan UIN Sunan Kalijaga, Yogyakarta.
- Basyir, Ahmad Azhar. (2000). Azas-azas Hukum Muamalah, UII Press, Yogyakarta
- Darmanah, Garaika. (2019). Metodologi Penelitian. Lampung Selatan. CV HIRA TECH
- Djamil, Fathurrahman. (2013). Hukum Ekonomi Islam, Sinar Grafika, Jakarta
- Gatot Soemartono, (2022). Arbitrase Dan Mediasi Di Indonesia. Jakarta: PT Gramedia Pustaka Utama
- Lexy, J Moleong. (2019). Metode Penelitian Kualitatif. PTRemaja Rosdakarya
- Hosen, Ibrahim. 1987; Apakah itu judi, Kajian Ilmiah, Jakarta
- Hariyanto, E. (2014). Penyelesaian sengketa ekonomi syariah di indonesia. IQTISHADIA: Jurnal Ekonomi Dan Perbankan Syariah, 1(1), 42–58.

Aestitie Qoulam Fatiah, Dinda Rizqi Amalia,  
Farel Eki Alifauzan, Rizqi Rahmat Ramadhan, Makhrus

- Hazbi, (2019). Hukum Materiil Syariah. Jakarta. La Tansa Mashiro Publisher
- Herniati, Sri. (2019). Sengketa Bisnis Dan Proses Penyelesaian Melaluia Jalur Non Litigasi. Surabaya: Media Sahabat Cendekia
- Juhaya S Praja, 2012 ; Ekonomi Syariah , Bandung, Pustaka Setia
- Khallaf, Abdu Alwahhab. Ilmu ushul al-fiqhi, Majlis A'la Indunisi, Jakarta
- Ma'ruf Akib, 2022. Penyelesaian Sengketa Medis Antara Pasien Dokter Dan Rumah Sakit. Jawa Timur: Uwais Inspirasi Indonesia
- Mannan, M.A, 1992 ; Ekonomi Islam,;Teori dan Praktek, Jakarta ; PT Intermassa,
- Mardani. 2011; Hukum Ekonomi Syariah, PT Refika Aditama, Jakarta
- Mertokusumo, Sudikno. 2002 Hukum Acara Perdata Indonesia. Yogyakarta. Liberty
- Muhamad Kholid, Harry Yuniardi, (2021). Penyelesaian Sengketa Ekonomi Syariah Pada Perkara Kepailitan. Bandung: CV Widina Media Utama
- Muhammad Reza, (2022). Pengantar Ilmu Hukum Dan Aspek Hukum Dalam Ekonomi. Jakarta: Kencana
- Nurwandri, Andri S.Sy. M.Ag, Pengantar Peradilan Agama di Indonesia, Sumatera Utara : CV. Puskra mitra jaya, 2022
- Pramudya, K. (2018). Strategi Pengembangan Ekonomi Syariah Melalui Penguatan Fungsi Pengadilan Agama Dalam Penyelesaian Sengketa. Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional, 7(1), 35–47.
- Radhie, Teuku Mohammad. (1983). Peranan Hukum Islam Dalam Pembinaan Hukum Nasional. Yogyakarta: Bina Usaha,
- Reza Kautsar, (2021). Tindakan Rekayasa Penyidik Sebagai Perbuatan Melawan Hukum Perdata. Banyumas: Cv Amerta Media
- Samin, S. B. B. (2020). Peran Pengadilan Agama Dalam Praktik Penyelesaian Sengketa Ekonomi Syariah. Syarikat: Jurnal Rumpun Ekonomi Syariah, 3(2), 28–36.
- Steenbrink, karl A., Dr., Beberapa Aspek Tentang Islam di Indonesia Abad ke 19. Jakarta: Bulan Bintang, 1984.
- Wilhelmus Renyaan, (2022). Peranan Lembaga Mediasi Perbankan Dalam Penyelesaian Sengketa Non Litigasi. Sumatera Barat: CV Azka Pustaka
- Cholilulloh, A. M. (2019). Penyelesaian Sengketa Ekonomi Syariah (Studi Putusan Nomor 2984/Pdt. G/2017/Pa. Sng). Skripsi S-1 Universitas Islam Negeri Walisongo.
- Hariyanto, E. (2014). Penyelesaian sengketa ekonomi syariah di indonesia. IQTISHADIA: Jurnal Ekonomi Dan Perbankan Syariah, 1(1), 42–58.
- Pramudya, K. (2018). Strategi Pengembangan Ekonomi Syariah Melalui Penguatan Fungsi Pengadilan Agama Dalam Penyelesaian Sengketa. Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional, 7(1), 35–47.
- Rianto, Nur dkk, 2010; Teori Mikrobiologi : Suatu Perbandingan Ekonomi Islam dan Ekonomi Konvensional, Jakarta, Gramata Publishing
- Ridho, M. (2018). Analisis Proses Mediasi Pada Perkara Sengketa Ekonomi Syari'ah Di Pengadilan Agama Bukittinggi (Studi Kasus Perkara Nomor 50/Pdt.

G/2017/PA. Bkt).

- Samin, S. B. B. (2020). Peran Pengadilan Agama Dalam Praktik Penyelesaian Sengketa Ekonomi Syariah. *Syarikat: Jurnal Rumpun Ekonomi Syariah*, 3(2), 28–36.
- Yunita, A. (2021). Penyelesaian Sengketa Ekonomi Syariah Melalui Mediasi Pada Masa Pandemi di Pengadilan Agama Wilayah Yogyakarta. *Jurnal Hukum Ius Quia Iustum*, 28(2), 435–452.