

Implementation of Solutions a Simple Claims of Sharia Economy in the Religious Court of Malang City and Religious Court of Malang District

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Abstract

The settlement of a simple lawsuit on Islamic economic matters in the Malang City Religious Court and Malang District Religious Court is in line with the principle of conducting a simple trial. The procedure is simpler because it is more concise, with no claims for provisions, exceptions, reconventions, interventions, replicas, duplicates or conclusions. The settlement time is also limited to a maximum of 25 days. Costs will also be cheaper because the process and time of settlement are simple. Constraints faced in the settlement of a simple lawsuit in sharia economic matters in Malang City Religious Court and Malang District Religious Court include the first, Jurisdictional Problems. Secondly, a simple suit cannot be effective if there is a resistance suit. Third, careful examination of case files by the Registrar.

Keywords

simple lawsuit; sharia economic case; religious court



I. Introduction

Religious courts are civil courts and Islamic courts in Indonesia, which in carrying out their duties, religious courts must comply with state laws and regulations and Islamic law simultaneously. The formulation of the procedural law of religious courts is all regulations both sourced from state laws and regulations as well as from Islamic law which regulates how people act before religious courts and also regulates how the religious courts resolve their cases, to realize Islamic material law which becomes the authority religious court (Rasyid, 2013).

According to Mukti Arto, the procedural law of religious courts is a legal regulation that regulates how to comply with material civil law with the intermediary of judges or how to act before a religious court and how judges act so that the law runs properly (Arto, 2011). Article 49 of Law no. 7 of 1989 concerning the Religious Courts states that the Religious Courts have the duty and authority to examine, decide, and settle cases at the first level between people who are Muslim in the fields of:

1. Marriage
2. Inheritance, wills, and grants made under Islamic law, and
3. Waqf and Sadaqah

Based on Law no. 3 of 2006 concerning Amendments to Law no. 7 of 1989 concerning the Religious Courts, the Religious Courts are expanded in scope, duties and authorities, which are contained in Article 49 as follows:

Religious courts have the duty and authority to examine, decide, and settle cases at the first level between people who are Muslims in the fields of:

- a. marriage;
- b. inheritance;
- c. will;
- d. grant;
- e. waqf;
- f. zakat;
- g. infaq;
- h. sadaqah; and
- i. sharia economics.

The explanation of article 49 states that what is meant by sharia economics is:

- a. Islamic Bank
- b. Sharia insurance
- c. Sharia reinsurance
- d. Sharia mutual funds
- e. Sharia bonds and medium term sharia securities
- f. Sharia Securities
- g. Sharia financing
- h. Sharia pawnshop
- i. Islamic financial institution pension fund
- j. Sharia business, and
- k. Sharia microfinance institutions

The Religious Courts in carrying out their duties and obligations to enforce law and justice must be able to administer a clean judiciary and give the fairest decisions to the disputing parties in accordance with their authority. For this reason, the religious courts must carry out innovations in facilitating justice-seeking communities.

Based on the provisions of Article 2 paragraph (4) of Law no. 48 of 2009 concerning Judicial Powers, it is stated that trials are carried out in a simple, fast, and low cost manner. The explanation of Article 2 paragraph (4), what is meant by "simple" is that the examination and settlement of cases is carried out in an efficient and effective manner. What is meant by "low cost" is court fees that can be reached by the public. This has also been regulated in Article 57 paragraph (3) of Law no. 07 of 1989 concerning the Religious Courts which reads "Judgments are carried out simply, quickly, and at low cost".

Simplification of dispute resolution in the Religious Courts seems to be very much in line with Supreme Court Regulation Number 2 of 2015 concerning Procedures for Settlement of Simple Lawsuits (hereinafter referred to as Perma No. 2 of 2015) and Supreme Court Regulation Number 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases (hereinafter referred to as Perma No. 14 of 2016), but Perma No. 2 of 2015 is only the authority of the general court, not the authority of the religious court as stated in Article 2 which states that a simple lawsuit is examined by the court within the scope of the authority of the general court. This Supreme Court regulation also explains that the one who examines and hears this simple lawsuit is a single judge as stated in Article 1 point 4, while Perma No.

Based on Perma No. 14/2016, sharia economic cases whose value does not exceed 200 million rupiah can be resolved using a simple lawsuit mechanism. It is interesting to study, which the author puts in this research with the title "Implementation of Simple Lawsuit Settlement of Sharia Economic Cases at the Religious Courts of Malang City and Malang Regency Religious Courts".

The main issues that will be the subject of discussion in this research are:

1. How is the implementation of the settlement of simple lawsuits in sharia economic cases at the Malang City Religious Court and the Malang Regency Religious Court?
2. What are the obstacles faced in the settlement of a simple sharia economic case lawsuit at the Malang City Religious Court and the Malang Regency Religious Court?

II. Research Methods

To support the research, the author uses a normative research method with legal doctrinal because the results of this study are a concept of the problem being studied, while the contents of the method studied are:

2.1 Types of Research

The type of legal research used is normative legal research. Normative legal research is a scientific procedure to find the truth based on the logic of legal scholarship from the normative side. Scientific logic in normative legal research is built based on scientific disciplines and the workings of normative legal science, namely legal science whose object is law itself.

2.2 Research Approach

The research approach method used is:

1. Legislative approach (statute approach), in the approach to legislation researchers need to understand the hierarchy, and the principles in legislation. Thus, the approach to legislation is an approach using legislation and regulations. Products that are *beschikking*/decree, namely a decision issued by an administrative official that is concrete or special.
2. The conceptual approach is an approach that is taken if there is no or no legal rules for the problems at hand. In this case, it relates to the recruitment of constitutional judges based on the principles of transparency and participation. This approach was taken to obtain the concept of recruiting constitutional judges based on the principles of transparency and public participation. In the conceptual approach, researchers also need to refer to the principles or views of scholars as well as legal doctrines.

III. Discussion

3.1 Implementation of Simple Lawsuit Settlement of Sharia Economic Cases at the Religious Courts of Malang City and Malang Regency Religious Courts

After the promulgation of Law no. 3 of 2006 concerning Amendments to Law no. 7 of 1989 concerning Religious Courts has brought a significant change in the existence of religious courts in the 21st century. The fundamental change is the addition of the authority to settle sharia economic disputes, as stipulated in Article 49 letter i of Law no. 3 of 2006.

Even now, the religious courts are becoming more and more stable and moving on August 29, 2013 through the decision of the Constitutional Court Number: 93/PUU-X/2012 ending the dualism (choice of forum) for resolving sharia economic disputes between the religious courts and the general courts. Religion is vividly brought out as a major theme and it seems to have a stronger influence on how the people (Eskandari, 2020). Religion has the potential to be used as a tool to achieve political power in a nation, which may lead to inter-religious and inter-religious conflict itself (Nuruddin, 2019). The state is obliged to realize harmony in social and state life, guaranteeing harmony between religions and between adherents of religion, guaranteeing the freedom of everyone to have a religion and social

freedom in social life (Fadrusiana, 2019). In addition to increasing the authority in deciding sharia economic disputes, of course also increasing the knowledge of the religious judicial apparatus itself in the field of sharia economics.

Islamic economics or Islamic economics (Islamic Economics) is defined as a science that studies the life of society in meeting the needs of their lives to achieve the pleasure of Allah (Sarkaniputra, 2005). In other words, it is an act or business activity carried out according to sharia principles (2014), or an economic system based on Islamic teachings and values (Nasution, 2006). The Islamic economic system is the embodiment of the Islamic paradigm, its development is not to compete with the capitalist or socialist economic system, but is aimed solely at finding an economic system that has advantages and benefits to cover the shortcomings of the economic system that already exists in the midst of society.

The initial ideas and thoughts to establish a Sharia Bank in Indonesia have emerged since the 1970s. This idea was discussed at a national seminar forum on relations between Indonesia and the Middle East in 1974 (Mannan, 2005). Furthermore, the development of the Islamic economy in Indonesia began since the establishment of Bank Muamalat Indonesia in 1992, at that time the Islamic banking system obtained a formal legal basis with the enactment of Law no. 7 of 1992 concerning Banking, as has been revised by Law no. 10 of 1998 and supplemented by Law no. 23 of 1999 concerning Bank Indonesia. Where profit-sharing banking is accommodated and its existence is recognized, Islamic banks are starting to show very good prospects (Mannan, 2005), while at the same time providing a real opportunity for the establishment of banks based on Sharia Principles and the implementation of various types of sharia transactions by Islamic banks.

According to AL Fitri (2014), there are two reasons that only the religious courts are the only judicial institutions authorized to resolve sharia economic disputes, namely:

1. **Historical Reason**, Without realizing it, the authority of the religious courts has experienced dynamics in the history of the judiciary in this country, even though it is not abolished by the authorities (political will), at least at the level of competence it is always limited. Whereas the competence of religious courts is basically very closely related to the implementation of Islamic law as living law. The competence of the religious courts in Indonesia is actually very closely related to the problems of the life of Muslims, because it becomes its sui generis. It also does not concern all Muslim issues, but only relates to family law issues plus some mu'amalah issues. This phenomenon cannot be separated from the political problems of the rulers. Because of this historical background, religious courts often have the connotation of just marriage, divorce and reconciliation. Over time, finally the Religious Law Number 7 of 1989 concerning the Religious Courts has been in effect for 25 years, and the Law has also been amended by Law Number 3 of 2006 which brought major changes in the competence of the religious courts, expanded to include the economy. sharia, as one of its areas of competence
2. **Formal Juridical Reason**, Article 50 of Law no. 3 of 2006 confirms that when actions or business activities carried out based on sharia principles cause disputes, the estuary of settlement through litigation becomes the competence of religious courts. Meanwhile, the settlement through non-litigation channels can be done through Basyarnas, and alternative dispute resolution by taking into account the provisions of Law no. 30 of 1999 concerning Arbitration and Alternative Dispute Resolution, while still adhering to sharia principles.

Based on data obtained from the Religious Courts of Malang City and Malang Regency in the period 2017-2019, the incoming sharia economic cases can be seen in the following table:

Table 1. Recapitulation of Sharia Economic Cases Malang City Religious Court Year 2017-2019

No.	Month	2017	2018	July 2019
1	January	-	-	-
2	February	-	-	2
3	March	-	-	-
4	April	-	-	1
5	May	-	1	-
6	June	-	-	-
7	July	-	-	-
8	August	-	-	-
9	September	-	-	-
10	October	-	-	-
11	November	-	-	-
12	December	-	1	-
Amount		0	2	3

Source: Registrar of the District Religious Court. Malang, July 2019

Table 2. Recapitulation of Sharia Economic Cases Malang Regency Religious Court Year 2017-2019

No.	Month	2017	2018	June 2019
1	January	-	-	-
2	February	-	-	1
3	March	-	-	-
4	April	-	-	-
5	May	1	-	-
6	June	-	-	-
7	July	-	-	-
8	August	-	-	-
9	September	-	-	-
10	October	-	1	-
11	November	-	-	-
12	December	-	-	-
Amount		1	1	1

Source: Registrar of the District Religious Court. Malang, June 2019

Based on Tables 1 and 2 above, within a period of 3 years, the Malang City Religious Court received 5 cases of sharia economics, while the Malang Regency Religious Court only accepted 3 sharia economic cases. This indicates that there are very few sharia economic cases that go to the Malang City Religious Courts and Malang Regency Religious Courts, unlike other cases.

The sharia economic cases that came in, there was only 1 case that was tried through a simple claim (small claim court), namely the case registered with the Registrar of the Malang Regency Religious Court with Number 1/Pdt.GS/2019/PA Mlg on February 21, 2019. This case was not completed because it was withdrawn by the plaintiff.

Conventionally, the settlement of civil disputes (especially those that are the absolute authority of the religious courts) is carried out through a lawsuit mechanism to the court

(litigation) which in practice often takes a long time to settle a case at one level of the religious court. The longer the time required if there are parties who file legal remedies, both appeals and cassation. This condition is not in line with the principles of fast, simple and low cost justice as mandated by the Law on Judicial Power.

A lengthy and uncomplicated mechanism is very unprofitable for resolving disputes that require quick resolution, especially for disputes with small claims value. A civil dispute settlement mechanism is needed which is a fast, simple and low cost process; but the result is a judge's decision that has binding legal force as is known and developed in developed countries. Such a mechanism is known as the Small Claims Court, which is the settlement of disputes through the courts with a quick and simple procedure so that costs can be reduced, by using a procedure outside the procedure for handling ordinary civil cases, which is intended for civil cases with a small claim value (Sari, 2016).

Small Claims Court can resolve lawsuits in a fast time, low cost and avoid complex and formal litigation processes. The Small Claims Court is a legal institution that is intended to provide a fast and economical solution to resolve disputes that do not require expensive fees (Wheelan, 1990). Small Claims Court is also defined as "People's Court" or conciliation court for people who urgently need a dispute resolution institution that does not require high costs and is carried out with a fast process.

The approaches and philosophies contained in the Small Claims Court are:

1. The primary responsibility of the Small Claims Court/Tribunal, or for that matter, the courts, is to administer justice
2. Each court is committed to resolving disputes effectively and fairly by upholding the rule of law and increasing access to justice
3. Improving access and accessibility to justice by the community
4. Maintaining the quality of justice and the judicial process
5. Facilitate community involvement in the justice process by making them stakeholders of the small claims court
6. Strive to avoid disputes and encourage the reduction of disputes in society.

Based on the explanation above, it can be understood that the Small Claims Court is a simple trial outside the proper judicial mechanism, with the aim of resolving disputes quickly and at low cost. For this reason, the use of the Small Claims Court will be able to help unravel the accumulation of cases in court. Of course, not all cases can be resolved through the Small Claims Court, but only certain cases that meet the criteria can be resolved through this Small Claims Court.

Birth of Perma No. 2 of 2015 concerning Procedures for Settlement of Simple Lawsuits and Perma No. 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases is the entry point for resolving lawsuits with small values and voluntary cases (applications) in religious courts. With a simple mechanism, the Small Claims Court will be able to reduce the burden on the accumulation of cases in religious courts, cut down the complicated legal process, and make it easier for the public to achieve justice by prioritizing the values of procedural justice. This means that cases with a nominal value of small claims and voluntary cases must be resolved by a simple judicial mechanism, namely by using the Small Claims Court.

The alignment of the Small Claims Court with the simple principle of fast and low cost will be able to become the entrance for the community to obtain justice. The relevance of the Small Claims Court with its simple, fast and low cost principle should be encouraged for judicial reform in Indonesia as a new mechanism for simple case settlement.

According to Edi Marsis (2019), in solution a simple lawsuit in sharia economic cases at the Malang Regency Religious Court is subject to the existing rules, namely Perma No. 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases, so there is no

mediation, only peace at the first trial, because if there is mediation it will take a lot of time, whereas in a simple lawsuit it is only given 25 days. A simple lawsuit is limited in time, the registration has been arranged, the method has been arranged, and most importantly the conditions have been met, namely a maximum of 200 million and one jurisdiction. If it is fulfilled it can be tried. A simple lawsuit trial is more effective than a regular trial.

The same thing was also stated by A. Dardiri (2019), that a simple lawsuit in a sharia economic case does not use mediation. At the Malang City Religious Court, there has never been a simple lawsuit in a sharia economic case that has been terminated. This is because it has not been socialized, so many people do not want to register. This requires socialization in the community. Administration of simple lawsuit registration in sharia economic cases as usual lawsuits. When registering, there is a lawsuit, then the cost is estimated as usual, then pays. Usually, those who file a sharia economic lawsuit are Islamic banks, due to default, non-current installments, etc. In terms of financing a simple lawsuit, it is lighter, because it is calculated once, for example the bank is one and the defendant is one. In a simple lawsuit there is no rule that once a trial must be terminated, the important thing is simple not too long. The simple lawsuit already has a circular and SOP from the Supreme Court of the Republic of Indonesia, as a guide for its implementation.

According to Kasdullah (2019) the procedure for a simple lawsuit in a sharia economic case is almost the same as in an ordinary event, only in a simple lawsuit complete with evidence, complete with witnesses. In a simple lawsuit the papers must be complete. In terms of sharia economics, only how many percent filed simple lawsuits, the most that is above 500 million, until someone appeals. A simple lawsuit cannot be effective if there is a lawsuit against it, this is because the wife does not accept it, borrows the signatures of both parties. If the plaintiff can't file a legal challenge, it's just an objection, but in the end, the opponent submits it. Matters of debts and debts are matters of husband and wife.

According to Munjid Lughowi (2019), in terms of registration by first paying court fees, it is relatively the same. The difference is in the case that the Plaintiff can register his lawsuit by filling out the lawsuit form provided at the Registrar's Office. The blank contains information regarding the identity of the plaintiff and the defendant, a brief explanation of the problem and what the plaintiff is claiming. In addition, the Plaintiff must attach documentary evidence that has been legalized at the time of registering a simple lawsuit. Refi Malikul Adil (2019) explained that basically the registration of a simple sharia economic lawsuit is the same as an ordinary lawsuit, namely that a lawsuit can be registered with Table I, but what makes the difference is that there is a special form available for a simple lawsuit and the obligation to attach evidence that has been cleared when the lawsuit is registered.

According to Munjid Lughowi (2019), the level of effectiveness of this simple lawsuit settlement of sharia economic cases in a religious court is very effective and in line with the principle of implementing a simple trial to be carried out. The procedure is simpler because it is more concise, without any claims for provisions, exceptions, conventions, interventions, replications, duplicates or conclusions. The turnaround time is also limited to a maximum of 25 days. The cost will also be cheaper because the process and completion time are simple. Even when the case has been registered, examined and determined by the judge, after being examined it turns out that the judge judges that the evidence is not simple, then the lawsuit will be crossed out and the due fees will be returned;

Based on the above, the settlement of simple lawsuits in sharia economic cases at the Religious Courts of Malang City and Malang City Religious Courts has been implemented properly in accordance with Perma No. 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases. This will be an alternative for resolving cases quickly using a simple mechanism.

3.2 Obstacles in the Settlement of Simple Lawsuits in Sharia Economic Cases at the Religious Courts of Malang City and Religious Courts of Malang Regency

The procedure for simple lawsuits in sharia economic cases still refers to Perma No. 2 of 2015, except regarding the number of judges who try. Article 9 paragraph (1) of Regulation No. 14 of 2016 explains that the Court examines, hears and decides with at least 3 (three) judges unless the law provides otherwise. So in the case of a simple lawsuit in a sharia economic case, there are three judges who examine and adjudicate, in contrast to other simple lawsuits that are only examined by a single judge.

The authority of the religious courts is not only dealing with sharia economic disputes, there are other cases such as inheritance, divorce, divorce, and so on. If using the same reasons, the settlement of a lawsuit with a simple mechanism (small claims court) should also include all the authorities of the religious court, as long as it meets the nominal value requirements and the proof is simple.

At the implementation level, the application of a simple lawsuit in sharia economic cases in the field faces many obstacles and obstacles. At the Malang Regency Religious Court, according to Edi Marsis (2019), the obstacle in a simple lawsuit for the settlement of sharia economic cases is jurisdiction. For example, usually the bank is in Malang but the people are in Pasuruan. If other conditions have been met but the jurisdiction is not fulfilled, then a simple lawsuit cannot be used. Even though the lawyer is from Malang, what is seen is not the domicile of the lawyer, but the person. Meanwhile, at the time of the trial there were no obstacles in the trial if the conditions were met. Before being examined by a judge, it is first examined by the clerk if it does not meet the conditions, it is returned. So since registration, the requirements are strict. Simple lawsuits in sharia economic cases are usually the most common ones.

According to Kasdullah (2019), a simple lawsuit can not be effective if there is a lawsuit against it. The obstacle to the implementation of a simple lawsuit is that there is a lawsuit against it, then there are parties who don't come, thus hampering the process and ultimately not fulfilling a quick and simple event. Meanwhile, judging from the obstacles in the trial, according to Munjid Lughawi (2019). In general, there are no obstacles to the implementation of the settlement of simple lawsuits on sharia economic cases in the Religious Courts, only an examination of the case files by the Registrar must be carried out carefully so that the settlement can be carried out in accordance with expectations. If the examination of the requirements for registering a simple lawsuit has not been carried out carefully, then the lawsuit must end in a negative decision.

Based on the above, the obstacles faced in the case of sharia economic dispute settlement are regarding jurisdiction, the existence of a resistance lawsuit, and the accuracy of examining case files by the clerk. For this reason, this must be a serious concern in dealing with the future.

The presence of Supreme Court Regulation Number 2 of 2015 concerning Procedures for Settlement of Simple Lawsuits (Perma No. 2 of 2015) and Supreme Court Regulation Number 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases (Perma No. 14 of 2016) is one of the breakthroughs that carried out by the Supreme Court to unravel the burden of accumulation of cases in court. The presence of these two regulations is also to realize the simple principle of fast and low cost. This new policy has been adopted by many courts abroad. According to MA, Perma No. 2 of 2015 was adopted from the Small Claims Court justice system, one of which was implemented in London, England. This new procedure seems to open a new door for justice seekers in Indonesia. Perma No. 2 of 2015 is a new breakthrough in the Indonesian justice system. So far, lawsuits for any value have been filed through the ordinary lawsuit procedure, so that people seeking justice must calculate their profit and loss before claiming their rights in court. It is better for a dispute/conflict to

be resolved through peace, so it is not surprising that even in the trial procedure there is mediation at the beginning and peace is added before the judge.

Given that the field of sharia economics is so broad and growing rapidly, the potential for cases in the field of religious courts is also quite a lot. For example, in filing a lawsuit for default arising from sharia contracts (musyarakah, murabahah, ijarah, mudharabah, etc.) the parties will file a complaint with the religious court because sharia economic disputes are the absolute competence of the religious court. In response to this, the Supreme Court issued Perma No. 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases.

The procedure for simple lawsuits in sharia economic cases still refers to Perma No. 2 of 2015, except regarding the number of judges who try. Article 9 paragraph (1) of Regulation No. 14 of 2016 explains that the Court examines, hears and decides with at least 3 (three) judges unless the law provides otherwise. So in the case of a simple lawsuit in a sharia economic case, there are three judges who examine and adjudicate, in contrast to other simple lawsuits that are only examined by a single judge.

The authority of the religious courts is not only dealing with sharia economic disputes, there are other cases such as inheritance, divorce, divorce, and so on. If using the same reasons, the settlement of a lawsuit with a simple mechanism (small claims court) should also include all the authorities of the religious court, as long as it meets the nominal value requirements and the proof is simple.

In the future, the settlement of simple lawsuits in sharia economic cases must innovate to be truly effective and well implemented. According to Refi Malikul Adil (2019) , Improvement of facilities and facilities for special court proceedings for simple lawsuits, as an example of the unavailability of a table for the parties to allow them to take notes at every stage of the trial. I think this is also important to note

According to Edi Marsis (2019), that maximizing the Settlement of Simple Lawsuits in Islamic Economic Cases is to correct existing obstacles, one of which is regarding jurisdiction. Obstacles due to jurisdiction cannot be corrected, because it is related to procedural law, it is also impossible to transfer it. Unless the person concerned changes address, but from the beginning of the contract the address has been determined. Simple lawsuit regulations are sufficient. Able to help small people to solve things quickly. But until now it's still a little, because of differences in jurisdiction. Maybe in the future the jurisdiction can be widened, meaning that the condition is removed so that justice seekers can enjoy this fast event

Munjid Lughowi (2019) He explained that the effort to maximize the Settlement of Simple Lawsuits for Sharia Economic Cases in the trial process is carried out by examining the submission requirements as stipulated in articles 3 and 4 must be carried out carefully by the Registrar, as well as in the case of a preliminary examination, the Judge must carry out the examination carefully. Based on the above, the efforts that need to be made in order to maximize the Settlement of Simple Lawsuits for Sharia Economic Cases in religious courts are to eliminate requirements regarding jurisdiction, fulfillment of facilities and infrastructure, as well as the accuracy of clerks and judges in examining files and deciding sharia economic cases.

IV. Conclusion

The implementation of the settlement of a simple sharia economic case at the Malang City Religious Court and the Malang Regency Religious Court has been implemented quite well in accordance with Perma No. 14 of 2016 concerning Procedures for Settlement of Sharia Economic Cases. This will be an alternative for resolving cases quickly using a simple mechanism. The settlement of this simple sharia economic case in a religious court is in line

with the principle of a simple trial implementation. The procedure is simpler because it is more concise, without any claims for provisions, exceptions, conventions, interventions, replications, duplicates or conclusions. The turnaround time is also limited to a maximum of 25 days. The cost will also be cheaper because the process and completion time are simple

Obstacles faced in the settlement of simple lawsuits in sharia economic cases at the Religious Courts of Malang City and Malang Regency Religious Courts include the first, the problem of jurisdiction. For example, usually the bank is in Malang but the people are in Pasuruan. If other conditions have been met but the jurisdiction is not fulfilled, then a simple lawsuit cannot be used. Second, a simple lawsuit cannot be effective if there is a counter claim. The obstacle to the implementation of a simple lawsuit is the existence of a resistance lawsuit, then there are parties who do not come, thus hampering the process and ultimately not fulfilling a quick and simple event, the third examination of case files by the Registrar must be carried out carefully so that the settlement can be carried out in accordance with expectations

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