

BIBLIOGRAPHY

BOOK

Aaron X. Fellmeth, et.al, *Guide to Latin in International Law*, (England: Oxford University Press, 2011)

Ari Purwadi, *Dasar-dasar Hukum Perdata Internasional*, (Surabaya: Fakultas Hukum Universitas Wijaya Kusuma, 2016)

Bagir Manan, *Hukum Positif Indonesia*, (Yogyakarta: FH UII Press, 2004)

Bambang Sunggono, *Metode Penelitian Hukum* (Jakarta: Grafindo Persada, 2003)

Bayu Seto Hardjowahono, *Dasar-Dasar Hukum Perdata Internasional*, (Bandung: PT Citra Aditya Bakti, 2013)

C.S.T. Kansil, *Pengantar Ilmu Hukum dan Tata Hukum Indonesia*, (Jakarta: Balai Pustaka, 1989)

Fajar Sugianto, *Economic Approach to Law*, (Jakarta: Prenada Media, 2017)

_____, *Perkembangan Hukum Kontrak Bisnis; Teori & Praktik*, (Surabaya: R.A.De.Rozarie, 2019)

Gunardi, *Kerangka Konsep dan Kerangka Teori Dalam Penelitian Ilmu Hukum* (Publisher: ERA HUKUM, 2005)

Huala Adolf, *Hukum Transaksi Bisnis Transnational*, (Bandung: Keni Media,

2020)

IBR. Supracana, *Naskah Akademik RUU Tentang Hukum Perdata Internasional*,

(Badan Pembinaan Hukum Nasional Kementerian Hukum dan Hak Asasi Manusia, 2014)

Jimly Asshiddiqie, et.al, *TEORI HANS KELSEN TENTANG HUKUM*, (Jakarta:

Sekretariat Jenderal & Kepaniteraan Mahkamah Konstitusi RI, 2006)

Judith Hahn, *Foundations of a Sociology of Canon Law*, (Switzerland: Springer

International Publishing, 2022)

M. Yahya Harahap, *Segi-Segi Hukum Perjanjian*, (Bandung : Alumni, 1986)

Morris, J.H.C., *The Conflict of Laws*, (Cambridge: Cambridge University Press,

2015)

Muhammad Syaifuddin, *HUKUM KONTRAK*, (Bandung: Mandar Maju, 2012)

Munir Fuady, *Jaminan Fidusia*, (Bandung: PT Citra Aditya Bakti, 2003)

Nazir, *Metode Penelitian* (Jakarta: Ghalia Indonesia, 1988)

Philipus M. Hadjon, *Pengantar Hukum Administrasi Indonesia*, (Yogyakarta:

Gajah Mada University Press, 2011)

R. M. Sudikno Mertokusumo, *Mengenal Hukum Suatu Pengantar*, (Yogyakarta:

Maha Karya Pustaka, 2019)

R. Subekti, *Aneka Perjanjian*, (Bandung: PT. CITRA ADITYA BAKTI, 1995)

Saidulkarnain Ishak, *Jurnalisme Modern*, (Jakarta: PT Elex Media Komputindo, 2014)

Salim H.S., *Hukum Kontrak Teori & Teknik Penyusunan Kontrak*, (Jakarta: Sinar Grafika, 2019)

Satjipto Rahardjo, *Ilmu Hukum*, (Bandung: PT. Citra Aditya Bakti, 2000)

Soerjono Soekanto, *Pengantar Penelitian Hukum*, (Jakarta: UI Press, 2004)

JOURNAL

Daya Negri Wijaya, “Kontrak Sosial Menurut Thomas Hobbes dan John Locke”,

Jurnal Sosiologi Pendidikan Humanis 1, no. 2, (2016): 185. DOI:
<https://doi.org/10.17977/um021v1i22016p183>

Eldbert Christanto Anaya Marbun, “MENGKAJI KEPASTIAN HUKUM DAN
PERLINDUNGAN HUKUM TERHADAP INVESTASI DI INDONESIA
MELALUI LEMBAGA

Hafis Tohar, Iriansyah, dan Yeni Triana, “JAMINAN FIDUSIA SEBAGAI HAK
JAMINAN KEBENDAAN PASCA PUTUSAN MAHKAMAH
KONSTITUSI NOMOR: 18/PUU-XVII/2019 TENTANG JAMINAN
FIDUSIA”, *Eksekusi: Journal Of Law*, Vol. 4 No. 1, (2022): 1-21. DOI:
<https://doi.org/10.24014/je.v4i1.13677>

Hartono Sunaryati, *et.al*, “Indonesian Contract Law”. UNAFEI Conference Paper,

Vol. 1, (2001): 136-162. DOI: <http://hdl.handle.net/2344/00015249>

Jerzy Stelmach and Bartosz Brozek, "Methods of Legal Reasoning", Law and

Philosophy Library, Vol. 78 (2006): 111-165. DOI:
<https://doi.org/10.1007/1-4020-4939-0>

Niru Anita Sinaga, "Peranan Asas-Asas Hukum Perjanjian Dalam Mewujudkan

Tujuan Perjanjian", Binamulia Hukum, Vol. 7, No. 2, (2018): 107-120.
DOI: <https://doi.org/10.37893/jbh.v7i2.20>

Nurfaqih Irfani, "ASAS LEX SUPERIOR, LEX SPECIALIS, DAN LEX

POSTERIOR:PEMAKNAAN, PROBLEMATIKA, DAN
PENGUNAANNYA DALAM PENALARAN DAN ARGUMENTASI
HUKUM", Jurnal LEGISLASI INDONESIA, Vol. 16, No. 3 (2020): 308.
DOI: <https://doi.org/10.54629/jli.v17i3.711>

PERIZINAN ONLINE SINGLE SUBMISSION (OSS)", DHARMASISYA, Vol.

1, No. 4, (2021): Juni 2019. 1749-1760. DOI:
<https://scholarhub.ui.ac.id/dharmasisya/vol1/iss4/8/>

R. Juli Moertiono, "IKTIKAD BAIK DALAM KERJA SAMA ANTARA

ASOSIASI BONGKAR MUAT DENGAN KOPERASI TENAGA
BONGKAR MUAT UPAYA KARYA", JURNAL PENELITIAN
PENDIDIKAN SOSIAL HUMANIORA, Vol. 4, No. 2 (2019): 575. DOI:
<https://doi.org/10.32696/jp2sh.v4i2.343>

Roseffendi, “Hubungan Korelatif Hukum dan Masyarakat Ditinjau Dari Perspektif Sosiologi Hukum”, Jurnal Pemerintahan dan Politik Islam, Vol. 3, (2018): 191-193. DOI: <http://dx.doi.org/10.29300/imr.v3i2.2151>

Thomas Olechowski, “Reconsidering Constitutional Formation II Decisive Constitutional Normativity”, Springer Open, Vol. 12, (2018): 353-362. DOI: https://doi.org/10.1007/978-3-319-73037-0_9

Tri Wahyu Surya Lestari dan Lukman Santoso, “KOMPARASI SYARAT KEABSAHAN ‘SEBAB YANG HALAL’ DALAM PERJANJIAN KONVENSIONAL DAN PERJANJIAN SYARIAH”, YUDISIA, Vol. 8, No. 2, December 2017. DOI: <https://doi.org/10.21043/yudisia.v8i2.3240>

RESEARCH (THESIS/DESSERTATION)

Agus Yudha Hernoko, “ASAS PROPORSIONALITAS SEBAGAI LANDASAN PERTUKARAN HAK DAN KEWAJIBAN PARA PIHAK DALAM KONTRAK KOMERSIAL”. Disertasi, Surabaya: Program Studi Doktor Ilmu Hukum Fakultas Hukum Universitas Airlangga, 2016

Anggit Handoyo, “PEMBATALAN EKSEKUSI TERHADAP OBJEK PERJANJIAN FIDUSIA (STUDI KASUS PUTUSAN MAHKAMAH AGUNG 1572K/PDT/2015)”. Skripsi, Jakarta: PROGRAM STUDI ILMU HUKUM FAKULTAS SYARIAH DAN HUKUM UNIVERSITAS ISLAM NEGERI SYARIF HIDAYATULLAH, 2018

Libby Angelia Santoso, “Konsekuensi batal demi hukum perjanjian berbahasa

asing dihubungkan dengan undang – undang nomor 24 tahun 2009 (studi putusan no. 450/pdt.G/2012/pn.Jkt.Bar.)”. Skripsi, Tangerang: Program Studi Hukum Fakultas Hukum Universitas Pelita Harapan, 2017

Muchsin, “Perlindungan dan Kepastian Hukum bagi Investor di Indonesia”.

Disertasi, Surakarta: Program Studi Hukum Fakultas Hukum Universitas Sebelas Maret, 2003

LAW

1945 Constitution of the Republic of Indonesia

Herzien Inlandsch Reglement (H.I.R) Reglemen Indonesia yang Diperbaharui (R.I.B)

Indonesian Civil Code

Law No. 12 of 2011 concerning Legislation Making (Lembaran Negara Republik

Indonesia Tahun 2011 Nomor 82, Tambahan Lembaran Negara Republik Indonesia Nomor 5234)

Law No. 13 of 2022 concerning Establishment of Legislation (Lembaran Negara

Republik Indonesia Tahun 2022 Nomor 143, Tambahan Lembaran Negara Republik Indonesia Nomor 6801)

Law No. 24 of 2009 concerning National Flag, Language, State Symbol, and

National Anthem (Lembaran Negara Republik Indonesia Tahun 2009
Nomor 109, Tambahan Lembaran Negara Republik Indonesia Nomor 5035)

Law No. 25 of 2007 concerning Investment (Lembaran Negara Republik Indonesia
Tahun 2007 Nomor 67, Tambahan Lembaran Negara Republik Indonesia
Nomor 4724)

Law No. 42 of 1999 concerning Fiduciary (Lembaran Negara Republik Indonesia
Tahun 1999 Nomor 168, Tambahan Lembaran Negara Republik Indonesia
Nomor 3889)

Letter of the Minister of Law and Human Rights Nomor M.HH.UM.01.01-35
Tahun 2009

Presidential Decree No. 59 of 2008 concerning ratification of Statute Of The
International Institute For The Unification Of Private Law (*Statuta
Lembaga Internasional Untuk Unifikasi Hukum Perdata*) (Lembaran
Negara Republik Indonesia Tahun 2008 Nomor 128)

Presidential Decree No. 63 of 2019 concerning the use of Indonesian Language
(Lembaran Negara Republik Indonesia Tahun 2019 Nomor 180)

COURT DECISION

Putusan Mahkamah Agung Nomor 1572 K/Pdt/2015

Putusan Pengadilan Tinggi Jakarta Nomor 662/PDT/2014/PT DKI

Putusan Pengadilan Negeri Jakarta Barat Nomor: Putusan No. 450/Pdt.G/2012

WEBSITE

“Texas Business Organizations Code - BUS ORG § 21.401. Management by Board of Directors”, FindLaw, <https://codes.findlaw.com/tx/business-organizations-code/bus-org-sect-21-401.html>, accessed on 15 January 2023

Acton Institute, “Lord Acton Quote Archive”. <https://www.acton.org/research/lord-acton-quote-archive>, accessed on 19 September 2022

Andriansyah Tiawarman K., “MENAKAR URGENSI PENGGUNAAN BAHASA ASING DALAM SEBUAH KONTRAK DI INDONESIA BESERTA AKIBAT HUKUMNYA”. <https://ojs.unud.ac.id/index.php/kerthasemaya/article/view/70624>, accessed on 6 February 2023

Anita Yandle, “You Had To Sign A Contract In A Language You Don’t Speak? Tough Luck, Says Court”, Public Justice, <https://www.publicjustice.net/2021-texas-arbitration-case/>, accessed on 10 February 2023

BCcampus, “Ethics in Law Enforcement”.

<https://opentextbc.ca/ethicsinlawenforcement/chapter/social-contract-theory/>, accessed on 25 August 2022

Bloomberg, “Bangun Karya Pratama Lestari Pt”.

<https://www.bloomberg.com/profile/company/6083214Z:IJ>, accessed on 20 August 2022

Cahyono, Mahkamah Agung Republik Indonesia, Pengadilan Negeri Banda Aceh

Kelas IA, “PEMBATASAN ASAS “FREEDOM OF CONTRACT” DALAM PERJANJIAN KOMERSIAL”. <https://pn-bandaaceh.go.id/pembatasan-asas-freedom-of-contract-dalam-perjanjian-komersial/>, accessed on 20 August 2022

Celeste Friend, Internet Encyclopedia of Philosophy, “Social Contract Theory”.

<https://iep.utm.edu/soc-cont/>, accessed on 19 September 2022

Cornell Law School, “Foreseeability”, Legal Information Institute,

<https://www.law.cornell.edu/wex/foreseeability#:~:text=In%20tort%20negligence%20lawsuits%2C%20foreseeability,that%20they%20were%20not%20liable.>, accessed on 27 August 2022

EUR Lex, “Document 32008R0593” An official EU website, [https://eur-](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32008R0593)

[lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32008R0593](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32008R0593), accessed 12 February 2023

Filosofisnesia, “Menggali Pemikiran Socrates,”. Accessed from

<https://filosofisnesia.com/socrates/>, on 29 August 2022

Government Regulation No. 21 of 2020, Accessed from

https://jdih.setkab.go.id/PUUdoc/176085/PP_Nomor_21_Tahun_2020.pdf,
on 29 August 2022

Jimly Asshiddiqie, “GAGASAN NEGARA HUKUM INDONESIA”, PN-

GunungSitoli. https://www.pn-gunungsitoli.go.id/assets/image/files/Konsep_Negara_Hukum_Indonesia.pdf, accessed on 15 August 2022

Jones Day. “Commentary on Indonesian High Court Upholds Ruling that Contracts

be Written in Indonesian”.

https://www.jonesday.com/files/Publication/202d219d-d9e4-4656-b25d-3071c32a870d/Presentation/PublicationAttachment/e5a54e8d-9240-4111-a178-374d0be20912/Indonesia_High_Court_Upholds.pdf, accessed on 6 February 2023

Julia Kagan, “Caveat Emptor”, Investopedia,

<https://www.investopedia.com/terms/c/caveatemptor.asp>, accessed on 27 August 2022

Kompas, “Perubahan dalam Amandemen Kedua UUD 1945”,

<https://nasional.kompas.com/read/2022/02/16/03300031/perubahan-dalam-amandemen-kedua-uud-1945#:~:text=Sejak%20tahun%201999%2C%20Majelis%20Permusyawaratan,yang%20tersebar%20dalam%20lima%20bab.>, accessed on 27 August 2022

Lars de Bruin, “Porter’s Diamond Model: Why Some Nations Are Competitive and Others Are Not”, Business-to-you”. <https://www.business-to-you.com/porter-diamond-model/>, accessed on 25 August 2022

Lembaga Kajian & Advokasi Independensi Peradilan, “Dictum Edisi 13: Kajian Putusan Penting”. <https://leip.or.id/jurnal-dictum-kajian-putusan-penting/>, accessed on 25 August 2022

Opencorporates, “NINE AM LTD”.
https://opencorporates.com/companies/us_tx/0800270092, accessed on 20 August 2022

Pepy Nofriandi, Mahkamah Agung Republik Indonesia, “Pendekatan Hukum Perdata Internasional Dalam Penyelesaian Sengketa Kontrak Komersial Internasional Berbahasa Asing”.
<https://www.mahkamahagung.go.id/id/artikel/4641/pendekatan-hukum-perdata-internasional-dalam-penyelesaian-sengketa-kontrak-komersial-internasional-berbahasa-asing>, accessed on 25 August 2022

PT MEDCO ENERGI INTERNASIONAL Tbk. “Language of the Transaction Documents”.
http://www.medcoenergi.com/files/Offering_Circular/USD%20Bonds%20Offering%20Circular%20400mn.pdf, accessed on 25 August 2022

Research Gate, “Montesquieu’s Doctrine of Separation of Powers: A Case Study of

Pakistan”.

https://www.researchgate.net/publication/333310752_Montesquieu's_Doctrine_of_Separation_of_Powers_A_Case_Study_of_Pakistan, accessed on 19 September 2022

Saputra, Andi, Detik News, “Kala Putusan MA Indonesian Bikin Sentimen Negatif Investor Jepang”. <https://news.detik.com/berita/d-3427698/kala-putusan-ma-indonesia-bikin-sentimen-negatif-investor-jepang>, accessed on 25 August 2022

Shidarta dan Petrus Lakonawa, “LEX SPECIALIS DEROGAT LEGI GENERALI: MAKNA DAN PENGGUNAANNYA”. <https://business-law.binus.ac.id/2018/03/03/lex-specialis-derogat-legi-general/>, diakses pada 23 September 2022

Thomas Aryanto G and S Atalim, “PEMBATALAN PADA PERJANJIAN YANG TIDAK MENGGUNAKAN BAHASA INDONESIA (STUDI KASUS PUTUSAN NOMOR 450/PDT.G/2012/PN.JKT.BAR)”. <https://journal.untar.ac.id/index.php/adigama/article/view/2185/1254>, accessed on 6 February 2023

LECTURE

Lectured by David Holme, Foreign Investment, Zoom Meeting, 4 November 2021,
at 8.00 WIB

Lectured by Jessica Marpaung, Indonesian Legal System, UPH, D Building,

30 September 2019, at 9.00 WIB

Lectured by Velliana Tanaya, Thesis Defense, UPH, D Building, 24 March 2023,

at 9.00 WIB

Legal expert, Akhmad Budi Cahyono, Indonesian Constitutional Court, 13 May

2019

INTERVIEW

Hasil wawancara dengan Yonatan Iskandar Chandra NIP. 199307162017121006,

