

Artikel.docx

by Safrin Salam

Submission date: 05-Sep-2022 07:37PM (UTC+0700)

Submission ID: 1893064585

File name: Artikel.docx (53.69K)

Word count: 3716

Character count: 19823

Developments Towards Indonesian Family Law: Current Perspectives

Nurul Miqat

Universitas Tadulako, Palu

e-mail : nurulmiqat@gmail.com

Handar Subhandi Bakhtiar

Universitas Pembangunan Nasional Veteran Jakarta, Jakarta

e-mail : handar_subhandi@yahoo.com

Safrin Salam

Universitas Muhammadiyah Buton, Baubau

e-mail : safrinjuju@gmail.com

Kunthi Tridewiyanti

Universitas Pancasila, Jakarta

e-mail : kdewiri22@gmail.com

Abstract:

Family law is one part of the legal system that applies in Indonesia, which has developed along with social developments in society. This paper provides an overview of how the development of family law in Indonesia uses a normative approach and describes the development of family law in Indonesia today. The development of family law in Indonesia is influenced both from the historical aspect of law to today's social developments. The development of family law develops according to the community's needs for legal certainty and aspects related to family relations, starting from setting age limits for prospective husbands and prospective wives, child status, marriage agreements to marital status that is not administratively registered.

Keywords: Development of Family Law; Marriage; Social Society.

Use 3-5 keywords/keyphrases separated by semicolons (;). Use keywords that reflect your article idea. Without mentioning the name of the Institution, rules, and location

Introduction

Family law is defined as the overall provisions regarding legal relations relating to blood relatives and families originating as a result of a marriage. Marriage, parental authority, guardianship, pardon, absenteeism and marriage are

an important part of family law.¹ The family is the smallest community in a legal society formed by marriage.² Through a legal marriage, a family is formed which in one family consists of a father, a mother and their children.³ Marriage law is the heart of family law, thus all those who have met the legal requirements to build a joyful, eternal family based on the One Deity must adhere to the stipulations of Law No. 1 of 1974.

Legal conditions in Indonesia prior to Law No.1 of 1974 were still pluralistic⁴, this was due to the existence of several marriage laws caused by the presence of several population groups, religious and ethnic influences⁵, and influenced by the history of the Indonesian nation which was colonized by various nations, especially the Dutch. In addition to colonizing the Netherlands politically and economically, the Netherlands also colonized with its legal system.⁶ This legal colonization can be seen from its legal politics which divides the Indonesian population groups based on Article 131 IS, and its enforcement is based on Article 131 IS. Article 131 IS is an article that distinguishes 3 groups of residents, namely the first group: European groups, Second: Foreign Eastern groups such as Chinese, Indians, and Arabs, third: indigenous groups (original Indonesian residents).⁷ Against pluralistic marriage law in Indonesia before Law No. 1 of 1974 there are several marriage laws for each group in Indonesian society which are different according to Article 163 jo 131 IS, besides that there are also customary law and Islamic law, as follows⁸ :

1. Muslims indigenous to Indonesia are governed by customary-inspired religious law.
2. Other indigenous Indonesians are subject to customary law.
3. For indigenous Christians in Indonesia, the *Huwelijk ordonatie Christen Indonesia* (HOI) (p. 1933 N0.74) is applicable.
4. Foreigners and Indonesian nationals of Chinese heritage are subject to modest amendments to the Civil Code.
5. Other foreign eastern citizens and Indonesian citizens of foreign eastern heritage are subject to customary law.
6. The Civil Code is applicable to Europeans and Indonesians descended from Europeans

The enactment of Law No. 1 of 1974 is a juridical step to make changes and reforms to the pattern of marriage in society which previously could have had a

¹ Andriati and Lubis, "Penyuluhan Hukum Poligami Dan Nikah Siri Menurut Undang-Undang Perkawinan."

² Nurhajati and Wardyaningrum, "Komunikasi Keluarga Dalam Pengambilan Keputusan Perkawinan Di Usia Remaja."

³ Tumengkol, "Eksplorasi Anak Pada Keluarga Miskin Di Kelurahan Tona i Kecamatan Tahuna Timur Kabupaten Kepulauan Sangihe."

⁴ Supriyadi, "Pilihan Hukum Kewarisan Dalam Masyarakat Pluralistik (Studi Komparasi Hukum Islam Dan Hukum Perdata.)"

⁵ Tangkudung, "Sebab-Sebab Perceraian Dan Akibat-Akibat Hukumnya Dalam Praktek Sejak UU Perkawinan 1974."

⁶ Aditya, "Romantisme Sistem Hukum Di Indonesia."

⁷ Pebi, "Tinjauan Hukum Pidana Islam Terhadap Pasal 4 Huruf B Angka 2 Undang-Undang Nomor 40 Tahun 2008 Tentang Penghapusan Diskriminasi Ras Dan Etnis."

⁸ Agustin, "Kedudukan Anak Dari Perkawinan Berbeda Agama Menurut Hukum Perkawinan Indonesia."

negative impact, from marriages which were originally carried out freely and arbitrarily to marriages carried out with formal conditions and became marriages that were blessed because based on God Almighty and become an eternal marriage, and bring happiness.⁹

The Civil Code as a source of civil law emphasizes that marriage is only a civil relationship and there is no understanding of marriage itself.¹⁰ Marriage is not a religious act that must involve God, marriage is only a civil relationship between two people who are getting married¹⁰, Even in its development¹¹ the notion of marriage in western countries has shifted¹¹, not only concerning a husband and wife in the sense of marriage, not uniting a man and a woman. In European countries, particularly¹² the Netherlands, same-sex marriages are permitted.¹² While in Indonesia¹³ Law No. 1 of 1974 is the unification of legal norms regarding marriage, where in Article 1 of Law No. 1 of 1974 provides the formulation "marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family based on the One Godhead".

Legal issues are growing in line with technology and information, as well as marriage law in Indonesia which cannot be separated from several problems¹⁴, this is caused by the development of the times and modernization, but the legal norms contained in the Marriage Law can still survive and can be accepted along with developments. Although there are some provisions in the Marriage Law that have been amended, some of their provisions have even been revoked and replaced by the latest provisions, several court decisions up to the decision of the Constitutional Court regarding Marriage Law signify a contemporary form of marriage law in Indonesia. This paper study is a normative study that describes the current development of family law and describes the problems that occur related to family law in Indonesia today.

Discussion

Human resource development is the main target of development goals, because implicitly humans are both the subject and the object of development.¹⁵ Since humans, Adam and Eve, human nature is to live in pairs, because humans as social creatures have the highest degree among other creatures created by Him¹⁴, one of his natures as human beings is to live in a social environment and integrate with other social groups in society.¹⁵ As social beings, one of the necessities of human life is the biological need in association¹⁶ husband and wife which aims to produce offspring in order to form a complete family consisting of father, mother and children who are born.¹⁶

⁹ Armansyah, "Perkawinan Sirri Dalam Perspektif Hukum Islam Dan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan."

¹⁰ Armansyah.

¹¹ Coolidge, "Same-Sex Marriage-Baehr V."

¹² Hooghe and Meeusen, "Is Same-Sex Marriage Legislation Related to Attitudes toward Homosexuality?"

¹³ Loho, "Hak Waris Anak Di Luar Perkawinan Sah Berdasarkan Putusan Mahkamah Konstitusi Nmor 46/Puu-Viii-2010."

¹⁴ Junadi, "Manusia Dalam Berbagai Perspektif."

¹⁵ Muslim, "Interaksi Sosial Dalam Masyarakat Multietnis."

¹⁶ Syahraeni, "Tanggung Jawab Keluarga Dalam Pendidikan Anak."

The family in the narrow sense is the smallest community unit consisting of a husband, a wife and children in it who live and live in one residence.¹⁷ The family in the broadest sense is a group of members of the family community consisting of people who are related by marriage and blood ties.¹⁸

Marriage is a significant event in human existence, and marriage cannot be separated from the law since, via legal marriage, the relationship between a man and a woman¹³ formed in accordance with their standing as honorable beings.¹⁹ The majority of Law No. 1 of 1974 and PP No. 9 of 1975 stem from Islamic religious law. The Marriage Law is a concrete embodiment of the growth of national law as the execution of Pancasila and the 1945 Constitution-based legal policy in Indonesia. Article 1 stipulates that the bride-to-be and groom-to-be are divine in nature and that a man and a woman share an inner and outer tie. A further factor is that marriage is a personal commitment with no external coercion, since both couples seek to create a happy and lasting family. Happy in the sense that the desire to form a family so that the family formed reaches the peak of Happiness, not to live a difficult life. Eternal Happy Marriage means that the prospective husband and wife have the aim that the marriage that is fostered can last a lifetime and should not be simply decided or dissolved according to the wishes of the parties. Marriage must also²⁶ based on God Almighty, meaning that marriage does not just happen according to the wishes of the prospective bride and groom, but as a gift from God to humans as civilized beings. Therefore, marriage must be carried out in a civilized manner according to religious teachings revealed by God⁵ to humans.²⁰

Article 2(1) of the Marriage Act states that "a marriage is valid when contracted in conformity with the law of every religion and belief," so it is evident that Act No. 1 of 1974 portrays religious law as the most essential law in determining whether or not a marriage is legal. This is because the impact of the legality or invalidity of a marriage¹⁷ have an impact on the legality or invalidity of the legal relationship between children born as a result of the marriage of the mother and father which also affects the marriage law and inheritance law.²¹

Article 7(1) of the Marriage Act stipulates: "Marriage is only permitted if the male spouse has attained the age of 19 (nineteen) and the female partner has attained the age of 16." (sixteen) The rule says that marriage legislation imposes a minimum age requirement for spouses.

In Case No. 22/PUUXV/2017, gender activists are reviewing the law in light of a modification in the minimum age requirement for prospective partners. The judge determined that the age difference in marriage law was not supported by clear scientific evidence and was based simply on sex. The misconception that women mature faster in society cannot be utilized to determine the minimum age for marriage. In order to effectively fulfill the aim of marriage without resulting in

¹⁷ Falahiyati, "Anak Luar Kawin, Terkait Hak Waris Yang Dimilikinya Berdasarkan Kitab Undang-Undang Hukum."

¹⁸ Nurhayati, "Politik Hukum (Legislasi) Hukum Keluarga Di Saudi Arabia."

¹⁹ Usman et al., "Tinjauan Hukum Islam Terhadap Pernikahan Dengan Wali Hakim (Studi Kasus Di KUA Kecamatan Bulu, Kabupaten Polman)."

²⁰ Oratmangun, "Perkawinan Beda Agama Di Indonesia (Studi Kasus: Penetapan Pn Jakarta Selatan Nomor 1139/Pdt. P/2018/Pn.Jkt.Sel)."

²¹ Sendy, "Hak Yang Diperoleh Anak Dari Perkawinan Tidak Dicatat."

divorce, the Constitutional Court also considered the protection of children's rights.²² Husband and wife must be psychologically and emotionally mature in order to engage into a marriage and serve its purpose.²³

The motivation for Law No. 16 of 2019 is Constitutional Court Conclusion No. 22/PUU-XV/2017, which was one of the factors considered by the Constitutional Court (MK) in its decision :

"...when the difference in treatment between men and women has an impact on or hinders the fulfillment of the basic rights or constitutional rights of citizens, both those belonging to the group of civil and political rights as well as economic, educational, social and culture, which should not be distinguished solely on the grounds of sex, then such a distinction is clearly discrimination."

In accordance with the same line of reasoning, it is also asserted that imposing a different minimum age for marriage between men and women constitutes discrimination in the light of Article 28B(application)'s of the right to found a family. Constitution adopted in 1945. In this case, when the minimum age of marriage is for women is lower than for men, then legally women can more quickly form a family.

The Constitutional Court's ruling required parliamentarians to alter Law No. 1 of 1974 immediately or within a maximum of three years. This has been realized by the legislators by issuing Law Number 16 of 2019.

Changes in conventions in the new marriage law, include the marriage age limit. Refining the regulations by increasing the minimum age for marriage for women to 19 (nineteen) years, in line with the minimum age for marriage for men. Physically and psychologically mature to be able to marry, fulfill the purpose of marriage without divorcing, and produce healthy, high-quality children. One of the goals of the Marriage Law Revision is to reduce the number of child marriages, which impede the improvement of the Human Resource Index, one of the Sustainable Development Goals (SDGs), which have become a global duty.

In addition, since the implementation of the Marriage Act No. 1 of 1974, there are numerous additional marriage-related legal standards, one of which also applies to unregistered weddings. According to the provisions of Section 2 (1), the validity of a marriage is determined by the religious law and philosophy of each spouse. So that the expert opinion concurs that the registration of a marriage is merely an administrative act and not a determinant of a marriage's validity.

According to Article 2(1) of the Marriage Act, marriage under the law of any faith is a legal process. Legal events cannot be negated by the occurrence of "important events" within the sense of Article 2(2) that any marriage is registered according to existing laws and regulations.

The decision of the Supreme Court of the Republic of Indonesia No. 1776 K/PDT/2007 is one of the cases in which a lawsuit of the wife of an unregistered marriage was successful, specifically the unregistered marriage shared by Yulianto aka Liong Tjoeng Tjen and Mimi aka Tjia Mie Joeng. Julianto and Mimi had held a traditional Chinese wedding on Tuesday, September 26, 1996, followed by a

²² Azizah and Wahid, "Historisitas Dan Tujuan Aturan Umur Minimal Perkawinan Dalam Perundang-Undangan Keluarga Islam Di Indonesia."

²³ Subchi et al., "Legal Policy of Child Marriage In the Covid-19 Pandemic Period."

formal ceremony at New restaurant Malang in Hong Kong.²⁴ After holding a traditional Chinese wedding and a ceremonial wedding reception ceremony, the husband and wife then lived and started a household, after several years of marriage and forming a family, on December 31, 2004 Yulianto alian Liong Tjoe Tjen died, leaving his wife Mimi who was married legally. Chinese custom and have no children. After Yulianto's death, it turned out that there was a problem with the distribution of inheritance between Mimi as the widow of Yulianto and Yulianto's own family. In the Malang District Court decision, in favor of Mimi as the widow of Yulianto, then reinforced by the Supreme Court Decision No. 1776 K/PDT/2007, in the judge's decision stating that Tjie Mie Joeng's marriage to Liong Tjoeng Tjen was carried out by custom, and was not recorded in civil registration is deemed valid and the plaintiff must be declared the widow of Liong Tjoeng Tjen. This decision is considered a fair decision, because by looking at the provisions of Article 1 of the Marriage Law that marriage is legal if it is carried out according to each religion and belief.

This case of marriage registration does not only have an impact on the inheritance and inheritance of the spouse, but also causes problems for children born to married couples without being recorded. The author takes the example of the case of unregistered marriages championed by an artist named Machicha Mchtar. Machicha Mochtar filed a lawsuit against the child who was born. From the result of an unregistered marriage with the former Minister of State Secretary Moerdiono on December 20, 1993 and produced a son, the two later separated in 1998.²⁵ In order to fight for the rights to their child, Machicha conducted a Judicial Review to the Constitutional Court, by examining Article 2 paragraph (2) with Article 43 paragraph (1) of Law No. 1 of 1974, where the article states that children born outside of marriage only have a civil relationship with the mother and the mother's family. Finally, the panel of judges of the Constitutional Court granted the application for judicial review of Machicha Mochtar so that all children in Indonesia were declared to have civil relations with their biological fathers. The Chief Justice of the Panel of Judges, Mahfud MD, stated that children born out of wedlock still have a relationship with their father. A child born out of wedlock has a civil relationship with his mother and his mother's family as well as with a man as his father which can be proven based on science and technology and/or other evidence according to the law having blood relations, including civil relations with his father's family.

Several decisions of the Constitutional Court demonstrate the numerous controversies that occurred following the introduction of the Marriage Code, which led to the repeal or annulment of some provisions. The decision of the Constitutional Court, which was also included in the issuance of the marriage contract, where Article 29 paragraph (1) of the Marriage Act No. 1 of 1974 was determined, differed from the decision of the Constitutional Court No. 69/PUU-XIII of 2005, which states that a marriage contract is no longer interpreted as a

²⁴ Okta, "Gugatan Perceraian Atas Perkawinan Yang Belum Didaftarkan Di Kantor Catatan Sipil Berdasarkan Undang-Undang."

²⁵ Syam, "Status Penetapan Ahli Waris Dari Pihak Yang Tidak Memiliki Akta Nikah Analisis Pasca Putusan Mahkamah Konstitusi Nomor 46/PUU-VIII/2010."

contract concluded with a marriage contrac.²⁶ Although the Constitutional Court ruling 69/P¹⁹/U-XIII/2015 was requested by a couple in a mixed marriage consisting of an Indonesian citizen and a foreign citizen, it also applies to couples of fellow Indonesian nationals.

The next hottest issue is the ownership of a Family Card, where a married couple who does not have a Marriage Certificate, or a married couple is not recorded, in this case the Ministry of Home Affairs says that a married couple who is married in an unregistered marriage can still make a family card (KK). Article 34 of Presidential Decree No. 96 of 2018 allows the public to attach a Letter of Absolute Responsibility (STJM) for two reasons: lack of a birth certificate, marriage book/certificate, or other appropriate documentation. However, the relationship status on the family card indicates that the couple is married. These provisions provide space for married couples who are married in a serial manner to have a family card on the condition that there is a special note listed on the family card that the marriage performed is not recorded. Giving a family card for couples who are married in an unregistered marriage actually has a positive impact because it is with the family card that the child can make a birth certificate. On the other hand, giving a family card will actually cause a number of problems for women and children. In addition, the existence of leniency for couples who marry in an unregistered manner is not in accordance with the wishes of the legislators who want administrative order to be realized by registering marriages. This regulation is counterproductive resulting in ineffective marriage registration in the future. This is due to the leeway given by obtaining a marriage book after marriage in the form of a siri marriage is carried out.

The recommendations for fulfilling the population management rights of unregistered marriages are in sharp contrast to Indonesia's current laws and regulations. In accordance with Law No. 1 of 1974, a marriage is valid if it is done in accordance with the laws of each religion and belief, and each marriage must also be registered in compliance with applicable laws and regulations. The regulation explains that marriages will only have formal legality before the law if they are recorded by a marriage registrar (PPN) appointed by the state, while those that are not registered are considered illegal according to law. The marriage certificate or marriage certificate issued through the marriage registration makes it easier for husband and wife to carry out other legal needs.

Conclusion

The evolution of family law in Indonesia is impacted by both legal historical factors and contemporary societal changes.. The development of family law develops according to the community's needs for legal certainty and aspects related to family relations, starting from setting age limits for prospective husbands and prospective wives, child status, marriage agreements to marital status that is not administratively registered

²⁶ Prihandini, "Perlindungan Hukum Terhadap Pihak Ketiga Atas Perjanjian Perkawinan Yang Dibuat Setelah Perkawinan."

Bibilography:

- Aditya, Zaka Firma. "Romantisme Sistem Hukum Di Indonesia." *Jurnal Rechts Vinding* 8, no. 1 (2019): 37–54.
- Agustin, Fitria. "Kedudukan Anak Dari Perkawinan Berbeda Agama Menurut Hukum Perkawinan Indonesia." *Ajudikasi: Jurnal Ilmu Hukum* 2, no. 1 (2018): 43–54.
- Andriati, Syarifah Lisa, and Tri Murti Lubis. "Penyuluhan Hukum Poligami Dan Nikah Siri Menurut Undang-Undang Perkawinan." *Abdimas Talenta: Jurnal Pengabdian Kepada Masyarakat* 2, no. 2 (2017): 120124.
- Armansyah, Armansyah. "Perkawinan Sirri Dalam Perspektif Hukum Islam Dan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan." *SANGAJI: Jurnal Pemikiran Syariah Dan Hukum* 1, no. 2 (2017): 191–206.
- Azizah, Ulfi, and Nur Wahid. "Historisitas Dan Tujuan Aturan Umur Minimal Perkawinan Dalam Perundang-Undangan Keluarga Islam Di Indonesia." *Jurnal Hukum Volkgeist* 2, no. 2 (2019): 163–77.
- Coolidge, David Orgon. "Same-Sex Marriage-Baehr V." *Miik and the Meaning of Marriage.* "S. Tex. L. Rev 38 (1997): 1.
- Falahiyati, Nurhimmi. "Anak Luar Kawin, Terkait Hak Waris Yang Dimilikinya Berdasarkan Kitab Undang-Undang Hukum." *Kalam Keadilan* 6, no. 1 (2018).
- Hooghe, Marc, and Cecil Meeusen. "Is Same-Sex Marriage Legislation Related to Attitudes toward Homosexuality?" *Sexuality Research and Social Policy* 10, no. 4 (2013): 258–268.
- Junadi, Mahbub. "Manusia Dalam Berbagai Perspektif." *El-Ilmi : Jurnal Studi Keagamaan, Pendidikan Dan Humaniora* 4, no. 1 (2017): 35–55.
- Loho, Stevi. "Hak Waris Anak Di Luar Perkawinan Sah Berdasarkan Putusan Mahkamah Konstitusi Nmor 46/Puu-Viii-2010." *Lex Crimen* 6, no. 3 (2017).
- Muslim, Asrul. "Interaksi Sosial Dalam Masyarakat Multietnis." *Jurnal Diskursus Islam* 1, no. 3 (2013): 483–494.
- Nurhajati, Lestari, and Damayanti Wardyaningrum. "Komunikasi Keluarga Dalam Pengambilan Keputusan Perkawinan Di Usia Remaja." *Jurnal Al-Azhar Indonesia Seri Pranata Sosial* 1, no. 4 (2014): 236–248.
- Nurhayati, Agustina. "Politik Hukum (Legislasi) Hukum Keluarga Di Saudi Arabia." *Ijtima'iyya: Jurnal Pengembangan Masyarakat Islam* 7, no. 1 (2014): 67–82.
- Okta, Prihatining Tyas. "Gugatan Perceraian Atas Perkawinan Yang Belum Didaftarkan Di Kantor Catatan Sipil Berdasarkan Undang-Undang," n.d.
- Oratmangun, Hubertus Shakti Bagaskara. "Perkawinan Beda Agama Di Indonesia (Studi Kasus: Penetapan Pn Jakarta Selatan Nomor 1139/Pdt. P/2018/Pn.Jkt.Sel)." *Indonesian Notary* 3, no. 2 (2021).
- Pebi, Ariansyah. "Tinjauan Hukum Pidana Islam Terhadap Pasal 4 Huruf B Angka 2 Undang-Undang Nomor 40 Tahun 2008 Tentang Penghapusan Diskriminasi

- Ras Dan Etnis." Palembang, 2020.
- Prihandini, Yudiana Dewi. "Perlindungan Hukum Terhadap Pihak Ketiga Atas Perjanjian Perkawinan Yang Dibuat Setelah Perkawinan." *Lex Renaissance* 4, no. 2 (2019): 354–366.
- Sendy, Beby. "Hak Yang Diperoleh Anak Dari Perkawinan Tidak Dicatat." *Jurnal Hukum Responsif* 7, no. 7 (2019): 1–10.
- Subchi, Imam, Qosim Arsadani, Muhammad Ishar Helmi, and Efin Faridho. "Legal Policy of Child Marriage In the Covid-19 Pandemic Period." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 2 (2021): 846–866.
- Supriyadi, Supriyadi. "Pilihan Hukum Kewarisan Dalam Masyarakat Pluralistik (Studi Komparasi Hukum Islam Dan Hukum Perdata." *Al'Adalah* 12, no. 1 (2015): 553–568.
- Syahrani, Andi. "Tanggung Jawab Keluarga Dalam Pendidikan Anak." *Allrsyad Al-Nafs: Jurnal Bimbingan Dan Penyuluhan Islam* 2, no. 1 (2015).
- Syam, Zulviani. "Status Penetapan Ahli Waris Dari Pihak Yang Tidak Memiliki Akta Nikah Analisis Pasca Putusan Mahkamah Konstitusi Nomor 46/PUU-VIII/2010." Universitas Islam Negeri Alauddin Makassar, 2019.
- Tangkudung, Detty. "Sebab-Sebab Perceraian Dan Akibat-Akibat Hukumnya Dalam Praktek Sejak UU Perkawinan 1974." *Jurnal Hukum & Pembangunan* 9, no. 1 (1979): 45–52.
- Tumengkol, Meivy R. "Eksplotasi Anak Pada Keluarga Miskin Di Kelurahan Tona i Kecamatan Tahuna Timur Kabupaten Kepulauan Sangihe." *Holistik, Journal Of Social and Culture*, 2016.
- Usman, Mukran H, A Hawariah, Rosmita Rosmita, and Nurfatimah Muh Tahir. "Tinjauan Hukum Islam Terhadap Pernikahan Dengan Wali Hakim (Studi Kasus Di KUA Kecamatan Bulu, Kabupaten Polman)." *Jurnal Bidang Hukum Islam* 22, no. 2 (21AD): 301–13.

ORIGINALITY REPORT

14%

SIMILARITY INDEX

12%

INTERNET SOURCES

10%

PUBLICATIONS

5%

STUDENT PAPERS

PRIMARY SOURCES

1	www.iiste.org Internet Source	2%
2	openjournal.unpam.ac.id Internet Source	1%
3	ejournal.warmadewa.ac.id Internet Source	1%
4	ejournal.uin-malang.ac.id Internet Source	1%
5	aacc-asia.org Internet Source	1%
6	Submitted to Universitas Sebelas Maret Student Paper	1%
7	Saji Saji, Liliana Tedjosaputro. "JURIDICAL ANALYSIS LOSS OF AB INTESTATO HEIRS RIGHT AS A RESULT OF UNREGISTERED MARRIAGE", MAGISTRA Law Review, 2020 Publication	1%
8	Zed Bachmid, Malkan Malkan, Ali Imron. "Sociologies Perspectives on Unregistered	1%

Marriages in Muslim Societies",
INTERNATIONAL JOURNAL OF
CONTEMPORARY ISLAMIC LAW AND SOCIETY,
2022

Publication

9	media.neliti.com Internet Source	1 %
10	docplayer.net Internet Source	<1 %
11	jurnal.unissula.ac.id Internet Source	<1 %
12	jesoc.com Internet Source	<1 %
13	Ahmad Nurozi, Bella Munita Sary, Masayu Fatiyyah Nuraziimah, Nurhasanah Walijah, Mukhsin Achmad. "Establish Family Card Towards Unregistered Marriage Couple (Implications of Law No. 1 Of 1974 And Compilation of Islamic Law)", KnE Social Sciences, 2022 Publication	<1 %
14	Ainalmardhiaturrahman Ainalmardhiaturrahman. "THE VALIDITY OF MARRIAGE THROUGH "ITSBAT NIKAH" ACCORDING TO THE PERSPECTIVE OF THE PEOPLE OF KUTOREJO VILLAGE, KEPAHANG, BENGKULU REGENCY", Jurnal Al-Dustur, 2022	<1 %

15

"Women and Property Rights in Indonesian Islamic Legal Contexts", Brill, 2019

Publication

<1 %

16

e-jurnal.stih-pm.ac.id

Internet Source

<1 %

17

jurnal.iain-bone.ac.id

Internet Source

<1 %

18

lppm-unissula.com

Internet Source

<1 %

19

dinamikahukum.fh.unsoed.ac.id

Internet Source

<1 %

20

ejournal.radenintan.ac.id

Internet Source

<1 %

21

jurnal.untag-sby.ac.id

Internet Source

<1 %

22

www.ijrrjournal.com

Internet Source

<1 %

23

Neng Widya Millyuner, Adi Nur Rohman, Elfirda Ade Putri. "Interpretation of The Phrase "Coercion" in The Compilation of Islamic Law as Reasons for Cancellation of Marriage", KRTHA BHAYANGKARA, 2021

Publication

<1 %

24	Nurul Ma'rifah. "Positivisasi Hukum Keluarga Islam sebagai Langkah Pembaharuan Hukum Islam di Indonesia: Kajian Sejarah Politik Hukum Islam", Al-Manahij: Jurnal Kajian Hukum Islam, 2019 Publication	<1 %
25	Prasasti Dyah Nugraheni. "THE IMPLEMENTATION OF MARRIAGE DIFFERENT RELIGION AND THEIR DUE TO THE LAW OF THE RELIGION OF MARRIAGE STATUS", Law and Justice, 2019 Publication	<1 %
26	Taufik Hidayat Simatupang. "Adult Age in Marriage in Indonesia (Theoretical Study of the Application of the Lex Posterior Derogat Legi Priori Principle)", Jurnal Penelitian Hukum De Jure, 2021 Publication	<1 %
27	core.ac.uk Internet Source	<1 %
28	ejurnal.iainpare.ac.id Internet Source	<1 %
29	journal.uinsi.ac.id Internet Source	<1 %
30	www.scilit.net Internet Source	<1 %

31

Aulia Mubarak, M. Adli, Iman Jauhari.
"Implementation of marriage itsbat in Aceh",
Ijtihad : Jurnal Wacana Hukum Islam dan
Kemanusiaan, 2021

Publication

<1 %

32

Titik Triwulan Tutik. "MARRIAGE AGREEMENT
FOR THE JOINT ASSETS IN MIXED COUPLE
MARRIAGE ACCORDING IN INDONESIA BOOK
OF CIVIL LAW NUMBER 1 OF 1974 POST
DECISION OF THE COURT OF CONSTITUTION
NUMBER 69/PUU-XIII/2015", International
Journal of Research -GRANTHAALAYAH, 2021

Publication

<1 %

Exclude quotes On

Exclude matches Off

Exclude bibliography On