

ABSTRACT

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JURIDICAL REVIEW ON MARRIAGE OF DIFFERENT RELIGIONS (CASE STUDY OF ESTABLISHMENT NUMBER: 1139/Pdt.P/2018/PN.Jkt.Sel AND ESTABLISHMENT NUMBER: 71/Pdt.P/2017/PN Bla)

(xi + 142 pages, 2 appendices)

Marriage is a bond of physically and spiritually between a man and a woman to form a family. In the fact that is in society, the marriage of different religions can not be avoided. Different religious marriages in Indonesia can cause problems from the legal side such as the legitimate or the absence of marriage pursuant to article 2 paragraph (1) of LAW Number 1 of 1974 On Marriage stating that marriage is valid when conducted under law each religion and belief. The problems discussed in this thesis on the legal measures that can be pursued for prospective married couples who have a religious difference in order to make a marriage in Indonesia (Establishment with case number: 1139/Pdt.P/2018/PN.Jkt.Sel) and on the basis of the judgment of judges in granting or rejecting the establishment of the application of marriage permit for different religions relating to the provisions of the law in Indonesia (Establishment with case number: 71/Pdt.P/2017/PN Bla). The results of the research in this thesis show that the different religious marriages that occur in Indonesia settings are not expressly stipulated in the LAW Number 1 year 1974. By looking at article 35 letter a LAW Number 23 year 2006 which in its terms gives the possibility can be recorded marriage between two persons of different religions by submitting application to the District Court. Therefore, it can be concluded that final result the judges with the legal consideration of assessing the application shall not be separated from the marital provisions in the LAW Number 1 year 1974.

Keywords: marriage, different religion, LAW Number 1 year 1974

References: 27 (1978-2017)