

ABSTRACT

In Indonesia, there are various religions, but only 6 (six) religions are recognized, including Islam, Catholicism, Christianity, Hinduism, Buddhism, and Confucianism, so that they have great potential for interfaith marriages. Although Law 1/74 jo. Law 16/2019 limits that marriage is only valid if it is carried out in accordance with the respective laws regulated in their respective religions and beliefs, but the practice that occurs in society, marriages between adherents of different religions still exist. As was done by YUNIKA RIMA (Plaintiff) a Muslim who has a husband named DAVY RUSANDY (AFFECTED) who is Catholic. The husband and wife married in the Catholic Church of St Theresia, Jakarta. Due to frequent disputes and quarrels in their household, finally they could not be maintained anymore, resulting in interfaith divorce, but juridically, interfaith divorce in Indonesia has no regulations, causing legal uncertainty. Settlement of interfaith divorce and to find out the legal consequences for children. The type of research in this thesis is normative legal research. Normative legal research is also known as doctrinal legal research or library research The results show that although it is not regulated directly regarding interfaith marriage and divorce, in practice it is done by submitting oneself to the religious rules of one of the prospective husbands or wives and regarding interfaith divorce in Indonesia where to resolve the interfaith divorce process is carried out in accordance with the provisions of Article 38 of Law 1/74 jo. Law 16/2019.

Keywords: Divorce of different religions, procedures for divorce of different religions and legal consequences for children