

December 9th 2016



The 2nd Proceeding "Indonesia Clean of Corruption in 2020"



"Comparative Law System of Procurement of Goods and Services around Countries in Asia, Australia and Europe"



IMAM AS SYAFEI BUILDING
Faculty of Law, Sultan Agung Islamic University
Jalan Raya Kaligawe, KM. 4 Semarang, Indonesia

UNISSULA PRESS

ISBN. 978-602-1145-41-8

TABLE OF CONTENTS

Front Page	i
Information of the International Seminar	ii
Committee Composition	iii
Preface.....	iv
Greeting From The Dean Faculty of Law	vi
INDONESIA’S KPK AND NSW’S ICAC: COMPARISONS AND CONTRASTS	
Prof. Simon Butt	1
CAN INDONESIA FREE ITSELF FROM CORRUPTION IN 2020?	
Prof. Dr. Hikmahanto.,S.H.,LLM	4
AN ACT TO ESTABLISH THE ANTI-CORRUPTION AGENCY, TO VEST POWERS ON OFFICERS OF THE AGENCY AND TO MAKE PROVISIONS CONNECTED THEREWITH.	
Rohimi Shapiee.....	7
STRATEGY TO CREATE INDONESIA FREE CORRUPTION IN 2020	
Dr. Jawade Hafidz, S.H., M.H	11
THE NETHERLANDS INGLOBAL CORRUPTION	
Siti Malifah Marlou Feer, M.A.	28
ROBUST YET FRAGILE: EFFORTS IN COMBATING CORRUPTION IN INDONESIA	
Laras Susanti.,S.H., LLM.....	33
LEGAL STATUS OF AKTOR’S FOR CORRUPTION (In the Perspective of Islamic Law)	
Sumarwoto Umar	37
THE ROLE OF LAW IN THE POVERTY REDUCTION STRATEGY	
Lantik Kusuma Aji	46
THE INDEPENDENCY OF THE INSTITUTION FOR THE PROTECTION AND THE ESTABLISHMENT OF HUMAN RIGHTS TOWARDS THE GLOBALIZATION ERA 2020	
Khalid	55
THE URGENCY OF ANTI CORRUPTION EDUCATION FOR COLLEGES IN INDONESIA	
Siska Diana Sari.....	62
THE PROBLEMS OF DIVORCE IN CUMULATION AT THE RELIGIOUS COURTS BASED ON THE PRINCIPLES OF SIMPLE, FAST AND LOW COST	
Elis Rahmahwati.....	78
DISPARITIES DECISION RELATED TO INTERPRETATION OF ARTICLE 2 AND 3 CORRUPTION ERADICATION ACT	
Agung Widodo.....	87
DIVERSITY ADULT AGE LIMITS POSITIVE LAW IN INDONESIA (Studies in Multidisciplinary Perspective)	
Muhammad Andri	102

THE APPLICATION OF BALANCE IDEA IN SETTLEMENT OF DOCTOR MALPRACTICE CASE THROUGH PENAL MEDIATION Yati Nurhayati.....	111
MODERNIZATION LAW AS A CRIME CORRUPTION VERY EXCEPTIONAL THROUGH ENFORCEMENT OF ETHICS Dr. Sukresno, SH, M.Hum	118
CORRUPTION POTENCIES IN LAND USE POLICY (A Case Study in Kuningan Regency) Haris Budiman	126
CORRUPTION PREVENTION AND CONTROLS INP Budiarta	133
ISLAMIC LAW VALUES TRANSFORMATION IN THE RECONSTRUCTION OF THE LEGALITY PRINCIPLE OF INDONESIAN CRIMINAL CODE Sri EndahWahyuningsih	145
JUSTICE AND CHARITY IN JAKARTA’S NORTH COAST RECLAMATION PROCESS THAT WILL LEAD TO INDONESIA CLEAN OF CORRUPTION Untoro	155
CORRUPTION CRIMINAL SANCTIONS WITH VALUES OF JUSTICE-BASED Zulfiani.....	162
THE REFLECTION OF ISLAMIC BANKING IN THEORY AND PRACTICE Anis Mashdurohatun	171
THE IMPLEMENTATION OF LOCAL WISDOM SIRI’NA PACCE AS AN EFFORT OF CORRUPTION ERADICATION IN INDONESIA Muh. Afif Mahfud	181
DISCOURSE POLITICAL LAW IN INDONESIA ON A COMPLETION OF PLATO PHILOSOPHY Adrianus M. Nggoro,SH.,M.Pd.....	189
STUDY OF INDONESIA’S PARTICIPATION IN ICSID Agus Saiful Abib.....	202
NOTARY ROLE IN THE IMPLEMENTATION OF EXECUTION PROCUREMENT OF GOODS AND SERVICES ARE FREE OF CORRUPTION BASED ON THE PRINCIPLE OF GOOD GOVERNANCE Aris Yulia	211
ANALYSIS WIRETAPPING AUTHORITY UPPER KPK LAW ENFORCEMENT IN THE PERSPECTIVE OF HUMAN RIGHTS Ariyanto,SH.,MH.....	221
SOCIAL WORKING PENALTY AS SOLUTION IN ERADICATING CORRUPTION IN INDONESIA Desy Maryani.....	232
LEGAL POLITICSOF EMPLOYMENT IN TERM OF PART OF TASK HANDOVER TO OTHER COMPANIES IN INDONESIA Endah Pujiastuti.....	244

RESOLUTION OF DISPUTES OF OUTSOURCING WORK FORCE IN THE COMPANY EMPLOYING OUTSOURCING SERVICE Pupu Sriwulan Sumaya	256
THE APPLICATION OF CORRUPTION LAW TO WARD CRIMINAL ACT IN THE FIELD OF FORESTRY Ifrani	267
THE EFFORTS OF ERADICATION OF CORRUPTION THROUGH INSTRUMENTS OF MONEY LAUNDERING LAW AND RETURN ACTORS' ASSETS Yasmirah Mandasari Saragih.....	276
AFFIRM ROLE OF EXISTENCE <i>RECHTSVERWERKING</i> TO ACHIEVING LEGAL CERTAINTY IN LAND REGISTRATION Rofiq laksamana, Setiono, I Gusti Ayu Ketut Rachmi Handayani, Oloan Sitorus.....	287
ANTI-CORRUPTION EDUCATION AT AN EARLY AGE AS A STRATEGIC MOVE TO PREVENT CORRUPTION IN INDONESIA Ida Musofiana.....	304
FREED INDONESIA'S CORRUPTION BETWEEN HOPE AND REALITY Dr. Tongat, SH., MHum., Said Noor Prasetyo, SH., MH.....	313
UTILIZATION OF INDONESIA MARINE RESOURCES IN AN EFFORT TO REALIZE INDONESIA TOWARDS THE SHAFT OF THE MARITIME WORLD Dr.Lathifah Hanim, SH.M.Hum., M.Kn. and Letkol (mar) MS.Noorman, S. Sos., M.Opsla.....	319
POTENTIAL CORRUPTION IN THE VALIDATION POLICIES ON ACQUISITION TAX OF LAND AND OR BUILDING Lilik Warsito.....	325
THE EFFORT OF LAW ENFORCEMENT IN COMBATING CORRUPTION IN SOUTH SUMATERA Sri Suatmiati.....	334
ETHICAL PERSPECTIVE AND THE MAPPING OF NORM IN CORRUPTION ACT Siti Zulaekhah.....	344
AN EXPANSION OF CONCEPT THE STATE ECONOMIC LOSS IN CORRUPTION IN INDONESIA Supriyanto, Hartiwiningsih, Supanto.....	354
JURIDICAL STUDIES ON SUBSTANCE AND PROCEDURE OF THE DISMISSAL OF THE PRESIDENT AND/OR VICE-PRESIDENT AFTER THE REFORMATION Siti Rodhiyah Dwi Istinah.....	364
THE ROLE OF THE SHARIA SUPERVISORY BOARD IN THE FRAMEWORK ENFORCING SHARIA PRINCIPLES AT THE INSTITUTE OF ISLAMIC BANKING IN SEMARANG Aryani Witasari.....	376
SEMARANG CITY GOVERNMENT ROLE IN CONSERVATION AND ENVIRONMENTAL PROTECTION TO THE CAPITAL OF THE NATIONAL HERITAGE IN INDONESIA Achmad J Pamungkas (<i>Indonesia</i>), Carlito Da Costa (<i>Timor Leste</i>)	390

STUDYING THE WISDOM OF ZAKAT Moch. Gatot Koco (Indonesia), Basuki R Suratno (Australia)	398
HOMOLOGATION RECONSTRUCTION IN BANKRUPTCY THAT IS BASED ON DIGNIFIED JUSTICE Agus Winoto	410
RECONSTRUCTION OF EXECUTIVE AND LEGISLATIVE AUTHORITY IN MAKING GOOD GOVERNANCE (GOOD GOVERNANCE) VALUES BASED ON WELFARE Mohamad Khamim	420
THE TASK RECONSTRUCTION AND BPKP'S AUTHORITY IN THE CASE OF JUSTICE VAUE BASED CORRUPTION Sarbudin Panjaitan	429
THE RECONSTRUCTION OF MADLIYAH AND IDDAH MAINTENANCE AND MUT'AH IN DIVORCE CASE FOR JUSTICE AND WELFARE Mustar	438
JURIDICAL ANALYSIS OF THE ALLEGED CRIMINAL OFFENSE TO MANUFACTURE A NOTARY DEED Subiyanto	446
REVITALIZATION DEAL IN AKAD HYBRIDS IN SHARIA BANKING VALUE BASED ISLAMIC JUSTICE Masduqi	452
RECONSTRUCTION OF LEGAL PROTECTION DISTRICT HEAD IN THE ELECTION IMPLEMENTATION OF VALUE-BASED JUSTICE Kukuh Sudarmanto Alugoro	462
ABUSE OF AUTHORITY OFFENSE THEOLOGICAL RECONSTRUCTION LAW ERADICATION OF CORRUPTION (LAW NUMBER 31 OF 1999 JO. LAW NUMBER 20 OF 2001) BASED ON VALUE OF JUSTICE As'adi M. Al-ma'ruf	472
RECONSTRUCTION OF THE DAILY PAID WORK AGREEMENT IN THE EMPLOYMENT LAW BASED ON JUSTICE Christina N M Tobing	479
THE LAW AND THE IMPACT OF MARRIAGE SIRRI Sahal Afhami	489
CRIMES AGAINST CHILDREN AS ACTORS Muhammad Cholil	503
RECONSTRUCTION OF CRIMINAL PROCEDURAL LAW (KUHP) ABOUT THE DETENTION Muhammad Khambali	512

BASED ON JUSTICE PROBLEMS OF DISPUTE RESOLUTION REGIONAL CHIEF ELECTION (GOVERNOR, REGENTS AND MAYOR)	
Esti Ningrum	520
RECONSTRUCTION REGIONAL MINIMUM WAGE (UMR) IN RENEWAL OF EMPLOYMENT LEGAL REMEDIES BASED INDONESIA THE VALUE JUSTICE PANCASILA	
Urip Giyono	531
IMPLEMENTATION OF LAW AS TO MAINTAIN SECURITY IN THE CONTEXT OF PROFESSIONAL POLICE POLMAS (CASE STUDY IN LAMPUNG POLICE)	
Muhammad Yaman	539
RECONSTRUCTION OF CRIMINAL SANCTIONS PENAL CODE ACTORS ON ABORTION CRIME BASED ON THE VALUE OF JUSTICE	
Hanuring Ayu Ardhani Putri	549
REGISTRATION FIDUCIARY GUARANTEE REALIZE LEGAL PROTECTION OF CREDITORS AND DEBTOR	
Ansharullah Ida	556
RECONSTRUCTION OF LEGAL DISPUTES MEDIATION IN HEALTH CARE FOR PATIENTS HOSPITAL BASED ON THE VALUE OF JUSTICE	
Teguh Anindito	569
RECONSTRUCTION OF CRIMINAL SANCTIONS AGAINST CRIME OF ACTORS AND MURDER MURDER IN PLAN BASED ON VALUE OF JUSTICE CRIMINAL CODE	
Maria Marghareta Titiek Pudji Angesti Rahayu Teguh Anindito	579
IMPLEMENTATION OF PENAL MEDIATION IN CRIMINAL LAW	
Aji Sudarmaji	587
FAIR SETTLEMENT RECONSTRUCTION OF PROBLEMATIC CREDIT DISPUTE AT BANK RAKYAT INDONESIA (STUDY CASE AT MEDAN-SINGAMANGARAJA BRI BRANCH OFFICE)	
Bachtiar Simatupang	594
RECONSTRUCTION OF THE WASTE MANAGEMENT LAW BASED ON WELFARE VALUE	
M. Hasyim Muallim	616
RECONSTRUCTION LAW OF PUNISHMENT AGAINST CHILDREN NARCOTICS ABUSE-BASED PROGRESSIVE LAW	
Salomo Ginting	625
LEGAL PROTECTION PROBLEM OF WIFE AND CHILDREN OF POLYGAMY SIRRI IN INDONESIA	
Muhlas	639

IDEAL RECONSTRUCTION OF REHABILITATION PUNISHMENT FOR NARCOTICS ADDICTS AND ABUSER'S VICTIMS JUSTIFIED BASED ON THE LAW OF THE REPUBLIC OF INDONESIA NO. 35 YEAR 2009 (CASE STUDY IN SUMATERA UTARA PROVINCE)	
Ahmad Zaini	648
IMPLEMENTATION OF ACCELERATION SYSTEMATIC LAND REGISTRATION FULL IN HUMBANG HASUNDUTAN DISTRICT	
Ruslan	658
RECONSTRUCTION OF STATUS AND AUTHORITY OF THE SHARIA COURT IN THE NATIONAL JUDICIAL SYSTEM BASED ON JUSTICE	
Jufri Ghalib	667
RECONSTRUCTION OF LIABILITY NOTARY PUBLIC OFFICERS TO ACT AS A VALUE-BASED JUSTICE	
Elpina	679
RECONSTRUCTION OF CONSUMER PROTECTION LAW IN MAKING THE BALANCE BUSINESS BASED BUSINESS AND CONSUMER VALUE OF JUSTICE	
Ramon Nofrial	693
RECONSTRUCTION OF LAND USED RIGHT EIGENDOM VALUES BASED ON JUSTICE AND LEGAL CERTAINTY	
Hakim Tua Harahap	706
RECONSTRUCTION OF DIVERSION CONCEPT IN CHILD PROTECTION OF CONFLICT WITH THE LAWS BASED ON THE VALUE OF JUSTICE	
Ulina Marbun	726
RECONSTRUCTION OF PARATE EXECUTION MORTGAGE RIGHTS TO LAND BASED ON THE VALUE OF JUSTICE	
Zaenal Arifin	740
THE RECONSTRUCTION OF DIVORCE DUE TO MARITAL STATUS UNDER THE UNAUTHORIZED GUARDIAN AS VALUE OF JUSTICE	
Abdul Kholiq	751
THE RECONSTRUCTION OF LEGAL AID LAW FOR CHILDREN WHO GET CONFLICT WITH LAW IN PROCESS OF JUSTIFICATION FOR CHILDREN BASED ON THE VALUE OF PANCASILA	
Adi Mansar	767
MEDIATION RECONSTRUCTION AS ONE OF THE ALTERNATIVE SETTLEMENT OF DECLINE IN THE COURTS BASED ON THE VALUE OF JUSTICE (Study at the Simalungun District Court)	
Mariah S.M. Purba	778
POLYGAMIC POLICY IN INDONESIA (Analysis of Polygamic Arrangements and Practices 1959-2015)	
Warman	790

LAW ENFORCEMENT AGAINST CORRUPTION IN PERSPECTIVE OF HUMAN RIGHTS IN INDONESIA Sekhroni	798
THE PRINCIPLE OF NATURAL JUSTICE AND HUMAN'S RIGHT PROTECTION FOR CITIZENS IN ERADICATION OF CORRUPTION IN INDONESIA Indriyana Dwi Mustikarini	809
PREVENTING LAND MAFIA USING POSITIVE LAND REGISTRY SYSTEM Bambang Sulistyowati	816
UNRULY PASSENGER IN AVIATION: THE REGULATIONS AND CASES IN INDONESIA Adya Paramita Prabandari	826
EDUCATION ANTI-CORRUPTION IN INDONESIA: PROBLEMS, CHALLENGES AND SOLUTIONS Alwan Hadiyanto	839
SPIRITUAL URGENCY OF RELIGIOUS AND EXPENSES OF EVIDENCE IN COMBATING CORRUPTION IN INDONESIA Sulistyowati	852
SUE FOR THE STATE ADMINISTRATION OF JUSTICE IN INDONESIA Sarjiyati	863
CONSISTENCY MODEL OF COURT DESIGNATION TO FOSTER PARENT RIGHTS AUTHORITY DUE TO DIVORCE ON CHILDREN Erna Trimartini	873
AN INVESTIGATION AUTHORITY OF CRIMINAL ACT ON CORRUPTION IN CRIMINAL JUSTICE SYSTEM IN INDONESIA Sukmareni	885
PRO CONS THE EXISTENCE OF DEATH PENALTY IN CORRUPTION ACT OF 1999 IN INDONESIA Anis Rifai	903
PENAL MEDIATION IN SOLVING MEDICAL MALPRACTICE CASES AS AN ALTERNATIVE OF PENAL SANCTIONS BASED ON LOCAL WISDOM Sri Setiawati	913
SPECIAL PROTECTION OF CHILDREN IN CRIMINAL JUSTICE SYSTEM Achmad Sulchan	922
MORAL REFORM BUREAUCRACY AS PREVENTION OF ILLEGAL PAYMENTS TO INDONESIA CLEAN OF CORRUPTION Herwin Sulistyowati	932
STANCE AND AUTHORITY OF PEOPLE'S CONSULTATIVE ASSEMBLY DURING REFORMATION ERA 1945 Ahmad Mujib Rohmat	944

TAXES AND ALMS SEEN FROM ISLAMIC LAW	
Mohammad Solekhan	954
DIVERSION IN COURT (Case Studies in Karanganyar District Court)	
Anita Zulfiani	964
International Seminar	
Photos.....	971

THE RECONSTRUCTION OF DIVORCE DUE TO MARITAL STATUS UNDER THE UNAUTHORIZED GUARDIAN AS VALUE OF JUSTICE

Abdul Kholiq

Student of Doctoral Program Faculty of Law Sultan Agung Islamic University

Email : akho107@gmail.com

Akhmad Khisni

Doctoral Program Faculty of Law Sultan Agung Islamic University

Email : khisni@unissula.ac.id

ABSTRACT

A marriage due to an unlawful guardian must be canceled, but often divorce of unlawful guardianship is decided by divorce and talaq, this is not in accordance with the value of justice as in the 5th principle of Pancasila and the Constitution of the Republic of Indonesia. So the authors intend to reconstruct it, by formulating the problem, 1. How is the divorce proceeding in marriage due to the current illegitimate legal status of a guardian? "2. How is the effect of divorce on marriage due to the current unauthorized legal status of guardians ?, 3. What is the legal reconstruction Divorce on marriage due to the status of unlawful guardians of justice value ?,

This article uses a qualitative approach, socio legal research, then researchers use the theory of justice as Grand Theory, Law Enforcement as Middle Theory and Legal Protection as Application Theory, As for the reconstruction is to answer the formula The above problem, namely: 1. the implementation of the cancellation of marriage today is when the submission is canceled then the decision is the marriage was decided by divorce, sometimes the filing of divorce / divorce is not investigated in advance whether there is a status of unlawful guardian or not. 2. The answer is the effect of divorce on marriage that there is an illegal guardian's status, if the divorce is decided then the rights demanded back, or other rights not delivered, because if the trial in the form of divorce, usually one of the defendants / requested did not come . Consequently a. The cancellation of marriage must be synchronized with Article 26 of the Marriage Act No. 1 of 1974, which is intended when the cancellation must be in accordance with the juridical reasons, b. For those who already have a marriage certificate, can not be canceled but must be repeated marriage, or ordinary divorce, c. In the cancellation should be examined exactly why the status of guardians is not valid, if due to deliberate from the woman then still said divorce, d. Dalam trial divorce Or talak, if after examined there are unlawful guardians, it must be decided cancellation of marriage not divorce.

Keywords: Reconstruction, Divorce, Guardian, Unlawful

I. Introduction

A. Background

Divorce due to the unauthorized guardian was happened a lot to become the reasons for divorce between the two bride, it makes the religious courts become more complicated in terms of deciding, because obviously his wedding letter is legitimate, and stated also their guardian of marriage. On the other hands unauthorized guardian to make excuses in terms of accelerating divorce, on the other hand also occur the lawsuit against the Office of Religious Affairs is concerned due to the unauthorized lifting guardian.

This makes a special study to be investigated, and it turned out in the statute of marriage, namely Law No. 1 of 1974, have not been specially listed in article in the divorce, or annulment of marriage due to unauthorized guardian. Therefor the writer lifting the title of “The Reconstruction of Divorce Due to Marital Status Under the Unauthorized Guardian as Value of Justice”.

B. Problem Formulation

1. How is the implementation of divorce on marriage as a result of the unauthorized guardian status nowadays?
2. How is the impact of divorce on marriage as a result of the unauthorized guardian status nowadays?
3. How is the reconstruction of the divorce laws on marriage as a result of unauthorized guardian status values of justice?

C. Objective of Dissertation Research

Trusts in Indonesia in marriage, giving priority to the biological father, after the biological father is not there then you male birth father was guardianship

II. Literature review

A. The concept of Guardianship in the Marriage by Fiqh Perspective

Guardian is required by law, may be forced upon others, according to the field of the law. Guardian consists of general and specific things. Special guardian intent means pertaining to human and property. Guardian is discussed a marriage thing for humans, namely the guardianship.

الولي في النكاح هو الذي يتوقف عليه صحة العقد فلا يصح بدونه¹ وهو الأب أو وصيه والقريب العاصب (1) والمعنى والسلطان والمالك (2) وترتيب الأولياء في أحقية الولاية مفصل في المذاهب (3)

Meaning: Guardian at a wedding, it was crucial due to the legitimate in the marriage, then marriage will not valid if: there is no father or guardian, and relatives concerned, submitted to the Sultan and the owner; and the provision of valuable tradition as the guardian at the detailed feasibility jurisdiction doctrine or as obedience may apply.

In addition, besides of Article 2 (1) of the Marriage Law, that the validity of a marriage is determined by the religion and beliefs of each, then according to Article 2 paragraph (2) of the Marriage Law is determined also that every marriage must be recorded in accordance with laws applicable law.

B. Philosophy of Guardianship in Marriage by Fiqh Perspective

Guardianship according to Fiqh is called area of authority and protection means. According to the terms of Fiqh, guardianship is fully control given by religion to someone to control and protect people or goods². It means guardian is a person who protects with a vengeance, even lives at stake, so here called the guardian not only status but rather the protection of others.

C. Concept of Marriage Legal Guardianship in Positive.

Guardianship in Indonesia as general is to follow the Act No. 1 of 1974, but on the legislation explained that the marriage be adjusted in their respective religions, but there is some elaboration as the Constitution of the Republic of Indonesia Year 1945, Article 28 B reads

According to the imam Syafii that marriage without a guardian then the Fasid marriage as follows³:

قال الشافعي: ولو أن امرأة نكحت نكاحا فاسدا فولدت من ذلك النكاح ولدا وكان النكاح بغير ولي أو بغير شهود عدول أو أي نكاح فاسد ما كان ما خلا أن تنكح في عدتها من زوج يلحق به النسب أو حملت فنزل لها لبن فأرضعت به مولودا كان ابن الرجل النكاح نكاحا فاسدا والمرأة المرضع كما يكون الحمل ابن النكاح نكاحا صحيحا.

¹ *Fiqh ala madzhabiarba'ah juz 4*

² Kamal Muchtar, *Principles of Islamic Law About Marriage*, (Jakarta: Bulan Bintang, 1993), p. 92

³ Imam Syafii, *Al-Um*, tt, h.1609

Syafi'i said, though her marriage imperfect, and from the wedding, produce children and the marriage without a guardian and witnesses, the marriage proper imperfect, it must be repeated with legal marriage then an exception to the marriage it promised a pair caused by heredity, or pregnant and nursing women, the birth was a boy who marry chaste though imperfect and women who are breastfeeding and child conceived in a legal marriage.

In the book *Alamat-fiqhul Islami Wa adillatuhu* with Madhab Khanafi explained that⁴:

الزواج الفاسد عند الحنيفة: هو ما فقد شرطاً من شروط الصحة وانواعه هي: الزواج بغير شهود, والزواج المؤقت, وجمع خمس في عقد, والجمع بين المرأة وأختها أو خالتها, وزواج امرأة الغير بلا علم بانها متزوجة, ونكاح المحارم مع العلم بعدم الحل: فاسد عند أبي حنيفة, وباطل عند الصاحبين, وهو الراجح.

A ruined wedding present in both health conditions and types are: marriage without witnesses, temporary marriage, collecting five in a decade, and the combination of a woman and her brother, and a third woman without the knowledge of those who marry, knowing is not the solution: imperfect according to Abu Hanifah, and that opinion is void Rojikh.

III. Implementation of Divorce in The Guardian Marital Status Due Unauthorized Current time

A. Cancellation of Marriage in Indonesia

Cancellation Marriage in Indonesia is not made specially in a separate article, but for the cancellation policy implementers decide to experience variations, as well as the decision of divorce between Ferrial Paisa Sirait vs Marhamah Adnan, with Judge Decision No. 160 / Pdt.G / 2002 PA./ Medan, June 5, 2002, that the decision resulted in divorce, although the beginning was the cancellation of the marriage, because the husband parties appealed and finally, finally decided by the Supreme Court with No. 150 K / AG / 2003 dated February 24, 2004, with a form of divorce Raji. Cancellation of the Marriage between Heni Puspita bint Ujiman and Sukari bin Zuhri, Heni puspita married to Sukari with a guardian who is not legitimate, even though it is the brother of his father, but because in trouble and the husband left for 4 years, finally Puspita propose the cancellation of the marriage due unauthorized guardian. Cancellation of the cases mentioned above Kendal Religious Courts

⁴ Doctoral Wahbah Azzuhaili, *Alamat-fiqhul Islami Wa adillatuhu*, Daarul Fikri, tt, the Section 7, p. 109.

adjudicating civil cases in the first degree, in the trial has passed its decisions with the number: 1042 Pdt.G / 2004 / PA.Kdl.

But looks cancellation of the marriage, the effect is not too well because it was canceled, but because there is a problem, but the cancellation of the marriage due to the unauthorized guardian, as the reason quickly to imminent divorce, with the cancellation of the marriage.

B. Marriage in Muslim Countries

1. Saudi Arabia

Government of the Kingdom of Saudi Arabia called the Monarchy structure. Cabinet with the King is the executive and regulatory power in the State. The Prime Minister is Khadim al-Haramain ash-Syarifain (the Two Holy City) King Abdullah bin Abdul Aziz Al-Saud, and the Crown Prince was Prince Sultan bin Abdul Aziz Al-Saud, Deputy Prime Minister and Minister of Defense, Aviation and Inspector General. Judicial system comes from Al-Qur`an and Sunnah⁵.

2. Morocco

Of guardians in Moroccan family law is discussed in several chapters. Article 13 states that the marriage must be met: The skill of a man and a woman to marry, there is no agreement to terminate a dowry, their guardian when specified, the fair witness and the absence of impediments to marriage. Discussion guardian is also contained in Article 17 which requires a power of attorney for a wedding that uses guardian while Article 18, a guardian cannot be married to a woman who became his guardian⁶.

3. Malaysia

Malaysia has family laws in each state regulates the administrative part of Islamic law, the marriage registration in Malaysia is something that is required. But this marriage provisions enforced by all states of Malaysia. Malaysia does not determine the legitimacy or the cancellation of a marriage. Conditions valid or cancellation of the marriage based on Islamic law. However, the omission to register marriages considered an offense in most areas in Malaysia⁷.

⁵ <http://www.mofa.gov.sa/Detail.asp?InSectionID=5703&InNewsItemID=82600>

⁶ Moroccan Family Law Article 17 and 18.

⁷ Tahir Mahmood 29, 1987, p. 201

4. Jordan

As for the position of mayor and guardianship provisions described in Article 9 to Article 13. Guardian in marriage is the order ashobah Binafsihi in the order of inheritance according to the Madzhab Hanafi⁸. A guardian must be sensible, puberty and a Muslim. In this case, the writer can take the red thread that the position of guardian is to some people who are equal, then a guardian among them the right to abort her guardian rights. Then if it turns out no one Aqrob guardian, for the benefit of the guardianship sequence moves on to the next guardian. The widow aged 18 years or older no further regulation.

5. South Yemen

Marriage in South Yemen had differences with other Muslim countries. According to the country's family law, registration of marriage affects the validity (validity) of a marriage. Thus, registration of marriage is not merely an administrative requirement only⁹.

Viewed from this thing, it is also very important for guardianship because they follow the Islamic law in force in accordance to the Madzhab may be understood.

IV. Impact of Divorce On Marital Status Due Unauthorized Guardian

The impact of divorce on marriage as a result of the unauthorized guardian, bring positive and negative effects:

A. Husband Wife Relationship break down Due to Cancellation of Marriage

Surely officially severed the relationship between husband and wife, but she decided that, some judges give policy, if the cancellation was due to a guardian is invalid indeed, then the marriage is instructed to repeat, then will decide to divorce Raji.

B. Distribution of Joint Assets Post-Cancellation of the Marriage

In Islam there is actually no terms or the legal division of property like this, but in Indonesia has become a tradition, that if there is separation there must be a division of property. Because in Indonesia, it was used to women to help work and career, then it is very necessary to the division of property, after the divorce.

C. Impact of Children in Deliver

⁸ Abdul Wahhab Khalaf al Syakhsiyyah FII ahwal Ahkamul Shari'ati al Islamiyah, Kuwait: Darul Qolam, 1990, p. 60

⁹ Ibid Atho, Mudzhar and Khairuddin Nasution h.72

Children born remain the responsibility of both of them, in a sense like a family intact, even strengthened again the decision of the Court of out of wedlock children have a civil relationship with her biological father, especially with the process of legal marriage, just less because the guardianship is not valid.

D. Impact of Cancellation Decisions Marital Status Due to Unauthorized Guardian

The cancellation was a very significant impact, because of the given decision with large differences in terms of the case. However, the most important is the legal protection, of legal certainty and reach values of justice, for persons with a case, as well as the things that caused the cancellation.

V. Reconstruction of Divorce Due to Marital Status Under the Unauthorized Guardian as Values of Justice

A. Cancellation Marital Status Due Mayor Yang Unauthorized According Sila All 5 Pancasila and the Constitution of NRI 1945.

1. Justice as 5th Sila in Pancasila

The cancellation of the marriage due to the unauthorized guardian status, is a very complicated issue. it will be seen from the realm of all five precepts of Pancasila and the Constitution of the Republic of Indonesia in 1945, as follows while According to 5th Sila in Pancasila that the cancellation came from not rightful guardian, actually do not need to proceed with their divorce, because if you see the article 5th Pancasila reading "social justice for all Indonesian people" can be understood that fair treatment is the right of every citizen without exception.

2. Fairness According to the Constitution of the Republic of Indonesia Year 1945.

Under the Basic Law of the Republic of Indonesia in 1945 found in some article, of which explains about the fairness and the right as a human being, as for the statement as follows:

Article 28 A in paragraph (1) reads "The right to life and survival and life".

The verse is clear that every human being has the right to live¹⁰ and preserve life.

B. Cancellation Marital Status Due to Unauthorized Guardian in various Muslims countries of Southeast Asia

¹⁰ Paragraph 37 of Article 28 A (1) of the Constitution of the Republic of Indonesia in 1945

1. Saudi Arabia

Rights and obligations of legal guardian is a must in Hanbali Madzhab, even marriage is considered invalid without a guardian¹¹.

2. Jordan

women who have turned 18 years old can be in marriage himself without a guardian. Then required the suitability of wills between the guardian widow aged 18 years or more.

3. Morocco

Thus the law of the State of Morocco gave freedom to women are able to marry herself without a guardian, or guardian submit marry her, and even then did not have such rules as the existing guardian

4. Malaysia

in Malaysian family law explains that, the position of guardian in Malaysia is very important family law, which is that for a wedding can be done by a guardian in front of the officer, by the vice-mayor or by a marriage registrar officer acting on behalf of the guardian. If the guardian is not Nasab, regent of the act as a guardian for the marriage.

5. Indonesia

Conditions of guardian in marriage law in Indonesia can be found on the Compilation of Islamic Law from Article 20 to Article 23¹². Guardian is a pillar (a show) in a marriage. As for the cancellation of some events because of the marriage was invalid marriage guardian as and case of cancellation of marriage.

C. Reconstruction Through Divorce Law Request and Lawsuit On Marital Status Due to Unauthorized Guardian by the Perspective of Fiqh and Law No. 1 of 1974 Based on the Values of Justice

Marriage law No. 1 of 1974 concerning the cancellation of the marriage, which is written in article 22 which states that "marriage can be canceled if the parties do not qualify requirements to enter into marriage". As well as in article 71 letter e Compilation of Islamic Law states that, "a marriage can be canceled if the marriage took place without a guardian or held by guardian who are not entitled."

The irony many marriage annulments decided by a religious court, even though they already have a marriage certificate should correct if the request for

¹¹ Ahmad bin Qudamah Al Maqdisi, *Umdatul fi al fiqh al-Hanbali sect*, Maktabah, Isriyah, Beirut 2003, p. 90.

¹² Law Compilation of Islam Article 22

annulment is no marriage certificate, it can be considered valid, but what happens is the cancellation of approval. So in this case do not fit the marriage laws in force. Even with a marriage annulment process is faster than regular divorce.

This we know from the results of a court decision religion and different religious high court verdict, as for the discussion as follows¹³:

The Decision No. 1769 / Pdt.G / 2009 / PA. Bks, issued by the Islamic Court of Bekasi bringing the verdict in the case Request Cancellation marriage between the Applicant (Applicant original) with Respondent I (respondent original). Bekasi Religious Court declared marriage certificate applicant with the first Respondent / Appellant, issued by KUA District of Bekasi City Rawalumbu it does not have permanent legal force or can be said to be invalid. Respondent that KUA head Rawalumbu District of Bekasi City, as the official record Marriage Petitioner Deed (First Applicant) / compa Respondent I (original defendant) / Appellant in as a registration certificate that does not have binding legal force.

The decision resulted from the efforts an appeal made by the Appellant (originally Respondent I) to compa (which was originally native Applicant) the Decision No. 264 / Pdt.G / 2010 / PTA. Bdg, issued by the High Court of Bandung Religion canceled by the decision of the Decision No. 264 / Pdt. G / 2010 / PTA. Bdg, the Panel of Judges wear basic legal consideration the provisions of article 26 of Law No. 1 of 1974 on Marriage, mentioned in No. 1 of 1974 on the cancellation of the marriage of article 26¹⁴.

As for some basic and legal considerations Religious High Court judges who handle cases Bandung include¹⁵:

First, based on consideration of the Assembly are the provisions of Article 26 of Law No. 1 of 1974. Second, Petition/compa based on the grounds that the marriage of the Applicant/Respondent compa with I/Comparative recorded at the District Office of Religious Affairs Rawalumbu with Marriage Certificate Number. , 712. 02/VIII/2008 dated August 2, 2008, was carried out using male guardians who are not eligible,

¹³ The Decision No. 1769 / Pdt.G / 2009 / PA. Bks

¹⁴ The court's decision on the cancellation of marriage due to religious unauthorized guardian canceled by Decision No. 264 / Pdt.G / 2010 / PTA.Bdg, ordering to repeat the wedding, and the wedding was canceled. Due to the reason the bride had to bring a marriage certificate.

¹⁵ Decision No. 264 / Pdt.G / 2010 / PTA.Bdg

Therefore, pursuant to Article 26 paragraph (2) of Law No. 1 of 1974, as mentioned above, the right to apply for cancellation of the marriage by the husband be dead, and that marriage should be updated so it is legitimate¹⁶.

the Applicant / compa on petition number 3 and 4 should be declared unacceptable. The conclusion of the decision is the decision¹⁷ of the Court of Religion, marriage states canceled due to unauthorized guardian, but the decision of the High Court of Religion Bandung (Decision No. 264 / Pdt.G / 2010 / PTA. Bdg) it can be concluded that the Bekasi Religious Court decision is not correct, and decided on marriage was illegal, but the marriage must be repeated in order to be valid, while the fatal error lies in KUA, which records the marriage without a legal guardian. This is in accordance with Article 26, Paragraph 2 of Act No. 1 of 1974, as mentioned above, the right to apply for cancellation of the marriage by the husband be dead, and that marriage should be updated so that legitimate¹⁸.

After discussing the various discussions, from theory, to the case of cancellation, the author intends to reconstruct divorce on marriage as a result of the unauthorized guardian based on the values of justice are:

1. Cancellation of marriage must be synchronized with Article 26, paragraph 2 on the Marriage Law No. 1 of 1974, which meant is when cancellations must be in accordance with legitimate reasons.
2. For those who already have a marriage certificate, cannot be canceled but must be repeated marriage, or divorce usual.
3. In cancellation must be studied very well why can not a legitimate guardian, if selected for intentional on the part of the woman's remains said to be a divorce.
4. In the trial of divorce or Talaq, if after investigation found unauthorized guardian, then it should be decided cancellation of marriage is not a divorce

VI. Cover

A. Conclusions

Conclusions of this dissertation addresses three issues that are formulated in Chapter I, as follows:

1. Conclusion of the first implementation of the cancellation of marriage today is when the submission is canceled then the decision is that marriage decided to

¹⁶ Read Law No. 1 of 1974, and read Decision No. 264 / Pdt.G / 2010 / PTA.Bdg

¹⁷ Decision No. 264 / Pdt.G / 2010 / PTA.Bdg

¹⁸ Decision No. 264 / Pdt.G / 2010 / PTA.Bdg

divorce, sometimes the filing of the divorce / Talaq not researched in advance if there are any unauthorized guardian status or not.

2. The second conclusion of divorcement can impact on marriage are illegitimate guardian, if it is decided divorce then their inheritance rights, or other rights not delivered, because if tried in the form of divorce, usually one of the defendants did not come, that is where justice cannot be enforced because one party did not attend the hearing.
3. The third conclusion is:
 - a. Cancellation of marriage should be synchronized with Article 26, paragraph 2 on the Marriage Law No. 1 of 1974, which meant is when cancellations must be in accordance with legitimate reasons.
 - b. For those who already have a marriage certificate, cannot be canceled but must be repeated marriage, or divorce usual.
 - c. In cancellation must be studied very well why can not a legitimate guardian, if selected for intentional on the part of the woman's remains said to be a divorce.
 - d. In the trial of divorce or Talaq, if after investigation found unauthorized guardian, then it should be decided cancellation of marriage is not a divorce.

B. Implications

In this dissertation research has implications for theoretical and practical implications as for details on the information below:

1. Implications terroristic

The theoretical implications of this research can build up a new paradigm of the theory of the law of marriage, especially in the cancellation of the marriage, which is based on justice, where the cancellation of marriages that already have a marriage certificate must be re-marriage.

2. Practical implications

The practical implications of this research is concerned with the practical things, such as a judge in addressing cases of marriage annulment especially on the field, in order to observe what mode is used, why use a marriage annulment process, in filing a divorce.

C. Suggestions

1. This dissertation research recommends to the agency related to the cancellation of marriage in order to be able to decide based on the philosophical, fairness and legal certainty as well as examine the hermeneutics. In addition, it also reveals the values of justice, as implied in the precepts 5th Pancasila.
2. The Government and Parliament to amend Article 26 paragraph (2) of Act 1 of 1974 reads

BIBLIOGRAPHY

- Abdulkadir Muhammad, *Hukum dan Penelitian Hukum*, Bandung: Citra Aditya Bakti, 2004
- Abdul Manan, "Problematika perceraian Karena Zina Dalam Proses Penyelesaian Perkara Di lingkungan Peradilan Agama", *Mimbar Hukum*, No. 52 Thn. XII, Al-Hikmah & Ditbinbapera Islam, Jakarta, h. 7-8 2001
- Abdul Rahman I.Doi, *Perkawinan dalam Syari'at Islam*, Jakarta: Bulan Bintang, 1984
- Abdul Wahhab Khallaf, *Kaidah-Kaidah Hukum Islam*, Risalah, Bandung 1985
- Ahmad Azhar Basyir, *Hukum Perkawinan Islam*, Yogyakarta: Bagian Penerbitan FH UII, 1999
- Ahmad Ikhsan, *Hukum Perkawinan Bagi yang Beragama Islam*, Jakarta: Bulan Bintang, 1989
- AL-Jaziri, Abdurrohman, *Al-fiqhu Ala Madzhabil Arba'ah*, Juz IV, Darul Fikri, Bairut, 1982, h.118
- Amir Syarifuddin, *Hukum Perkawinan Islam di Indonesia*, Jakarta: Prenada Media, 2006
- Andi Hamzah, *Kamus Hukum*, Jakarta: Ghalia Indonesia, 1989
- Anonim, *Membina Keluarga Sakinah*, Majelis Tarjih PP Muhammadiyah Yogyakarta: Penerbit Persatuan,
- Bernard Arief Sidharta, Disiplin Hukum tentang Hubungan antara Ilmu Hukum, Teori Hukum dan Filsafat Hukum, *MAkalah*, disajikan dalam Rapat Tahunan Komisi Disiplin Ilmu Hukum, Jakarta, 11-13 Februari 2001
- Bismar Siregar, dalam Sidik Sunaryo, dalam *Kapita Selekta Sistem Peradilan Pidana*, Penerbit Universitas Muhammadiyah Malang, 2004
- Carl Joachim Friedrich, *Filsafat Hukum Perspektif Historis*, Bandung: Nuansa dan Nusamedia, 2004
- Dardji Darmodiharjo dan Sudharto, *Pokok-Pokok Filsafat Hukum*, Jakarta, Gramedia Pustaka Utama, h. 154, 1995
- H. Zainuddin Ali, *Sosiologi Hukum*, Jakarta: Sinar Grafika, 2008
- Hilman Hadikusuma, *Hukum Perkawinan Indonesia Menurut Perundangan Hukum Adat, Hukum Agama*, Bandung: Mandar Maju, 1990
- J.C.T Simorangkir, *Kamus Hukum*, Jakarta: Sinar Grafika, 2007
- John Rawls, *A Theory of Justice*, London: Oxford University Press, 1973, yang sudah diterjemahkan dalam Bahasa Indonesia oleh Uzair Fauzan dan Heru Prasetyo, *Teori Keadilan*, Yogyakarta: Pustaka Pelajar, 2006
- Kahar Masyhur, *Membina Moral dan Akhlaq*, Jakarta, Kalam Mulia, h. 71.1985
- M. Yahya Harahap, *Hukum Perkawinan Nasional Berdasarkan UU No 1 Tahun 1974, PP No 9 Tahun 1975*, Medan: CV. Zahir Trading. CO, 1975
- Macquarie Library, *The Macquarie Dictionary*, Australia, 1985
- Moch. Asnawi, *Himpunan Peraturan dan Undang-Undang Republik Indonesia tentang Perkawinan serta Peraturan Pelaksanaannya*, Menara Kudus, t.tahun.

- Muhammad Yunus, *Hukum Perkawinan dalam Islam*, Jakarta: Pustaka Muhammadiyah, 1994
- Munir Fuady, *Dinamika Teori Hukum*, Jakarta: Ghalia Indonesia, 2007
- Nadimah Tanjung, *Islam dan Perkawinan*, Jakarta: Bulan Bintang, t.t.
- Newslatter MAFS, *Crime Scene Reconstruction*, <http://crimeandclues.com.../48...introduction-to-crime-scene-reconstruction>
- O'Connor, *Rekonstruksi Logika*, <http://www.ditomoconnor.com/3210/3210Lect02.htm>
- Paulus E. Lotulung, *Beberapa Sistem tentang Kontrol Segi Hukum terhadap Pemerintah*, Bandung: Citra Aditya Bakti, 1993
- Peter Mahmud Marzuki, *Penelitian Hukum*, Jakarta: Kencana Prenada Media Grup, 2009
- R. Abdul Djamali, *Hukum Islam*, Bandung: Mandar Maju, 2002
- Rahmat Hakim, *Hukum Perkawinan Islam*, Bandung: Pustaka Setia, 2000
- Ridwan HR, *Hukum Administrasi Negara*, Yogyakarta: UII Press, 2002
- Roscoe Pound, *Tugas Hukum*, terjemahan Moh. Radjab, Jakarta: Bharata, 1965
- Sayuti Thalib, *Hukum Kekeluargaan Indonesia*, Jakarta: Yayasan Penerbit Universitas Indonesia, 1986
- Sjachran Basah, *Perlindungan Hukum atas Sikap Tindak Administrasi Negara*, Bandung: Alumni, 1992
- SK KAPOLRI No.Pol. Skep/1205/IX/2000 Tentang *Himpunan Juklak dan Juknis Tentang Proses Penyidikan Tindak Pidana*, tanggal 11 September 2000
- Soemijaty, *Hukum Perkawinan Islam dan Undang-Undang Perkawinan*, Cetakan Kedua, Yogyakarta: Liberty, 1996
- Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif, Suatu Pengantar Singkat*, Jakarta: PT Raja Grafindo Persada, 2003
- Soerjono Soekanto, *Pengantar Penelitian Hukum*, Jakarta: UI Press, 1986
- Soetandyo Wignjosoebroto, *Hukum, Paradigma, Metode dan Dinamika Masalahnya*, Jakarta: Lembaga Studi dan Advokasi Masyarakat, 2002
- Soetandyo Wignjosoebroto dalam Otje Salman dan Athon F. Susanto, *Teori Hukum: Mengingat, Mengumpulkan dan Membuka Kembali*, Bandung: Refika Aditama, 2010
- Sudarsono, *Hukum Perkawinan Nasional*, Cetakan Ketiga, Jakarta: PT Rineka Cipta, 2005
- Sudikno Mertokusumo, *Mengenal Hukum, Suatu Pengantar*, Yogyakarta: Liberty, 1996
- Sulistiyowati Irianto dan Shidarta (ed), *Metode Penelitian Hukum, Konstelasi dan Refleksi*, Jakarta: Yayasan Obor Indonesia, 2009
- Syaidus Syahar, *Undang-Undang Perkawinan dan Permasalahannya (Ditinjau dari Segi Hukum Islam)*, Cetakan Pertama, Bandung: Alumni, 1981
- Theo Huijbers, *Filsafat Hukum Dalam Lintasan Sejarah*, Cet VIII, Yogyakarta: Kanisius, 1995
- Wahbah Azzuhaili, *Fiqhul Islami Wa adillatuhu*, Daarul Fikri, tt, Juz 7.
- Wantjik K. Saleh, *Hukum Perkawinan Indonesia*, Jakarta: Ghalia Indonesia, 1980

Undang Undang Dasar Negara R.I Tahun 1945

Undang Undang Nomor 1 Tahun 1974 Tentang *Perkawinan*

Undang Undang Nomor. 14 Tahun 1970 yang di ubah dengan No 48 Tahun 2009 *Tentang Pokok Pokok Kekuasaan Kehakiman*

Undang Undang No 7 Tahun 1989 yang diubah dengan UU No 50 Tahun 2009 *Tentang Peradilan Agama*

Undang Undang No. 23 Tahun 2004 *Tentang Penghapusan Kekerasan Dalam Rumah Tangga*

Peraturan Pemerintah Nomor 9 Tahun 1975 *Tentang Pelaksanaan UU Perkawinan No 1 Tahun 1974*

Peraturan Pemerintah Nomor 54 Tahun 2007 *Tentang Pengangkatan Anak*

Peraturan Pemerintah Nomor 2 Tahun 1987 *Tentang Wali Hakim .*

Instruksi Presiden R.I Nomor 1 Tahun 1991 *Tentang Kompilasi Hukum Islam*

Peraturan Mahkamah Agung R.I Nomor. 01 Tahun 2008 yang disempurnakan Peraturan Mahkamah Agung Nomor 01 Tahun 2016 *Tentang Mediasi*

Keputusan Ketua Mahkamah Agung RI No. 04A/KMA/SK/I/2010, *Tentang Cetak Biru Pembaharuan Peradilan*

Wawancara

Majelis Ulama Indonesia Kabupaten Batang , pada tanggal 05-07 Desember 2016

Wakil Ketua Pengadilan Agama Batang serta para Hakim Pengadilan Agama Batang, pada tanggal 24 April 2016 s.d 07 Mei 2016

Ketua Pengadilan Agama Kendal *Tentang Putusan Hakim Pengadilan Agama Kelas IA Kendal Nomor: 104/Pdt.G/2004/PA.Kdl Pada Tanggal 13 Desember 2016*

Ketua Pengadilan Agama Kendal *Tentang Putusan Hakim Pengadilan Agama Kelas IA Kendal Nomor: 78/Pdt.G/2008/PA.Kdl Pada Tanggal 15 Desember 2016*

Ketua Pengadilan Agama Brebes *Pada Tanggal 07 s.d 11 November 2016 di Pengadilan Agama Brebes*

Ketua Pengadilan Agama Pemalang *Pada Tanggal 15 April s.d 15 Mei 2016. di Pengadilan Agama Pemalang.*

Ketua Pengadilan Agama Pekalongan *Pada Tanggal 11 Juni s.d 11 Juli 2016 di Pengadilan Agama Pekalongan*

Ketua Pengadilan Agama Kajen *Pada Tanggal 12 Januari 2017 di Pengadilan Agama Kajen*

Ketua Pengadilan Agama Wates *Pada Tanggal 23 s.d 25 Desember 2016 di Pengadilan Agama Wates*

Internet

<http://hukum.kompasiana.com/2013/11/26/permohonan-pembatalan-perkawinan-artis-asmiranda-sudah-tepat-dan-tidak-konyol-611394.html> di akses 5 6 november 2014.

http://www.sahabatmaroko.com/index.php?option=com_content&view=article&id=112&Itemid=55

<http://jilbabkujiwaku.blogspot.com/2011/02/perbandingan-hukum-perkawinan-di.html#sthash.rLjmGhJd.dpuf>

<http://www.mofa.gov.sa/Detail.asp?InSectionID=5703&InNewsItemID=82600>

www.fatkhulmuin1983's.weblog.com

<http://kamusfiqih.wordpress.com>

www.fatkhulmuin1983's.weblog.com

<http://ashibly.blogspot.com/2011/07/teori-hukum.html>