

ABSTRAK

Shofiyah Faridatus. 06,210,074. The phenomenon of under-age marriage dispensation in Blitar Religious Court (Case Study Year 2008-2010). Thesis. Major: Al-ahwal al-Syakhshiyah. Faculty: Sharia, Islamic State University Maulana Malik Ibrahim (Maliki) Malang.

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Kata Kunci: Keywords: Marriage, under age, dispensation.

Underage marriages, is a phenomenon that occurs in Indonesian society. Almost in every society has the potential and its own reasons to encourage the growth of this phenomenon. From the data gathered by the religious court is sufficient to prove Blitar. For example, in 2008, the case of marriage license application for exemption under the age of entry into the Islamic Court which on average are aged 14 years was 46 cases, and in 2009 increased to 59 cases, and not to mention the cases that occurred in 2010. In 2010, the data obtained only from January until June, and that too if his case had reached 42 cases add up application for exemption of wedlock, and the majority of the case is granted by the Religious Courts. Because there are no specific rules regarding the consideration of the judge in giving the determination of application for exemption of wedlock, then the judge is required to consider selectively in accordance with the regulations legislation have been enacted.

From the above presentation of the writer interested in conducting research on the things that led to the mushrooming phenomenon of granting dispensations of marriage in Pengadilan Religion Blitar in 2008-2010.

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The results obtained from this study can be seen that the things that became a phenomenon of marital exemption in the year 2008-2010 is promiscuity that causes pregnant out of wedlock, the excessive concern of parents towards their children with the opposite sex relationships, and economic problems. From some reason, the factors that affect its speed over the matter of marriage application for exemption is pregnant out of wedlock. If the system will be the case pregnant out of wedlock nearly 99% so that pregnant out of wedlock to be the main reason to apply for permits under the old dispensation of marriage. Thus it is unavoidable if the case application for exemption of marriage always has increased each year. So the judge gave permission for exemption in terms of under-age marriage, should be based on legal considerations, among these considerations is, in compliance with administrative requirements established by the religious court, there is no impediment to marriage, mature physically, and not love each other no element of coercion, already have jobs, and pregnant out of wedlock.