

## ABSTRACT

Fikriyah, Ainul. 11210016. 2015. *Rationale Judge Grant Permission Denied Affirmative Polygamy And Marriage In Article Cumulative Religious Court of Malang. (Case Study Case No. 786 / Pdt.G / 2010 / PA.Mlg)* Thesis. Subject Al-Ahwal Al-Syakhshiyyah. Faculty of Sharia. State Islamic University Maulana Malik Ibrahim Malang. Supervisor: Faridatus Suhadak, M.HI

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**Keywords:** *Polygamy, Affirmative Marriage, Cumulative*

In Case number 786 / Pdt.G / PA.Mlg discusses polygamy between the permit application with DJ SW, SW polygamy because the DJ was not able to meet the biological needs of the husband as DJ claimed to have menopause, therefore SW polygamys siri with SF. Then the case number 786 / Pdt.G / PA.Mlg discuss marriage between SW confirmation by SF with the aim to obtain a birth certificate for the child from the SW with SF. Therefore, researchers are interested in the case, because in the case of case number 786 / Pdt.G / PA.Mlg have granted permission for polygamy while isbath marriage was rejected. Judge combines the suit called cumulation..

In this study using the problem as a basis for consideration council of judges in check and fix the license application rejected sanctions polygamy and marriage in the case of cumulative number 786 / Pdt.G / 2010 / PA.Mlg. Then, the Judges council in the background incorporates the number 786/Pdt.G/2010/PA.Mlg.

In this research, researchers used a type of empirical research, with a qualitative approach, the data need not be quantified. The location of the study is Religion Court Malang. Data sources have done through interviews and documentation as a primary source, book reference as secondary data and dictionary as tertiary data. In the analysis data, the researchers describe the results of interviews, which were adapted to the verdict.

The results of this study concluded that Judge Grant Permission Considerations Policy and Reject Affirmative Marriage Polygamy in this case number 786 / Pdt.G / 2010 / PA.Mlg accordance with juridical basis that is Marriage Law No. 1 of 1974, and accordance with Islamic Law Compilation. The last, the background why judges combine these two things, because the judge wants to apply principle of quick, simple, low cost.