

ABSTRAK

Penelitian ini bertujuan untuk mengetahui faktor-faktor apakah yang melatarbelakangi terjadinya perkawinan di bawah umur di wilayah Kabupaten Demak dan juga Apa dasar pertimbangan hakim Pengadilan Agama Kabupaten Demak dalam penetapannya “mengabulkan permohonan dispensasi nikah” selama tahun 2016. Hasil penelitian di Pengadilan Agama Demak menunjukkan bahwa permohonan dispensasi nikah di Kabupaten Demak semakin meningkat setiap tahunnya, pengajuan dispensasi nikah tersebut banyak terjadi karena beberapa faktor, diantaranya karena orang tua, pergaulan, ekonomi, budaya, dan pendidikan. Dasar pertimbangan hakim dalam memberikan penetapan berdasarkan peraturan perundang-undangan yang berlaku yaitu Undang-Undang Nomor 1 Tahun 1974 mengenai Perkawinan, Kompilasi Hukum Islam, Peraturan Pemerintah No 9 Tahun 1974 dan pertimbangan hakim yang berdasarkan fakta-fakta yang diperoleh dari bukti-bukti yang diajukan.

Kata Kunci: Dispensasi Perkawinan, Di Bawah Umur, Penetapan Pengadilan Agama

ABSTRACT

This study aims to determine what factors underlie the occurrence of underage marriages in the district of Demak and also What is the basis of the judges consideration of the District Court of Demak in the establishment of "granting the application of marriage dispensation" during the year 2016. The results of research in the Religious Court Demak show that the application for marriage dispensation in Demak Regency is increasing every year, the submission of marriage dispensation is mostly due to several factors, such as parents, association, economy, culture, and education. The basis of judges' consideration in giving stipulation based on the prevailing laws and regulations is Law Number 1 Year 1974 concerning Marriage, Compilation of Islamic Law, Government Regulation No. 9 Year 1974 and judge judgment based on the facts obtained from the evidence submitted

Keywords: Dispensation of Marriage, Underage, Determination of Religious Courts