

## **ABSTRACT**

Marriage cancellation can occur because of various reasons, one of which is falsification of identity. While in the 1974 Marriage Act No. 1, it does not explained in detail about the cancellation of marriage due to non-fulfillment of marital terms.

This study aims to determine the process of proof and basic legal considerations used by judges in deciding the cancellation of marriage in Religious Courts and to know the legal consequences for husband and wife resulting from the cancellation of marriage in the Religious Court.

This study uses a sociological juridical approach with a descriptive analytical research. This study takes place in the Religious Courts. In addition, source data come from primary and secondary data, and data analysis used is qualitative with data collection techniques using interviews and document studies.

This research is about marriage between Wife and Husband as opposed to the 1974 Law of Marriage No.1 and Compilation of Islamic Law. This study aims to determine the process of proof and basic legal considerations used by judges in deciding the cancellation of marriage in the Religious Courts and to know the legal consequences resulting from the cancellation of marriage in the Religious Courts. 1) The proofing process is in Article 1866, on the evidence recognized in civil events. The basic legal considerations used by judges are contained in Article 27 of the 1974 Marriage Law No.1 and Article 72 of the Compilation of Islamic Law. 2) The legal consequences for husband and wife resulting from the cancellation of marriage is the marriage becomes invalid and both return as before or as if there has never been a marriage, then automatically the marriage is broken. The canceled marriage did not get the divorce certificate, only received a verdict that the marriage has canceled.

**Keywords:** Marriage Cancellation, Marital Cancellation Requirements, Consequences of Marriage Cancellation