



## Itsbat Marriage For Parents Who Die And The Legal Consequences (Case Study: Ruling Of The Kajen Religious Court Number: 1059/Pdt.G/2022/ PA KJN)

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### ABSTRACT

*A marriage is valid if it is registered in the state, and as proof of a valid marriage. If it is not registered, you must submit an application for marriage registration to the court. So what happens when the parents of their marriage die, and what are the legal consequences? The research method is empirical juridical, the objects are court decisions and interviews. The interview used was a guided interview. The data used are primary data (interviews), secondary data (reference books and laws), and tertiary data (websites relevant to the research). Marriages whose parents have died can submit an application to the Religious Court. Submitting a marriage certificate is a contentious matter. Not all requests for marriage itsbat will be granted. The legal consequence of the decision being granted is that the Petitioner can apply for the registration of his parents' marriage to the state; The applicant can make a birth certificate stating the name of his biological father; The applicant has a civil relationship with his biological father and his biological father's family; The applicant received rights to his biological father's property. For court decisions other than being granted, the rights as stated in the decision cannot be granted.*

**Keywords:** Marriage certificate, parents, death

## 1. INTRODUCTION

Marriage or Marriage is a social contract recognized by the state, religious authority, or both. Another definition states that marriage is a formal bond between a man and a woman who are legally recognized as husband and wife. In the Indonesian context, marriage is regulated by the state through Law of the Republic of Indonesia Number: 1 of 1974 concerning Marriage. (Fatimah et al., 2021) Family law refers to the general provisions governing legal relations between blood relatives and families resulting from marriage. (Miqat et al., 2023) Apart from that, marriage is an important event in human life which gives rise to legal consequences both in the relationship between the parties entering into the marriage themselves, as well as with other interested parties. If the marriage produces offspring, a legal relationship will arise between the parents and the child. (Kahar, 2017)

Marriage is a natural relationship between a man and a woman, which in Islam is called mitsaaqon gholiidhan to submit to Allah's commands as well as a form of love. Marriage is directed at understanding a household life that is sakinah, mawaddah, and rahmah. (Prahasti Suyaman, 2022)

Another definition related to marriage or marriage is contained in the provisions of Article 1 of Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage which reads:

"Marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the belief in the Almighty God."

Thus, a marriage must comply with the provisions of religious law and state law. According to Article 7 paragraph (1) of the Compilation of Islamic Law (KHI), marriage for people married according to Islamic law can only be proven by a Marriage Certificate made by a Marriage Registrar Officer. (Faizah Bafadhal, 2014)

Not all marriages between husband and wife can be called valid marriages, because not all husband and wife fulfill the requirements for a valid marriage. A legal marriage is a marriage that is carried out based on belief or belief, and is registered by the state (for those who are Muslim it is recorded at the Religious Affairs Office (KUA), while for non-Muslims it is recorded at the Civil Registry Office). This has been firmly regulated in the provisions of Article 2 paragraph (1) and paragraph (2) of Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage. The reason why marriage is important must be recorded by the state, namely as proof of the validity of the marriage; to guarantee the rights of husband and wife and their descendants in the event of a divorce, including the right to inheritance or retirement; and to protect children's rights, such as making birth certificates, processing passports, and inheritance rights. (Pengadilan Agama Tigaraksa, n.d.)

The legal consequences for husband and wife whose marriage is not registered by the state will have legal consequences in the form of an invalid marriage, the marriage will have no legal force. Even children born from an invalid marriage will suffer impacts, such as their civil relationship is only with the mother and her mother's family, the child and the child's biological mother cannot inherit property from their biological father if the biological father dies. If a husband and wife want their marriage to be considered valid, then the husband and wife must submit an application for marriage registration to the Religious Court. Applications for marriage registration submitted to the Religious Courts are marriages carried out in accordance with the methods and provisions of Islamic law. Children who are born from an unlawful marriage will have an effect, such as not having the name of their biological father on their civil documents, the child is a child out of marriage. Because the child is a non-marital child, the child will not receive the right to inherit from his biological father's property when his biological father dies, so *itsbat nikah* is very important for children born from unregistered marriages. If the marriage is not legalized by the court (*itsbat nikah*), then the property of the biological father who passed away will be the right of the biological father's family only, and the extra-marital child will not get the property of the biological father who passed away as long as the child does not legalize the marriage to the Religious Court (*itsbat nikah*) and register at the relevant Religious Affairs Office (KUA). So what if the child wants to legalize the marriage of his parents who have died? Considering the importance of legalizing marriage and the impact of a legal marriage. Based on the matters above, the author will carry out research with the title *Itsbat Marriage for Parents Who Die and the Legal Consequences* (Case Study: Kajen Religious Court Decision number: 1059/Pdt.G/2022/PA KJN).

## 2. METHOD RESEARCH

In conducting this research, the author used empirical juridical methods. An empirical juridical approach is called field research, namely examining applicable legal provisions and what happens in reality in society. (Suharsimi Arikunto, 2012) Empirical juridical research is research carried out on actual conditions or real situations that occur in society with the aim of knowing and finding the facts and data needed, after the required data is collected it then leads to identification of the problem which ultimately leads to solving the problem. (Bambang Waluyo, 2002) The research specifications carried out in this research are analytical descriptive research. Descriptive analytical research is research that aims to describe a problem in a certain area or at a certain time. Researchers try to reveal the facts as completely as possible and as they are. (Suteki, 2018). The data used by the author is primary data and secondary data. Primary data is empirical data obtained directly from sources by using a list of interview questions that are asked directly to obtain data related to applications for marriage validation. The secondary data used is in the form of statutory regulations, reference books, court decisions, while the tertiary data uses relevant sources from websites. From this interview, things will be known related to the factors in submitting an application for legalization of marriage. The data collection technique used in this research is interviews with related parties who have a relationship/correlation with the main problem of this research. (Soemitro Ronny Hanitijo, 1988). The data collection technique used in this research is interviews with related parties who have a relationship/correlation with the main problem of this research. The interview technique for this researcher uses a guided interview technique, namely an oral dialogue in which the interviewer has prepared or brought a complete and detailed list of questions. (Soemitro Ronny Hanitijo, 1988). This research focuses on marriages carried out according to Islamic law/religious provisions, so that the object of the research is the decision of the Kajen Religious Court located in Pekalongan Regency, Central Java Province regarding the issue of submitting applications for legalizing marriage or what is usually referred to as marriage *itsbat*.

### 3. RESULTS AND DISCUSSION

#### 3.1 Results

##### **Submission of Application for Itsbat Marriage for Parents Who Have Died**

In this research, the author focuses on marriage for Muslims. Marriage registration is also known as marriage isbat. Itsbat Nikah is an application for legalization of marriage submitted to the court to declare the marriage valid and has legal force. (Pengadilan Agama Selayar, 2024)

Marriage registration for people who have died can take the form of submitting an application for registration of marriage isbat which can be submitted by one of the parties, namely the husband or wife who is still alive, and can be submitted by the children of the husband and wife who have died. (Wawancara Kuasa Hukum pada perkara nomor: 1059 /Pdt.G/2022/PA Kjn, 2024)

This marriage registration is carried out for marriages that have not been recorded in the register book at the Office of Religious Affairs (KUA) in the area where the husband and wife in question carried out a religious marriage or what is usually called a sirri marriage, and marriages that were carried out before the issuance of Law of the Republic of Indonesia Number 1 of 1974 regarding marriage. However, there are still marriages that have not been registered after the issuance of Law of the Republic of Indonesia Number 1 of 1974 concerning marriage. For example, at the Kajen Religious Court, Pekalongan Regency, Central Java Province, in 2022 there will be approximately 25 (twenty five) cases of applications for legalization of marriage / itsbat nikah, in 2023 there will be approximately 88 (eighty eight) cases. (KJN, 2024)

Applications for itsbat marriages still occur today for the following reasons (Ghani Abdul, 2017):

- a. The marriage occurred before the enactment of Law No.1 of 1974;
- b. Because the marriage was not registered by the marriage registrar (marriage registrar's negligence);
- c. The marriage certificate was lost while the data at the KUA was no longer archived;
- d. Due to sirri marriage, the reasons for sirri marriage include:
  - 1) Marriage abroad, for example in the Holy Land.
  - 2) Contract marriage
  - 3) The groom is still bound by marriage (polygamy),
  - 4) The groom does not have a clear identity, either because he is an immigrant or a foreigner,
  - 5) The bride does not have the blessing of her parents or guardian,
  - 6) The groom—there are also women—only wants to obtain sexual satisfaction, not with the aim of forming a sakinah family,
  - 7) The bride is the deceased widow of a civil servant who does not want to lose her pension,
  - 8) The bride is still a minor or even a child (pedophile),
  - 9) For trafficking purposes, because marriage is the easiest way to take girls away from their families.

The provisions of the articles of law which form the juridical basis for Religious Courts to carry out itsbat marriages are the explanation of Article 49 paragraph (2) number 22 of Law Number 7 of 1989 concerning Religious Courts and Article 7 paragraph (2) and paragraph (3) letter d Compilation Islamic law. Meanwhile, these two provisions limit marriages that can be applied for itsbat to the Religious Court to only marriages that took place before the enactment of Law Number 1 of 1974 concerning Marriage. However, because the marriage isbat is really needed by the community, the Religious Court judge carries out "ijtihad" by deviating from this, then grants the request for the marriage itsbat based on the provisions of Article 7 Paragraph (3) letter e Compilation of Islamic Law (Ghani Abdul, 2017).

The parties who are allowed to apply for a marriage itsbat are husband, wife, children, parents/guardians. (Pengadilan Agama Selayar, n.d.) If the husband and wife are still alive, then the husband and wife become the Petitioners for submitting an Application for legalization / itsbat of marriage to the Religious Court. (Pengadilan Agama Selayar, n.d.)

The application for legalization of marriage / itsbat marriage submitted by a child born from a serial marriage of parents who have died is a contentious matter, not a voluntary case because there is another party who is the Respondent when submitting the application for validation of marriage / itsbat marriage to the Religious Court.

Itsbat nikah is the validity of a marriage performed according to Islamic religious law, but not registered by the KUA or authorized marriage registrar (Decree of the Chairman of the Supreme Court of the Republic of Indonesia Number KMA/032/SK/2006 concerning Guidelines for the Implementation of Duties and Judicial Administration). An unregistered marriage could be because the marriage was carried out before Law number 1 of 1974 concerning marriage (Ghani Abdul, 2017). In this research, the application for legalization of marriage was

submitted because the marriage of the applicant's deceased parents was carried out before the existence of the Marriage Law, which occurred in 1958.

Provisions of statutory articles that form the juridical basis for the Court The religion for carrying out itsbat marriage is the explanation of Article 49 paragraph (2) number 22 Law Number 7 of 1989 concerning Religious Courts and Article 7 paragraph (2) and paragraph (3) letter d Compilation of Islamic Law (Ghani Abdul, 2017). Apart from that, there is an additional provision, namely Article 7 Paragraph (3) letter e Compilation of Islamic Law, namely if the marriage is requested to be solemnized there are no obstacles to marriage as regulated in Law Number 1 of 1974 concerning Marriage, the Religious Court will grant it application for a marriage itsbat even if the marriage was carried out after its entry into force Law no. 1 of 1974 concerning Marriage (Ghani Abdul, 2017).

Based on Book II of the Guidelines for the Implementation of Duties and Administration of Religious Courts on page 44, it is regulated that if the husband and wife have died, then the marriage can be submitted to itsbat marriage by the child born from the marriage and placing the father's relative/family as the Respondent, as well as the request contentious in nature, where the court product is a decision.

Another party who is the Respondent is a party from the family of the Petitioner's deceased biological father (a child born from a serial marriage of parents who have died). The child born from the serial marriage of his deceased parents becomes the Petitioner (representing his deceased biological mother). The reason why the other party is the Respondent in submitting an application for legalization of marriage/itsbat nikah is as a consideration for approval of the marriage of the Petitioner's parents who have died.

The application for marriage itsbat in this research was submitted to the Religious Court, and submitted by the child resulting from the marriage, this is based on Article 7 paragraph (2) of the Compilation of Islamic Law (KHI) which reads:

"In the event that the marriage cannot be proven by a Marriage Certificate, the marriage itsbat can be submitted to the Religious Court."

Article 7 paragraph (4) of the Compilation of Islamic Law (KHI) reads:

"Those who have the right to submit an application for marriage registration are the husband or wife, their children, the marriage guardian and parties interested in the marriage"

The process for submitting an application for legalization of marriage / itsbat nikah at the Religious Court is as follows (*Wawancara Kuasa Hukum pada perkara nomor: 1059 /Pdt.G/2022/PA Kjn, 2024*) :

## 1) Registration

- a) Make an application for legalization of marriage / marriage certificate (6 copies);
- b) Photocopy of the Applicant's Resident Identity Card (KTP);
- c) Photocopy of the Applicant's Birth Certificate;
- d) Photocopy of the Applicant's Family Card;
- e) Certificate from the local village regarding the marriage of the Applicant's/Petitioners' parents, containing the date of marriage, names of guardians, witnesses and dowry, as well as the status of the Applicant's/Applicants' parents at the time of marriage (Original and Photocopy);
- f) Certificate from the Religious Affairs Office (KUA) regarding the failure to register the marriage of the Applicant's parents in the Religious Affairs Office (KUA) register (original and photocopy);
- g) Certificate of family tree of the Applicant's/Petitioners' parents;
- h) Photocopy of Resident Identity Cards (KTP) of 2 witnesses;
- i) Pay case down payment fees;
- j) Points letters a to h use A4 size paper;
- k) Points a to g are photocopied, stamped 10,000 and postmarked (leges);

If the Petitioner/Petitioners use a Legal Attorney from the start, then registration can be done via the Legal Attorney's e-court account of the Supreme Court of the Republic of Indonesia, and all files (power of attorney and files as listed in points a to h) are scanned and uploaded via e-court account. Hardfile files can be submitted on the day of the trial. However, the power of attorney and application for legalization of marriage / marriage certificate must be registered first at the One Stop Integrated Service (PTSP) counter before the hearing begins. After registering the petition, the Petitioner/Petitioners as well as their legal representatives and the Respondent will receive a letter of acceptance of summons to the hearing from the religious court bailiff. (Nasokha 2024)

## 2) Trial Process

The process of examining, adjudicating and deciding cases regarding applications for itsbat marriages (marriages based on the Islamic religion) falls under the authority of the religious courts (article 49 of Law Number 3 of 2006 concerning amendments to Law number 7 of 1989 concerning Religious Courts). The procedural law that applies in examining, adjudicating and deciding cases submitted to the Religious Courts is regulated in Articles 54 to 64 of Law number 7 of 1989 concerning Religious Courts. The following is the flow of the marriage itsbat trial process:

- a) The Petitioner/Petitioners along with their Legal Representative (if using a Legal Attorney), and the Respondent are present on the appointed hearing day ;
- b) The Applicant/Petitioners will be asked by the Panel of Judges the reason for submitting the application for legalization of the marriage/itsbat of the marriage of their deceased parents, and whether they will submit changes to the application letter;
- c) The Respondent will be asked by the Panel of Judges regarding the petition submitted by the Petitioner/Petitioners. Whether the Respondent has any objections or not. If there is an objection, the Respondent must provide reasons for the objection and must be able to prove the reasons for the objection;
- d) After the Petitioner/Petitioners and Respondent have finished being questioned, the evidence will continue;
- e) If there is no objection from the Respondent, then it is sufficient for the Petitioner/Petitioners to provide evidence. The registration requirements files will be checked and compared with the original files by the Panel of Judges. Then proceed with the examination of witnesses;
- f) The witnesses presented are witnesses who have personal knowledge (seen, heard, and/or experienced for themselves) the events related to the Petitioner's/Petitioners' petition. There were 2 (two) witnesses presented;
- g) After the evidentiary examination is complete, it continues with the conclusion. The final agenda is the deliberation of the Panel of Judges which will later be read out at the court hearing attended by the Petitioner/Petitioners or their legal representatives and the Respondent or their legal representatives;

If the application for legalization of the marriage/itsbat marriage is granted, then the Petitioner/Petitioners or their legal representatives can apply for registration of the marriage of the Petitioner/Petitioners' parents to the relevant Religious Affairs Office (KUA), and carry out the legal interests of the Petitioner/Petitioners as long as it is still related to the petition case. legalization of the marriage/itsbat marriage proposed by the Petitioner/Petitioners.(Hafifi 2024)

From the description above, the researcher is of the opinion that there are 2 (two) types of applications for legalization of marriage (itsbat nikah), namely voluntary and substantive. For those whose marriage is carried out based on the Islamic religion, the application for marriage itsbat is submitted to the Religious Court. In this research, the application for itsbat marriage submitted by the Petitioner as a child born from an unregistered marriage is a contentious case because the application for itsbat filed by a child born from an unregistered marriage mentioned above has a party who is the Respondent (from the biological father's family). Petitioner), and was submitted to the Religious Court because his parents' marriage was carried out based on the Islamic religion and during the marriage no one changed religions, and the court product was in the form of a decision, where the decision could be submitted for legal appeal and cassation. Meanwhile, a voluntary case must be filed by the husband and wife concerned who wish to legalize their marriage, and the court product is in the form of a decree, where the decree cannot be submitted to legal action.

That marriages that can be submitted for registration to the Office of Religious Affairs (KUA) are marriages for which a marriage registration application is submitted and the application is granted. If the request is not granted, then the marriage submitted for marriage registration cannot be submitted for registration at the Office of Religious Affairs (KUA), so that children born in unregistered marriages will still be illegitimate children and will not receive inheritance rights from their biological father who is submitted for legalization of the marriage.

This is based on Book II Guidelines for the Implementation of Duties and Administration of Religious Courts on page 144 (guidelines for the marriage isbat application process)(Anas Mohammad, 2024),

## **Legal Consequences of Court Decisions Regarding Marriage Isbat Applications for Parents Who Have Died**

The function and position of marriage registration according to Bagir Manan is to guarantee legal order which functions as an instrument of legal certainty, legal convenience, in addition to being a means of proof of marriage(Haffi 2024). Thus it can be concluded that legal marriage has a very important position.

Researchers are of the opinion that the court decision regarding the application for marriage registration submitted by the Petitioner/Petitioners has a great influence on the fate of the marriage of their deceased parents and the fate of the children born from that marriage. This is because it concerns the status of a child who was originally an illegitimate child who can become a legitimate child if the decision is granted, and the status of a child regarding the assets of his biological father who was previously unable to inherit will now have inheritance rights if the decision is granted.

However, for decisions that are not granted, the child's status is still an illegitimate child (not a legitimate child) and the child still does not have inheritance rights from his biological father who died.

Below the author will convey several types or kinds of court decisions regarding an application. The following are the types/kinds of court decisions and the legal consequences of submitting an application for legalization of marriage/itsbat for the marriage of parents who have died, namely:

### **1) Dismissal Decision**

An invalid decision is a decision handed down because the plaintiff did not attend the hearing on the appointed day after being legally and officially summoned by the court bailiff. In this decision the judge can declare that the Plaintiff's lawsuit is invalid and the Plaintiff is sentenced to pay court costs. (Magister Ilmu Hukum Pascasarjana Universitas Medan Area n.d.)

In connection with the application for legalization of marriage / itsbat marriage for parents who have died, if the decision in the case is declared void, then the application cannot be submitted to the relevant Religious Affairs Office to have the marriage recorded in the marriage register book.

From these results, the researcher is of the opinion that the proposed marriage is not granted, the marriage is invalid, the offspring cannot have a lineage/civil relationship with their biological father, the offspring cannot make a birth certificate with the father's name included, and the offspring do not have the right to inherit his biological father's assets if his biological father dies.

### **2) Verstek Decision**

Namely the decision handed down by the judge if on the first day of the trial that has been determined, the Defendant does not attend the trial without a valid reason even though he has been legally and officially summoned by the court bailiff. Regarding this verstek decision, the Defendant can submit a verzet.(Magister Ilmu Hukum Pascasarjana Universitas Medan Area n.d.)

If the verstek decides on a marriage itsbat application, there are two possibilities, namely the application is granted or the application is rejected. If granted, the Petitioner or Petitioners can apply for registration of the marriage of their deceased parents to the relevant Religious Affairs Office (KUA). If it has been registered at the relevant Religious Affairs Office (KUA), then the marriage in question is valid, the child as the Petitioner/Petitioners can make a birth certificate including the name of their biological father, the child as the Petitioner/Petitioners has a lineage/civil relationship with the father. biological father, and the child as the Petitioner/Petitioners has the right to inherit the property of his biological father if the biological father dies.(Nasokha 2024)

### **3) Judgment rejected**

The decision was rejected because the plaintiff was deemed unsuccessful in proving the arguments of his claim.(Omy Tri Aryani 2022) If the decision is rejected, the Petitioner/Petitioners cannot apply for registration of the marriage of their parents who have died, so the marriage of their parents is invalid, the Petitioner/Petitioners only have a civil relationship with their biological mother and their biological mother's family, and the Petitioner/Petitioners cannot the right to inherit from the biological father's property if the biological father dies.

### **4) Decision cannot be accepted / Niet Ontvankelijke Verklaard (N.O)**

The Niet Ontvankelijke Verklaard (N.O) decision is a decision which states that the lawsuit cannot be accepted because it contains formal defects.(M. Yahya Harahap 2017) In the book Civil Procedure Law by M. Yahya, lawsuits contain formal defects, for example formal defects in the power of attorney, error in persona, obscuur liebel, premature, ne bis in idem, formal defects regarding jurisdiction or competence to judge (absolute and/or relatively).(M. Yahya Harahap 2017)

#### 5) The lawsuit decision is granted

The decision on the lawsuit is granted. According to civil procedural law expert, M. Yahya Harahap, the granting of a lawsuit is provided that the arguments of the lawsuit can be proven by the plaintiff according to the evidence as regulated in Article 1865 of the Civil Code ("Civil Code") / Article 164 Het. Herzien Inlandsch Reglement ("HIR"). Whether this lawsuit is granted, some are granted in part, some are granted in full, is determined by the considerations of the panel of judges. (Hura n.d.)

Regarding the decision of the lawsuit which is granted, the Petitioner/Petitioners can apply for registration of the marriage of their deceased parents in the register book of the relevant Religious Affairs Office (KUA), the Petitioner/Petitioners can make a birth certificate including the name of their biological father, the Petitioner/Petitioners can the right to inherit the property belonging to his biological father if his biological father dies, and all legal interests that are still related to the application for legalization of the marriage/itsbat marriage submitted by the Petitioner/Petitioners.

### 3. 2 Discussion

Based on this research, the settlement of the application for itsbat marriage for deceased parents examined, tried, and decided by the Kajen Religious Court in case number: 1059/Pdt.G/2022/PA KJN is in accordance with applicable laws and regulations. The decision of the Kajen Religious Court case number: 1059/Pdt.G/2022/PA KJN has fulfilled a sense of justice, expediency, and legal certainty for the Parties in the case. The author will describe these matters as follows:

First, the sense of justice in the decision, which fulfills a sense of justice for the parties (applicant and respondent), so that no one-sidedness or legal remedies can arise from the decision.

Second, the sense of expediency of the decision above brings benefits to the parties (applicant and respondent). Especially regarding the rights of the Petitioner as a child born from the marriage of a deceased parent in the case, so that the Petitioner gets benefits in the form of being able to take care of the marriage registration of his deceased parents, change the birth certificate to include the name of his biological father, and the Petitioner can take care of his parents' property as well as possible and not misdirected.

Thirdly, as a form of legal certainty, namely that the marriage of the Applicant's parents could be registered at the Religious Affairs Office concerned, so that the marriage of the Applicant's parents became legal and the Applicant obtained his rights as a child of his biological father.

### 4. CONCLUSION

Based on the description above, it can be concluded as follows:

The function and position of marriage registration according to Bagir Manan is to guarantee legal order which functions as an instrument of legal certainty, legal convenience, in addition to being a means of proof of marriage. (Hafifi, 2024).

Marriage registration is very important so that the marriage is considered valid. If a husband and wife cannot prove their marriage, then the husband and wife must submit a request for marriage registration to the Religious Court, where the religious court falls under the jurisdiction of the Religious Affairs Office (KUA) where the husband and wife will register their marriage.

Not all requests for marriage itsbat submitted to the Religious Court will be granted, but there are several possibilities, such as the lawsuit being withdrawn, the decision being dismissed, the decision being rejected, the decision not being accepted. If the court's decision is granted, then the Petitioner/Petitioners who are the children of the marriage whose marriage registration is submitted will have legal consequences, namely:

- a. The marriage of parents who have died can be registered at the Religious Affairs Office (KUA), and the marriage is considered valid;
- b. The Applicant/Petitioners as children of the marriage whose marriage certificate is being submitted can make a deed including the name of their biological father;
- c. The Petitioner/Petitioners, as children of the marriage whose marriage certificate is submitted, have the right to inherit the property of their biological father if their biological father dies;

Meanwhile, if the lawsuit is withdrawn, the decision is dismissed, the decision is rejected, the decision is not accepted, the legal consequences will be as follows:

- a. The marriage in question cannot be recorded in the register book of the Religious Affairs Office (KUA), and the marriage is considered invalid;

- b. The Petitioner/Petitioners as children of the marriage whose marriage certificate is being submitted cannot make a deed including the name of their biological father;
- c. The Petitioner/Petitioners, as children of the marriage whose marriage certificate is being submitted, cannot inherit the right to inherit the property of their biological father if their biological father dies;
- d. The Petitioner/Petitioners as children of the marriage whose marriage certificate is being submitted only have a family/civil relationship with the biological mother and the biological mother's family;
- e. If the Petitioner/Petitioners as the children of the marriage whose marriage certificate is being submitted are female, then their biological father cannot be the guardian of their biological father when they get married. Must use a marriage guardian from the Office of Religious Affairs (KUA);

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