

ABSTRAK

INCE JIHAN FAJRIANI N(105261137520) “Implementasi Dispensasi Kawin Di Pengadilan Agama Kelas IB Mamuju Sulawesi Barat Tahun 2021-2022”. (Dibimbing oleh Hasan Bin Juhanis dan Muh. Chiar Hijaz) Penelitian ini bertujuan untuk mengetahui gambaran permohonan dispensasi kawin di Pengadilan Agama Kelas IB Mamuju Sulawesi Barat tahun 2021-2022 serta mendeskripsikan dasar pertimbangan hakim dalam menetapkan permohonan tersebut.

Penelitian ini menggunakan metode deskriptif kualitatif dengan jenis penelitian lapangan. Data primer diperoleh melalui wawancara dan observasi langsung di Pengadilan Agama Kelas IB Mamuju, sedangkan data sekunder diperoleh dari literatur terkait.

Hasil penelitian menunjukkan bahwa pada tahun 2021 terdapat 39 permohonan dispensasi kawin dengan 33 dikabulkan, sedangkan pada tahun 2022 terdapat 42 permohonan dengan seluruhnya dikabulkan. Alasan utama permohonan adalah hamil di luar nikah, kekhawatiran orang tua, dan pergaulan bebas. Pertimbangan hakim dalam mengabulkan permohonan dispensasi kawin didasarkan pada kepentingan terbaik bagi anak sesuai dengan PERMA No. 5 Tahun 2019, yang menekankan pada hak hidup dan tumbuh kembang anak, serta penghargaan atas pendapat anak.

Kata Kunci: Pernikahan, Dispensasi Kawin, Pengadilan Agama, PERMA.

ABSTRACT

INCE JIHAN FAJRIANI N(105261137520) "Implementation of Marriage Dispensation in the Class IB Religious Court of Mamuju, West Sulawesi, 2021-2022". (Supervised by Hasan Bin Juhanis and Muh. Chiar Hijaz) This study aims to provide an overview of marriage dispensation applications in the Class IB Religious Court of Mamuju, West Sulawesi, in 2021-2022 and to describe the judges' considerations in granting these applications.

This research uses a qualitative descriptive method with a field research approach. Primary data were obtained through interviews and direct observations at the Class IB Religious Court of Mamuju, while secondary data were obtained from related literature.

The results of the study show that in 2021 there were 39 marriage dispensation applications, with 33 being granted, while in 2022 there were 42 applications, all of which were granted. The main reasons for the applications were premarital pregnancy, parental concerns, and free social interactions. The judges' considerations in granting the marriage dispensation applications were based on the best interests of the child in accordance with PERMA No. 5 of 2019, which emphasizes the child's right to life and development, as well as respect for the child's opinion.

Keywords: Marriage, Marriage Dispensation, Religious Court, PERMA.