

ABSTRACT

CASE STUDY ON DETERMINATION OF JUDGMENT ABOUT PREGNANCY FOR PREGNANCY OUTSIDE OF WOMEN IN THE BANTUL RELIGION COURT

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This research was motivated by increasing number of cases proposed for marriage dispensation that is submitted at the Bantul Religious Court (PA Bantul). In 2018 applications for marriage dispensation amounted to 78 cases. Nearly 90% of marriage dispensation cases were ignored by the Panel of Judges caused by pregnancy out of wedlock. so that researchers want to study and analyze the contents of the decision of the Bantul Religious Court Judge regarding the dispensation of marriage because of being pregnant out of wedlock whether the arguments used by the Judge are appropriate or not and try to find a new law in overcoming the problem of conceiving out of wedlock so that not many people take lightly this problem especially this is a great sin.

This study uses a qualitative approach. Data collection methods used by researchers are: first, literature study in this case Judge Decision in case number 233/ Pdt.P/ 2018/PA.Btl. and the second is conducting an interview session with the judge who decides. The data analysis technique used is content analysis, namely in-depth research on the content of information.

The results of this study are based on the contents of the judge's decision in case number 233 / Pdt.P / 2018 / PA.Btl that the judge gives a marriage dispensation to the Petitioner's child to marry his future husband by proposing to marry both of them better to avoid greater mafsadat. The solution to reduce marriage dispensation rates due to pregnancy out of wedlock is to reinforce the law of dispensation that is in the law and to establish coordination or cooperation between agencies related to marriage such as KUA(religious Affairs office) and PA(religious courts)to provide legal understanding to the community through socialization and community development.

Key Word: *Marriage Dispensation, Married By Accident, Determination of Judge, Solving of Married By Accident*