

Bukti Korespondensi

“Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective”

by: Rohmadi

1. Naskah Submit (18 Februari 2024)

The screenshot shows the submission page for article #22597 in the el-Usrah journal. The page has a green header with the journal's name and a navigation menu. The main content area is divided into a left sidebar with tabs for SUMMARY, REVIEW, and EDITING, and a main content area. The SUMMARY tab is active, showing the submission details. The title is "Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective". The authors are Rohmadi Rohmadi, Zezen Zainul Ali, Fajar Apriani, Helena Octavianne, and Cindera Permata. The submission date is February 18, 2024, at 10:50 PM. The editor is Nadhilah Filzah. The right sidebar contains a list of links for the editorial team, reviewers, focus and scope, author guidelines, publication ethics, open access policy, peer review process, online submissions, indexing, journal statistics, and contact. At the bottom right, there is a CiteScore 0.4 for 2023.

el-Usrah
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#22597 Summary

SUMMARY REVIEW EDITING

Submission

Authors: Rohmadi Rohmadi, Zezen Zainul Ali, Fajar Apriani, Helena Octavianne, Cindera Permata
Title: Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective
Original file: 22597-64573-2-5M.DOCX 2024-02-18
Supp. files: None
Submitter: rohmedi Rohmadi
Date submitted: February 18, 2024 - 10:50 PM
Section: Articles
Editor: Nadhilah Filzah
Author comments: Dear Editor of El Usrah Journal

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0.4 2023 CiteScore

2. Naskah Review (06 Juni 2024) Naskah Revisi (25 Juni 2024)

The screenshot shows the review page for article #22597 in the el-Usrah journal. The page has a green header with the journal's name and a navigation menu. The main content area is divided into a left sidebar with tabs for SUMMARY, REVIEW, and EDITING, and a main content area. The REVIEW tab is active, showing the review details. The title is "Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective". The authors are Rohmadi Rohmadi, Zezen Zainul Ali, Fajar Apriani, Helena Octavianne, and Cindera Permata. The section is Articles. The editor is Nadhilah Filzah. The right sidebar contains a list of links for the editorial team, reviewers, focus and scope, author guidelines, publication ethics, open access policy, peer review process, online submissions, indexing, journal statistics, and contact. At the bottom right, there is a SCOPUS Citation Analysis showing a CiteScore of 0.4 for 2023, with a 28th percentile. The page also includes an ARTICLE TEMPLATE section with a link to the Journal Template.

#22597 Review

SUMMARY REVIEW EDITING

Submission

Authors: Rohmadi Rohmadi, Zezen Zainul Ali, Fajar Apriani, Helena Octavianne, Cindera Permata
Title: Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective
Section: Articles
Editor: Nadhilah Filzah

Peer Review

Round 1

Review Version: 22597-64574-2-RV.DOCX 2024-06-03
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Last modified: 2024-06-22
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Reviewer B: 22597-68960-1-RV.DOCX 2024-06-09

Editor Decision

Decision: Revisions Required 2024-06-22
Notify Editor: Editor/Author Email Record 2024-07-01
Editor Version: 22597-68451-1-ED.DOCX 2024-06-03
Author Version: 22597-70178-1-ED.DOCX 2024-06-25 DELETE
Upload Author Version: Choose File No file chosen Upload

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SCOPUS
Citation Analysis

ARTICLE TEMPLATE
Journal Template

El-Usrah: Jurnal Hukum Keluarga
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3. Naskah Terbit (01 Juli 2024)

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ID	MM-DD SUBMIT	SEC	AUTHORS	TITLE	STATUS
22597	02-18	ART	Rohmadi, Ali, Apriani, Octavianne,...	JUDGES' CONSIDERATIONS IN GRANTING MARRIAGE DISPENSATION...	Vol 7, No 1 (2024): EL-USRAH: Jurnal Hukum Keluarga

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Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective

Rohmadi Rohmadi, Zezen Zainul Ali, Fajar Apriani, Helena Octavianne, Cindera Permata

Abstract

Setelah diamandemen, UU Perkawinan menyatakan adanya keadaan mendesak untuk memperoleh dispensasi nikah dari pengadilan. Namun dalam hal ini Undang-Undang tidak menjelaskan secara rinci kriteria-kriteria yang dianggap mendesak sehingga hakim sebagai orang yang mengetahui hukum (Ius Curia Novit) bertugas menafsirkannya dengan ijtihad. Tujuan penelitian ini adalah untuk mengetahui ijtihad hakim dalam menafsirkan Pasal 7 ayat 2 UU Perkawinan No. 16 Tahun 2019 dan mengetahui metode yang digunakan hakim dalam memutus perkara dispensasi nikah. Pendekatan yang digunakan untuk menganalisis permasalahan ini adalah pendekatan yuridis empiris. Pendekatan yuridis digunakan untuk mengkaji pasal-pasal peraturan-undangan yang mengatur tentang dispensasi nikah yaitu Undang-undang Nomor 1 Tahun 1974. Kemudian digunakan pendekatan empiris untuk mengungkap urgensi perkara dispensasi nikah menurut hakim pengadilan. Hasil penelitiannya hakim menafsirkan situasi yang mendesak dengan penafsiran yang sistematis, yaitu dengan kaidah dan norma hukum baik agama maupun negara berdasarkan teori penafsiran hukum. Selanjutnya dalam memutus perkara dispensasi nikah, hakim menggunakan metode kajian hukum Islam istisnā dengan berpindah dari Kulliyah ke Juz'iyah.

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