

## **Hak anak sebagai ahli waris dalam perwakinan siri : kajian putusan nomor 329K/AG/2014**

Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20406754&lokasi=lokal>

---

### **Abstrak**

The Decision Number 329K/AG/2014 on case of cassation claimed by AM to the Supreme Court is a legal action taken to get hold of the 'itsbat' of her siri marriage with Almarhum M and fulfillment of her son's MIR status and inheritance rights from Almarhum M. In fact, the consideration of the judges on the decision to deny the claim is thought-provoking. The issues are discussed in the analysis concerns about how the judges' consideration and the implication of the decision number 329K/AG/2014 are, as well as alternative legal resolution to other similar cases. This analysis applies to normative legal research methods, and through by critical-analytical literature-based research. Data collecting are done by documentation and qualitative analysis. The analysis of the problem is divided into three sections: the analysis of the decision, the polemic of siri marriage, and several suggested legal alternatives. To conclude, firstly, the Supreme Court declines the 'isbat' of the marriage Law of 1974, and thus MIR has failed to obtain his rights of inheritance from the deceased Almarhum M; secondary, as the solution, the alternative legal resolution that could be pursued is the renewal of the regulation regarding the issue of 'itsbat' of marriage through judicial review of the letters a number 22 in the the Elucidation of Article 49 Paragraph (2) of the Religious Courts Law of 2006, or the judge may give 'wasiat wajibah.'