

## ABSTRACT

ILHAMIANNUR 190211050099 Divorce Lawsuit and Legal Action for Husband's Negligence in Fulfilling the Rights of His Wife and Children at the Banjarmasin Class IA Religious Court." Thesis, Department of Family Law, Postgraduate Antasari State Islamic University Banjarmasin, 2023 academic supervisor: (1) Prof. Dr. H. Fathurrahman Azhari, M.H.I (2) Dr. Hj. Wahidah, M.H.I

**Keywords:** Divorce, Wife's Rights and Legal Action

This research stems from the problem of the high divorce rate, especially contested divorce in Banjarmasin, but there are still many wives' rights that are not fulfilled due to husbands' negligence without clear legal action. This research aims to determine the phenomenon of contested divorce in the Banjarmasin Class IA Religious Court; know the fulfillment of the wife's rights according to the law at the Banjarmasin Class IA Religious Court; and know the legal action for the husband's negligence in fulfilling obligations at the Banjarmasin Class IA Religious Court.

This research is empirical research. Namely by taking a qualitative approach presented in the form of narratives and descriptions.

The results of the research show that, 1) for divorce cases in cases of husband's negligence in fulfilling the rights of his wife and children at the Banjarmasin Class IA Religious Court, data for the last 4 years, the number of divorce cases for lawsuits is greater than the number of divorce cases for divorce. The causal factors are communication problems that are no longer in line, economics, infidelity. In fulfilling the rights of wives and children, the Banjarmasin Class IA Religious Court, based on SEMA number 5 of 2021, has opened a way for wives to claim their rights and at the same time submit a request for confiscation of their husband's belongings in order to guarantee the fulfillment of the rights of wives and children after divorce. . However, things often don't go according to expectations, where in the end many women and children who are victims of divorce experience difficulties, especially in economic and emotional problems. 2) Legal action for the husband's negligence in fulfilling the husband's obligations in fulfilling his obligations explicitly does not yet exist but the idea that would like to be developed is blocking population services at the Ministry of Home Affairs, blocking passport services at Immigration, blocking account disbursement services which are under the supervision of the Services Authority Finance (OJK), Blocking of SKCK processing, perhaps even renewal of SIM and STNK at the Police, Blocking of BPJS participation, Automatically the office treasurer can make deductions from salaries and income of civil servants, TNI, Polri and/or company employees, Liability claims for negligent parties based on NPWP by the Directorate General of Taxes.