

CHAPTER I

INTRODUCTION

A. Background

Every human being who lives together in a marriage bond surely hopes that their family can walk harmoniously and always be blessed by God Almighty. The same thing as stated in Law No. 1 of 1974 on Marriage, that: “Marriage is a union between a man and a woman as a husband and a wife with the intention to build a family (household) which is happy and everlasting based on God”. In achieving a happy family, the efforts are taken based on their abilities of each family. However, many families fail to achieve a harmony, which is a divorce that they never expected. Because marriage has the intention that a husband and wife can make a long-lasting family, then an action that results in a termination of marriage must really be considered and well thought out. This provision is intended to prevent divorce multiple times, so that the husband and wife really respect each other.

The number of divorces of Civil Servant (PNS) in Ciamis has increased during last two years. An average of 10 households of Civil Servants working in Ciamis ended in divorce every month. In the interval of less than one month the number of Civil Servants in Ciamis was increased by 150%.¹

¹ Rizal Nurdiana, “Jelang Ramadhan, Jumlah PNS Cerai di Ciamis Melonjak”, June 24th, 2015, www.wartapriangan.com/jelang-ramadhan-jumlah-pns-cerai-di-ciamis-melonjak, accessed in Yogyakarta on October 2015 at 08.30 am.

Until June 4th, 2015 there were 50 cases of divorces among Civil Servants, 19 days later the number was increased drastically to 134 cases. From 134 divorce cases among Civil Servants in Ciamis, around 70% were divorces by petitions or wives who sued for divorce and 30% were divorced by *talak*. Most of them work as teachers.

Employment Board and Regional Training (BKDD) of Ciamis noted that there are 99 civil servants who were divorced in 2013. They consisted of 63 women and 36 men of civil servants. Among 63 women civil servants who sued her husband for divorce, 75 percent are elementary school teachers. While until February 2014, there were 20 civil servants who got divorced.²

Many of Civil Servants (PNS) as a married couple (hereinafter referred to couples) do not recognize that many couples face problems that could threaten the marriage. They are thinking short and not able to resolve by kinship, so they take the short way that is divorce. They do not think much about the consequence of divorce, both for their children and their work.

² Budi Prasetyo, "Tingkat Perceraian PNS di Ciamis Memprihatinkan", March 24th, 2014, www.tribunnews.com/regional/2014/03/24/tingkat-perceraian-pns-di-ciamis-memprihatinkan, accessed in Yogyakarta on October 2015 at 08.00 am.

B. Problem Formulations

Based on the problems I have described above, the formulation of the problem in this study are

1. What are the factors that cause divorces among teachers as Civil Servants in Ciamis Religious Court?
2. What is the judges consideration in deciding divorce cases among teachers as Civil Servants in Ciamis Religious Court?

C. Purposes of Studies

The purposes of this study are 1) Objective Purpose is to know the factors that cause divorce among teachers as civil servants in Ciamis Religious Court and the judges consideration in deciding divorce cases among teachers in Ciamis Religious Court 2) Subjective Purpose is the result of this study is expected to provide benefits for the researchers in order to increase the knowledge of Civil Law, especially with regard to Factors that Cause Divorce among teachers in Ciamis Religious Court.

D. Benefits of Studies

1. Practical Benefits

For researchers especially for the teachers as Civil Servants this study is an experience between the theories which has been obtained in the course with the practice in the field. And evaluation materials for society, educators and others to be able to implement the values or the basics of religious understanding

and law understanding to the society. In addition, this study also provides information and a new discourse about Ciamis Religious Court.

2. Theoretical Benefits

This research was conducted to develop the field of research, especially in the field of Civil Law.