

Analisis perbandingan pengaturan dan isi perjanjian perkawinan Indonesia dengan Jerman = Comparative analysis on regulation and content of marriage agreement between Indonesia and Germany

Reyhan Arsyaputra, author

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Abstrak

[Penelitian ini membahas perbandingan pengaturan dan isi perjanjian perkawinan menurut hukum Indonesia dan Jerman, dengan melakukan analisis langsung terhadap peraturan di Indonesia yaitu KUH Perdata dan Undang-Undang No. 1 Tahun 1974 Tentang Perkawinan, serta peraturan di Jerman yaitu Bürgerliches Gesetzbuch (BGB) atau yang juga disebut sebagai German Civil Code. Penelitian ini bersifat yuridis normatif dengan metode pengolahan dan analisis data yang menggunakan pendekatan kualitatif. Pada ketiga peraturan ini terdapat beberapa perbedaan yang mendasar dalam hal pembuatan perjanjian perkawinan. Hasil penelitian ini menunjukkan bagaimana pengaturan dan penerapan dalam perjanjian perkawinan di Indonesia dan Jerman, yang bertujuan untuk memperbaiki pengaturan terhadap perjanjian perkawinan di Indonesia.

.....This research studies the comparative analysis on regulation and content of marriage agreement between Indonesia and Germany, by conducting direct analysis pursuant to Indonesian Law namely KUHPerdata and Law No. 1 Year 1974 regarding Marriage, and regulation in German Law namely Bürgerliches Gesetzbuch (BGB) or German Civil Code. This is a normative juridical research with the method of data process and analysis using a qualitative approach. On these three regulations, there are fundamental differences in terms of making the marriage agreement. The research points on how the regulation and implementation of the marriage agreement in Indonesia and Germany, which aims to improve the regulation on marriage agreement in Indonesia.

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