

DIVORCE CAUSED BY HYPERSEXUAL PSYCHOLOGICAL DISORDERS IN HUSBAND

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Abstract: *The family itself was initially formed through a marriage between a man and a woman who was considered feasible. One of the purposes of marriage is the fulfillment of the biological needs, yet this biological needs fulfillment can be a problem when one party is suffering from hypersex. In the case of divorce numbered 350/PDT. G/2014/PA.JB. that happened in Religion of West Jakarta Court, the wife as the Plaintiff felt it was not capable of serving the biological desire of her husband that ultimately give rise to conflict in their marriage life. the case is decided in verstek by the judge because the defendant i.e., husband of the plaintiff is not present in the trial even though it was called officially and worth. Based on the results of the research, the psychological disorders hypesex as the reason for the divorce is not set explicitly in the Act of marriage, Islamic Law Compilation, nor the Government Rules No. 9 Year 1975. However, in this case the judge considers that the hypersex psychological disorders lead to continuous conflict and the conflict resulted in the defendant leave plaintiff. Consideration of the judge in the court decision that has complied with the provisions concerning the grounds for divorce are set forth in article 19 Government Regulation No. 9 years 1975 and section 116 Islamic Law Compilation, so that the judge has the right judges grant a divorce lawsuit plaintiff filed. In addition the verdict which decided in verstek by the judge had in accordance with existing procedures and his lawsuit is not against the rights so that is in compliance with existing provisions in article 125 of HIR.*

Keywords: *Divorce, Hypersexual, Verstek*

Case Study on the Decision of the West Jakarta Religious Court No. 350 / Pdt.G / 2014 / Pa.Jb About Divorcement that Caused by Hyper sexuality Psychological Disorders on the Husbands According to Islamic Law and Civil Procedure Law

Introduction

Humans are social creatures who in their lives must need each other. It has become human nature to live together with other humans; living together must be preceded by the existence of a family. The family itself was originally formed through a marriage between a man and a woman who according to the law is considered appropriate. 1974 was the beginning of the formation of the unification of marriage marked by Law Number 1 of 1974 concerning Marriage (hereinafter referred to as Marriage Law). Before the coming into force of the Act in Indonesia, there are various kinds of regulations governing

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marriage for community groups, ranging from customary law to religious law (Ashsubli, 2015: 290).

Marriage in a positive Indonesian legal order is regulated in Law Number 1 of 1974 concerning Marriage, hereinafter referred to as Marriage Law. According to Article 1 of the Marriage Law, marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of form a happy and everlasting family (home) based on a supreme God. The Marriage Law states that a marriage is considered valid if it is in accordance with the respective religious law. So that the law in force in marriages carried out by Indonesian citizens is the religious law and their respective beliefs. Marriage in Islamic teachings is called "marriage" which means making a contract or agreement to bind oneself between a man and a woman and justify the relationship sex between the two, on the basis of mutual love, without coercion and mutual agreement for the realization of a happy family (Soemiyati, 1986: 15).

The purpose of the marriage according to the Marriage Law is to form a happy and everlasting family (household) based on the almighty deity, while according to Article 2 of the Compilation of Islamic Law the purpose of marriage is to form a *sakinah, mawadah, warohmah* family. In achieving the goal of marriage the life of a husband and wife must be at peace, calm, there is a relationship of mutual love and good rights and obligations.

Various attempts have been made to prevent divorce from occurring by each party's family. However often unsuccessful, so the last resort is to break the marriage cord, with take legal action in the form of divorce. Divorce is never expected by whomever and the causes of divorce seem just show up, not expected and not easily avoided that causes between husband and wife disputes and quarrels continue (Adnyana, 2013: 148).

One of the goals of marriage is to prevent immorality and keep it from lust (Hadikusuma, 2007: 22). The temptation of lust arises from biological desires which are natural traits and cannot be separated from human life as explained in Surah Ali Imran verse 14 which means: "Beautifully made to (human's) view of love for what is desired, Namely: women, children, wealth of many kinds of gold, silver, choice horses, farm animals and farm fields. That is the pleasure of living on earth, and with Allah is a good place to return (heaven)."

Biological desires and lust is a natural trait from humans and is a normal thing if it can be channeled in a healthy and reasonable manner, but there are also people who make such unnatural or excessive relationships which are also known as hyper sex. Hyper sexuality is excessive sexual behavior and can be classified as abnormal. Hyper sex is a term that refers to a desire to engage in sexual activity that is considered to be very high and can cause serious stress or problems to the perpetrators and their closest people. This is considered a psychological disorder characterized by hyperactive sexual desire, excessive obsession with sex, and low sexual barriers. People who suffer from hyper sex never feel satisfied during sex, despite having an orgasm (Low, 2006: 21).

This hyper sex problem can affect the continuity and harmony in marriage, this is caused because of the emergence of these behaviors will definitely arise dissatisfaction in fulfilling the biological desires of those who suffer from hyper sex, while on the other hand feel they can no longer serve

the excess desires. Therefore, dissatisfaction with fulfilling this biological desire can cause a rift in the household.

In the divorce case number 350 / PDT.G / 2014 / PA.JB which occurred at the West Jakarta Religious Court, the wife as the plaintiff felt that she was unable to serve the excessive biological desires of her husband, which in turn caused disputes and disunity in the husband's relationship.

At the beginning of the marriage in 2012 this marriage went harmoniously, but a year later in 2013 the wife felt that she was no longer able to serve the biological needs of her husband. This resulted in a fight between husband and wife which resulted in the husband often escaping from his residence in a long period of time, and finally the wife filed for divorce and was granted in a versatile manner by the West Jakarta Religious Court judges.

A hypersexual psychological disorder suffered by the husband causes the husband wants an intimate relationship as often as possible (American Psychiatric Association, 2012: 823). This disorder will cause discomfort to the wife and ultimately interfere with harmony in living the household ark, but in this case the panel of judges decided the case in verstek because the defendant namely the plaintiff's husband was not present at the trial or did not represent even though it was officially called and proper This means that the defendant who has the disorder does not have the opportunity to prove or defend the disorder. In principle, judges must treat both parties equally. This means that litigants must be equally considered, entitled to equal and fair treatment and each must be given the opportunity to give their opinion (*audi alteram partem*). in addition, the verdict on divorce indeed accelerates the settlement of a problematic marriage but on the other hand has a negative influence on one of the ideals of marriage, namely the principle of complicating divorce.

Analysis and problem solving in this case is to use descriptive-analytical methods, namely by describing the facts of some data, by taking a juridical-normative approach by reviewing and applying the rule of law and legal regulations relating to marriage, joint assets, lawsuits and divorce. The technique used is the study of literature and drawing conclusions from the results of research that has been collected is done using qualitative-juridical methods.

Legal Issues

Based on the description in the background, then there are legal issues that will be further discussed are as follows:

1. How is the judge's consideration in the decision of the West Jakarta Religious Court No. 350 / Pdt.G / 2014 / PA.JB which granted divorce due to the husband having psychological hypersexual disorders leaving his family in accordance with Islamic Marriage Law?
2. How is the case of the West Jakarta Religious Court No. 350 / Pdt.G / 2014 / PA.JB which was decided technically by the judge in accordance with the Civil Procedure Code?

Discussion

Judges' Considerations in West Jakarta Religious Court Decision No. 350 / Pdt.G / 2014 / PA.JB Who Granted the Divorce Lawsuit Because Her Husband Who Had Psychological Hypersexual Disorders So That Leaving

Her Family In Terms Of Islamic Marriage Law. Divorce or *talaq* is an act that must be a last resort in solving problems in domestic life, because the legal consequences of divorce itself will not be pleasant for the husband, wife and especially children. Divorce in Islam is an abominable act because it is permissible but hated by Allah, this is explained in the *hadith* narrated by Abu Daud and Ibn Majah from Ibn Umar where the Messenger of Allah said "Something that is lawful that is hated by Allah is divorce "Therefore the law of divorce itself in Islamic law is *makruh* (Hadikusuma, 2007: 152).

Marriage divorce according to Islamic law can be caused by death and divorce (divorce, *khuluk*, *fasakh*, due to *syiqaq* and violation of *ta'liq talak*). Divorce which can be dropped by husband to wife is divorce one, divorce two and divorce three. According to Islamic Law the justified reason for a husband to drop divorce is because the wife commits adultery, *nusyuz* (out of the house and is suspicious), likes to get drunk, gambles and or does something that disturbs the peace in the household, or other reasons that do not allow house coaching harmonious and peaceful stairs (Syarifuddin, 2006). According to T. Jafizham by quoting opinions of experts from various groups and the nation establishes that marriage is a good and regular bond of friendship in a happy household. Hazairin said that the essence of a marriage is sexual relations. According to him no there is marriage if there is no relationship sexual. Ibrahim Hosen defines marriage as a money contract with him be lawful sexual relations between men and woman. More explicitly marriage too can be defined as sexual relations (Zulkifli, 2019: 15).

The things that have been stated above are the divorce that the husband dropped on the wife, on the contrary the wife can also file for divorce from the husband through the court, with the following reasons:

1. The husband has violated the *ta'lik talak* or other agreement he said when the marriage contract.
2. *Khuluk*, the wife asks for divorce by paying *iwadl* money (divorce is often called *Talak Tebus*).
3. *Fasakh*, the wife submits a request for divorce because of a husband's illness (crazy, leprosy, impotence, etc.), a poor husband or a missing husband.
4. *Syikak* (quarrel), the wife proposes divorce because between husband and wife there is always a fight

The reasons for divorce itself are actually regulated in positive Indonesian law. These arrangements are contained in Article 19 Government Regulation No. 9 of 1975 which has the following contents, divorce can occur due to reasons:

1. One party commits adultery or becomes a drunkard, compactor, gambler, etc. which is difficult to cure;
2. One party leaves the other party for 2 (two) consecutive years without the permission of the other party and without any valid reason or for any other reason beyond its ability;
3. One of the parties received a sentence of 5 (five) years in prison or a more severe sentence after the marriage took place;
4. One party commits atrocities or severe persecution that endangers the other party;
5. One of the parties has a bodily disability or disease with the result of not being able to carry out their obligations as husband / wife;

6. Between husband and wife, there are continual disputes and quarrels and there is no hope of living in harmony again in the household.

According to the Marriage Law in Indonesia, the principle of divorce is difficult. Apart from the rules that divorce can only be obtained conducted before a court hearing, after the court concerned tried and failed to reconcile the husband and wife who will divorce, and the provisions of divorce are also included can only be done if there is a reason or justifying factors for divorce and divorce must be based on a limitative reason (Risa, 2018: 704). In addition to Article 19 of Government Regulation No. 9 In 1975, the reasons for divorce were also set out in Article 116 of the Compilation of Islamic Law with the following contents, divorce can be due to reasons or reasons:

1. One party commits adultery or becomes intoxicated, stuffed, gambling, etc., which is difficult to cure;
2. One party leaves the other for two (2) consecutive years without the consent of the other and without lawful excuse or for any other reason beyond its capacity;
3. Either party is sentenced to 5 (five) years imprisonment or a heavier sentence following the marriage;
4. One party commits cruelty or cruelty to the other;
5. Either party has a disability or illness as a result of not being able to fulfill its obligations as husband or wife;
6. Between husband and wife there is a constant strife and strife and no hope of living in peace again;
7. Husband infringes on the takedown;
8. The apostate religious transition that led to domestic unrest.

In the matter of divorce between the defendant and the plaintiff in the West Jakarta Religious Court, the plaintiff in the suit alleges that between the defendant and the plaintiff had been married since February 12, 2012 which was later recorded by the marriage registrar of the religious affairs office of the district of South Tangerang, and later settled. in the West Jakarta area. The defendant and plaintiff have been married for so long but have not had children. At first the plaintiff life and the defendants life was happy, but since August 2013 the happiness has begun to wane as the defendant has an affective disorder (hypersexual), the dependent has not made a living since February 2012 but has earned enough income and the plaintiff often leaves dependent on time long ago when there was a fight between the two.

The plaintiff in his pos it reasons for his divorce as follows:

1. That, on February 12, 2012, the Plaintiff with the Defendant had a marriage registered by the Registrar of Religious Affairs of Pamulang District Religious Affairs Office, South Tangerang City pursuant to Collection of Marriage Act No: xxxxxxxx dated February 13, 2012;
2. That, after marriage the Plaintiff and Defendant reside in the same house as the above address;
3. That in the marriage the Plaintiff and the Defendant had been mixed (*ba'da dukhu*) just as their husbands were but had not been given offspring;

4. That the domestic life of the plaintiff and the Defendant has been harmonious, but since August 2013 the harmony of the Plaintiff with the Defendant has begun to decline, due to: Defendant has physical contact (Hypersexual); Defendant has not given Plaintiff a living since February of 2012, without giving a clear reason for Defendant's reasonable income; Defendants often leave Plaintiff for a long time when Plaintiffs and Defendants contend.
5. That, in September of 2013, Plaintiff and Defendant went to Plaintiff's biological sister to seek a resolution regarding her family's problems, but the attempt was unsuccessful, and since then Plaintiff has left Plaintiff in Plaintiff's siblings' home until now without the reasons are clear and valid and the Defendant has never returned and never reported and does not know the exact address of the Republic of Indonesia (*Ghoib*);

The plaintiff in his petite the following:

1. Grant the plaintiff's lawsuit;
2. Divorce the Plaintiff's marriage to the Defendant for divorce;
3. Charge the matter in accordance with applicable law.

In his testimony, the plaintiff filed a proof-of-copying photocopy of the Marriage Act which was originally issued and was issued a document issued by the KUA District of Pamulang, South Tangerang City on February 13, 2012 and the second instrument was the witness who was the biological sister of the plaintiff and the defendant. In addition, the plaintiff has also filed his lawsuit with the defendant's supernatural affidavit issued by East Cengkareng Village, Cengkareng District, West Jakarta City, on January 8, 2014, as the defendant is no longer aware of his whereabouts and the summons was made through the mass media (Article 27 PP No 9 of 1975).

The Magistrates' Court of the West Jakarta Religious Court has issued a verdict in the following cases:

1. State the Defendant who has been formally called and is due to appear at the absentee hearing;
2. Grant the Plaintiff's lawsuit with verbal;
3. Drop one shughra bottle from Defendant to Plaintiff;
4. Require the Registrar of the West Jakarta Religious Court to send a copy of this decree which has been in force to the Registrar of Religious Affairs Office of Cengkareng District, West Jakarta City and Registrar of Marriage Office of the Religious Affairs Office of Pamulang District, Tangerang Regency, for inclusion in the list provided for it;
5. Charges the Plaintiff to pay for the costs of the matter up to the amount of Rp. 416,000, - (four hundred and sixteen thousand rupiahs);

Judging by the verdict it can be seen that although the matter was decided verbally, the essence of the lawsuit was granted. The plaintiff's lawsuit for the marriage to be terminated by divorce, in the judgment of the judge, can be waived by reason of the fact that divorce is usually a matter of dispute and a continuing dispute and one party leaves the other for two (2) consecutive years without the consent of the other and for no legitimate reason or for anything beyond its capacity. Although the dispute was originally due to a hypersexual disorder which the plaintiff was experiencing and the plaintiff was not comfortable and could no longer serve the

defendant, in this case the dispute was not the cause of the divorce but the dispute arising as a result of the misconduct. The plaintiff's departure leaves the plaintiff unaware of his whereabouts as the reason for the divorce.

The disagreement is actually avoidable, as hypersexual disorders themselves can be dealt with by a psychologist. Because this disorder is initially caused by repeated bad habits, such as masturbation in front of pornographic videos, it causes the hypersexual brain to become addicted to dopamine, a substance responsible for pleasure (Tirto.id, 2018). According to psychologists the authors found this disorder to be treated with hypnotherapy or with CBT (Cognitive Behavioral Therapy). CBT itself is one of the branches of psychotherapy that aims to change the mindset (cognitive) processes and behaviors of people who practice therapy. During this therapy, the client will meet with the therapist to dig into the root of the problem. Subsequently, clients and therapists will work together to change the client's mindset and behavior toward the target. Moreover, the habit of the plaintiff is to leave the plaintiff in the event of a dispute is actually one of the mechanisms of self defense that is naturally formed and the shape of the individual varies (Nurul, 2018).

In this case neither party is pursuing a course of therapy, so a dispute arises because the plaintiff feels disturbed and uncomfortable at the request of the defendant's excessive bodily relations, which is contrary to Islamic law which obliges the husband to gently relinquish his wife and not injure his wife. Forging intimate relationships, as described in the Quranic An-Nisa verse 19 which reads: "O you who believe, it is not lawful for you to pass on the women by force and do not trouble them because you want to take away some of what you have given them unless they commit a vile act. And deal with them in a good way. If you don't like them then you can hate something when Allah does so much good to them. "

In Islamic law marriage is not just a matter of biological enjoyment; according to Ar-Rum verse 21 the purpose of marriage is to form a united family, *mawaddah*, *warrahmah*. In this case because the plaintiff is uncomfortable and threatened then the purpose of the marriage of peace (peace) and spirit (love) is not fulfilled (Cece, 2018). In addition to having no descent, the underlying reason for their divorce is the Domestic Violence. Most of the research subjects experienced it. Also, it is because the husband left them for years as happened on some research subjects. This is justified in The Legislations of Indonesia (Nurhasanah, 2017: 195).

Based on what has been presented above, the author agrees with the verdict of the Magistrates' Court granting the plaintiff's motion to divorce the defendant. The reasons for the divorce filed by the plaintiff are in accordance with the provisions of Article 19 of Regulation No. 1 In 1975, Article 116 of the KHI and if viewed from the Islamic Law's point of view, the divorce was justified because the plaintiff did not support the plaintiff despite his ability and the marriage was broken due to the alleged hypersexual causing disputes between the plaintiff and the plaintiff. In addition, the purpose of the marriage is *sakinah* (peace) and spirit (love) are not fulfilled in this marriage, because in the marriage the plaintiff has been uncomfortable and threatened by the psychological disorders experienced by the defendant.

West Jakarta Religious Court Case No. 350 / Pdt.G / 2014 / PA.JB which was Sent In Verstek By Judges Judging From Civil Procedure Law.

Cases in court generally can differentiate into two, namely the case according to the provisions of the material law must file with a petition and a case must be filed with suit / lawsuit. The word case in the general sense is a problem faced by legal subjects to be resolved legally. In the understanding of civil procedure law, a case is defined as a problem / issue of rights which being disputed, by the parties at submit to court if it cannot be resolved by consensus agreement and they demand it to be severed in the hope of obtaining justice, obtaining legal certainty and benefits. If a right has been questioned, then there are the parties begun to question neglected obligations or talk of losses for events or a legal relationship that doesn't work as it should be (Sanyoto, 2009: 169).

According to the provisions of civil procedure law which is in force today Dutch inheritance law in the form *Herziene Indonesisch Reglement* (HIR S.1848 No.16, S.1941 No.44) and the *Bugengewesten Rechtreglement* (RBG S.1927 No. 227) and the *Reglement op de Burgerlijke rechtsvordering* (RV S.1847 no. 1847, S.1849 No. 63), that if Defendants who have been properly summoned to attend the hearing on that day has been determined in accordance with Article 121 paragraph 1 HIR / 145 RBG then the judge can decide the case with verstek. Summons to litigants are conducted by a bailiff or bailiff substitute with submit summons /relies. On when calling Defendant, must be submitted also a copy of the lawsuit, with told him that if he wanted, he could answer it in writing (Article 121 paragraph(2) / 145 paragraph (2) RBG). Calling done must meet and talk directly with the person called on the spot residence / residence (Article 118 HIR / 142RBG) (Sanyoto, 2009: 169). In accordance with Article 125 of the Code, verstek on condition that:

1. Defendant was not present at the first hearing and did not represent any other person to attend, and his absence was not for legitimate reasons;
2. Defendant has been formally called and deserves to attend the first trial;
3. Defendant made no exceptions to authority;
4. Plaintiff was present at the hearing;
5. Plaintiffs appeal.

The terms contain the conditions that the defendant did not attend the first trial. Article 125 HIR does not specify that verstek was taken at the first trial. There is disagreement as to when the verdict will be dropped. Article 125 HIR states that a verstek may be dropped on the first day of trial, while Article 126 HIR states not only the first trial but the liberty to call the parties once again (Mertokusumo, 2006: 110). However, some experts including Harahap (2012: 389) explained that the meaning of Article 125 HIR verstek could be if the defendant was properly and properly called at the first hearing. If the Defendant has been properly and properly called on the first day of trial without a just cause, the judge can immediately apply the verstek, by striking down the verstek. The provisions of the Supreme Court Circular (SEMA) No. 9 of 1964 concerning the verstek in interpreting Article 125 HIR. In SEMA No. 9 of 1964 was explained because there are several interpretations about verstek, then the Supreme Court gave its opinion about it. The opinion of the Supreme Court regarding the interpretation of Articles 125 and 126 of the HIR is as follows. According to Article 125 HIR if the Defendant, even though he has been legally summoned, is not present, then the judge can:

1. Drop the verdict or verstek;

2. Postpone the examination (based on Article 126 HIR) with the order to summon the Defendant once more.
3. Then if in the case of sub. 2 defendants can no longer, then the judge can ruling a *verstek* verdict;
4. The opinion referred to in sub 3 is opposed on the grounds that in Article 125 HIR, the words "*tendagedenend*" are contained, which means "first trial day". But that reason is not strong, because the words "*teendagedenende*" can also mean "*ten dagedat de zaakdient*", and in this case "today" can mean not only the day of the first trial, but the day of the second trial and so on. Other than that, if the case is adjourned, as meant in sub.2, and the defendant is no longer present. Then the question arises: whether the judge's decision at the second trial was a contradictory decision? the question must be answered with "no", because the ruling did not meet *contradictio aliastegenspraak*. So the conclusion of what is described above is the verdict of *verstek* can be handed down at the second trial and so on.

In the divorce case between the Plaintiff and the Defendant it is known that the first hearing was scheduled for July 1, 2014. The divorce case was registered at the West Jakarta Religious Court on February 26, 2014. Before the trial was held, first a summons was made to the Defendant through a letter of voluntary dated March 3, 2014 and April 3, 2014 and the mass media due to the Defendant's clear and definite address in the territory of the Republic of Indonesia and the Plaintiff included a *ghoib* certificate from Cengkareng Timur Village Number: XXXXXXXX dated 08/01/2014.

During the first hearing dated July 1, 2014, the Defendant was absent and did not send his representative. Whereas the Plaintiff was present on the day of the trial the panel of judges immediately handed down the verdict. The submission of the verdict based on Article 125 HIR is that the defendant was absent on the day of the trial despite being properly and legally summoned to attend the trial, referred to as being properly and legally summoned under Article 388 HIR and Article 390 paragraph (1) HIR, namely that the summons was made in writing conducted by the bailiff, and also a summons is made at least 3 working days before the trial day as stipulated in article 122 of the HIR. As stated in the first letter of invitation, it was made on March 3, 2014 and the second call was made on April 3, 2014. Because the Defendant did not know the exact and definite address in the territory of the Republic of Indonesia (*ghoib*) and the Plaintiff has included a *ghoib* certificate from Cengkareng Timur Village, based on Article 27 PP No. 9 of 1975 the summons was carried out through the mass media.

On the day of the first hearing dated July 1, 2014, the Defendant was absent and did not send his representative nor did he submit an exception regarding the court's authority to handle the case both relatively and absolutely, so the judge would not first impose an interim decision. From what has been explained above, the dropping of the *verstek* case in the case was dropped on the first hearing day on 1 July 2014, and no recall was made as stipulated in Article 126 of the HIR. When the verdict was handed down on July 1, 2014 it could be justified because it was handed down on the day of the specified hearing, as for what was meant by "the day of the trial specified" according to Article 125 HIR jo. SEMA No. 9 of 1964 is the first trial day or other day after the summons was made under Article 126 HIR.

The judge's decision to decide upon *verstek* on the first trial day according to the author is correct because the Defendant himself has left the Plaintiff since September 2013 and his existence is unknown (*ghaib*) until now, besides the lawsuit from the Plaintiff argued and did not oppose the rights because the Plaintiff has managed to prove its argument through the evidence presented, one of which is witnesses who are *hakam* (peacemakers), elders from both sides.

Conclusion

From what explained in the discussion, the writer can conclude those: Consideration of the panel of judges in granting divorce suit in decision No. 350 / Pdt.G / 2014 / PA.JB is right because the reasons for divorce in the lawsuit filed by the Plaintiff are in accordance with the provisions regarding the reasons for divorce as regulated in 19 PP No. 9 of 1975 jo. 116 letters Compilation of Islamic Law and also in accordance with the reasons for divorce which are justified by the *Imams mahzab*. The marriage between the plaintiff and the defendant also cannot fulfill the purpose of the marriage in accordance with Islamic Law, because in his marriage the Plaintiff has lost his sense of security and feels threatened due to the hypersexual disorder suffered by the defendant and besides that the defendant has gone to leave the plaintiff until his domicile are unknown and do not provide for plaintiff. Judge's decision to decide upon divorce case No. 350 / Pdt.G / 2014 / PA.JB in *verstek* in the West Jakarta Religious Court is in accordance with the procedure for of *verstek* regulated in civil procedural law. This is because the provisions in 125 HIR and SEMA No. 9 of 1964 have been fulfilled. The judge handed down the verdict of the defendant who was absent or sent his representative on the appointed day, the summons was conducted properly and properly, and the suit did not violate rights. Because the defendant's domicile are unknown and clearly unknown in the territory of the Republic of Indonesia which was later proven by the plaintiff with his defendant's unseen certificate issued by the Eastern Cengkareng Urban Village, Cengkareng Sub-District, West Jakarta City, in the case of the summons, the Judges held 27 PP No. 9 of 1975 so that the summons was done through the mass media.

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