

Juridical Implications of Judges Decisions with Incorrect Legal Considerations (Analysis of Decision Number: 802/Pdt.G/2019/Pa.Pwt)

Dhyni Avilya¹, Astika Nurul Hidayah^{2*}

¹Bachelor of Law Studies Programme, Faculty of Law, Universitas Muhammadiyah Purwokerto, Indonesia

¹diniacp7@gmail.com, ²astikanurul87@gmail.com

Abstract

The Court's judgment is necessary. The Court must examine, resolve, and decide the case filed by the Court. However, there were court errors in the decision. This study aims to determine and analyze the law on the Judge's wrong legal consideration in the Ratio Decidendi theory and the juridical implications of the Judge's decision that misapplied the law in decision Number 2802/Pdt.G/2019/Pa.Pwt. The method used in this research is normative juridical, where the law is conceptualized as what is written in the legislation. The data source in this research uses secondary data. The data collection method in this research uses literature study, namely by collecting literature such as books, scientific journals, and primary legal materials to support this research, as well as identification and clarification of legal facts in the field by asking questions to sources that are by this research. Based on the results of the study and discussion of the legal analysis of the Judge's decision, which is wrong in its legal considerations in the Ratio Decidendi theory, namely the reasons that determine the decision formulated in the verdict. This part of the consideration cannot be separated from the verdict and has a legally binding force, which can be formulated as a legal rule. The legal impact of an incorrect decision in its legal considerations does not affect the ruling but is binding on the parties, provided that it is not appealed or cancelled.

Keywords: juridical implications; judge's decision; judge's consideration

Abstrak

Putusan yang dijatuhkan oleh pengadilan diperlukan guna memeriksa, menyelesaikan, memutuskan perkara yang diajukan pengadilan. Namun kemungkinan terdapat kekeliruan pada putusan. Penelitian ini bertujuan untuk mengetahui dan menganalisis hukum terhadap putusan hakim yang salah pertimbangan hukumnya dalam teori Ratio Decidendi dan implikasi yuridis putusan hakim yang salah menerapkan hukumnya dalam putusan Nomor 2802/Pdt.G/2019/Pa.Pwt. Metode yang digunakan dalam penelitian ini adalah yuridis normatif, dimana hukum dikonsepsikan sebagai apa yang tertulis di peraturan perundang-undangan. Sumber data dalam penelitian ini menggunakan data sekunder. Metode pengumpulan data dalam penelitian ini menggunakan studi kepustakaan yakni dengan mengumpulkan literatur seperti buku-buku, jurnal ilmiah, dan

*Astika Nurul Hidayah

Tel.: +62 812-2843-2008

Email: astikanurul87@gmail.com

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bahan hukum primer untuk mendukung penelitian ini serta identifikasi dan klarifikasi fakta hukum di lapangan dengan cara mengajukan pertanyaan kepada narasumber yang sesuai dengan penelitian ini. Berdasarkan hasil penelitian dan pembahasan analisis hukum terhadap putusan hakim yang salah pertimbangan hukumnya dalam teori Ratio Decidendi yaitu alasan yang menentukan untuk diambilnya suatu putusan tersebut yang dirumuskan dalam amar putusan. Bagian pertimbangan ini tidak dapat dipisahkan dari amar putusan dan mempunyai kekuatan mengikat secara hukum yang dapat dirumuskan sebagai kaidah hukum. Dampak hukum dari putusan yang salah dalam pertimbangan hukumnya tidak terlalu berpengaruh amar putusan, tetapi mengikat bagi para pihak dengan syarat tidak dimintakan banding atau batal.

Kata kunci: implikasi yuridi; putusan hakim; pertimbangan hakim

1. INTRODUCTION

A decision is a statement made by a judge as a state official pronounced before a trial to stop or resolve a case or dispute between parties with common interests. The Judge must provide appropriate and correct legal consideration in deciding because it is the basis for the Judge to impose a sentence on a person being tried. It is contained in written form, called a judge's decision, and read out in Court. Judges must consider legal truth, philosophical and sociological truths in deciding a case.¹ Before the decision is announced, the panel of judges considers what decision to make against the litigants. The panel of judges will make a decision based on primary considerations. Judicial review begins when the Judge announces the end of the review. The Judge who examines and decides the case then deliberates to arrive at a fair decision by the purpose of the law. There are two indicators that the panel of judges must consider. This is how the Judge uses his or her circumstances and conscience to clarify the facts based on the evidence presented in Court and decide the court law based on the individual's sense of justice, society, and the nation.²

¹ Yahya Harahap, *Civil Procedure Law on Lawsuits, Trials, Seizures, Evidence, and Court Decisions* (Jakarta: Sinar Grafika, 2005).

² *Ibid.*

Judges ask for evidence when hearing a case, and the evidence results are considered when deciding the case. Evidence is a step to seek certainty that an event or fact presented occurred to obtain an accurate and fair decision from the Judge. The judge cannot decide that an event or act happened before the truth is proven and the parties have a legal relationship.³ In essence, the Judge's consideration should also contain the following matters:⁴

- a. Issues are recognized as critical issues or arguments that need to be refuted.
- b. There is a legal analysis of the verdict of all parties on all the facts/matters proven in Court.
- c. All parts of the Plaintiff's petition must be considered/examined for the Judge to conclude whether the charges are proven and can be supported/unsupported in the verdict.

In decision number 2802/Pdt.G/2019/Pa.Pwt, the plaintiff, filed his lawsuit on November 27, 2019. The plaintiff and the defendant had entered into a valid marriage before a marriage registration officer on August 17, 2018, by the Marriage Certificate Excerpt Number: 0292/29/VII/2018 issued by the Religious Affairs Office on August 18, 2018. In the marriage, plaintiff and defendant were not blessed with children. After six months after the marriage, or precisely in February 2019, it was discovered that Defendant, before marrying plaintiff, already had a family and had married another woman. Plaintiff felt lied to by defendant by misrepresenting the status of Defendant, who claimed to be a virgin. Therefore, the plaintiff filed for marriage annulment by the provisions of Article 22 of Law Number 16 of 2019 concerning amendments to Law Number 1 of 1974 concerning marriage.

³ Bambang Sugeng Ariadi Subagyono, Johan Wahyudi, And Razky Akbar, "Kajian Penerapan Asas Ultra Petita Pada," *Yuridika* 29, No. 1 (February 23, 2014), <https://doi.org/10.20473/Ydk.V29i1.360>.

⁴ Salma Mursyid And Nasruddin Yusuf, "Changes In Marriage Age Limits And Marriage Dispensations: A Study Of Causes And Impacts On The Religious Courts In North Sulawesi," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, No. 2 (December 31, 2022): 975, <https://doi.org/10.22373/Sjhk.V6i2.12439>.

The Panel of Judges who tried and examined this case handed down a decision with the following ruling:

1. Accept and grant the annulment of the Plaintiff's marriage in its entirety;
2. States that the marriage between Plaintiff and Defendant on August 17, 2018, as recorded in the Marriage Certificate Excerpt Number: 0292/29/VIII/2018 issued by the Religious Affairs Office on August 18, 2018, is null and void because it violates the provisions of Article 22 of Law Number 16 of 2019;
3. Punish the Defendant/Head of the Religious Affairs Office to cross out and or delete in the marriage register between the Plaintiff and the Defendant;
4. Costs of the case according to law.

Previous research was researched by Antonius Tigor W⁵ with the research title "Judges' Legal Considerations (Ratio Decidendi) and Juridical Implications for Corruption Crimes Committed Continually (Study of Supreme Court Decision No. 866 K/Pid. Sus/2016)" with the results of the research, namely the absence of a continuing corruption crime in the consideration of the Supreme Court judge, making the judge's decision only imply that the corruption crime was committed continuously by the convict mentioned in the decision. Supreme Court Decision Number 866 K/Pid. Sus/2016 which has been based on a philosophical basis related to applicable laws and regulations can be one of the decisions that provide education and benefits to the community and especially in law enforcement in Indonesia. On the other hand, the absence of explicit corruption cases that continue in the consideration of Supreme Court Judges who have overturned court decisions at the previous level, creates a judge's negligence towards the legal certainty factor. The difference with previous research is in the analysis of different cases, previous research analyzed cases in the realm of criminal law while this study examined cases in the realm of family law or marriage.

⁵ Antonius Tigor W and Rehnalemken Ginting, "Judges' Legal Considerations (Ratio Decidendi) and Juridical Implications on the Criminal Acts of Continuous Corruption (Study of Supreme Court Decision No. 866 K/Pid. Sus/2016)," *International Journal of Multicultural and Multireligious Understanding* 8, no. 12 (December 3, 2021): 113, <https://doi.org/10.18415/ijmmu.v8i12.3186>.

Decision Number 2802/Pdt.G/2019/PA.Pwt legal considerations taken by the Judge are not based on the lawsuit. They were mainly related to *Hadhanah* Rights for the Plaintiff's child. However, the Plaintiff did not include *Hadhanah's* rights in her lawsuit. The case sitting stated that Plaintiff and Defendant 1 did not have children from their marriage, but the legal considerations taken by the Judge included childcare (*Hashanah*). Based on the background described above, the researcher is interested in raising research titled *Juridical Implications of Judges' Decisions that are Wrong in Applying the Law (Analysis of Decision Number: 2802/Pdt.G/2019 /PA.Pwt)*.

2. RESEARCH METHODS

The research method used in this research is normative juridical. The normative juridical research method examines the primary data, namely secondary data, namely laws and regulations. Researchers use two types of approaches, namely the Case Approach and the Statute Approach, to focus on specific topics and issues, such as wrong decisions in legal considerations. The data collection method used by the author in this research uses secondary data sources conducted through library research. This research will be analyzed using qualitative and quantitative analysis methods. Data is collected through direct interviews and associated with laws, regulations, and theories. Then, researchers produce conclusions and suggestions in sentences that are organized, sequential, logical, and not overlapping, and they understand the analysis results.⁶

3. RESULTS AND DISCUSSION

3.1. Legal Analysis of Judges Decisions That Are Wrong In Their Legal Considerations Based On The *Ratio Decidendi* Theory

According to judicial law, the Judge's consideration is the thought or opinion of the Judge in deciding by considering things that can alleviate or aggravate. Every

⁶ Ishaq, *Legal Research Methods and Writing Thesis, Thesis, and Dissertation* (Bandung: CV. Alfabeta, 2017).

Judge is obliged to issue Considerations or writing about the case being examined is integral to the decision. According to Article 53 of Law Number 48 of 2009 concerning Judicial Power, which is the legal basis for a judge in carrying out his duties to decide cases, this can be accepted by all parties and is subject to various existing legal considerations, known as legal reasoning.⁷ The Judge of Purwokerto Religious Court and the Registrar have made a decision Number 2802/Pdt.G/2019/PA.Pwt was pronounced in open session on Thursday, January 02, 2020, and was attended by Plaintiff's attorney without the presence of Defendant I and Defendant II. Considering all the provisions and regulations of the applicable laws and regulations and the arguments of share relating to this case, the contents of which are to adjudicate:

1. Granting the Plaintiff's claim;
2. Cancel the marriage between Plaintiff and Defendant I, which was conducted on August 17, 2018, at the KUA of East Purwokerto Sub-District, Banyumas Regency;
3. Stating that the Marriage Certificate Excerpt carried out at the KUA of East Purwokerto District, Banyumas Regency, is not legally valid;
4. The Applicant is charged Rp. 721,000.00 (seven hundred twenty-one thousand rupiah) for the costs of this case.

The judge discussed child custody and provided legal considerations based on witness testimony. in contrast to the case filed in the lawsuit by the plaintiff regarding the annulment of the marriage and one of the statements in the lawsuit at point two explained that the plaintiff and the first defendant after the marriage had had sexual intercourse (badha dhukul) but had not been blessed with children. furthermore, in his legal considerations in the decision, the judge considered that the plaintiff and the

⁷ Suwitno Y IMRAN and Apripari APRIPARI, "Determination of The Judges Freedom In Indonesia On The Straf Minimum Rules," Protection: Journal Of Land And Environmental Law 1, no. 1 (July 31, 2022): 5–11, <https://doi.org/10.38142/pjlel.v1i1.281>.

defendant have a legal relationship as (former) husband and wife who have been divorced and are blessed with a child, so that the plaintiff, as the biological mother of the child, has a legal position and interest to file a child custody claim against the defendant.

However, the fact is that the Plaintiff and the Defendant have no children with the Defendant. The Judge then handed down a verdict that was by the case that was sued by the Plaintiff as follows:

1. Accept and grant the annulment of the Plaintiff's marriage in its entirety;
2. Stating that the marriage between Plaintiff and Defendant I on August 17, 2018, as recorded in the Marriage Certificate Excerpt Number: 0292/29/VIII/2018 issued by Defendant II/Religious Affairs Office of East Purwokerto District, Banyumas Regency on August 18, 2018, is null and void because it violates the provisions of Article 22 of Law Number 1 of 1974;
3. Punish Defendant II/Head of the Religious Affairs Office of East Purwokerto Sub-District to cross out and or delete in the marriage register between Plaintiff and Defendant I;
4. Legal fees

From the above case, the author analyzes the decision Number 2802/Pdt.G/2019/Pa.Pwt with the *ratio decidendi* theory. *Ratio Decidendi*, or Judge's consideration, is the decision of the Panel of Judges based on material facts. Material facts play an important role because the Judge or the parties will look for a legal basis related to the facts of the case. Argumentation or consideration of judges in a legal consideration is known as *Ratio decidendi*. *Ratio decidendi* or *reasoning* is the Court's consideration of a decision, which is contained in the Judge's legal reasoning in a decision and is one of the benchmarks to determine the quality of a court decision. A decision that does not include the Judge's legal reasoning will cause the decision to be null and void. Finding *Ratio Decidendi* in a decision is usually found in certain

parts. To arrive at one of these decisions, the Judge must write down the reasons, namely the *Ratio Decidendi*. Indonesian law is included in the civil law system, and the *Ratio Decidendi* can be found in the consideration of the subject.⁸

A judge's decision in a case contains superficial considerations that are not directly related to the case and are sometimes even irrelevant. the case that was filed. The subject underlying this decision that binds the parties to the dispute is the consideration or reasoning directly related to the rule of law. The Judge's decision in *Racio Decidandi* always makes a decision.⁹ Suppose the Judge thinks that the scope of the proposal of the previous case can be maintained. In that case, it means that the case under consideration has concluded that it will continue to use the decision level of the previous case and will not deviate from the existing decision level. Of course, inevitably, the future Judge will not consider some facts. The ratio decidendi and dictum are sometimes easily identified, but more often, the distinction is subject to interpretation. Determining the ratio of decidendi and mandate is the focus of legal analysis and is often the critical point of legal argument.¹⁰

The panel of judges of the Purwokerto Religious Court argued that deciding the marriage annulment lawsuit, which was read out in an open session for the public on Thursday, January 02, 2020 AD, coinciding with the date of Jumadil Awwal 1441 Hijri, namely about Marriage Annulment. In the leading case, the Panel of Judges handed down a decision on November 27, 2019, that the Plaintiff and the Defendant had legally married before a Marriage Registration Officer on August 17, 2018, by the Marriage Certificate Excerpt Number: 0292/29/VII/2018 issued by the Religious

⁸ Dewi Murniati, "Judges' Ratio Decidendi in Marriage Dispensation Cases at The Gresik Religious Court Regarding Marriage Age Limit," *NORMA* 17, no. 3 (January 15, 2021): 15, <https://doi.org/10.30742/nlj.v17i3.1089>.

⁹ Ahmad Siboy and Muhammad Nur, "Constitutionality of Appointment of Acting Regional Heads in Constitutional Court Judgment," *Jurnal Jurisprudence* 13, no. 2 (December 18, 2023): 244–63, <https://doi.org/10.23917/jurisprudence.v13i2.2794>.

¹⁰ Anthon Freddy Susanto, "Relation of Power in Ratio Decidend," *International Journal of Multicultural and Multireligious Understanding* 7, no. 10 (2020): 798–807, <https://doi.org/http://dx.doi.org/10.18415/ijmmu.v7i10.2458>.

Affairs Office on August 18, 2018, and in the marriage, the plaintiff and the defendant had not been blessed with children. After six months after the marriage, or precisely in february 2019, it was discovered that defendant already had a family and had married another woman. Because plaintiff felt lied to by defendant by misrepresenting the status of defendant, who claimed to be a virgin, therefore plaintiff filed for annulment of marriage by the provisions of article 22 of law number 16 of 2019 concerning amendments to law number 1 of 1974 concerning marriage. the legal considerations consider that the plaintiff filed a lawsuit for child custody rights (*hadhanah* rights) based on the arguments that basically, the plaintiff and the defendant were originally lawful husband and wife who had lived in harmony and were blessed with children, but on the date of the marriage annulment, the plaintiff and the defendant were married.

There was a divorce on November 27, 2019, between Plaintiff and Defendant; after the divorce, the child of Plaintiff and Defendant was in the care of Plaintiff so that physically and mentally, the child has merged or adapted to the environment of Plaintiff and Plaintiff's family. The legal considerations of the Judge described above are not based on the criteria or requirements of a Judge's *Ratio Decidendi*. These criteria and requirements are contained in Chapter IX Court Decisions, Article 50 of Law Number 48 of 2009 concerning Judicial Power, which states:

1. Court decisions must contain the reasons and basis for the decision, as well as specific articles of the relevant laws and regulations or unwritten sources of law used as the basis for judging.
2. Every court decision must be signed by the presiding Judge and the court clerk who participated in the hearing.

Based on this analysis, the Purwokerto Religious Court panel chairman handed down decision Number 2802/Pdt.G/2019/Pa.Pwt has decided on the lawsuit and stated that the lawsuit can be granted due to the reasons that determine the decision formulated in the verdict. *Ratio Decidendi*, or the reason for the Purwokerto Religious

Court Judge in deciding his argument, accepts and convinces the parties with the sense that this lawsuit cannot be separated from the verdict and has a legally binding force, which can be formulated as the rule of law the rule of law, regarding the Constitutional Court in deciding a particular case. The Court considers various things, including the Judge's legal opinions, so these considerations cannot be ruled out. The decision based on *Racio Decidendi* or argumentation is the Judge's reason for making a decision that has no legal impact even though the legal considerations are wrong or inappropriate. If the lawsuit in the decision is the same as the ruling, then the decision is still legally binding.

3.2. Juridical Implications of Judges Decisions with Incorrect Legal Considerations in Decision Number 2802/Pdt.G/2019/Pa.Pwt

Decisions play an essential role in the resolution of cases, and Judges, as decision-makers, must make decisions carefully. A judgment is a statement that a judge makes as an authorized officer of the Court and is intended to court or resolve a case or dispute between the parties. Not only is what is said a decision, but it is also a written statement made by a judge in Court. Article 50 of Law No. 48 of 2009 on Judiciary states that the basis and relevant legal provisions on which the judgment is based or the unwritten sources of law used to render the judgment must be included in the court decision. Court decisions are the result of deliberation and consensus of the judges. Decisions in publicly approved court proceedings must be publicly announced. Judicial decisions are characterized by the elaboration of legal status (punishment), conviction, and the elimination or creation of new legal status (constitutive).¹¹

The original Judge or assembly was a private or parliamentary decision. Still, if the Judge's gavel was struck as a signal of decision, then the Judge's decision should

¹¹ Melinda Rahmawati and Heni Ani Nuraeni, "Peran Dispensasi Kawin Dalam Peningkatan Angka Pernikahan Dini Di Wilayah Kotamadya Jakarta Barat," *Al-Istinbath : Jurnal Hukum Islam* 6, no. 1 (May 25, 2021): 1, <https://doi.org/10.29240/jhi.v6i1.1578>.

be regarded as an institutional court decision. These decisions are translated into court decisions and are public property. The decision is declared final and binding one day from the date of announcement of the decision followed by both parties or more than 14 days after the notification of the decision is sent to the parties who did not participate in the oral proceedings for the announcement of the judgment. Where a court judgment is final in perpetuity, it is immediately enforceable.¹²

Judges make Judgmental considerations based on legal facts revealed in the trial, which are required by law to be included in a decision. The formulation and preparation of legal considerations or arguments must be carried out systematically and in a careful and precise manner. Legal considerations must be complete and based on aspects and methods of legal interpretation, case facts, legal facts, formulation of legal facts, positive law, customary law, jurisprudence, legal theory, and others. Applying legal norms allows judges to make findings by summarizing the arguments or reasons that form the legal basis for the Judge's decision. Decision Number 2802/Pdt.G/2019/PA.Pwt legal considerations taken by the Judge are not by the lawsuit, as explained in the introduction.¹³

On January 02, 2020, the Purwokerto Religious Court issued decision Number 2802/Pdt.G/2019/Pa. Pwt, which, in its opinion, granted the lawsuit filed by the Plaintiff regarding the annulment of marriage. However, the legal considerations are different from the lawsuit regarding the annulment of marriage. Instead, the legal considerations discuss child custody. After researching the decision, which was wrong in its legal concerns due to the demands of the Supreme Court to immediately upload decisions on the Decision Directory website from 2016 to 2021, the Judge

¹² Amran Suadi, "The Role Of Religious Court In Prevention Underage Marriage," *Jurnal Hukum Dan Peradilan* 9, No. 1 (April 3, 2020): 116, <https://doi.org/10.25216/Jhp.9.1.2020.116-131>.

¹³ Isnawati Rais, "Marriage Dispensation Due to Extramarital Pregnancy: The Study on the Decision by the Religious Court of South Jakarta (2010-2011)," *AHKAM : Jurnal Ilmu Syariah* 18, no. 1 (January 12, 2018), <https://doi.org/10.15408/ajis.v18i1.7490>.

who made the decision became overwhelmed and accidentally made a mistake in making the decision.

Therefore, the decision was wrong, as was the decision under study. The Registrar carries out the situation of rulings, and considerations will be assisted by the Organizer in completing the draft decision of the deliberation results, with nine days of legal concerns and orders in general cases. After the draft decision is completed, the Junior Registrar makes changes by checking the suitability of the decision format with the decision template, the suitability of the data in the draft decision with the data in the case file, and the absence of errors. The Supreme Court Judge also corrects the correctness of the data so that the decision is cancelled, and the legal basis and integrity are guaranteed for 20 days. After the examination, the judges and the Registrar signed the decision.

After the text of the decision is signed by the Panel of Judges and the Registrar, the Registrar then makes a copy of the decision using a copy of the decision and the electronic decision document, conducting a final check on the suitability of the decision document. The Registrar electronically uploads the decision document into the Supreme Court Decision Register, after which a copy of the decision is sent to the parties or the Court of Appeal.

According to Sutejo, a judge at the Purwokerto Religious Court, the Judge's wrong consideration in the decision is the fault of the other parties who helped make the decision. In addition, a verdict that has incorrect legal considerations does not cause legal consequences. It is said that it is very influential to cause legal implications if the decision is wrong in making the identity of the parties, such as Address, name, NIK number, and other information. Furthermore, the legal impact for the litigants also has no effect because of the lawsuit in Decision Number 2802/Pdt.G/2019/PA.Pwt is the same as the verdict. Therefore, the litigants did not dispute the decision because the decision had been broken and did not harm the litigants.

Based on this analysis, the wrong decision in its legal considerations, namely decision Number 2802/Pdt.G/2019/Pa. Pwt has no juridical implications for the decision of the panel of judges of the Purwokerto religious court and the litigants. In addition, errors in legal considerations cannot be corrected because they are final. A final judge's decision means a judge's decision on a case that if the parties do not file an appeal or cassation, the decision has permanent law (*Eintracht*). Based on the explanation of Article 79 of Law Number 5 Year 2004 concerning the Supreme Court, no decisions can be corrected because the mechanism for correcting decisions has yet to be regulated by law or other regulations. Rules on the judiciary are only about the administration of justice and do not interfere with and exceed the regulation of the rights and obligations of citizens in general.

CONCLUSION AND SUGGESTION

Ratio Decidendi, or the Judge's reasoning in passing the verdict in his argumentation, accepts and convinces the parties with the reason that this lawsuit cannot be separated from the verdict and has legally binding force, which can be formulated as a legal rule. Even though the Judge's reasoning is wrong, it has fulfilled the *Ratio Decidendi* theory because if the lawsuit in the verdict is the same as the ruling, it is still legally binding. Decisions that are wrong in their legal considerations, namely Decision Number 2802/Pdt.G/2019/Pa. Pwt does not have juridical implications for the decisions of the Judges of the Purwokerto Religious Court and the litigants. In addition, errors in legal considerations cannot be corrected because they are Final. A final judge's decision means a judge's decision on a case that if the parties do not file an appeal or cassation, the decision has permanent law (*Eintracht*). Regarding the correction of decisions, based on the explanation of Article 79 of Law Number 5 of 2004 concerning the Supreme Court, there are no corrected decisions because the mechanism for correcting decisions has yet to be regulated either by law or other regulations

Based on the results of the research and discussion previously described, the

researcher has the following suggestions, there is litigants are expected to check the Court's decision before deciding Courtcept or take further legal action if the decision contains errors, and although from a juridical aspect, there are no legal implications of a decision that has incorrect legal considerations, the Court must be more careful in preparing decisions to minimize errors that can have an impact on the image of the Court in the eyes of the Court.

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