

ABSTRACT

Fatin, Hasyim Asyari, 2013, 06210091, The Implementation of Law No 23 of 2002 on the child protection in polygamous family in the Kanigaran Probolinggo Sub-District, The Thesis of Al-Ahwal Al-Syakhshiyyah Departement, Faculty of Syariah, State Islamic University of Malang Maulana Malik Ibrahim. Supervisor: Dr. Suwandi M.Hi.

Keywords: Child Protection, Polygamous Family

The responsibility of taking care a child is everyone's job as stated by Law No.23 of 2002 on the child protection. Therefore, the parents are the first one who have a big responsibility on caring the child. In this case, the writer is interested in studying the implementation of rules in the real life. He analyzes about polygamous family in Kanigaran Probolinggo Sub-District. The interest of writer is motivated by an assumption that the polygamous family has its own interesting, especially for a father who earns the living costs and gives attention to a child.

Based on the explanation above, the writer focuses on the three problems of study; 1) the implementation of child's legal protection in polygamous family in Kanigaran Probolinggo sub-district, 2) the obstacle factors in implementation of child's legal protection in polygamous family in Kanigaran Probolinggo sub-district, 3) the prevention efforts to the obstacles that occur in polygamous family in Kanigaran Probolinggo sub-district.

Therefore, this study is categorized into empirical law (sociological). So, the data is acquired directly from the real study. It is a legal event of society, especially in polygamous family and the child. The data were obtained by an interview of the informants who have been determined.

Based on the views of the informants which collected by the writer. He concludes that the implementation of child's legal protection in polygamous family in the society of Kanigaran Probolinggo sub-district includes protection in terms of education and living costs. In fact, the responsibility of parents towards child's living costs take up to a child marry. Whereas, the obstacle factors are; first, the practice of polygamy does not follow the rules of law (read: polygamy under the hand). Second, the lack of socialization of the marriage law. In other hand, the efforts to provide awareness to be society with the real fiqh oriented towards a civilized Judicial-formalist. In addition, it is an intensive socialization towards marriage rules or the regulations of child protection as stated in the Law No. 23 of 2002.