

## ABSTRACT

Handayani, Tutik. 2013. *Handling Modern Nusyûz in Legislation the Elimination of Domestic Violence from Gender Perspective*. Malang. Skripsi. Al-Ahwal Al-Syakhshiyah Department. Syaria Faculty. State Islamic University of Maulana Malik Ibrahim Malang.  
Supervisor: Dr. Sudirman M.A.,

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On the present, many casuses of domestic violence (be called KDRT) that the most vulnerable victims are women. This happens for various reasons. About them is a settlement on behalf of his wife when nusyûz with how to hit it. How are understood from Al-Qur'an Surat An-Nisa' (4):34. Start of the rebellion, split bed, and struck. Then the text legitimized by classical fiqh. If further analyzed, the understanding need of a new alternative for the settlement of nusyûz, thereby reducing the number of KDRT. His methods among other things abolished the violence and affected criminal sanctions for perpetrators. So too has to do with the theory of gender who want non-discrimination for the women and does not accentuate the male position as well as the protection of women.

The research focus in this study is to find out how modern nusyûz in UU PKDRT reviewed by using the theory of gender. It aims to find out how the layout similarities and differences nusyûz classic and modern as well as knowing how to actually modern nusyûz in UU PKDRT was applied in accordance with the theory of gender.

The type of research used in this study are normative research, using the approximation of legislation. The approach aims to find out how the nusyûz made the reason for doing the actual KDRT can be given the appropriate alternative solution and saw the enactment of modern nusyûz in the PKDRT with the theory of gender.

Based on the results of the analysis of data that have been collected, then the obtained conclusions that the equations of classical and modern nusyûz is located on a binding legal basis and the same opportunities for men and women to do nusyûz. While the difference nusyûz classic and modern is on the completion of the nusyûz husband and wife, guarantee the protection of the law, the basic law and sanctions violations of the law that are accepted for spouses when it violates nusyûz. As for the UU PKDRT when analyzed using the theory of structural-functional less precise. This is because the structural-functional theory more central position to put forward a men, but the PKDRT upheld the equality of men and women, without distinguishing the sexes. While the theory of liberal feminism more appropriate to provide an analysis of the UU PKDRT. Liberal feminism theory and UU PKDRT focuses on equal treatment between men and women, both domestic or public affairs, and eliminating discrimination, as well as the protection of women.