

ABSTRACT

ST. Sariroh, 11210037, 2015. *Malaysian Muslim Society Responses about Human Immunodeficiency Virus Test as a Requirement of Marriage Registration in the Human Rights Perspective (Study of Hulu Langat Selangor Darul Ehsan Society)*. Thesis. Al-Ahwal Al-Syakhsyah Department, Sharia Faculty, Maulana Malik Ibrahim State Islamic University of Malang. Supervisor: Jamilah M.A

Keywords: HIV Test, Human Rights.

HIV test before marriage is not explicitly mentioned in the Qur'an, Hadith or scholars of fiqh. However, at this time, HIV tests is required by State Religious Department of Malaysia for each couple who wants to marry. They cannot register to marry, if they do not have HIV test certificate. Whereas, in *fiqh Munakahat*, HIV test is not required before married. However, in HIV prevention programs must consider the aspect of human rights. Because, many people living with HIV ostracized by society and family.

From mentioned problem, the writer proposes two formulation of the problems: the first, what are Hulu Langat Selangor society responses about obligation of HIV test as a requirement of marriage?, and the second, what are their responses about Human rights on obligation of HIV test?. The main point of this study is to explain Hulu Langat Selangor society responses about human rights on obligation of HIV test as a requirement of marriage registration.

The method used in this research is empirical research by using qualitative method and by using case approach method. Primary data are collected directly from informants by using interview method through via e-mail. The analysis of data in this research by classifying data collected in line with the specific issue. So that, it can be concluded in line with the purpose of this research.

The results of this study reveals two findings. The first, most of Hulu Langat Selangor society agree to the obligation of HIV test as a requirement of marriage registration. However, they have different opinion about it. They assume that the obligation of HIV test is to ensure the health of spouse, the health of descendent, welfare of families and to reduce divorce cases. The second, about the human rights on obligation of HIV test before marriage, they assume that this regulation does not against human rights and it is in line with the Islamic Sharia, namely *Maqashid Syari'ah*, such as to preserve descendent and to preserve human life.