

## ABSTRACT

Fatikhatun Nur, 10210027, 2014. *View of Malang Women and Children Activist to Constitutional Court's Decision No.46/PUU-VIII/2010 about the Status of Illegitimate Children.* Thesis. Al-Ahwal Al-Syakhshiyah Department, Faculty of Sharia, Maulana Malik Ibrahim State Islamic University of Malang. Advisor: Dr. Hj. TutikHamidah, M. Ag.

---

### **Keywords: Views, Women and Children Activist, Constitutional Court's Decision**

Constitutional Court created decision No. 46/PUU-VIII/2010 related to legal status for illegitimate children in 2010. The decision as the answer of material test UU No. 1, 1974 that have did by Machicha Mochtar to Constitutional Court to get confession about legal status for her child who was born of the *sirri*(illegitimate) marriage with Moerdiono without license that appropriate with legal requirement. The decision make many opinions from various society about the decision that created by Constitutional Court. Many opinions appear from civitas academica, researchers, activists, student universities, judges, and common people. It makes the writer interest to analyze women and child activist's response toward Constitutional Court's decision No. 46/PUU-VIII/2010 about the status of children born outside marriage.

Some of it is the goal of this research is to know understanding and opinion of women and children activists about Constitutional Court's Decision No. 46/PUU-VIII/2010 about the Status of Illegitimate Children, Influences that appeared by the Constitutional Court's Decision in society, and the affectivity of the Constitutional Court's Decision when applied in society.

This research is empirical research that obtain the data that is descriptive qualitative. The collected data are in the form of primary data which is supported by several secondary data that will be analyzed with the data of research result. In acquisitioning data, researcher did three ways; that are through observation, interview and documentation.

The findings of this research is women and children activists have different understanding level , that are very understand, understand and not understand. It caused by the difference of every activist's education background. Activist's opinion about the decision divided two; agree and disagree. The opinion difference caused focus difference in handling women and children that established by institution where women and children activists working. The last, the Constitutional Court's Decision according to women and children activist not effective yet applied in society because society's knowledge less about law and there is no socialization and education concerning Constitutional Court's Decision No. 46/PUU-VIII/2010 about the status of illegitimate children to society, especially to women and children activists.