

## ABSTRACT

Fuad, Muhammad Busyrol, 2015. *Norm Reformulation of Rights and Duties of Husband and Wife in Family Law in Indonesia (An efforts Gender Mainstreaming in renewal Act No. 1 of 1974 About Marriage)*. Malang. Thesis. Al-ahwal Al-Syakhsiyyah. Sharia Faculty. The State Islamic University of Maulana Malik Ibrahim Malang and Double Degree Programs Faculty of Law, University of Brawijaya. Supervisor: Dr. Hj. Umi Sumbulah, M. Ag and Rachmi Sulistyarini, SH., MH.

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Fulfillment of the Rights and Duties of husband and wife is an important factor for the creation of a family who *sakînah, mawaddah, wa rahmah*. In creating an ideal relationship of husband and wife, both of them must have a role and equal opportunity in the public domain or domestic. This is not reflected in the Law No. 1 of 1974 About Marriage, for example, the husband bears responsibility as breadwinner and protector for his wife. Instead wife are given responsibilities as housewives to manage domestic.

The focus of this research is how the norms of rights and duties of husband and wife in Act No. 1 of 1974 About Marriage. It aims to reformulate the norms of rights and duties of husband and wife in Act No. 1 of 1974 About Marriage perspective of gender mainstreaming

This type of research used in this research is normative, using the approach of legislation and historical approaches. The approach aims to determine the norms of the rights and duties of husband and wife in marriage laws are gender refraction. In addition, the historical approach aims to find out the history of the formation of Law No. 1 of 1974 About Marriage, in order to be used as a comparison in doing reformulate against the legislation.

Based on the analysis of the data that has been collected, it is concluded that some of the provisions concerning the rights and duties of husband and wife in the Law of Marriage Act is gender refraction. Among them, the husband is the head of the household and the wife is a housewife (Article 31, paragraph 3), the husband is obliged to provide for his wife and protect the family in accordance with his ability (34, paragraph 1), while the wife is the household as much as you (article 34 paragraph 2). According to the authors conclusion, that Article 31, paragraph 3 shall be deleted because it is gender refraction, and the existence of another article which is a translation of this article deserves to be renewed.