

ABSTRACT

Machfudz, Mochammad. , 2014. "Principles of Gender Equality In PP. 10 In 1983 Jo. PP. No.. 1990 45 Article 4 paragraph (2) Prohibition of polygamy For civil servants About Women "(Study of Law Expert view in Malang). Thesis. Study program: Master Al-ahwal Al-shakhsiyyah, Graduate Program of the State Islamic University (UIN) Maulana Malik Ibrahim Malang, Supervisor: Dr.. H. Fadil, M. Ag and Dr. Hj. Umi Sumbulah, M.Ag

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Gender equality is the same position between men and women in access, participation, control, and benefits of the activities of life whether in the family, society, nation, or state. In PP. No.. 10 In 1983 Jo. PP. No.. 45 Article 4 of the 1990 gender bias, as in paragraph (2) contains the Women PNS are not allowed to be the second, third, fourth. Whereas in Article 4 paragraph (1) PNS man will have more than one wife, must obtain prior permission from his.

The problems discussed in this study is the view of legal experts in Malang on the principle of gender equality in the PP. No.. 1983 10 Jo. PP. No.. 1990 45 Article 4 Paragraph (2) of the Women's ban on polygamy for civil servants to be the second, third, fourth wife, and the view of legal experts in Malang the implications of the PP. No.. 10 In 1983 Jo. PP. No.. 1990 45 Article 4 Paragraph (2) of the Women's ban on polygamy for civil servants.

The type of research are empirical legal research. And data was collected through interviews and documentation. The methods of data analysis in this study use descriptive analysis that describes the state of sociological analysis that occurs in the view of legal experts, and this study focuses Equilibrium theory analysis (balance).

Based on the survey analysis, the result of the research of view of legal experts in Malang are first, approve Article 4 paragraph (2) because it doesn't contrary to religious teachings. Secondly, do not agree with article 4, paragraph (2), because subsection (2) still a gender bias, so that equality and fairness in the PP has not exist, Men between the permissibility of a civil servant with the banning polygamy Women civil servants. Second, the implication of PP there are two opinions. First, by obeying the rules of the stretcher, the more strengthen the dignity of his position as a civil servant woman. Second, the lack of clarity in the formulation contained in the PP causing a civil servant woman allows to have sex without marriage, women appear savings, and marriages under the hand. So that the conditional polygamy, then how it is much more humane and moral than to forbid it. But when polygamy cause damage then it should be abandoned.