

ABSTRACT

Mustaqim, Rijal As'ary . 07210002 . **Article 9 Law No. 23 of 2004 as a Divorce Reason in the Religious Court (Analysis Study of Case VerdictNo.0232/Pdt.G/2013/PA.Mlg In Malang religious court)**. Thesis . Department: Al - ahwal al - Syakhshiyah . Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang. Advisor : Dr. Hj. Mufidah Ch, M.Ag

Keywords: Article 9 of Law Elimination of Domestic Violence, Domestic Violence, Divorce.

Article 9 of Law No. 23 on the Elimination of Domestic Violence, in victims the victim majority are female (wives) and their children , is an implications of all divorce reasons as it stated in Article 39 Law No. 1 of 1974 concerning Marriage. Article 19 Government Regulation No. 9 of 1975 Jo Article 116 Compilation of Islamic Law (for example : a head of a family who leaves his family during 2 years successively without any permit and obvious reason, reason automatically also neglect his duties as heads of households that leads to neglect condition) . Then, implicitly there is a relation between both of them (*Article 9 of Law the Elimination of Domestic Violence / negligence of household and divorce reasons article 19 Government Regulation No. 9 of 1975 Jo . Article 116 KHI*), in many cases , those reasons are directly related , preceded or even resulted in a neglect. It finally refers to an absolute requirement for divorce justification that are a ' *lack of domestic harmonious ' or ' there is no hope of living in harmony again in the household '.*Judging from the type of research , this research includes a normative legal research , which is done by reviewing secondary data . This normative research including literature research (

This research is a normative legal research done by analyzing secondary data. This normative research is a library research or documentary study due to the research object in the form of legal public documents. They are the legal data from Religious Court. The legal research done by only examining library materials or secondary data can be called as normative legal research or library materials or secondary data can be called as normative legal research or library legal research. The approach used is a statute approach. It is done by conducting legislation assessment related to the central theme of the research. This research employs the approach to analyze the regulation of divorce law.

From the results, it can be concluded that in Malang Religious Court there is no divorce case with domestic violence reason. In the decision, the judges integrate and apply Article 9 Law No. 23 of 2004 concerning the Elimination of Domestic Violence as the reference. Because there is an Islamic Law Complication concerning divorce reason, most of the judges only use that reference to decide the case of divorce reason of domestic violence.

