

ABSTRACT

Khoirun Nisak, 11210055, *Regulation Of Marriage Registration In Indonesia And Malaysia In Woman's Rights Perspective Comparative Studies between Ministry of Religion Affairs Regulation Number 11 Year 2007 Indonesia and Enactment Of Islamic Family Law in Pulau Pinang Number 3 Year 2004 Malaysia*, Thesis, Al-Ahwal Al-Syakhshiyah Department, Shariah Faculty, State Islamic University Maulana Malik Ibrahim Malang. Supervisor : Erik Sabti Rahmawati, MA., M.Ag

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In Indonesia Regulation of Marriage Registration explained in the act as stated in marriage law No 1 year 1974, Islamic Law Compilation, Government legislation no 5 year 1975, the act number 22 year 1946, however after amendment the legislation used now is the Ministry of Religious Affairs' legislation number 11 year 2007. In Indonesia, as well as in Malaysia, this country also has specific legislation about Regulation of Marriage Registration explained in enactment 3 Pulau Pinang Country year 2004. In both regulation's countries, there are similarities and differences which can be analyzed using any kind of perspectives, one of them is by using woman's rights. Based on this basis, then raising the study problem of this research: 1) How do Marriage Registration Number 11 Year 2007 Indonesia and Enactment of Islamic Family Law in Pulau Pinang Number 3 Year 2004 Malaysia? 2) What is the effect of Marriage Registration Regulation In Indonesia and Malaysia based on Woman's Rights Perspective?

This study is normative research using library data or library research. The approach of the research used comparative study. Moreover, the data collection method used documentation method starting from law material determination, law material documentation, reviewing law comprehensively and systematically.

From this research it can be concluded that Regulation of Marriage Registration In Indonesia and Malaysia have similarities and differences, the similarity is to obligate marriage regulation, meanwhile the difference is in Indonesia there is no regulation for society to report illegal marriage whereas in Malaysia there is regulation to report illegal marriage. Indonesia possessed better techniques in the scope of marriage registration, while in terms of the implementation, Malaysia has more effective compare than in Indonesia as the provision in Malaysia is stricter. In addition, the impact of Regulation of Marriage Registration based on Woman's Rights Perspective is children right and wife can be saved because it can be proofed by agreement marriage, a child can obtain the official document of birth, and the heir right for wife, not easy to polygamy because the wife should permits to the earlier wife and obtains her permission. This aspect of woman right protection is accordance with Asghar Ali Engineer's perspective.