

Analisis kriminologi feminis terhadap konstruksi hukum perempuan pelaku pembunuhan suami pelaku KDRT: studi kasus n dan k =
Analysis of feminist criminology concerning women's legal construction as the perpetrators of the murder of a domestic violence husband: case studies n and k

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Abstrak

ABSTRAK

Skripsi ini membahas tentang konstruksi hukum perempuan pelaku pembunuhan suami pelaku KDRT. Penelitian ini menggunakan metode penelitian feminis dengan pendekatan penelitian kualitatif dan tipe penelitian studi kasus. Penelitian ini menggunakan teknik wawancara mendalam kepada subyek penelitian yaitu dua orang perempuan pelaku pembunuhan suami pelaku KDRT, dan wawancara terstruktur terhadap aparat penegak hukum yaitu tiga orang penyidik, satu orang jaksa dan tiga orang hakim. Dalam penelitian ini, peneliti melihat bagaimana para penegak hukum yaitu polisi, jaksa dan hakim mengkonstruksi hukum perempuan pelaku pembunuhan suami pelaku KDRT. Penelitian ini juga melihat bagaimana perempuan melihat memaknai tindakan pembunuhan yang dilakukannya dan konstruksi hukum terhadapnya. Penelitian ini menggunakan teori feminis kriminologi dan teori feminis legal yang menjelaskan bahwa konstruksi gender budaya patriarki telah mempengaruhi konstruksi hukum perempuan pelaku pembunuhan suami pelaku KDRT. Konstruksi hukum terhadap perempuan pelaku pembunuhan suami pelaku KDRT yang bias gender adalah bentuk opresi terhadap perempuan dalam sistem hukum terutama dalam sistem peradilan pidana. Konstruksi hukum terhadap perempuan tidak hanya dilihat dari tindakan yang melanggar hukum, tetapi juga pelanggaran peran sosial perempuan sebagai istri dan ibu rumah tangga.

ABSTRACT

This thesis is working on the construction of the law about women who subjected as the perpetrator to their husbands who have done some domestic violences. This research is using the methods of feminism research with qualitative approach and case study. The technique that used in this research is interviewing the subject of the research who are two women that has been subjected as the perpetrator of killing their husbands, otherwise the interview technique also done to the law enforcement apparatus such as three investigators, a presecutor, and three judges. In this research the researches try to understand how the law enforcement apparatus conctructed the law to the perpetrator of this case. This research also try to understand how women see this case and the constructions of the law on it. The theories that used to construct this thesis are the theory of criminology feminism, and the legal feminism, which explain the construction of the gender and the patriarchy has been affected the construction of the law in this case. Construction of the law to the women who subjected as the perpetrator which "gender bias" can be concluded as the oppression to the women especially in the law system of the criminal justice. Law construction to the women not only see from their actions which breaking the rule, but also the violation of their social role as a wife and housewife.