

LAPORAN PENYELIDIKAN

KOD 14/98

**STATUS UNDANG-UNDANG BAGI
WANITA DI MAHKAMAH ANAK NEGERI
DAN UNDANG-UNDANG ADAT DI SABAH:
KAJIAN KES DI RANAU DAN KENINGAU**

(The Legal Status of Women in the Native
Courts and Customary Laws of Sabah: Case
Studies of Ranau and Keningau)

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SYNOPSIS

BAB I: SINOPSIS

Sememangnya peranan wanita amatlah penting dalam pembangunan masyarakat. Sehubungan itu, kajian ini menumpukan perhatian terhadap kedudukan wanita di sisi undang-undang adat sebagaimana yang ditadbirkan oleh Mahkamah Anak Negeri Sabah. Kajian dilakukan melalui pemerhatian prosiding Mahkamah Anak Negeri, temubual, kajian perpustakaan serta kajian kes. Lokasi kajian yang dipilih adalah Ranau dan Keningau. Kajian ini cuba untuk menganalisa kedudukan wanita dalam perkahwinan, termasuklah nafkah, perceraian, hak mempusakai serta hak penjagaan anak. Selain itu, hak wanita untuk memiliki harta juga dilihat. Kajian juga memberikan penumpuan terhadap kesalahan yang dilakukan oleh wanita dan kesalahan yang dilakukan terhadap wanita. Pengkaji cuba menganalisa keseragaman pelaksanaan undang-undang adat. Adalah diharapkan agar hasil kajian ini dapat memberikan manfaat kepada penggubal polisi untuk membuat sebarang ubahsuaian yang berkaitan.



SYNOPSIS

Women's role is undeniably important and crucial to the development of the society. This research focuses on the native courts which are enforcing the customary laws. The researchers seek to determine the legal status of women in the native courts and the customary laws of Sabah. The study is carried out by observing the proceedings in the native courts, interviews, library research and case studies. The study has concentrated on the customary laws in Ranau and Keningau. The research tries to analyse the legal status of women pertaining to their matrimonial rights which include women's inheritance, maintenance, divorce and child custody as observed by the customary laws. It has also made an attempt to determine the women's proprietary rights. Apart from the matrimonial and proprietary rights, the study has also observed on the customary laws relating to offences committed by/against the women. The study analyses whether there are uniformities in the administration of customary laws in the native courts. It is hoped that the findings from this research will be useful for the policymakers in addressing any changes needed.

