

Family Law Reform in Indonesia in the Perspective of Criminal Law

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Abstract

Family law is considered crucial in dealing with different family-related matters such as marriage, child support, child abduction, adoption, inheritance, divorce, domestic violence, etc. In Indonesia, most family law provisions follow the "Indonesia Criminal Code" (KUHP). However, in past research, not much focus has been given to family law reforms from the perspective of criminal law within Indonesia; therefore, the present study has effectively filled this research gap. This study used a judicial legal approach, and the secondary qualitative data were collected from different primary and secondary sources. The content analysis was done using NVivo software. In order to attain the research aim, this study focused on family law in Indonesia and different family law reforms within the context of matters such as child marriage, domestic violence, child abduction, parental neglect, and same-sex marriages from criminal law perspectives. The results obtained from this study showed that family law-related matters are dealt in two different types of courts: religious and district courts. It has been observed that the KUHP and the marriage law of Indonesia cannot implement an age limit of 18 years for marriage as stated by international human rights treaties. At the same time, the KUHP cannot protect individuals against domestic violence. In this regard, the development and implementation of UU PKDRT have proven effective. Child abduction and parental neglect are also criminal offenses if they cause harm to the children, and they are punishable under the KUHP and child protection law. However, same-sex marriages are also unlawful in Indonesia. Therefore, different recommendations have also been provided to improve the family law implications in Indonesia. For instance, the collaboration between the legal authorities of Indonesia and international human rights organizations should be improved. This study also possesses practical and theoretical implications.

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1. Introduction

Family law (Harris et al., 2023) is related to the laws, rules, and regulations that involve all family matters. These family matters might be related to marriage, children, adoption, inheritance, divorce, custody of the child, financial matters after divorce, etc. These laws ensure that all family matters, being sensitive issues, are handled with great care and dignity (Schepard, 2022). Family laws are mainly separate from criminal law, but sometimes both laws intersect each other in some matters. In regard to this fact, family law has some laws and regulations that are indirectly somehow related to criminal law (Logan, 2023). Criminal law (Rakoff & Goldstein, 2023) is basically related to the offenses and crimes directly and also sets the charges and penalties according to the offense. There are different family laws, such as child marriage law, domestic violence laws, etc. Child marriage law (Fan et al., 2022) mainly talks about how no child should marry or be forced to be married before a certain age. This age mostly varies between 16-19 years for males and females. Family laws may also differ in countries, whereas culture and religion also have an effect on the legislative system of the country (Harris et al., 2023). For example, Muslim countries such as Indonesia, Malaysia, Pakistan, etc., have the intervention of their religion in the constitution and law-making system. Indonesia, being an Islamic country, has laws and regulations that are in accordance with the religion (Putra & Ahyani, 2022). Other than Family Laws, Indonesia has different set of legislation that contains laws related to the family, such as the *Constitution of Indonesia 1945*, *Marriage Law 1947*, *Compilation of Islamic Laws in Indonesia 1991*, and *Human Rights Law 1999* etc. These laws have been implemented in Indonesia over a long period of time. With the passage of time, as the situations are changing, the laws and regulations also require reforms according to it. Reforms in laws are for the betterment and validity of the law application according to the ongoing situation (Crenshaw, 2020). This is the reason that many countries all around the world are working on reforms in family law. Indonesia is also working on different reforms in family law currently and even has done this in the past. It is very evident that reforms are much needed in family law with the passage of time. Indonesia has been working on reforms in different legislations, laws, and regulations that are related to family, but further reforms are also needed. Moreover, it has been observed that the reforms that are

implemented are not well monitored. The implication of reforms in a good manner also requires a certain amount of resources. But according to the current situation in Indonesia, although the country is trying to bring reforms in different laws efficiently, still the lack of resources is making it difficult and challenging to implement the reforms properly (Wismayanti et al., 2019). For this purpose, the aim of the current research study is to analyze the reforms in family law from the perspective of criminal law. The current research study is very significant and effective from different perspectives. This research study can contribute to the existing literature as it discusses about the reforms in family law from the perspective of criminal law. Moreover, it can be very helpful for law-making institutions and authorities to see where the gaps or loopholes are still present. It can also help the authorities to see which laws need further reforms according to the current situation. Furthermore, it can be of great importance for the general public as the study discussed different family law reforms in Indonesia that can help them to have more awareness. The study has significance for future researchers also.

1.1 Method

As the current research study is based on the investigation of the reforms in family law from the perspective of criminal law, it uses the qualitative research method. Moreover, the interpretivism research philosophy that believes in the non-scientific method of data, along with the inductive approach in this research study as it, is best for theory-building studies. The qualitative research method is used in this research study because the current study is working on deep-level knowledge about family law and its reforms that are connected with criminal law. This method and approach are used due to the nature of this research study which is suitable for such methodology. For the purpose of data collection, the current study uses the Judicial legal approach. The judicial legal approach is one of the authentic ways to conduct studies related to the law. The researcher has analyzed the legal documents, legislations, constitutions, laws, and regulations related to family law and criminal law. Moreover, the reforms in family law are examined extensively. It is secondary research; for this reason, the extensive literature s also examined from the databases such as Springer, Emerald, JSTOR, West Law, Hein Online, and other data sources. Different journals and books related to family law and criminal law are also examined. For the purpose of data analysis, the content analysis technique is used by the researcher in this research study. Content analysis (Killick & Griffiths, 2022) is the qualitative data analysis technique in which the research identifies different content, themes, or concepts for a better understanding and analysis

of data. This is one of the most widely used techniques of data analysis while using a qualitative research method. Moreover, NVivo software is also used for the purpose of data analysis in this research study.

2. Literature Review

2.1 Family Law Reforms: A General Perspective

Family law (Poitras et al., 2021) is defined as the set of rules and regulations that are related to family issues and are provided to the general public by the authorities. A research study (Bailey et al., 2020) described family laws as a set of regulations and laws that provide guidance in family matters. These family matters can be related to divorce, marriage, child custody, domestic violence, etc. There are certain family (Bettinger-Lopez & Bro, 2020) laws that are similar in all the countries, such as the law against domestic violence. This law states that no person in the family should be harmed by the other family member in any case. Countries all around the world are now moving towards reforms in family law. Many countries are already working on these reforms. For example, New Zealand has recently made reforms in the law of domestic violence by putting stern charges on the person who is responsible for this (Keddell et al., 2022). This reform and charges are related to the criminal law that states that no person should be harmed and also put criminal charges on the wrongdoer (*Crimes Act 1961(CA)*). The reason for the reforms is that in the last few years, situations related to different matters are changing. These changing statistics and situations need great attention from law-making authorities.

2.2 Family Law Reforms in Western Countries

Recently, reforms in family laws have been observed in Western countries like the United States, Spain, Germany, Canada, etc., and also are penalized by law (Brown et al., 2023). In Germany, the reforms were made in the domestic violence law. It has been attached to the physical assault *Division 14, Section 185* (imprisonment of two years) and sexual assault *Section 178* (imprisonment of at least ten years) in the civil act (Justice, 2023). It has also been declared that a person who commits any kind of violence can face imprisonment of six months to ten years on the basis of the severity of the crime (Henninger, 2022). In the United States, reforms were made to the divorce law of the country. Initially, no-fault divorce was not allowed in the United States. But after the reforms, the family law allowed people to have a no-fault divorce (Oren, 2022). Reforms in the existing laws are always made for the betterment of the public. It helps the country and its citizens to have the laws according to the ongoing situations. In Spain, reforms were made to the

child custody law. Initially, it was not compulsory for both parents to have responsibility for the child's upbringing. But with the passage of time, it was observed that the divorce of parents already has a very harsh effect on the children. Moreover, the complete absence of one parent (until and unless the parent has committed a crime or offense) can harm the child's abilities and mental health. That was the reason that the law ensures that children are provided not only financial support by parents but also emotional support for their upbringing and other matters etc. (Fernandez-Kranz & Nollenberger, 2022). Such reforms provide support to many people.

2.3 Family Law Reforms in Indonesia and Eastern Countries

The laws in Indonesia, just like other Islamic countries, are influenced by culture and religion. This is the same case that has been observed in many Islamic eastern countries such as Kuwait, Oman, Qatar, etc. (Fathallah et al., 2020). It is very evident that sometimes there are some family issues that can relate to criminal law. Reforms in different matters, such as domestic violence, child protection, etc., have been made in Indonesia. For example, reforms have been made in the law related to underage marriages in Indonesia. The reforms were made in the age of the female and male. Before this reform, according to *Marriage Law 1974* (ML), the age of the female was 16, and the male was 19 for marriage. But after the increase in different problems related to it, such as forced underage marriages, etc., reforms were made. According to the reforms, *Law No. 16 2019* stated that the age of females and males should be a minimum of 19 for marriage. It was also mentioned that underage marriage could be penalized with imprisonment (Roslaili et al., 2021). An example of forced underage marriage (Grijns & Horii, 2018) happened in 2008 in West Java. The case was of a 1965-born man who was already married to an underage, i.e., 12 years girl, and was having the plan to marry two more underage girls who were aged 7 and 9 years. The parents agreed to the marriage with the concern of just the school fee. After the NGOs complained, the man was punished by the court for the court to 4 years of imprisonment and 60 million fine. Recently, reforms were made in the divorce law of Egypt, where the conditions on which a woman can initiate a divorce were expanded. The reason for this was the fact that initially, the woman has to go through a lot in initiating a divorce. But according to the recent reforms, only she has to leave the alimony (Corradini & Buccione, 2023). Similarly, many other eastern countries, such as Kuwait, Qatar, etc., have made reforms in the domestic violence law by putting criminal charges.

3. Results and Discussion

This study mainly focuses on family law reforms from the criminal law perspective in Indonesia. Different crimes or issues are often faced within the context of a family, which has encouraged different family law reforms. Therefore, being an Islamic country, the Indonesian legal system incorporates various reservations regarding same-sex marriages, adultery, and other issues. In order to achieve the aim of this study, the main focus is given on the overview of family law in Indonesia to understand its strengths and weaknesses within the context of different family or marriage-related issues. Moreover, family law reforms were also observed from the criminal law perspective, focusing on child marriage, domestic violence, child abduction, parental neglect, and same-sex marriage in Indonesia.

3.1 Overview of Family Law in Indonesia

The "Indonesian Civil Code" (KUHP) directly or indirectly influences almost every provision of the family law in Indonesia, including different aspects such as property rights, marriage, administrators, children welfare, marital breakdown, wills, executors, and guardianship. Family law in Indonesia is categorized into two different sets of laws. The first law governs every individual, while the second law develops important rules which govern marital breakdown, inheritance, marriage, children welfare, and marital breakdown for individuals registered with the Indonesian government and adhere to the Muslim faith. Therefore, in addition to the KUHP, other laws related to the family which governs all individuals are stated below:

- Law No. 1/1974, which concerns Marriage
- Government Regulation No. 9/1975
- Supreme Court's Circular Letter No. 03/BUA.6/HS/SP/XII/2015, which concerns "Application of the Results of the Pleno Room Meeting of the Supreme Court of 2015 as a Guide to the Implementation of Assignments for Courts"

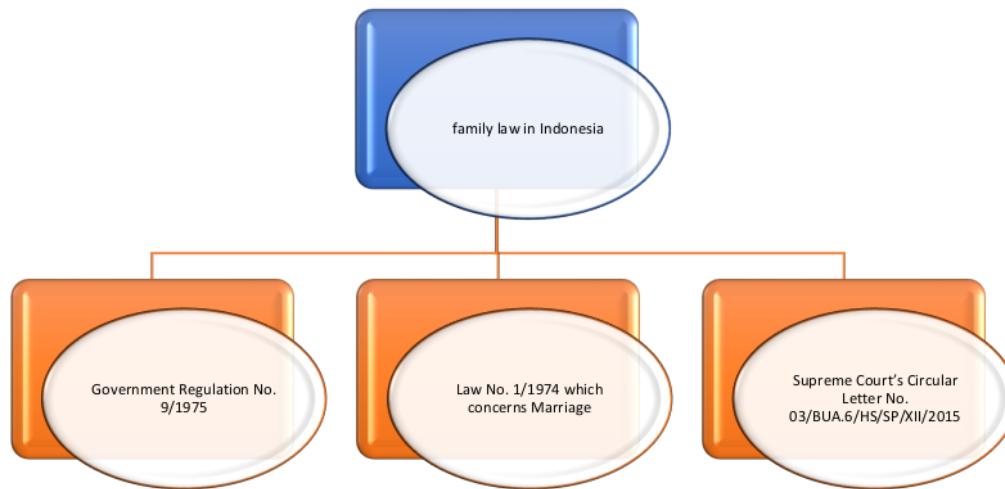


Figure 3.1. Mind map of family law in Indonesia

Therefore, in Indonesia, two court systems deal with family-related matters. The Religious courts deal with family law-related matters which take place among Muslims. In contrast, the District Courts deal with family law-related matters among non-Muslim individuals. Each court is run by a panel of three judges and is determined to provide solutions to family law-related matters within the context of Indonesia.

3.2 Family Law Reforms from the Criminal Law Perceptions

In Indonesia, family law deals with different legal matters regarding divorce, child support, inheritance, marriage, child custody, and adoption. However, criminal perspectives arise concerning family law when the prior matters are violated. Therefore, different family law reforms from the criminal law perspectives concerning different issues are discussed below:



Figure 3.2. Mind map of family law reforms in Indonesia

- **Early Marriage/ Child Marriage in Indonesia**

In Indonesia, the marriage doctrine is not separated from the *syafi'iyah* teachings, which have been famous since Islam entered Indonesia during the 7th century. However, certain provisions incorporated in the *fiqh* books are highly criticized as these provisions allow child marriage by stating that the age limit for a man to get married is 19 years and that of a woman is 16 years. In contrast, *AsySyauki* states that A'isha's marriage is an exceptional case (Abubakar, 2019). However, according to the marriage law, a woman can marry when she reaches the age of 21 years without any guardian.

According to Article 7 of the marriage law in Indonesia, a man can get married when he reaches the age of 19 years, while a woman can get married when she reaches the age of 16 years. However, Article 6 of this law also states that if the children have not reached the age of 21, they should get approval from their parents to get married. Licensing is also further regulated under this article. At the same time, if an individual is not 18 years old and unmarried, they are integrated into the immature category so that the parents or guardians represent them for all legal acts (Sumanto et al., 2021). The age limit was set to ensure the health and wellbeing of the wife, husband, and their offspring. The parents can also submit a marriage dispensation if the children are below the

minimum age limit to get married as regulated in "Minister of Religious Affairs Regulation No. 3 the year 1975." Thus, early marriage is stated as a crime under family law in Indonesia.

Different binding rules are implemented in Indonesia to minimize early marriage following the "General Elucidation of Law Number 1 the Year 1974 about Marriage" (Sugiyono et al., 2021). Various steps can be taken to prevent early marriage, such as increasing public awareness regarding the nature of marriage. However, the marriage law in Indonesia fails to incorporate the 18-year age limit for marriage as recommended by "International Human Rights Treaty Bodies;" it is also unable to implement the "law of 2002 on child protection," which does not allow the marriage of individuals who are less than 18 years old.

- ***Domestic Violence in Indonesia***

Domestic violence has become a global issue in the past few years. The number of domestic violence cases in Indonesia is rapidly increasing. However, the KUHP has highlighted different crimes associated with the household; however, the discussion regarding marital rape has remained untouched under the KUHP. According to Article 285 of the KUHP, rape is an unlawful act in which a male conducts sexual intercourse with a woman who is not her wife (Arief, 2018). Therefore, the KUHP is considered ineffective in preventing domestic violence by implementing important provisions. However, Articles 351 and 352 of the KUHP focus on the ill-treatment of women, but still, they cannot provide justice to the women who have experienced domestic violence. Considering the shortcomings of KUHP, "Law No. 23/2004 concerning the Elimination of Violence in the Household (UU PKDRT)" was introduced, which includes 56 articles (Alfitri, 2020). This law has also effectively provided legal protection within the context of any domestic violence crime. According to this law, domestic violence is stated as:

"[a]ny act against anyone, particularly a woman, bringing about physical, sexual, psychological misery or suffering, and/or negligence of the household, including any threat to commit an act, force, or the seizure of freedom in a manner against the law within the scope of the household."

Therefore, it has been observed that the KUHP does not criminalize domestic violence. In contrast, the UU PKDRT criminalizes domestic violence, highlighting different issues regarding women's psychological, physical and economic wellbeing (Cantika, 2023). Moreover, to avoid any misunderstanding within the context of subjects of law, the UU PKDRT clearly defines the people

protected by this law. These people include children, wives, husbands, relatives, and helpers. This law does not promote bias as it also states that men can also be the victims of domestic violence. This law has also effectively highlighted the protection of housemaids against domestic violence, as this population is more vulnerable in such a situation. This issue has not been highlighted in the KUHP, creating a void in the protection rights of all individuals.

- ***Child Abduction in Indonesia***

Child abduction is known as the wrongful retention or removal of a child without the consent of the legal guardians and parents. The abduction crimes are regulated in Articles 333 and 328 of the KUHP. Different rules are also applied to protect child victims under the "Child Protection Law (Law Number 23 of 2022 and its amendments in Law Number 35 of 2014 and Law Number 17 of 2016)." Moreover, the "Hague Child Abduction Convention" is also considered effective in highlighting the rights of child victims in such situations (Rafsanjani, 2022). Indonesia is also a signatory of this Convention. Under this Convention, the legal guardian whose child has been wrongfully retained or removed is given the right to seek legal proceedings for the child's return. In this regard, the legal authorities in Indonesia are obligated to cooperate with the associated authority of the child's residence. Therefore, Indonesian law is determined to protect children's rights. However, Article 328 of the KUHP also states that if any individual unlawfully removes or retains a minor who is under the age of 16 years, will commit a criminal offense which can lead to imprisonment of seven years or a heavy fine (Panjaitan et al., 2022). This shows that child abduction is a serious crime in Indonesia, and the government and the legal authorities take strict measures to deal with such crimes.

- ***Parental Neglect in Indonesia***

In cases when parent neglect results in endangerment or harm to a child, it is stated to have criminal implications. Parental neglect is referred to as a guardian or a parent's failure in providing support, protection or care for a child, leading to emotional, psychological or physical harm. In Indonesia, different laws and regulations have been developed and implemented within the context of parental neglect. For instance, KUHP's Article 76 presents the liability on the guardians and parents who neglect their duties intentionally. These duties include the education and healthcare of their children. At the same time, the child protection law in Indonesia also ensures the protection and wellbeing of the children, emphasizing the guardians and parents to carry out their duties in this

regard. For this purpose, a "Child Protection Commission (KPAI)" has also been developed in Indonesia, which deals with child protection issues regarding parent neglect or abuse (Rini Fathonah & Heni Siswanto, 2023).

- ***Same-Sex Marriages in Indonesia***

In Indonesian law, no legal rights are recognized within the context of same-sex civil partnerships or marriages. Family law in Indonesia also prohibits the concept of same-sex marriages as it is against Islamic teachings. The marriage law in Indonesia defines marriage as a spiritual and physical relationship between a woman and a man. Indonesian law does not criminalize a couple's cohabitation or same-sex relationships (Fajrin et al., 2021); however, a revised draft of the KUHP is being considered to criminalize cohabitation outside marriage and sexual relationships between people with the same sexual orientation.

Moreover, according to Article 2 of the marriage law in Indonesia, marriage is lawful and valid if conducted in accordance with the laws and regulations of each religion. At the same time, Article 34 of Law No. 23/2006 also supports the marriage between a woman and a man (Diningrat et al., 2020). It also states that the laws and regulations must be considered for a lawful marriage.

4. Conclusion

Almost every family area in Indonesia is directly or indirectly related to the KUHP. Different aspects related to family law include marriage, child support, inheritance, property rights, child welfare, marital breakdown, and guardianships. The present study has focused on family law reforms from the criminal law perspective in Indonesia. For this purpose, different concerns have been highlighted in this study, including child abduction, parental neglect, same-sex marriages, domestic violence, and early marriage. The results obtained from this study showed that the KUHP has been ineffective in preventing early marriages, leading to ineffective outcomes. However, certain reforms have been made in which the guardians or the parents are stated to be responsible for carrying out the legal activities of the children who have not reached the age of 21 and are determined to get married. At the same time, the concept of domestic violence is highly neglected under the KUHP, which the UU PKDRT later highlighted. However, in the case of child abduction, the associated guardian or parent is also given the right to seek legal proceedings to return the child. In contrast, the case of parental neglect leading to harmful consequences for the child results

in imprisonment. Moreover, same-sex marriages are also stated to be unlawful in Indonesia; however, no criminal charges are imposed on people who indulge in cohabitation before marriage or same-sex marriage; therefore, a revised draft is being considered in which these issues will be criminalized.

5. Recommendations

With the passage of time, the need for reforms in laws has been increased. Indonesia has already been working on reforms in different family laws in perspective to criminal law. But still, there are more reforms needed in different matters and laws. Moreover, the laws need to be implemented efficiently, but there has been observed a slow implementation of these reforms due to the lack of resources which can become a challenge for the authorities. Following are some recommendations for the stakeholders such as government, law-making institutes, policymakers, the public, etc., for the betterment in reforms of family law:

- Since there has been observed a lack of resources for the implementation of reforms in family law, the government should invest and provide more finance for the purpose of acquiring more concerned resources so that the reforms can be implemented properly within the country for the protection of families.
- The Indonesian law authorities should communicate and collaborate with the international law authorities to make such laws, policies, and regulations that can help the people of the country in a much better way.
- There should be a proper platform through which the issues like domestic violence, adultery, same-sex marriage, underage marriages, etc., can be reported properly. Currently, no such platform is available through which these cases can be reported. Moreover, even if the cases are reported, sometimes they are not being even paid attention to.
- There should be proper institutes that are made just to monitor the fact that whether the reforms and laws related to family issues are properly implemented or not. The reason for this is the fact that it has been observed in multiple cases that the reforms are present, but the implementation is not done properly.
- Still, there are some family issues that are not penalized properly or need more stern punishments from the perspective of criminal law. These issues include restraining the partner from taking divorce forcefully, taking custody of the child forcefully after divorce, underage marriages forced by parents, etc.

- Awareness campaigns should be organized for the purpose of creating awareness of these issues and these reforms so that they have the proper guidance and knowledge about this, as most of the time, people are not well aware of such things.

6. Implications

The focus of the current research study was to analyze the reforms in family law from the perspective of criminal law. The reforms in family law have become the need of the hour as these reforms can help people to live peacefully. Indonesia has been working on reforms in family law from past many years. The current research has certain theoretical and practical implications.

- ***Theoretical Implications***

As the current research study has discussed about the reforms in family law from the perspective of criminal law, it can be a great contribution to the existing literature. This research study has discussed the issues of early marriages, divorce, adultery, domestic violence, etc., that were studied in detail. The research study also discussed laws related to these issues and reforms that have been made by Indonesia within family law. This can be a great contribution to the literature. The current research study has highlighted these issues, which can be a great contribution to the theory. This study has also highlighted the family laws that are ultimately directly or indirectly connected to the family law reforms in Indonesia.

- ***Practical Implications***

The current research study has highlighted the importance of reforms in family law and also has discussed different reforms in family law. This can help the government to see which issues need more consideration. It also highlighted how there is still a lack in the implementation of the reforms even after the country is putting so much effort into the reforms. This can help the law-making authorities and legislative institutes of Indonesia to get insight into the matter. It can help them to make reforms according to the situation and also get an overview of the issues. The current research study is also very beneficial for the general public. As the current research study discussed different family laws that are related to different family matters and also discussed its reforms, it will be greatly helpful for the public in the sense of awareness. The awareness of these reforms may help them to handle these issues under the law if needed. Moreover, it can be helpful for the policymakers also to see what kind of issues need more attention and reforms.

7. Limitations and Future Directions

Even after having some great contributions, the current research study has some limitations and shortcomings. Firstly, the current research study has used the qualitative method only. But using the quantitative method might provide stronger empirical evidence. The current research study is based on the secondary data analysis. But collecting the primary data might give more reliable answers as there will be less chances for the biasness. Second, the current research study is only conducted in the context of Indonesia. But there can be other Asian and eastern countries, such as Oman, Qatar, etc., that are important to be discussed. Moreover, Indonesia is a developing country, but the results may differ in the developed countries. Indonesia is a civil law country, so there are chances that the results also differ in the countries such as Japan, China, etc., that use common law. Furthermore, the current research study has only analyzed the reforms in family law of Indonesia from the perspective of criminal law. It means that the data analyzed by the researcher may not be in-depth about family law reforms solely. The current research study has used the Judicial legal approach and Content analysis for the data collection and analysis. But there can be other techniques, such as thematic content analysis and normative juridical research method, that can be used.

This research study has also provided some certain future direction for other researchers. Firstly, future researchers can use the quantitative research method to get empirical evidence for strengthening the research. Second, future research should be conducted on the basis of primary data to reduce the chances of biasness in the data. Third, the research should be conducted in other countries, and even future researchers can work in developed countries to see the difference in results. Moreover, future research should be conducted in common law countries to do a comparative analysis. The researchers should conduct deep-level studies on the reforms of family law only. The technique of data collection and analysis, such as thematic content analysis and normative juridical research method, can be used for future research.

References

- Abubakar, F. (2019). Islamic family law reform: Early marriage and criminalization (A comparative study of legal law in Indonesia and Pakistan). *Al-Ahkam Jurnal Ilmu Syari'ah dan Hukum*, 4(2).
- Alfitri, A. (2020). Protecting Women from Domestic Violence: Islam, Family Law, and the State in Indonesia.
- Arief, H. (2018). Domestic violence and victim rights in Indonesian law concerning the elimination of domestic violence. *Journal of Legal, Ethical and Regulatory Issues*, 21(4), 1-7.

- Bailey, R., Dana, D., Bailey, E., & Davis, F. (2020). The application of the polyvagal theory to high conflict co-parenting cases. *Family Court Review*, 58(2), 525-543.
- Bettinger-Lopez, C., & Bro, A. (2020). A double pandemic: Domestic violence in the age of COVID-19. *Council on Foreign Relations*, 13, 1-7.
- Brown, T., Alexander, R., & Alexander, R. (2023). Family Courts and Family Violence. *Australian Courts: Controversies, Challenges and Change*, 321-344.
- Cantika, A. A. L. (2023). LEGAL PROTECTION OF WOMEN'S RIGHTS VICTIMS OF VIOLENCE IN HOUSEHOLD IN THE INDONESIAN JUSTICE SYSTEM. Proceedings of The International Conference on Multi-Disciplines Approaches for The Sustainable Development,
- Corradini, V., & Buccione, G. (2023). Unilateral divorce rights, domestic violence and women's agency: Evidence from the Egyptian Khul reform. *Journal of Development Economics*, 160, 102947.
- Crenshaw, K. W. (2020). Race, Reform, and Retrenchment: Transformation and legitimation in antidiscrimination law. In *Theories of race and racism* (pp. 616-627). Routledge.
- Diningrat, N., Yaswirman, Y., & Yoserwan, Y. (2020). Authority of State Lawyers in Application for Cancellation of a Marriage, Reviewed From Law Number 16 of 2004 Concerning the Attorney General's Office. *International Journal of Multicultural and Multireligious Understanding*, 7(6), 613-627.
- Fajrin, Y. A., Monique, C., & Hasanah, E. F. (2021). Responding to Legal Issues Regarding the Indonesian Criminal Code Bill of 2019. 2nd International Conference on Law Reform (INCLAR 2021),
- Fan, S., Qian, Y., & Koski, A. (2022). Child Marriage in Mainland China. *Studies in Family Planning*, 53(1), 23-42.
- Fathallah, R., Sidani, Y., & Khalil, S. (2020). How religion shapes family business ethical behaviors: An institutional logics perspective. *Journal of Business Ethics*, 163, 647-659.
- Fernandez-Kranz, D., & Nollenberger, N. (2022). The impact of equal parenting time laws on family outcomes and risky behavior by teenagers: Evidence from Spain. *Journal of Economic Behavior & Organization*, 195, 303-325.
- Grijns, M., & Horii, H. (2018). Child marriage in a village in West Java (Indonesia): Compromises between legal obligations and religious concerns. *Asian Journal of Law and Society*, 5(2), 453-466.
- Harris, L. J., Carbone, J. R., & Rebouché, R. (2023). *Family law*. Aspen Publishing.
- Henninger, A. (2022). Marriage equality in Germany: Conservative normalisation instead of successful anti-gender mobilisation. *German Politics*, 31(1), 79-100.
- Justice, F. M. o. (2023). *German Criminal Code*. https://www.gesetze-im-internet.de/englisch_stgb/englisch_stgb.html
- Keddell, E., Fitzmaurice, L., Cleaver, K., & Exeter, D. (2022). A fight for legitimacy: reflections on child protection reform, the reduction of baby removals, and child protection decision-making in Aotearoa New Zealand. *Kōtuitui: New Zealand Journal of Social Sciences Online*, 17(3), 378-404.
- Killick, E. A., & Griffiths, M. D. (2022). Sports betting advertising: A systematic review of content analysis studies. *International Journal of Mental Health and Addiction*, 1-27.
- Logan, J. (2023). Incest and the Production of Property in Children: Maintaining White Supremacy Through US Criminal Law. *Feminist Legal Studies*, 1-23.
- Oren, L. E. (2022). No-Fault Divorce Reform in the 1950s: The Lost History of the 'Greatest Project' of the National Association of Women Lawyers. *U of Houston Law Center*(2022-A), 3.
- Panjaitan, J. D., Safa'at, R., Endrawati, L., & Sulistio, F. (2022). Forced Marriage in the Bride-Napping Case in Sumba-East Nusa Tenggara Linked with Positive Law in Indonesia. *Jurnal Dinamika Hukum*, 22(3), 632-646.
- Poitras, K., Birnbaum, R., Saini, M., Bala, N., & Cyr, F. (2021). Family dispute resolution: Characteristics of cases resolved by trial. *Children and Youth Services Review*, 123, 105832.

- Putra, H. M., & Ahyani, H. (2022). Internalization in Islamic Law Progressive in Criminal Law Changes in Indonesia. *Jurnal Ilmiah Al-Syir'ah*, 20(1), 68-90.
- Rafsanjani, J. I. (2022). Legal Protection Of Kid Influencers From Child Exploitation. *Jurnal Penelitian Hukum De Jure*, 22(1), 093-104.
- Rakoff, J. S., & Goldstein, H. W. (2023). *RICO: Civil and Criminal Law and Strategy*. Law Journal Press.
- Rini Fathonah, R., & Heni Siswanto, H. S. (2023). HUMANIST LAW: LAW ENFORCEMENT STRATEGY AGAINST CHILD PERSONS OF CRIME IN INDONESIA. *International Journal of Advanced Research (IJAR)*, 11(1).
- Roslaili, Y., Idris, A., & Suhemi, E. (2021). Family law reform in Indonesia according to the Maqashid al-shari'a perspective (A case study of Law no. 16 of 2019). *Gender Equality: International Journal of Child and Gender Studies*, 7(2), 183-197.
- Schepard, A. (2022). Family law with skills ten years later: Experiential education in the introductory family law course. *Family Court Review*, 60(4), 836-854.
- Sugiyono, H., Suprima, S., & Ibrahim, A. L. (2021). Increasing The Family Law Aspects Understanding For Depok City Community. *ABDIMAS: Jurnal Pengabdian Masyarakat*, 4(2), 825-835.
- Sumanto, D., Samsudin, T., & Amirudin, F. H. A. (2021). The Existence of the Religious Court in Handling Divorce Cases on the Reason of Domestic Violence. *Jambura Law Review*, 3(2), 214-230.
- Wismayanti, Y. F., O'Leary, P., Tilbury, C., & Tjoe, Y. (2019). Child sexual abuse in Indonesia: A systematic review of literature, law and policy. *Child abuse & neglect*, 95, 104034.

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