



## LEGAL PROTECTION OF THE CITIZENSHIP STATUS OF CHILDREN FROM MIXED MARRIAGES BASED ON LAW NUMBER 12 OF 2006 ON CITIZENSHIP

By

**Ony Rosifany, Gusti Heliana Safitri, Kamaluddin, Hairun Jariah, Mawar Putri Octaviani**

Lecturer of Law Faculty, University of 17 Agustus 1945 Samarinda

Email : onyrosifany55@gmail.com; safitriheliana@gmail.com;

Kamaluddin.kl@gmail.com; hairun@untag-smd.ac.id; mawarputrioccta@gmail.com

Corresponding Author: Ony Rosifany

### Abstract

Marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family based on the One Almighty God. Mixed marriage is a marriage between two husbands/wives who are each subject to different laws. This marriage has several consequences related to citizenship for each party involved in the marriage. The purpose of this study is to determine the legal protection of the citizenship status of children resulting from mixed marriages based on Law Number 12 of 2006 concerning Citizenship and to determine the civil rights of children resulting from mixed marriages according to the legal system in Indonesia. The method in this study uses a normative judicial related by the author. The sources of legal material used include legislation related to legal issues being handled. The results of the research that the legal protection for the citizenship status of children resulting from mixed marriages according to Law Number 12 of 2006 is that children get limited dual citizenship until the child has reached the age of 18 years or is married, the child is required to choose one nationality, he chooses and regarding the civil rights of the child, if the child with limited dual he is 18 years old and has chosen the citizenship of choice and then he can realize his rights according to the applicable regulations.

### Keywords:

Legal Protection, Children, Mixed Marriage, Dual Citizenship.

**How to cite:** Rosifany, O., Safitri, G., Kamaluddin, K., Jariah, H., & Octaviani, M. (2025). LEGAL PROTECTION OF THE CITIZENSHIP STATUS OF CHILDREN FROM MIXED MARRIAGES BASED ON LAW NUMBER 12 OF 2006 ON CITIZENSHIP. *GPH-International Journal of Social Science and Humanities Research*, 8(6), 124-135. <https://doi.org/10.5281/zenodo.16601809>



This work is licensed under Creative Commons Attribution 4.0 License.

## 1. INTRODUCTION

Humans are the most perfect creatures of God Almighty. As social beings, humans always live together with other humans and cannot be separated in their social life. One of the individual human relationships is the relationship between a man and a woman in a marriage bond.

The validity of marriage has been clearly and systematically regulated in Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, so that marriage is a legal act. Marriage is a physical and spiritual bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on the Almighty God.

In Indonesia, mixed marriage is a marriage between two husbands/wives who are each subject to different laws, due to differences in citizenship and one of them is Indonesian citizenship [1] for example, Indonesian workers who work abroad often marry citizens of the country where they work, or among foreign tourists who are on vacation in Indonesia and marry native Indonesians.

Mixed marriages have several consequences related to citizenship, for each party involved in the marriage, namely: (a) both parties become Indonesian citizens (WNI) if the foreign citizen (WNA) in the marriage declares a statement to become an Indonesian citizen Article 19 paragraph (1) of Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia; (b) both parties become WNA if the Indonesian citizen in the marriage declares a statement not to become an Indonesian citizen. Article 26 of Law Number 12 of 2006 concerning Indonesian Citizenship; and (c) each party retains the citizenship of its original citizen.

Everything that involves two citizenships and raises other issues is more or less related to the field of International Civil Law [2]. There are several views on International Civil Law. International Civil Law is the entirety of legal regulations and decisions that determine which law applies in the event of a dispute between two or more people with different citizenships [3].

Citizenship status is very important because it is a sign of a legal relationship between an individual and the state. Status is the legal basis for civil rights and obligations as a citizen, where the identity of a citizen is regulated in the law on citizenship [4]. The obstacle for someone who carries out a marriage of different citizenships, both at home and abroad, is legal protection. For example, if a divorce occurs, it has an impact on the division of property, child custody, and so on.

Legal protection is a description of the function of law to realize the law, namely justice, benefit, and legal certainty. According to [5], legal protection is protection given to legal subjects by applicable regulations, both preventive and repressive, both written and unwritten. Related to legal protection, in this problem, preventive legal protection can be used, namely, where the protection provided by the government is intended to prevent violations before they occur and provide limitations in an obligation [6]. In this case, in a mixed marriage that gives birth to a child, the position of the child and the relationship between parents and children is determined that parents are required to care for and educate

their children as well as possible until the child is 18 years old or has never been married, this power also includes representing the child regarding all legal actions inside and outside the court [7].

Child protection must be attempted in various areas of life, and national, social, and family life based on law, for the sake of justice and welfare of children from marriages carried out by actors in mixed marriages, so that children can receive legal certainty. This is related to child protection, and the implementation of Law Number 12 of 2006 has different consequences from the previous law, where a child only has one citizenship that has been regulated by law to follow the citizenship of his father. And considering the enactment of Law Number 12 of 2006, if a child wants to get legal protection, He must register his chosen citizen to get legal protection in a country.

The purpose of this study is to determine the legal protection of the citizenship status of children resulting from mixed marriages based on Law Number 12 of 2006 concerning Citizenship and to determine the civil rights of children resulting from mixed marriages according to the legal system in Indonesia.

## **2. LITERATURE REVIEW**

### **2.1. General Overview of Citizenship**

Indonesia has protected children's rights to their citizenship as stated in Article 5 of Law Number 23 of 2002 concerning Child Protection, that every child has the right to a name as a self-identity of citizenship status [8]. Citizenship status is very important for every individual, and it is the individual's right to choose their citizenship status [9].

Article 4 of Law Number 12 of 2006 concerning Citizenship explains that Indonesian Citizens are:

1. Every person who is based on laws and/or agreements between the Indonesian Government and other countries before this law comes into effect has become an Indonesian citizen.
2. Children born from a legitimate marriage of an Indonesian father and mother
3. Children born from a legitimate marriage of an Indonesian father and a foreign citizen mother
4. Children born from a legitimate marriage of a foreign national father and an Indonesian mother
5. Children born from a legitimate marriage of an Indonesian mother, but the father does not have citizenship, or the law of the father's country of origin does not grant citizenship to the child.
6. Children born within 300 days after the death of their father from a legitimate marriage, and the father is an Indonesian citizen
7. Children born outside of a legitimate marriage of an Indonesian mother
8. Children born outside of a legitimate marriage of a foreign national mother who is recognized by the Indonesian father as his child, and the recognition is made before the child is 18 years old, and when not yet married.
9. Children born in the territory of the Republic of Indonesia whose father's and mother's citizenship status is unclear at the time

10. Children who are newly born and found in the territory of the Republic of Indonesia, as long as their father and mother are unknown
11. Children born in the territory of Indonesia whose father and mother do not have citizenship or whose whereabouts are unknown
12. Children born outside the territory of the Republic of Indonesia from a father and mother who are Indonesian citizens, because the provisions of the country where the child was born grant citizenship to the child concerned
13. Children of a father or mother whose application for citizenship has been granted by the father or mother who died before taking the oath or promise of allegiance.

While in Article 7 of Law Number 12 of 2006 concerning Citizenship, states regarding foreigners, namely: every person who is not an Indonesian citizen is treated as a foreigner.

## **2.2. Principle of citizenship**

The principle of citizenship is the legal basis for citizenship for residents of a country. Residents of a country are also divided into citizens and foreign nationals [10]. Citizens are those who are legally members of a country. Foreign nationals are those who are not yet citizens. If they want to become citizens, they must go through a process called naturalization. Initially, determining a person's citizenship was based on the following principles:

1. The principle of place of birth (*ius soli*), namely the principle that determines a person's citizenship based on their place of birth. This principle provides the advantage that with the birth of children from immigrants in the country, they are separated from the country of origin, but over time, many countries have abandoned this principle.
2. The principle of descent (*ius sanguinis*), namely the principle that determines a person's citizenship based on the citizenship of their parents (descendants), regardless of where they were born. The advantage of this principle is that it will reduce foreign descendants as citizens, not severing relations between the country and other citizens.

Since the issuance of Law Number 12 of 2006 concerning Citizenship, more attention has been paid to the principles of citizenship that are general and universal, namely:

1. The principle of *ius sanguinis* is the principle that determines a person's citizenship based on their place of birth, which is limited to children by the provisions regulated.
2. The principle of single citizenship is the principle that determines only one citizenship for each citizen
3. The principle of limited citizenship is the principle that determines dual citizenship for children by the provisions of the legislation.

## **2.3. Marriage according to Indonesian Law**

Provisions regarding marriage are regulated in Law Number 1 of 1974 concerning Marriage. The law stipulates marriage itself, the consequences of marriage, and mixed marriages.

Marriage has five elements, namely: spiritual bond, between a man and a woman, as husband and wife, forming a happy and eternal family, and based on the One Almighty God.

Law Number 1 of 1974 concerning Marriage, article 1 states that the bond of husband and wife is based on the One Almighty God. Marriage is a sacred bond. The bond cannot be separated from the religion of the husband and wife [11].

## **2.4. Purpose and Requirements of Marriage**

The purpose of marriage, according to Law Number 1 of 1974 concerning Marriage, is to form a family in the sense of forming a small community unit consisting of husband, wife, and children. Forming a happy family can have offspring, which is the purpose of marriage. Maintenance and education are the rights and obligations of parents.

The requirements for marriage are:

### **1. General material requirements:**

(a) There must be agreement from both parties of the prospective bride and groom. Agreeing in the sense that no one can force the prospective bride or groom without their free will.

(b) The age of the prospective groom must be at least 19 years old, and the prospective bride must be 16 years old

### **2. Formal requirements:**

(a) Notification of the intention to marry to the marriage registrar

(b) Announcement by the marriage registrar

(c) Implementation of the marriage according to the laws of each religion and belief

(d) Registration of the marriage by the marriage registrar.

## **2.5 Definition of Mixed Marriage**

A mixed marriage is a marriage between an Indonesian citizen and a foreign national. Article 57 of Law Number 1 of 1974 concerning Marriage states that a Mixed Marriage is a marriage between two people in Indonesia and under different laws due to differences in citizenship, one of the parties is an Indonesian citizen.

## **2.5 Definition of Mixed Marriage**

A mixed marriage is a marriage between an Indonesian citizen and a foreign national. Article 57 of Law Number 1 of 1974 concerning Marriage states that a mixed marriage is a marriage between two people in Indonesia and under different laws due to differences in citizenship; one of the parties is an Indonesian citizen.

Based on the provisions of Article 57, the elements of a mixed marriage can be described as follows:

1. Marriage between a man and a woman
2. Subject to different laws
3. Different citizenships
4. One of them is an Indonesian citizen

## **2.6. Consequences of Mixed Marriages**

The legal rules of Indonesian citizenship have undergone quite significant changes with the enactment of Law Number 12 of 2006 concerning Citizenship. The new law replaces Law Number 62 of 1958, which was considered very discriminatory. There is an explanation from the new law stating that Law Number 62 of 1958 philosophically, juridically, and

sociologically is no longer by the development of society and the state of the Republic of Indonesia [12].

For children with dual citizenship after the age of 18, the child must declare to choose one of their citizenships to choose. This breakthrough is that children with dual citizenship are entitled to a birth certificate in Indonesia and a birth certificate from another country where the child is recognized as a citizen. Furthermore, people who enter into mixed marriages can obtain the citizenship of their husband or wife and can also lose citizenship according to the methods determined in the applicable Republic of Indonesia Citizenship Law, Article 58 of Law Number 1 of 1974 concerning Marriage.

## 2.7. General Definition of Children

In general, what is meant by a child is a descendant or generation as a result of a relationship between a man and a woman, either in marriage or outside of marriage [13]. Regarding the discussion of children, in Indonesia, there are still many opinions regarding the definition of a child, confusing in determining whether someone is a child or not. This is because the legal system in Indonesia is pluralistic, so children have different definitions and limitations between one law and another.

### 1. Definition of a child according to the provisions of laws and regulations:

- a. Children according to the Criminal Code (KUHP). The definition of a child in criminal law is placed in the sense of a child who is not yet an adult, as a person who has special rights and needs to receive protection according to applicable legal provisions. The definition of a child in the Criminal Code can be taken as an example from Article 287 of the Criminal Code. In this article, it is stated that a minor is a child who has not reached the age of 15 years.
- b. Children according to Law Number 39 of 1999 concerning Human Rights, Article 1 paragraph (5) states that a child is every human being under the age of 18 and not yet married, including children who are still in the womb if it is in their interests.
- c. Children. According to Law Number 35 of 2014 concerning Child Protection, Article 1 states that a child is someone who is not yet 18 years old and also includes children who are still in their mother's womb.
- d. Children according to Law Number 4 of 1976 concerning Child Welfare, Article 1 paragraph (2), a child is someone who has not reached the age of 21 and has never been married. It can be said that a child is if they have not reached the age of 21 and has never been married.
- e. Children according to civil law, Article 330 of the Civil Code states that minors are those who have not reached the full age of 21 years and have not first married.
- f. According to Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Article 1 paragraph (2) states that a child is a child who is 12 years old but not yet 18 years old who is suspected of committing a crime.

### 2. Sociological definition of a child.

A child is someone born from a relationship between a man and a woman. What is meant by children is someone who is still under a certain age and is not yet an adult, and not yet married [14].

3. Psychological definition of a child.

To determine the criteria for a child are determined by the age limit, growth, and development of the soul experienced. "It can be concluded that what is referred to as a child is from infancy to the last childhood, namely from birth to the age of 12 years.

### **3. RESEARCH METHOD**

The research method used is normative juridical, namely library research that includes research on legal principles, legal systematics, and comparative law. In addition, a statutory approach is taken by examining all laws and regulations related to the contents of the law being studied.

The sources of legal materials used are;

1. The primary legal materials used are:

- a. The 1945 Constitution of the Republic of Indonesia
- b. Civil Code (KUHPPerdata)
- c. Law Number 1 of 1974 concerning Marriage
- d. Law Number 39 of 1999 concerning Human Rights
- e. Law Number 23 of 2002 concerning Child Protection
- f. Law Number 12 of 2006 concerning Citizenship
- g. Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection
- h. Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage.

2. Secondary legal materials used are all publications on law that are not official documents. Publications on law include law books, dictionaries, and the internet.

Legal Material Analysis, namely legal materials collected and processed systematically, then analyzed using the following techniques:

1. Descriptive (description), namely a research method that attempts to describe and interpret objects according to existing facts.
2. Interpretation, namely the process of communication through speech or conversation that cannot use the same symbols, or in sequence, and is only used in one method if necessary.

### **4. RESULTS AND DISCUSSION**

#### **4.1. Legal Protection for the Citizenship Status of Children Resulting from Mixed Marriages Based on Law Number 12 of 2006 concerning Citizenship**

In implementing the principle of citizenship, two guidelines are known, namely the principle of citizenship based on marriage and the principle of citizenship based on birth [15].

Children resulting from mixed marriages obtain citizenship status by being determined based on an agreement within a country; this provision becomes a guideline for determining citizenship status [16]. Every individual who becomes a citizen is obliged to comply with all legal provisions made by the state, and the state is obliged to protect citizens wherever they are [17].

The principle of *Ius Sanguinis* defines all people born to descendants of Indonesian citizens abroad as Indonesian citizens. Law Number 12 of 2006 concerning Citizenship

accommodates the application of limited dual citizenship status for children born from mixed marriages [18]. The problem can occur during the marriage or after the divorce. Limited dual citizenship has consequences for children from mixed marriages where children are required to submit to two jurisprudence from parents with different citizenships [19].

The provisions of Law Number 12 of 2006 concerning Citizenship, that children born from mixed marriages can become Indonesian citizens and can become foreign nationals.

#### 1. Becoming an Indonesian Citizen

- a. If the child is born from a marriage between a foreign woman and an Indonesian man.
- b. If the child is born from a mixed marriage between a foreign woman and an Indonesian woman
- c. If the child is born from a marriage between an Indonesian woman and a man without citizenship, or the law of the father's country of origin does not grant citizenship to the child.
- d. If the child is born outside the legal marriage of a foreign mother who is recognized by an Indonesian father as his child, and the recognition is made before the child is 18 years old or unmarried.
- e. If the child is born in the territory of the Republic of Indonesia, if the father and mother do not have citizenship, or their whereabouts are unknown.
- f. If the child is born outside a legal marriage under the age of 18 or unmarried and is legally recognized by his father, who is a foreign citizen, he is still recognized as an Indonesian citizen

#### 2. Becoming a Foreign Citizen

If a child who follows foreign citizenship is born and resides in Indonesia, then the child must be issued a passport at the father's Embassy and a Temporary Residence Permit (KITAS), which must always be renewed and requires expensive costs [20]. With the presence of Law Number 12 of 2006 concerning Citizenship, where children born from mixed marriages are still recognized as Indonesian citizens in addition to their foreign citizenship, which follows their father. In other words, children from mixed marriages can obtain limited dual citizenship. The new citizenship law is a historic milestone for efforts toward realizing the concept of equal citizenship, especially concerning international marriages. Currently, according to Burhan Magenda, national identity is a complex issue; therefore, the historical background of the implementation of single citizenship for political and security reasons during the Cold War should be changed and adjusted. This is where the need for dual citizenship is [21].

Article 4 letter c of Law Number 12 of 2006 states Indonesian citizens are children born from a legal marriage of an Indonesian father and a foreign national mother. And then letter d states: Indonesian citizens are children born from a legal marriage of a foreign national father and an Indonesian mother.

Article 6 paragraph (1) states In the case of the citizenship status of the Republic of Indonesia for a child as referred to in Article 4 of Law c, d, h, i and Article 5 resulting in the child having dual citizenship, after 18 years or being married the child must declare that he/she has chosen one of his/her citizenships. Article 41 of Law Number 12 of 2006 concerning Citizenship states that a person who was not yet 18 years old when the citizenship law was enacted in 2006 is given four years to register. If a person has foreign citizenship,



then foreign law applies to his/her status, namely the national law of his/her country. If the child has dual citizenship, then the child is subject to two jurisdictions from two different countries, so the principle of citizenship is adopted in International Civil Law through Article 16 AB.

In Article 47, Paragraph (1) of Law Number 12 of 2006 concerning Marriage, it is also emphasized that the age limit for a child is 18 years. The article states that "a child who has not reached the age of 18 or has never been married is under the authority of his parents, as long as their authority is not or has not been revoked". In line with the provision of the age of 18 for a child, Law Number 23 of 2002 concerning Child Protection provides a clearer definition of a child as regulated in Article 1, number 1 as follows: "A child is a person who is not yet 18 years old, including a child who is still in the womb". Based on the provisions above, the age limit for a person who is considered an Indonesian child is 18 years old or not yet married. In Article 2 of the BW, humans as legal subjects mean that humans have rights and obligations in legal traffic, but for children as supporters of rights and obligations as long as the child is not yet an adult or not yet married, children generally only have rights but do not have obligations, so they get more benefits from dual citizenship. Therefore, when they are adults or married, they must choose one of the citizenships resulting from the mixed marriage. If they do not choose one of the two citizenships, they are considered foreigners.

#### **4.2. Civil Rights of Children from Mixed Marriages According to the Legal System in Indonesia**

According to international civil law, to determine the status of a child in the relationship between child and parent, it is necessary to first look at the marriage of the parents as a preliminary issue, whether the marriage of the parents is valid, so that the child has a legal relationship with his father if the marriage of the parents is invalid then the child only has a relationship with his mother.

In his civil rights, especially in the inheritance law applicable in Indonesia, the child is the heir, with the note that in Western civil law, the child in question must have a blood relationship with his parents.

Inheritance law is one part of civil law as a whole and is the smallest part of family law [22]. Inheritance law is closely related to the scope of human life; therefore, every human being will experience a legal event called death, which results in the problem of how to resolve rights and obligations. As regulated in the Civil Code, Book Two on property, and also in Islamic inheritance law and customary inheritance law.

In discussing inheritance, three things need attention: where these three things are elements of inheritance.

##### **1. The deceased/heir**

The heir is a person who dies by leaving rights and obligations to other people who are entitled to receive them. Article 874 of the Civil Code, all inheritance of a deceased person belongs to his heirs according to the law; only that with a will is taken after a valid determination. Thus, according to the Civil Code, there are two types of heirs. Namely, the first-mentioned inheritance law is called ab intestate inheritance law (without a will). The second inheritance law is called the law of inheritance by will or testamentary inheritance.

##### **2. Heirs who are entitled to receive the assets/erfgenaam**

Heirs are people who are still alive and who are given the right by law to receive the rights and obligations left by the testator. According to Article 2 of the Civil Code, a child in the womb is considered to have been born if the child's needs require it. Thus, a child who is still in the womb, even though not yet born, can inherit because it is contained in the article. Heirs consist of:

(a) Heirs according to law (abintestato)

These heirs are based on blood relations with the testator or blood relatives. These heirs consist of 4 groups, namely Group I consists of children, husband (widower), and wife (widow) of the testator. Group II consists of the father, mother (parents), and siblings of the testator. Group III consists of blood relatives of the father or mother straight up such as grandfather and grandmother. Group IV consists of relatives such as uncles and aunts from both the father's and mother's sides

(b) Heirs according to a will

These heirs are based on a will, namely in Article 874 of the Civil Code, every person who is given a will legally by the testator of the will, consists of testamentair erfgenaam, namely heirs who receive a will containing an *erfstelling* (appointment of one or several heirs to receive all or part of the inheritance); *legendary*, namely heirs because they receive a will that appoints someone to receive several rights to one or several types of inheritance, the right to all of one type of certain object, the right to collect proceeds from all or part of the inheritance, the right to collect proceeds from all or part of the inheritance. Thus, there are three bases for becoming an heir: based on blood relations, heirs with marital relations, and heirs based on a will.

### 3. Inheritance

In principle, only the rights and obligations in the field of wealth can be inherited. "These rights and obligations are in the form of assets (several real objects and/or in the form of bills or receivables to third parties, in addition, they can also be in the form of material rights such as copyright); passive (several debts of the testator that must be paid to third parties or other obligations) [23 and 24]. Thus, the rights and obligations arising from family law cannot be inherited.

If the husband is an Indonesian citizen, then the material legal provisions relating to assets are regulated by the husband's law, namely the Marriage Law. However, if there is no agreement regarding the assets of this mixed marriage, it will be subject to Article 35, which stipulates that property obtained during the marriage becomes property obtained by each as a gift or inheritance under the control of each as long as the parties do not determine otherwise.

For mixed marriages, it will become a problem of International Civil Law because it will be linked to 2 different marriage law systems, which in its resolution can be used the provisions of Article 2 and Article 6 paragraph (1) GHR (*Regeling of de gemengde huwelijke*).

In Indonesia, obtaining land rights is limited to foreigners; including ownership rights, building use rights cannot be owned by foreigners according to the basic agrarian law and its implementing regulations. Along with the implementation of dual citizenship of children from mixed marriages, one of whose citizenship is that of a citizen, the problem is whether children with dual citizenship can realize their rights in the field of land law. In Indonesia, since the enactment of the Basic Agrarian Law, Article 21 paragraph (2) prohibits foreign

countries from obtaining land rights, and even paragraph (3) prohibits a person with dual citizenship from obtaining ownership rights.

Based on the law, children born from mixed marriages and having dual citizenship will find it difficult to realize their rights, in the sense of having rights to land left by one of their parents who has the same citizenship as the child [25]. If a child with dual citizenship receives an inheritance from one of their parents in the form of land ownership, then the child's rights will certainly not be revoked, but they must wait until they reach 18 years of age and then choose one citizenship to be able to have their rights according to applicable regulations. Ownership rights are the strongest rights and cannot be revoked in a short period.

## **CONCLUSION**

Based on the results of the research and discussion, it is concluded as follows:

1. Legal protection for the citizenship status of children from mixed marriages based on Law Number 12 of 2006 concerning Citizenship in Article 6 paragraph (1) which reads: In the case of the citizenship status of the Republic of Indonesia for children as referred to in Article 4 letter c, letter d, letter h, letter i and Article 5 resulting in children having dual citizenship, after the age of 18 or married the child must choose one citizenship.
2. The civil rights of children from marriage according to the legal system in Indonesia have dual citizenship limited to children from mixed marriages, which has implications in civil law in Indonesia, namely regarding the child's status and the child's civil rights to obtain inheritance rights from both parents who have different citizenships, the child must wait until he reaches the age of 18 and has chosen Indonesian citizenship as his choice and only then can he realize his rights with applicable regulations.

## **BIBLIOGRAPHY**

### **BOOK AND JOURNAL**

- [1] Badri, R. (1985). Marriage Law and Criminal Code. CV. Amin, Surabaya.
- [2] Gautama, S. (2008). International Civil Law. Bina Cipta, Bandung.
- [3] Purwadi, A. (2018). Basics of International Civil Law. Center for Law and Development Studies (PPHP), Surabaya.
- [4] <http://www.google.co.id/amp/s/www.kompasiana.com/amp/asafila/pentingnya-status-kewarganegaraan-untuk-mendapatkan-kepastian-hukum>, accessed on May 11, 2025, at 10.00 WITA.
- [5] Setiono. (2004). Supremacy of Law. Presisindo Academy, Surakarta.
- [6] <http://journal.uui.ac.id/JIPRO/article/download/11142/8509>, accessed on May 11, 2025, at 14.00 WITA
- [7] Saleh, K.W. (1976). Indonesian Marriage Law. Ghalia Indonesia, Jakarta.
- [8] Erdianti, R.N. (2020). Child Protection Law in Indonesia. UMM Press, Malang.
- [9] Starke, J.G. (1989). Introduction to International Law. Ninth Edition. Aksara Persada, Jakarta.
- [10] Isharyanto. (2016). Citizenship Law of the Republic of Indonesia. CV. Absolute Media, Yogyakarta.
- [11] Isnaeni, M. (2016). Indonesian Marriage Law. Refika Aditama, Bandung.

- [12] Abdulkadir, M. (1993). Indonesian Civil Law. PT. Citra Aditya Bakti, Bandung.
- [13] Irwanto. 2009. Child Protection and Basic Principles. Yayasan Obor Indonesia, Jakarta.
- [14] Gisita, A. (2004). Child Protection (Collection of Essays). Bhuana Ilmu Populer, Jakarta.
- [15] Aryumardi. (2003). Civic Education. Prenada Media, Jakarta.
- [16] Wahono, W. (2019). Civic Education and Textbook. Deepublish, Yogyakarta.
- [17] Sigit, R.N. (2020). Protection of Stateless Persons. University of Jambi, Jambi.
- [18] Charity, M.L. (2016). The Urgency of Dual Citizenship Regulation for the Indonesian Diaspora. *Constitutional Journal*, Jakarta. Page 816.
- [19] Wulansari, E.M. (2015). The Concept of Limited Dual Citizenship and the Citizenship System in Indonesia. *Recht Vindings Online*, Jakarta.
- [20] Purwanto, B. (2019). Citizenship Practices in Indonesia. Ombak Press, Bantul.
- [21] <http://ww.sinar-harapan.co.od/berita/0512html.suradi.indonesia-perlu-terapkan-dwi-kewarganegaraan>. Accessed on May 19, 2025, at 20.00 WITA
- [22] Suparman, E. (2018). Indonesian Inheritance Law from the Perspective of BW. Refika Aditama, Medan. [23] <http://www.Hukumonline.com234532//chapter201>, accessed on March 14, 2025, at 14.00 WITA
- [24] <http://www.wikipwdia.co.id.ghr> accessed on March 14, 2025, at 14.35 WITA
- [25] Subekti. 2008. Family Law and Inheritance Law. Intermasa, Jakarta.

## **B. Legislation**

Constitution of the Republic of Indonesia Year 1945

Civil Code

Law Number 1 of 1974 Concerning Marriage

Law Number 39 of 1999 Concerning Human Rights

Law Number 23 of 2002 Concerning Child Protection

Law Number 12 of 2006 Concerning Citizenship

Law Number 35 of 2014 Concerning Amendments to Law Number 23 of 2002 Concerning Child Protection

Law Number 16 of 2019 Concerning Amendments to Law Number 1 of 1974 Concerning Marriage