

Reconstruction of the legal protection of civil rights for the child of adultery based on values of justice in Indonesia

Dr. Suryati, S.H.,M.H

University of Wijaya Kusuma Purwokerto Banyumas (Indonesia)

Abstract

The child of adultery as children born outside marriage has civil rights. Indonesian Constitutional Court Decision No. 46/PUU-VIII/2010 protects the civil rights of children born outside of marriage, but do not give a solution for the child of adultery. In this sense a reconstruction of the legal protection is needed. This manuscript should present an optimal legal protection based on the Constitutional Court Decision No. 46/PUU-VIII/2010 and also a revision of Article 43 paragraph 1 of Law No.1/1974, Article 283 of the Civil Code and Article 26, Paragraph 2 of the Law No.35/2014. Other structural aspects such as the expansion of the jurisdiction in deciding civil rights of the child of adultery and aspects of culture are also part of this analysis.

Keywords: *reconstruction, legal protection, civil right, adultery child.*

Full Text: [PDF](#)



This work is licensed under [Creative Commons Attribution 3.0 License](#).

European Journal of Economics, Law and Social Sciences ISSN 2519-1284 (print) ISSN 2510-0429 (online)

Copyright © IIPCCCL-International Institute for Private, Commercial and Competition law