Every Citizens Reserve The Right To Form A Harmonic Family

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Abstract

Having a harmonious family is everyone's dream, but it does not escape the emergence of conflict that can end in divorce. Divorce can arise due to several reasons such as the existence of domestic violence related to the increasing cases of violence against women. The purpose of this study is to determine the tendency for divorce cases to occur in Indonesia. The method used for this research is qualitative research based on data uploaded by the Central Statistics Agency (BPS). From the data obtained from 2015-2018 it can be concluded that the divorce rate in Indonesia continues to increase, this is very alarming because it is supported by data on violence against women which also increases every year. From the results of this study it can also be concluded that divorce cases in Indonesia are closely related to the increasing factor of violence against women supported by available data.

Keywords: family rights, harmonious family, household conflict.

I. Introduction

As an Indonesian citizen who is a state of law and has the same rights and obligations, all citizens must obey the applicable legal rules and apply them in their daily lives so as to make all citizens accustomed to the rules that apply. One’s obligation and role as a citizen is the right as an Indonesian citizen to form a harmonious family. As citizens of Indonesia, they should exercise their rights and obligations well because every citizen has the right to form a harmonious family because the role of the family is the initial foundation for developing and growing a nation. but all that did not escape divorce. Divorce is something that cannot be expected to occur between the initial dream of someone who wants to form a harmonious family. 1

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There are a lot of news about divorce on television and on the internet related to Domestic Violence (domestic violence) caused by someone who does not fulfill their obligations.

The increasing number of divorce cases in Indonesia is increasingly worrying, especially if it is supported by the increasing number of cases of violence against women which is also contrary to human rights. The government has made various efforts in reducing divorce cases in Indonesia today. With the high divorce rate in Indonesia which is increasing from year to year, the writer wants to find out the causes and effects of divorce in Indonesia. Thus the government can understand what actions need to be taken to reduce this problem so as not to increase the numbers, the writer has the hope to make a harmonious family in every Indonesian citizen that can be realized.

Literature Review:

a. Divorce

Divorce is the breaking of the marriage ties between husband and wife with a court decision and there is sufficient reason that between husband and wife will not be able to live in harmony again as husband and wife.  

b. Domestic Violence

Domestic Violence (Domestic Violence) is all physical, psychological and sexual threat, harassment, and sexual behavior between two people who are bound by personal relationships or to other family members.  

c. Violence Against Women

Violence against women is an action taken by a person with the aim of abusing or physical violence against women both mentally and physically.  

II. Method

a. Qualitative Methods

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Methods by taking data from certain sources and trusted as material for discussion.

b. Case Study Methods

Approach by investigating and understanding a problem or event by gathering various information that is processed in order to get a solution so that the problem revealed can be solved.

c. Library Studies

Find information based on various references such as books, scientific journals, and various materials that can help expose real information.

III. Main Heading of the Analysis or Results

A. The Right To Form A Family

The marriage itself is a bond between women and men that connects between two families on the basis of law and an agreement between the two parties to have each other on the basis of love and affection and to achieve common goals without coercion, fraud or pressure from parties.\(^5\)

From the explanation of marriage above, it can be concluded that marriage has a purpose and principle, namely Marriage aims to bring happiness and life complement each other, Marriage is not only outward but also inward and religious in nature. Recorded in the Law Number 1 of 1974 which contains the marriage that applies to all Indonesian citizens and the Right to Form a Family in Article 28B paragraph 1.\(^6\)

The Indonesian government has a program requiring couples who want to get married to have proper marriage certification.\(^7\) The existence of this program aims to find out the health conditions of the bride and groom, provide information about physical and psychological health, and ascertain whether they are ready to get married and aim to reduce divorce rates in Indonesia and reduce the number of violence against women that

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\(^7\) Sueri, MM (2017). *The Prospective Bride Course for Forming a Sakinah Family (Case Study at the Islamic Religious Assembly in South Patani Thailand).*

is increasingly remembers the violence that usually occurs at home stairs that have an impact or impact on the condition of the child.

B. The High Divorce Case

Having a harmonious home life is everyone’s dream. But the fact is that not all household life goes well which ends in deciding divorce. The following is a divorce table in Indonesia from 2015-2018:

There was a period of 2015-2017 trends in the case of decisions (inkracht) experienced an increase significant. For example, in filing for divorce (wife) and divorce (husband) in 29 Religious High Courts in 2015 there were 394,246 cases and 353,843 cases were decided. Whereas 2018 divorce rates in Indonesia reached 408,202 divorce cases, which increased 9% compared to the previous year which reached 374,516 (the State, 2020).

Based on the results of the study, from these data the highest number of divorce intentions on the part of women compared to men is related to domestic violence which is generally dominated by men. As reported by Psychology Today, Gad Saad, PhD, a scientist at the John Molson School of Business in Canada, stated that as many as 68.9% of divorce cases were filed by women after observing the journal American Law and Economics Review.
in a 2000 survey of cases divorce cases in the United States towards women-2018 reach 406,178.

**C. Increased Cases of Violence Against Women Violence- Cases**

![Graph showing increased cases of violence against women](https://kabar24.bisnis.com/read/20190306/15/896985/report--up-165)

On the graph of violence against women has increased in 2012-2015 and decreased in 2016 by 259,150 cases and increased again in the following year and in 2018 there were 406,178 cases and from 13,568 reports, including family (domestic violence) and personal relationships such as courtship has a high risk with the number of cases reaching 71 percent or 9,637 cases.

Based on the results of studies of spectrum and violence recorded natural CATAHU 2020 namely violence against women which has increased nearly 8 times in a period of 12 years. This is very concerned about especially concerning human rights (HAM) and urges the Ministry of Law and Human Rights to better ensure protection for women.

It can be concluded that this case is closely related to divorce cases where cases of violence against wives reached 49.6% of the total cases of domestic violence. From the case data it can be concluded that more women get domestic violence in any form such as psychological violence, infidelity and verbal violence so that filing for divorce makes the data on divorce cases in Indonesia increase.

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D. Things That Cause Divorce In Indonesia Are Increasing

Things that are often associated with the causes of divorce are due to mismatches or disputes between the two parties and choose the path of divorce. Whereas divorce must be agreed upon and in the distribution of children’s property and rights and there is still much more to do so that divorce is actually not an easy thing.

Ajeng Riviando, M.Psi as a Psychologist said divorce is increasing by around 15-20%. The main reason is household disharmony, secondly due to social media and finally due to economic and infidelity factors and in the mindset of millennial couples currently married is the most important happy without thinking panjang. Media term social impact as it relates to quality time which causes a lack are things that can be done to prevent or reduce the number of divorces in Indonesia.¹¹

a. Do not blame each other, By learning more sincerely and accepting each other the relationship with your partner will be much further than the word divorce.

b. Learning to forgive, This kind of thing is also very important in maintaining a household because no one will feed if their mistakes are always raised and remembered every time they fight.

IV. Conclusion

From the results of our paper which is about ‘EVERY CITIZENS THE RIGHT TO RIGHT TO FORM A FAMILY FAMILY’ can conclude that in forming a harmonious family every citizen must be able to minimize the factors that can create disputes between husband and wife. Apart from within the factors that can cause family disharmony can come from outside, so to prevent divorce or problems in the family that need to be done is mutual introspection both of husband and wife in order to create a harmonious family of interaction and sharing thoughts about the domestic life. Things that can be done to reduce the divorce in Indonesian, all the family must have future goals to live in harmony and live safely together with their husbands and wives. But in life there are definitely problems and problems that can be found in families are disputes. The following from the results of this study it can also be concluded that divorce cases in

Indonesia are closely related to the increasing factor of violence against women supported by available data.

**Suggestions**

The government must create programs that can minimize problems that arise in the family. The need for socialization for the wider community so as not to make early marriages that can lead to family disputes that violate rules such as arranged marriages, etc. That must be reduced because it will cause a sense of hatred.

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