

## Polygamy in the Bureaucracy: Human Rights and Gender Equality Analysis of Civil Servant Regulations in Indonesia

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### Abstract

The purpose of this study is to examine the legal framework governing marriage and divorce procedures for Indonesian civil servants, as stipulated in Government Regulation No. 45 of 1990. Although its implementation began in 1983, this legal framework is often considered a new regulation. The public's lack of understanding of these legal provisions has led to social confusion and controversial debates, mainly due to: (1) a lack of understanding and dissemination of the contents of the regulation, resulting in social disruption; (2) perceptions of injustice due to perceived inconsistencies with Law No. 1 of 1974 on Marriage, particularly regarding the provisions on polygamous marriage; and (3) concerns about human rights violations, particularly regarding gender equality. This study uses a normative juridical methodology with a descriptive normative framework. Secondary legal materials, including legal instruments and scientific works, form the basis of the analysis. The results of the study indicate that this regulatory system plays a vital role in improving public understanding of the law as an instrument to ensure compliance with marriage regulations for civil servants, particularly those relating to polygamy permits for male employees and restrictions on female employees becoming second or subsequent wives. In addition, the social impact arising from this regulatory system can be reduced through strengthening legal understanding, which is expected to build a higher quality of legal awareness and strengthen compliance with applicable regulations. Although this regulation is designed to provide legal certainty for affected parties and maintain ethical behaviour in the bureaucracy, its implementation must be in line with human rights values and gender equality norms. Thus, further evaluation of this regulatory system is essential to ensure its relevance in the dynamic social and legal context of Indonesia, which continues to evolve.

**Keywords:** Civil Servant, Marriage Regulation, Polygamy

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### INTRODUCTION

In Indonesia, marriage among state civil servants operating within the governmental sphere is subject to specific regulatory frameworks. The question of permitting polygamy for male civil servants while forbidding female civil servants from entering such unions as subsequent spouses has generated considerable debate within Indonesian communities. These stringent regulatory measures have emerged as a major source of controversy. The issue gained renewed



attention at the beginning of 2023, prompting widespread inquiry into both the lawfulness and moral dimensions of matrimonial arrangements involving civil servants in Indonesia.

Following public confusion triggered by communications from the State Personnel Agency (BKN), the agency issued a press statement on June 2, 2023, designated as Number: 007/RILIS/BKN/VI/2023, to clarify persistent misconceptions about male civil servants entering into multiple marriages and restrictions preventing female civil servants from participating in polygamous relationships as additional spouses. This situation has motivated researchers to investigate the underlying causes in Indonesia—whether these stem from insufficient legal consciousness, inadequate public education about existing regulations leading to societal and juridical disorder, or other contributing factors.

Academic investigations into polygamy laws affecting women present diverse perspectives. Rachel Heath's (2020) research suggests that polygamous arrangements might reduce household conflicts. However, practical implementation has shown that women's rights become marginalized within gender-based cultural contexts, as evidenced in South Africa (Mubangizi & Tlate, 2023). Within Indonesia, polygamy is approached with considerable selectivity, particularly through reinforced gender equity protections for female workers, exemplified by practices in West Lombok, Indonesia (Dutt et al., 2021). Additionally, Indonesian contexts reveal that men can also experience sexual violence (Ridho et al., 2022). Meanwhile, Muslim women in Indonesia possess capacity to advocate for legal reforms addressing disadvantageous provisions (Othman, 2006), including those concerning polygamy. In nations such as Cameroon within Central Africa, polygamous systems have functioned as mechanisms for consolidating authority (André & Dupraz, 2023).

This research seeks to contribute original insights by delivering thorough comprehension of these regulatory frameworks. Initially, it will examine in depth the authorization of polygamy for male civil servants in Indonesia, as governed by provisions within "Article 10 of Government Regulation Number 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants." These provisions establish various prerequisite conditions, including both alternative and cumulative requirements. Additionally, authorities retain discretionary power to reject applications from male government workers requesting authorization for polygamous marriages involving multiple spouses. The study will also investigate restrictions preventing female civil servants from entering marriages as additional wives. This prohibition appears in "Article 4, Paragraph 2 of Government Regulation No. 45 of 1990, which amends Government Regulation No. 10 of 1983 regarding marriage and divorce permits for civil servants." Under this regulatory framework, "female civil servants are not allowed to enter into marriages as second, third, or fourth wives." The investigation will examine and assess both the consequences and justifications underlying this restriction. Through these efforts, the study seeks to furnish a detailed examination of regulations governing matrimonial practices among Indonesian state civil servants, emphasizing specifically the authorization of polygamy for males and restrictions on women entering subsequent spousal positions. The intention is to deliver comprehensive insight into the legal structures and policies relevant to these matters.

This investigation aims to conduct a detailed analysis of regulations addressing marriage and divorce authorizations for Indonesian civil servants, with particular attention to

“Republic of Indonesia Government Regulation No. 45 of 1990, which amends Government Regulation No. 10 of 1983 concerning marriage and divorce permissions for government personnel.” The research will investigate these regulatory provisions and assess their effects on civil servants regarding matrimonial and divorce matters. The purpose is to deliver comprehensive knowledge about these regulations and their practical significance for civil servants. Widespread misunderstanding that these represented newly implemented rules generated public disturbance, attributable to: 1) insufficient legal consciousness regarding the regulation, producing public bewilderment and societal disruption; and 2) perception that the regulation lacks fairness because it conflicts with established legislation, specifically Law Number 1 of 1974 concerning Marriage, particularly provisions relating to polygamy; and 3) concerns that the regulation violates human rights, specifically women’s rights toward achieving gender parity.

Drawing from this contextual foundation, the researcher has developed specific investigative questions concerning “the regulations concerning marriage and divorce permits for civil servants in Indonesia as stated in the government regulation No. 45 of 1990, which amends government regulation No. 10 of 1983 regarding marriage and divorce permits for civil servants.” These investigative questions encompass: 1) What is the urgency of legal awareness in society regarding the Civil Servant Marriage Regulations: Permits for Polygamy for Men and Prohibition of Second Wives for Women in Indonesia?; 2) What are the efforts to prevent social chaos from occurring on Civil Servant Marriage Regulations: Polygamy Permits for Men and Prohibition of Second Wives for Women in Indonesia?; 3) What is the position of human rights in civil servant marriage regulations: permission for polygamy for men and prohibition of second wives for women in Indonesia?

## **METHOD**

This study employs a juridical normative research methodology (Taekema, 2021), adopting a descriptive-normative framework (Currier & Eimermann, 2009), and relies on secondary data sources, particularly prevailing legal instruments (Davies, 2022). Such an approach facilitates the examination and interpretation of legal frameworks that regulate matrimonial arrangements among Indonesia’s state civil servants. The research design incorporates a literature review strategy to gather information from secondary materials, with emphasis on current regulatory provisions. Data collected through this literature-based investigation undergoes rigorous critical examination to comprehend existing legal standards concerning male civil servants’ eligibility for polygamous marriages and the restrictions placed on female civil servants from entering polygamous unions as additional wives within Indonesia’s civil service context. This analytical process encompasses exploring regulatory intent and significance, examining the historical foundations of these provisions, and identifying the legal reasoning that supports marriage-related rules for civil servants. Throughout this analytical work, the researcher draws upon relevant legal commentaries, statutory interpretations, and judicial pronouncements pertinent to the research subject (Yelin & Samborn, 2009).

The secondary materials and regulatory provisions central to this investigation include: Government Regulation No. 10 of 1983, specifically Article 10, establishes the legal

framework governing polygamous marriage permissions for male civil servants in Indonesia. This provision delineates conditional alternatives, cumulative prerequisites, and the discretionary power vested in authorized officials to approve or deny marriage permits for male civil servants pursuing polygamous arrangements. Conversely, “Article 4, Paragraph (2) of Government Regulation No. 45 of 1990, which modifies Government Regulation No. 10 of 1983, establishes prohibitions preventing female civil servants from entering marriages as additional wives.” This provision explicitly bars female civil servants from marrying as second, third, or fourth spouses. These regulatory provisions underscore the distinct legal controls governing polygamous practices for male civil servants and the restrictions barring female civil servants from becoming supplementary wives within Indonesia’s administrative framework.

## **RESULTS AND DISCUSSION**

### **Legal Awareness and Its Role in Civil Servant Marriage Regulations**

Indonesia’s framework for polygamous unions among male government employees is established in “Article 10 of Government Regulation No. 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants”. This provision details the conditions and qualifications that must be met by male civil servants seeking authorization for polygamous relationships involving multiple spouses. The article addresses both alternative and cumulative conditions, as well as the discretionary power granted to officials to deny requests from male civil servants pursuing polygamous arrangements.

The detailed requirements for male civil servants in Indonesia to engage in polygamy are contained within “Article 10 of Government Regulation No. 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants”. This regulatory framework establishes the standards and qualifications that male government workers must meet to secure approval for entering polygamous unions with multiple spouses. The provisions include:

First, authorization may be granted to a civil servant seeking polygamy only when at least one alternative criterion is satisfied alongside all three mandatory cumulative criteria outlined in the article’s paragraphs (2) and (3). Second, the alternative criteria encompass situations where a spouse cannot perform her marital duties, experiences physical impairment or incurable illness, or faces infertility. Third, the mandatory cumulative criteria require securing the wife’s written approval, demonstrating adequate financial capacity to provide for multiple spouses and offspring through tax documentation, and furnishing written commitments to ensure equitable treatment of all wives and children. Fourth, officials must deny polygamy applications when such unions contradict the employee’s religious doctrines or organizational regulations, fail to satisfy both alternative and cumulative criteria, breach existing legal frameworks, lack rational justification, or would compromise the civil servant’s professional responsibilities.

Additionally, restrictions on female government employees entering polygamous marriages as subsequent wives are detailed in “Article 4, Paragraph (2) of Government Regulation No. 45 of 1990, which amends Government Regulation No. 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants”. This provision expressly prohibits female civil servants from becoming second, third, or fourth wives in polygamous

arrangements. The specific language and conditions governing this restriction appear in “Article 4, Paragraph (2) of Government Regulation No. 45 of 1990 which reads Female civil servants are not allowed to become second/third/fourth wives”.

The implementation of Article 4, paragraph (2) of Government Regulation No. 45 of 1990, which bars female civil servants from becoming subsequent wives in polygamous marriages, was viewed as inequitable due to its inconsistency with prevailing legislation, namely Law No. 1 of 1974 regarding marriage, especially concerning polygamy regulations. A legal assessment was undertaken to evaluate the application of Article 4, paragraph (2) of Government Regulation No. 45 of 1990 within the framework of legal principles. This analysis revealed that Article 4, paragraph (2) of Government Regulation No. 45 of 1990, which prevents female civil servants from participating in polygamous marriages, contradicts Article 7, paragraph (1) of Law No. 12 of 2011, which positions government regulations at the fourth tier of the legal hierarchy. Government Regulation No. 45 of 1990, particularly Article 4, paragraph (2), must conform to and harmonize with previously enacted laws that occupy superior positions in the legal hierarchy. Furthermore, Law No. 1 of 1974 concerning marriage contains provisions restricting men from practicing polygamy without meeting specified conditions and justifications. Since Government Regulation No. 45 of 1990 is subordinate to Law No. 1 of 1974 concerning marriage in the legislative hierarchy, Article 4, paragraph (2) of Government Regulation No. 45 of 1990 should conform to and respect the requirements established in Law No. 1 of 1974 concerning marriage.

Drawing from Purbacaraka and Soerjono Soekanto’s work, the author emphasizes foundational principles ensuring regulations produce beneficial outcomes and accomplish their intended purposes. A key principle is *lex specialis derogat legi generalis*, indicating that specialized laws (*lex specialis*) supersede general laws (*lex generalis*) during legal application. Here, the *lex specialis* refers to “Article 4, Paragraph (2) of Government Regulation No. 45 of 1990, which prohibits female civil servants from becoming second, third, or fourth wives”. Conversely, the *lex generalis* is “Article 3, Paragraph (2) of Law No. 1 of 1974 concerning Marriage”. These principles facilitate proper interpretation and application of regulations, guaranteeing that specialized provisions prevail when conflicts arise between general and specific legislation (Soekanto, 2008).

A legal controversy exists regarding the relationship between Law Number 1 of 1974 regarding Marriage and Government Regulation Number 45 of 1990. The contention suggests that Article 4, Paragraph (2) of Government Regulation No. 45 of 1990, which prevents female civil servants from becoming second, third, or fourth wives, cannot be legitimately enforced. Based on the legislative hierarchy, Government Regulations rank below laws, making the principle of *lex superior derogat legi inferior* applicable. This doctrine states that conflicts between subordinate and superior laws render the subordinate laws void and unenforceable. Nevertheless, within society, “Article 4, Paragraph (2) of Government Regulation No. 45 of 1990” is understood to carry mandatory legal authority and must be rigorously followed by female civil servants without exception. Noncompliance with this regulation, whereby female civil servants enter polygamous marriages as second, third, or

fourth wives, can lead to harsh disciplinary consequences, including involuntary dishonorable dismissal.

The constitutional foundation for establishing Government Regulations appears in the 1945 Constitution, specifically Article 5, paragraph (2), which declares “The President establishes Government Regulations to carry out the Law as appropriate.” These Government Regulations are formulated in alignment with existing legal frameworks. This reveals an inconsistency and conflict with Article 5, paragraph (2) of the 1945 Constitution and Law Number 1 of 1974 regarding marriage. Thus, revision of Government Regulation No. 10 of 1983, later amended as Government Regulation Number 45 of 1990, becomes essential. This regulation functions as implementing legislation meant to strengthen the provisions of Law Number 1 of 1974 concerning Marriage, yet it remains deficient in providing comprehensive guidance regarding polygamy regulations for civil servants seeking such marital arrangements.

The rationale behind prohibiting female civil servants from accepting polygamy as subsequent wives stems from the notion that civil servants serve the state as societal exemplars and their professional performance should remain unaffected by domestic complications, protecting their dignity as civil servants and preventing them from becoming additional spouses in their husband’s family structure. Originally, PP No. 10 of 1983 permitted polygamy for female civil servants, but with the introduction of PP No. 45 of 1990, such arrangements became completely forbidden. While justified by references to law and religion, this reasoning cannot be validated as it creates inequitable treatment of female civil servants.

The author’s analysis of PP Number 45 of 1990 in relation to polygamy regulations found in Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law reveals that polygamy rules exclusively govern how men may pursue polygamy without addressing how wives may consent to or decline polygamy, provide feedback, or undertake alternative measures when their husbands propose polygamous arrangements. This represents a legal gap in Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law, with the legislation exhibiting patriarchal characteristics (favoring men exclusively).

The wife’s consent mentioned in paragraph (1) letter (a) becomes unnecessary for a husband under specific conditions. These include scenarios where the wife or wives are incapable of granting consent, cannot participate as agreement parties, or when no communication from the wife has occurred for at least two years. Furthermore, the Religious Court Judge may evaluate additional justifications potentially supporting polygamy authorization. However, enforcing Article 4, Paragraph (2) of Government Regulation No. 45 of 1990, which bars female civil servants from becoming second, third, or fourth wives, intensifies gender discrimination. This discrimination particularly affects women serving as civil servants.

Government Regulation Number 45 of 1990’s prohibition against female civil servants entering polygamous marriages as second, third, or fourth wives constitutes discriminatory legislation because male civil servants contemplating polygamy retain opportunities to have multiple wives by satisfying established criteria. Female civil servants clearly have zero opportunity to participate in polygamous arrangements. Laws should be non-discriminatory and promote societal justice, yet Article 4 paragraph (2) of Government Regulation Number

45 of 1990 concerning the prohibition against female civil servants accepting positions as second/third/fourth wives, as drafted, approved, and implemented, actually imposes limitations on women based on their civil servant profession and their role as wives, forbidding them from accepting polygamy as subsequent wives while permitting them to remain first wives. Article 4 paragraph (2) Government Regulation Number 45 of 1990 represents legislation that establishes prohibitions and obligations requiring absolute compliance without exemptions for female civil servants.

### **Understanding Civil Service Marriage Laws in Indonesia: Polygamous Unions for Male Employees and Prohibitions for Female Employees**

Prohibitions for Female Employees in Indonesia represents both an acknowledgment of legal authority and adherence to statutory requirements. The purpose is to achieve orderliness, harmony, social stability, and equitable treatment within community relationships. Consequently, all citizens, regardless of gender, must acknowledge and follow legal provisions concerning: firstly, the controlled permission for male government employees in Indonesia to enter polygamous marriages as stringently governed by “Article 10 of Government Regulation Number 10 of 1983 concerning Marriage and Divorce Permits For Civil Servants”, which fundamentally establishes optional requirements, mandatory conditions, and the power of authorities to deny requests from male civil servants seeking to marry additional wives. Secondly, the restriction preventing female Civil Servants from entering into polygamous marriages as subsequent spouses is stipulated in “Article 4 paragraph (2) of Government Regulation Number 45 of 1990 concerning Amendments to Government Regulation Number 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants which reads Female civil servants are not allowed to become second/third/fourth wives”.

Therefore, legal consciousness can be defined as the comprehension and acknowledgment by persons or groups regarding the significance of honoring and following legal statutes. This encompasses knowledge of entitlements and duties established by legislation, along with awareness of potential ramifications for legal transgressions. Legal consciousness holds societal importance because it shapes both individual and collective conduct. When possessing adequate legal consciousness, people are inclined to honor legal frameworks and fulfill their duties and exercise their entitlements appropriately. Legal consciousness develops through formal legal instruction, advisory services, and lived experiences. Legal instruction enables people to grasp legal doctrines, penalties for non-compliance, and their statutory entitlements. Advisory services provide actionable knowledge about laws applicable to routine activities. Robust legal consciousness creates a more equitable and orderly society, since people actively engage in legal mechanisms, notify authorities of infractions, and acknowledge judicial outcomes. Nevertheless, legal consciousness differs among populations depending on elements such as educational attainment, cultural background, and availability of legal resources. Consequently, advancing legal consciousness and comprehension remains essential for governmental bodies and associated organizations.

Legal frameworks do not invariably ensure equity, as they may contain discriminatory provisions. The marriage and divorce authorization rules for civil servants aim to allow them

to fulfill their duties as government employees without familial complications interfering. The principal objective is to promote appropriate conduct, deportment, and compliance with applicable legal standards. Nevertheless, the prohibition against female civil servants entering polygamous marriages as additional wives may affect their professional standing. Furthermore, substantial punishments are levied against violators of this restriction.

Implementation of legal culture toward contemporary society's acceptance is critically required (Faidi et al., 2021), considering that promoting a legal culture constitutes a framework that addresses initiatives to cultivate and preserve respect for legal standards and regulations within communities. The overarching objective is to establish conditions where legal norms are honored and implemented equitably and uniformly. Promoting a legal culture encompasses multiple measures, including public education regarding legal significance, enforcement of rigorous penalties for legal violations, and enhancement of law enforcement institutions (Putra & Ahyani, 2022).

### **Addressing Civil Servant Marriage Laws in Indonesia: Plural Marriage Authorization for Male Officials and Restrictions on Female Officials Entering Polygamous Unions**

A primary strategy for mitigating social tensions stemming from Indonesia's regulations governing civil servant marriages—particularly the authorization of plural marriages for male officials and the restriction preventing female officials from entering polygamous unions— involves strengthening societal legal consciousness. Developing robust public comprehension of these legal frameworks is essential for building a culture characterized by regulatory compliance, reciprocal respect, and adherence to established norms. Indonesian citizens, especially government employees of both genders, need clear knowledge of the specific statutory provisions addressing this issue. Initially, the authorization for male civil servants to practice polygamy operates under stringent regulatory control as delineated in Article 10 of Government Regulation Number 10 of 1983 concerning Marriage and Divorce Authorization for Civil Servants. This statutory provision establishes both alternative and cumulative requirements that male civil servants must satisfy to secure approval for polygamous unions, while simultaneously empowering authorities to reject such petitions. Additionally, the restriction barring female civil servants from becoming additional spouses in polygamous arrangements is unambiguously articulated in Article 4, Paragraph (2) of Government Regulation Number 45 of 1990, which modifies Government Regulation Number 10 of 1983. This clause categorically forbids female civil servants from participating in polygamous marriages, thereby strengthening the legal structure governing matrimonial arrangements among Indonesia's civil service workforce. Through advancing awareness and comprehension of these regulatory measures, Indonesian society can develop a legal culture that champions equity, honors legal principles, and guarantees conformity with current legislative frameworks.

According to Charles Sampford (1989), legal social disorder describes circumstances characterized by juridical ambiguity, widespread lawlessness, or deficiencies within the judicial apparatus that precipitate substantial social turbulence, tension, or disruption. Such

conditions emerge when legal enforcement lacks impartiality or when inadequacies in legal safeguards erode public confidence in the judicial framework.

Multiple elements may precipitate social legal disorder, including: 1) Juridical Ambiguity, indicating that unclear legislation or provisions susceptible to varied interpretations generate public confusion (Zagler, 2023). Such ambiguity enables unscrupulous actors to transgress legal boundaries without apprehension of repercussions. 2) Corruption, whereby the presence of corrupt practices within judicial institutions or among enforcement personnel undermines legal legitimacy (Guo, 2023). When corruption flourishes, wealthy or influential individuals evade responsibility, while ordinary citizens face denial of equitable legal protection. 3) Disparate Access to Justice, signifying that unequal accessibility to judicial mechanisms can precipitate social disorder. Such disparity manifests through unequal access to competent legal representation, prohibitive litigation expenses, or discriminatory treatment of particular demographics within judicial proceedings. Similar inequities occur regarding polygamy regulations (Alamgir, 2014). 4) Social and Political Turmoil, wherein pervasive social and political instability throughout a nation or territory compromises legal system stability. Military conflicts, civil disturbances, or governmental instability obstruct law enforcement and diminish public trust in judicial institutions. Issues such as gender discrimination, polygamous practices, and ideological convictions similarly contribute to Social and Political Turmoil (Vries et al., 2020).

The ramifications of legal social disorder prove severely detrimental to communities. Such conditions generate eroding confidence in judicial systems, disruption of societal stability, and perpetuation of injustice cycles. Addressing social legal disorder requires governmental and judicial institutions to implement reforms targeting judicial system enhancement, corruption elimination, improved justice accessibility, and equitable, consistent legal enforcement. Furthermore, reinforcing legal consciousness throughout society remains vital for establishing a legal culture that values and follows legal standards. Preventing potential social disorder within a multicultural nation like Indonesia constitutes a collective responsibility for Indonesian citizens, given Indonesia's heightened vulnerability to social conflict, necessitating multifaceted preventive approaches. Regarding social legal disorder concerning Plural Marriage Authorization for Male Officials and Restrictions on Female Officials Entering Polygamous Unions in Indonesia, strengthening societal legal awareness becomes imperative. Indonesian citizens must consciously consider material preparedness (economic factors) as foundational criteria for entering marriage (Ahyani et al., 2020). Similarly, civil servants of both genders contemplating polygamous marriage arrangements must apply identical considerations.

### **Human Rights Framework in Indonesian Civil Service Marriage Laws: Polygamous Marriage Authorization for Male Officials and Restrictions on Female Officials Becoming Additional Spouses**

The human rights dimension within Indonesia's Civil Service Marriage Laws concerning polygamous marriage authorization for male officials and restrictions preventing female officials from becoming additional spouses represents governmental legal safeguarding aimed

at protecting individual liberties of Indonesian citizens through regulatory frameworks, policy instruments, and an equitable judicial structure. This means that Indonesia's legal safeguarding mechanisms must adequately defend societal individual liberties through two key provisions: First, the conditional allowance of polygamous marriages for male state civil servants operates under stringent parameters outlined in "Article 10 of Government Regulation Number 10 of 1983 concerning Marriage Permits and Divorce for Civil Servants," which establishes alternative requirements, cumulative prerequisites, and grants officials discretionary authority to deny applications from male civil servants seeking to marry additional wives. Second, restrictions preventing female Civil Servants from entering marriages as additional spouses are codified in "Article 4 paragraph (2) of Government Regulation Number 45 of 1990 concerning Amendments to Government Regulation Number 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants which reads Female civil servants are not allowed to become second/third/fourth wives".

Eko Hidayat posits that human rights represent innate entitlements possessed by individuals from their moment of birth, divinely bestowed. These entitlements are foundational and warrant acknowledgment, elevation, and defense by governmental bodies, legal frameworks, state institutions, and every person to maintain human worth. Indonesia constitutes a nation established upon legal supremacy principles, wherein jurisprudence commands paramount authority. The state bears obligations to furnish human rights safeguards to every citizen. Functioning as a legal entity, the state maintains accountability within judicial forums for improper conduct, operating under *rechtstaat* doctrine, signifying governance anchored in legal principles.

Human Rights represent entitlements intrinsic to each person by virtue of their humanity, existing independently of specific statutory or regulatory provisions. These encompass inherent and universal fundamental entitlements accorded to all people without prejudicial treatment based on ethnic background, faith, gender identity, cultural heritage, or socioeconomic standing. National statutory frameworks and regulations ought to bolster and safeguard individual human entitlements. Nevertheless, regulatory instruments do not generate human rights; rather, they must acknowledge, honor, and defend human rights that have accompanied individuals since their inception. Understanding that human rights operate independently from any specific regulatory or statutory framework remains crucial. Human rights maintain universality, indivisibility, and inalienability. Governmental authorities and state apparatus maintain responsibilities for defending and advancing individual human rights via regulatory instruments, policy mechanisms, and impartial judicial structures. Sound legal frameworks must align with broadly acknowledged international human rights benchmarks and doctrines. Illustrations of globally acknowledged human rights encompass: Right to existence: Each person maintains entitlement to life and immunity from arbitrary violence or execution. Liberty of thought and articulation: Each person possesses entitlement to voice perspectives, viewpoints, and creative expression without apprehension of harassment or governmental constraints. Religious liberty: Each person holds entitlement to select, modify, or preserve religious or philosophical convictions aligned with personal conscience, and practice worship according to individual convictions. Safeguarding from cruel treatment and

degrading practices: Each person maintains entitlement to freedom from cruel punishment, barbaric handling, or conduct that diminishes human worth. Entitlement to legal equality: Each person possesses entitlement to equivalent treatment under jurisprudence, without prejudicial consideration based on ethnic background, faith, gender identity, or socioeconomic standing. Quality regulatory and statutory frameworks should defend and reinforce individual human entitlements. When regulatory provisions contradict international human rights benchmarks or compromise fundamental individual liberties, civil society organizations, advocacy groups, and human rights institutions must champion reforms and guarantee just and equitable human rights safeguards for all persons.

This study's research discoveries indicate: first, legal consciousness regarding Civil Servant Marriage Regulations, particularly concerning polygamous marriage authorization for male officials and restrictions on female officials becoming additional spouses in Indonesia, has achieved imperative status, signifying that Indonesian citizens, especially male and female civil servants, ought to honor and adhere to statutory provisions on regulatory frameworks concerning authorization. Indonesian civil service marriage and divorce regulations, specifically addressing polygamous marriage permissibility for male civil servants, operate under strict governance within Article 10 of Government Regulation Number 10 of 1983. This provision establishes rigorous parameters and prerequisites that male civil servants must satisfy before receiving authorization to pursue polygamous unions. The objective involves ensuring meticulous regulation aligned with applicable statutory provisions and regulations governing civil servants.

The second discovery reveals that preventing social disruption concerning Marriage Regulations for civil servants, particularly regarding polygamous marriage authorization for male officials and restrictions on female officials becoming additional spouses in Indonesia, requires strengthening legal consciousness within society as a preventive measure, representing essential work toward cultivating positive legal culture and mutual respect while ensuring adherence to applicable statutory frameworks.

The third discovery positions human rights within Marriage Regulations for Civil Servants concerning polygamous marriage authorization for male officials and restrictions on female officials becoming additional spouses in Indonesia as individual protective entitlements throughout society, wherein the Indonesian Government delivers legal safeguarding via regulatory frameworks, policy instruments, and impartial judicial mechanisms, meaning that legal protection manifested through Indonesia's applicable regulations must adequately defend individual people's entitlements, especially safeguarding each civil servant's personhood, whether male or female.

Elaborating upon the first research discovery above, specifically the critical importance of Legal Consciousness in Society regarding Civil Servant Marriage Regulations: polygamous marriage authorization for male officials and restrictions on female officials becoming additional spouses in Indonesia constitute both respectful acknowledgment and legal adherence. This intention enables the realization of orderliness, peacefulness, tranquility, and fairness within interpersonal associations. This aligns with John Rawls's recommendation that societies require moral duty (Rawls, 1999), toward statutory compliance (Smith, 1973). Just

as adherents of Islam must surrender and observe Islamic religious directives (Ahyani et al., 2021). Since Indonesia does not constitute an Islamic nation, but rather operates under the Continental European Legal Framework (civil law tradition) (Sakirah et al., 2022), legislative existence maintains vital significance (Putra & Ahyani, 2022), particularly when connected to the legality doctrine signifying that governmental actions must possess foundations within applicable statutory and regulatory provisions (Jubaedah et al., 2022). Similarly concerning legal consciousness of Civil Servant Marriage Regulations, particularly regarding polygamous marriage authorization for male officials and restrictions on female officials becoming additional spouses in Indonesia, Indonesian citizens, especially male and female civil servants, should honor and observe statutory provisions on these regulations, specifically regarding Marriage and Divorce Authorization For Civil Servants, wherein the regulation incorporates provisions declaring that “polygamy is permissible for male state civil servants in Indonesia” as rigorously regulated within Article 10 of Government Regulation Number 10 of 1983 concerning Marriage and Divorce Permits for Civil Servants.

Additionally, regarding the second research outcome concerning measures to avert societal disruption arising from civil servant matrimonial rules—specifically, polygamous marriage permissions for males and restrictions on subsequent marriages for females in Indonesia—a crucial element involves enhancing public legal consciousness, which is vital for fostering a robust legal culture characterized by mutual respect and adherence to established regulations. Nevertheless, achieving improved legal consciousness within society necessitates cooperative action among governmental bodies and relevant agencies (Muthaqin & Baeihaqi, 2022). The cultivation of legal consciousness among citizens plays an indispensable role in preserving societal order, equity, and stability (Klich, 2022). Below are several justifications for the significance of promoting legal consciousness:

Initially, comprehension of entitlements and responsibilities indicates that legal consciousness enables citizens to grasp both their entitlements and duties within legal frameworks. This encompasses awareness of fundamental human rights, citizenship rights, and societal obligations toward legal systems. Through such comprehension, individuals can exercise their entitlements and fulfill their responsibilities in proper and accountable ways (Dukhno & Skuybedina, 2022).

Subsequently, enhanced legal compliance signifies that legal consciousness contributes to greater adherence to legal standards. When citizens comprehend the ramifications of legal violations, their likelihood of following established rules increases (Berkel, 2022). This contributes to establishing safer, more organized, and equitable conditions (Albertas et al., 2023).

Additionally, civic empowerment means that legal consciousness enables citizens to safeguard their entitlements and engage in legal procedures (Szegda & Tylec, 2022). Legally conscious individuals possess the capability to utilize judicial systems, document infractions, and initiate legal proceedings when their entitlements are compromised. This reinforces communal standing within legal frameworks (Ravn, 2022).

Furthermore, averting social unrest and disruption indicates that legal consciousness aids in preventing communal conflicts and disorder (Fang et al., 2013). When individuals

comprehend their entitlements and responsibilities, they demonstrate greater inclination toward resolving disagreements peacefully through legitimate legal mechanisms. Legal consciousness additionally assists individuals in avoiding unlawful conduct, thereby diminishing conflict possibilities (Barriola et al., 2023), and establishing societal equilibrium (Jonkman & Theije, 2022).

Moreover, engagement in societal advancement means legal consciousness is equally significant in promoting vigorous civic involvement in community development processes. With legal comprehension, citizens can contribute insights and engage in policy creation, development strategies, and oversight of legal implementation (Abe, 2022). This facilitates building communities that are inclusive, democratically-oriented, and attentive to public requirements and ambitions.

Finally, safeguarding against entitlement violations denotes that legal consciousness offers citizens protection from infringements upon their entitlements (Shodunke et al., 2023). With awareness of their entitlements, individuals can identify actions or policies infringing upon their rights and pursue legal recourse. This is crucial for upholding equity and shielding society from power misuse or inequitable treatment (Alghababsheh et al., 2023).

Regarding the third research finding, the Standing of Human Rights within Civil Servant Matrimonial Regulations: Polygamous Permissions for Males and Restrictions on Subsequent Wives for Females in Indonesia represents governmental legal safeguarding aimed at protecting individual entitlements of Indonesian citizens through regulations, policies, and an equitable judicial system, signifying that legal protection forms applicable in Indonesia must adequately shield individual citizens' entitlements. This demonstrates law's protective nature, which constitutes its fundamental purpose—to guarantee every societal member's entitlements, thereby creating equilibrium, equity, and orderliness among diverse societal interests (Pyc, 2023).

Protective legislation refers to the doctrine that a nation's legal framework is constructed to shield individuals' or groups' entitlements, liberties, and interests within society. This principle emphasizes that law's primary function involves creating and sustaining conditions that are equitable, secure, and orderly for all societal members (Athy et al., 2022). Protective legislation establishes clear frameworks for upholding fundamental rights, safeguarding property entitlements, maintaining security and civic order, and governing relationships among individuals and institutions. Law additionally provides safeguarding against unlawful activities, including criminal conduct, power abuse, and discriminatory practices. The protective legal doctrine also promotes legal certainty, whereby everyone possesses equivalent legal access and can depend upon impartial and objective legal safeguarding. Law must be implemented uniformly without discrimination, providing guarantees of equity and protection against capricious actions or power misuse (Li, 2023).

Furthermore, protective legislation encompasses safeguarding of minority entitlements, labor rights, consumer protections, and environmental rights. The objective involves establishing equilibrium between individual and collective interests, enabling all parties to coexist harmoniously under legal protection (Sarma & Barpujari, 2023). Nevertheless, recognition is necessary that protective law implementation and effectiveness may differ across

nations. Sound and autonomous legal systems, commitment to legal supremacy, and vigorous public engagement in legal processes prove critical for sustaining protective law success.

Consequently, the standing of fundamental human rights within Civil Servant Marriage Regulations concerning Polygamous Permissions for Males and Restrictions on Subsequent Wives for Females in Indonesia is established as the entitlement to protect individuals throughout society. Here, the Indonesian Government delivers legal safeguarding through regulations, policies, and an equitable judicial system, meaning that legal protection forms currently operative in Indonesia must adequately shield public individual entitlements, particularly protecting individual civil servants, both male and female.

## CONCLUSION

The preceding examination reveals three fundamental insights concerning Indonesian civil servants' understanding of matrimonial legal requirements, especially rules governing polygamous unions for male employees and restrictions on subsequent marriages for female employees. Initially, comprehension of legal statutes plays a vital role in securing adherence to matrimonial laws, which function as demonstrations of respect toward juridical standards and help preserve societal harmony, stability, and equitable treatment within communities. Additionally, enhancing citizens' juridical consciousness proves necessary for averting social discord stemming from these statutory provisions. Through cultivating an environment that values legal conformity and reciprocal regard, communities can maintain principles of equity and impartiality. Finally, matrimonial regulations governing civil servants demonstrate governmental commitment to protecting human rights via legal safeguards. These policy frameworks seek to reconcile personal freedoms with collective community welfare, establishing an equitable and just legal structure.

For advancing both enforcement and societal reception of these statutes, governmental authorities should pursue tangible initiatives, including: 1) identify concrete approaches such as partnerships with academic entities, juridical instruction programs for public employees, or digital platform awareness campaigns to strengthen legal consciousness. 2) Transparent and Comprehensible Legal Direction – Deliver straightforward interpretations and instructions concerning matrimonial statutes, guaranteeing that persons thoroughly understand their entitlements and responsibilities. 3) Legal Advisory Programs – Create readily available legal consultation services for public employees to resolve questions and forestall prospective legal conflicts. 4) Oversight and Assessment – Consistently evaluate these regulations' effectiveness to verify they adequately fulfill their designated function while maintaining equity and justice. 5) Comprehensive Discussion and Policy Examination – Involve interested parties, including juridical specialists, public employees, and community delegates, in conversations to improve policies and respond to societal issues. Through adopting these actions, governmental authorities can advance superior legal comprehension, diminish misunderstandings, and guarantee that matrimonial regulations foster a cooperative and legally observant society.

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