



Rights Fulfillment of Children From Mixed Marriages to Obtain Indonesian Citizenship Based on Law Number 12 of 2006

Kukoh Iqbal^{1*}, Siti Hasanah², Firzhal Arzhi Jiwantara³,

Nurjannah Septyanun⁴

¹⁻⁴Program Studi Magister Hukum Pascasarjana Universitas Muhammadiyah Mataram

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ABSTRACT

This research aims to analyze the regulation and implementation of fulfilling the rights of children from mixed marriages to obtain Indonesian citizenship based on Law Number 12 of 2006. Normative-empirical research with legislative, conceptual and sociological approaches in qualitative descriptive analysis. Data used are primary, secondary and literature research materials and field research. The conclusions are; First, Law Number 12 of 2006 grants limited dual citizenship status to children born from mixed marriages after its enactment on August 1, 2006. However, to ensure legal certainty, children born from mixed marriages before the law was enacted are required to register themselves. Second, the terminology 'child with dual citizenship' in the Law implies that if another country, based on its regulations, recognizes a child from a mixed marriage as its citizen, then they fall under this category. Meanwhile, there isn't any country that explicitly, based on its provisions, does not recognize children from mixed marriages as its citizens. Third, the process of fulfilling the citizenship rights of children born from mixed marriages is burdened upon the individual concerned. Consequently, any negligence in administrative processes, requirements, and procedures can lead to the loss of Indonesian citizenship. Fourth, the implications of losing Indonesian citizenship for children from mixed marriages can have legal and sociological impacts.

Corresponding Author:

Kukoh Iqbal

Program Studi Magister Hukum Pascasarjana Universitas Muhammadiyah Mataram

89kukohiqbal@gmail.com

INTRODUCTION

The Constitution of the Republic of Indonesia in the 4th paragraph of the Constitution of the Republic of Indonesia in 1945 reads "The Government of the State of Indonesia protects the entire Indonesian nation and all Indonesian bloodshed. So that the state's obligation to provide guarantees of protection and recognition for every child from whom flows the flesh and blood of Indonesians, wherever they are located and born.

Full protection of children born from mixed marriages can only occur by first recognizing the child's citizenship status. Because citizens are one of the essential elements and the main elements of a country. Citizenship status creates a reciprocal relationship between a citizen and his country. Every citizen has rights and obligations to his country. On the contrary, the state has an obligation to provide protection, welfare and educate its citizens. This applies to all Indonesian children, both from marriages between Indonesian citizens and children from mixed marriages.

The commitment of the state of law adopted by Indonesia as stated in the 1945 Constitution Article 1 paragraph (3) is the basis for the administration of the state, which requires that all aspects of state administration must be regulated in clear legal provisions. Regulations related to citizenship in Indonesia

have been amended several times through the Law. The first is Law Number 3 of 1946 which has been amended three times, the last with Law Number 11 of 1948.

The arrangement at the beginning of the proclamation of independence regulated citizens and residents of the country in Indonesia. It was only in 1958 that Indonesia used the term citizenship through Law Number 62 of 1958 concerning the Citizenship of the Republic of Indonesia, and has undergone changes through Law Number 3 of 1976. The law is limited to the application of the principle of single citizenship without recognizing dual citizenship for children resulting from mixed marriages. The principle of *ius sanguinis* is also applied which is the citizenship of the parents is applied to the paternal line, while through the maternal descent through several further requirements that have been set.

The ease of accessing protection and recognition from the state is quite difficult to obtain, especially for children born as a result of mixed marriage, that is, marriages between two people who in Indonesia are subject to different laws, due to differences in nationality and one of the parties has Indonesian citizenship. Even though children are born to couples from different countries, the state should still provide protection and pay attention to human rights. Because "human rights are rights owned by human beings that have been acquired and brought along with their birth and presence in the life of society. This right exists for human beings regardless of race, race, religion, class, gender, because it is fundamental and universal. The basis of all human rights is that everyone should have the opportunity to develop according to his or her talents and aspirations."

Many of the heroes and national figures that we know were born from mixed marriages between the indigenous people of the archipelago and other nations. Sultan Sjahrir, Indonesia's first Prime Minister, an intellectual and activist of the independence movement, was born from the womb of an Arab mother. Doctor Tjipto Mangoenkoesomo, one of the founding figures of the Indische Partij, a political organization that demanded Indonesian independence, also has mixed Dutch blood from his mother. Raden Saleh, a famous painter known for paintings with the theme of nature and Indonesian history. His father was a Javanese nobleman, while his mother had Dutch blood. Nationalism is not measured by the purity of lineage. Rather, it is through how much struggle and sacrifice for the Indonesian nation.

After the beginning of the era of globalization that facilitates interaction both directly and indirectly between the world community, many mixed marriage community groups find it difficult to fulfill citizenship rights for their children through the applicable laws. So in 2006 Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia was issued and repealed the previous Law.

In essence, Law Number 12 of 2006 contains about:

- a) who are Indonesian citizens;
- b) how to obtain Indonesian citizenship;
- c) in what cases Indonesian citizens lose their citizenship;
- d) how to regain Indonesian citizenship; and
- e) criminal provisions for officials who, due to their negligence or intentionally, cause a person to lose his Indonesian citizenship.

In terms of Government services related to the fulfillment of the citizenship rights of children resulting from mixed marriages, Firzhal argued that the implementation of the duties and functions of Government Officials must have guidelines that will be used as a guiding star so that they do not get lost in the implementation of their duties and functions, stray roads can lead to unlawful acts, or abuse of power that must be recognized in administrative law. Civil and criminal law.

Through Law Number 12 of 2006, the term 'citizenship' was also introduced which is all matters related to citizens. Meanwhile, the term 'citizenship' is used in terms of procedures for obtaining Indonesian citizenship for every person who is not a citizen.

Data from the Indonesian mixed marriage organization (PerCa Indonesia), which is a forum for Indonesians who marry foreign nationals, has more than 8,000 PerCa members in Indonesia. As for PerCa representatives in West Nusa Tenggara Province, there are 162 members. The number of children resulting from mixed marriages in West Nusa Tenggara will be recorded in 2024 as many as 76 children.

Indonesia was once in the spotlight when people of Indonesian descent faced the problem of citizenship status. Gloria Natapradja Hamel was relieved of duty from the Heritage Flag Hoisting Force (Paskibraka). Gloria is known to hold a French passport number 12AA66042 which is valid from February 20, 2014 to February 19, 2018. Gloria has a French passport because her parents are mixed married. Gloria's mother is an Indonesian citizen and Gloria's father is a French citizen. The Directorate General of General Legal Administration issued letter AHU.4.AH.10.01-123 dated August 15, 2016 signed by the Director General of General Legal Administration and the Director of State Administration Tehna Bana Sitepu. The issuance of the letter made Gloria not allowed to follow the paskibraka that flew under the red and white flag at the Merdeka Palace. Seeing the problems faced by Gloria Natapradja, it is caused by the government's lack of attention and protection for the status of citizens. In fact, the government is responsible for upholding the rights and protecting every citizen.

Law Number 12 of 2006 provides limited dual citizenship status to children of mixed marriages and the right to choose citizenship at the age of 18 to 21 years old or married, or known as the citizenship process. Meanwhile, children born before Law Number 12 of 2006 was promulgated are required to register with the relevant officials until August 1, 2010 or 4 years after it was promulgated. Once registered, you are entitled to limited dual citizenship status and can choose citizenship through the citizenship process. Children resulting from mixed marriages who have the potential to lose their dual Indonesian citizenship due to the granting of dual citizenship status according to Law Number 12 of 2006 in the following cases:

- 1) Children born from a legal marriage to an Indonesian citizen father and a foreign citizen mother (Article 4 letter c).
- 2) Children born from a legal marriage of a foreign citizen father and an Indonesian citizen mother (Article 4 letter d).
- 3) A child born out of wedlock is a legal child of a foreign citizen mother who is recognized by an Indonesian citizen father as her child and the recognition is made before the child is 18 (eighteen) years old or unmarried (Article 4 letter h).
- 4) An Indonesian citizen child who is born out of a legal marriage, is not yet 18 (eighteen) years old and is not legally recognized by his father who is a foreign citizen is still recognized as an Indonesian citizen (Article 5 paragraph 1).

The implementation of Law Number 12 of 2006 until now, it has been found that there are still many children from mixed marriages who have been declared to have lost their Indonesian citizenship. This situation has an impact on stateless conditions, which are stateless conditions based on the laws of a country. The stateless condition is especially for children born before August 1, 2006. This is due to the result of not being registered until the predetermined deadline, which is on August 1, 2010. Based on a search by the Regional Office of the Ministry of Law of West Nusa Tenggara, there were 17 children born before August 1, 2006 who were declared to have lost their Indonesian citizenship. Based on the provisions, every person who is not an Indonesian citizen is considered and treated as a Foreigner.

To overcome these problems, in 2022 the Government issued Government Regulation Number 21 of 2022 concerning Amendments to Government Regulation Number 2 of 2007 concerning Procedures for Obtaining, Losing, Canceling, and Regaining Citizenship of the Republic of Indonesia. The regulation essentially provides an opportunity for children born before August 1, 2006 who have lost their Indonesian citizenship as a result of not being registered and have been registered but did not choose citizenship to obtain Indonesian citizenship through the Citizenship process. The opportunity is given for up to 2 years after the Government Regulation is issued starting from May 31, 2022 to May 31, 2024.

METHODOLOGY

This research uses a type of empirical legal research, which is research that examines the applicable legal provisions and what happens in reality in society, including research on the identification and effectiveness of the law, or in other terms commonly called sociological legal research or also called field research. The approach used in this study is the Statute Approach; conceptual approach (Conceptual Approach) of the legal issues being studied, dan Pendekatan sosiologis (Sociologis Approach). and Sociological Approach (Sociological Approach). The data analysis technique carried out by the researcher is qualitative descriptive, where the data collected, compiled, and explained are then Analyzed.

RESULT AND DISCUSSION

Fulfillment of Citizenship Rights of Children Resulting from Mixed Marriages Based on Juridical Provisions

Citizenship law is essentially a set of rules that govern the emergence and termination of relations between the state and citizens. In other words, citizenship law has a subject of study or scope of ways to obtain and how to lose citizenship.

Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia prioritizes the principle of single citizenship for every citizen along with the principle of *ius sanguinis* (law of blood) as a mainstream principle that the Government maintains through existing regulations so that national interests and security are guaranteed. However, the Law still provides space for the application of the principle of dual citizenship and the principle of *ius soli* (law of soil) for every person with certain limits, situations, and conditions to obtain citizenship of the Republic of Indonesia.

All potential and certain conditions that allow the birth of a child through mixed marriage are regulated for the fulfillment of his citizenship rights, thus closing the possibility of a legal void of citizenship rights for children resulting from mixed marriages. So that every child has the right to have an identity, name, nationality, and family ties, as well as get help from the government if any part of their identity is lost.

In principle, Indonesia provides the fulfillment of citizenship rights for children of mixed marriages through a series of regulations and policies that support the principles of non-discrimination, child protection, and recognition of the legal status of children. Thus, every child has the right to be officially registered as a

birth and have , citizenship, and the Government has given space to all principles that are the basis for everyone to obtain Indonesian citizenship.

Children resulting from mixed marriages who are entitled to limited dual citizenship in matters related to Article 4 letter c, letter d, letter h and Article 5 paragraph (1) of Law Number 12 of 2006 which may potentially lose Indonesian citizenship as a result of the granting of limited dual citizenship.

The mandate of Article 41 of Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia which reads "Children born as referred to in Article 4 letter c, d, letter h, letter l and children who are legally recognized or adopted as referred to in Article 5 before this Law is promulgated and are not yet 18 (eighteen) years old or unmarried obtain Citizenship of the Republic of Indonesia based on this Law by registering with the Minister through Officials or Representatives of the Republic of Indonesia no later than 4 (four) years after the promulgation of this Law."

So that technically Article 41 divides children resulting from mixed marriages born before and after August 1, 2006, which is the day the Law was officially promulgated. Further requirements are also given to children of mixed marriages born before August 1, 2006 to be required to register with the Immigration Office or Representative of the Republic of Indonesia abroad until the deadline of 4 years after promulgation or the last registration on August 1, 2010. If until August 1, 2010, children born before August 1, 2006 are not registered, then the child will be considered and treated as a foreign citizen.

Pembagian anak hasil perkawinan campur berdasarkan kelahiran sebelum dan sesudah Undang-undang Nomor 12 Tahun 2006 diundangkan ini dapat dipandang sebagai pelaksanaan dari teori negara yang berlandaskan hukum. Karena anak hasil perkawinan campur yang lahir sebelum Undang-undang Nomor 12 Tahun 2006 diundangkan masih terikat dengan Undang-undang Kewarganegaraan sebelumnya. Sejalan dengan supremasi hukum yaitu bentuk penegakan dan penempatan hukum pada posisi tertinggi yang dapat melindungi seluruh lapisan masyarakat dengan tidak diintervensi oleh satu pihak atau pihak mana pun termasuk oleh penyelenggara negara.

The division of children resulting from mixed marriages based on birth before and after Law Number 12 of 2006 was promulgated can be seen as the implementation of the state's theory based on law. Because children born before Law Number 12 of 2006 was promulgated are still bound by the previous Citizenship Law. In line with the rule of law, it is a form of law enforcement and placement in the highest position that can protect all levels of society without interference by one party or any party, including by state administrators.

Fulfillment of Citizenship Rights of Children Resulting from Mixed Marriages Based on Technicalities

The norms that have been listed in Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia are then re-elaborated and regulated in more detail in the implementing regulations through Government Regulations and related Ministerial Regulations. Indonesian legal rules have a layered and hierarchical structure. Starting from the lowest legal norms, which are operative, concrete, and individual, to legal norms that are general and abstract, the views and ideals of law will eventually give birth to *staatsnorm* or *staatsfundamental norma*, with Pancasila as the legal ideal.

Arrangements for the fulfillment of the citizenship rights of children resulting from mixed marriages through the following provisions:

- 1) Government Regulation No. 2 of 2007;
- 2) Government Regulation Number 21 of 2022;
- 3) Permenkumham Number: M.01-HL.03.01 of 2006, regulates the procedures for the registration of children resulting from mixed marriages born before August 1, 2006;
- 4) Permenkumham 47 of 2016, regulates the procedures for the citizenship process. Namely choosing citizenship electronically for children resulting from mixed marriages with dual citizenship status;
- 5) Permenkumham 21 of 2020, regulates applications for citizenship. That is the procedure for applying for Indonesian citizenship for children born before August 1, 2006 and declared to have lost Indonesian citizenship.

Technically, the process of choosing the citizenship of the Republic of Indonesia for children resulting from mixed marriages with limited dual citizenship is as follows:

- a) Citizenship Registration, where the applicant first enters the General Law Administration website page, namely <http://sake.ahu.go.id/> and selects the Citizenship menu;
- b) Citizenship registration by filling in the username, password, password confirmation, and e-mail address;
- c) Account activation, i.e. the Applicant clicks the activation button by opening the message that the system has sent to the registered e-mail;
- d) After the account is activated, the Applicant logs in by entering the applicant's username and password and filling in the biodata of himself (the Applicant) of the data of Mother and Father;

- e) Upload documents to the available menu consisting of:
 - Photocopy of birth certificate citation / birth certificate (certified by Indonesian Official/Representative)
 - Photocopy of the marriage certificate citation / parent's marriage book certified by the Indonesian Official / Representative)
 - Photocopy of passport of the Republic of Indonesia / foreign passport (legalized by the Indonesian Official/Representative)
 - Statement letter of renunciation of foreign citizenship from the Applicant, on paper with sufficient stamp and approved by the official of the foreign country concerned / the representative office of the foreign country in Indonesia
 - Applicant's latest color passport
 - Ministerial Decree on Citizenship of the Republic of Indonesia (for children born before 1 August 2006) or photocopy of affidavit
 - PNPB payment of Rp. 1,000,000,- through the available menu
 - f) After the entire process is carried out by the Applicant, the verification process by the Directorate of Constitutional Affairs of the Ministry of Law takes up to 21 working days;
 - g) The Decree of the Minister of Law on Choosing Indonesian Citizenship can be downloaded through the Applicant's account;
 - h) Return all foreign documents to the relevant Immigration Office and report to the local Population Office that you have chosen Citizenship of the Republic of Indonesia.
- Meanwhile, for children born before August 1, 2006 and have lost their Indonesian citizenship, they can apply for citizenship with the following procedures:
- 1) The application for citizenship is submitted in Indonesia by the applicant in writing in Indonesian on paper with a stamp addressed to the President of the Republic of Indonesia, submitted through the Regional Office of the Ministry of Law locally.
 - 2) The application as intended must be attached with:
 - Photocopy of a birth certificate citation or letter proving the applicant's birth certified by an authorized official;
 - Photocopy of the Marriage Certificate/Marriage Book, Divorce Certificate Citation, or Death Certificate Citation of the Applicant's Wife/Husband for those who are not yet 18 (eighteen) years old and are married certified by the authorized official;
 - A copy of the Marriage Certificate/Marriage Book Citation, Divorce Certificate Citation, or Death Certificate Citation of one of the applicant's parents certified by the authorized official;
 - an immigration certificate issued by the immigration office whose working area includes the applicant's residence stating that the applicant has resided in the territory of the Republic of Indonesia for at least 5 (five) consecutive years or at least 10 (ten) non-consecutive years; (additional requirements for children born outside the territory of Indonesia)
 - attach the population biodata issued by the Population and Civil Registration Office;
 - a certificate of physical and spiritual health from the hospital;
 - the applicant's statement letter can be in Indonesian;
 - the petitioner's statement acknowledging the state basis of Pancasila and the 1945 Constitution of the Republic of Indonesia;
 - A police record;
 - a certificate from the representative of the applicant's country that by obtaining the Citizenship of the Republic of Indonesia does not become a dual citizen;
 - A certificate from the sub-district whose work area includes the applicant's residence that the applicant has a job and/or has a fixed income;
 - proof of payment of Citizenship money as non-tax state revenue; and
 - The applicant's latest color passport is 4X6 (four by six) centimeters as many as 6 (six) sheets.
 - 3) Officials at the Regional Office level conduct substantive checks on the submitted files;
 - 4) In the event that the substantive requirements are declared complete, the Regional Office Officer will submit to the Minister of Law;
 - 5) The Minister conducts a substantive examination and forwards the application accompanied by consideration to the President;
 - 6) The President shall grant or reject the application within no later than 45 (forty-five) days from the date of receipt of the application from the Minister;
 - 7) In the event that the application is granted, the President shall determine the Presidential Decree and notify the applicant in writing within 14 (fourteen) days from the date the Presidential Decree is determined;

8) The official shall summon the applicant in writing to take the oath or declare the pledge of allegiance within 3 (three) months from the date of notification of the excerpt of the Presidential Decree sent to the applicant;

9) The applicant is obliged to return immigration documents or papers in his/her name to the immigration office whose work area includes the applicant's residence within 14 (fourteen) days from the date of the pronouncement of the oath or declaration of allegiance.

Implications of Loss of Indonesian Citizenship for Children of Mixed Marriage

Philosophical Implications

The original idea of citizenship was based on membership in a political community governed by man-made law and not on membership in a family clan, or tribe based on kinship, religion, ethnic background, or hereditary status. Everyone within the territory of a country is required to have a clear citizenship status. This is because citizenship identity is absolute for every citizen, so that there is a binding reciprocal relationship between citizens and their country.

The population of a country can be divided into two, namely citizens and non-citizens (foreigners). Both have different positions in relation to the state. Citizens have an uninterrupted relationship even if the person concerned is domiciled abroad, as long as the person concerned does not decide his or her citizenship himself. Meanwhile, a foreigner only has a relationship with the country as long as he resides in the territory of the country concerned. During that time, it is also the obligation of a state to protect the interests of every resident within the territory of its country.

Citizenship status is important for everyone so that their position as a legal subject who has the right to bear legal rights and obligations can be legally and actually guaranteed. Citizenship status in Indonesia is regulated in the constitution which reads "everyone has the right to his citizenship status".

The state has the juridical authority to determine citizens in accordance with the principles embraced by the state. With this sovereignty, basically a country is not bound by other countries in determining citizenship status. Thus, it is very possible that a person's citizenship is recognized by more than one country, making him a dual citizen. Likewise, a person who, in the event that the provisions of a country related to citizenship status, the requirements and procedures are not implemented or violated can result in loss of citizenship or statelessness.

Stateless is a state in which a person is no longer considered a citizen by any country, or does not have a citizenship recognized by applicable law. In accordance with the terminology of UNHCR (United Nations High Commissioner for Refugees), which is a United Nations commission that handles problems related to refugees.

Kehilangan kewarganegaraan atau tanpa kewarganegaraan menurut UNHCR adalah a person who is not considered as a national by any State under the operation of its law". In simple terms, this means that a stateless person does not have the nationality of any country. Some people are born stateless, but others become stateless. Stateless people are found in all regions of the world. The majority of stateless people were born in the countries in which they have lived their entire lives.

What's interesting about UNHCR's statement on its official website is that many people are born stateless, and many people can also become stateless or stateless. Stateless people are found in many parts of the world, but in general such people are stateless or stateless even in the country where they were born and live.

So it is very irrelevant philosophically for the state to ignore the citizenship status of children resulting from mixed marriages in their country. Because citizenship status is part of human rights. Citizenship status also indicates an honor, an initial part of the protection and fulfillment of the rights to education, health and other rights.

Juridical Implications

Juridically, citizenship can be interpreted as a legal bond that is legally or officially established, between the population of a country who is a citizen and his country. Thus, this juridical relationship is binding and can give rise to a number of certain legal consequences. Citizenship juridically can also be interpreted as citizens being under the power of a country. So the implication is that citizens must obey the applicable law.

In Indonesia, regulations related to citizenship began in the early days of the establishment of the Unitary State of the Republic of Indonesia, namely in 1946 through Law Number 3 of 1946 concerning Citizens and Residents of the State consisting of 15 Articles including 1 Transitional Article. The content is only limited to who is a citizen and who is a citizen of the country. This law has been amended three times, most recently by Law Number 11 of 1948.

The term citizenship was first introduced through Law Number 62 of 1958. The arrangement of the load is thick between indigenous and non-indigenous people. The regulation of non-native Indonesians who have been living in Indonesia for a long time, such as Chinese, Arab and other traders, is still unclear.

On April 5, 1976, Law No. 3 of 1976 was passed which amended the provisions of Article 18 of Law No. 62 of 1958, which regulates the loss of citizenship of the Republic of Indonesia due to residing abroad for 5 consecutive years outside of state service. Of course, this provision makes many people lose their citizenship of the Republic of Indonesia. Mainly people who were taken abroad by the colonizers during the colonial era and were unable to return to Indonesia after the proclamation of independence.

On August 1, 2006, a new direction on the regulation of citizenship was present through Law Number 12 of 2006 concerning Citizenship of the Republic of Indonesia, thus repealing the previous Law. Law Number 12 of 2006, combining all the principles of citizenship, prioritizes single citizenship for the interests and security of the state while still providing dual citizenship rights with limited conditions, conditions and time.

For mixed marriage community groups in Indonesia, their children are juridically vulnerable to losing their citizenship of the Republic of Indonesia. Loss of Indonesian citizenship due to the existence of provisions of the law that are not implemented even though it could be due to the lack of information related to these provisions. So there is a contradiction between legal certainty and justice.

There is still a lot of debate among legal experts about the priority of legal certainty that runs counter to justice or vice versa. Some experts argue that justice must go beyond law, because in it there is the continuity of freedom in transplanting the values contained in elements of the sciences such as social, political, cultural, economic, and others through the process of interpretation of morality. Law helps regulate governance and citizens or people. In the absence of law, everyone, including the government and the people, acts arbitrarily. In addition to the law, there is justice. Everyone needs to be treated fairly and upheld because they have that right.

According to Sudikno, although legal certainty is closely related to justice, law and justice itself are two different things. Law has characteristics in the form of general, binding on each individual, equalizing, while justice itself has different characteristics, namely subjective, individualistic and non-equalizing. From the nature of law and justice itself, it can be clearly seen that justice and law are different things.

The cause of the loss of citizenship of the Republic of Indonesia for children resulting from mixed marriages is the non-implementation of juridical provisions and procedures in terms of:

- 1) Dual citizenship status and in the event of forgetting to choose or not choosing Indonesian citizenship after the age of 18 to the age of 21 or married.
- 2) Born before Law Number 12 of 2006 was promulgated and was not registered until the registration deadline.
- 3) Born before Law Number 12 of 2006 was promulgated and has been registered but in the case of forgetting to choose or not choosing Indonesian citizenship after the age of 18 to the age of 21 or married.

The legal consequence of the loss of Indonesian citizenship is the loss of rights and responsibilities as well as facilities of the Indonesian state towards citizens. In the end, the loss of Indonesian citizenship for children resulting from mixed marriages juridically the child will be considered and treated as a non-citizen (foreigner).

Sociological Implications

Sociologically, because of the relationship between the state and individuals, citizenship status is important. The principle that each country is sovereign determines for itself who is its citizens. As a consequence of the acceptance of this principle, it can also be interpreted that other countries should not interfere in determining citizens in other countries.

Likewise, Indonesia has established laws and regulations on citizenship. So that the violation or non-implementation of these regulations can result in the loss of Indonesian citizenship generally for children resulting from mixed marriages resulting in statelessness.

Based on the results of the author's interviews with children from mixed marriages who applied for citizenship at the Regional Office of the Ministry of Law of NTB, it can be concluded that the sociological impact of loss of citizenship is both for children and for their families and surrounding communities. Here are some of the key sociological impacts:

1. Identity crisis and sense of alienation:
 - Identity Confusion: Children may experience confusion about self-identity. They do not fully feel part of the foreign country of origin of one of their parents, nor are they fully recognized by the country where they live in Indonesia. This can lead to a sense of dispossession or drift.
 - Sense of Alienation/Marginalization: Children can feel alienated from their social environment, especially if their citizenship status is an obstacle to accessing basic rights or fully participating in society. They may feel "different" and less accepted.
 - Difficulties of Social Integration: The process of integration into society can be more difficult due to limited rights and opportunities. They may struggle in building a strong social network or feel equal to peers who have clear citizenship.

2. Limited access to basic rights and opportunities
 - Education: Despite efforts to ensure access to education, children without clear citizenship may face difficulties in school enrollment, diploma recognition, or access to scholarships.
 - Health: Access to affordable, quality healthcare can be limited, especially if they don't have an official identity or recognized health insurance.
 - Employment: In adulthood, these children will face major obstacles in getting formal employment. Many jobs require a clear citizenship status or a work permit that is difficult to obtain without citizenship. This can push them into the informal sector with minimal protection.
 - Asset Ownership: They may have difficulty owning property, opening a bank account, or conducting other legal transactions that require citizenship status.
 - Mobility: Loss of citizenship can limit their ability to travel, both within and outside the country, due to visa and immigration issues.
3. Psychological Impact:
 - Stress and Anxiety: Uncertainty regarding legal status and the future can lead to stress, anxiety, and even depression.
 - Lack of Confidence: Feeling like a "second-class" or "statusless" citizen can damage a child's self-esteem and confidence.
 - Trauma: In extreme cases, especially if they experience discrimination or exploitation due to their citizenship status, it can cause psychological trauma.
 - Vulnerable to bullying: there are physical differences in which in some cases children genetically follow the faces and physiques of their foreign parents so that they are vulnerable to bullying from their peers. According to Nurjannah bullying can happen at any time and to anyone. Children are one of the vulnerable parties who can become victims of bullying.
4. Family Burden and Social Gap:
 - Family Economic Burden: Parents have to bear a heavy financial and bureaucratic burden to take care of the status of the child. This can cause significant economic stress on families.
 - Social Gaps: These children can widen social gaps due to limited access to education, employment, and economic opportunities.
5. Legal and Bureaucratic Issues:
 - Risk of Statelessness (Apatride): If the child does not choose one of the nationalities after the specified time limit (e.g. the age of 18 or 21 years old in Indonesia) or if the parents' country of origin does not recognize their nationality, the child can become stateless (without citizenship at all), which is very detrimental.
 - Complicated Procedures: The process of registering or choosing citizenship can be very complicated, time-consuming, and expensive, making it difficult for families who are less fortunate or less informed.

The magnitude of the impact of loss of citizenship for children resulting from mixed marriages is so serious efforts are needed from all parties to ensure that children's citizenship rights can be fulfilled and protected. The similarity of the perception of all countries in the world towards the citizenship rights of every person is through:

- 1) The World Declaration of Human Rights states that 'Everyone has the right to a citizenship' and 'No one can arbitrarily be deprived of his citizenship'.
- 2) The Convention on the Rights of the Child states 'A child shall be registered immediately after birth and from birth shall be entitled to a name, the right to acquire citizenship' and 'The State shall respect the right of the child to retain his or her identity, including his or her citizenship'.
- 3) The Constitution of the Republic of Indonesia states that 'everyone has the right to citizenship status'.
- 4) Law Number 39 of 1999 concerning Human Rights Article 26 states 'Everyone has the right to own, acquire, replace, or maintain his or her citizenship status'.
- 5) Law Number 23 of 2002 concerning Child Protection Article 5 states 'Every child has the right to a name as personal identity and citizenship status'.

CONCLUSION

Citizenship is not just an administrative status. It is a social, political, and legal construction that brings with it certain rights and obligations towards the state and vice versa. The problem of children from mixed marriages who have to choose between two state identities, children from mixed marriages who lose their Indonesian citizenship so that they become stateless, live in legal uncertainty, as a result of the non-delivery of legal information to mixed marriage community groups. All of this confirms that citizenship is not as simple as having an official document, but is closely related to identity, belonging, and recognition from the state.

Indonesia still adheres to the single citizenship system. This principle has historically been designed to maintain the integrity and loyalty of citizens to the state. However, today's reality shows that this approach is starting to feel obsolete amid the growth of Indonesian diaspora communities spread across various parts of the world. Children of mixed marriages who grow up with two cultural backgrounds often experience identity dilemmas because they are forced to choose one nationality before a certain age. Many of them have lost their Indonesian citizenship status simply because they are unable to make decisions within the stipulated time limit, even though their emotional, cultural, and even socio-economic attachment to Indonesia is still very strong.

This situation should be a source of reflection for policymakers. The revision of the Citizenship Law is no longer just an administrative necessity, but a demand of the times. The attachment of a citizen cannot be limited only by a passport or supporting documents, but also by a sense of belonging and a real contribution to the homeland. Indonesia should not be left behind in this regard. By implementing a limited dual citizenship system, the state can maintain national integrity without ignoring the social and cultural realities of its citizens abroad.

Furthermore, the state must take an active role in protecting the rights of citizens who are in vulnerable situations. Children resulting from mixed marriages who have the potential to be stateless, are groups that are in dire need of legal protection. In this case, a human rights-based approach and the principle of constitutional protection are crucial. The state must show partiality towards individuals, not only based on legal-formal status, but also on the principles of social justice and human dignity.

We also need to rethink the way the state interprets loyalty and nationalism. In the digital era and global mobility, a person may live abroad but still contribute greatly to the nation through cultural diplomacy, knowledge transfer, investment, or even just being a positive representation of the nation in the global arena. Therefore, simplifying nationalism only limited to citizenship status is too narrow an approach.

The above is in line with Siti Hasanah's thought that the principles of freedom, equality, and brotherhood, although not formulated in a written rule, have become the basis of the people in the continuity of racial alliance in the archipelago. The characteristic nodes of democratic culture in society are religious values, humanity, unity, deliberation, consensus, mutual cooperation, and justice with the main basis of communal rather than individual. These values were then expanded and confirmed in the 1945 Constitution of the State.

Modern citizenship must be able to be a bridge between the state and its citizens. An adaptive state is one that is able to embrace, not exclude. It is in this context that citizenship law reform is very important. Citizenship regulations for children resulting from mixed marriages have the potential to make us lose human resources for those who have love for Indonesia, but are forced to lose their citizenship status due to the limitations of the system.

It is time for us to shift the paradigm of citizenship from exclusive to inclusive; from rigid to flexible; from mere administrative status to a symbol of emotional relations and mutual commitment between the state and its citizens. Citizenship should not be an exclusive tool, but should be a bridge of recognition and active participation in nation-building.

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