

The UPNVJ Faculty of Law Holds an International Conference, Raising the Theme of Contemporary Issues on Family Law

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HumasUPNVJ - Jakarta, December 4 2020 Faculty of Law UPN Veterans Jakarta held the 2nd *International Conference on Law Studies* with the theme " *Contemporary Issues on Family Law: Various Perspectives* " in collaboration with the Association of Islamic Family Law Lecturers (ADHKI).

In this international conference, UPN Veteran Jakarta presented four speakers from various universities, namely Prof. Dr. Christopher Cason, BA., J.D. from the University of Washington Law Faculty, USA, Stijn van Huis, Ph.D from Leiden University, Prof. Khoiruddin Nasution, MA, Chairman of ADHKI Indonesia, Dr. Iwan Erar Josoeff, SH, MH, and Dwi Aryanti, SH, MH are both from the Faculty of Law UPN Veterans Jakarta.

UPN Veterans Jakarta Chancellor Erna Hernawati, warmly welcomed the holding of the *2nd International Conference on Law Studies* in collaboration with (ADHKI) Indonesia.

According to the Chancellor, the theme raised is very relevant in the midst of increasing legal problems in the family, especially during the Covid 19 pandemic. Family problems arise from various backgrounds, ranging from economic to political issues. By convening *the International Conference*, the Chancellor hopes to contribute ideas in overcoming family law issues in the midst of an ongoing pandemic.

In line with the Chancellor, Dwi Aryanti as the first speaker highlighted the increase in the divorce rate in Indonesia during this pandemic. According to him, there is a correlation between the increase in the divorce rate and the ongoing pandemic.

"The Covid-19 pandemic leads to Government Policy to prevent and control the spread of the Corona Virus. Prevention and control are carried out by imposing a Large-Scale Regional Social Distancing Restriction (PSBB) policy, which causes all economic activity to stop. The cessation of economic activity causes a decrease in industrial turnover which results in a reduction in the use of labor, so that employers impose leave policies or lay off workers. Workers who are laid off without wages or wages partially cause economic problems in the family, resulting in fights that lead to divorce." Dwi said.



As a speaker, Stijn van Huis spoke about joint custody and parenting plans, that child custody, child support, must always be included in mediation efforts in cases of divorce between parents and children in accordance with the Child Protection Act (UU 23/2002 Child Protection). the child's best interests must be paramount in all cases involving the child's life.

Besides that Prof. Khoiruddin Nasution also has his own point of view, he said the concept of an Islamic family is egalitarian, while the concept of a pre-Islamic Arab family is; 1. racial, 2. feudal and 3. patriarchal. So Islamic reform in the field of family law is to change Jahiliyyah law which has 1. racial, 2. feudal and 3. patriarchal characteristics, to become egalitarian in nature. Therefore, problems or research subjects in the field of Islamic Family Law can be a comparative study between pre-Islamic and Islamic Arabic in various aspects in the field of Family Law; The Right to Life for Men and Women, the Field of Marriage, the Field of Polygyny, the Rights and Obligations of Husband and Wife in Family Life, Divorce, Inheritance, Guarantee of Children's Rights, and others.

Dr. Iwan Error also explained that the government (RCS) is not in a position to own natural resources, but is present to formulate policies, carry out arrangements, carry out arrangements, carry out management, and carry out supervision. The government must pay attention to existing rights, both individual rights and collective rights owned by CLC (communal rights), CLC rights and other constitutional rights owned by the community and guaranteed by the constitution. The state must recognize the existence of CLC rights including customary land, as long as in reality it still has to be reinterpreted that the state guarantees and maintains the existence of CLC rights including customary land for the greatest possible prosperity of the people. people.

In this discussion Prof. Crist. More emphasis on cross-country marriage issues. The issue he highlighted relates to who owns jurisdiction because jurisdictional issues often give rise to *conflicts of law*. So in this case what needs to be considered according to him is the application of the *lex Celebrationis* principle which operationally chooses jurisdiction based on where the marriage takes place, or based on the best

interest of the children (*best interest of the children*), the location where the object is located if the conflict is also related to property (*property based on location*). Problems like this require a commitment to a good resolution so that the problems that occur do not drag on.

“Globalization has increased the importance of durable and transportable family status, and the death of strict rules governing access to marriage and divorce has erased many policies or state interests that once operated in this area,” added Prof. Crist.

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