
Critical Study of the Chaos of Legislation Related to the Basis of Adulthood in Agreements in Indonesia

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Abstract. This study aims to critically examine the chaotic legislation related to the basis of adulthood in agreements in Indonesia. In various statutes and regulations in Indonesia, there are variations related to age limits, especially the definition of adulthood. This has implications for legal uncertainty and a lack of guarantees for citizens in making agreements. Therefore, the definition of adulthood is an important foundation in the legal framework so that it can be designed to protect citizens' rights. This study uses a normative legal approach that focuses on the normative analysis of applicable laws and regulations, legal doctrine, and various relevant academic literature regarding legislation on the level of adulthood in Indonesia based on the theory of legal certainty. The results of the study found that it is necessary to create a rule regarding a person's level of maturity by referring to age. This is very important to be a reference for other regulations. Thus, this effort can be expected to avoid the impression of chaotic laws and regulations based on adulthood in agreements in Indonesia.

Keywords: Legislation, Agreements, Age Limits, Adulthood, Indonesia

Introduction

Indonesia is one of the countries in Southeast Asia that during the colonial era was colonized by several countries, with countries taking turns colonizing for around 350 years. The Portuguese, British, Dutch and finally Japanese took turns establishing their power in the territory of Indonesia, which was initially based on the need for spices in Indonesia with a transaction model of buying and selling that changed into an act of control to gain profit from the spices in Indonesia. Among the Portuguese, British, Dutch and Japanese, the Netherlands is the country with the longest colonial period. This can be proven by the many relics of the Dutch colonial era which are still well-maintained or used in the daily activities of the Indonesian people. The Old City area located around the Jakarta Kota train station is full of old buildings left over from the Dutch, buildings that are still well-maintained and even used as buildings for various activities by the community.

Jakarta Kota Station and Bank Indonesia Building are some of the buildings left over from the Dutch colonial era that are still well maintained and used by the people of Jakarta City, Jakarta Kota Station is a train station that serves public transportation from the satellite cities of Jakarta into the Jakarta area. Then, in the legal field in Indonesia, there are many regulations left over from the Dutch colonial era that until now have not been replaced so they are still the rules that apply and bind the people living in Indonesia. Although there have been many legal regulations made by the Indonesian nation itself, not all of them can represent and be used as a basis for the lives of people in Indonesia. This problem occurs because the making of legal regulations is often left behind by developments in the lives of people in a country, so this condition is also a natural thing to happen in Indonesia.

The problem of a rule of law lagging behind the developments in society can be seen from the rules of e-commerce in Indonesia which currently have not been explicitly made into rules, the existing rules are more global as can be seen in *Undang-Undang Republik Indonesia Nomor 1 Tahun 2024 tentang Informasi dan Transaksi Elektronik* (the Law of the Republic of

Indonesia Number 1 of 2024 concerning Information and Electronic Transactions or Law 1/2024). In Law 1/2024, there is no explicit regulation on the protection of consumers who transact through a marketplace or social media, until now there are still very frequent fraudulent transactions carried out by sellers to their consumers without being able to be punished because the current applicable law cannot reach deeper into the possible conditions that may arise in a digital transaction, so regarding consumer protection we still have to refer to *Undang-Undang Republik Indonesia Nomor 8 Tahun 1999 tentang Perlindungan Konsumen* (Law of the Republic of Indonesia Number 8 of 1999 concerning Consumer Protection or Law 8/1999).

Current developments allow transactions to occur where one of the parties based on existing regulations still does not meet legal capacity because they are still within the age limit which according to applicable laws and regulations cannot be considered as a person who has sufficient consideration to carry out a trade transaction or is considered an adult. The condition arises because one of the parties should still be considered below the threshold of maturity based on one of the laws and regulations in force in Indonesia. It is called one because there are indeed several laws and regulations in force in Indonesia that have references to maturity that are sometimes different from each other. This condition will of course confuse and even give rise to double standards. Especially, in terms of determining the basis for someone to be considered an adult and considered capable of carrying out their legal actions.

Regarding the application of a person's maturity in Indonesia based on applicable laws and regulations, there are at least 2 (two) perspectives so that it can still cause differences in perception of when a person can be considered an adult. In this context, whether to take a lower age limit or a higher age limit, on the other hand, consideration of a person's maturity in Indonesia can also be based on an action, namely marriage, so that the person can be categorized as having entered adulthood. Based on what has been described, there are at least 3 basic considerations for a person to be categorized as an adult, namely: 2 (two) based on a person's age, and 1 (one) based on an act, namely a marriage that has or has been done by a person. Then, the reality that exists at this time is that a person's maturity will be applied based on existing needs or in other words, a person's level of maturity has different perspectives depending on the situation and conditions when the standard is needed. This is also reflected in the decision of the general judicial body in Indonesia as described earlier. There are several rules in the Indonesian legal regulations that regulate the standards of a person's maturity, this of course makes legal certainty in Indonesia regarding the standards of a person's maturity unclear.

Thus, the laws and regulations in force in Indonesia at this time certainly tend to create double standards in the application of a person's maturity level, especially when associated with legal action. Therefore, the application of a person's maturity level needs to be regulated according to legal provisions so that those who are not yet categorized as adults. In other words, it can be interpreted that they are not allowed to take any legal action unless it is done by a guardian who has entered adulthood. Then, if it has already been done in terms of taking legal action, the legal action can be requested for the cancellation process.

Literature Review

Legislation – Legislation is a law or set of laws proposed by a government and made official by parliament (Cambridge University Press & Assessment, 2025). W. S. Sayre in the Merriam-Webster Dictionary (2025) states that the act of making laws, especially: the exercise of the power and function of making regulations (such as statutes) that have the force of authority by their promulgation by an official state body or other organization the primary function of Congress is to make laws. Legislation is a general term that includes laws enacted by Parliament, plus laws made by persons or bodies authorized to make laws by Parliament, and laws are also referred to as Acts or Statutes (University of Wollongong, 2025). Legislation

refers to the drafting and enactment of laws by a legislative body through the lawmaking process (Legal Information Institute, 2025a).

According to the Legal Information Institute (2025), the legislative process involves evaluating, amending, and voting on proposed legislation and is concerned with the wording used in a bill to communicate the value, judgment, and purpose of the proposal. An idea becomes the subject of legislative discussion when it is written down as a bill (*Rancangan Undang-Undang* or RUU) which is a draft, or interim version, of what may become part of a written law, and when the bill is enacted it is called a law (Legal Information Institute, 2025a).

Agreement – An agreement or agreement is a manifestation of mutual agreement by two or more people with each other (Legal Information Institute 2025b). According to the Legal Information Institute (2025b), an agreement is a meeting of minds with a common intention made through an offer and acceptance including:

1. Agreement can be shown from words, behaviour, and in some cases, even silence;
2. Agreement is often associated with contracts; however, "agreement" generally has a broader meaning than "contract," "bargain," or "promise." A contract is a form of agreement that requires additional elements, such as consideration; and
3. Jurisdictions differ in the use of "agreement" to indicate a legally enforceable contract. For example, the Washington Supreme Court has stated that a contract is a promise or series of promises protected by law, while an agreement is a manifestation of mutual consent that does not necessarily have legal implications.

In Indonesia, agreements are regulated in the Civil Code (*Kitab Undang-Undang Hukum Perdata Indonesia* or KUH Perdata) Article 1313, namely an act by which one or more people bind themselves to one or more other people. Furthermore, based on the principle of certainty that the agreement is stated in Chapter 1321 of the Civil Code no agreement is valid if the agreement is made with careless efforts, with threats, and with deceit.

Meanwhile, Article 1 of the Civil Code, Chapter 1338, stipulates that all valid agreements are valid as a legal certainty and bind the parties who agree. Referring to the articles in the Civil Code, several articles regulate agreements, including the following:

1. Article 1313 of the Civil Code explains that an agreement is an act of binding one or more people to another person;
2. Article 1320 of the Civil Code stipulates the valid requirements for an agreement, such as agreement, capacity, subject matter, and non-prohibited reasons;
3. Article 1321 of the Civil Code stipulates that agreements made under pressure, coercion, or fraud are invalid;
4. Article 1332 of the Civil Code stipulates that agreements can only be made for goods that can be traded;
5. Article 1337 of the Civil Code stipulates that the reasons for a prohibited agreement are reasons that are contrary to morality, public order, or prohibited by law; and
6. Article 1340 of the Civil Code stipulates that an agreement only applies to the parties who make it.

Therefore, the parties who agree must thoroughly understand all the principles related to the agreement, namely the principle of freedom, the principle of concession, the principle of legal certainty, the principle of good faith, and the principle of personality.

Age Limits– The legal age to enter into a contract refers to the age at which a person is legally allowed to enter into a contract, and in most states, the legal age to enter into a contract is 18 years (Maydanich, 2024; Meabe, 2024). However, there are some exceptions based on certain circumstances. In this case, businesses want the legal protection of contracts such as agreements containing Terms and Conditions, and to overcome this, many companies use Age Limitation Clauses in their Terms and Conditions agreements (Meabe, 2024).

In this case, businesses often face various legal challenges, especially when it comes to contracts (Maydanich, 2024). According to Maydanich (2024), finding out the legal age for an agreement in detail, contains the following: (1). Avoid legal disputes: Signing an agreement with an individual who is not of age can result in an unenforceable agreement, leading to legal problems; (2). Protect your business: A properly executed agreement ensures that your business is protected in the event of a dispute; and (3). Ensure fairness: Agreements with minors may not be considered fair, resulting in the need for renegotiation or termination of the contract.

Therefore, understanding contractual capacity is essential for anyone involved in a legal agreement (Kuber, 2024). Without a clear understanding of who has the legal capacity to agree, and who does not, one can find themselves in a legal bind (Elsaied, 2023). According to Kuber (2024), the basic concept determines who can sign a contract and ensure it is legally binding because, without proper capacity, the contract can be void or voidable, leading to potential legal disputes.

A dispute in law refers to a conflict or disagreement between parties involving legal issues, and these disputes can arise in many areas, including contracts, property, or employment law that can cause problems for both parties (Asheyichik, 2023). According to Asheyichik (2023), legal disputes can occur for several reasons, including (1). Contract disputes; (2). Breach of legal obligations; (3). Property disputes; (4). Personal injury claims; (5). Employment conflicts; and (6). Family law issues. Therefore, resolving legal disputes often involves the application of relevant laws, regulations, and legal principles (Asheyichik, 2023).

Adulthood - In the eyes of the law, adulthood brings with it several privileges and legal obligations, and one important aspect is having the proper legal documents (Snyder, 2024). According to Snyder (2024), Upon reaching adulthood, which is usually set at 18 years of age (European Law Institute, 2020), individuals are considered legally competent to exercise certain rights and assume responsibilities (The Social Care Institute for Excellence – SCIE, 2019) including:

1. Contractual Capacity - Adults have the legal capacity to enter into contracts, such as leases, employment agreements, and financial agreements, that bind them to legal obligations;
2. Decision-Making Autonomy - Adults have the right to make decisions about health care, finances, education, and other personal matters without the consent of a parent or guardian; and
3. Legal Responsibility - Adults perform important worldly tasks (Psych Central, 2025) and are responsible for their actions and may face legal consequences.

In law, responsibility can also mean being accountable for actions, doing the right thing, even if it is difficult and having to face the consequences (LSData, 2025).

Research and Methodology

In this study, the research method used is the normative and qualitative legal research method using literature based on secondary data. Normative legal research focuses on written studies, namely using secondary data such as laws and regulations, court decisions, and legal theories and can be in the form of scientific works of scholars (Fajar & Achmad, 2010). The focus of the normative legal approach is on tracing legal norms related to the research title to understand the implementation and interpretation of legal norms in a legal context. The qualitative approach is used to gain a deep understanding through the collection and analysis of non-numerical data, such as views, opinions, or subjective interpretations related to the legal issues being studied (Lim, 2024).

A mixture of the two approaches, normative legal and qualitative, is expected to provide a more comprehensive insight into the normative and contextual aspects of a legal issue. Then, the qualitative analysis process includes document content analysis to explore a deeper and

more critical understanding (Zhang & Wildemuth, 2005) of the chaos of laws and regulations related to the basis of maturity in agreements in Indonesia. Furthermore, based on what was studied, the researcher used the legal certainty theory approach as a basis for analyzing the conditions that occur in Indonesia, where until now regarding the status of a person's adulthood in Indonesia there are still several references that cause legal uncertainty for someone to be able to take legal action for and on behalf of themselves. In this study, the researcher conducted a study on the existence of several references regarding the standards for determining whether someone can be declared an adult who is competent to take legal action on their behalf.

Therefore, it is very necessary to ensure uniformity in the legal regulations in Indonesia to determine that someone can be declared an adult who takes legal action for and on behalf of themselves. Furthermore, this study was conducted analytically prescriptively, to obtain comprehensive advice on everything that needs to be done to answer various legal problems related to the chaos of laws and regulations regarding the basis of adulthood in agreements in Indonesia.

Thus, the following questions arise which are the formulation of the problem in this study:

1. What and how is the legal review of someone being declared an adult according to the legislations in Indonesia?
2. What and how is the legal certainty regarding a person being declared an adult according to the legislations in Indonesia?
3. What and how is the context of a person's age or standard of adult according to the legislations in Indonesia?
4. What and how is the level of adult of a person according to the legislations in Indonesia?

Therefore, this study aims to critically examine the chaotic laws and regulations related to the basis of adulthood in agreements in Indonesia, which includes legal harmonization to resolve the problem of pluralism of adult age limits that can create confusion in determining when a person is considered an adult and capable of performing legal acts. Then, by considering the background of the problems in this study, a comprehensive and contemporary study is needed with the title; "*Critical Study of the Chaos of Laws and Regulations Related to the Basis of Adulthood in Agreements in Indonesia*". Sequentially, the scope of the discussion of this study consists of: Juridical Review, Legal Certainty, Standards of a Person's Adulthood, and Level of a Person's Adulthood according to the legislation in Indonesia, and this article ends with conclusions and suggestions that can be explained in Figure 1 below as follows:

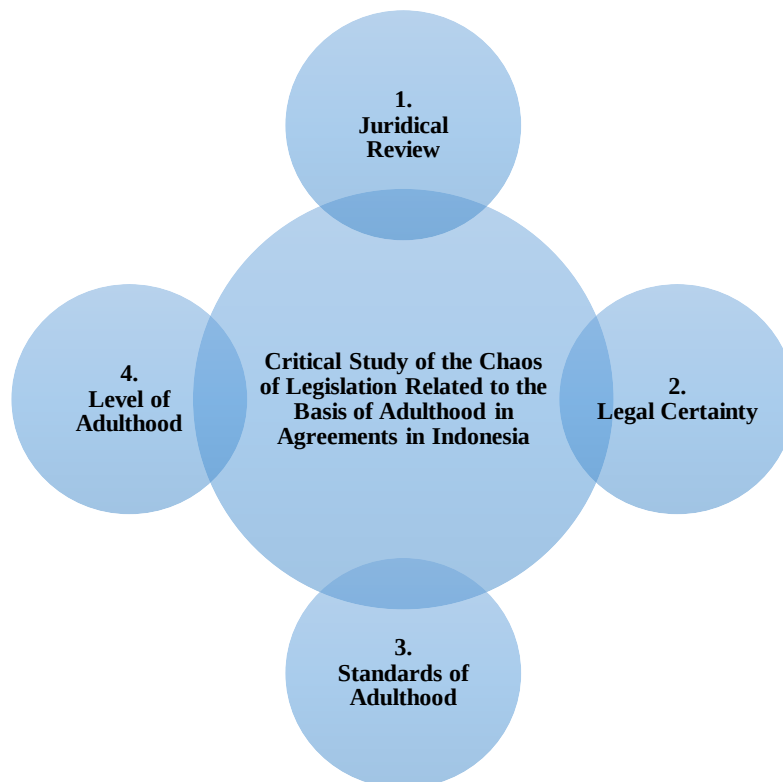


Figure 1. Critical Study of the Chaos of Legislation Related to the Basis of Adulthood in Agreements in Indonesia

Discussion

Juridical Review

Indonesia as one of the countries in the Southeast Asia region, has a population of around 280 million people in 2024 (Indonesia Investments, 2024). The level of adulthood in Indonesia is currently determined by several parameters, namely age and marital status. Conditions that are certainly different and difficult to parameters because in some regions several customs allow teenagers or even children to get married, conditions that of course make it impossible for the status of maturity to use the marital status that has been or has been done. This condition certainly demands improvements so that in the future in Indonesia there will be standards that are the basis for determining a person's level of maturity as a theory of legal certainty (Heyeman, 2002: 50). The theory of legal certainty is interpreted as precise and more consistent rules that regulate simple and complex phenomena by providing more consistency to increase the accuracy of the rule system (Braithwaite, 2002).

Then, Indonesia as a country of law has several standards for stating a person's maturity depending on which rules or regulations will be used as the basis for determining a person's maturity. According to the Indonesian Civil Code ((KUHPPerdata) Article 330. states that a person is declared an adult if he has reached the age of 21 years or has been married. Article 330 of the KUHPPerdata is one of the legal benchmarks for determining when a person is considered an adult, which means capable of acting legally. In addition to Article 330 of the KUHPPerdata, there is also another article that regulates the age of adulthood, namely Article 1330 of the KUHPPerdata. Article 1330 of the KUHPPerdata states that people who are not yet adults, are under guardianship, or are married are not capable of making agreements.

Meanwhile, the age limit for adulthood in the Law of *Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 tentang Hak Asasi Manusia* or the Republic of Indonesia

Number 39 of 1999 concerning Human Rights ((Law 39/1999) is not regulated in the article. However, the age limit for adulthood in terms of legal competence is regulated in Article 98 paragraph (1). Article 98 paragraph (1) of Law 39/1999 stipulates that the age limit for adulthood is 21 years. Then, the age limit for adulthood is 18 years in the Law of *Undang-Undang Republik Indonesia Nomor 30 Tahun 2004 tentang Jabatan Notaris* or the Republic of Indonesia Number 30 of 2004 concerning the Position of Notary (UUJN 30/2004) stated in Article 39 paragraph (1). Article 39 paragraph (1) of UUJN 30/2004 states that a person who can appear before a notary is a person who is 18 years old or married.

However, this requirement is not absolute, but must also meet other requirements, namely being competent to carry out legal acts. Furthermore, the Law of *Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 tentang Perubahan atas Undang-undang Nomor 1 Tahun 1974 tentang Perkawinan* or the Republic of Indonesia Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage (UU 16/2019) does not explicitly regulate the age of adulthood in certain articles. However, this law regulates the age limit for marriage, which is a minimum of 19 years for men and 19 years for women.

In addition to what has been described in this paragraph, the reference to adulthood can also be stated based on the decision of a judge in the judicial body as decided in the case at the Palembang District Court No. 96/1973/PN. Plg, however, in the decision issued by the Supreme Court with No. 477/k/sip. /1976, it is stated that a person is declared an adult if he is 21 years old (Aryandani,2024). Based on the judge's decision, it can be seen that in addition to the absence of uniformity in the applicable laws and regulations regarding the standards for a person to be declared an adult, judges in deciding a case related to a person's age still have different standards from one another. This difference will of course give rise to cross-disputes if a person who has been declared an adult based on one regulation will be considered a minor by another regulation.

On the other hand, both regulations are still valid and are considered the legal basis for the implementation of a legal event. A legal event is an event that gives rise to legal consequences, namely a condition that is used as a condition for the validity of legal provisions (Studocu, 2025). According to Studocu (2025) when we find a legal principle, the most important thing is the existence of legal consequences. This is of course vulnerable to trickery over the law because the basis of the rules used still varies depending on the needs of the applicable legal event. If the rules about something still do not exist or have not been regulated by law, then the possibility of trickery over the law becomes greater or in other words the intention to outwit the existing law becomes higher.

Therefore, the government together with the legislature is expected to be able to make new regulations related to the standardization of a person's level of maturity using the same reference. The uncertainty of the standardization of a person's level of maturity will mean the emergence of uncertainty over the law in force in Indonesia as long as it concerns the standard of a person's level of maturity in the eyes of the law, a condition that has currently been going on for quite a long time and there has been no development regarding the creation of a reference for the standardization of a person's level of maturity in carrying out legal actions in Indonesia.

Conditions that have also made the judicial body in Indonesia in making its decisions have various references for standardization of maturity levels, something that should not have happened so that the decision of the judicial body as jurisprudence also has uniformity in determining the reference for standardization of maturity levels, the ultimate goal of which is, of course, to provide better court decisions and not cause dualism when it comes to the reference for standardization of a person's maturity level in Indonesia. Jurisprudence as a law produced based on the decision of the judicial body in Indonesia should also have similarities in determining the reference for standardization of maturity levels so that the decisions given will also be better and can be used as a basis for making laws in Indonesia. This of course

makes legal certainty regarding the level of maturity of a person in Indonesia non-existent, this condition will of course cause chaos, especially regarding the permissibility of a person to take legal action based on the age limit of maturity.

In some cases, a trade transaction must be carried out by someone who can be categorized as having entered adulthood, so that the absence of legal certainty regarding a person's age of adulthood will be prone to violations of trade transactions carried out by a person, especially if based on the lowest age limit the person concerned has passed it but still cannot decide something based on the mindset of an adult, he is considered an adult because the laws and regulations state this, but psychologically this person is still unable to think maturely. Based on the applicable rules, a transaction carried out by someone who is not yet an adult can be cancelled, however, with the existence of regulations that have different standards regarding a person's age of adulthood, the judicial body will have difficulty in making its decision because of the differences in the standards of adulthood between one regulation and another.

Legal Certainty

Legal certainty as a value is not always related to the state alone, because its essence is protection from arbitrary actions (Setiawan & Fatmawati, 2024). According to Budiarta (2016) in Setiawan & Fatmawati (2024), the value of legal certainty provides legal protection for citizens from arbitrary power, and the law gives the state the responsibility to implement it. Minarti (2023) states that the regulation of the age limit for adulthood is very important because every legal act carried out by a legal subject can be accounted for only if they are legally competent or have matured.

According to M. Yahya Harahap (2018) in Rahmawati (2018), the theory of legal certainty has the following meanings:

1. Every citizen knows what legal acts are permitted and not permitted (prohibited); and
2. Every citizen can (feel) obtain legal security from the arbitrariness of government officials as a result of having knowledge of what legal acts are permitted and which are not. Based on what is mentioned in point (1), it is very clear that every citizen must know what things are permitted to be done based on applicable law. In other words, every citizen must know the permitted limitations of an act based on the laws or regulations in force in Indonesia with the provision that of course the existing laws or regulations clearly regulate without any differences between one regulation and another, there is no overlap between one regulation and another.

Therefore, the overlap of one regulation with another regulation will result in the absence of legal certainty because of the double standards that can be applied to an event or measure which results in the law to be applied being uncertain or unclear. Lon Fuller (1978) in Ananda. (2024) states that there are eight principles that must be met by law, the eight principles are as follows:

1. The system created by the authorities and authorities must consist of regulations that are not based on momentary decisions for certain matters;
2. Regulations set by the authorities and authorities must be announced to the public;
3. Regulations that are set are not retroactive, because they can damage the integrity of a system;
4. The regulations are made in a formulation that can be understood by the general public;
5. One regulation and another must not be contradictory;
6. A regulation that has been set must not require an action that is beyond what can be done;
7. Regulations that have been set must not be changed too often; and
8. Regulations that have been set must have conformity between the regulations and in terms of implementation in everyday life.

Regarding the opinion expressed by Lon Fuller (1978) in Ananda. (2024), especially in point 5, it is clearly stated that one regulation and another must not be contradictory, this of course must also be understood and followed in making regulations in Indonesia. The contradictions that arise regarding the regulation of a person's adulthood level in Indonesia should be avoided as has been expressed by Lon Fuller (1978) in Ananda. (2024) should be understood and followed.

Standards of a Person's Adulthood

In the context of age or the standard of maturity of a person in the law in Indonesia, until now there are still several standards that can be applied regarding the reference standard for a legal person in Indonesia to be said to be an adult, the basis of this reference is age, namely 18 years and 21 years and a legal event, namely if someone has or has been married. Conditions that of course confuse at least in the daily activities of the public's view of a person, whether the person concerned can be considered an adult or not becomes confused so that in carrying out daily activities the treatment that will be received by the person is different from the standard of treatment for people who are considered adults. The laws and regulations under them, including the decisions of the general judicial bodies in Indonesia, also apply different standards for the level of maturity of one person to another.

In terms of determining the level of maturity of a person in Indonesia, what was conveyed by Lon Fuller (1978) in Ananda. (2024) that eight principles must be met by law, one regulation and another must not be contradictory. This principle tends to be violated in various laws and regulations in Indonesia related to a person's level of maturity. The conflict between one legal rule and another about, it tends to have implications for the legal certainty of a person's level of maturity in Indonesia and also becomes unclear because several rules can be used as a basis for determining this. Reviewed from the aspect of legal certainty, the laws and regulations in Indonesia related to a person's level of maturity are the beginning that must be criticized. This has become a very important issue, especially the principle of legality which is a reflection of the positivist understanding.

According to Rahmawati (2018), the principle of legality has a very large influence on the enforcement and certainty of the law. The principle of legality is the existence of law enforcement and is a real manifestation of the implementation of certainty (Rahmawati, 2018). Meanwhile, theoretically, the principle of legality can be seen from the legendary opinion of Von Feuerbach in Manalu et.al (2024) stating "*nullum delictum nulla poena sine praevia lege penal*", which means that there is no crime and no punishment without being based on the regulations that precede it. With the existence of a legal basis for written laws and regulations, it will guarantee legal certainty (Manalu et.al., 2024). The application of constitutional guarantees of legal certainty is a formal essence for legal validity (Cammack, 2023). According to Cammack (2023), the language of laws that are considered ambiguous or inconsistent with other languages will create legal uncertainty which makes the law invalid.

Legal certainty is no longer simply about how the law is written; but also about the content of the law, and claims of uncertainty can be used to challenge the purpose and means of the law and the clarity of its expression (Cammack, 2023). Heveman (2002) states that four aspects of the principle of legality must be strictly applied, namely:

1. Legislation (law) - in the civil law tradition the first aspect is that punishment must be based on law, in other words, based on written law
2. Retroactivity - Non-retroactive, the principle of legality requires that the provisions of legislation cannot be applied retroactively. Retroactive application is arbitrary, which means a violation of human rights. A person cannot be prosecuted based on a retroactive law, unless the application of this retroactive principle is due to the characteristics of the

crimes in the case which are very different from ordinary crimes, for example, crimes in the extermination of a certain race;

3. *Lex certa - Lex Certa*, the legislator must define clearly without ambiguity (*nullum crimen sine lege stricta*), so that there is no ambiguous formulation regarding prohibited and sanctioned acts and
4. *Analogy. Lex Scripta*, Analogy, the principle of legality prohibits analogy, analogy is an interpretation that means expanding the meaning of a regulation.

Then, the difference in the application of age and also marriage as the basis for applying the term adult to someone today is no longer appropriate. This is because there are so many legal events that are also carried out by individuals who are legally still considered to be minors. Legal certainty requires a definite benchmark when a person is considered or can be considered to have been able to realize the consequences of his actions. Article 330 of the Civil Code (*KUHPerdata* or *Burgerlijk Wetboek* or *BW*) regulates the age limit of adulthood, which is 21 years. This article also regulates the requirements for the ability to agree. The provisions of Article 330 BW and Article 1330 BW explicitly regulate the legal definition of adulthood. The provisions related to Article 330 BW include that minors are not competent to make agreements, and minors must be represented by parents, guardians, or custodians in carrying out legal actions.

Furthermore, as an illustration of the many standards of maturity of an individual, several regulations on the age limits of children and adults according to the laws and regulations in Indonesia are described in Table 1 as follows.

Table 1. Several Age Limit Regulations for Children and Adults According to the Laws and Regulations in Indonesia

No	Legal basis	Article	Article Contents
1	The old Indonesian Criminal Code (<i>Kitab Undang-Undang Hukum Pidana</i> or <i>KUHP</i>) and Law 1/2023 concerning the Criminal Code which was enacted on January 2, 2023, namely Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code (<i>Undang-Undang Republik Indonesia Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana</i> or <i>KUHP</i>).	a) Article 145	a) Article 45 of the Indonesian Criminal Code (<i>KUHP</i>) stipulates that judges may determine several matters in the criminal prosecution of minors. In the case of criminal prosecution of minors for committing an act before the age of 16 (sixteen) years, the judge may determine: to order that the guilty person be returned to his/her parents, guardian or caretaker, without any punishment; or to order that the guilty person be handed over to the government without punishment.
		b) Article 150	b) Article 150 stipulates that a child is a person who is not yet 18 years old.
2	Indonesian Civil Code (<i>Kitab Undang-Undang Hukum Perdata</i> or <i>KUHPerdata</i> Indonesia)	Article 330	Article 330 of the Civil Code states that a person is considered an adult if he/she is 21 years old or has (ever been) married. The article requires that a person is declared competent to perform legal acts if he/she is 21

				years old or has been married before the age of 21.
3	Law Number 1 of 1974 concerning Marriage, which has been amended by Law Number 16 of 2019 (<i>Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan, yang telah diubah dengan Undang-Undang Nomor 16 Tahun 2019</i>)	Article 47 paragraph (1)	47	Article 47 paragraph (1) states that "children who have not reached the age of 18 or have never been married are under the authority of their parents as long as they are not removed from their authority." According to the Marriage Law, there is no problem regarding the age of adulthood, the most important thing is what the limits of adulthood are for.
4	Presidential Instruction of the Republic of Indonesia Number 1 of 1991 Concerning the Dissemination of the Compilation of Islamic Law (<i>Instruksi Presiden Republik Indonesia Nomor 1 Tahun 1991 Tentang Penyebarluasan Kompilasi Hukum Islam</i>)	Article 98 paragraph (1)	98	The age limit for a child who is able to stand alone or is an adult is 21 years, as long as the child is not physically or mentally disabled or has never been married.
5	Republic of Indonesia Law Number 39 of 1999 Concerning Human Rights (<i>Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia</i>)	Article number 5	1	A child is every human being who is under 18 years of age and not yet married, including a child who is still in the womb if this is in their interest.
6	Law Number 13 of 2003 concerning Manpower has been replaced by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation (Omnibus Law on Job Creation) or <i>Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan telah digantikan oleh Undang - Undang Undang-Undang Nomor 6 Tahun 2023 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja (Omnibus Law Cipta Kerja)</i> .	Article Paragraph (26)	1	According to Article 1 Paragraph (26) of Law Number 13 of 2003 concerning Employment, a child is any person under the age of 18 years.

Source: Several laws and regulations in force in Indonesia (processed)

Based on Table 1, it is clear that there are many standards for the application of a person's maturity level in Indonesia. This shows a condition that the standard for the application of a person's adulthood level in Indonesia is chaotic. Therefore, this certainly contradicts the theory of legal certainty. A person's actions are considered adults in one regulation, and may not necessarily be considered to be carried out by adults based on other regulations, in other words, there is no legal certainty regarding a person's adulthood level in Indonesia. Until now, this condition still occurs because of the variation in laws and regulations related to a person's adulthood level. All of these laws and regulations are still in effect.

Thus, this situation is chaotic because there is no legal regulation that clearly and firmly regulates the global age limit for adulthood in Indonesia, from the table above it can be seen that each legal regulation takes its age limit for a person to be considered an adult or each regulation can be considered to run independently as long as it concerns the reference for a person's maturity level in Indonesia. On the other hand, in reality, this condition must be accepted not only by Indonesian citizens but also by citizens of other countries who intentionally or unintentionally have to carry out a legal act in the territory of Indonesia, where the laws in force in the jurisdiction of Indonesia are also applied to them.

The many standards used in determining a person's level of maturity certainly create uncertainty in the application of law in Indonesia. Therefore, something that must be resolved immediately to provide certainty for a person to be categorized as an adult. Heveman ((2002) stated that the law must be able to describe clearly and not vaguely, the application of a person's level of adulthood in law in Indonesia.

However, ironically, the problem that has not been resolved until now related to legal certainty for someone to be categorized as an adult is because there is no desire to change the existing legal rules. On the other hand, there are still many legal rules that are made or published because the lawmakers (legislators) do not have enough time to do so. In this case, the issue of age (a person's level of adulthood) is not considered the main option in making national laws. Age as a limit to a person's level of maturity in Indonesia is ignored because the level of importance for age is considered less influential.

In the context of legal certainty, age is a reference for a person's level of maturity and is something that must be regulated. According to Wahyuni (2022), determining the age limit of a person's adulthood is important because it will determine whether or not a person is valid to act in carrying out legal acts and a person's ability to carry out legal acts. Therefore, legal certainty related to a person's level of maturity is very important, especially when it comes to issues that intersect with the law such as the application of criminal law and also in the context of implementing a trade transaction. Then, in the corridor of trade transactions, age is a clear and definite limit on when a person can be considered capable of carrying out legal acts such as entering into and becoming a party to an agreement. In this case, in principle, age is what underlies a trade transaction or the person concerned in carrying out legal acts (signing a trade agreement).

Furthermore, in the Big Indonesian Dictionary (*Kamus Besar Bahasa Indonesia* or KBBI) what is meant by adulthood is up to the age or not a child or teenager anymore. KBBI as a reference for the application of meaning in Indonesian itself does not explicitly mention the reference of a person's age to be considered an adult, KBBI refers more to the characteristics of a person's behaviour as an adult, this means that the definition of an adult does not refer to age but behaviour, but in practice, a person by society will be considered immature when viewed from his age. However, the aspect of maturity is inconsistent and contradictory, because a person can be said to be biologically mature and have adult behavioural characteristics but is treated as a child if he is under the legal age of adulthood. Conversely, a person can be considered legally an adult but does not have the maturity and responsibility that reflect an adult character.

Level of a Person's Adulthood

In addition to the unclear age limit, the level of maturity of a person in Indonesia also refers to a legal act carried out by the person, namely marriage. The legal regulations currently in force in Indonesia also state that the level of maturity of a person can also refer to a legal act that is being or has been carried out by a person, namely marriage. This can be seen from the Civil Code (KUHPerdata), Article 330 which states that those who are not yet adults are those who have not reached the age of 21 years and have not been married before (Presidential Instruction of the Republic of Indonesia Concerning the Dissemination of the Compilation of Islamic Law Number 1 of 1991 or Presidential Instruction Number 1 of 1991).

Referring to Article 330 of the Civil Code, it is never stated that a person who has been married and then divorced even though the person concerned is not yet 21 (twenty-one) years old, then the person will still be considered an adult. The person is considered to have reached the level of maturity even though the marriage has ended because the end of the marriage carried out by the person does not result in the end of the person's adult status. The legal provisions with more or less the same content can also be found in Presidential Instruction Number 1 of 1991 Article 98 paragraph (1) which states that the age limit for children who can stand alone or are adults is 21 years, as long as the child is not physically or mentally disabled or has never been married. This means that there have been several legal regulations in Indonesia that state that the reference for a person's level of maturity in Indonesia can also use the basis of marriage.

The provisions of Presidential Instruction of the Republic of Indonesia Number 1 of 1991 (Presidential Instruction) Article 98 paragraph (1) are of course worrying because, in several regions in Indonesia, marriage can be carried out by someone who is still in junior high school (SMP). This will certainly make people who are still in junior high school or people with an age range of 12-15 years old can be considered adults based on the applicable legal regulations in Indonesia.

The age that should reasonably still be considered school age but because of customs or habits in a region, the person concerned can be considered to have entered adulthood so that they can carry out actions that legally should only be carried out by adults. Then, of course, some things were never expected to happen at present. This is because of the development of the era which is considered a sign of progress in a person's way of thinking. However, when it comes to customs or conditions that occur, of course, the development of the era does not mean that customs or habits in an area can be eliminated or abolished immediately. Customs or habits in an area in Indonesia have usually existed since ancient times.

According to Umam (2021), Indonesia has diverse customs because its population is heterogeneous and has different cultures, traditions, and habits in each region. The norms, values, and traditions of Indonesian society still apply today. Customs are part of the cultural wealth of a region or nation (Umam, 2021). Adjustment of the standardization of adulthood in Indonesia as it is currently happening should be done immediately to prevent legal subjects from taking action. This is important, because the standardization of adulthood is those who have the maturity of mind to take legal action, and based on applicable laws, the person is considered to have entered the standard and is considered an adult.

The conditions that occur do not mean that they do not receive attention, but the attention given is still within the corridor according to needs and does not cover all things so the improvements that occur do not fix all things that need to be fixed. In this case, the improvements that will be made are only limited to the age of marriage as conveyed by the Minister of Women's Empowerment and Child Protection of the Republic of Indonesia, Yohana Yembise as the Minister of Women's Empowerment and Child Protection in Kardi (2024) stated that the age limit for marriage will be increased, and has been agreed between

her institution and the Ministry of Religion. The plan is to increase the age limit for marriage in the range of three to four years, and it is hoped that it can limit early marriage.

In this context, efforts to improve the age limit for marriage in Indonesia are not only in the domain of the marriage law. However, how is its relationship with other laws and regulations? In various laws and regulations in force in Indonesia, one of its provisions also includes or regulates the age at which Indonesian citizens can be categorized as adults. The plan to improve the age of marriage still has to wait for the queue of changes and/or the issuance of new laws based on the level of importance option, whichever is considered more important will get priority to be made or improved first. According to Yohana Yembise in Kardi (2024), the proposed changes related to the age of marriage were in 2018, but until now there have been no changes made to the Marriage Law.

The Government of the Republic of Indonesia as the party that has the authority to make and issue laws and regulations in Indonesia currently prioritizes other regulations which, when viewed from their priority, have a priority that is said to be more important to be made into legal regulations. Indeed, the matter of determining the reference for a person's level of maturity in Indonesia is not a priority, but with the emergence of various cases such as early marriage which will automatically have an impact on the perpetrators of this marriage. This will be considered an adult, of course, determining the reference for a person's standard of maturity in Indonesia is also a problem. Therefore, it must be resolved as soon as possible so that other violations that may arise in the future as a consequence of determining a person's level of maturity based on marriage no longer occur.

Then, the reference to a person's maturity level can also be stated based on the decision of a judge in the judicial body as decided in the case at the Palembang District Court No. 96/1973/PN. Plg. However, because the legal regulations have not explicitly stated age as a reference to a person's maturity level, in the decision issued by the Supreme Court with No. 477/k/sip. /1976, it is stated that a person is declared an adult if he is 21 years old. This would not have happened if at that time the age limit for a person's maturity had been explicitly stated. In this context, judges are human beings so in their considerations it becomes very humane if in determining a person's maturity level each sets a different reference to the level of maturity.

Therefore, what should be understood is that the decision given by the judge or jurisprudence can be a source of law for other parties. This means that the basis of reference regarding the age of maturity will also differ from one another depending on which judge's decision will be used as a reference. Differences in the reference level of maturity of a person in terms of age will cause a fairly long domino effect because if the reference basis is different, of course, it will cause different results. This means that the series of domino effects that exist as long as improvements have not been made will be very long and can cause prolonged impacts.

Differences in the basis for determining the level of maturity that is then followed by others will have legal consequences for that person, especially in terms of trade transactions. People who are considered immature are considered not legally competent to carry out legal action including to carry out trade transactions so that all agreements that occur can be cancelled. Differences in the method of determining age as a person's level of maturity will cause disputes or at least differences in perception in the eyes of the law so the application of existing legal rules is not optimal.

Based on various previous descriptions, the condition of a fairly long domino effect related to a person's level of maturity in terms of age should not need to occur. Therefore, improvements are needed in the legal rules regarding the determination of the age of maturity. In this case, the Government of the Republic of Indonesia as the executive and together with the House of Representatives as the legislative can work together to create laws and regulations in Indonesia related to laws and regulations on a person's level of maturity in terms of age. So

far, the use of double standards in the application of a person's level of maturity tends to cause problems. For example, not only for the person but also for the parties related to the person. Consequences that should not occur and have an impact on Indonesian citizens arise because of the various standards regarding the determination of a person's level of maturity.

Thus, age and marriage as the basis for determining a person's level of maturity should no longer occur in Indonesia today. The use of double standards in determining a person's level of maturity is an inhibiting factor. Therefore, one of the bases for the progress of a nation is the existence of strong laws as a foundation so that the life of the state for its citizens can run in the right corridor and each citizen does not act as they please. Double standards like what has happened so far should not happen. In this case, the Government of the Republic of Indonesia together with the People's Representative Council as the maker of legislative regulations is expected to be able to make clear regulations that are not vague or give rise to different perceptions.

Conclusion

Based on what has been described above, it is clear that the lawmakers in this case the Government of the Republic of Indonesia as the executive party are expected to cooperate with the House of Representatives as the legislative party. The executive and legislative parties are the parties authorized to create and issue legal regulations in the Republic of Indonesia. These two democratic institutions are expected to start thinking about and taking real action towards creating a standard reference for the level of maturity of a person in terms of age in Indonesia. This is very important because the inconsistency of laws and regulations related to the basis of maturity in agreements in Indonesia can cause confusion and even exploitation. After all, children may be trapped in unclear legal loopholes. Therefore, it is important to have a uniform and clear definition of the age limit for children in all aspects of the law so that their rights can be respected and protected optimally. In the end, the chaotic problem of standardization of the age of maturity that is currently happening is expected to no longer arise. The positive implications of creating a standard reference for the level of maturity of a person in terms of age in Indonesia are expected to prevent someone from taking legal action outside the existing maturity standards. Thus, national laws in the form of statutory regulations related to the basis of adulthood in agreements in Indonesia are expected to be in harmony with international definitions and standards. This aims to ensure effective legal protection for all children.

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Informed Consent Statement

All information retrieved from the study was coded as a record to protect the name of each subject. There are no names or other identifying information will be used when discussing or reporting data. Researchers keep all files and data collected in a locked and secure private file.

Data Availability Statement

The data presented in this study are available on request from the corresponding author. The data are not publicly available due to restrictions.

Conflicts of Interest

The authors declare no conflict of interest.

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Appendix

- Kitab Undang Undang Hukum Perdata Indonesia [Burgerlijk Wetboek]
- Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 tentang Hak Asasi Manusia
- Undang-Undang Republik Indonesia Nomor 30 Tahun 2004 tentang Jabatan Notaris
- Undang-Undang Republik Indonesia Nomor 16 Tahun 2019 tentang Perubahan atas Undang-undang Nomor 1 Tahun 1974 tentang Perkawinan
- Undang-Undang Republik Indonesia Nomor 1 Tahun 2024 tentang Informasi dan Transaksi Elektronik
- Undang-Undang Republik Indonesia Nomor 8 Tahun 1999 tentang Perlindungan Konsumen