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Discipline Sanctions And Code Of Ethics Concerning Divorce For State Police Members Of The Republic Of Indonesia

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Abstract

The purpose of writing achieved is to find out the procedure for filing for divorce for Members of the Indonesian National Police and to find out the application of disciplinary sanctions and a code of ethics for POLRI members who carry out divorces that are not in accordance with procedures. This research is a normative legal research. Therefore the research method includes research specifications, namely analytical descriptive, normative juridical approach methods , through the library research stage, namely researching and studying secondary data obtained through library research data collection techniques, which are then analyzed secondary data. juridical-quality f . This research resulted in conclusions regarding the procedures for filing for divorce for members of the Indonesian National Police , namely referring to the Chief of Police Regulation Number 9 of 2010 Concerning Procedures For Filing Marriages, divorces and referrals for members of the Indonesian National Police and the application of disciplinary sanctions and a code of ethics for members of the Indonesian National Police who carry out divorces that do not in accordance with procedures, subject to ethical and administrative sanctions, as stipulated in the Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission.

Keywords

Sanctions, Marriage, Permits, and Ethics.

1. Introduction

Marriage is a decree of Allah and the Sunnah of the Prophet that must be lived by every human being. The Prophet even appealed to young people who were able to get married to hasten to get married. Because marriage is not only able to calm the eyes but also can maintain self-respect. Even in other narrations the Prophet emphasized that marriage was the rule. Whoever doesn't like the rules, the Prophet did not include him in his group.¹

In household life for married couples, of course, have goals to be achieved by both. The main purpose of marriage apart from obtaining pious offspring is to have a peaceful life as well as to have a *sakinah* atmosphere filled with love.² As stated in the Al-Qur'an Surah Ar-Rum Verse 21 which means:

"And among the signs of His power is that He created for you wives of your own kind, so that you are inclined to and feel at ease with him, and made him feel affection among you. Verily, in that there are signs for people who think."

Therefore, in an effort to achieve the desired goal, of course, marriage in Islam is not carried out for a limited time, but for a long time until death separates even to the after world, humans still crave togetherness with their partners.³

In order to realize the orderly administration of divorce and reconciliation which is regulated in general regulations such as the KHI, the Marriage Law, the Civil Code and other regulations, there are special rules for POLRI members if they wish to file for divorce or reconciliation. This is specifically regulated again in the regulation of the Head of the Indonesian National Police, namely KAPOLRI Regulation Number 09 of 2010 concerning Procedures for Filing Marriage, Divorce and Referrals for Civil Servants to the Indonesian National Police. This rule was made with the aim of uniformity in the administration of POLRI members.

Likewise, when a POLRI member intends to end the marriage bond with his partner. Before the divorce process is carried out, the POLRI member and his partner must first go through the stages including that both parties follow the divorce mediation process.

Divorce mediation is an effort to resolve a problem by involving a neutral third party. This is not an exaggeration, considering that the duties and responsibilities of POLRI are very heavy in creating security and public order (*Kamtibmas*), law enforcement, protection and community service, which are certainly vulnerable to social interaction with all levels of society. This social interaction relationship does not rule out the possibility of the presence of a third person or the occurrence of misunderstandings involving a third person between members of the Indonesian National Police and their partners and leading to acts of violence and persecution.

¹Syarifuddin Latif, *Legal Status of Marriages of Pregnant Women and Their Children Out of Marriage; Perspective of Customary Law and Islamic Law*, Yogyakarta: Trust Media Publishing, 2013, p. 2.

²Yayan Sopyan, *State Islam, Transformation of Islamic Marriage Law and National Law*, (Jakarta : Wahana Semesta Intermedia, 2012), p. 174.

³Satria Effendi, *Contemporary Islamic Family Law Problems*, Cet.1, (Jakarta: Prenada Media, 2004), p. 96.

Therefore, it is considered very necessary for potential spouses as members of the Indonesian National Police to understand and understand the consequences that they will have to live later after officially undergoing a household ark and becoming a legal husband and wife. The risk is that POLRI members who have status as spouses place and prioritize the duties and interests of the service above the interests of the family. By him, through pre-marital hearings and mediation, it is hoped that he will be able to find out the readiness of the members and their partners to marry a POLRI member for those who want to get married, as mediation is expected to be able to resolve conflicts between the two parties in order to realize a peace agreement so that there will be no regrets in the future .

After the issuance of Regulation of the Chief of Police of the Republic of Indonesia Number 09 of 2010, POLRI members who wish to file for divorce and reconciliation must have permission/recommendation from the leadership of the place of work, including members of the POLRI who serve at Seluma Polres. With the enactment of this rule, it can be ensured that every POLRI member cannot divorce and reconcile without permission/recommendation from superiors.

Submission of permits/recommendations for divorce and referral to the Polres So far, the complexity of the process faced by members who wish to divorce is still found. In addition, the process of obtaining permission requires a relatively long time causing household problems to become wider for members who wish to divorce. The impact is that there is a possibility that POLRI members want to divorce and reconcile without the permission of the leadership and this will certainly cause the member concerned to receive sanctions from the police institution where he works.

Based on the results of research within the ranks of the JABAR POLDA from 2015 to 2022, members of the JABAR POLDA who intend to carry out a marriage or undergo a divorce must first submit an application for a marriage permit or divorce permit based on the terms and rules set forth by the Indonesian National Police Regulation Number 9 Year 2010 and it was recorded that the number of marriages through the Pre-Marriage Session procedure in 2020 reached 193 couples with a divorce rate of 15 couples.

Whereas in 2021 there were 202 couples with a divorce rate of 15 couples who were divorced. The data shows that the application of the Chief of Police Regulation Number 9 of 2010 concerning Procedures for Filing Marriage, Divorce and Referrals for Civil Servants at the Republic of Indonesia National Police within the ranks of the West Java Regional Police and has been proven to be able to minimize the divorce rate within the Police environment, especially within the ranks of the West Java Regional Police.

POLDA JABAR in 2021 handled 21 cases of filing for divorce permits and 15 cases of filing for referral permits, both those which are still in the mediation stage and those for which divorce permits and reconciliation permits have been issued. In one case, the application for a permit had been going on for months, and some had not even been given permission/recommendations by the KAPOLDA

for years. Such as the divorce application submitted by Bripka Selmi who has applied for a divorce permit from 2018, but until now no divorce permit has been issued by the JABAR KAPOLDA. So that in this case, the member in question and his wife already have their respective partners by way of unregistered marriage because there has been no divorce decision with the previous partner and there are several cases of Police members carrying out divorces without carrying out the procedure as per the Chief of Police Regulation Number 9 of 2010 concerning Procedures Applications for marriage, divorce and referrals for civil servants to the Indonesian National Police regulate them. Based on the exposure, it is identified as follows:

1. What are the Procedures for Filing Divorce for Members of the Indonesian National Police?
2. What is the application of disciplinary sanctions and a code of ethics for POLRI members who carry out divorces that are not in accordance with procedures ?

2. Research methods

The research method used in this journal research uses a normative juridical approach , which is a method in normative legal research using primary sources of secondary data or library materials. ⁴Secondary data in legal research is data obtained from the results of a literature review or review of various literature or library materials related to research issues or materials which are often called legal materials. ⁵Legal materials consist of:⁶

1. Primary legal materials, namely binding legal materials, ⁷consisting of statutory regulations; ⁸
2. Secondary legal materials, namely legal materials that provide explanations regarding primary legal materials, such as research results, books written by experts, scientific articles, journals and others ; ⁹
3. tertiary Legal Materials, namely legal materials that provide instructions or explanations of primary and secondary legal materials such as dictionaries , encyclopedias , which in this study were processed selectively.¹⁰
4. The secondary data, which is in the form of primary legal materials, secondary legal materials and tertiary legal materials, is processed selectively and systematically and does not use statistics.

⁴Abdulkadir Muhammad, op. cit , p. 98.

⁵Mukti Fajar ND. and Yulianto Achmad, *Dualism of Normative & Empirical Legal Research* , Yogyakarta: Student Library, 2010, p. 156.

⁶Bambang Sunggono, *Legal Research Methodology* , Jakarta: PT RajaGrafindo Persada, 2006, pp. 113-114, Soerjono Soekanto and Sri Mamudji, *Normative Legal Research A Brief Review* , Fifth Printing, Jakarta: PT RajaGrafindo Persada, 2006, pp. 29 & 33.

⁷ Soerjono Soekanto, op. cit. , p. 52.

⁸Mukti Fajar ND and Yulianto Achmad, op. cit , page 156.

⁹Soerjono Soekanto and Sri Mamudji, op.cit , p. 29.

¹⁰ Ibid. , p. 33.

3. Discussion

Procedures for Filing Divorce Members of the Indonesian National Police

Legal Basis for Divorce

Hilman Adikusuma rules regarding marriage and divorce in customary law are influenced by the religion of the indigenous people concerned. Members of indigenous peoples who adhere to Islam are influenced by Islamic marriage and divorce laws, those who adhere to Christianity/ Catholicism are influenced by Christian/ Catholic laws, those who adhere to Hinduism/Buddhism are influenced by Hindu/Buddhist laws. The influence of this law on members of indigenous peoples is due to the different customs and community environment, even though they are in the same area of customary environment .¹¹

Law Number 1 of 1974 concerning Marriage adheres to the principle of making it difficult for divorce to occur. This is in accordance with the nature of the purpose of marriage contained in the law, namely to form a happy and eternal family. Can be interpreted according to the purpose of the marriage requires that marriage is for life. Efforts to make it difficult for divorce to occur are implemented in Article 39 paragraphs 1 and 2 of Law Number 1 of 1974 concerning Marriage which reads:

- (1) Divorce can only be carried out before a court hearing after the court concerned has tried and failed to reconcile the two parties.
- (2) In order to carry out a divorce, there must be sufficient reasons, that the husband and wife cannot live in harmony as husband and wife.

According to the term divorce is all kinds of divorces imposed by husbands who have been determined by judges and divorces caused by the death of a husband or wife. Divorce in terms of Islamic law is defined as " *at-talak* " which means leaving or separating. ¹²In general, divorce means divorce in Islamic law between husband and wife.¹³

Whereas in terms of *Fiqh* divorce is known as the word "talak" which means breaking the bond, canceling the agreement. The term divorce *fiqh* is also often referred to as *furqah*, which means divorced as opposed to gathering. Then the two terms were used by *Fiqh* experts as a term which means "divorce of husband and wife".¹⁴

In Islamic law, the meaning of *nusyuz* is known, which means the act of a wife not fulfilling her obligations or disobeying her husband. If the husband is worried that his wife will act *nusyuz*, then the husband is ordered to act to try to resolve the improvement by:¹⁵

¹¹ Hilman Hadikusuma, *Indonesian Marriage Law According to Customary Law Legislation Religious Law* , Mandar Maju, Bandung, 2003. p . 162.

¹²Atabik Ali and A. Zuhdi Muhdor , *Arabic-Indonesian Contemporary Dictionary* , (Yogyakarta Multi Karya Graphic, 2013), p. 1237.

¹³Abdul Aziz Dahlan, *Encyclopedia of Islamic Law, Volume 5* , (Jakarta: Van Hoeve's New Initiative, 2015), p. 1176.

¹⁴Jamaluddin, Nanda Amalia, *Textbook of Marriage Law* , (Sulawesi: Unimal Press, 2016), p.104.

¹⁵ Sayuti Talib, *Indonesian Family Law* , UI Press, Jakarta 1986, p. 93.

1. Husband advises wife to return to normal and not nusyuz anymore.
2. If the first attempt fails to make the wife obedient, then separate the wife's bed from the husband's bed, but the husband and wife are still in the same house.
3. If the two attempts are still unsuccessful, then the husband is allowed to beat his wife with a bat in such a way that it is not too painful and does not leave marks on the wife's body .

If the wife has returned to obey her husband based on the husband's efforts according to religious provisions, or has realized based on his own convictions, then the husband may not find fault with his wife.

Under Islamic Law, marriages break up due to death and divorce. Divorce terms in Islamic law such as talak are the husband's rights that can be pronounced orally in breaking the relationship between husband and wife from a legal marriage according to religious law, khuluk which means divorce at the request of the wife by giving ransom to and with the consent of her husband, fasakh is damaged or broken marriage through a court which is essentially caused by something that is known after the contract took place, syiqaq means a husband and wife dispute that is resolved by two hakam, namely one person from the husband's side and one from the wife's side, and ta'lik talak violations apply if the husband violates sighat ta'liq or the marriage agreement he said during the first marriage ceremony.¹⁶

The divorces that a husband can impose on his wife are one, two, and three divorces. The way to pronounce divorce is verbally, with a sign for the mute or in writing. Neither verbal nor written divorce should not be made fun of, because if the word divorce or divorce is uttered, even if it is in a playful manner (jokes) or a slip of the tongue due to anger, it could mean one (1) divorce for such a wife. opinion of some scholars.¹⁷

Dissolution of a marriage due to a court decision can occur, because someone has left the joint residence so steps need to be taken against that person's marriage, for the benefit of the family left behind. Dissolution of a marriage based on a court decision can also occur due to a request from one of the husband's parties against the wife or family members who do not agree with the marriage being carried out by the two prospective bride and groom. This can be done before the Religious Court, either because the husband is divorcing (talak) or because the wife is suing for divorce.

Divorce Procedures for POLRI Members

The National Police of the Republic of Indonesia, hereinafter abbreviated as POLRI, is a State instrument that plays a role in maintaining security, public order, enforcing the law, and providing protection, protection and service to the community in the framework of maintaining domestic security. Civil Servants at the National Police are members of the Police and Civil Servants (PNS) at the Police.

¹⁶ Hilman Hadikusuma , Op., Cit. page 63.

¹⁷ Ibid.

Divorce for Members of the Republic of Indonesia Police, with the issuance of the Chief of Police Regulation Number 9 of 2010 concerning Procedures for Filing Marriage, Divorce and Referrals for Police Members, it is stipulated that members of the Police who wish to file for divorce must have written permission from the authorized official (superior), Divorce permits are only given if the divorce to be carried out does not conflict with religious law adopted by both parties concerned, and does not violate applicable regulations.

Police officers in filing for divorce there are requirements that must be met in accordance with Article 8 of the Regulation of the Chief of Police of the Republic of Indonesia Number 9 of 2010 concerning Procedures for Filing Marriage, Divorce and Referrals for Police Members, namely the requirements in applying for a divorce permit for civil servants at the National Police, as follows:

1. letter of application for divorce permit, accompanied by reasons;
2. copy of marriage certificate;
3. photo of Polri member card (KTA)/PNS Polri.

POLRI as one of the institutions that is disciplined in administration pays great attention to family affairs of personnel, so that regulations are made in such a way as to be able to deal with special family problems related to marriage, divorce and reconciliation.

In accordance with the regulations that apply to members of the Indonesian National Police who will carry out divorces. This refers to article 18 of the Indonesian National Police Regulation Number 9 of 2010 concerning procedures for filing marriages, divorces and referrals for civil servants at the National Police of the Republic of Indonesia which reads "Every divorce must be carried out in accordance with the provisions laws and regulations and religious norms adhered to by civil servants at the National Police and obtain written permission from the authorized official. Officials authorized to grant marriage, divorce and reconciliation permits are contained in article 10 of the Chief of Police Regulation Number 9 of 2010 concerning procedures for submitting marriages, divorces and reconciliation for civil servants at the National Police of the Republic of Indonesia.

To obtain a divorce permit, the POLRI member concerned must submit an application letter to the official authorized to issue marriage, divorce and reconciliation permits, namely:¹⁸

1. National Police Chief, for those with the rank of Pati, PNS groups IV/d and IV/e;
2. SSDM Kapolri, for those with the rank of Kombes Pol and PNS group IV/c;
3. Karo Binjah POLRI, for those with the rank of AKBP and PNS class IV/b and below within the POLRI Headquarters;
4. Kalemdiklat POLRI, Kasespim POLRI, Governor of PTIK, Governor of Akpol and Kakorbrimob POLRI for those with the rank of AKBP and PNS group IV/b and below in their environment;

¹⁸Article 10 Regulation of the Chief of Police Number. 09 of 2010 concerning Procedures for Filing Marriage, Divorce and Referrals for Civil Servants to the National Police.

1. Kapolda, for those with the rank of AKBP and PNS class IV/b up to Inspector and PNS class III in their area.
2. Karopers, for those with the rank of Brigadier and PNS class II and below within the Regional Police Headquarters; And
3. Kapolresmetro / Kapolres / Kapolresta and KASPN for those with the rank of Brigadier and PNS class II and below in their area.

The purpose of establishing these rules is to create uniformity and serve as a guide in the implementation of marriage, divorce and reconciliation for POLRI and Perssib members within POLRI members.¹⁹

POLRI members who marry before the service bond period is over will be honorably discharged. POLRI members who violate religious provisions will be taken action by their Ankum. Furthermore, in the application letter a written opinion from the Religious Official must be attached. Before an opinion/statement is given, the Religious Official will conduct research and examination with Minutes regarding the causes of the household rift which resulted in a request for divorce. Permission for divorce is only granted if:²⁰

1. The divorce that will be carried out does not conflict with religious law adopted by both parties, and does not violate the applicable laws and regulations.²¹
2. The marriage he has entered into does not provide the benefit of peace of mind and the happiness of living as husband and wife.²²
3. There is a written statement from a religious official from the POLRI clergy. Divorce application can be rejected if:²³
 - 1) The divorce that will be carried out is contrary to the religious law adopted by both parties, and contrary to the applicable laws and regulations.
 - 2) The reasons put forward by the member concerned are not strong enough or are made up. The author sees that there are interesting things related to divorce permits for POLRI members.

Then in Article 19 of the Regulation of the Chief of Police Number 9 of 2010 regarding the procedures for submitting marriages , divorces and referrals for civil servants to the National Police of the Republic of Indonesia which reads:

- (1) that every civil servant at the Indonesian National Police who is going to carry out a divorce must submit a letter of application for a divorce permit to the Kasatker (head of the work unit) by attaching the requirements as referred to in Article 8.
- (2) Kasatker as referred to in paragraph (1) carry out coaching to re-harmonize troubled husbands and wives.
- (3) If the coaching carried out by the Kasatker is not successful, then the application for divorce is forwarded to the authorized official.

¹⁹National Police SSDM Watpers Bureau, Loc. Cit ,. p . 13-14.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ Ibid.

Article 20 Number 9 of the 2010 National Police Chief Regulation, Authorized officials are:

- (1) The authorized official as referred to in Article 19 paragraph (3) forwards to the religious/personnel official to carry out intensive coaching for the husband and wife who are going to divorce so that they get along again.
- (2) In the event that the religious/personnel officials fail to reconcile the relationship between husband and wife, a written statement will be taken.

Article 21 Perkap Number 9 of 2010, After going through the process of coaching and taking information as referred to in article 20, based on the existing facts, religious/personnel officials carry out an analysis to provide recommendations to the authorized official, the authorized official may issue a divorce permit after get a recommendation from a religious/personnel official.

Application of Disciplinary Sanctions and Code of Ethics for POLRI Members Who Divorce Not in Accordance with Procedures

Disciplinary Sanctions and Code of Ethics for Police Members

Violations of the Chief of Police Regulation Number 9 of 2010 concerning Marriage, Divorce and Referrals for civil servants at the Indonesian National Police who carry out divorces without the permission of the leadership (superior), will be subject to sanctions in accordance with the provisions of the applicable laws.

Members of the Indonesian National Police in the context of state and social life are required to comply with regulations regarding the discipline of members of the Indonesian National Police, both regarding Obligations, prohibitions and sanctions in accordance with Government Regulation Number 2 of 2003 concerning Disciplinary Regulations for Members of the Indonesian National Police, including:

1. Members of the State Police of the Republic of Indonesia are Civil Servants in the State Police of the Republic of Indonesia;
2. Discipline is true obedience and adherence to disciplinary regulations for members of the Indonesian National Police;
3. Disciplinary regulations for members of the Indonesian National Police are a series of norms to foster, uphold discipline and maintain order in the life of members of the Indonesian National Police;
4. Violations of Discipline Regulations are words, writings or actions by members of the Indonesian National Police who violate disciplinary regulations;
5. Disciplinary punishment is a punishment imposed by superiors who have the right to punish Members of the Indonesian National Police;
6. Disciplinary action is a series of verbal warnings and/or physical actions that are constructive in nature, which are imposed directly on members of the Indonesian National Police;
7. Placement in a special place is a type of disciplinary punishment imposed on members of the Indonesian National Police who have committed a disciplinary violation by placing them in a special place.

Article 3 letter g, Government Regulation Number 2 of 2010 concerning the discipline of members of the Indonesian National Police, in the context of state and social life, members of the Indonesian National Police are required to: comply with applicable laws and regulations, both related to official duties and those that apply in general.

Article 4 letter c, Government Regulation Number 2 of 2010 concerning Discipline for members of the Indonesian National Police, in carrying out their duties, members of the Indonesian National Police are required to: obey the oath or pledge of members of the Indonesian National Police as well as oaths and promises of office based on applicable laws and regulations.

Article 4 letter f, Government Regulation Number 2 of 2010 concerning Discipline for Police Members, in carrying out their duties, members of the Indonesian National Police are required to: Obey all applicable laws and official regulations. Members of the State Police of the Republic of Indonesia who are found to have committed a Violation of the Disciplinary Regulations of Members of the State Police of the Republic of Indonesia, shall be subject to sanctions in the form of disciplinary action and/or disciplinary punishment.

Article 8 of Government Regulation Number 2 of 2010 concerning the Discipline of Polri Members is:

1. Disciplinary action in the form of verbal warning and/or physical action.
2. Disciplinary action in paragraph (10) does not remove the legal authority to impose disciplinary punishment.

Article 9 Government Regulation Number 2 of 2010 concerning Discipline for Police Members disciplinary punishment in the form of:

1. Written warning;
2. Postponement of attending education for a maximum of 1 (one) year;
3. Periodic salary delays;
4. Postponement of promotion for a maximum of 1 (one) year;
5. Demotional mutations;
6. Exemption from office;
7. Placement in a special place for a maximum of 21 (twenty one) days.

Police Code of Ethics

The Code of Ethics in the Police is regulated in the Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission. In this Police Regulation what is meant by the Professional Code of Ethics for the Indonesian National Police, hereinafter abbreviated as KEPP, are moral norms or rules, both written and unwritten, which guide the attitudes, behavior and actions of officials of the Indonesian National Police in carrying out their duties, authorities, responsibilities and lives. daily.²⁴

²⁴ Article 1 point 1 Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission

Article 3 paragraph (1) Polri officials are obliged to follow KEPP by complying with every obligation and prohibition in:

1. State Ethics;
2. Institutional Ethics;
3. Social Ethics; And
4. Personality Ethics.

In the context of household relations for members, especially police officials, it regulates the existence of ethics in personality as regulated in Article 8 of the Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission, which reads:

Every Police Officer in Personal Ethics, is obliged to:

1. believe in and fear God Almighty;
2. responsible, honest, disciplined, cooperative, fair, caring, responsive, firm, and humane;
3. obey and respect:
 1. legal norm;
 2. a religious norm;
 3. obscenity; and/or
 4. local wisdom values;
1. maintain and maintain family, social, national and state life in a polite manner;
2. carry out state, institutional, and social duties with sincere intentions, as a concrete manifestation of his good deeds; And
3. maintain good manners and ethics in association and the use of social media and other media.

Article 8 letter d above clearly regulates good family and personal life. The Police Professional Code of Ethics and the Police Code of Ethics Commission are regulated by Perpol 7 of 2022 concerning KEPP and KKEP. This Police Regulation provides confirmation in the background of its issuance that every official of the Indonesian National Police in carrying out their duties and authorities must be able to reflect the complete national character, live and animate the police professional ethics which is reflected in their attitude and behavior in the professional code of ethics of the Indonesian National Police as crystallization of the values contained in the Tribrata and Catur Prasetya which are based on and animated by Pancasila.²⁵

Perpol 7 of 2022 concerning KEPP and KKEP is a new Police Regulation and replaces the Regulation of the Head of the National Police of the Republic of Indonesia Number 14 of 2011 concerning the Professional Code of Ethics of the Indonesian National Police and Regulation of the Head of the Indonesian National Police Number 19 of 2012 concerning the Organization and Working Procedures of the Commission The Code of Ethics for the Indonesian National Police. This is due

²⁵ Perpol 7 of 2022 concerning KEPP and KKEP on <https://www.jogloabang.com/hankam/perpol-7-2022-kepp-kkep>, Village Library, accessed 12-02-2023. street vendor 8:35 p.m

to the rapid development of technology and changes in ethical, cultural and behavioral values that occur in society that affect the behavior of Polri officials in carrying out their duties, responsibilities and authorities.²⁶

Perpol 7 of 2022 concerning KEPP and KKEP is the implementation of the provisions of Article 34 paragraph (3) and Article 35 paragraph (2) of Law Number 2 of 2002 concerning the Indonesian National Police. Polri is a state instrument that plays a role in maintaining public order and security, enforcing the law, and providing protection, protection and service to the community in the context of maintaining internal security.²⁷

Scope Perpol 7 of 2022 concerning KEPP and KKEP has the scope of KEPP; Preliminary Examination, KKEP, KKEP Appeals, KKEP PK, delivery of copies of decisions, implementation of decisions and supervision, Rehabilitation of Personnel, reduction of sentence periods, and rights and obligations of the Suspected Violators and Companions; and the imposition of ethical and administrative sanctions.

Violations against KEPP are resolved by way of Preliminary Examination, and Trials consisting of KKEP Sessions, KKEP Appeal Sessions, and/or KKEP PK Sessions.

4. Conclusion

The procedure for filing a divorce for members of the Indonesian National Police , namely referring to the Indonesian National Police Chief Regulation Number 9 of 2010 concerning procedures for filing marriage, divorce and reconciliation for members of the Indonesian National Police, stipulates that members of the Indonesian National Police who wish to file for divorce must have written permission from the authorized official. his boss), permission for divorce is only given if the divorce to be carried out does not conflict with religious law adopted by both parties concerned, and does not violate applicable regulations.

The application of disciplinary sanctions and a code of ethics for POLRI members who carry out divorces that are not in accordance with procedures, can be given sanctions by doing so first Preliminary Examination, KKEP, KKEP Appeals, KKEP PK, delivery of copies of decisions, implementation of decisions and supervision, Rehabilitation of Personnel, reduction of sentence periods, and rights and obligations of the Suspected Violators and Companions; and the imposition of ethical and administrative sanctions, as stipulated in the Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission.

²⁶ Ibid

²⁷ Ibid

Bibliography

Book sources

- Abdul Aziz Dahlan, *Encyclopedia of Islamic Law, Volume 5* , Jakarta: Van Hoeve's New Initiative, 2015.
- Abdulkadir Muhammad, *Indonesian Civil Law* , Citra Aditya Bakti, Bandung, 2014.
- Atabik Ali and A. Zuhdi Muhdor , *Arabic-Indonesian Contemporary Dictionary* , Yogyakarta Multi Graphic Works, 2013.
- Bambang Sunggono, *Legal Research Methodology* , Jakarta: PT RajaGrafindo Persada, 2006.
- Ministry of Education and Culture, *Big Indonesian Dictionary* , Jakarta: Balai Pustaka, 2012.
- Hilman Hadikusuma, *Indonesian Marriage Law According to the Customary Law of Religious Law* , Mandar Maju, Bandung, 200.
- Jamaluddin, Nanda Amalia, *Textbook of Marriage Law* , Sulawesi: Unimal Press, 2016.
- Mukti Fajar ND. and Yulianto Achmad, *Dualism of Normative & Empirical Legal Research* , Yogyakarta: Student Library, 2010.
- Purnadi Purbacaraka and A. Ridwan Halim, *Philosophy of Civil Law In Questions and Answers* , Rev. Edition. Eagle, 2017 Jakarta.
- Satria Effendi, *Contemporary Islamic Family Law Problems* , Cet.1 , Jakarta: Prenada Media, 2004.
- Sayuti Talib, *Indonesian Family Law* , UI Press, Jakarta 1986.
- Soemiyati, *Islamic Marriage Law and Marriage Law No. 1 of 1974* , Yogyakarta : Liberty, 1997.
- Soerjono Soekanto and Sri Mamudji, *Normative Legal Research A Brief Overview* , Fifth Printing, Jakarta: PT RajaGrafindo Persada, 2006.
- Syarifuddin Latif, *Legal Status of Marriages of Pregnant Women and Their Children Out of Marriage; Perspective of Customary Law and Islamic Law* , Yogyakarta: Trust Media Publishing, 2013.
- Drafting Team, *Question and Answer Compilation of Islamic Law*, Ministry of Religion of the Republic of Indonesia: Directorate General of Islamic Religious Institutional Development, 1998.
- Wahyono Darmabrata, *Marriage Law According to the Civil Code*, 2 Depok: Publishing Body of the Faculty of Law, University of Indonesia.
- Yayan Sopyan, *State Islam, Transformation of Islamic Marriage Law and National Law* , Jakarta: Wahana Semesta Intermedia, 2012.

Legislation

- Government Regulation Number 9 of 1975 concerning Marriage.
- Regulation of the Chief of Police No. 09 of 2010 concerning Procedures for Filing Marriage, Divorce and Referrals for Civil Servants to the National Police.

Republic of Indonesia National Police Regulation Number 7 of 2022 concerning the Professional Code of Ethics and the Indonesian National Police Code of Ethics Commission.

Other sources

Perpol 7 of 2022 concerning KEPP and KKEP at , <https://www.jogloabang.com/hankam/perpol-7-2022-kepp-kkep> , Village Library, accessed 12-02-2023. street vendor 20:35 wib .