

Legal protection of women's and children's rights after divorce through the E-MOSI CAPER App

Amran Suadi^{1*}, Mardi Candra², Fahadil Amin Al Hasan³, Gugun Gumilar⁴

¹ *Supreme Court of the Republic of Indonesia and Muhammadiyah Surabaya University, Indonesia*

² *Jayabaya University, Jakarta, Indonesia*

³ *Sunan Gunung Djati Islamic State University, Bandung, Indonesia*

⁴ *Dublin City University, Ireland*

*Corresponding Author: amran.suadi01@gmail.com

Abstract

Introduction to the Problem: Women and children are frequently mistreated, particularly when they face legal issues. In divorce situations, for example, they often do not receive the entitlements to which they are entitled, such as mut'ah, iddah, and child support. This situation is due to the existing legal system and policies that do not reflect equality and justice for women and children, particularly in the execution of court orders carrying ex-husbands' obligations to their ex-wives. One of the legal advances in this part is using information and technology (IT) to develop a decision execution system. E-MOSI CAPER is one of the IT-based decision execution instruments that ex-wives can employ to demand that their ex-husbands voluntarily carry out the decision's obligations.

Purpose/Objective of the Study: This article attempts to describe and analyze how the E-MOSI CAPER App could assure the preservation of women's and children's rights after divorce.

Design/Methodology/Approach: This work adopts a qualitative research technique through normative and empirical juridical approaches, with statutory and conceptual approaches.

Findings: According to this study, the E-MOSI CAPER application, one of the IT-based services released by the Bengkulu Religious High Court, is an innovation that could be used as a tool in organizing guarantees for the protection of women's and children's rights. This App can increase the compliance of ex-husbands to perform court decisions, which makes this App part of the legal instrument of the Integrated Execution System.

Paper Type: Research Article

Keywords: Protection; Rights; Women; Children; E-Mosi Caper



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Introduction

Article 1 of Act Number 1 of 1974 states that marriage is a physical and mental relationship between a man and a woman as husband and wife to build a joyful and eternal family based on God Almighty (Santoso, 2016). The article emphasizes that marriage is for life, not only for fun or excitement (Darmawan et al., 2023). However, many marriages end in divorce, giving rise to further legal implications due to the divorce, such as child custody (*hadhanah*), iddah maintenance, mut'ah, child support, and shared property (Kurniawan, 2018). In actuality, even the rules concerning the consequences of divorce have been mentioned in different applicable laws in Indonesia (Nasution, H., 2020); however, groups of women and children frequently do not receive the entitlements to which they are entitled. They do not receive iddah, mut'ah, or child support from their ex-husband or father (Kamurudin, 2019).

In various conditions, women and children are frequently treated as second-class citizens in civil cases involving them (Apriliandra, S & Krisnani, H., 2021). This treatment results from a legal system and laws that do not reflect equity and justice, particularly for women and children (KemenPPA, 2017). In truth, non-discrimination is a fundamental concept of law and human rights that is upheld. This means that everyone, regardless of background or gender, is entitled to equal treatment under the law.

Non-discrimination is one of the aspects guaranteed in the Republic of Indonesia's 1945 Constitution, as stated in Article 28 letter D paragraph (1), which states that "everyone has the right to recognition, guarantees, protection, and certainty of a fair law and equal treatment before the law." Including "non-discrimination" in the country's fundamental law is a constitutional step toward legally protecting women's human rights, which is sometimes disregarded and results in injustice (Afifah, 2017).

To assure the preservation of the rights of women and children in judicial practice in Indonesia, the Supreme Court took the initiative to take concrete steps by issuing Supreme Court Regulation of the Republic of Indonesia Number 3 of 2017 concerning Guidelines for Adjudicating Cases of Women Against the Law (Saraswati, 2021). Many policies have been made by the Supreme Court and the judicial institutions based on this regulation on steps and efforts to provide legal protection for women and children. One of them is the Bengkulu Religious High Court's policy, which officially uses Information Technology (IT) to guarantee and protect the rights of women and children after divorce by releasing the E-MOSI CAPER App (Electronic Application for Monitoring the Execution of Post-Divorce Women's and Children's Rights Financing) via the Chairman of the Bengkulu Religious High Court's Decree Number: W7-A/2763/HM.02.3/11/2022. This App is an IT-based tool that can monitor ex-

husbands who are civil servants/government officials' obligations to maintain children and ex-wives in line with the provisions of the court ruling (decision).

In most divorce cases, the former husband is ordered to pay his ex-wife mut'ah, iddah, and child support, as stated in the decision. A husband who is a civil servant, in particular, must contribute one-third of his salary to his ex-wife and one-third to his children. Until his ex-wife remarries, a portion of his pay is paid to her. On the other hand, the husband's commitment to deliver is rarely fulfilled. One of the causes is that there is no integrated system of decision execution, including institutions other than the judiciary. Therefore, decision execution remains complicated and expensive. To address this issue, legal instruments are required in the implementation of execution utilizing IT, as begun by the E-MOSI CAPER App. The main objective of the E-MOSI CAPER App is to bring natural justice to the community, especially for women and children whose husbands and fathers are civil servants. The E-MOSI CAPER App ensures that court decisions can be executed quickly. Therefore, IT is necessary to ensure women's and children's rights after divorce. Thus, the problem formulation in this study is how the E-MOSI CAPER App preserves the rights of women and children after divorce. And how the E-MOSI CAPER can realize legal protection of women and children after divorce.

Several studies, such as those authored by Salma (2017), Sepma, A., & Erwita, Y. (2020), Andriani et al. (2021), Astuti, P., & Prastio, T. (2022), dan Fitri et al. (2023) have examined the protection of women and children after divorce. According to that research, the courts have tried to preserve the rights of women and children after divorce. These studies, however, need to address whether women and children genuinely feel the protection provided. These studies concentrate on how current legal instruments can guarantee legal protection of women's and children's rights without delving into whether or not the protection is appropriately conveyed through the execution mechanism. This study investigates the legal protection of women and children following divorce based on Information Technology (IT). IT is a type of simplification in implementing decisions so that the decisions can be executed and the benefits realized by the ex-wife and her children immediately. The biological justice theory will be used to examine the assurance of protection of women's and children's rights. This study is limited to the safety of women and children whose husbands and fathers work for the government. This study aims to discover how the E-MOSI CAPER App can be used to protect and assure the preservation of women's and children's rights after divorce.

Methodology

This study employs a qualitative methodology through normative and empirical juridical approaches (Benuf, K & Azhar, M., 2020). Through a normative juridical approach, the authors examine and analyze the laws and regulations that apply to and are relevant to the legal issues under investigation. Through the juridical approach, the authors examine the actual situation in society to identify facts relating to the problems under investigation.

Secondary data was used in the development of this research. Through third-party data, the author attempts to collect diverse information relating to the topic under investigation (Sidiq, U & Choiri, M., 2019). The data is in the form of legal regulations, legal theories, literature, and other things about the legal protection of women's and children's rights after divorce.

The author initially employs a juridical normative approach by evaluating rules and other material relevant to the study's issue, which is then supported by an empirical juridical approach. Finally, the author seeks to provide the findings of how IT can assure the preservation of the rights of women and children after divorce, particularly for those who have civil servants as husbands and fathers.

Results and Discussion

A Justice System for Women and Children

As part of a vulnerable group, women and children are often considered nonexistent and rarely involved in most policy-making processes (Suadi, 2022) (Fitriani, R. et al., 2023). As a result, they are frequently treated as second-class citizens, including in civil cases involving them (Apriliandra, S & Krisnani, H., 2021). This treatment results from a legal system and laws that do not reflect equity and justice, particularly for women and children (KemenPPA, 2017). Therefore, they require special attention to obtain and defend their rights quickly through an equitable and justice system.

Plato placed a high value on justice over harmony or conformity. Justice, he stated, is "the supreme virtue of the good state," and a fair person is "the self-disciplined man whose passions are controlled by reason." Plato did not explicitly link justice and law because, according to him, both are the substance of society. Plato defined justice as having two components: individual justice and state justice. According to him, justice emerges as a result of modifications that provide the many components of a community with a harmonious place. So, in a society, justice is attained when each person performs appropriately according to his abilities, the function that is appropriate or harmonious for him. Plato's view of justice is encapsulated in the words "giving each man his due" or "giving each person his right." (Nasution B. J., 2014).

Unlike Plato, Aristotle based his conception of justice on balance or proportion (Ucaryilmaz, 2021). He defined *justice* as "fairness in human action." The emphasis on balance or proportion in this idea can be observed in his statement that equal rights must be the same among the same persons but can differ. On the one hand, justice implies equal rights, yet it can also imply inequality of rights (Nasution B. J., 2014) (Siska et al., 2021).

In Mukhlishin & Sarip (2020), Hans Kelsen adds to the existing theory of justice by stating that the value of justice is not the same as the value of law. The criteria for establishing justice standards are so diverse that they cannot be harmonized. He

believes that the "value of justice" is subjective. The value of justice stands in stark contrast to legal values, which are based on facts that can be objectively examined (Chiassoni, 2014). According to Kelsen, "justice" is legality. Hence, the measure of legal justice is its legality according to positive law (Wardianto, K. & Dimiyati, K., 2014).

Zippelius (1982) adopts a socio-biological approach to explain the existence of basic moral impulses in humans about the sense of fairness in deciding the standard of justice. According to Robert Nozick (1980), justice is the utmost respect for each person's fundamental rights as an essential aspect of the social order. In Shidarta (2013) Hart stated about justice, "Treat like cases alike and different cases differently" because no two cases are the same, compared to John Rawls stated, "Treating similar cases similarly is not a sufficient guarantee of substantive justice" (Zimmermann, A., & Lee-Stronach, C. , 2022). Meanwhile, Jeremy Bentham and John Stuart Mill argued that the advantage factor is the criterion of justice (Febriani, I & Murty, T, 2021). These diverse ideas of justice demonstrate that justice is a human struggle that changes according to the rhythms of time, space, and time and continues to this day (Helmi, 2015). Thus, the feeling of justice cannot be viewed as absolute. However, it is always relative and cannot be divorced from the spatial and temporal participation that stimulates the situations under consideration.

Based on what the experts have said, it is possible to conclude that justice is a situation that cannot exist in solitude. Justice, as a part of the law, continuously accumulates with a reaction that stimulates a situation among facts linked to the time and place of the incident. Fairness as a value becomes variable and dependent on the circumstances surrounding it. Furthermore, with collaboration between one entity and another, justice will be fulfilled. From this perspective, justice is analogous to metabolism in the body; what we consume will never generate energy if one organ is dysfunctional. Similarly, in legal justice, there is a combination of questions of facts with questions of law that cannot be isolated from other factors in the form of a locus (location), *tempus* (time), and *stimulus* (events behind it) (Suadi, 2020). This concept is referred to as biological justice metabolism.

Metabolism Biological Justice is a normative entity guiding humans toward a just, affluent, and happy life. This purpose breaks from the fundamental premise that law is for humans, not humans for law. The creation of legal instruments is motivated by something larger: human dignity, pleasure, welfare, and glory. As a result, when issues arise in the law, the law, not the humans, must be reviewed and amended. According to this theory, the factor of benefit is an indication of justice. This means any justice is considered unjust if it cannot serve the public immediately. As a result, the court, as the sole place where the public can seek justice, should not operate like a factory, seeking the quantity and objective of case settlement while failing to evaluate how the decision will benefit the public. If the court is not concerned with this, the resulting

decision will be far from a sense of justice. Moreover, for the court, it is a form of degradation of the judiciary's authority.

Based on the above explanation, to ensure the protection of the rights of women and children, a justice system that is integrated between legal structure (institutions and law enforcers), legal substance (laws and regulations), and legal culture (public attitudes) is required. In this instance, a system framework must be developed to ensure the fulfillment of the rights of justice seekers through the courts by integrating non-judicial entities following their particular authority. This new framework includes institutions outside the court as external partners in making court decisions.

Protection of Women's and Children's Rights through the Utilization of IT

According to Article 1 point 4 of Act Number 23 of 2004 on the Elimination of Violence Against Women, protection refers to all efforts made by the family, advocates, social institutions, police, prosecutors, courts, or other parties to provide victims with a sense of security, both temporarily and based on court decisions. This definition is consistent with the explanation in Article 1 point 8 of Act Number 12 of 2022 on the Criminal Acts of Sexual Violence, which defines protection as "all efforts to fulfill rights and provide assistance to provide a sense of security to witnesses or victims that LPSK or other institutions must implement following the provisions of laws and regulations."

These two definitions illustrate that protection is an attempt by people or institutions to ensure a person's rights. This term also explains child protection in Act Number 35 of 2014. According to the Child Protection Act, child protection encompasses all activities to ensure and protect children and their rights so that they can live, grow, develop, and contribute to their full potential in line with human dignity while being protected from violence and prejudice. According to this definition, women's and children's protection consists of four components (Suadi, 2023):

1. All efforts, activities, and steps
2. Conducted to provide a sense of security
3. Conducted to ensure the fulfillment of women's and children's rights
4. Provided by the state, family, advocates, social institutions, or other parties

The provision of protection for women and children is a constitutional requirement. According to Article 28D, "Everyone has the right to the recognition, guarantees, protection, and certainty of a just law, as well as equal treatment before the law." The word "everyone" implies that the state must treat every man and woman equally under the law. Protection must be provided consistently and without discrimination (Afifah, 2017).

However, several categories of women are still subjected to discrimination. In divorce cases, for example, almost 50% of the reasons for divorce are due to domestic violence committed by their husbands (Suadi, 2022). After divorce, these groups continue to face injustice, such as not receiving *iddah*, *mut'ah*, or child support from their ex-

husband and father (Kamurudin, 2019). The misery endured by women's groups extends not only to the economic but also to the psychological levels. Divorced women's status is frequently associated with negative stereotypes. This negative labeling adds to the hardship of divorced women bearing the title of widow. At the same time, their emotions remain volatile due to home difficulties that cannot be resolved, forcing divorce (Sholeh, A. et al, 2019).

On this basis, women and children must be protected to acquire their rights easily through an equitable and justice system, as mentioned above. All parties must work together to protect them. The state, government, society, and other groups must cooperate to protect women's and children's rights. Today, in the era of the Industrial Revolution 4.0, Information and Technology (IT) media is the best choice for use in preserving women's and children's rights. This is because current IT development impacts all aspects of life, including legal issues, as stated by Arnold M. Rose in Nabila, R. & Irawan, F.P.P. (2022). Legal changes will be significantly influenced by three factors, one of which is the progressive accumulation of technological discoveries. As a result, judicial institutions must be adept at employing IT to provide services to justice seekers, particularly women and children.

Aside from the reasons stated above, there are several other reasons why the use of IT in judicial institutions is critical: IT can make the judicial process run more effectively and efficiently following the principles of simple, fast, and low cost (Kurniawan, 2020), and IT can also reach all entities, allowing judicial institutions and institutions outside the court to collaborate in ensuring the fulfillment of the rights of women and children, particularly in ensuring that every decision handed down is appropriately implemented, so that the winning party, particularly women and children, benefits.

E-MOSI CAPER App

1. Overview of the E-MOSI CAPER Application

E-MOSI CAPER stands for "Elektronik Monitoring Eksekusi Pembiayaan Hak Perempuan dan Anak Pasca Perceraian." This application is a creation of the Bengkulu Religious High Court, which was issued on November 1, 2022, based on the Decree of the Chairman of the Bengkulu Religious High Court Number: W7-A/2763/HM.02.3/11/2022. This application is also based on the Memorandum of Understanding (MoU) between the Bengkulu Religious High Court and the Bengkulu Provincial Government, in enhancing the welfare of women and children via Governor's Circular No. 800/1697/BKD/2021.

The E-MOSI CAPER application aims to ensure that ex-husbands who are civil servants/ASNs in Bengkulu Province can fulfill their obligations to provide alimony to their ex-wives and children as indicated in a legally binding Religious Court Decision. This application is the outcome of collaboration between judicial and non-judicial institutions. The Bengkulu Religious High Court and religious courts

throughout Bengkulu represent judicial institutions. In contrast, the Bengkulu provincial government represents out-of-court institutions, which include the Bengkulu Provincial Civil Service Agency, the Bengkulu Provincial Inspectorate, the Bengkulu Provincial Office of Women's Empowerment, Child Protection, Population Control and Family Planning, and the Bengkulu Provincial Population and Civil Registry Office. This application is a type of collaboration amongst all entities to fulfill women's and children's rights, particularly for those whose husbands and fathers are civil officials.

For the implementation of this application to run optimally, each institution must ensure that the ex-husband can fulfill his obligation to provide after-divorce maintenance. Among these tasks are as follows:

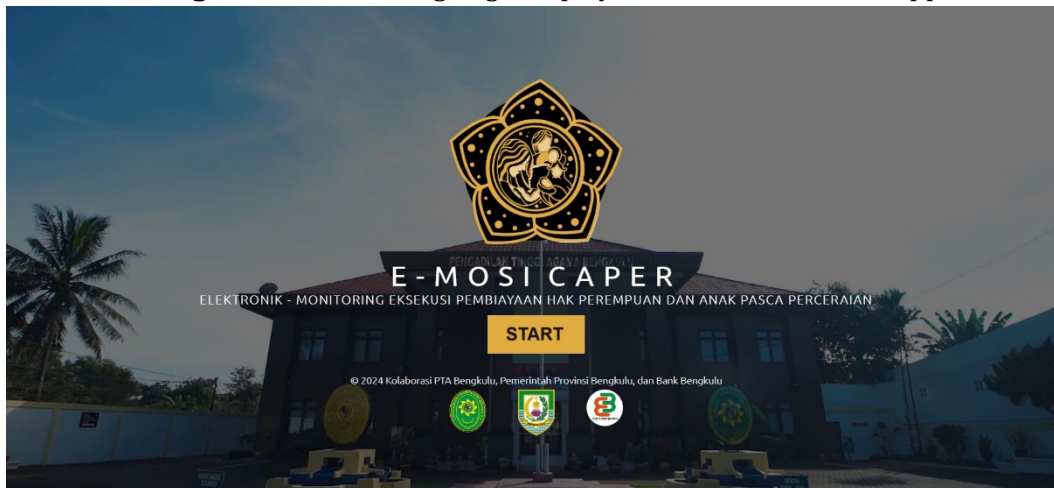
- a. The Bengkulu Religious High Court is tasked with monitoring that Religious Courts throughout the Bengkulu Region input divorce data for civil servants/ASN;
- b. The Regional Civil Service Agency and the Inspectorate of Bengkulu province monitor that the ex-husband can carry out his obligations following the decision through the Treasurer at his place of duty;
- c. The Bengkulu Provincial Office of Women's Empowerment, Child Protection, Population Control, and Family Planning monitors the flow of divorce case implementation in the E-MOSI CAPER application and reports to other parties if there are reports that the former husband has not fulfilled his obligations;
- d. The Population and Civil Registry Office of Bengkulu province to monitor the district/city Civil Registry Office to update divorce data, especially for civil servants/ASN;
- e. Bank Bengkulu to validate accounts, create accounts, deduct, and upload proof of deductions into the E-MOSI CAPER application;

Users of the E-MOSI CAPER Application include the general public, provincial monitoring users, and district/city implementation users. The public has access to the homepage, the second page, the third page, and the fourth page, which contain infographics about the MoU and the E-MOSI CAPER application, case statistics on divorce data for male civil servants in the Bengkulu Provincial Government, tracking and complaint services, and a complaint feature for cases not registered in the application. The religious courts and provincial and district governments also use the database to ensure the implementation of protection guarantees for women and children.

2. How the E-MOSI CAPER App Works

The E-MOSI CAPER application is accessible via the following URL: <https://e-mosicaper.pta-bengkulu.go.id/>. The E-MOSI CAPER page will display a landing page in the shape of an application logo, the words e-MOSI CAPER, and a "START" button to enter the main page the first time it is accessed.

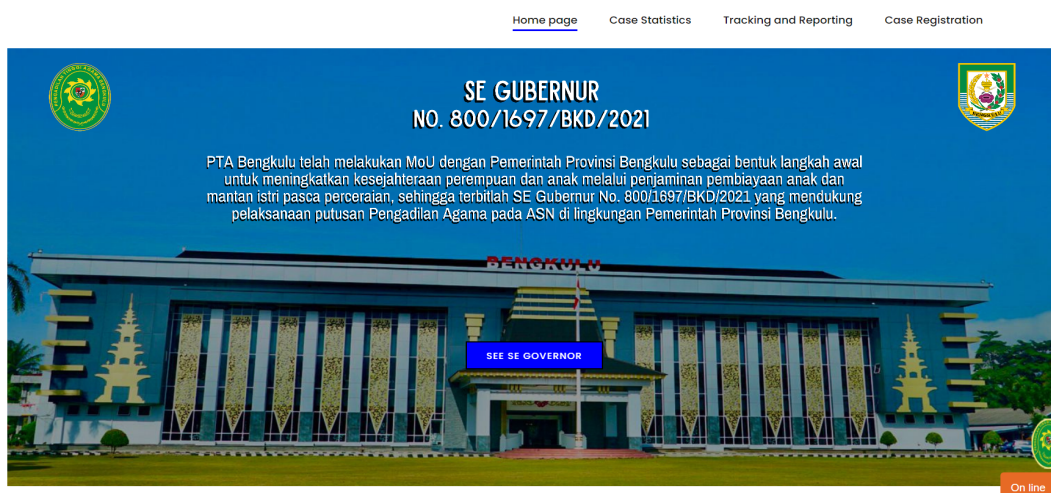
Figure 1. The Landing Page Display of the E-MOSI CAPER App



Source: *E-MOSI CAPER App*

This main page is a one-page site with only three menus: Home, Case Statistics, and Reporting Services. Upon entering the main page, the application will display a home page containing infographics about the MoU between the Bengkulu Religious High Court and the Bengkulu Provincial Government in improving the welfare of women and children through the Governor's Circular No. 800/1697/BKD/2021 and other infographics that display some of the vital information contained in the Governor's Circular.

Figure 2. Homepage of the E-MOSI CAPER App



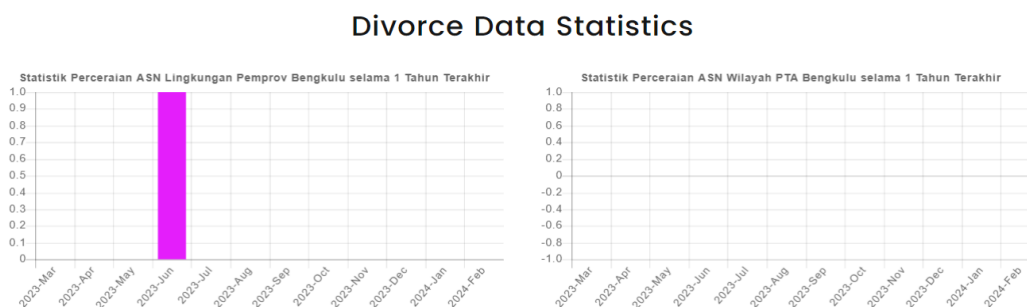
Source: *E-MOSI CAPER App*

The second menu, case statistics, contains statistics on divorce data for civil servants/ASNs within the Bengkulu Provincial Government and the jurisdiction of PTA Bengkulu. The data provide two graphs: on the left, a graph of divorces per month over the past year for Bengkulu Provincial Government civil servants/ASN, and on the



right, a graph of divorces per month over the past year for PTA Bengkulu civil servants/ASN.

Figure 3. The Statistical Case Information Display on the E-MOSI CAPER App



Source: *E-MOSI CAPER App*

In the third menu, there are tracking and complaint services. The tracking form is used to track the progress of after-divorce women's and children's rights financing that has been recorded in the application. Visitors can enter the decision number in the space provided and then click track progress.

Figure 4. The Tracking Form Display on the E-MOSI CAPER App

Tracking Form | Please enter the decision number to track the progress of financing support for your ex-wife and children

353/Pdt.G/2021/PA.AGM TRACK PROGRESS

Source: *E-MOSI CAPER App*

Suppose the decision number is available in the system or has been inputted by first-instance court officers in the Bengkulu Religious High Court jurisdiction. In that case, the system will display the case progress as shown below:

Figure 5. The MONEV Progress Display on the E-MOSI CAPER App

Tracking Form | Please enter the decision number to track the progress of financing support for your ex-wife

Decision Number TRACK PROGRESS

Complaint Form

Ex-Wife's Name

Decision number

Track Verdict

Data found in the Mosi Caper application with status:

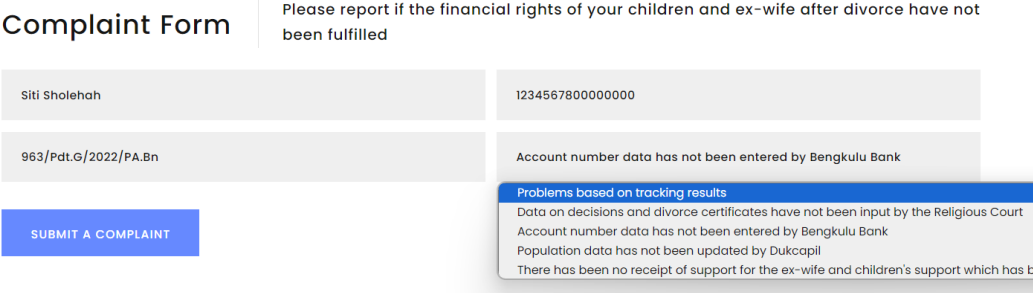
1. Divorce Deed **has been printed**
2. Bengkulu Bank Account Number **does not yet exist**
3. Population status **has not been updated**
4. Withholding by the OPD Treasurer **has not been processed**

OK

Source: *E-MOSI CAPER App*

Suppose the decision number is available in the system. In that case, the Visitor can file a complaint in the complaint menu if they feel that the financing process is not running for a long time by filling in the name and Residential Identity Number (NIK) of the wife, the decision number, and the problem, then click send a complaint. However, if the decision number does not exist in the system, the person concerned will be directed to register a divorce case through the case registration menu. The data inputted are the NIK of the ex-wife, the ex-wife's name, and the ex-husband's NIK. If the NIK inputted is an ASN of the Bengkulu Province government and the jurisdiction of PTA Bengkulu, the system will automatically fill in the ex-husband's name, agency, and cellphone number. Next, input the decision number, cellphone number of the ex-wife and wife, and the Religious Court where the case was filed, then click register. The Religious Court will receive a notification via WhatsApp message for further validation of the inputted data.

Figure 6. The Complaint Forms Display for Cases Registered in the E-MOSI CAPER App



Source: *E-MOSI CAPER App*

If the decision number does not exist in the system, the person concerned will be directed to register a divorce case to the system through the case registration menu. The data inputted are the NIK of the former wife, the former wife's name, and the former husband's NIK.

Figure 7. The Complaint Form is displayed for Cases not registered in the E-MOSI CAPER App



Source: *E-MOSI CAPER App*

If the NIK entered is an ASN of the Bengkulu Province government and the jurisdiction of PTA Bengkulu, the system will automatically fill in the ex-husband's name, agency, and cellphone number. Next, input the verdict number, the cellphone number of the ex-wife, and the Religious Court where the litigation took place, then click register. The Religious Court will receive a notification via WhatsApp message for further validation of the inputted data so that it can be followed up by the government agency where the former husband works.

Legal Protection of the Rights of Women and Children through the E-MOSI CAPER App

The Marriage Act follows the principle of making divorce difficult (Palupi, A.M. et al., 2021). According to this principle, a marriage tie must last forever (Santoso, 2016). However, many marriages end in divorce, giving rise to various legal consequences of divorce (Kurniawan, 2018). In many divorce decisions, judges frequently order the ex-husband to pay his ex-wife mut'ah, iddah, and child support, even if he is a civil servant (Kamurudin, 2019). However, the obligations that the husband must pay are very rarely fulfilled. One of the causes is that there is no integrated system of decision execution, including institutions other than the judiciary. Therefore, decision execution remains difficult and expensive, as stated above.

For women and children whose husbands and fathers are civil servants/ASN, all terms and conditions related to divorce and its legal consequences have been regulated in specific laws. Government Regulation 45 of 1990, amending Government Regulation 10 of 1983, covering Marriage and Divorce Permits for Civil Servants, is a law instrument that governs divorce and legal consequences for civil servant couples or one of the couples who is a civil servant (Jamil, 2014).

In terms of the consequences of divorce for Civil Servants, Article 8 paragraph (1) of this law states that if the divorce occurs at the will of the husband, who is a civil servant, he is required to provide a portion of his salary to the support of his ex-wife and children. This means that if the husband initiates the divorce, the ex-husband must pay a portion of his salary to his ex-wife and children. The share amount is explained in Article 8 paragraph (2), which indicates that the salary division referred to in paragraph (1) is one-third for the civil servant in question, one-third for his ex-wife, and one-third for his child or children. According to this provision, the ex-husband must give one-third of his salary to his ex-wife and one-third of his salary for child support. Expressly, the wife's rights are limited until her ex-wife remarries, as indicated in Article 8 paragraph (7) (Dalila, B. et al., 2023) (Paramita, A. D., & Ahmad, M. J., 2022). To strengthen this regulation, the Supreme Court issued Supreme Court Circular Letter Number 2 of 2019, which states that the distribution of a civil servant's salary after divorce must be stated in a declaratory decision, the implementation of which can be carried out through the agency where the civil servant works (Suadi, 2022).

Although the legal laws regulating the obligations of civil servants who divorce their wives are clear, as previously stated, many civil officers do not carry out the obligations specified in this section of the law. As a result, many women must face an increased responsibility. She must sustain herself and her children. A court decision frequently emphasizes an ex-husband's obligation to pay maintenance to his ex-wife. If the ex-husband fails to comply with the decision-making, the woman can apply to the religious court for execution. However, because this is a time-consuming and costly process, many women choose to keep silent and avoid going to court. She accepts her fate and receives nothing as a result.

Such situations contradict the ideals of justice which state that the criterion of justice is found in the aspect of benefit. That is, any form is considered unjust if it cannot be felt by the public as soon as possible. If the rule of law contains apparent aspects of justice but cannot be felt by the public, it is not justice.

To realize the intended justice, the judiciary, as the only forum where the public can seek justice, must act differently than a factory, pursuing the quantity and objective of case settlement. The judiciary must consider how the decision can be correctly executed. If the court fails to examine this, it is apparent that the decision made by the court will not provide the larger community with a sense of justice (Suadi, 2022). The judiciary must construct a justice system that is linked together between legal structure (institutions and law enforcers), legal substance (laws and regulations), and legal culture (community perspectives). The application of this idea is to create a system framework to ensure the fulfillment of the rights of justice seekers through the courts by integrating non-judicial entities following their particular authorities.

This new framework makes institutions outside the court as external partners in implementing court decisions. Without cooperation, it is impossible to protect women and children, just as metabolism in the body requires the performance of all organs. The digested food will not be converted into energy if organs fail to operate correctly. Instead, it becomes an indicator of disease. Even with justice, no matter how good the decision is, if it is not implemented with the assistance of other parties, the desired justice will be impossible to realize.

To address this issue, a legal instrument in the deployment of IT-based execution is required. The E-MOSI CAPER App, developed by the Bengkulu Religious High Court, is an IT-based service innovation designed to monitor the implementation of legal protection guarantees for the rights of women and children in the province of Bengkulu. This App can assist civil servant husbands in fulfilling their obligations as outlined in the decision. This App efficiently and affordably facilitates the implementation of the husband's responsibilities after divorce, including mut'ah, iddah, and child support, eliminating the need for complex and expensive execution procedures.

Based on this reasoning, the author finds that the E-MOSI CAPER App met the principle of justice and makes it part of the legal instrument of the Integrated Execution System. The causes are as follows: *First and foremost*, this application is simple to use (accessible). Everyone can use this application at any time and from any location. When the court specifies the ex-husband's obligations due to the divorce in the decision, the ex-wife is not required to file a request for execution with the court if the husband fails to perform his obligations. The ex-wife needs to enter the decision data into the E-MOSI CAPER application, after which she will be instructed to fill out additional information and wait for the husband to fulfill his obligations automatically through salary deductions by the treasurer where he works.

Second, various judicial and non-judicial institutions have been involved in this application. The Bengkulu Religious, all religious courts in the Bengkulu region, the administration of Bengkulu Province, all regencies/cities in the Bengkulu region, and banks, all work together. Each institution has its own set of responsibilities and operations. For example, the Bengkulu High Court of Religious Affairs is tasked with ensuring that the Religious Courts in the Bengkulu region input the divorce data of civil servants/ASNs in the Bengkulu province area, the Regional Personnel Agency and the Inspectorate ensure that the ex-husband can carry out his obligations following the decision through the Treasurer at his workplace, the Office of Women's Empowerment, Child Protection, The Office of Women's Empowerment, Child Protection, Population Control, and Family Planning (DP3AP2KB) monitors the flow of divorce cases in the E-MOSI CAPER application and reports to other parties if there are reports that the ex-husband has not fulfilled his obligations, the Civil Registry Office monitors the district/city Civil Registry Office to update divorce data, especially for civil servants/ASN. Bank Bengkulu validates accounts, creates accounts, deducts, and uploads proof of deductions into the E-MOSI CAPER application.

This application allows the community's rights to be appropriately fulfilled, especially for women and children with civil servant ex-husbands and fathers. As a result, the presence of the E-MOSI CAPER Application should be welcomed and praised because it has realized true justice, which the community can immediately feel.

Conclusion

Based on the explanation above, The E-MOSI CAPER App, one of the IT-based services released by the Bengkulu Religious High Court, is an innovation that could be utilized to organize assurances to protect women's and children's rights. Women and children whose ex-husbands and fathers are civil servants/ASNs in Bengkulu Province can demand that their ex-husbands and fathers pay for their support as prescribed in the court decisions through a simple and low-cost system of decision execution. The App's implementation involved all entities, both judicial and non-judicial institutions, such as the Bengkulu High Court of Religion, all religious courts in the Bengkulu region, the Bengkulu Provincial government, all regencies/cities in the Bengkulu

region, and banks. With this cooperation, the E-MOSI CAPER App met the principle of justice and made it part of the legal instrument of the Integrated Execution System.

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Declarations

- Author contribution : As authors 1 and 2, Amran Suadi and Mardi Candra initiated the research idea, instrument development, data collection, analysis, and manuscript writing; as authors 3 and 4, Fahadil Amin Al Hasan and Gugun Gumilar revised the research idea, literature review, data presentation and analysis, and final manuscript
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