

Reconstructing the Meaning of Family Disharmony from a Family Law Perspective: Implications for Health Physical and Psychological Well-Being of Family Members

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ABSTRAK

Disharmoni keluarga merupakan kondisi yang ditandai oleh konflik berkepanjangan, komunikasi yang buruk, pengabaian tanggung jawab, dan keterasingan emosional antar anggota keluarga. Penelitian ini menganalisis konsep disharmoni keluarga dalam perspektif hukum keluarga Indonesia serta dampaknya terhadap kesejahteraan fisik dan psikologis. Penelitian menggunakan metode yuridis normatif dengan pendekatan peraturan perundang-undangan, konseptual, dan analitis terhadap regulasi serta literatur terkait. Hasil penelitian menunjukkan bahwa meskipun disharmoni keluarga tidak diatur secara eksplisit, kondisi tersebut dapat dimaknai sebagai kerusakan hubungan keluarga yang menghambat pemenuhan hak dan kewajiban hukum. Dampaknya meliputi cedera fisik, gangguan akibat stres, kecemasan, trauma, serta gangguan perkembangan anak. Penguatan edukasi hukum, layanan konseling, intervensi dini, dan koordinasi kelembagaan diperlukan untuk melindungi kesejahteraan keluarga.

ABSTRACT

Family disharmony is a condition marked by prolonged conflict, poor communication, neglect of responsibilities, and emotional distance among family members. This study examines the concept of family disharmony from the perspective of Indonesian family law and its impact on physical and psychological well-being. Using a normative juridical method with statutory, conceptual, and analytical approaches, this study analyzes relevant legal regulations and scholarly literature. The findings indicate that although family disharmony is not explicitly regulated, it may be interpreted as a breakdown of family relationships that obstructs the fulfillment of legal rights and obligations. Disharmony becomes legally significant when it involves violence, neglect, intimidation, or rights violations. Its impacts include physical injuries, stress-related disorders, anxiety, trauma, and impaired child development. Strengthening legal education, counseling services, early intervention, and institutional cooperation is necessary to protect family welfare.

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1. INTRODUCTION

The family is universally recognized as the primary social institution responsible for nurturing individuals, transmitting moral values, and maintaining social stability. Within the Indonesian legal system, the family is also regarded as a legal institution established through marriage and governed by statutory provisions concerning the rights and obligations of spouses, parents, and children. Its ability to perform these legal and social functions depends on harmony, mutual respect, effective communication, and shared responsibility. When these elements deteriorate, family disharmony may arise from poor communication, unresolved conflict, emotional estrangement, economic disputes, domestic violence, neglect of responsibilities, infidelity, or other forms of relational breakdown. Communication problems often create misunderstandings and emotional distance, while financial pressure may intensify tensions and threaten family unity (Rashid & Rashid, 2025; Syam et al., 2025). Domestic violence, whether physical or emotional, may further damage victims' psychological well-being (Dumarova et al., 2025).

Although disagreements are a natural part of family life, persistent and unresolved conflicts can prevent the family from functioning as a safe, supportive, and cooperative environment. Such conditions may lead to anxiety, depression, low self-esteem, stress-related illnesses, behavioral problems among children, reduced educational performance, impaired social interaction, and a lower quality of life (Dumarova et al., 2025; Rashid & Rashid, 2025). Family disputes may also develop into legal proceedings, particularly in cases involving divorce, child custody, or domestic violence, which demonstrates the need for appropriate legal and societal intervention (Putri, 2023). Therefore, family disharmony should not be viewed solely as a private domestic matter, but as an issue with significant legal, social, and public implications.

Indonesia has experienced substantial social transformation due to urbanization, technological development, economic pressures, and shifting cultural values. These changes have altered family structures, reduced the size of family units, and increased pressures on marital relationships and parenting responsibilities (Zubaedah, 2023). Divorce rates in Indonesia remain relatively high, with economic hardship, continuous conflict, abandonment, and domestic violence identified as major contributing factors. Economic hardship is considered one of the strongest determinants of divorce across various regions, while domestic violence further disrupts family stability and requires stronger legal protection and state intervention (Kurniawan, 2024; Latifah & Ritonga, 2022).

From the perspective of Indonesian family law, harmony is one of the principal objectives of marriage. Article 1 of Law Number 1 of 1974 concerning Marriage, as amended by Law Number 16 of 2019, defines marriage as an inner and outer bond aimed at forming a happy and everlasting family based on belief in the Almighty God. This provision establishes family harmony as a legal expectation and requires spouses to maintain mutual love, respect, fidelity, assistance, and cooperation in household affairs (Pratama et al., 2025). Failure to fulfill these obligations may result in legal consequences, particularly when accompanied by violence, neglect, or violations of family members' rights.

Legal protection for family members is further reinforced by Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Law Number 35 of 2014 concerning Child Protection. These laws recognize domestic violence as a violation of human rights and emphasize the state's responsibility to protect children's rights to survival, development, participation, and safety, including during parental divorce (Kurniawan, 2024). Therefore, persistent family

disharmony involving abuse, neglect, or psychological suffering should not be regarded solely as a private matter, but as a legal and social issue requiring multidisciplinary attention and appropriate state intervention.

The consequences of family disharmony extend beyond legal disputes and directly affect public health and human development. Chronic family conflict may increase the risk of anxiety, depression, low self-esteem, emotional instability, aggressive behavior, substance abuse, sleep disorders, stress-related cardiovascular problems, and impaired cognitive development among children. Children raised in highly conflictual families may also experience difficulties in academic achievement, emotional regulation, and social adaptation that can continue into adulthood, while adults living in dysfunctional family environments face greater risks of occupational stress and reduced well-being (Dioquino, 2024; Maharjan, 2025; Nangia, 2023). These consequences indicate that the legal regulation of family relationships has important implications for protecting the physical and psychological health of all family members.

Despite these consequences, Indonesian legal scholarship has predominantly focused on divorce, marital property, inheritance, child custody, and domestic violence, while limited attention has been devoted to family disharmony as a broader normative legal concept. Existing legal frameworks and studies tend to emphasize dispute resolution after conflicts have escalated rather than examining family harmony as a preventive legal principle designed to protect welfare before irreversible harm occurs (Pratama et al., 2025). Previous research has also largely adopted sociological, psychological, or public health perspectives, with relatively few normative legal studies integrating these findings into an analysis of family obligations, responsibilities, and protections. Establishing legal principles that promote harmonious family life is therefore necessary because legal norms not only resolve disputes but also regulate conduct, allocate responsibilities, protect psychological well-being, and safeguard fundamental human rights within family relationships (Mondal, 2025).

Accordingly, this study examines family disharmony from the perspective of Indonesian family law through normative legal analysis by exploring the concept of family harmony in statutory regulations, legal principles, and doctrinal interpretations, as well as its implications for the physical and psychological well-being of spouses, children, and other family members. By integrating family law with contemporary perspectives on health and well-being, the study seeks to clarify the legal meaning of family disharmony, contribute to the development of Indonesian family law scholarship, and provide practical guidance for legislators, judges, legal practitioners, policymakers, counselors, and family protection institutions in developing preventive strategies that strengthen family resilience. Ultimately, family harmony should be understood not merely as a moral ideal but as a fundamental legal objective supporting justice, human dignity, and sustainable family welfare in Indonesia.

2. RESEARCH METHODS

2.1 *Research Design*

This study employs a normative legal research design using a qualitative analytical approach to examine the legal meaning of family disharmony and its implications for the physical and psychological well-being of family members within the Indonesian legal system. As a doctrinal legal study, the research focuses on analyzing legal norms, statutory provisions, legal doctrines, principles, and scholarly opinions rather than collecting empirical data or conducting field observations. This approach is appropriate because the study seeks to interpret the legal concept of family disharmony, assess how Indonesian family law regulates and addresses such conditions, and evaluate the legal protection afforded to family members. Through the systematic review and interpretation of relevant legal materials, the research identifies the legal principles governing harmonious family relationships, examines the legal consequences arising from family disharmony, and analyzes the mechanisms available to safeguard individuals from physical and

psychological harm, with emphasis placed on doctrinal interpretation and legal reasoning rather than quantitative analysis.

2.2 *Research Approaches*

This study applies statutory, conceptual, and analytical approaches. The statutory approach examines Indonesian laws concerning marriage, domestic violence, child protection, human rights, and family welfare, including the 1945 Constitution, Law Number 1 of 1974 as amended by Law Number 16 of 2019, Law Number 23 of 2004, and Law Number 35 of 2014. The conceptual approach analyzes legal doctrines and scholarly views on family harmony, family disharmony, legal responsibility, and physical and psychological well-being, supported by relevant interdisciplinary perspectives. The analytical approach evaluates the relationship between legal norms and their practical implications, particularly whether the existing legal framework adequately protects family members from the broader consequences of family disharmony.

2.3 *Sources of Legal Materials*

Normative legal research relies on legal materials rather than empirical respondents. The materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 1 of 1974 concerning Marriage, Law Number 16 of 2019, Law Number 23 of 2004 concerning the Elimination of Domestic Violence, Law Number 35 of 2014 concerning Child Protection, and other relevant regulations on family law and human rights. Secondary legal materials include textbooks, journal articles, legal commentaries, academic publications, international studies, and reports from organizations such as WHO and UNICEF. Tertiary legal materials include legal dictionaries, law encyclopedias, academic glossaries, and official legal reference documents used to clarify legal terms and concepts.

2.4 *Technique of Collecting Legal Materials*

Legal materials were collected through comprehensive library research by identifying, reviewing, and organizing relevant statutory regulations, legal doctrines, scholarly literature, judicial interpretations, and official publications. The search was conducted through electronic legal databases, university digital libraries, government legal repositories, and reputable international academic databases. The collected materials were subsequently classified based on their legal relevance, authority, and contribution to answering the research questions.

2.5 *Technique of Legal Analysis*

The collected legal materials were analyzed using qualitative normative legal analysis by identifying and interpreting relevant statutory provisions, examining legal doctrines and scholarly opinions, comparing legal principles with interdisciplinary literature on physical and psychological well-being, and synthesizing the findings through deductive legal reasoning to formulate conclusions regarding the role of Indonesian family law in protecting family members from the consequences of family disharmony.

2.6 *Validity of Legal Analysis*

The validity of the findings was ensured through legal material triangulation by comparing statutory provisions, constitutional principles, legal doctrines, and scholarly opinions from authoritative sources. Their consistency was evaluated using grammatical, systematic, and teleological interpretations to ensure accurate, credible, and reliable conclusions aligned with the objectives and principles of Indonesian family law.

3. RESULTS AND DISCUSSION

3.1 *The Legal Meaning of Family Disharmony in Indonesian Family Law*

Family disharmony is not expressly defined in Indonesian statutory law, unlike domestic violence or divorce. Nevertheless, it may be interpreted through the objectives of marriage, constitutional guarantees, the legal obligations of spouses, and legislation

governing family relationships. From a normative legal perspective, family disharmony refers to a persistent failure of family members to fulfill their legally recognized rights and obligations, thereby disrupting family functions and undermining the realization of a harmonious, prosperous, and enduring household.

Article 1 of Law Number 1 of 1974 concerning Marriage, as amended by Law Number 16 of 2019, establishes that marriage aims to create a happy and everlasting family based on belief in the Almighty God. This objective indicates that Indonesian family law regulates not only marital status but also the quality of family relationships. Family harmony therefore constitutes a legal value embedded in marriage, while continuous disputes and failures to fulfill marital obligations may serve as legal grounds for divorce (Ajisaputri, 2021; Khairuzzazi et al., 2025). Judges also consider the breakdown of household harmony and unsuccessful reconciliation efforts when deciding divorce cases (Khairuzzazi et al., 2025).

The reciprocal obligations of spouses to love, respect, assist, protect, cooperate, and maintain household welfare further reinforce this interpretation. Disharmony arises when these obligations are persistently neglected and conflicts become continuous, unresolved, and sufficiently serious to interfere with legal responsibilities or threaten the rights and welfare of family members. Its effects may extend to child custody disputes and children's welfare, which frequently become significant legal issues following marital breakdown (Sumar'um, 2025). Cultural values and community involvement may also contribute to conflict resolution and strengthen family resilience (Supriatna et al., 2024).

Family disharmony must therefore be distinguished from ordinary disagreements or occasional marital disputes. Its legal significance lies in the persistence, intensity, and consequences of the conflict. Although the absence of an explicit statutory definition allows flexibility in judicial interpretation, it also creates uncertainty regarding the threshold for legal intervention. Indonesian courts consequently interpret disharmony indirectly through provisions on divorce, domestic violence, child neglect, and violations of marital obligations, confirming that family harmony functions as an overarching principle in Indonesian family law.

3.2 *Family Disharmony as a Violation of Legal Rights and Obligations*

Family law establishes reciprocal legal relationships in which every family member possesses rights and responsibilities. The Marriage Law requires spouses to maintain affection, respect, fidelity, cooperation, protection, and shared responsibility for family welfare. Persistent failure to perform these obligations may undermine the legal purpose of marriage and justify judicial intervention through divorce proceedings or other legal remedies. This framework is reinforced by Law Number 1 of 1974, which emphasizes balance in the rights and obligations of spouses within family life.

Family disharmony also intersects with constitutional protections of human dignity and individual rights. Articles 28B, 28D, and 28G of the 1945 Constitution guarantee the right to establish a family, receive equal legal protection, and enjoy personal security free from violence and fear. When prolonged conflict develops into intimidation, coercion, discrimination, neglect, or abuse, it may violate both family law and constitutional rights. Law Number 23 of 2004 concerning the Elimination of Domestic Violence provides legal protection and remedies for victims of physical, psychological, sexual, and neglect-based violence (Khadafi, 2016; Mundir & Yuliawan, 2025).

Judicial intervention becomes particularly important when family disharmony threatens vulnerable family members, especially children. Judges must carefully examine evidence of domestic violence and neglect to ensure justice and effective victim protection (Wahyuni et al., 2024). However, criminal sanctions against perpetrators may also create economic and psychological burdens for families, requiring additional support measures (Wahyuni et al., 2024). Continuous parental conflict may further expose children to emotional insecurity, neglect, and developmental risks, thereby violating parental

obligations under child protection legislation and transforming family disharmony into a matter of public legal concern.

3.3 *Physical Implications of Family Disharmony*

Although family law primarily regulates legal relationships, its implementation directly influences public health because family functioning affects nutrition, healthcare access, emotional security, caregiving, and other determinants of physical well-being. A harmonious family environment supports healthy behaviors, while family disharmony increases the risk of adverse health outcomes. Family law therefore plays an important preventive role by protecting family relationships that contribute to healthier living conditions and ensuring children's access to essential resources for healthy development (Al Sabbah, 2020; Lima, 2024).

The most visible physical consequences of family disharmony arise when conflicts escalate into domestic violence. Victims may experience bruises, fractures, permanent disabilities, reproductive injuries, and even death, prompting Indonesian law to provide both criminal sanctions and protective measures against domestic violence. Beyond physical assault, prolonged family conflict also triggers chronic physiological stress responses associated with hypertension, sleep disturbances, weakened immunity, gastrointestinal disorders, headaches, and cardiovascular disease. Research further demonstrates that victims of domestic violence frequently experience chronic malnutrition, psychological distress, increased hospitalization, and greater dependence on medical treatment (Ackerson & Subramanian, 2008; Popa, 2009).

Family disharmony also affects healthcare behavior through delayed medical treatment, poor nutrition, low medication adherence, and reduced motivation to maintain healthy lifestyles, particularly in economically vulnerable households. Children are among the most affected, as persistent parental conflict may contribute to malnutrition, developmental delays, weakened immunity, sleep disorders, and psychosomatic symptoms that continue into adulthood. These findings indicate that protecting physical well-being should be recognized as a fundamental objective of family law, supported by preventive legal measures and family-based interventions that strengthen healthy family relationships and reduce long-term health risks (Campbell, 1991).

3.4 *Psychological Implications of Family Disharmony*

Psychological well-being is a fundamental component of family welfare because family relationships shape emotional security, identity, trust, and resilience. Prolonged family disharmony may cause chronic stress, anxiety, depression, emotional exhaustion, reduced self-esteem, and diminished occupational performance among spouses, particularly when conflict involves verbal aggression, emotional neglect, or controlling behavior (Naim, 2024; Soparboyeva & Khudoyorova, 2026).

Children are especially vulnerable because their emotional and social development depends on stable family relationships. Continuous parental conflict may lead to emotional insecurity, aggression, social withdrawal, academic decline, anxiety, depression, and impaired social competence (Naim, 2024; Salsabila et al., 2026). Adolescents living in dysfunctional families also face greater risks of substance abuse, delinquency, self-harm, and suicidal ideation (Soparboyeva & Khudoyorova, 2026).

These consequences demonstrate that family disharmony is not merely a private matter but also a significant public mental health concern. Indonesian law recognizes this issue by criminalizing psychological violence and acknowledging emotional suffering as a form of legally relevant harm (Salsabila et al., 2026). Legal protection should therefore extend beyond bodily injury to safeguard the psychological integrity of all family members.

3.5 *Adequacy of the Indonesian Legal Framework*

Indonesia possesses a relatively comprehensive legal framework governing family relationships through constitutional provisions, marriage law, domestic violence law, child

protection legislation, and human rights regulations. However, its implementation remains constrained by the absence of a clear legal definition of family disharmony, delayed intervention, bureaucratic inefficiencies, and social stigma that discourages victims from reporting abuse or seeking assistance (Ibbar, 2024; Saragi, 2025; Sugiarto et al., 2025). These limitations often cause legal protection to become effective only after conflicts have escalated into divorce, domestic violence, or child neglect.

Institutional coordination also remains fragmented because courts, law enforcement agencies, social welfare institutions, healthcare providers, counselors, and child protection bodies frequently operate independently. Therefore, Indonesia should strengthen preventive education, multidisciplinary cooperation, early intervention, and legal literacy concerning family rights, marital duties, parenting responsibilities, and available protection mechanisms (Ibbar, 2024; Khoirunnisa et al., 2026; Kurniadi, 2025). These measures are necessary to improve access to justice and ensure more effective protection of family welfare.

3.6 *Strengthening Family Law for the Protection of Family Well-Being*

The normative analysis indicates that Indonesian family law should increasingly prioritize preventive protection rather than focusing solely on dispute resolution. Family harmony should be treated as a legal objective supported by expanded premarital counseling, community legal literacy, family education, accessible counseling and mediation services, and stronger collaboration among legal professionals, psychologists, healthcare providers, educators, religious leaders, and social workers. These measures can facilitate early intervention, reduce conflict escalation, and protect the physical and psychological well-being of family members.

Child-centered protection must also remain central in every family dispute, with judicial decisions and administrative policies consistently prioritizing the best interests of the child. Future legal reform should provide clearer definitions of family harmony and disharmony to strengthen legal certainty and preventive protection. Family disharmony is not merely a private matter because it may violate legal rights and obligations and harm spouses, children, and other family members. Therefore, preventive mechanisms, institutional coordination, and legal awareness are essential to create families that are legally valid, safe, healthy, dignified, and harmonious.

4. CONCLUSION

Family disharmony in Indonesian family law refers to persistent conflict that disrupts legal and moral responsibilities within the family. Although not expressly defined by law, it can be understood through marriage objectives, spousal obligations, parental duties, constitutional rights, domestic violence law, and child protection law. Disharmony becomes legally significant when it causes neglect, intimidation, violence, psychological abuse, or violations of family members' rights, resulting in physical, psychological, and developmental harm. Although Indonesia has established various legal protections, their implementation remains constrained by stigma, economic dependence, limited legal literacy, inadequate counseling, and fragmented services. Therefore, family law should adopt a preventive, integrated, victim-centered, and child-sensitive approach through legal education, counseling, mediation, early intervention, and stronger institutional coordination.

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