

## **A Comparative Analysis of Cohabitation Offences in Indonesia Under the New Criminal Code and Islamic Criminal Law**

Siti Nur Saidah<sup>1</sup>, Eli Mulyaningsih<sup>2</sup>, Muhammad Arya Dillah<sup>3</sup>

<sup>1,2,3</sup> Universitas Islam Negeri Walisongo Semarang, Indonesia

[\\*dillaharyaaa112@gmail.com](mailto:*dillaharyaaa112@gmail.com)

**Submission:**

2025-11-03

**Review:**

2025-11-25

**Accepted:**

2025-11-25

**Publish:**

2025-11-30

**ABSTRACT;** The amendments to the Criminal Code (KUHP) through Law No. 1 of 2023 introduced cohabitation as a new criminal offence under Article 412, which was not previously regulated in the old Criminal Code. This criminalisation arose as an effort to align the law with the social, religious and moral values of Indonesian society. This study employs a legal-normative method with a qualitative approach, is descriptive-analytical in nature, and utilises secondary data through a literature review. In Islamic criminal law, cohabitation is viewed as an act approaching adultery, as it violates the prohibition against approaching such a vile act. Several opinions of Islamic scholars and studies state that cohabitation can be categorised as the crime of adultery if sexual relations are proven, and is subject to hadd punishment; however, if not proven, the perpetrator is only subject to ta'zir. The results of the analysis indicate that the regulation of cohabitation in the new Criminal Code is not yet fully in line with the principles of Islamic criminal law, particularly regarding the burden of proof and the type of punishment.

**Keywords:** *Cohabitation, Criminal Law, Islamic Criminal Law*

## INTRODUCTION

Changes to the Indonesian Criminal Code have brought about new implications for criminal law provisions as Indonesian society evolves. These changes are significant because the new Criminal Code includes additional criminal provisions that have been adapted to reflect contemporary developments<sup>1</sup>. One of the additions of criminal provisions to the new Criminal Code or to Law No. 1 of 2023 is the offence of cohabitation. According to the Kamus Besar Bahasa Indonesia (Great Dictionary of the Indonesian Language), cohabitation refers to living together under the same roof without being married<sup>2</sup>. Prior to the enactment of Law No. 1 of 2023, there were no regulations specifically governing the criminal offence of cohabitation. The old Criminal Code (KUHP) or Law No. 1 of 1946 only addressed the offence of adultery and did not regulate the offence of cohabitation in detail. This was because the old Criminal Code was a legal legacy of Dutch colonial rule, deeply rooted in European social life, and naturally reflected the differences in social backgrounds between European and Indonesian societies.

Cohabitation in Indonesia is a critical issue that must be dealt with firmly. This is because cohabitation is an act that runs counter to social, religious and moral values<sup>3</sup>. The criminal offence of cohabitation in Indonesia is regulated by several pieces of legislation, including Law No. 1 of 2023 and the Criminal Code. In these laws, the criminal offence of cohabitation is set out in Article 412 of the new Criminal Code. Prior to the enactment of the new Criminal Code, there were no provisions regarding the criminal offence of cohabitation<sup>4</sup>.

From an Islamic legal perspective, cohabitation or 'living together without marriage' constitutes a criminal offence or 'jarimah' that is equated with the offence of adultery. However, this requires further examination, as the offence of adultery is a 'hudud' offence, which is subject to very strict penalties.

Research conducted by Farqiah Aulia Ramadani states that the criminal offence of cohabitation in fiqh jinayah is classified as a hudud offence, punishable by a hadd penalty. If the elements of the offence of zina are not met, then the punishment for the perpetrator of cohabitation is a ta'zir offence.<sup>5</sup> Meanwhile, according to Delonix

---

<sup>1</sup> Parningotan Malau, "Tinjauan Kitab Undang-Undang Hukum Pidana (KUHP) Baru 2023," *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam* 5, no. 1 (June 13, 2023): h.839, <https://doi.org/10.37680/almanhaj.v5i1.2815>.

<sup>2</sup> Kamus Besar Bahasa Indonesia

<sup>3</sup> Eko Wahyudi Safitri, Nurinda Ika, "Kriminalisasi Perbuatan Kohabitasi Dalam Perspektif Pembaharuan Kitab Undang-Undang Hukum Pidana (Kuhp) Di Indonesia," *Jurnal Ilmiah Wahana Pendidikan* 9, no. 20 (2023): h.612, <https://doi.org/10.5281/zenodo.8435113>.

<sup>4</sup> Ana Sholikah et al., "Regulasi Hukum Terhadap Pemidanaan Orang Yang Melakukan Kohabitasi (Kumpul Kebo)," *JUSTISI* 10, no. 1 (December 30, 2023): h.182, <https://doi.org/10.33506/js.v10i1.3009>.

<sup>5</sup> Farqiah Aulia Ramadani, "Tindak Pidana Kohabitasi Pasca Pembaruan Hukum Pidana Indonesia Dalam Perspektif Fiqh Jinayah" (Institut Agama Islam Negeri Parepare, 2025), h.57, <https://repository.iainpare.ac.id/id/eprint/11065/1/19.2500.045.pdf>.

Rianika Shalsabila in her research, the criminal offence of cohabitation is classified as a 'jarimah ikhthilath' under Aceh Qanun No. 6 of 2012 on Criminal Offences. Furthermore, her research also states that the criminal offence of cohabitation is classified as a 'jarimah zina' under Islamic criminal law<sup>6</sup>. Both studies reach the same conclusion: that the criminal offence of cohabitation is equivalent to the offence of adultery under hudud law.

In light of this, this study will examine in greater depth the criminal offence of cohabitation from the perspective of Islamic criminal law. This research is important because it will provide a new perspective within Islamic criminal law on the criminal offence of cohabitation, or 'kumpul kebo'.

## PROBLEM

1. What are the provisions regarding the criminal offence of cohabitation in the Old Criminal Code and the New Criminal Code?
2. How does Islamic criminal law analyse the criminal offence of cohabitation under positive law?

## RESEARCH METHODS

The methodology employed in this study is a legal-normative approach with a qualitative focus. This study is descriptive-analytical and conceptual in nature, with data collection carried out through a literature review. The data used in this study are secondary data, namely legislation and other relevant documents.

## DISCUSSION

### Provisions on the Criminal Offence of Cohabitation in Law No. 1 of 1946 (the Old Criminal Code)

In Dutch, '*kumpul kebo*' is known as '*samenwonen*'. In the modern era, '*kumpul kebo*' is often referred to as 'Living Together'. In Indonesia, the term '*kumpul kebo*' is a loanword adopted by traditional Javanese society, meaning a man and a woman living together under one roof without a legally recognised marriage bond.<sup>7</sup>

Before being recognised in statutory law, the practice of cohabitation had already been regulated under customary law (*gewoonrecht*) as a form of offence. Indonesian society, from both a customary and religious perspective, regards this act as a crime

---

<sup>6</sup> Delonix Rianika Shalsabila, "Tinjauan Hukum Pidana Islam Terkait Dengan Perilaku Hidup Bersama (Kohabitasi) Berdasarkan Qanun Aceh Nomor 6 Tahun 2014 Dan Pasal 412 Undang - Undang Nomor 1 Tahun 2023 Tentang Kitab Undang - Undang Hukum Pidana (KUHP)" (Universitas Islam Negeri Sunan Gunung Jati, 2025), h.51, <https://digilib.uinsgd.ac.id/106110/>.

<sup>7</sup> A Danardana and Vincentius Patria Setyawan, "Kriminalisasi Fenomena Penyimpangan Sosial Kumpul Kebo (Samenlaven) Dalam Perspektif Hukum Pidana," *Justitia et Pax* 38, no. 1 (June 2022), <https://doi.org/10.24002/jep.v38i1.5713>.

against public morality. However, as there are no explicit provisions in the colonial-era Criminal Code governing this matter, the public often takes matters into their own hands. This situation highlights the need for a legal framework as an instrument to provide solutions to deviant behaviour within society.

There are no clear provisions regarding the regulation of cohabitation in the old Criminal Code. It should be noted that the old Criminal Code only addressed the criminal offence of adultery, specifically in Section 284 of the Criminal Code, which essentially criminalises a person who is lawfully married and commits adultery with another person, as well as a woman who participates in such adultery despite knowing that the man with whom she is involved is already married and may be breaking the law.<sup>8</sup>

Cohabitation is not considered a criminal offence<sup>9</sup> but is merely classified as a moral offence that has not yet been explicitly recognised. In fact, religious and moral values in Indonesia strongly oppose the practice of cohabitation without the bonds of marriage. It is clear that cohabitation contravenes religious values and norms, as well as social values and norms, as the majority of Indonesian society believes that adult men and women who wish to live together must be bound by a valid marriage<sup>10</sup>.

Cohabitation can have various negative consequences, including the erosion of society's moral values, the potential spread of sexually transmitted infections, and an increase in crime rates, such as those related to abortion. This is because the criminal act of cohabitation is highly likely to be accompanied by promiscuous sexual activity. Furthermore, the practice of cohabitation also has the potential to obscure lineage (*nasab*), particularly within Muslim communities<sup>11</sup>.

The absence of clear regulations makes it difficult for law enforcement officials to take action. Members of the public also tend to take the law into their own hands (*eigenrichting*) when they discover instances of cohabitation in their neighbourhood. This occurs because there are no written regulations governing cohabitation, so the public opts to take the law into their own hands to resolve the issue. In such situations, the public often disregards the principle of the presumption of innocence and the human rights of the perpetrator. Only after taking the law into their own hands

---

<sup>8</sup> Steven S Gugu, "Aspek Hukum Hidup Bersama Sebagai Suami Isteri Tanpa Ikatan Perkawinan," *Journal Scientific of Mandalika (JSM) e-ISSN 2745-5955/ p-ISSN 2809-0543* 6, no. 8 (2025): 2280-88.

<sup>9</sup> Irwansyah, Erdianto, and Ledy Diana, "Kriminalisasi Kumpul Kebo (Samen Leven) Menurut Rancangan Kitab Undang-Undang Hukum Pidana," *Jurnal Online Mahasiswa Fakultas Hukum Universitas Riau* III, no. July (2016): 1-23.

<sup>10</sup> Ihwanul Muttaqin, "Analisis Yuridis Perkembangan Pidana Penjara Dari KUHP Ke RUU KUHP," *Justice Pro* 2, no. 2 (2018): 134-52.

<sup>11</sup> Safitri, Nurinda Ika, "Kriminalisasi Perbuatan Kohabitasi Dalam Perspektif Pembaharuan Kitab Undang-Undang Hukum Pidana (Kuhp) Di Indonesia."

(*eigenrichting*) is the perpetrator handed over to the local authorities or the relevant authorities<sup>12</sup>.

Under Indonesian positive law, there are currently no provisions regarding cohabitation; the only provisions in positive law relate to adultery. Adultery is regulated under Article 284(1) and (2) of the Criminal Code, with the following explanation:

*“Paragraph (1) is punishable by imprisonment for a term not exceeding nine months:*

- a. married man who commits adultery, even though he is aware that Article 27 of the Civil Code applies to him;
- b. a married woman who commits adultery, even though it is known that Article 27 of the Civil Code applies to her;”

*“Verse (2)”*

*a man who took part in the act, even though it was known that he was guilty of having been married;*

- a. a man who took part in the act, even though he knew that doing so would constitute adultery
- b. a married woman who participates in the act, knowing that the other party involved is married and that Article 27 of the Civil Code applies to her”.

Based on the above provision, it can be concluded that the criminal offence of adultery covers only situations in which sexual intercourse takes place between a man and a woman, one or both of whom are bound by a legally valid marriage. This provision constitutes the original provision regarding the criminal offence of adultery, which has remained unchanged since the *Wetboek van Strafrecht voor Nederlandsch-Indië* (WvSNI). The primary purpose of this provision is to uphold the sanctity of marriage, which must not be tarnished by acts of adultery. However, this provision raises the question of what occurs if a man and a woman, neither of whom is married, engage in sexual intercourse. In this regard, the Indonesian Criminal Code has not yet established legal provisions governing sexual relations between partners who are not married.

Cohabitation between a man and a woman who are not married to each other is not regulated in the *Wetboek van Strafrecht voor Nederlandsch-Indië* (WvSNI) because the Netherlands is a Western country that adheres to the principle of individualism. This philosophy grants broad freedom to every person or individual to do or not do anything, provided it does not cause harm to the interests of others. On this basis,

---

<sup>12</sup> Safitri, Nurinda Ika.

sexual relations between a man and a woman who are not married to each other are not classified as a criminal offence.<sup>13</sup>

Consequently, Section 284(1) cannot be used to prosecute couples living together without being married if they have not yet entered into a marriage or are not bound by a valid marriage. This loophole is exploited by some people to engage in cohabitation without fear of criminal sanctions. This legal vacuum results in law enforcement authorities facing difficulties in prosecuting those who commit the criminal offence of cohabitation.

Section 284 of the Criminal Code is an absolute complaint-based offence, meaning that cohabitation is only punishable if a complaint is lodged by the party who feels aggrieved, namely the husband or wife. If the complaint has not yet been heard in court, the complaint regarding the criminal offence of cohabitation may be withdrawn. Meanwhile, the general public does not take issue with whether the perpetrator of adultery is married or not. For the public, both men and women who commit adultery are still categorised as perpetrators of adultery. From the perspective of the imposition of sanctions, Article 284 is considered not to have a deterrent effect on perpetrators of the criminal offence of adultery and cannot reduce the incidence of adultery or cohabitation.

The consequences of cohabitation vary widely and are closely linked to the circumstances and attitudes of the local community. If the community in a particular neighbourhood tends to be supportive of cohabitation, they will allow the couple to live together without taking any action regarding their cohabitation.<sup>14</sup>

### **Regulations on the Criminal Offence of Cohabitation in Law No. 1 of 2023 (New Criminal Code)**

Under the New Criminal Code, cohabitation—or “living together as husband and wife without being married”—is officially classified as a criminal offence under Article 412 of the Criminal Code.<sup>15</sup> This section provides that any person who cohabits in such a manner, even if they have not yet or have never been legally married, may be subject to criminal sanctions.<sup>16</sup> Consequently, the New Criminal Code criminalises cohabitation, which was not explicitly defined as an offence in the old Criminal Code.

---

<sup>13</sup> Danardana and Setyawan, “Kriminalisasi Fenomena Penyimpangan Sosial Kumpul Kebo (Samenlaven) Dalam Perspektif Hukum Pidana.”

<sup>14</sup> I Gst Ag Gd Krisna Dwipayana and A.A. Ngurah Wirasila, “Pengaturan Terhadap Perbuatan Kumpul Kebo (Kohabitasi) Dalam Pembaharuan Hukum Pidana Indonesia,” *Jurnal Kertha Desa* 8, no. 1 (2020): 1–12.

<sup>15</sup> Ida Bagus et al., “Kriminalisasi Terhadap Pelaku Kohabitasi Sebagai Upaya Miminalisir Tindakan Persekusi Dalam KUHP Baru” (2023).

<sup>16</sup> Aliyyul Qayyuum Nugraha, “Telaah Pasal 421 KUHP Tindak Pidana Perzinaan Menurut Hukum Pidana Islam” (2024).

The penalty for cohabitation under Article 412 is imprisonment for a maximum of 6 (six) months or a fine of up to Category II.<sup>17</sup> However, this is not a public offence; rather, it is a private prosecution offence. This means that legal proceedings can only be brought if a complaint is lodged by a specific party, such as the parents or the child, if the perpetrator is unmarried; or the lawful spouse, if one of the perpetrators is married. This principle indicates that the state does not automatically take action against every instance of cohabitation — such cases must first be brought before the courts through a formal complaint.

The inclusion of extramarital relationships in the Criminal Code through Article 412 reflects a legal effort to bring legislation into line with the social, cultural and moral realities in Indonesia, where extramarital relationships are often regarded as contrary to moral values and social norms.<sup>18</sup> From a criminal law perspective, this can also be understood as part of a policy of criminalisation aimed at upholding moral values, maintaining social order, and protecting the institution of the family.<sup>19</sup>

However, this provision has not been without criticism. Some experts have pointed out that Article 412 has the potential to cause implementation issues, such as the definition of ‘living together as husband and wife’, which has not been explicitly formulated, thereby giving rise to multiple interpretations.<sup>20</sup> Furthermore, the criminalisation of cohabitation—which some consider to fall under the category of a ‘victimless crime’ where no party has suffered harm—is seen as potentially infringing upon privacy and personal freedom, and as contrary to the principle that criminal law should be a last resort (*ultimum remedium*)<sup>21</sup>.

### **An Analysis of Islamic Criminal Law Regarding the Criminal Offence of Cohabitation in Positive Law**

From an Islamic legal perspective, cohabitation—or ‘living together without marriage’—is an act that can be considered tantamount to adultery if no actual act of adultery has been proven. This is clearly stated in Surah al-Isra’, verse 32 ;

وَلَا تَقْرَبُوا الزَّوْجَ إِتْمًا كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا

---

<sup>17</sup> Bagus et al., “Kriminalisasi Terhadap Pelaku Kohabitasi Sebagai Upaya Miminalisir Tindakan Persekusi Dalam KUHP Baru.”

<sup>18</sup> Yusep Mulyana, “The Crime Of Living Together (Kumpul Kebo) In Law Number 1 Of 2023 Concerning The Criminal Code In Link With The Reform Of Criminal Law In Indonesia” 3, no. 2 (2023): 259–66.

<sup>19</sup> Gusti Muslihuddin Sa’adi, Ahmadi Hasan, and Masyithah Umar, “Analisa Pasal 412 KUHP Baru Tentang Kohabitasi (Pendekatan Maqashid As-Syari’ah As-Syathibi Dan Teori Social Engineering Roscoe Pound)” 1, no. 4 (2023): 584–607.

<sup>20</sup> Agilber Gamaliel Lase, Rizkan Zulyadi, and Ridho Mubarak, “Perspektif Kemanfaatan Hukum Terhadap Kejahatan Kohabitasi Pasal 412 Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana” 7, no. 1 (2025): 14–22, <https://doi.org/10.31289/juncto.v7i1.6065>.

<sup>21</sup> Khairil Ikhsan, “Problems In Regulating Cohabitation as An Offense in Law Number 1 Of 2023 Concerning the Criminal Code” 7, no. 1 (2023): 68–80.

“Do not even come near adultery. Truly, it is an abominable act and the worst of paths”.

The verse contains the phrase ‘Do not approach adultery’, indicating that Islamic law issues a stern warning against actions that may lead to the crime of adultery<sup>22</sup>.

Cohabitation in Islam does not refer to physical acts of sexual intercourse outside a valid marriage; rather, it encompasses other acts such as promiscuity, intimate relations without a valid bond, and all inappropriate behaviour between men and women. Under Islamic law, such acts constitute violations of religious and social norms and must be subject to sanctions<sup>23</sup>.

According to Islamic scholars, the criminal offence of cohabitation comprises several elements. The first element is *al-Amil*. In this first element, *al-Amil* refers to the person or subject who commits the criminal offence of cohabitation. The second is *al-Ma’mul alaih*, namely the sexual organs or genitalia used to commit the criminal offence of cohabitation. Thirdly, there is no valid marital bond between the perpetrators of the criminal act of cohabitation.<sup>24</sup>

In addition, there are certain elements of the offence of adultery that must be satisfied in order for the hadd punishment to be imposed. These include,

- a. Sexual relations between a man and a woman outside of marriage
- b. There is no element of doubt or ambiguity in such an act.

Both of these elements share similarities with the elements of the offence of cohabitation<sup>25</sup>.

The equivalence of the criminal offence of cohabitation with the offence of adultery must first be established. This is because the offence of adultery is a hudud offence, carrying a specific prescribed punishment.

Evidence in cases of cohabitation must be as clear as possible, particularly regarding the fact of adultery whilst the cohabiting parties are living under the same roof. If adultery is not clearly proven, the hadd punishment cannot be imposed.

---

<sup>22</sup> Rara Aura Audya and Tajul Arifin, “Kohabitasi (Kumpul Kebo) Dalam Perspektif Hadits Riwayat Bukhari Dan Muslim Serta Pasal 411 Dan Pasal 412 KUHP,” *Eksekusi : Jurnal Ilmu Hukum Dan Administrasi Negara* 3, no. 2 (May 5, 2025): h.201, <https://doi.org/10.55606/eksekusi.v3i2.1868>.

<sup>23</sup> Tajul Arifin Hasna Hamidah, “Kohabitasi Dalam Perspektif H.R. Al-Tirmidzi Dan Pasal 412 Ayat (1) KUHP,” *Jurnal Hukum, Politik, Dan Ilmu Sosial (JHPIS)* 3, no. 3 (2024): h.150, <https://doi.org/10.55606/jhpis.v3i3.3899>.

<sup>24</sup> Rahul Sani Ritonga and Abd. Mukhsin, “TINJAUAN HUKUM PIDANA ISLAM PASAL 412 UNDANG-UNDANG NOMOR 1 TAHUN 2023 TENTANG KOHABITASI,” *Legal Standing : Jurnal Ilmu Hukum* 8, no. 3 (July 31, 2024): h.589, <https://doi.org/10.24269/ls.v8i3.9934>.

<sup>25</sup> Noviana Roli Pebrianto, Muhammad Panji Prabu Dharma, “Integrasi Nilai-Nilai Hukum Islam Dalam Pembaruan Hukum Pidana Nasional Terkait Tindak Pidana Zina Dan Kohabitasi,” *Pemuliaan Keadilan* 2, no. 3 (2025): h.167, <https://doi.org/10.62383/pk.v2i3.1048>.

Conversely, if it is clearly proven, the hadd punishment may be imposed on the cohabiting parties in the same way as for the crime of adultery.

With regard to the Islamic criminal law perspective on the offence of adultery under Law No. 1 of 2023, there are several aspects that are inconsistent with the principles of Islamic law. Among these are the provisions regarding imprisonment for perpetrators of adultery under the new Criminal Code. In Islamic criminal law, imprisonment for adultery may only be imposed on unmarried perpetrators. This is, of course, different from the provisions of positive law, which stipulate that imprisonment may be imposed on both married and unmarried perpetrators of adultery. Furthermore, regarding the duration of the sentence. Under positive law, a prison sentence may be imposed for a period of less than one year or more than one year. This is, of course, different from the provisions on exile in Islamic law, where the duration of exile is strictly one year, neither more nor less<sup>26</sup>.

## CONCLUSION

The provisions on cohabitation in Law No. 1 of 2023, as set out in Article 412, mark a significant shift in Indonesian criminal law, as the practice of living together without the bonds of marriage is now criminalised as a complaint-based offence. This simultaneously fills a legal void that previously existed in the old Criminal Code, which only regulated adultery. This criminalisation policy represents the state's effort to align positive law with the social, religious, and moral values of Indonesian society.

From the perspective of Islamic criminal law, cohabitation is viewed as an act approaching adultery, and may therefore be equated with the crime of adultery if sexual relations outside marriage are proven to have occurred. However, if the elements of adultery are not met, the perpetrator may only be subject to a ta'zir punishment. A comparison between the two legal systems shows that the provisions in the new Criminal Code are not yet fully aligned with the principles of Islamic law, particularly regarding the form of punishment, the limits of punishment, and the standard of proof.

Thus, this study confirms that although the new Criminal Code has provided legal certainty regarding cohabitation, further study is required to ensure harmonisation between positive law and Islamic criminal law, particularly in the application of sanctions and the enforcement of moral norms.

---

<sup>26</sup> Aditya Renaldi Yasdin, Rapung Rapung, and Irsyad Rafi, "Tinjauan Fikih Jinayah Terhadap Konsekuensi Zina Dalam KUHP Tahun 1946 Dan No. 01 Tahun 2023," *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 3, no. 4 (July 25, 2024): h.625, <https://doi.org/10.36701/qiblah.v3i4.1655>.

## REFERENCES

- Bagus, Ida, Bayu Semarajaya, Fakultas Hukum, Universitas Udayana, I Dewa Gede, Dana Sugama, Fakultas Hukum, and Universitas Udayana. "Kriminalisasi Terhadap Pelaku Kohabitasi Sebagai Upaya Miminalisir Tindakan Persekusi Dalam KUHP Baru," 2023.
- Danardana, A, and Vincentius Patria Setyawan. "Kriminalisasi Fenomena Penyimpangan Sosial Kumpul Kebo (Samenlaven) Dalam Perspektif Hukum Pidana." *Justitia et Pax* 38, no. 1 (June 2022). <https://doi.org/10.24002/jep.v38i1.5713>.
- Dwipayana, I Gst Ag Gd Krisna, and A.A. Ngurah Wirasila. "Pengaturan Terhadap Perbuatan Kumpul Kebo (Kohabitasi) Dalam Pembaharuan Hukum Pidana Indonesia." *Jurnal Kertha Desa* 8, no. 1 (2020): 1–12.
- Gugu, Steven S. "Aspek Hukum Hidup Bersama Sebagai Suami Isteri Tanpa Ikatan Perkawinan." *Journal Scientific of Mandalika (JSM) e-ISSN 2745-5955/ p-ISSN 2809-0543* 6, no. 8 (2025): 2280–88.
- Hasna Hamidah, Tajul Arifin. "Kohabitasi Dalam Perspektif H.R. Al-Tirmidzi Dan Pasal 412 Ayat (1) KUHP." *Jurnal Hukum, Politik, Dan Ilmu Sosial (JHPIS)* 3, no. 3 (2024). <https://doi.org/10.55606/jhpis.v3i3.3899>.
- Ikhsan, Khairil. "Problems In Regulating Cohabitation as An Offense in Law Number 1 Of 2023 Concerning the Criminal Code" 7, no. 1 (2023): 68–80.
- Irwansyah, Erdianto, and Ledy Diana. "Kriminalisasi Kumpul Kebo (Samen Leven) Menurut Rancangan Kitab Undang-Undang Hukum Pidana." *Jurnal Online Mahasiswa Fakultas Hukum Universitas Riau* III, no. July (2016): 1–23.
- Lase, Agilber Gamaliel, Rizkan Zulyadi, and Ridho Mubarak. "Perspektif Kemanfaatan Hukum Terhadap Kejahatan Kohabitasi Pasal 412 Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana" 7, no. 1 (2025): 14–22. <https://doi.org/10.31289/juncto.v7i1.6065>.
- Malau, Parningotan. "Tinjauan Kitab Undang-Undang Hukum Pidana (KUHP) Baru 2023." *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam* 5, no. 1 (June 13, 2023): 837–44. <https://doi.org/10.37680/almanhaj.v5i1.2815>.
- Mulyana, Yusep. "The Crime Of Living Together (Kumpul Kebo) In Law Number 1 Of 2023 Concerning The Criminal Code In Link With The Reform Of Criminal Law In Indonesi" 3, no. 2 (2023): 259–66.
- Muttaqin, Ihwanul. "Analisis Yuridis Perkembangan Pidana Penjara Dari KUHP Ke RUU KUHP." *Justice Pro* 2, no. 2 (2018): 134–52.

Nugraha, Aliyyul Qayyuum. "Telaah Pasal 421 KUHP Tindak Pidana Perzinaan Menurut Hukum Pidana Islam," 2024.

Ramadani, Farqiah Aulia. "Tindak Pidana Kohabitasi Pasca Pembaruan Hukum Pidana Indonesia Dalam Perspektif Fiqh Jinayah." Institut Agama Islam Negeri Parepare, 2025. <https://repository.iainpare.ac.id/id/eprint/11065/1/19.2500.045.pdf>.

Rara Aura Audya, and Tajul Arifin. "Kohabitasi (Kumpul Kebo) Dalam Perspektif Hadits Riwayat Bukhari Dan Muslim Serta Pasal 411 Dan Pasal 412 KUHP." *Eksekusi : Jurnal Ilmu Hukum Dan Administrasi Negara* 3, no. 2 (May 5, 2025): 198–207. <https://doi.org/10.55606/eksekusi.v3i2.1868>.

Ritonga, Rahul Sani, and Abd. Mukhsin. "TINJAUAN HUKUM PIDANA ISLAM PASAL 412 UNDANG-UNDANG NOMOR 1 TAHUN 2023 TENTANG KOHABITASI." *Legal Standing : Jurnal Ilmu Hukum* 8, no. 3 (July 31, 2024): 586–601. <https://doi.org/10.24269/lv.v8i3.9934>.

Roli Pebrianto, Muhammad Panji Prabu Dharma, Noviana. "Integrasi Nilai-Nilai Hukum Islam Dalam Pembaruan Hukum Pidana Nasional Terkait Tindak Pidana Zina Dan Kohabitasi." *Pemuliaan Keadilan* 2, no. 3 (2025). <https://doi.org/10.62383/pk.v2i3.1048>.

Sa'adi, Gusti Muslihuddin, Ahmadi Hasan, and Masyithah Umar. "Analisa Pasal 412 KUHP Baru Tentang Kohabitasi (Pendekatan Maqashid As-Syari'ah As-Syathibi Dan Teori Social Engineering Roscoe Pound)" 1, no. 4 (2023): 584–607.

Safitri, Nurinda Ika, Eko Wahyudi. "Kriminalisasi Perbuatan Kohabitasi Dalam Perspektif Pembaharuan Kitab Undang-Undang Hukum Pidana (Kuhp) Di Indonesia." *Jurnal Ilmiah Wahana Pendidikan* 9, no. 20 (2023). <https://doi.org/10.5281/zenodo.8435113>.

Shalsabila, Delonix Rianika. "Tinjauan Hukum Pidana Islam Terkait Dengan Perilaku Hidup Bersama (Kohabitasi) Berdasarkan Qanun Aceh Nomor 6 Tahun 2014 Dan Pasal 412 Undang - Undang Nomor 1 Tahun 2023 Tentang Kitab Undang - Undang Hukum Pidana (KUHP)." Universitas islam Negeri Sunan Gunung Jati, 2025. <https://digilib.uinsgd.ac.id/106110/>.

Sholikhah, Ana, Rahmatul Hidayati, Budi Parmono, Muh Muhibbin, and Nurika Falah Ilmania. "Regulasi Hukum Terhadap Pidanaan Orang Yang Melakukan Kohabitasi (Kumpul Kebo)." *JUSTISI* 10, no. 1 (December 30, 2023): 174–88. <https://doi.org/10.33506/js.v10i1.3009>.

Yasdin, Aditya Renaldi, Rapung Rapung, and Irsyad Rafi. "Tinjauan Fikih Jinayah Terhadap Konsekuensi Zina Dalam KUHP Tahun 1946 Dan No. 01 Tahun 2023." *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 3, no. 4 (July 25, 2024): 608–30. <https://doi.org/10.36701/qiblah.v3i4.1655>.

