



**COMPARATIVE STUDY OF INDONESIAN LAW, FRENCH LAW, AND
AUSTRALIAN LAW: AUTISM PROFICIENCY IN THE PERSPECTIVE OF
CIVIL CODE**

UNDERGRADUATE THESIS

Proposed as one of the requirements to obtain *Sarjana Hukum*

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ABSTRACT

People with autism were often discriminated without proper and adequate protection granted towards them. Many jurisdictions determine that they are legally incapable of performing any actions and rendering them not possess legal capacity. People with autism are often deprived of their agency and their choices are made by third party. This study aims to assess the protection granted by Indonesian law over these vulnerable actors. Then we will compare the how other country, namely France and Australia, treat people with autism in terms of their legal capacity. This study will utilize normative legal research. Finally, the author would present recommendation on what values and/or provision existing on France and Australian law that Indonesia can integrate to ensure the betterment of people with autism.

Keyword: *people with autism, legal capacity, comparative law*

ABSTRAK

Penyandang autisme sering didiskriminasi tanpa perlindungan yang layak dan memadai diberikan kepada mereka. Banyak yurisdiksi menentukan bahwa mereka secara hukum tidak mampu melakukan tindakan apa pun dan membuat mereka tidak memiliki kapasitas hukum. Orang dengan autisme sering kehilangan hak pilihan mereka dan pilihan mereka dibuat oleh pihak ketiga. Penelitian ini bertujuan untuk mengkaji perlindungan yang diberikan oleh hukum Indonesia terhadap aktor-aktor rentan tersebut. Kemudian kita akan membandingkan bagaimana negara lain, yaitu Perancis dan Australia, memperlakukan penyandang autisme dari segi kapasitas hukumnya. Penelitian ini akan menggunakan penelitian hukum normatif. Terakhir, penulis akan memberikan rekomendasi tentang nilai dan/atau ketentuan apa yang ada dalam hukum Prancis dan Australia yang dapat diintegrasikan oleh Indonesia untuk memastikan perbaikan penyandang autisme.

Keyword: *penyandang autism, kapasitas hukum, komparasi hukum*

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