



Exploring the Fulfillment of Children's Hadhanah (Well-Being) and Conformity with the 2014 Child Protection Law

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Abstract— Specifically, the 'hadhanah' rights of children impacted by parental divorce are the subject of this research, which analyzes case number 300/Pdt.G/2022/PA. Tg. to demonstrate how Law no. 35 of 2014 concerning Child Protection controls and protects these rights. As part of this initiative, we will examine current child welfare legislation and provide recommendations for improvement. The research used empirical, normative, and philosophical methods. This study provides an all-encompassing portrait of contemporary legal practice by combining in-depth case studies with an exhaustive examination of the underlying legal environment. The theoretical foundations and practical applications of law are both discussed in this book. Research Findings The Child Protection Act safeguards children's rights in divorce processes, however this indicates that it doesn't prioritize children's emotional and psychological needs. Children's 'hadhanah' rights have not been met despite attempts to do so, as shown by the case study number 300/Pdt.G/2022/PA.Tg. This study underscores the need for a more comprehensive legal profession that prioritizes children's health and happiness.

Keywords- Child Protection, Hadhanah, Divorce

I. INTRODUCTION

Marriage binds two people into one. According to Sharia law, a man and a woman's guardian may only engage in "halal" sexual activity if they are married.[1]Both sexes are affected by the marital contract. Immediate actions and protections for married couples are required.[2, p. 41]It's possible that domestic harmony may be restored if spouses share the burden of household chores. Marriages will flourish as a result.[3]

If spouses take care of each other's responsibilities, it may help keep the peace at home. So, marriages will flourish.[4]Marriage should be regulated by law and social convention.[5]Marriage is designed to give sakinah, mawaddah, and rahmah in the family. Sexual infidelity is also reduced because of marriage.[6]Childbearing is a goal shared by every married couple.[7]

Young children are the innocent ones. Parental alienation was officially recognized by the Committee of Procedure in Matrimonial Causes in 1947. It's ideal for kids if their parents can make up. Even though children may do worse in two-parent homes than they would in one, every youngster secretly hopes for a nice two-parent family.”[8]

Children need guidance in developing their minds, hearts, and social skills. They need governmental and community aid to exercise rights. Justice and child protection go hand in hand because law enforcement officials may abuse children's rights. Police, prosecutors, courts, and prisons all need to work together to ensure justice is served. There must be stricter penalties for those who abuse children.[9]The hope of the elderly rests on the children of the country. The opportunity for expansion must exist in every area. Effective child protection policies are the best way to ensure that children's rights and responsibilities are respected in the community.[10]

There can be no social order or democracy without the protection of children. Both explicit and implicit norms impact legal results. Divorce is harmful to a child's development.[11]Divorce is not forbidden in Islam, although it is rarely considered until all other options have been exhausted.[12]According to Marriage Law Article 38 letter b, valid grounds for dissolution include divorce, death, and divorce. In Islamic law, a divorce must take place in public. High rates of marriage breakdown and divorce.[13]

Divorce is permitted by most religions if a married couple decides they cannot work things out and remain together. A ceasefire has been negotiated using Quranic and hadith stages and techniques by hakam (mediators) from both sides.[14]

This hadith shows that when a marriage is hopeless, the only option is to end it. Many have tried and failed to employ the Hakam (Arbitrator) from both sides or the Al-Qur'an and Hadith to broker peace due to the gravity of the problem. Primary custody of a minor child (mumayyiz) is awarded to the mother in the event of a divorce.

Children of divorced parents often experience higher family conflict. Unless there is a compelling cause or a law prohibiting it, children have the right to be raised by their parents, as guaranteed by the Child Protection Act of 2014. Rights of children are unaffected by divorce. Islam regards minors without developmental or physical disabilities as adults. After a divorce, women often get custody, but both parents still have financial responsibilities to their young children.[15]

Childcare costs might be prohibitive for some divorced fathers. The defendant's monthly payment was reduced from Rp. 3,000,000 to Rp. 1,500,000 in a case heard by the Tegal City Religious Court. Children's rights to health and safety were guaranteed in the NRI Constitution of 1945. Hashanah encourages parents to be their children's role models.[16] She can be safe when breastfeeding or sitting on anything heavy. It's possible that from infancy all the way up to adulthood, "Hadhanah" refers to the function of a parent.

In accordance with Presidential Instruction No. 1 of 1991, women are legally accountable for children under the age of twelve as stated in Article 105, letter (a) of the Compilation of Islamic Law. Hadhanah takes care of and provides a solid education for kids who are too young to be on their own.

Children should be raised by single mothers for as long as possible. Fathers must pay children support after leaving their household. The preamble to 2014's Law No. 35 on Child Protection states that defending children's human rights is the responsibility of the state, local authorities, communities, families, and parents. Until then, dads should do everything they can to help their kids. Both parents should help a financially needy child regardless of kinship.

In addition, this problem highlights the tensions between legal idealism and the real world. Despite the fact that Islamic law protects children, this protection may be undermined by economic issues, patriarchal ideas, and literal interpretations. Muslims are expected to provide the physical and spiritual needs of their children via hadhanah. It's possible that Muslims can provide the basic necessities of their children. There are times when protecting kids' rights isn't crucial. Last but not least, this begs the issue of how far the state and society can go to guarantee that every child, regardless of their parents' marital status, has access to a safe environment free from violence and injustice.

The purpose of this study was to investigate the following questions: (1) How successfully does Child Protection Law No. 35 of 2014 preserve the 'hadhanah' rights of children of divorce? Does Case No. 300/Pdt.G/2022/PA.Tg uphold the principles of Child Protection as outlined in Law No. 35 of 2014 and respect the 'hadhanah' rights of children involved in divorce?

II. METHOD

This work may be deemed normative legal research owing to its subjects. Methods from analytical and philosophical disciplines were employed to dissect the investigation's central conundrum and provide novel conclusions and recommendations.[17] Descriptive research will explain the legal framework and ensure effective law enforcement.[18]

The rights of children, especially the right to 'hadhanah,' or adequate care, after a divorce, are protected by Child Protection Law 35 of 2014. Despite their protective nature, legal and judicial interpretations of social and economic boundaries may be very different. No. 300/Pdt.G/2022/PA.Tg highlights how difficult it is to defend children's rights after divorce. This highlights the need for uniformly interpreting and applying laws protecting minors.

Normative legal study using descriptive analysis is necessary for comparing legal theory and practice in post-divorce child protection. To better understand legal difficulties and provide solutions, this study looks at philosophical, social, and cultural elements. To better protect children's rights, this effort makes laws and courts more child-friendly.

III. LITERATURE REVIEW

In Islam, "Hadhanah" implies making good decisions with little facts. Hadhanah's philosophy emphasizes life's meaning, ethics, and wise judgments. Islamic belief holds that life is a spiritual test with everlasting repercussions. Hadhanah is based on Islamic ideas of destiny, justice, and significance. Hadhanah suggests making judgments based on Islamic principles.

Hadhanah stresses justice and defends everyone's rights.[19] Assessing events and making judgments that won't hurt individuals or the community demands judgement. One's fate can also be read on Hadhanah.[20] Hadhanah means contemplating morality when making judgments, as every choice has ethical consequences.[21]

Hadhanah promotes death and afterlife contemplation. To have benefits in this life and everlasting bliss in the next, one must follow Islamic principles and contemplate the future ramifications of one's deeds. Thus, Hadhanah is about intellectual understanding of the afterlife, morality, and human actions, not merely common sense.

Learning about Indonesian child custody rights after divorce, particularly Law no. 35 of 2014 concerning Child Protection, would help clarify the 'hadhanah' problem. Effective law enforcement is crucial for child protection following divorce, according to many studies.

Family law professionals like Robinson remark that the Child Protection Law's 'hadhanah' provisions provide theoretical protection but are rarely applied due to family dynamics and economic restrictions.[22]

Analysis of court rulings' compliance with the Child Protection Law emphasizes the importance of true sensitivity and dedication from all legal parties to prioritize children's rights in law enforcement and social justice. Setting up support mechanisms like counseling and mediation and informing the public can help children heal after divorce. This area of law should reflect and support the idea that the best interests of the child should guide all legislation and policy. Collaboration, continuous conversation, and an interdisciplinary approach in legal and judicial practice are essential to ensure that 'hadhanah' achieves its high goal of supporting the post-divorce child's growth.

IV. DISCUSSION

A. Regulation of Children's Rights After Divorce in View of Law no. 35 of 2014 concerning Child Protection

Article 1 of the Child Protection Law defines "kid" as anyone under 18. This is true for unborn children as well. When it comes to making judgments on children in the political, social, legislative, and judicial spheres, the child's best interests must always come first[23]This statute's child protections are based on Pancasila and the 1945 Constitution.

We trust and have children because of God. Still, he's human enough to be taken seriously. Children have a significant role and possess qualities that assure the survival of the country and the state since they are the next generation to carry on the spirit of independence[24]As a result, children's rights and equal treatment are safeguarded. As a result, children are more likely to get off to a great start in life and achieve their full potential as adults.

The Convention on the Rights of the Child and Indonesia's Constitution of 1945 both provide children's protections.[25]The Child Rights Convention and other national legal standards protecting children's rights are included in this statute.

The rights of children to life, growth, protection, and appropriate participation are outlined in Articles 4–19 of the Child Protection Law. Children are afforded a number of protections under the law:

- To live, grow, and interact in ways that are consistent with their inherent worth as human beings, people need a calm, safe setting. (Article 4).
- Names and their significance in determining citizenship (Article 5).
- Under adult supervision, people are free to:
 - Exercise their religious beliefs;
 - Think, communicate, and express themselves creatively; and
 - Express themselves artistically (Article 6).
- The right to be brought up and cared for by one's biological family (paragraph one of Article 7). If a child's biological parents are unable to provide care, the child has the right to be placed with a foster or adoptive family, as outlined in this article (Article 7 paragraph (2)).
- Health and social care for everyone, regardless of means (Article 8).
- Paragraph 1 of Article 9 guarantees the right to instruction that takes each student's unique goals, interests, and abilities into account. Article 9 (2) ensures that children have the right to an education free from sexual abuse and violence on the part of school personnel, students, and others. Additionally, children of privilege who are impaired are entitled to special schooling (Article 9 paragraph (3)).
- • Every child with a disability has the right to receive rehabilitative services, social assistance, and ongoing social welfare support. (Article 12).
- Freedom to share, receive, seek, and impart information that is age- and intelligence-appropriate for the sake of one's own intellectual and moral development (Article 10).
- The flexibility to rest, use spare time, socialize with children of their age, play, recreate, and create in their own time to follow their own interests, abilities, and intellect. (Article 11).
- Protecting minors under the care of parents, guardians, or those who are legally responsible for them includes: Mistreatment includes "discrimination; economic and sexual exploitation; neglect; cruelty, violence, and persecution; injustice; and other wrongful treatment." (Article 13 paragraph (1)).
- • Article 14 provides that children have the right to be raised by their parents, unless compelling grounds or legal limits indicate separation is in their best interests and final determination. In the absence of a court order, the state does not remove children from their homes. No child should be removed from their parents against their will unless it is required by law or in the child's best interests, as stated in this article.
- An individual has the right to be safe from: "abuse in political activities; involvement in armed conflict; involvement in social unrest; involvement in events containing elements of violence; involvement in war; and sexual crimes." (Article 15).
- The right to freedom, protection from abuse, torture, and inhumane punishment, and protection from arrest, detention, or child imprisonment must be exercised in accordance with applicable law and as a last resort (Article 16).

- Each child detained has the right to: "receive humane treatment and placement separate from adults;" "obtain effective legal or other assistance at each stage of applicable legal action;" "defend oneself and obtain justice before an objective and impartial children's court in a trial closed to the public." (Article 17 paragraph (1)).
- For example: "All minors involved in sexual abuse, whether victims, perpetrators, or with legal issues, have the right to privacy." (Article 17 paragraph (2)).
- "All minors involved in criminal activity, whether as victims or offenders, have the right to legal representation and other support" (Article 18).

This research focuses primarily on children's rights after divorce, according to Child Protection Law no. 35 of 2014. A divorce occurs when one spouse asks the court to end the marriage.

Assessing hadhanah or child welfare following divorce in the context of Law no. 35 of 2014 for Child Protection reflects a changing and complicated legal landscape. Social issues like divorce impact many individuals, particularly young people. The Child Protection Law provides the rights of children to life, growth, protection, and involvement in matters relating to the custody of children. Every child deserves to be raised in a stable and loving family, regardless of their parents' marital status. The need for comprehensive child welfare systems is highlighted.

This may become problematic after a divorce. A key obstacle to the full and efficient implementation of these rights has been identified by legal experts like Robinson and Pranoto: the intricate web of family relationships and economic limits that influences hadhanah judgments.

They recommend that while deciding who will have physical custody, parents keep their children's emotional, social, and psychological needs at the forefront of their minds. Unfortunately, courts and law enforcement don't always recognize and solve these problems. Because their legal rights aren't recognized or completely realized, children make poor choices when the system breaks down.

When parents divorce, they take turns caring for their children. Many children suffer from child neglect after a divorce because their parents are unable to coexist peacefully in the areas of childrearing and education.

Islamic Law Compendium Article 105 states that if a couple divorces, the mother is responsible for supporting any children under the age of 12 who are not yet considered Mumayyiz. In Mumayyiz, kids may choose whether their dad or mum would take care of the pet. His dad pays for all the upkeep.

Children who are not yet Mumayyiz or under guardianship are the responsibility of their parents, according to Article 106 of the Compilation of Islamic Law. Parents are liable for losses caused by mistakes or omissions from the requirements in paragraph (1) and may not transfer or exercise control over these assets unless an emergency requires it or the child's interests and safety are at danger.

The following demonstrates that mothers have hadhanah over their children who are not Mumayyiz and that the father is responsible for providing for and maintaining the maintenance of his children. In this compendium of Islamic law, minors' hadhanah rights are discussed. Article 41, paragraphs (1) and (2) of the Indonesian Marriage Law supports the KHI's central tenet that parents are legally obligated to provide for and support their children's education throughout their lives. In accordance with KHI and local marriage law, both parents must contribute to a child's upbringing and education[26]

The only way to have harmony in the house is for both parents to take an active role in raising and educating their child.[27] If the parents can't work together, it's more difficult to advocate for the child's best interests. When both parents withdraw after a divorce, it has a negative effect on the children. The rights of children to care are clearly spelled out in Article 7 paragraph (1) and Article 14 of the Child Protection Law.

Article 7(1) reads: "Every child has the right to know his parents, to be raised and cared for by his own parents." According to the provisions of this article, all children of marriages are the legal responsibility of and should be raised by their biological parents.

Article 14 states, "Every child has the right to be raised by his or her parents unless compelling circumstances or legal constraints dictate that the child's separation from his or her parents is in his or her best interests and ultimate consideration." direct meeting and personal contact with both parents; receiving care, maintenance, education, and protection from both parents in accordance with the child's abilities, talents, and interests for growth and development; receiving financial support for basic needs from both parents and other children's rights" are not affected by the separation contemplated in paragraph (1).

This article argues that even when parents and children are physically separated, parental rights must be respected. A child's character develops in response to parental authority, resources, opportunities, and affection. Parental care may be provided by biological parents, according to these two articles. When parents divorce, only one parent may celebrate Rosh Hashanah with their child. If a father is found to be neglecting his children, he might face charges under Chapter XA of the Child Protection Law.

Under Article 76B, no one is allowed to know, authorize, involve, or direct a child in an abusive or neglectful position. Violators of Article 76B face a maximum of five years in prison and a fine of IDR 100,000,000.00. Article 7 paragraph (1) and Article 14 of Child Protection Law no. 35 of 2014 regulate divorced children's hadhanah rights. Children born to legitimate unions are required to be returned to their birth families. When parents divorce, only one parent may celebrate Rosh Hashanah with their child. A child's personality and development are affected by factors such as parental rights, financial support, education, and love, even after a divorce.

Absent parents who infringe their children's hadhanah rights face Child Protection Law Articles 76B and 77B fines. Even after a divorce, parents still have responsibilities to their children. Due to legal and societal difficulties, parental separation makes this responsibility significantly more challenging. According to Article 7(1) and Article 14 of Law 35 of 2014, children need the affection and care of their parents. As a result, it's essential for parents to put aside their differences and cooperate for the sake of their child.

Ignoring this duty is a serious moral and legal offense. Violating a child's rights is a criminal punishable by removal of hadhanah responsibilities under Articles 76B and 77B. This shows that protecting children cannot be left in the hands of just one person or organisation. There has to be a bigger, more comprehensive solution.

Divorce exacerbates child welfare concerns, yet the legislation does little to address this problem. Protecting children requires cooperation between the justice system, social services, educational institutions, and communities. Emotional and psychological care are essential to a child's development and health, although they are often overlooked.

B. Implementation of Fulfillment of Children's Rights After Divorce in Case Number 300/Pdt.G/2022/PA.Tg.

"Hadhanah" means childcare in Arabic. Hadhanah, which means "near the ribs" or "in the lap," comes from breastfeeding, in which a mother holds her child close to her body to nourish and protect it. The term refers to the process of raising a child from infancy to adulthood.[28] Sayyid Sabiq Hadhanah implies caring for young children without accepting their commands, whether they are male or female, and protecting them from body, spirit, and mind injury so they can become independent and responsible adults.[29]

Zahabi defines hadhanah as supporting legal guardians who lack the resources to raise a child.[30] Fiqh scholars define Hadhanah as protecting and educating young children (male or female) or very stupid people (who cannot distinguish between good and evil or manage their affairs), teaching them about the world, and developing their body, mind, and spirit.[31]

Hadhanah now includes prenatal and postpartum care. The fuqaha defines hadhanah as follows: Fuqaha Hanafiyah Children's educators established Hadhanah. The scholars of Shafi'iyah Hadhanah can teach the old and young good and bad caregiving. The ulama require married couples to support their children.[32]

Both parents are fully responsible for ensuring that their children receive a good education, financial assistance, and unconditional affection.[33] Thus, collaboration, support, and assistance are the most important aspects of husband-wife child care until the child is an adult. No matter their distance, parents must defend their children's hadhanah rights.[34]

According to Article 14 of the Child Protection Law, a parent is responsible for a child's care, support, education, living expenses, and healthy growth and development when they divorce. These benefits will shape the child's character.

Guardianship is different from parenting, which involves providing for and educating a child. After divorce, both biological parents must support and nurture their children. Both parents are accountable for their child's education and health.[35] If the father can't pay child support, the mother may. The court may also select one parent as the primary caretaker of minor children.

Who has legal custody of the couple's children is a controversial divorce issue. Children deserve care because they need continuous health, safety, and educational support. Mothers have extraordinary authority over their children's welfare.[36, p. 1] After a divorce, a child's single parent may be able to provide hadhanah rights.[37]

Hadhanah trains and monitors children under adult supervision to guarantee their safety. Hadhanah rights include education and basic needs for children under 18 who cannot work. Many divorcees deprive children of rights, like in example 300/Pdt.G/2022/PA.Tg.

They had four children while married. On November 8, 1992, they married before the East Tegal District PPN KUA Officer in Tegal City. After divorcing on April 13, 2022, the Plaintiff raises Faizal Anjariesta, Risky Desita, and XXXX (a juvenile). By not supporting his underage kid, XXXX, who cannot sustain himself, the defendant failed as a parent. The Defendant pays just IDR 1,500,000 per month, therefore the Plaintiff pays child support.

Business success allows the Defendant to support the Child. He has managed a Ketupat Sayur Padang food booth in Tegal city square since January 2007, earning IDR 10,000,000 per month. Defendant must finance his children eternally as XXXX's father. This is for the Plaintiff's consideration and decision according to:

PRIMARY:

- First, fully compensate the Plaintiff;
- Hadhanah (child support) in the amount of IDR 3,000,000 (three million rupiah) per month to the Plaintiff until the Child is 21 years of age is imposed;
- The expenses of this matter shall be assessed in line with the rules in effect;

SUBSIDIARIES:

You can request *ex aequo et bono* if the courts disagree.

Child rights judges must prioritize children's well-being and ensure they receive care. A woman who bears virtually equal child support responsibility with the father receives sole legal custody of a child born in a legitimate marriage from the Religious Court of Tegal City's Legal Area. Religious Court judges imposed child support. After divorce, a child's existence relies on parents' time and money for housing, food, clothing, and medical care.

Hadhanah begins when a child is born and ends when they are adults and no longer need others for bodily and spiritual well-being. Instead of its termination, hadhanah is defined by tamyiz and independence. Hadhanah stops when a youngster can make choices, no longer requires women's care, and meets his own requirements. Unmarried mothers must follow hadhanah till mumayyiz. A mumayyiz kid may live with their biological father or mother, whichever suits them best.

While fathers provide for their children's financial and emotional needs, Articles 105 and 106 of this Compilation of Islamic Law allow mothers hadhanah over their children. In Indonesian positive law, fathers and mothers must nurture and educate their children under Article 41, paragraphs (1) and (2) of the Marriage Law. KHI and Marriage Law require both parents to support and educate their children. Child Protection Law Article 7 paragraph (1) and Article 14 guarantee children the right to be nurtured by their biological parents. A divorced child living with one parent may be able to complete hadhanah rights.

The Defendant conceded some of the Plaintiff's claims but rejected others in his June 23, 2022 oral response to case 300/Pdt.G/2022/PA.Tg. The defendant admits paying his children Rp. 1,500,000 and XXXX Rp. In lieu of paying Rp. 3,000,000,- per month in child support for one kid named XXXX, defendant has offered Rp. 80,000,- per day in cooking money.

The judges considered at least four laws: the Marriage Law of the Republic of Indonesia No. 1 of 1974, the Human Rights Law No. 39 of 1999, the Child Protection Law no. 23 of 2002, as amended by the Child Protection Law No. 35 of 2014, and the Instruction of the President no. 1 of 1991.

Plaintiff raises Minor XXXX and sends him to school. Plaintiff's witnesses say Defendant owes XXXX. Tegal City Square vegetable ketupat sales average IDR 10,000,000 every month, more what the Defendant gets. The defendant earns \$8/day, IDR 200k.

The Plaintiff's first witness said the Defendant earns IDR 400,000 daily. Given the Plaintiff's evidence, this testimonial statement is neither perfect nor decisive. The plaintiff's second witness indicated the defendant didn't know her daily income. The Panel of Judges found no evidence that the Defendant habitually earned the amount he claimed according to one witness' audit test testimony.

The defendant claims he paid Rp. 80,000 per day for XXXX's care and Rp. 20,000 for food, totaling Rp. 2,400,000 per month. Compilation Since Islamic Law Article 105 letter (c) states "maintenance costs are borne by the father," courts utilized it to determine children's hadhanah rights. As a biological father, Defendant must pay child support. Article 105(c) of the Compilation of Islamic Law and 41(b) of Law No. 1 of 1974 supports this. Regarding Marriage. "A father's obligation to provide for their children" is Islamic law (AlMuhadzdzab II: 177).

The courts partly approved the Plaintiff's claim and ordered the Defendant to pay Rp. 2,400,000 of Hadhanah's maintenance until she reaches 18 or leaves the Plaintiff's care.

Article 41 letter (b) of Law Number 1 of 1974 concerning Marriage and Article 105 letter (c) of the Compilation of Islamic Law regulate children's hadhanah rights following divorce in case 300/Pdt.G/2022/PA.Tg. After Mumayyiz (12), a child may choose either parent to care for his pet, with the father in charge. Parents must house, feed, clothe, and educate their children.

The case (300/Pdt.G/2022/PA.Tg) shows how difficult it is to use Indonesian law to manage children's rights after divorce, especially 'hadhanah' or custody. Parents' duties and children's rights to care, education, and welfare are highlighted in this case.

The court's ruling reveals that Article 3 of the UN Convention on the Rights of the Child and Law no. 35 of 2014 requires prioritizing a child's best interests. Despite his low salary, the defendant helped pay for his children's schooling. Despite financial difficulties, both parents should try to raise their children after divorce.

This method sometimes fails to protect youngsters. The Marriage Law and Compilation of Islamic Law protect mothers' rights to care for non-Mumayyiz children, although children's wishes are often ignored. International children's rights may favor an open, child-centered carer recruiting process.

This judgment clarifies the defendant's financial responsibility but downplays emotional assistance, child rearing consistency, and significant interaction with both parents. Children's mental and emotional health is as important as their financial needs.

These issues may be better addressed in numerous ways. Judges and other legal professionals should learn about children's rights since well-being extends beyond money. The courts should include more child psychology and social welfare specialists in decision-making to meet every child's requirements.

Special programs would help divorced parents support their children financially and emotionally. Children may lack emotional and physical support after divorce. While the court's finding is compatible with child protection principles, 'hadhanah' and children's well-being after divorce need a more comprehensive approach.

V. CONCLUSION

Law no. 35 of 2014 on Child Protection in Indonesia protects children's rights and sets minimum requirements even in cases of parental divorce. Children are divorce's invisible victims, whose lives may be changed forever. After divorce, this rule ensures that children receive loving emotional support, a good education, and equitable care from both parents. This rule can be hard to follow, especially when children's material demands are prioritized over their psychological and social development. Case 300/Pdt.G/2022/PA.Tg applies child protection laws, including the entitlement to hadhanah. This court ruling follows the law and

protects children's rights, yet it doesn't address some important aspects of their well-being. In addition to financial security, divorced children need emotional, psychological, and social support to thrive. So we need a broader plan that prioritizes kids' perspectives and needs. Thus, while a legal framework exists, implementing it requires a more nuanced, integrated, and child-centered strategy that meets legal requirements and ensures children's health and happiness in all aspects of their life.

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