

Beyond Biological Bonds: Child-Centered Legal Pluralism in Blended Families in Kandangan Village, East Java

Nur Fadhilah*

*Universitas Islam Negeri Maulana Malik Ibrahim Malang, Indonesia,
nurfadhilah@uin-malang.ac.id, ORCID ID 0000-0002-3862-7103*

Putri Zakia

*Universitas Islam Negeri Sayyid Ali Rahmatullah Tulungagung, Indonesia,
putrizakia31@gmail.com*

M. Darin Arif Mu'allifin

*Universitas Islam Negeri Sayyid Ali Rahmatullah Tulungagung, Indonesia,
darin@uinsatu.ac.id*

Siti A'isyah

*Universitas Al-Qolam Malang, Indonesia,
aisyah@alqolam.ac.id*

Abstract. This study investigates the fulfillment of children's rights in blended families within Indonesia's plural legal context. It addresses three main questions: how plural legal frameworks construct the identity and rights of children in blended families, how biological assumptions embedded in statutory and religious laws limit children's access to consistent caregiving, and how a child-centered approach can reshape legal pluralism to provide inclusive protection. Employing a qualitative socio-legal methodology, the research integrates doctrinal legal analysis with empirical data from semi-structured interviews, observations, and document analysis in five blended households in Kandangan Village, East Java. The findings show that legal definitions privileging biological lineage restrict children's access to care, identity, and inheritance when provided by non-biological caregivers. At the same time, community-based forums such as *musyawarah desa* offer adaptive mechanisms that safeguard children's welfare by validating caregiving roles beyond biological ties. Comparative insights from plural legal contexts highlight the potential of incorporating caregiving capacity and emotional bonds into formal legal frameworks to ensure the protection of children's rights. The study concludes that advancing a child-centered legal pluralism in Indonesia requires harmonizing statutory, Islamic, and customary laws to reflect contemporary family structures while consistently prioritizing children's rights. Its contribution lies in offering a relational and locally grounded framework for family law reform, while also identifying the limitations of single-site, small-scale research and suggesting future studies across regions and using quantitative approaches.

Keywords: blended families, child protection, Islamic family law, legal pluralism, step-parenthood.

Abstrak. Studi ini menyelidiki pemenuhan hak-hak anak dalam keluarga campuran dalam konteks pluralisme hukum di Indonesia. Penelitian ini membahas tiga pertanyaan utama: bagaimana kerangka hukum plural membangun identitas dan hak-hak anak-anak dalam keluarga campuran, bagaimana asumsi biologis yang tertanam dalam undang-undang dan undang-undang agama membatasi akses anak terhadap pengasuhan yang konsisten, dan bagaimana pendekatan yang berpusat pada anak dapat membentuk kembali pluralisme hukum untuk memberikan perlindungan inklusif. Dengan menggunakan metodologi sosio-hukum kualitatif, penelitian ini mengintegrasikan analisis hukum doktrinal dengan data empiris berupa wawancara semi terstruktur, observasi, dan analisis dokumen pada lima rumah tangga campuran di Desa Kandangan, Jawa Timur. Temuan menunjukkan bahwa definisi hukum yang mengistimewakan garis keturunan biologis membatasi akses anak terhadap pengasuhan, identitas, dan warisan jika diberikan oleh pengasuh non-biologis. Pada saat yang sama, forum berbasis masyarakat seperti *musyawarah desa* menawarkan mekanisme adaptif yang menjaga kesejahteraan anak dengan memvalidasi peran pengasuhan di luar ikatan biologis. Wawasan komparatif dari konteks hukum yang majemuk menyoroti potensi penggabungan kapasitas pengasuhan dan ikatan emosional ke dalam kerangka hukum formal untuk memastikan perlindungan hak-hak anak. Studi ini menyimpulkan bahwa memajukan pluralisme hukum yang berpusat pada anak di Indonesia memerlukan harmonisasi hukum perundang-undangan, hukum Islam, dan hukum adat agar mencerminkan struktur keluarga masa kini dan secara konsisten memprioritaskan hak-hak anak. Kontribusinya terletak pada menawarkan kerangka kerja yang bersifat relasional dan berbasis lokal untuk reformasi hukum keluarga, sekaligus mengidentifikasi keterbatasan penelitian skala kecil di satu lokasi dan menyarankan penelitian di masa depan di seluruh wilayah dan menggunakan pendekatan kuantitatif.

Kata Kunci: keluarga campuran, perlindungan anak, hukum keluarga Islam, pluralisme hukum, orang tua sambung.

Submitted: 8 July 2025 | Reviewed: 1 October 2025 | Revised: 16 July 2026 | Accepted: 20 July 2026

INTRODUCTION

The 21st century has brought profound transformations in family structures, with blended families increasingly common across diverse societies, including Southeast Asia. These non-traditional family forms often involve complex dynamics of caregiving, identity formation, and legal recognition.¹ Scholars highlight how children in such families encounter challenges arising from fragmented residential arrangements, economic vulnerabilities, stigma, and narrow cultural expectations.² Globalization and mobility have further contributed to the rise of blended and transnational family structures, underscoring the urgency of re-examining legal frameworks and child protection systems.³ Existing research emphasizes that conventional work-family and legal policies are poorly suited to address these evolving realities, particularly in contexts shaped by plural legal regimes.

In Indonesia, family life is governed by statutory law, Islamic family law, and diverse customary norms, together forming a plural legal landscape. This pluralism is not merely institutional but also interpretive and experiential, shaping how families navigate daily life. For children in blended families, pluralism carries significant implications: their rights to identity, inheritance, and care are often contested or fragmented depending on which legal framework prevails. Research across Southeast Asia suggests that child protection regimes frequently emphasize economic productivity over protection,⁴ leaving children in non-nuclear families⁵ especially

¹ Anneke Schaefer et al., “Understanding the Liminal Situation of Lone-parent and Blended Families—A Review and Agenda for Work–Family Research,” *International Journal of Management Reviews* 27, no. 2 (2025): 196–220, <https://doi.org/10.1111/ijmr.12388>.

² Jeehun Kim and Sumie Okazaki, “Becoming Multicultural: Kinship Development of Korean Adolescents With Asian Cross-Border Marriage Migrant Stepmothers,” *Journal of Adolescent Research* 37, no. 1 (2022): 3–28, <https://doi.org/10.1177/0743558420906085>; Deborah Fahy Bryceson, “Transnational Families and Neo-Liberal Globalisation: Past, Present and Future,” *Nordic Journal of Migration Research* 12, no. 2 (2022), <https://doi.org/10.33134/njmr.369>.

³ Karen Broadhurst et al., “Scaling up Research on Family Justice Using Large-Scale Administrative Data: An Invitation to the Socio-Legal Community,” *Journal of Social Welfare and Family Law* 43, no. 3 (2021): 237–55, <https://doi.org/10.1080/09649069.2021.1953856>.

⁴ Maruja M. B. Asis and Alan Feranil, “Not for Adults Only: Toward a Child Lens in Migration Policies in Asia,” *Journal on Migration and Human Security* 8, no. 1 (2020): 68–82, <https://doi.org/10.1177/2331502420907375>.

⁵ Wensong Shen et al., “Effect Pathways of Informal Family Separation on Children’s Outcomes: Paternal Labor Migration and Long-Term Educational Attainment of Left-behind Children in Rural China,” *Social Science Research* 97 (July 2021): 102576, <https://doi.org/10.1016/j.ssresearch.2021.102576>.

vulnerable.⁶ In rural Indonesia, limited economic resources and parental absence exacerbate these vulnerabilities, with children's rights often undermined by weak institutional safeguards.

To clarify the conceptual foundation, this article defines *blended families* (keluarga campuran) stipulatively as households in which at least one spouse brings children from a previous union into the new marital relationship, creating caregiving arrangements that extend beyond biological parenthood. This term is distinct from *stepfamilies* (keluarga sambung), which describe families where a biological parent remarries and the new spouse assumes a stepparental role toward the children, typically without additional children from both sides.⁷ By contrast, *remarried families* focus primarily on the marital history of parents after divorce or widowhood without necessarily involving children.⁸ Blended families thus foreground the relational and caregiving dynamics between biological and non-biological parents and children within the same household, often negotiating recognition across statutory, Islamic, and customary law.⁹

These distinctions are salient in Indonesia, where the overlapping jurisdictions of state, Islamic, and customary law determine the extent of recognition for children and caregivers.¹⁰ The use of blended families (keluarga campuran) throughout this article ensures conceptual clarity and consistency, while remarriage is treated as one possible pathway to such arrangements. By adopting this definitional framework, the study

⁶ Arinda Puspita Sari et al., "ANALISIS MASALAH KEPENDUDUKAN DI INDONESIA," *Journal of Economic Education* 2, no. 1 (2023): 29–37, <https://doi.org/10.22437/jeec.v2i1.23180>; Atun Wardatun, "Knitting Reciprocity and Communalism: Countering the Privatization of Family in Bimanese Muslim Local Marriage of Eastern Indonesia," *Journal of Islamic Law* 5, no. 2 (2024): 197–221, <https://doi.org/10.24260/jil.v5i2.2771>.

⁷ Elizabeth Kiester, "Queer Stepfamilies: The Path to Social and Legal Recognition," *Journal of Family Studies* 29, no. 5 (2023): 2481–83, <https://doi.org/10.1080/13229400.2023.2211960>.

⁸ Quyen T. Dang et al., "Expatriates' Families: A Systematic Literature Review and Research Agenda," *Human Resource Management Review* 32, no. 4 (2022): 100877, <https://doi.org/10.1016/j.hrmr.2021.100877>.

⁹ Katharina Steffens et al., "The Concept of 'Work-Life-Blending': A Systematic Review," *Frontiers in Psychology* 14 (December 2023): 1150707, <https://doi.org/10.3389/fpsyg.2023.1150707>; Lukman Hakim and Nalom Kurniawan, "Membangun Paradigma Hukum HAM Indonesia Berbasis Kewajiban Asasi Manusia," *Jurnal Konstitusi* 18, no. 4 (2022): 869, <https://doi.org/10.31078/jk1847>.

¹⁰ Zainal Azwar et al., "Child Filiality and Its Implications on Maintenance and Inheritance Rights: A Comparative Study of Regulations and Judicial Practices in Indonesia, Malaysia, and Turkey," *Journal of Islamic Law* 5, no. 1 (2024): 62–85, <https://doi.org/10.24260/jil.v5i1.2326>; Ahmad Rajafi et al., "The 'Double-Faced' Legal Expression: Dynamics and Legal Loopholes in Interfaith Marriages in Indonesia," *Journal of Islamic Law* 5, no. 1 (2024): 19–43, <https://doi.org/10.24260/jil.v5i1.2153>.

situates blended families as a lens to examine how plural legal systems regulate caregiving, inheritance, and identity.

Despite international standards such as the Convention on the Rights of the Child and national laws such as Law No. 35/2014 on Child Protection, the implementation of child-centered frameworks in Indonesia remains uneven. Religious courts and local leaders often prioritize lineage (*nasab*) and doctrinal norms, which tend to marginalize children of blended families when their primary caregivers lack biological ties. Under Islamic jurisprudence, *hadhanah* (custody) and inheritance are closely tied to biological descent, excluding stepchildren from formal recognition except through mechanisms like *wasiat wajibah* (compulsory bequest).¹¹ Likewise, under Balinese customary law, children born out of wedlock are excluded from paternal inheritance despite constitutional rulings affirming paternal responsibility.¹² These examples demonstrate how plural legal orders privilege biological connections while neglecting caregiving bonds.

At the same time, scholarly debates underscore potential solutions. Contemporary Islamic jurisprudence incorporates *maqāṣid al-sharī'ah* principles to reinterpret child identity and protection, balancing the protection of lineage (*ḥifẓ al-nasl*) with life (*ḥifẓ al-nafs*) and intellect (*ḥifẓ al-ʿaql*), thereby ensuring holistic welfare.¹³ Judicial practices in Indonesia and Turkey illustrate how courts have extended maintenance and inheritance rights to children born outside of registered unions, demonstrating doctrinal flexibility.¹⁴ Customary traditions, too, contribute adaptive mechanisms. For instance, the Sasak people of Lombok grapple with conflicts between merariq marriage customs and statutory law, while Balinese and other local practices deploy

¹¹ Mohammad Ghozali et al., “KAJIAN PERBANDINGAN HAK WARISAN ANAK ANGKAT DI INDONESIA DAN MALAYSIA: A COMPARATIVE STUDY OF THE INHERITANCE RIGHTS OF ADOPTED CHILDREN IN INDONESIA AND MALAYSIA,” *Malaysian Journal of Syariah and Law* 12, no. 3 (2024): 726–38, <https://doi.org/10.33102/mjsl.vol12no3.1164>.

¹² I Nyoman Sujana and Irma Rachmawati Maruf, “The Constitutionality of Inheritance Rights for Extramarital Children: Assessing the Legal Response under Balinese Customary Law,” *Hasanuddin Law Review* 10, no. 1 (2024): 83, <https://doi.org/10.20956/halrev.v10i1.5170>.

¹³ Nurhayati Nurhayati et al., “HUMAN TRAFFICKING IN THE PERSPECTIVE OF MAQASHID AL-SHARIA,” *Jurnal Ilmiah Islam Futura* 22, no. 2 (2022): 150, <https://doi.org/10.22373/jiif.v22i2.12304>.

¹⁴ Azwar et al., “Child Filiation and Its Implications on Maintenance and Inheritance Rights.”

notions of affection (*kanyaah*) to resolve disputes in ways that safeguard children's welfare.¹⁵

Nevertheless, gaps persist in scholarship and practice. Much of the literature addresses marriage registration, inheritance, or polygamy but gives limited attention to children's lived realities in blended families. Studies emphasize legal harmonization through statutory reform and judicial innovation, yet they often overlook how children themselves experience marginalization in everyday life.¹⁶ Broadhurst et al. (2021)¹⁷ argue for integrated systems linking health, education, and justice data to address structural exclusion, but such systems remain nascent in Indonesia. There is thus a need for empirical studies that situate children's experiences at the center of legal pluralism debates.

This article addresses these gaps by posing three guiding research questions: (1) How do plural legal frameworks in Indonesia construct the identity and rights of children in blended families? (2) To what extent do biological assumptions embedded in statutory and religious laws marginalize non-biological caregivers? (3) How can a child-centered approach reshape legal pluralism to ensure inclusive protection for all children? By focusing on the rights and lived realities of children in Kandangan Village, this study advances a novel perspective that foregrounds child-centered legal pluralism. Its contribution lies in demonstrating how doctrinal principles, judicial discretion, and community-based practices can be harmonized to better reflect contemporary family forms and ensure the fulfillment of children's rights. The novelty of this research lies in explicitly integrating Islamic family law analysis, customary practices, and statutory frameworks into a comparative, child-centered perspective, which has been largely absent in Indonesian legal scholarship.

¹⁵ Siah Khosyi'ah and Ayi Yunus Rusyana, "Inheritance Settlement of Descendants of Children and Siblings in Islamic Law with Local Wisdom in Indonesia," *Cogent Social Sciences* 8, no. 1 (2022): 2126615, <https://doi.org/10.1080/23311886.2022.2126615>; Sri Hariati et al., "The Legal Status of Marriage (Merariq) Implementation Within The Indigenous People of Sasak Lombok," *Jurnal IUS Kajian Hukum Dan Keadilan* 12, no. 2 (2024): 406–22, <https://doi.org/10.29303/ius.v12i2.1475>.

¹⁶ Mursyid Djawas et al., "Harmonization of State, Custom, and Islamic Law in Aceh: Perspective of Legal Pluralism," *Hasanuddin Law Review* 10, no. 1 (2024): 64, <https://doi.org/10.20956/halrev.v10i1.4824>; Saldi Isra and Hilaire Tegnan, "Legal Syncretism or the Theory of Unity in Diversity as an Alternative to Legal Pluralism in Indonesia," *International Journal of Law and Management* 63, no. 6 (2021): 553–68, <https://doi.org/10.1108/IJLMA-04-2018-0082>.

¹⁷ Broadhurst et al., "Scaling up Research on Family Justice Using Large-Scale Administrative Data."

METHODOLOGY

This study adopts a qualitative socio-legal design to investigate how children's rights are fulfilled in blended families within the plural legal setting of Kandangan Village, Kediri Regency, East Java. The research combines doctrinal legal analysis with empirical fieldwork, allowing an examination of statutory, Islamic, and customary norms as they converge in shaping caregiving, custody, and inheritance arrangements. A comparative perspective further situates the Indonesian case in relation to broader debates on legal pluralism and child protection in other jurisdictions, making the methodology particularly suited for contexts where legal norms diverge from lived experiences.¹⁸

Kandangan was deliberately chosen as the research site because of its rural character, the persistence of plural normative systems, and its representative structural features of rural Indonesia, such as customary governance, legal fragmentation, and limited access to formal institutions. This purposive selection enables analytical generalization rather than statistical representation,¹⁹ reflecting socio-legal methodology's emphasis on depth over breadth. The population frame was defined as households in Kandangan that qualified as blended families, meaning at least one partner brought children from a previous union into the household. While no demographic records exist for such families, information from neighborhood units, religious leaders, and village officials facilitated identification. From this frame, five households were purposively selected using criteria that included the presence of non-biological caregiving roles, variation in religious awareness, socio-economic diversity, inclusion of children across age groups, and willingness to participate.

Fieldwork took place between July and August 2024, drawing on semi-structured interviews, direct observation, and document analysis. Participants included biological

¹⁸ Broadhurst et al., "Scaling up Research on Family Justice Using Large-Scale Administrative Data"; Kristina Brant, "When Mamaw Becomes Mom: Social Capital and Kinship Family Formation amid the Rural Opioid Crisis," *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8, no. 3 (2022): 78–98, <https://doi.org/10.7758/RSF.2022.8.3.03>.

¹⁹ Menka Tsantefski et al., "High-Risk Cases at the Intersection of Domestic/Family Violence and Child Protection: Learning from Practice," *Journal of Family Violence* 36, no. 8 (2021): 941–52, <https://doi.org/10.1007/s10896-021-00255-8>; Susan Yoon et al., "Longitudinal Examination of Resilience Among Child Welfare-Involved Adolescents: The Roles of Caregiver–Child Relationships and Deviant Peer Affiliation," *Development and Psychopathology* 35, no. 3 (2021): 1069–78, <https://doi.org/10.1017/s0954579421000924>.

parents, stepparents, village leaders, and religious figures, providing insights into nafkah obligations, caregiving dynamics, and perceptions of legal recognition. Observations were carried out in domestic spaces to capture everyday caregiving practices, while documentary sources comprised statutory texts such as Law No. 1/1974 on Marriage and Law No. 35/2014 on Child Protection, alongside court records, school documents, and demographic data. Triangulation was employed to strengthen credibility, integrating different methods and perspectives to validate findings.²⁰

Data analysis followed the Miles, Huberman, and Saldaña interactive model, consisting of data condensation, data display, and drawing and verifying conclusions. This approach facilitated the identification of patterns and contradictions between legal doctrines and local practices. Ethical safeguards were integral to the design, with informed consent, confidentiality, and voluntary participation ensured. Special care was taken in engaging with children and step-parents, emphasizing participatory methods to respect their voices and protect dignity.²¹ Researchers also remained responsive to micro-ethical considerations that emerged during fieldwork.²²

The study's scope is geographically narrow, focusing only on Kandangan. However, this limitation is offset by its analytical representativeness: Kandangan encapsulates structural conditions common across rural Indonesia, where statutory, Islamic, and customary norms intersect in family life. As such, the findings provide valuable insights into how children in blended families navigate plural legal orders. The methodology thus justifies Kandangan as a microcosm through which broader implications for child-centered legal pluralism in Indonesia can be theorized.

²⁰ Thomas Shea, "The Potential for Qualitative Triangulation to Mitigate Investigative Negligence," *Police Practice and Research* 23, no. 2 (2022): 195–211, <https://doi.org/10.1080/15614263.2021.1915786>; Rebecca S. Natow, "The Use of Triangulation in Qualitative Studies Employing Elite Interviews," *Qualitative Research* 20, no. 2 (2020): 160–73, <https://doi.org/10.1177/1468794119830077>; Mónica Pires and Mariana Martins, "Parenting Styles, Coparenting, and Early Child Adjustment in Separated Families with Child Physical Custody Processes Ongoing in Family Court," *Children* 8, no. 8 (2021): 629, <https://doi.org/10.3390/children8080629>.

²¹ Anne-Catherine Dubois et al., "From Research 'on' to Research 'with' Children about Their Family Lives: A Scoping Review of Ethical and Methodological Challenges," *Child: Care, Health and Development* 48, no. 2 (2022): 203–16, <https://doi.org/10.1111/cch.12937>; Maja Schürer and Julie Jensen, "Micro-Ethical Moments as a Part of Involving Children in Research," *Designs for Learning* 14, no. 1 (2022): 179–89, <https://doi.org/10.16993/dfl.200>.

²² Aliza Damsma Bakker et al., "Ethical Considerations Regarding the Inclusion of Children in Nursing Research," *Nursing Ethics* 28, no. 1 (2021): 106–17, <https://doi.org/10.1177/0969733020948120>; Shorenna Sadzaglishvili et al., "Ethical Considerations for Social Work Research With Vulnerable Children and Their Families," *Research on Social Work Practice* 31, no. 4 (2021): 351–59, <https://doi.org/10.1177/1049731521996457>.

RESULT AND DISCUSSION

Constructing Child Identity and Legal Status in Blended Families

The construction of child identity and legal status in blended families within Indonesia's plural legal landscape reveals deep structural tensions between biological lineage, caregiving practices, and statutory recognition. In Kandangan Village, children raised by non-biological caregivers—whether stepmothers, stepfathers, or adoptive kin—often struggle to obtain identity documents and legal acknowledgment. This absence of recognition is not a mere bureaucratic failure but reflects the embedded privileging of biological lineage (*nasab*) within statutory and religious law. Such privileging directly undermines the visibility of caregiving roles exercised by non-biological parents, creating systemic exclusions that affect children's rights to education, healthcare, and social protection.²³

Within Islamic family law, *nasab* remains the foundational principle shaping a child's legal status, determining guardianship, custody (*hadhanah*), and inheritance. Classical jurisprudence accords rights to children born of valid marriages, granting them maintenance and inheritance from both parents, while children from unregistered or invalid unions are typically tied only to maternal lineage.²⁴ This distinction is particularly relevant in Kandangan, where fieldwork showed that children from informal unions frequently lacked birth certificates and were excluded from paternal recognition. Stepparents, despite their active caregiving roles, remain invisible in Islamic jurisprudence, since stepchildren are not direct heirs but may only receive property through instruments such as *wasiat wajibah*.²⁵ Field data confirmed that stepmothers who provided daily care to children had no legal capacity to transfer inheritance, underscoring the gulf between caregiving practices and formal legal recognition.

²³ Azwar et al., "Child Filiation and Its Implications on Maintenance and Inheritance Rights."

²⁴ Maaike Voorhoeve, "Ḥaḍāna Practices in Tunisia: Between Women's Rights and the Best Interest of the Child, 1956–2019," *Hanwa* 18, nos. 2–3 (2020): 194–225, <https://doi.org/10.1163/15692086-12341377>; Aasim I. Padela et al., "Producing Parenthood: Islamic Juridical Perspectives & Theological Implications," in *Multicultural and Interreligious Perspectives on the Ethics of Human Reproduction*, ed. Joseph Tham et al., vol. 9 (Springer International Publishing, 2021), https://doi.org/10.1007/978-3-030-86938-0_17.

²⁵ Ghazali et al., "KAJIAN PERBANDINGAN HAK WARISAN ANAK ANGKAT DI INDONESIA DAN MALAYSIA."

Jurisprudential debates further complicate lineage determination. While schools such as Maliki, Shafi'i, and Hanbali recognize *al-qāfah* (physiognomy) as a valid method, the Hanafi tradition rejects it, relying instead on *li'an* in disputed paternity cases.²⁶ Contemporary reforms increasingly integrate DNA testing within a *maqāṣid al-sharī'ah* framework, balancing certainty in lineage with the higher objectives of justice and child welfare. These reforms reflect an effort to align classical principles with contemporary realities, yet they remain inconsistently applied in Indonesian courts. Some judicial decisions have extended bilateral inheritance and maintenance rights to extramarital children, but these remain exceptions, reflecting flexibility rather than uniform practice.²⁷

Customary law adds another dimension to the construction of child identity. In Kandangan, local adat recognizes caregiving as a moral duty, often validating stepmothers and stepfathers as legitimate guardians in practice. This mirrors broader Indonesian patterns, such as in Bali, where extramarital children are excluded from paternal inheritance under customary law, despite Constitutional Court rulings affirming paternal responsibility. Balinese Hindu authorities have resisted implementing these rulings, in contrast to Islamic leaders who issued fatwas requiring fathers to provide for extramarital children.²⁸ Among the Sasak people of Lombok, *merariq* marriages complicate child identity due to conflicts between customary norms and statutory law.²⁹ Such examples highlight the persistence of legal pluralism, where customary recognition of caregiving remains powerful socially but does not translate into enforceable legal rights.³⁰

²⁶ Agustin Hanapi et al., "Kedudukan Metode Al-Qāfah Dalam Penetapan Nasab Anak Menurut Ulama Perspektif Maqashid al-Syariah," *De Jure: Jurnal Hukum Dan Syariat* 14, no. 1 (2022): 21–37, <https://doi.org/10.18860/j-fsh.v14i1.15875>.

²⁷ Asni Asni, "Putusan Serta Merta Dalam Perkara Hadhanah Di Pengadilan Agama Dalam Rangka Perlindungan Anak," *Al-Manahij: Jurnal Kajian Hukum Islam* 15, no. 1 (2021): 67–82, <https://doi.org/10.24090/mnh.v15i1.4115>; Azwar et al., "Child Filiation and Its Implications on Maintenance and Inheritance Rights."

²⁸ Sujana and Maruf, "The Constitutionality of Inheritance Rights for Extramarital Children."

²⁹ Hariati et al., "The Legal Status of Marriage (Merariq) Implementation Within The Indigenous People of Sasak Lombok."

³⁰ I Ketut Ardhana and Ni Wayan Radita Novi Puspitasari, "Adat Law, Ethics, and Human Rights in Modern Indonesia," *Religions* 14, no. 4 (2023): 443, <https://doi.org/10.3390/rel14040443>.

From the perspective of statutory law, Indonesia's framework is described as a "Prismatic Mixed Legal System",³¹ where civil law, Islamic law, and adat intersect. Statutory instruments such as Law No. 35/2014 on Child Protection and Law No. 1/1974³² on Marriage affirm children's rights to identity and protection. Yet implementation remains inconsistent, particularly in rural contexts where civil registration is often inaccessible to children in blended families. Empirical data from Kandangan confirm that stepchildren and children of informal unions frequently lack birth certificates or guardianship documentation. This absence not only reflects administrative neglect but directly undermines children's right to legal identity, as guaranteed under Article 7 of Indonesia's Child Protection Law.³³ Without such recognition, their access to education, healthcare, and social assistance programs is systematically restricted, revealing how legal invisibility translates into the denial of fundamental child rights. This aligns with comparative findings from China, India, and Chile, where administrative barriers continue to exclude children in non-traditional families from obtaining legal identity.³⁴

International comparisons reinforce these findings. Cases such as *Chinweze v. Masi* in Nigeria illustrate how customary traditions may conflict with children's rights to identity,³⁵ while Kipsigis care ethics in Kenya emphasize communal caregiving over formal recognition.³⁶ Similar dynamics are evident in Chile's struggles with the

³¹ Lita Tyesta Addy Listya Wardhani et al., "The Adoption of Various Legal Systems in Indonesia: An Effort to Initiate the Prismatic Mixed Legal Systems," *Cogent Social Sciences* 8, no. 1 (2022): 2104710, <https://doi.org/10.1080/23311886.2022.2104710>.

³² Undang-Undang (UU) No. 1 Tahun 1974 Perkawinan (1974), <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.

³³ "UU No. 35 Tahun 2014," Database Peraturan | JDIH BPK, <http://peraturan.bpk.go.id/Details/38723/uu-no-35-tahun-2014>.

³⁴ Wenwen He, "Unresolved Issues Regarding Hukou Registration Following Implementation of China's Universal Two-Child Policy," *Human Rights Quarterly* 43, no. 4 (2021): 699–713, <https://doi.org/10.1353/hrq.2021.0056>; Atharv Dhiman and Imke Harbers, "Legal Identity at the Margins: The Impact of Violent Conflict on Birth Registration in India," *Citizenship Studies* 27, no. 7 (2023): 779–98, <https://doi.org/10.1080/13621025.2024.2321714>; Rodolfo Morrison et al., "We Realized That Institutions Are Not Prepared: Strategies and Challenges in the Filiation Processes of Lesbian-Parent Families in Chile," *Social Sciences* 13, no. 10 (2024): 534, <https://doi.org/10.3390/socsci13100534>.

³⁵ Ifeanyichukwu Azuka Aniyie, "Legal Pluralism and Child Identity: The Interplay of Igbo Worldview and English Traditions in *Chinweze & Anor v Masi & Anor*," *Journal of Asian and African Studies*, May 12, 2025, 00219096251339092, <https://doi.org/10.1177/00219096251339092>.

³⁶ David Otieno Ngira, "Plural-Legalities and the Clash between Customary Law and 'Child Rights Talk' among Rural Communities in Kenya," *Journal of Eastern African Studies* 16, no. 1 (2022): 25–46, <https://doi.org/10.1080/17531055.2022.2070301>.

recognition of lesbian-parent families, where social caregiving bonds outpace legal acknowledgment. These parallels highlight that Indonesia's challenges are part of a broader global pattern in which legal pluralism and adult-centric frameworks impede children's rights in non-traditional families.³⁷

Empirical findings from Kandangan confirm this dynamic. Village forums (*musyawarah desa*) often affirmed the caregiving legitimacy of stepmothers or adoptive kin, yet such recognition was non-binding in court or civil registries. This duality produces a paradox in which children are socially integrated but legally invisible. The consequences are tangible: lack of documentation restricted school enrollment, access to healthcare, and eligibility for government assistance. In this way, the privileging of biological lineage directly translated into the denial of fundamental child rights guaranteed under Indonesian law.

The construction of child identity and legal status in Kandangan's blended families underscores the fragmented nature of Indonesia's plural legal system. Islamic jurisprudence continues to privilege *nasab*, customary law emphasizes caregiving legitimacy, and statutory law asserts universal child rights, yet their fragmented implementation produces systemic exclusion. A child-centered approach that integrates caregiving practices and emotional bonds into the determination of legal identity offers a path forward. Such an approach aligns with global calls for inclusive recognition of diverse family forms and resonates with Islamic legal objectives of justice, welfare, and dignity.³⁸ The Kandangan case demonstrates that reforming Indonesia's plural legal framework to center children's rights is not only a matter of doctrinal adjustment but also of bridging the gap between social legitimacy and legal recognition. By harmonizing statutory, Islamic, and customary norms through a child-centered lens, the legal system can better secure identity, dignity, and equitable protection for children in blended families.

³⁷ Alan Brown and Katherine Wade, "The Incoherent Role of the Child's Identity in the Construction and Allocation of Legal Parenthood," *Legal Studies* 43, no. 1 (2023): 29–46, <https://doi.org/10.1017/lst.2022.21>.

³⁸ Gamal Eldin Attia, *Towards Realization of the Higher Intents of Islamic Law: Maqashid al-Syariah – A Functional Approach* (International Institute of Islamic Thought, 2007), <https://iiit.org/wp-content/uploads/Towards-Realization-of-the-Higher-Intents-of-Islamic-Law-Maqasid-Al-Shariah-A-Functional-Approach.pdf>.

The Impact of Biological Assumptions on Non-Biological Caregivers

In Indonesia's plural legal system, the regulation of family life continues to rely heavily on biological assumptions that privilege bloodline ties and marital legitimacy in determining custody, inheritance, and guardianship. These assumptions systematically marginalize the contributions of non-biological caregivers, such as stepmothers, stepfathers, adoptive relatives, or informal guardians, whose caregiving roles are central in practice but largely invisible in statutory and religious frameworks. Fieldwork in Kandangan Village vividly illustrates this dynamic: stepmothers and stepfathers were widely accepted within the community as legitimate caregivers, yet their authority and contributions were rarely recognized in legal processes. This gap reveals how children's access to rights remains constrained when caregiving capacity is subordinated to biological lineage.

Empirical findings in Kandangan show that non-biological caregivers frequently performed primary caregiving duties, including daily care, financial support, and emotional guidance. Children interviewed acknowledged the importance of these figures in their upbringing, yet such roles were excluded from civil registration documents, inheritance claims, and school administrative records. This empirical reality resonates with broader scholarship: step-parents are often excluded from decision-making,³⁹ caregiving by non-biological mothers sustains intergenerational ties but lacks legal acknowledgment,⁴⁰ and neoliberal and doctrinal frameworks tend to devalue caregiving beyond biological ties.⁴¹ Together, these insights demonstrate how informal caregiving, though socially validated, is systematically sidelined by legal structures.

Islamic family law provides an important lens for understanding this exclusion. The principle of *nasab* governs custody (*hadhanah*), guardianship, and inheritance,

³⁹ Todd M. Jensen, "Stepparent–Child Relationships and Child Outcomes: A Systematic Review and Meta-Analysis," *Journal of Family Nursing* 28, no. 4 (2022): 321–40, <https://doi.org/10.1177/10748407221097460>.

⁴⁰ Maaïke Hornstra and Katya Ivanova, "Kinkeeping Across Families: The Central Role of Mothers and Stepmothers in the Facilitation of Adult Intergenerational Ties," *Sex Roles* 88, nos. 7–8 (2023): 367–82, <https://doi.org/10.1007/s11199-023-01352-2>.

⁴¹ Anna Heenan, "Neoliberalism, Family Law, and the Devaluation of Care," *Journal of Law and Society* 48, no. 3 (2021): 386–409, <https://doi.org/10.1111/jols.12308>; Abbie E. Goldberg and Katherine R. Allen, "I'm Not Just the Nonbiological Parent': Encountering, Strategizing, and Resisting Asymmetry and Invalidation in Genetic/Gestational Parent Status Among LGBTQ Parents," *Journal of Family Nursing* 28, no. 4 (2022): 381–95, <https://doi.org/10.1177/10748407221123062>.

ensuring that rights and obligations are anchored in biological descent. As a result, stepmothers and stepfathers—even when they act as *de facto* caregivers—lack standing in custody or inheritance disputes. While *hadhanah* emphasizes the welfare of the child, its implementation is limited to biological and marital ties, leaving step-parents structurally excluded. Nevertheless, Islamic jurisprudence also offers potential openings for reform. The principle of *nafkah* establishes the father’s continuous obligation of maintenance toward children regardless of divorce or remarriage,⁴² yet empirical evidence frequently shows lapses in enforcement. In Kandangan, stepmothers often filled these gaps, assuming financial and emotional responsibilities without legal recognition. This reveals how privileging biological assumptions overlooks the functional caregiving roles that sustain children’s welfare. Inheritance law further exemplifies this problem. Classical Islamic jurisprudence does not recognize stepchildren as heirs of stepparents, confining them to voluntary transfers. However, Indonesian courts have introduced *wasiat wajibah* (compulsory bequest) as a doctrinal innovation, extending inheritance rights to non-Muslim heirs and adopted children otherwise excluded from Islamic inheritance law.⁴³ This mechanism, though limited, illustrates the potential of Islamic law to adapt in pursuit of justice. Local traditions also provide adaptive resources. For example, the concept of *kanyaah* (love and affection) in Sundanese communities supports equitable dispute resolution by recognizing caregiving bonds.⁴⁴ These mechanisms suggest that a more child-centered integration of Islamic jurisprudence and local customs could mitigate the exclusion of stepchildren.

Customary law in Kandangan further highlights the tension between communal legitimacy and formal law. Village forums (*musyawarah desa*) often affirmed

⁴² Mohd. Norhusairi Mat Hussin and Muhammad Farid Aizat Fauzi, “PEMBAYARAN NAFKAH ANAK MELALUI POTONGAN KUMPULAN WANG SIMPANAN PEKERJA: SUATU ALTERNATIF,” *UUM Journal of Legal Studies* 14 (2023), <https://doi.org/10.32890/uujls2023.14.1.13>.

⁴³ Rahmad Setyawan et al., “Contemporary Ijtihad Deconstruction in The Supreme Court: Wasiat Wajibah as An Alternative for Non-Muslim Heirs in Indonesia,” *Jurnal Ilmiah Al-Syir’ah* 22, no. 1 (2024): 25, <https://doi.org/10.30984/jis.v22i1.2968>; Asep Saepudin Jahar and Shubhan Shodiq, “SOCIAL AND RELIGIOUS DIMENSIONS OF CHILDREN’S INHERITANCE IN TURKEY, SAUDI ARABIA AND INDONESIA,” *MIQOT: Jurnal Ilmu-Ilmu Keislaman* 46, no. 1 (2022), <https://doi.org/10.30821/miqot.v46i1.870>.

⁴⁴ Khosyi’ah and Rusyana, “Inheritance Settlement of Descendants of Children and Siblings in Islamic Law with Local Wisdom in Indonesia.”

stepmothers and stepfathers as legitimate caregivers, reflecting local recognition of caregiving responsibilities. Yet this recognition remained non-binding in state courts or administrative offices, perpetuating a gap between social practices and legal authority. This dual system produced a paradox in which children were socially integrated but legally invisible, with tangible consequences for their access to education, healthcare, and inheritance security. Similar patterns exist elsewhere in Indonesia: Balinese customary law excludes extramarital children from paternal inheritance despite Constitutional Court rulings affirming paternal obligations,⁴⁵ while Sasak *merariq* customs complicate child recognition due to conflicting legal orders.⁴⁶ These examples illustrate the fragmented nature of Indonesia's plural legal system, where children's rights depend not only on statutory provisions but also on the relative weight of religious and customary interpretations.

Comparative evidence suggests that these challenges are not unique to Indonesia. International studies of stepfamilies show that step-parents often take on flexible gender roles and provide stability,⁴⁷ yet their authority remains limited compared to biological parents.⁴⁸ A persistent "stepgap" exists: biological parents tend to dominate decision-making, while step-parents' involvement is conditional on marital status and residence patterns.⁴⁹ In Kandangan, this stepgap was evident: children expressed strong attachment to stepmothers and stepfathers who raised them, yet these caregivers were excluded from inheritance processes and school registration, underscoring how legal exclusion undermines children's rights.⁵⁰ Similar tensions are evident in Nigeria, where Igbo customary practices conflicted with children's identity rights (*Chinweze v. Masi*), and in Kenya, where Kipsigis traditions emphasized caregiving ethics over formal recognition. These parallels confirm that privileging

⁴⁵ Sujana and Maruf, "The Constitutionality of Inheritance Rights for Extramarital Children."

⁴⁶ Hariati et al., "The Legal Status of Marriage (Merariq) Implementation Within The Indigenous People of Sasak Lombok."

⁴⁷ Lawrence Stacey and Irene Padavic, "Complicating Parents' Gender and Sexual Expectations for Children: A Comparison of Biological Parents and Stepparents," *Sexualities* 24, nos. 1–2 (2021): 191–207, <https://doi.org/10.1177/1363460720906988>.

⁴⁸ Hornstra and Ivanova, "Kinkeeping Across Families."

⁴⁹ Ece Arat et al., "Parental Involvement in Stepfamilies: Biology, Relationship Type, Residence, and Gender," *Journal of Marriage and Family* 84, no. 3 (2022): 773–90, <https://doi.org/10.1111/jomf.12817>; Kirsten Van Houdt, "Like My Own Children: A Quantitative Study of Stepparents Claiming Adult Stepchildren," *Journal of Family Issues* 43, no. 2 (2022): 467–87, <https://doi.org/10.1177/0192513X21993898>.

⁵⁰ Jensen, "Stepparent–Child Relationships and Child Outcomes."

biological assumptions over functional caregiving reflects a broader global challenge in legally plural contexts.⁵¹

The persistence of biological assumptions also reflects the influence of neoliberal discourses that frame families through adult rational choice and contractual obligations, rather than caregiving ethics. This lens marginalizes the dependency of children and undervalues the contributions of non-biological caregivers.⁵² Yet attitudes are shifting: individuals raised in stepfamilies tend to adopt more positive perceptions of non-biological caregiving and less rigid emphasis on blood ties.⁵³ Such evolving cultural perceptions provide a foundation for legal reform. Empirical findings from Kandangan suggest that community acceptance of step-parents as caregivers already exists, providing fertile ground for harmonizing local legitimacy with statutory and Islamic law.

The impact of biological assumptions on non-biological caregivers underscores the urgent need for reforming Indonesia's plural legal system through a child-centered approach. This requires harmonizing statutory, Islamic, and customary norms by integrating caregiving practices and emotional bonds into the legal recognition of parenthood. By expanding instruments such as *wasiat wajibah*, strengthening enforcement of *nafkah* obligations, and incorporating local wisdom like *kanyaah*, Indonesia can move toward a more inclusive framework. Such a framework would close the stepgap, secure children's rights to identity, protection, and inheritance, and reflect the Islamic legal objectives of justice and welfare (*maqāṣid al-sharī'ah*) alongside statutory commitments to child protection. The Kandangan case demonstrates that prioritizing caregiving capacity over biological lineage not only aligns with international human rights standards but also resonates with evolving cultural norms and Islamic jurisprudential flexibility. Reforming legal assumptions in this way would ensure that all children, regardless of biological descent, receive full recognition and protection within Indonesia's plural legal landscape.

⁵¹ Goldberg and Allen, "I'm Not *Just* the Nonbiological Parent."

⁵² Heenan, "Neoliberalism, Family Law, and the Devaluation of Care."

⁵³ Matthijs Kalmijn, "Attitudes Toward Stepfamily Relationships and Biological Relatedness: The Role of Family Experiences in Youth," *Family Relations* 70, no. 3 (2021): 741–58, <https://doi.org/10.1111/fare.12547>.

Toward a Child-Centered Legal Pluralism in Family Law

Advancing a child-centered legal pluralism in Indonesia requires shifting the focus of family law from rigid adherence to biological lineage toward recognition of caregiving practices and emotional bonds. This section argues that statutory, Islamic, and customary norms can be harmonized under the best interests of the child (BIC) principle to secure inclusive protection for children in blended families. Such an approach addresses the structural gaps that currently marginalize stepchildren and non-biological caregivers, offering a framework in which caregiving capacity – not solely biology – forms the legitimate basis for legal rights and responsibilities.⁵⁴

The empirical findings from Kandangan Village demonstrate the need for such a reframing. Children raised by stepmothers, stepfathers, or adoptive kin often occupy a precarious legal position: while local forums (*musyawarah desa*) recognize these caregivers as legitimate guardians, statutory and Islamic law privilege *nasab* (biological lineage). This produces a paradox of social legitimacy without legal validity, where children are socially integrated but legally invisible. By contrast, community recognition ensures that children's daily rights to love, care, and protection are preserved, even when biological parents are absent. Embedding these caregiving practices within statutory and religious frameworks would close the gap between community legitimacy and legal enforceability.⁵⁵

A central strategy in operationalizing child-centered legal pluralism is reinterpreting the BIC principle contextually. Although the BIC is enshrined in Indonesian statutory law and reinforced by the Convention on the Rights of the Child, its application often privileges adult-centric claims in custody and inheritance disputes.⁵⁶ In rural contexts like Kandangan, caregiving responsibilities are distributed across kin networks

⁵⁴ Annika Melinder et al., "In the Best Interest of the Child: The Norwegian Approach to Child Protection," *International Journal on Child Maltreatment: Research, Policy and Practice* 4, no. 3 (2021): 209–30, <https://doi.org/10.1007/s42448-021-00078-6>; Angela Afua Quaye et al., "How Are Children's Best Interests Expressed during Their Hospital Visit?—An Observational Study," *Journal of Clinical Nursing* 30, nos. 23–24 (2021): 3644–56, <https://doi.org/10.1111/jocn.15886>.

⁵⁵ Sujana and Maruf, "The Constitutionality of Inheritance Rights for Extramarital Children"; Baudouin Dupret et al., "Paternal Filiation in Muslim-Majority Environments: A Comparative Look at the Interpretive Practice of Positive Islamic Law in Indonesia, Egypt, and Morocco," *Journal of Law, Religion and State* 10, nos. 2–3 (2023): 167–217, <https://doi.org/10.1163/22124810-20230002>.

⁵⁶ Mary Grace C. Agcaoili, "Best Interests of the Child in Juvenile Justice: Analysis of Malaysia, Philippines, and Thailand," *Asia-Pacific Social Science Review* 24, no. 2 (2024), <https://doi.org/10.59588/2350-8329.1533>.

shaped by *adat*. A contextual reading of BIC must therefore acknowledge that children's emotional security and social identity can be maintained outside formal biological ties. This resonates with Kenya's Kipsigis traditions, where communal caregiving is prioritized over legal rights, and with Indonesian village practices where stepmothers are recognized as de facto guardians despite lacking statutory standing.⁵⁷

Comparative experiences suggest pathways for institutional innovation. In Aceh, Islamic law has been harmonized with state and customary systems to advance child welfare, showing that integrated models can be culturally grounded and effective.⁵⁸ The Pancasila Village model illustrates how hybrid forums can resolve interfaith inheritance disputes while preserving community legitimacy.⁵⁹ Translating such models to Kandungan could involve formalizing *musyawarah desa* forums to adjudicate custody and guardianship, embedding child-centered principles across plural norms. Similarly, Australian third-party permanency orders⁶⁰ and European contextual safeguarding frameworks⁶¹ demonstrate how non-biological caregivers can be legally recognized, expanding parental authority beyond nuclear families.

Islamic legal traditions also provide resources for reform. The framework of *maqāṣid al-sharī'ah* emphasizes the five essentials (*al-ḍarūriyyāt al-khamsah*): protection of religion, life, intellect, lineage, and property.⁶² While privileging lineage (*ḥifẓ al-nasl*) has been the dominant focus, doing so risks neglecting life and intellect by exposing children to instability and discrimination. Contemporary jurisprudence highlights the integration of DNA testing within *maqāṣid* reasoning as a means of ensuring justice and certainty in lineage disputes. At the same time, the principle of *maṣlaḥah* permits flexible adaptation, allowing recognition of caregiving roles in contexts such as dual-

⁵⁷ Ngira, "Plural-Legalities and the Clash between Customary Law and 'Child Rights Talk' among Rural Communities in Kenya."

⁵⁸ Djawas et al., "Harmonization of State, Custom, and Islamic Law in Aceh."

⁵⁹ Nur Fadhilah et al., "Contestation and Negotiation on Interfaith Inheritance in Pancasila Village," *Justicia Islamica* 21, no. 2 (2024): 377–400, <https://doi.org/10.21154/justicia.v21i2.9577>.

⁶⁰ Amy Conley Wright et al., "Comparative Analysis of Third-party Permanency Orders Legislation in Australia," *Australian Journal of Social Issues* 58, no. 2 (2023): 318–30, <https://doi.org/10.1002/ajs4.237>.

⁶¹ Carlene Firmin and Jenny Lloyd, "Green Lights and Red Flags: The (Im)Possibilities of Contextual Safeguarding Responses to Extra-Familial Harm in the UK," *Social Sciences* 11, no. 7 (2022): 303, <https://doi.org/10.3390/socsci11070303>.

⁶² Attia, *Towards Realization of the Higher Intents of Islamic Law: Maqashid al-Syariah – A Functional Approach*.

income households or blended family arrangements.⁶³ The Indonesian Compilation of Islamic Law illustrates the operationalization of *maqāṣid* principles in marriage and divorce law,⁶⁴ underscoring the potential for doctrinal flexibility in family law.

Expanding this jurisprudential base, Jamaluddin Athiyah's articulation of 24 objectives extends the scope of *maqāṣid* beyond the classical five, providing a broader framework for addressing contemporary family structures.⁶⁵ This allows Islamic law to engage with issues of dignity (*ḥifẓ al-ʿird*), education, and distributive justice in ways that directly support child-centered outcomes.⁶⁶ Judicial innovations in Indonesia have already extended bilateral inheritance and maintenance rights to extramarital children,⁶⁷ reflecting a growing emphasis on welfare over rigid lineage rules. These developments demonstrate that Islamic law contains both doctrinal constraints and interpretive flexibility, which can be mobilized to align legal recognition with caregiving realities.

Customary law, too, offers adaptive models. In Kandangan, *adat* validates caregiving as a moral duty, echoing Balinese practices where kinship-based caregiving holds social legitimacy despite legal exclusions. Among the Sasak in Lombok, *awiq-awiq* customary regulations illustrate how community norms evolve to address new social realities. While these systems remain limited in formal enforceability, their recognition of caregiving provides a foundation for building statutory reforms grounded in local legitimacy.

⁶³ Firdaus Firdaus et al., "The Principles of the Concept of Maslahah in Islamic Family Law of a Wife Looking for Living Husband Taking Care of Household Work," *Al-Istinbath Jurnal Hukum Islam* 9, no. 1 (2024): 259–259, <https://doi.org/10.29240/jhi.v9i1.8464>; Nur Fadhilah and Muhammad Nurravi Alamsyah, "Reinterpreting Financial Responsibilities in Islamic Marriage A Maqasid Al-Urah Perspective," *Al-Syakhsyiyah: Journal of Law and Family Studies* 7, no. 1 (2025): 1–26, <https://doi.org/10.21154/syakhsyiyah.v7i1>.

⁶⁴ Khairil Anwar Al Jufri et al., "MAQASID SYARIAH MENURUT IMAM AL-GHAZALI DAN APLIKASINYA DALAM PENYUSUNAN UNDANG-UNDANG ISLAM DI INDONESIA: MAQASID SYARIAH ACCORDING TO IMAM AL-GHAZALI AND ITS APPLICATION IN THE COMPILATION OF ISLAMIC LAW IN INDONESIA," *Malaysian Journal of Syariah and Law* 9, no. 2 (2021): 75–87, <https://doi.org/10.33102/mjsl.vol9no2.315>.

⁶⁵ Attia, *Towards Realization of the Higher Intents of Islamic Law: Maqashid al-Syariah – A Functional Approach*; Moch. Cholid Wardi et al., "CONTEXTUALIZATION OF AL-MAQASID AL-KULLIYAT TO THE INDIVIDUAL, FAMILY, SOCIETY AND HUMANITY'S ASPECTS: AN ANALYSIS ON JAMALUDDIN ATHIYAH'S PERSPECTIVES," *Malaysian Journal of Syariah and Law* 11, no. 1 (2023), <https://doi.org/10.33102/mjsl.vol11no1.389>.

⁶⁶ Rohmawati Rohmawati and Syahril Siddik, "Legal Protection for Children Out of Wedlock: Ensuring the Best Interests of Children Through Judge Decisions," *Al-'Adalah* 19, no. 2 (2022): 315–38, <https://doi.org/10.24042/adalah.v19i2.11761>; Iman Jauhari et al., "The Qur'an and Islamic Legal Perspectives on Child Protection," *Pharos Journal of Theology*, no. 104(4) (2023), <https://doi.org/10.46222/pharosjot.104.417>.

⁶⁷ Azwar et al., "Child Filiation and Its Implications on Maintenance and Inheritance Rights."

Developing a child-centered legal pluralism requires three interlinked strategies. First, statutory definitions of guardianship must expand to include non-biological caregivers validated at the community level. Second, judicial discretion should be enhanced to recognize caregiving capacity in custody and inheritance disputes under the BIC principle. Third, administrative reforms must simplify civil registration for children from blended families, ensuring access to legal identity regardless of parental marital status. These strategies reorient plural legalism from a site of normative competition to one of collaborative protection.

International comparative perspectives reinforce this framework. In Indonesia, Malaysia, and Turkey, child filiation laws continue to differentiate entitlements based on marital legitimacy, though courts in Indonesia and Turkey have occasionally extended bilateral rights.⁶⁸ Turkish and Indonesian reforms highlight social dimensions of inheritance, while Saudi Arabia maintains stricter adherence to lineage rules.⁶⁹ Preventive measures, such as premarital education in Indonesia and Malaysia, seek to reduce divorce rates and strengthen family stability.⁷⁰ Broader reforms across Indonesia, Malaysia, and Australia illustrate how mainstreaming equity and justice into lawmaking processes can institutionalize child welfare considerations.⁷¹

Embedding reforms within local religious and cultural frameworks is essential for legitimacy and compliance. Comparative studies in Taiwan, Cameroon, and China show that legal compliance is strongest when laws resonate with community values.⁷² In Kandangan, participatory approaches that integrate religious leaders, adat

⁶⁸ Azwar et al., “Child Filiation and Its Implications on Maintenance and Inheritance Rights.”

⁶⁹ Jahar and Shodiq, “SOCIAL AND RELIGIOUS DIMENSIONS OF CHILDREN’S INHERITANCE IN TURKEY, SAUDI ARABIA AND INDONESIA.”

⁷⁰ Kamarusdiana Kamarusdiana et al., “Pre-Marital Education: Concepts and Regulations in Indonesia and Malaysia,” *Al-Ahkam* 32, no. 1 (2022): 41–64, <https://doi.org/10.21580/ahkam.2022.32.1.10709>.

⁷¹ Rodiyah Rodiyah et al., “Mainstreaming Justice in the Establishment of Laws and Regulations Process: Comparing Case in Indonesia, Malaysia, and Australia,” *Journal of Indonesian Legal Studies* 8, no. 1 (2023): 333–78, <https://doi.org/10.15294/jils.v7i2.60096>.

⁷² Hsiao-Tan Wang, “Being One of Us: The Role of Mutual Recognition and Emotion in Shaping Legal Consciousness in a Taiwanese Neighbourhood Dispute,” *Asian Journal of Law and Society* 10, no. 1 (2023): 131–46, <https://doi.org/10.1017/als.2022.6>; Yitagesu Tekle Tegegne et al., “What Drives Forest Rule Compliance Behaviour in the Congo Basin? A Study of Local Communities in Cameroon,” *Land Use Policy* 115 (April 2022): 106012, <https://doi.org/10.1016/j.landusepol.2022.106012>; Qian Liu, “‘Wrong’ Cases and ‘Wrong’ Plaintiffs: Intergenerational Relationships and Legal Consciousness in China,” *Journal of Law and Society* 50, no. 1 (2023): 39–58, <https://doi.org/10.1111/jols.12409>.

authorities, and statutory officials into co-production forums can strengthen both compliance and shared responsibility for child welfare.

The Kandangan case illustrates that advancing a child-centered legal pluralism is both a moral imperative and a practical necessity. Privileging caregiving capacity and emotional bonds over rigid lineage rules ensures that children in blended families gain not only legal identity and inheritance security but also dignity and belonging. By harmonizing statutory, Islamic, and customary norms through a child-centered framework, Indonesia can transform its plural legal system from one of exclusion to one of inclusive protection, affirming every child's right to identity, care, and justice.

CONCLUSION

This study highlights the vulnerabilities of children in blended families within Indonesia's plural legal system, where statutory, Islamic, and customary laws intersect yet often fail to provide comprehensive protection. The findings reveal systemic gaps: child identity remains tethered to biological lineage, non-biological caregivers face structural marginalization, and the best interests of the child principle is inconsistently applied. By examining Kandangan Village as a case study, the research demonstrates how community-based mechanisms, such as *musyawarah desa*, offer socially legitimate recognition of caregiving roles, though these remain legally unenforceable. The study argues that adopting a child-centered approach can enrich and harmonize Islamic jurisprudence on *nasab* and *hadhanah*, *adat* norms that emphasize caregiving responsibility, and statutory frameworks on child protection, thereby creating a more inclusive system that aligns legal recognition with caregiving realities. This study reaffirms that the central issue in blended families is not merely the legal status of step-parents, but the fulfillment of children's rights to identity, care, and protection. A child-centered perspective ensures that legal pluralism in Indonesia is evaluated based on how effectively it secures these rights, rather than on adult-centric concerns of lineage or marital status.

The contribution of this study lies in reframing Indonesian family law debates through a relational and dialogic lens that prioritizes children's lived experiences over rigid

doctrinal categories. However, the study acknowledges its limitations, being based on five households in a single village, which restricts generalizability. Future research should expand to other regions, incorporate comparative perspectives, and employ quantitative methods to capture broader patterns in blended family arrangements. This research underscores that plural legal systems, when reoriented toward child-centered principles, have the potential to uphold the dignity, identity, and welfare of all children in diverse family structures.

REFERENCES

- Agcaoili, Mary Grace C. "Best Interests of the Child in Juvenile Justice: Analysis of Malaysia, Philippines, and Thailand." *Asia-Pacific Social Science Review* 24, no. 2 (2024). <https://doi.org/10.59588/2350-8329.1533>.
- Al Jufri, Khairil Anwar, Mohd Soberi Awang, and Mualimin Mochammad Sahid. "MAQASID SYARIAH MENURUT IMAM AL-GHAZALI DAN APLIKASINYA DALAM PENYUSUNAN UNDANG-UNDANG ISLAM DI INDONESIA: MAQASID SYARIAH ACCORDING TO IMAM AL-GHAZALI AND ITS APPLICATION IN THE COMPILATION OF ISLAMIC LAW IN INDONESIA." *Malaysian Journal of Syariah and Law* 9, no. 2 (2021): 75-87. <https://doi.org/10.33102/mjssl.vol9no2.315>.
- Aniyie, Ifeanyichukwu Azuka. "Legal Pluralism and Child Identity: The Interplay of Igbo Worldview and English Traditions in *Chinweze & Anor v Masi & Anor*." *Journal of Asian and African Studies*, May 12, 2025, 00219096251339092. <https://doi.org/10.1177/00219096251339092>.
- Arat, Ece, Anne-Rigt Poortman, and Tanja Van Der Lippe. "Parental Involvement in Stepfamilies: Biology, Relationship Type, Residence, and Gender." *Journal of Marriage and Family* 84, no. 3 (2022): 773-90. <https://doi.org/10.1111/jomf.12817>.
- Ardhana, I Ketut, and Ni Wayan Radita Novi Puspitasari. "Adat Law, Ethics, and Human Rights in Modern Indonesia." *Religions* 14, no. 4 (2023): 443. <https://doi.org/10.3390/rel14040443>.
- Asis, Maruja M. B., and Alan Feranil. "Not for Adults Only: Toward a Child Lens in Migration Policies in Asia." *Journal on Migration and Human Security* 8, no. 1 (2020): 68-82. <https://doi.org/10.1177/2331502420907375>.
- Asni, Asni. "Putusan Serta Merta Dalam Perkara Hadhanah Di Pengadilan Agama Dalam Rangka Perlindungan Anak." *Al-Manahij: Jurnal Kajian Hukum Islam* 15, no. 1 (2021): 67-82. <https://doi.org/10.24090/mnh.v15i1.4115>.
- Attia, Gamal Eldin. *Towards Realization of the Higher Intents of Islamic Law: Maqashid al-Syariah - A Functional Approach*. International Institute of Islamic Thought,

2007. <https://iiit.org/wp-content/uploads/Towards-Realization-of-the-Higher-Intents-of-Islamic-Law-Maqasid-Al-Shariah-A-Functional-Approach.pdf>.
- Azwar, Zainal, Mhd. Ilham Armi, Zulfan Zulfan, Ahmad Bakhtiar Bin Jelani, and Ahmad Luthfy Nasri. "Child Filiation and Its Implications on Maintenance and Inheritance Rights: A Comparative Study of Regulations and Judicial Practices in Indonesia, Malaysia, and Turkey." *Journal of Islamic Law* 5, no. 1 (2024): 62–85. <https://doi.org/10.24260/jil.v5i1.2326>.
- Brant, Kristina. "When Mamaw Becomes Mom: Social Capital and Kinship Family Formation amid the Rural Opioid Crisis." *RSF: The Russell Sage Foundation Journal of the Social Sciences* 8, no. 3 (2022): 78–98. <https://doi.org/10.7758/RSF.2022.8.3.03>.
- Broadhurst, Karen, Linda Cusworth, Judith Harwin, et al. "Scaling up Research on Family Justice Using Large-Scale Administrative Data: An Invitation to the Socio-Legal Community." *Journal of Social Welfare and Family Law* 43, no. 3 (2021): 237–55. <https://doi.org/10.1080/09649069.2021.1953856>.
- Brown, Alan, and Katherine Wade. "The Incoherent Role of the Child's Identity in the Construction and Allocation of Legal Parenthood." *Legal Studies* 43, no. 1 (2023): 29–46. <https://doi.org/10.1017/lst.2022.21>.
- Bryceson, Deborah Fahy. "Transnational Families and Neo-Liberal Globalisation: Past, Present and Future." *Nordic Journal of Migration Research* 12, no. 2 (2022). <https://doi.org/10.33134/njmr.369>.
- Conley Wright, Amy, Judith Cashmore, Sarah Wise, and Clare Tilbury. "Comparative Analysis of Third-party Permanency Orders Legislation in Australia." *Australian Journal of Social Issues* 58, no. 2 (2023): 318–30. <https://doi.org/10.1002/ajs4.237>.
- Damsma Bakker, Aliza, René Van Leeuwen, and Petrie Roodbol. "Ethical Considerations Regarding the Inclusion of Children in Nursing Research." *Nursing Ethics* 28, no. 1 (2021): 106–17. <https://doi.org/10.1177/0969733020948120>.
- Dang, Quyen T., Hussain G. Rammal, and Sneijna Michailova. "Expatriates' Families: A Systematic Literature Review and Research Agenda." *Human Resource Management Review* 32, no. 4 (2022): 100877. <https://doi.org/10.1016/j.hrmr.2021.100877>.
- Database Peraturan | JDIH BPK. "UU No. 35 Tahun 2014." <http://peraturan.bpk.go.id/Details/38723/uu-no-35-tahun-2014>.
- Dhiman, Atharv, and Imke Harbers. "Legal Identity at the Margins: The Impact of Violent Conflict on Birth Registration in India." *Citizenship Studies* 27, no. 7 (2023): 779–98. <https://doi.org/10.1080/13621025.2024.2321714>.
- Djawas, Mursyid, Abidin Nurdin, Muslim Zainuddin, Idham Idham, and Zahratul Idami. "Harmonization of State, Custom, and Islamic Law in Aceh: Perspective of Legal Pluralism." *Hasanuddin Law Review* 10, no. 1 (2024): 64.

<https://doi.org/10.20956/halrev.v10i1.4824>.

- Dubois, Anne-Catherine, Magali Lahaye, and Isabelle Aujoulat. "From Research 'on' to Research 'with' Children about Their Family Lives: A Scoping Review of Ethical and Methodological Challenges." *Child: Care, Health and Development* 48, no. 2 (2022): 203–16. <https://doi.org/10.1111/cch.12937>.
- Dupret, Baudouin, Adam Belkadi, Monika Lindbekk, and Ayang Utriza Yakin. "Paternal Filiation in Muslim-Majority Environments: A Comparative Look at the Interpretive Practice of Positive Islamic Law in Indonesia, Egypt, and Morocco." *Journal of Law, Religion and State* 10, nos. 2–3 (2023): 167–217. <https://doi.org/10.1163/22124810-20230002>.
- Fadhilah, Nur, Muhammad Mufti Al Anam, and Nuril Farida Maratus. "Contestation and Negotiation on Interfaith Inheritance in Pancasila Village." *Justicia Islamica* 21, no. 2 (2024): 377–400. <https://doi.org/10.21154/justicia.v21i2.9577>.
- Fadhilah, Nur, and Muhammad Nurravi Alamsyah. "Reinterpreting Financial Responsibilities in Islamic Marriage A Maqasid Al-Usrah Perspective." *Al-Syakhsyiyah: Journal of Law and Family Studies* 7, no. 1 (2025): 1–26. <https://doi.org/10.21154/syakhsyiyah.v7i1>.
- Firdaus, Firdaus, Mursal Mursal, Desminar Desminar, and Syaflin Halim. "The Principles of the Concept of Maslahah in Islamic Family Law of a Wife Looking for Living Husband Taking Care of Household Work." *Al-Istinbath Jurnal Hukum Islam* 9, no. 1 (2024): 259–259. <https://doi.org/10.29240/jhi.v9i1.8464>.
- Firmin, Carlene, and Jenny Lloyd. "Green Lights and Red Flags: The (Im)Possibilities of Contextual Safeguarding Responses to Extra-Familial Harm in the UK." *Social Sciences* 11, no. 7 (2022): 303. <https://doi.org/10.3390/socsci11070303>.
- Ghozali, Mohammad, Muhammad Irkham Firdaus, Muhammad Aunurrochim Mas'ad Saleh, and Zahari Mahad Musa. "KAJIAN PERBANDINGAN HAK WARISAN ANAK ANGKAT DI INDONESIA DAN MALAYSIA: A COMPARATIVE STUDY OF THE INHERITANCE RIGHTS OF ADOPTED CHILDREN IN INDONESIA AND MALAYSIA." *Malaysian Journal of Syariah and Law* 12, no. 3 (2024): 726–38. <https://doi.org/10.33102/mjssl.vol12no3.1164>.
- Goldberg, Abbie E., and Katherine R. Allen. "'I'm Not Just the Nonbiological Parent': Encountering, Strategizing, and Resisting Asymmetry and Invalidation in Genetic/ Gestational Parent Status Among LGBTQ Parents." *Journal of Family Nursing* 28, no. 4 (2022): 381–95. <https://doi.org/10.1177/10748407221123062>.
- Hakim, Lukman, and Nalom Kurniawan. "Membangun Paradigma Hukum HAM Indonesia Berbasis Kewajiban Asasi Manusia." *Jurnal Konstitusi* 18, no. 4 (2022): 869. <https://doi.org/10.31078/jk1847>.
- Hanapi, Agustin, Imanuddin Imanuddin, and Khairuddin Hasballah. "Kedudukan

- Metode Al-Qāfah Dalam Penetapan Nasab Anak Menurut Ulama Perspektif Maqashid al-Syariah." *De Jure: Jurnal Hukum Dan Syar'iah* 14, no. 1 (2022): 21–37. <https://doi.org/10.18860/j-fsh.v14i1.15875>.
- Hariati, Sri, Moh. Jamin, and Adi Sulistiyono. "The Legal Status of Marriage (Merariq) Implementation Within The Indigenous People of Sasak Lombok." *Jurnal IUS Kajian Hukum Dan Keadilan* 12, no. 2 (2024): 406–22. <https://doi.org/10.29303/ius.v12i2.1475>.
- He, Wenwen. "Unresolved Issues Regarding Hukou Registration Following Implementation of China's Universal Two-Child Policy." *Human Rights Quarterly* 43, no. 4 (2021): 699–713. <https://doi.org/10.1353/hrq.2021.0056>.
- Heenan, Anna. "Neoliberalism, Family Law, and the Devaluation of Care." *Journal of Law and Society* 48, no. 3 (2021): 386–409. <https://doi.org/10.1111/jols.12308>.
- Hornstra, Maaïke, and Katya Ivanova. "Kinkeeping Across Families: The Central Role of Mothers and Stepmothers in the Facilitation of Adult Intergenerational Ties." *Sex Roles* 88, nos. 7–8 (2023): 367–82. <https://doi.org/10.1007/s11199-023-01352-2>.
- Isra, Saldi, and Hilaire Tegnan. "Legal Syncretism or the Theory of Unity in Diversity as an Alternative to Legal Pluralism in Indonesia." *International Journal of Law and Management* 63, no. 6 (2021): 553–68. <https://doi.org/10.1108/IJLMA-04-2018-0082>.
- Jahar, Asep Saepudin, and Shubhan Shodiq. "SOCIAL AND RELIGIOUS DIMENSIONS OF CHILDREN'S INHERITANCE IN TURKEY, SAUDI ARABIA AND INDONESIA." *MIQOT: Jurnal Ilmu-Ilmu Keislaman* 46, no. 1 (2022). <https://doi.org/10.30821/miqot.v46i1.870>.
- Jauhari, Iman, Zamakhsyari B. H. Thaib, M. Jafar, et al. "The Qur'an and Islamic Legal Perspectives on Child Protection." *Pharos Journal of Theology*, no. 104(4) (2023). <https://doi.org/10.46222/pharosjot.104.417>.
- Jensen, Todd M. "Stepparent-Child Relationships and Child Outcomes: A Systematic Review and Meta-Analysis." *Journal of Family Nursing* 28, no. 4 (2022): 321–40. <https://doi.org/10.1177/10748407221097460>.
- Kalmijn, Matthijs. "Attitudes Toward Stepfamily Relationships and Biological Relatedness: The Role of Family Experiences in Youth." *Family Relations* 70, no. 3 (2021): 741–58. <https://doi.org/10.1111/fare.12547>.
- Kamarusdiana, Kamarusdiana, Burhanudin Yusuf, Maman Rahman Hakim, and Harapandi Dahri. "Pre-Marital Education: Concepts and Regulations in Indonesia and Malaysia." *Al-Ahkam* 32, no. 1 (2022): 41–64. <https://doi.org/10.21580/ahkam.2022.32.1.10709>.
- Khosyi'ah, Siah, and Ayi Yunus Rusyana. "Inheritance Settlement of Descendants of Children and Siblings in Islamic Law with Local Wisdom in Indonesia." *Cogent Social Sciences* 8, no. 1 (2022): 2126615. <https://doi.org/10.1080/23311886.2022.2126615>.

- Kiester, Elizabeth. "Queer Stepfamilies: The Path to Social and Legal Recognition." *Journal of Family Studies* 29, no. 5 (2023): 2481-83. <https://doi.org/10.1080/13229400.2023.2211960>.
- Kim, Jeehun, and Sumie Okazaki. "Becoming Multicultural: Kinship Development of Korean Adolescents With Asian Cross-Border Marriage Migrant Stepmothers." *Journal of Adolescent Research* 37, no. 1 (2022): 3-28. <https://doi.org/10.1177/0743558420906085>.
- Liu, Qian. "'Wrong' Cases and 'Wrong' Plaintiffs: Intergenerational Relationships and Legal Consciousness in China." *Journal of Law and Society* 50, no. 1 (2023): 39-58. <https://doi.org/10.1111/jols.12409>.
- Mat Hussin, Mohd. Norhusairi, and Muhammad Farid Aizat Fauzi. "PEMBAYARAN NAFKAH ANAK MELALUI POTONGAN KUMPULAN WANG SIMPANAN PEKERJA: SUATU ALTERNATIF." *UUM Journal of Legal Studies* 14 (2023). <https://doi.org/10.32890/uumjls2023.14.1.13>.
- Melinder, Annika, Malin Albrechtsen Van Der Hagen, and Kirsten Sandberg. "In the Best Interest of the Child: The Norwegian Approach to Child Protection." *International Journal on Child Maltreatment: Research, Policy and Practice* 4, no. 3 (2021): 209-30. <https://doi.org/10.1007/s42448-021-00078-6>.
- Morrison, Rodolfo, Maite Alvarez Navarro, Javiera Arias Riquelme, et al. "'We Realized That Institutions Are Not Prepared': Strategies and Challenges in the Filiation Processes of Lesbian-Parent Families in Chile." *Social Sciences* 13, no. 10 (2024): 534. <https://doi.org/10.3390/socsci13100534>.
- Natow, Rebecca S. "The Use of Triangulation in Qualitative Studies Employing Elite Interviews." *Qualitative Research* 20, no. 2 (2020): 160-73. <https://doi.org/10.1177/1468794119830077>.
- Ngira, David Otieno. "Plural-Legalities and the Clash between Customary Law and 'Child Rights Talk' among Rural Communities in Kenya." *Journal of Eastern African Studies* 16, no. 1 (2022): 25-46. <https://doi.org/10.1080/17531055.2022.2070301>.
- Nurhayati, Nurhayati, Muhammad Syukri Albani Nasution, Reni Ria Armayani Hasibuan, and Hazrul Afendi. "HUMAN TRAFFICKING IN THE PERSPECTIVE OF MAQASHID AL-SHARIA." *Jurnal Ilmiah Islam Futura* 22, no. 2 (2022): 150. <https://doi.org/10.22373/jiif.v22i2.12304>.
- Padela, Aasim I., Katherine Klima, and Rosie Duivenbode. "Producing Parenthood: Islamic Juridical Perspectives & Theological Implications." In *Multicultural and Interreligious Perspectives on the Ethics of Human Reproduction*, edited by Joseph Tham, Alberto Garcia Gómez, and John Lunstroth, vol. 9. Springer International Publishing, 2021. https://doi.org/10.1007/978-3-030-86938-0_17.
- Pires, Mónica, and Mariana Martins. "Parenting Styles, Coparenting, and Early Child Adjustment in Separated Families with Child Physical Custody Processes Ongoing in Family Court." *Children* 8, no. 8 (2021): 629.

<https://doi.org/10.3390/children8080629>.

- Quaye, Angela Afua, Charlotte Castor, Imelda Coyne, Maja Söderbäck, and Inger Kristensson Hallström. "How Are Children's Best Interests Expressed during Their Hospital Visit? – An Observational Study." *Journal of Clinical Nursing* 30, nos. 23–24 (2021): 3644–56. <https://doi.org/10.1111/jocn.15886>.
- Rajafi, Ahmad, Arif Sugitanata, and Vinna Lusiana. "The 'Double-Faced' Legal Expression: Dynamics and Legal Loopholes in Interfaith Marriages in Indonesia." *Journal of Islamic Law* 5, no. 1 (2024): 19–43. <https://doi.org/10.24260/jil.v5i1.2153>.
- Rodiyah, Rodiyah, Siti Hafsyah Idris, and Robert Brian Smith. "Mainstreaming Justice in the Establishment of Laws and Regulations Process: Comparing Case in Indonesia, Malaysia, and Australia." *Journal of Indonesian Legal Studies* 8, no. 1 (2023): 333–78. <https://doi.org/10.15294/jils.v7i2.60096>.
- Rohmawati, Rohmawati, and Syahril Siddik. "Legal Protection for Children Out of Wedlock: Ensuring the Best Interests of Children Through Judge Decisions." *Al-'Adalah* 19, no. 2 (2022): 315–38. <https://doi.org/10.24042/adalah.v19i2.11761>.
- Sadzaglishvili, Shorena, Teona Gotsiridze, and Ketevan Lekeshvili. "Ethical Considerations for Social Work Research With Vulnerable Children and Their Families." *Research on Social Work Practice* 31, no. 4 (2021): 351–59. <https://doi.org/10.1177/1049731521996457>.
- Sari, Arinda Puspita, Ginanti Rahmadini, Hutri Charlina, Zulfan Egi Pradani, and Muhammad Irsan Ramadan. "ANALISIS MASALAH KEPENDUDUKAN DI INDONESIA." *Journal of Economic Education* 2, no. 1 (2023): 29–37. <https://doi.org/10.22437/jeec.v2i1.23180>.
- Schaefer, Anneke, Caroline Gatrell, and Laura Radcliffe. "Understanding the Liminal Situation of Lone-parent and Blended Families – A Review and Agenda for Work-Family Research." *International Journal of Management Reviews* 27, no. 2 (2025): 196–220. <https://doi.org/10.1111/ijmr.12388>.
- Schürer, Maja, and Julie Jensen. "Micro-Ethical Moments as a Part of Involving Children in Research." *Designs for Learning* 14, no. 1 (2022): 179–89. <https://doi.org/10.16993/dfl.200>.
- Setyawan, Rahmad, Doli Witro, Darti Busni, Muhamad Taufik Kustiawan, and Fatimatuz Zahro Mulia Syahbani. "Contemporary Ijtihad Deconstruction in The Supreme Court: Wasiat Wajibah as An Alternative for Non-Muslim Heirs in Indonesia." *Jurnal Ilmiah Al-Syir'ah* 22, no. 1 (2024): 25. <https://doi.org/10.30984/jis.v22i1.2968>.
- Shea, Thomas. "The Potential for Qualitative Triangulation to Mitigate Investigative Negligence." *Police Practice and Research* 23, no. 2 (2022): 195–211. <https://doi.org/10.1080/15614263.2021.1915786>.
- Shen, Wensong, Li-Chung Hu, and Emily Hannum. "Effect Pathways of Informal Family Separation on Children's Outcomes: Paternal Labor Migration and

- Long-Term Educational Attainment of Left-behind Children in Rural China." *Social Science Research* 97 (July 2021): 102576. <https://doi.org/10.1016/j.ssresearch.2021.102576>.
- Stacey, Lawrence, and Irene Padavic. "Complicating Parents' Gender and Sexual Expectations for Children: A Comparison of Biological Parents and Stepparents." *Sexualities* 24, nos. 1-2 (2021): 191-207. <https://doi.org/10.1177/1363460720906988>.
- Steffens, Katharina, Christine Sutter, and Sandra Sülzenbrück. "The Concept of 'Work-Life-Blending': A Systematic Review." *Frontiers in Psychology* 14 (December 2023): 1150707. <https://doi.org/10.3389/fpsyg.2023.1150707>.
- Sujana, I Nyoman, and Irma Rachmawati Maruf. "The Constitutionality of Inheritance Rights for Extramarital Children: Assessing the Legal Response under Balinese Customary Law." *Hasanuddin Law Review* 10, no. 1 (2024): 83. <https://doi.org/10.20956/halrev.v10i1.5170>.
- Tegegne, Yitagesu Tekle, Sabaheta Ramcilovic-Suominen, Juha Kotilainen, Georg Winkel, Andrew Haywood, and Addisu Almaw. "What Drives Forest Rule Compliance Behaviour in the Congo Basin? A Study of Local Communities in Cameroon." *Land Use Policy* 115 (April 2022): 106012. <https://doi.org/10.1016/j.landusepol.2022.106012>.
- Tsantefski, Menka, Amy Young, Tracy Wilde, and Patrick O'Leary. "High-Risk Cases at the Intersection of Domestic/Family Violence and Child Protection: Learning from Practice." *Journal of Family Violence* 36, no. 8 (2021): 941-52. <https://doi.org/10.1007/s10896-021-00255-8>.
- Undang-Undang (UU) No. 1 Tahun 1974 Perkawinan (1974). <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.
- Van Houdt, Kirsten. "Like My Own Children: A Quantitative Study of Stepparents Claiming Adult Stepchildren." *Journal of Family Issues* 43, no. 2 (2022): 467-87. <https://doi.org/10.1177/0192513X21993898>.
- Voorhoeve, Maaïke. "Ḥaḍāna Practices in Tunisia: Between Women's Rights and the Best Interest of the Child, 1956-2019." *Hawwa* 18, nos. 2-3 (2020): 194-225. <https://doi.org/10.1163/15692086-12341377>.
- Wang, Hsiao-Tan. "Being One of Us: The Role of Mutual Recognition and Emotion in Shaping Legal Consciousness in a Taiwanese Neighbourhood Dispute." *Asian Journal of Law and Society* 10, no. 1 (2023): 131-46. <https://doi.org/10.1017/als.2022.6>.
- Wardatun, Atun. "Knitting Reciprocity and Communality: Countering the Privatization of Family in Bimanese Muslim Local Marriage of Eastern Indonesia." *Journal of Islamic Law* 5, no. 2 (2024): 197-221. <https://doi.org/10.24260/jil.v5i2.2771>.
- Wardhani, Lita Tyesta Addy Listya, Muhammad Dzikirullah H Noho, and Aga Natalis. "The Adoption of Various Legal Systems in Indonesia: An Effort to Initiate the Prismatic Mixed Legal Systems." *Cogent Social Sciences* 8, no. 1

(2022): 2104710. <https://doi.org/10.1080/23311886.2022.2104710>.

- Wardi, Moch. Cholid, Abd. A'la, and Sri Nurhayati. "CONTEXTUALIZATION OF AL-MAQASID AL-KULLIYAT TO THE INDIVIDUAL, FAMILY, SOCIETY AND HUMANITY'S ASPECTS: AN ANALYSIS ON JAMALUDDIN ATHIYAH'S PERSPECTIVES." *Malaysian Journal of Syariah and Law* 11, no. 1 (2023). <https://doi.org/10.33102/mjssl.vol11no1.389>.
- Yoon, Susan, Kierra M. P. Sattler, Jerica Knox, and Yitong Xin. "Longitudinal Examination of Resilience Among Child Welfare-Involved Adolescents: The Roles of Caregiver-Child Relationships and Deviant Peer Affiliation." *Development and Psychopathology* 35, no. 3 (2021): 1069-78. <https://doi.org/10.1017/s0954579421000924>.