

Legal Protection of Children's Rights Post-Divorce: A Study of Single Mothers in Malang Regency

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Abstract

This study critically examines the capacity of single mothers to enforce child support obligations against former husbands following divorce proceedings in Malang Regency, Indonesia. The research adopts a qualitative fieldwork approach, employing purposive (non-probability) sampling to select participants. Data were collected through in-depth interviews with divorced women who have legal custody of their children, specifically those whose children were minors at the time the divorce decree was issued. According to Article 41 of Law No. 1 of 1974 on Marriage and Article 156 of the Compilation of Islamic Law, the financial responsibility for the maintenance and welfare of children rests with the father until the child reaches the age of 21, marries, or becomes economically independent. However, the reality encountered by many single mothers deviates sharply from this legal expectation. Many ex-husbands fail to comply with child support obligations, leaving mothers to bear the full financial and emotional burden of child-rearing. Interviews revealed several contributing factors to this negligence, including the ex-husband's lack of personal responsibility, economic incapacity, unknown whereabouts, and interference from third parties such as new spouses or family members. Although Indonesian law provides mechanisms for legal enforcement of child support, the findings indicate that very few single mothers pursue formal legal action. This reluctance is attributed to strained interpersonal relationships, concerns over the child's psychological well-being, the complexity and cost of legal procedures, and a general lack of faith in the efficacy of the legal system. The study concludes that existing legal frameworks are insufficient to guarantee effective enforcement of child support, as there is no specialized legal policy tailored to the unique vulnerabilities faced by single mothers. This regulatory gap underscores the urgent need for legal reform that prioritizes the welfare of children and ensures compliance with parental responsibilities post-divorce.

Keywords: Divorce, Child Support, Children's Rights.



INTRODUCTION

Marriage is a union between two individuals who differ in gender and character yet are called to come together in harmony to build a family devoted to serving Allah.¹ Marriage is also one of the most protracted acts of worship, making it sometimes difficult to get through daily life. Sometimes, problems must be overcome to strengthen the bond of a marriage. However, a few couples fail to overcome marital problems, feeling like they cannot live together and maintain their household again, leading to divorce. Divorce certainly impacts the children, families, and spouses' relationships with each other. Divorce in Islam is known as *talaq*, which is a breaking of a relationship that's established by contract (*hall al-qaid*) with a specific word (*lafadz*). The act of *talaq* is allowed in Islam, but it is *makruh* (highly discouraged) under Islamic law. This is stated based on a Hadith narrated by Abu Daud.

أَبْغَضُ الْخَلَالِ إِلَى اللَّهِ تَعَالَى الطَّلَاقُ

meaning, "the most permissible action that Allah discourages is *talaq* (divorce)" (Narrated by Abu Daud).

In a divorce case, in addition to granting a petition to dissolve the marriage, a Judge decides several matters related to this family bond, namely between the husband, wife, and child, by following Article 41 of Law No. 1 of 1974 on Marriage. Divorced parents are still obliged to support and educate their children. The costs of a child are the legal responsibility of the Father. Among other things, a judge determines the following: *mut'ah* support, *iddah* support, and *madhiyah* support for the ex-wife.

Biological mothers generally get custody of their minor children, namely those under the age of 21 years or not yet married. However, children who have a *mumayyiz* are given the right to choose between their mothers or fathers as their custodial parent. *Mumayyiz* is a condition in which the child can distinguish words, actions, and good and bad things.² This distinction comes from the Compilation of

¹ Syukron Nur Aziz and Mustofa Anwar, 'Wives for Seekers in Islamic Law Perspective (Women Vegetable Traders in Metro City) Istri Pencari Nafkah Perspektif Hukum Islam', *JSHI: Jurnal Syariah Dan Hukum Islam* 1, no. 1 (31 December 2022): 1–23.

² Muhammad Hamizan Ab Hamid et al., 'A Systematic Literature Review (SLR) Study on the Level of Eligibility of al-Ahliyyah for Muslim Individuals with Disabilities', *Al-Qanadir: International Journal of Islamic Studies* 30, no. 2 (1 June 2023): 224–36.

Islamic Law (KHI) Article 105. The financial responsibility for the child's upkeep lies with the father until he is no longer capable or until the child reaches adulthood or can support him or herself (21 years of age). This aligns with Article 41(b) of the Marriage Law and the Compilation of Islamic Law (KHI), Article 156. Scholars argue that, according to *Imamiyah*, a father is obliged to provide financial support for his child. The responsibility can be transferred to the paternal grandfather if the father is unable to pay. However, if the paternal grandfather is also unable to do so, the support is borne by the mother, then the maternal grandfather and grandmother, and then the father's mother (paternal grandmother). If the parties above are in equal economic situations, they are obliged to share equally to fulfill the child's support. Nevertheless, if one of the parties is economically disadvantaged, the responsibility for providing support falls upon the party with the higher financial means.³

Judges' decisions, especially regarding child support, have been inconsistent. In a society, a father is not responsible for what is imposed on him.⁴ This weakens Judges' decisions, which are often ignored by parties to divorce proceedings. Moreover, it forces ex-wives to bear all the burdens related to them and their children following the dissolution of the marriage. It is crucial to recognize that the responsibility for providing the child's material and non-material support and well-being is shared between father and mother.

From a legal standpoint, single mothers can pursue litigation against their former spouses for child support arrears, which could ultimately lead to the initiation of execution proceedings.⁵ However, this procedure is not considered to be running optimally, as evidenced by the minimal number of these lawsuits and even fewer successful recoveries. It can be said then that this remedy is insufficient to provide a solution for the situation of single mothers who do not get a share of child support

³ Ramlah, 'Tanggungjawab Orang Tua Terhadap Hak Hadhanah Dan Nafkah Anak Pasca Perceraian: Perspektif Hukum Islam Dan Putusan Pengadilan Agama', *Harakat An-Nisa: Jurnal Studi Gender Dan Anak* 6, no. 1 (3 December 2021): 1–12, <https://doi.org/10.30631/harakatan-nisa.2021.61.1-12>.

⁴ Abdurrahman Adi Saputera and Masniyati, 'Analisis Terhadap Kelalaian Pemenuhan Nafkah Anak Pasca Putusan Pengadilan Agama Gorontalo', *Tamaddun: Journal of Islamic Studies* 2, no. 1 (2023): 1–22, <https://doi.org/10.55657/tajis.v2i1.117>.

⁵ Alfi Bariroh and Aulia Muthiah, 'Eksekusi Terhadap Kewajiban Pemberian Nafkah Anak Pasca Perceraian Menurut Hukum Positif', *Jurnal Jantera Hukum Borneo* 5, no. 2 (2022): 77–94.

from their ex-husbands. These ineffective measures include Law No. 4 of 1979 on Child Welfare, Law No. 3 of 1997 on Juvenile Court, and Law No. 35 of 2014 amending Law No. 23 of 2002 Article 54 on Child Protection, Presidential Decree (Keppres) No. 36 of 1990 on Ratification of the Convention on the Rights of the Child.⁶

Indonesia has a high rate of divorce. Data from the last three years indicates that the divorce rate has increased. In 2021, there were 447,743 cases, in 2022, there were 448,126 cases, and in 2023, there were 463,654 divorce cases. The dominant factors of divorce are economic problems and continuous quarrels between husband and wife.⁷ The province of East Java has a high divorce rate, second only to West Java, which had 89,093 cases. East Java comprises 29 regencies, of which Malang Regency saw the most divorce cases in East Java from 2020 to 2023. According to the latest data, there were 8,195 cases.⁸ This data attracted the authors' attention, motivating them to learn more about the divorce case decisions in Malang Regency, especially decisions on fathers' child support obligations as regulated in the Compilation of Islamic Law. Even after a divorce, a husband and wife remain obligated to fulfill their children's rights, as stipulated in Article 41 of Law No. 1 of 1974, and Law No. 23 of 2004 on the Elimination of Domestic Violence, Article 49. This is considered a criminal offense for a father who neglects his obligations to his children.⁹ Various legal instruments have been enacted to protect children's rights. In 2021, Indonesia continued to experience many cases of child abuse, with rates of 34% for boys and 41.05% for girls between the ages of 13 and 17 years old.¹⁰

⁶ Nabilla Suci Ramadhani et al., 'Hak Asasi Manusia Terhadap Anak', *IJEDR: Indonesian Journal of Education and Development Research* 2, no. 1 (1 January 2024): 109–14, <https://doi.org/10.57235/ijedr.v2i1.1567>.

⁷ Badan Pusat Statistik Provinsi Jawa Timur, 'Jumlah Talak Dan Cerai Menurut Kabupaten/Kota Di Provinsi Jawa Timur 2020–2022', jatim.bps.go.id, 2023, <https://jatim.bps.go.id/id/statistics-table/1/MzAyOSMx/jumlah-talak-dan-cerai-menurut-kabupaten-kota-di-provinsi-jawa-timur-2020-2022.html>.

⁸ Badan Pusat Statistik Provinsi Jawa Timur.

⁹ Ondra Aiko, 'Hak Anak Pasca Perceraian (Studi Kasus Di Nagari Pakan Rabaa Timur Kec. Koto Parik Gadang Diarah Kabupaten Solok Selatan)', *Jurnal Al-Abkam* 12, no. 1 (June 2021): 53–70, <https://doi.org/10.15548/alahkam.v12i1.2915>.

¹⁰ Tri Afandy and Yati Sharfina Desiandri, 'Tinjauan Implementasi Kebijakan Perlindungan dan Pemenuhan Hak Anak', *Iuris Studia: Jurnal Kajian Hukum* 4, no. 3 (October 2023): 145–55, <https://doi.org/10.55357/is.v4i3.411>.

This phenomenon has become a widespread societal problem. This is evidenced by the existence of several studies, such as in research by Muhammad Holid in Kembang Tlogosari Bondowoso Village,¹¹ and a journal article written by Intan Puspita and Hariyo Sulistiyantoro discussing child support in the Surabaya Religious Court, a study of Decision Number 2669/PDT.G/2023 P. A SBY.¹² Both produced the same results as this research, namely that child support orders are not enforced under the existing legal framework. Additionally, research conducted by Lutfi Yana and Ali Trigiyatno in Mulyorejo Village, Pekalongan Regency, found that four out of seven respondents have never received child support from their former spouses. Therefore, single mothers are compelled to engage in employment to fulfill the needs of their children.¹³ Also, from examining Decision Number 803/Pdt.G/PA.Jmb and Decision Number 593/Pdt.G/PA.Jmb by the Jambi Religious Court concerning child support, it is clear that it is also not carried out by the ex-husband, the obligant party.¹⁴

Based on the explanation above, the problem in this study is determining the extent to which child support obligations are fulfilled, the role of single mothers in seeking the right to fulfill their children's rights, and a Judge's role in compliance with orders for child support after divorce. Also, how does the legal system protect the rights of children and single mothers in the case of divorce?

METHODOLOGY

This study adopts a sociological legal research methodology, utilizing qualitative methods to explore the real-life implications of post-divorce legal decisions. Primary

¹¹ Muhammad Holid, 'Implementasi Pemenuhan Hak Anak Pasca Perceraian Di Desa Kembang Tlogosari Bondowoso Ditinjau Dari Kompilasi Hukum Islam Dan Undang-Undang Perlindungan Anak Nomor 23 Tahun 2002', *Jurnal Pendidikan Tambusai* 8, no. 1 (15 January 2024): 3055–63, <https://doi.org/10.31004/jptam.v8i1.12841>.

¹² Intan Puspita Sari and Hariyo Sulistiyantoro, 'Implementasi Pemberian Nafkah Anak Pasca Perceraian Di Pengadilan Agama Surabaya Studi Putusan Nomor 2669/Pdt.G/2023 P.A Sby,' *Civilia: Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan* 2, no. 6 (26 November 2023): 275–88, <https://doi.org/10.572349/civilia.v2i6.1435>.

¹³ Lutfi Yana and Ali Trigiyatno, 'Pemenuhan Hak Nafkah Anak Pasca Perceraian,' *Albukkam: Journal of Islamic Family Law* 2, no. 2 (2022): 113–22.

¹⁴ Armevya Sepma and Yenni Erwita, 'Pemberian Hak Nafkah Anak Pasca Perceraian Di Pengadilan Agama Jambi,' *Zaaken: Journal of Civil and Business Law* 1, no. 2 (2020): 344–58, <https://doi.org/10.22437/zaaken.v1i2.9434>.

data were obtained through direct field observations and structured interviews. The sociological approach was chosen to gain a deeper understanding of how legal norms operate within the lived experiences of the affected individuals. A purposive sampling technique, categorized as non-probability sampling, was employed to select respondents based on specific criteria: (1) women who are legally divorced, and (2) who have, or have had, minor children when the divorce decree was issued. To enhance the depth and validity of the analysis, the researcher also engaged an expert informant—a local judge from the Religious Court of Malang Regency—whose insights provided a judicial perspective on the enforcement and interpretation of child support obligations within the region. The researchers interviewed the respondents to obtain detailed information about this topic. The field research was conducted on the population of Malang Regency, which met the criteria for research respondents, including individuals from several sub-districts. This can be seen in Table 1 below.

No	District	Total Number of Respondents
1	Kepanjen District	4 people
2	Tumpang District	2 people
3	Pakis District	2 people
4	Singosari District	1 people
5	Poncokusumo District	1 people
6	Karangploso District	1 people

Table 1. Respondent Data by Region of Malang Regency

This research included data from respondents who divorced between 2021 and 2024, divorce data obtained through the Malang Regency Religious Court archives. Data analysis followed several steps: (1) The process of sorting and selecting between data containing high information value and data with low or additional information; (2) Following the screening process, the data were grouped according to this study's problem formulation; and (3) Analysis and conclusion. In this analysis, researchers

use several sources from previous data processing and filtering to reinforce the results obtained from the data in this research.

RESULT AND DISCUSSION

The Fulfillment of Child Support Obligations After Divorce in Malang Regency

According to most *Shafi'iyah fiqh* scholars, a father is obligated to support his children even after the dissolution of his marriage. All parties acknowledge that divorce does not invalidate the responsibility to provide financial support to offspring. The sole point of divergence among some scholars and the compilation of Islamic law in Indonesia pertains to the temporal limitations on support (*nafqah*).¹⁵

This research successfully conducted interviews with 11 respondents, all of whom were widowed and had minor children at the time of the divorce decision. The interviews were conducted over four years, from 2021 to 2024, and spanned several districts within Malang Regency. This research indicates that 10 out of 11 respondents were not provided child support by their former spouses. Consequently, single mothers are compelled to engage in a range of activities to ensure the well-being of their children. The result of the interview can be seen in Table 2 below.

Respondents	Year Of Divorce	Support Orders	Reasoning	Single Mother Effort (Work)
Respondent 1	2024	Rp. 500.000 was awarded, but not enforced	No sense of responsibility for the children	Factory workers
Respondent 2	2024	Rp. 500.000 was awarded, but not enforced	No sense of responsibility for the children	Not yet working, so their life is borne back to their parents

¹⁵ Lailatul Mawaddah and Zulfadli, "Jaminan Hak Nafkah Anak Pasca Perceraian Perspektif Fikih Syafi'iyah Dan Maqasid Al-Syari'ah," *Al-Madaris Jurnal Pendidikan Dan Studi Keislaman* 4, no. 1 (2023): 1–11, <https://doi.org/10.47887/amd.v4i1.109>.

Respondent 3	2024	It was not decided because of the ex-husband's disappearance and unknown whereabouts.	Missing and unknown whereabouts of ex-husband	Helping in food production
Respondent 4	2024	Rp. 1.000.000 was decided but implemented in the first month after the divorce.	Feeling incapable of providing the children	Not working
Respondent 5	2024	No child support lawsuit	There was no sense of responsibility for the children, and the ex-husband was addicted to online gambling.	Buying and selling Antam gold
Respondent 6	2023	Rp. 500.000 was awarded, but not enforced	Influenced by a third party (new wife from the ex-husband)	Factory worker
Respondent 7	2023	Rp. 1.000.000 was awarded, but not enforced	An irresponsible and lazy ex-husband, so the household economy was unstable for a long time before their divorce	Stone business
Respondent 8	2022	Rp. 1.000.000 was awarded, but not enforced	No sense of responsibility and have marriage again	Online sales and support from parents
Respondent 9	2022	It was not decided because of the ex-husband's disappearance and unknown whereabouts.	Missing and unknown whereabouts of ex-husband	Not working
Respondent 10	2021	Only provide money for children's education but also a few months	Influenced by a third party (new wife from the ex-husband)	Food business

Respondent 11	2021	Rp. 1.000.000 was awarded, but not enforced	No sense of responsibility	SPG
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Table 2. Data on Research Related to the Realization of Fulfillment of Child Support

From the data, 11 respondents indicated that they had not received financial support for their children from their ex-husbands. This research found that the existing divorce verdict did not fully implement the father's fulfillment of child support. Should the award be enforceable (*inkracht*), matters that the Religious Court Judge has decided would be contained in the ruling. This implies that the parties must comply with decisions and that subsequent submissions or modifications are not permitted.

The findings of this research, from the respondent's point of view as an ex-wife, there are various reasons why ex-husbands fail to provide child support, including (1) The loss of a sense of responsibility for the child because the child goes with his mother, (2) The unknown whereabouts and lack of appearance by the father so no support was awarded (3) Feeling unable to provide support for the child, and (4) The existence of prohibitions from other parties, namely his new wife.

In this situation, some single mothers face conditions within their households that require them to choose between returning to their parents or surviving alone to meet the needs of their children and themselves. A single mother who returns to her parents' home tends to receive material and non-material support for her and her child, including financial assistance, emotional and practical assistance, and other forms of support. Nevertheless, single mothers solely responsible for supporting themselves and their children may resort to any means of generating income, including taking on any form of work, to secure the financial resources necessary for their children's well-being and their own. The typical respondent is situated within a middle-to-lower-income bracket. They engage in various occupations, including factory work, sales promotion, food service, and more. By pursuing full-time employment, single mothers inevitably relinquish care and time with their children.

This has a particularly detrimental impact on the child, who is the most vulnerable in such circumstances.

The father neglects his obligation to maintain his children, including expenses related to living, education, and other necessities, despite the Court's decision to impose support on the former husband based on *maslahah mursalah* or the provision of welfare and benefit. In the Compilation of Islamic Law (KHI) Article 156 letter (d)¹⁶ and Supreme Court Circular (SEMA) Number 7 of 2012¹⁷, which was refined by SEMA Number 3 of 2018¹⁸, the determination of the amount of child support has been based on a sense of justice and the ability of the former husband to provide support based on his work and income. Despite an increase of 10% to 20% per year from the initial amount set, except for education and health costs, this is by SEMA Number 3 of 2015.¹⁹ This is intended to stabilize children's needs in subsequent years.

The Factors Contributing to the Lack of Child Support Lawsuit Causes in Malang Regency

A married couple's divorce certainly impacts the family: the perpetrators, the husband, the wife, and the children. The impact of parental divorce on children is inevitable. Many children are affected by their parents' divorce and experience a loss of fulfilment in terms of their rights, which can have a significant impact on their psychological well-being. Their rights as children to continue receiving protection, support, and financial support are not fully realized.²⁰ However, the potential negative consequences of divorce can be mitigated to a certain extent.

In the context of child support, the Court's authority is limited to withholding the divorce certificate from the husband, provided that the initial child support payment has not been fulfilled. However, because this child support obligation must continue

¹⁶ 'The Compilation of Islamic Law (KHI) of 1991' (n.d.) Art. 156 (d).

¹⁷ 'Supreme Court Circular (SEMA) Number 7 of 2012' (n.d.).

¹⁸ 'Supreme Court Circular (SEMA) Number 3 of 2018' (n.d.).

¹⁹ Harvin and Liza Priandhini, "Pengaturan Hukum Pemberian Nafkah Anak Setelah Perceraian Orang Tua Dalam Undang-Undang Perkawinan," *Jurnal Kertha Semaya* 9, no. 12 (2021): 2466–78, <https://doi.org/10.24843/KS.2021.v09.i12.p17>.

²⁰ Ramadhani et al., 'Hak Asasi Manusia Terhadap Anak'.

to be fulfilled until the child is 21 years old or married, the required verdict for the defendant will last for quite a long time. This makes the gap for the former husband's negligence in maintaining child support. Recognized by Judge Shobirin, the judge does not have a supervisory obligation to oversee the implementation of child support.

Respondents	Efforts Made By Single Mothers	Reason
Respondent 1	Had contact back and communication regarding child support, but no progress.	Poor and unheeded communication makes respondents reluctant to rebuild communication.
Respondent 2	Had contact back and communication regarding child support, but no progress.	Want to process the lawsuit again.
Respondent 3	Have searched for the ex-husband's whereabouts through family and media such as radio, newspapers, magazines, etc.	The ex-husband's whereabouts remain unknown, so she cannot file a lawsuit.
Respondent 4	Had contact back and communication regarding child support, but no progress.	The respondents need to learn about a lawsuit for child support and the burden of expensive legal fees, and it takes quite a long process.
Respondent 5	Had contact back and communication regarding child support, but no progress.	The condition of her ex-husband being addicted to online gambling makes the respondent have no hope of expecting child support from him.
Respondent 6	Had contact back and communication regarding child support, but no progress.	Poor and unheeded communication makes respondents reluctant to rebuild communication.
Respondent 7	Never attempted either legally or non-legally	The Ex-husband gave the respondent a problematic condition: he wanted to provide alimony on the condition that one of the children follow him.
Respondent 8	Never attempted either legally or non-legally	The burden of expensive legal fees takes quite a long process.
Respondent 9	Never attempted either legally or non-legally	The ex-husband's whereabouts remain unknown before their

		divorce
Respondent 10	Never attempted either legally or non-legally	Poor and unheeded communication makes respondents reluctant to rebuild communication.
Respondent 11	Never attempted either legally or non-legally	The Ex-husband gave the respondent a problematic condition: he wanted to provide alimony on the condition that one of the children followed him.

Table 3. Data on Research Results Related to Efforts Made by Single Mothers (Legal or Non-Legal) about the Fulfillment of Child Support

From the interviews conducted with several respondents, it can be concluded that several factors influence a single mother's reluctance to take legal action in fulfilling her child's support. The aggrieved parties have undertaken legal and non-legal efforts, yet the anticipated outcomes have not been achieved. Consequently, the endeavor is no longer viable. This is attributable to several factors, including (1) Poor relations between the former spouses, (2) Protection against child mentality, and (3) Legal problems.

The Efforts to Protect Children's Rights After Divorce

Despite divorce, the obligations of parents towards children cannot be interrupted. It is the obligation and responsibility of parents to continue to fulfill children's rights materially and non-materially, as regulated in Article 14²¹ and Article 26 of Law No. 35 of 2014 on Child Protection.²² Children's rights are integral to the broader concept of human rights.²³ It is the responsibility of all individuals and entities within their immediate and extended social circles, including parents, family members, community members, state actors, and government officials, to guarantee, fulfill, and

²¹ 'Law No. 35 of 2014 on Child Protection' (n.d.) Art. 14.

²² Law No. 35 of 2014 on Child Protection Art. 26.

²³ Feby Dwiki Darmawan and Dodik Setiawan Nur Heriyanto, 'Invoking International Human Rights Law to Prevent Statelessness of International Refugee Children Born in Indonesia', *Prophetic Law Review* 5, no. 1 (1 June 2023): 22–41, <https://doi.org/10.20885/PLR.vol5.iss1.art2>.

protect these rights.²⁴ It is also recognized by Michael E. Lamb, Kathleen J. Sternberg, and Ross A. Thompson that this divorce will impact the perpetrator's family, namely husband, wife, and children. Each of them will experience mental shock, depression, loneliness, regret, and helplessness. Even for the children themselves, it is enough to have long-term effects, such as decreased performance at school, low self-esteem, and difficulties in intimate heterosexual relationships in adulthood.²⁵

Some respondents indicated that they continued to experience internal personal problems with their former spouses even after the dissolution of their marriages. This situation makes it uncomfortable and threatening for single mothers as holders of custody and mental rights between mother and child to separate. Furthermore, observing the reality before the separation of the ex-husband's situation, in which he did not care, domestic violence, and was responsible for the family, has caused single mothers to doubt and worry about placing their children in the care of their fathers. This form of concern is evident among single mothers regarding their children. From their perspective, relinquishing custody to the father poses a significant risk to the child's well-being. The potential for neglect and victimization is heightened in cases where the father and mother are separated, as observed in previous research on the impact of divorce on children. This is in line with previous research related to the effects of divorce on children, where children develop a sense of insecurity and discomfort.²⁶

Moreover, in addition to the conditions mentioned above, there is another reason, namely, poor communication between the two parties, due to issues that arose during their marriage. This lack of communication creates a sense of discomfort between the two parties, which impedes the ability to communicate effectively, even when discussing matters related to their children. The problems between the two

²⁴ Cunduk Wasiati et al., "Kewajiban Ayah Terkait Nafkah Anak Setelah Terjadinya Perceraian Di Pengadilan Agama: Perspektif Hak Asasi Manusia," *Juris Humanity: Jurnal Riset Dan Kajian Hukum Hak Asasi Manusia* 2, no. 2 (27 December 2023): 11–21, <https://doi.org/10.37631/jrkhm.v2i2.25>.

²⁵ Michael E. Lamb, Kathleen J. Sternberg, and Ross A. Thompson, "The Effects of Divorce and Custody Arrangements on Children's Behavior, Development, and Adjustment," *Family and Conciliation Courts Review* 35, no. 4 (1 October 1997): 393–404, <https://doi.org/10.1023/A:1008873721682>.

²⁶ Miyah Salsabila and Ashwab Mahasin, "Dampak Perceraian Bagi Anak Dalam Mencapai SDGs Di Indonesia," *Pro Justitia: Jurnal Hukum Dan Sosial* 3, no. 1 (June 2023): 1–10.

were part of the factors that caused the divorce between them. As experienced by the respondents, the ex-husband committed it repeatedly. The experience of violence by women is not limited to physical injury; it also leaves deep psychological scars. When a woman should have received kind and loving treatment from her partner, but was ignored, she received harsh and painful treatment. This behavior has the effect of making women afraid, insecure, and traumatized by men. Even the worst possible outcome of this behavior is death.²⁷

Especially if the child sees the act, it is sure to traumatize the child against his father, as happened to the child of the respondent from Karangploso, who saw his mother being beaten by his father at an early age to see such disgraceful behavior from his parents and making the child reluctant to establish a relationship and communication with his father because he feels afraid and traumatized. Psychologically, a child will feel frightened and stressed about what he has experienced. From a psychological perspective, a child may experience feelings of fear and distress as a result of the traumatic event. Such behavior hurts the mental and psychological health of the child, engendering a sense of trauma and emotionality towards the abuser. Furthermore, this behavior affects the child's social development, potentially leading to adverse outcomes in the future. Children may exhibit aggressive behavior, experience depression, encounter difficulties in social interaction, and even engage in self-harm.²⁸

Indirectly, the child experiences emotional violence caused by his father because the memory is stored in the child's mind and causes anger, hatred, and a sense of trauma.²⁹ In their growth, children may experience a deep understanding of sadness because they do not have a complete family. Until the maturation process, children who come from broken home families have the potential to have resentment, hatred,

²⁷ Wahidah Zein Br Siregar, "Causes and Impacts of Domestic Violence Against Women: Cases in Indonesia," *Jurnal Sosiologi Dialektika* 19, no. 1 (2024): 77–88, <https://doi.org/10.20473/jsd.v19i1.2024.77-88>.

²⁸ Gusni Dian Suri et al., "Bagaimana Kekerasan Dalam Rumah Tangga Berefek Pada Kondisi Psikologis Anak?: Analisis Pendahuluan Intervensi Pendidikan," *Jurnal Educatio: Jurnal Pendidikan Indonesia* 9, no. 2 (30 December 2023): 1072–78, <https://doi.org/10.29210/1202323434>.

²⁹ Ella Suzanna et al., "Kekerasan Pada Anak Dalam Keluarga," *Journal of Psychology* 1, no. 1 (29 August 2024): 33–40, <https://doi.org/10.70248/jp.v1i1.1220>.

and anger towards their parents. This impacts the child's emotional and self-control, which is out of control.³⁰

Getting material and non-material support is a child's right that must be fulfilled regardless of the circumstances with both parents. This right is in the form of care, support, education, financing, and protection during the process of child development, as well as all forms of protection from other things regulated in the Child Protection Law. Gushairi asserts that unfulfilled children's rights impact the child's education, morals, and overall well-being.³¹ This finding is consistent with the findings of Muhammad Azani and Cysillia Aggraini Novalis³², who identified economic factors, poor communication between the two parties, the remarriage of the former husband, and the cost and time requirements of the legal process as crucial obstacles to the former husband's fulfillment of his child's support.

From the perspective of Judge Shobirin, the Court has endeavored to ensure the continued enforcement of this child support. The court has attempted to ensure that the defendant is bound to the plaintiff through (1) the payment of *nafkah madhiyyah*, *nafkah iddah*, and *nafkah mut'ah* before the pronouncement of the divorce decree, (2) If in a contested divorce by Supreme Court Regulation (PERMA) No. 3 of 2017 on Guidelines for Adjudicating Cases of Women Against the Law, then to provide legal protection for women's rights after divorce, the verdict in the case of divorce lawsuit can add the page "which is paid before the defendant takes the divorce certificate, provided that the amendment is narrated in the article and petition of the lawsuit" as SEMA Number 2 of 2019.

For the procedural law to be effective, the injured party must be able to submit to the implementation of the contents of the decision by force (execution). A request for execution may be forwarded to the local Religious Court, provided that assets can be

³⁰ Berlia Sukmawati and Nancy Dela Oktora, "Dampak Perceraian Orang Tua Bagi Psikologis Anak," *Setara: Jurnal Studi Gender Dan Anak* 3, no. 2 (2021): 24, <https://doi.org/10.32332/jsga.v3i2.3801>.

³¹ Gushairi, "Pelaksanaan Pemenuhan Nafkah Anak Pasca Perceraian Di Provinsi Riau," *Hukum Islam* 22, no. 1 (2022): 23, <https://doi.org/10.24014/jhi.v22i1.17198>.

³² Muhammad Azani and Cysillia Anggaraini Novalis, "Pelaksanaan Putusan Pengadilan Agama Mengenai Pemenuhan Hak Nafkah Anak Pasca Perceraian Di Pengadilan Agama Pekanbaru," *Jotika Research in Business Law* 1, no. 2 (2022): 46–59, <https://doi.org/10.56445/jrbl.v1i2.43>.

executed (in other words, wealth or assets belonging to the former husband). Therefore, allowing several months or years to elapse would be prudent before attempting to enforce alimony payment. Only after this period has passed should an application for execution be submitted so that the costs incurred in filing for execution and the value obtained are comparable. As the viewpoint of the suggestion from the Judge of the Religious Court of Malang Regency, Shobirin.

Strengthening the Law Regarding Fulfillment of Child Support that is not based on the Judge's Decision

This condition presents a significant challenge for single mothers. Indeed, there are legal avenues that single mothers may pursue in such circumstances. The nature of the decision rendered is punitive (condemnation). If the punished party fails to comply with the verdict, the injured party may file a lawsuit with the court to enforce the judgment under the existing ruling. This is a legal effort that can be made by the ex-wife or her child who has legal capacity in this condition.³³

Single mothers may file a lawsuit based on Law No. 3 of 2006 on Religious Courts, Article 49 (a), and the provisions outlined in Articles 196 to 197 of the *Herzien Inlandsch Reglement* (HIR). This legal framework outlines the procedural steps that single mothers can undertake to seek the fulfillment of support for their children through legal channels. The procedural aspects of initiating a child support lawsuit, including the filing process, remain largely unknown to the general public. The public's lack of familiarity with the execution process, the relatively complex procedures, and the high financial costs involved are not comparable to the economic implications of the child support decision. Such an approach may inadvertently disadvantage the applicant. Whereas the applicant, as the aggrieved party, wants to take this step to seek protection and justice, it is even more disadvantaged because of the expensive financing. It is not commensurate with what will later be obtained.

³³ Kholid Masyhari and Akhmad Nurasikin, "Implementasi Putusan Pengadilan Agama Tentang Nafkah Anak Dan Hadlanah," *Iqtisad: Reconstruction of Justice and Welfare for Indonesia* 10, no. 1 (2023): 17–36, <https://doi.org/10.31942/iq.v10i1.8508>.

Relationships that are not well established after divorce are due to the problem factors that caused the divorce. Either due to the wounded heart of a former wife, or no longer seeing the responsibility of the former husband, making it feel futile to continue to ask and expect child support from her ex-husband. It was sufficient to attempt to re-establish communication on several occasions. However, this was still ignored, and there was no alteration in the ex-husband's attitude. Therefore, it was necessary to establish relations and communication with the ex-husband. In addition, single mothers are mindful of the psychological well-being of their children. The separation of two parents can have a profound psychological impact on children, particularly if one parent's behavior is perceived as detrimental. So, if the legal process continues, single mothers feel that it will have an increasingly unfavorable psychological impact on their children.

This procedural complexity also occurs in Malaysia; this was revealed by Nurhidayah Muhammad Hasyim, Tim Lindsey, Zuliza Mohd Kusrin, and Aisyah Mohd Nor that the process of filing a child custody lawsuit by a single mother has a complicated procedure in the Syariah Court. This intricate procedure lies in the filing of an application, which must be accompanied by relevant supporting documents of the children's expenses, evidence of the ex-husband's capacity to pay, proof of the ex-husband's pay slips, and applications for other court orders to disclose the ex-husband's documents or other subpoenas requesting a person to testify.³⁴

Furthermore, in alignment with the insights shared by Alfi Bariroh, the implementation of this legal process continues to face significant challenges that impede its practical realization. These include: (1) The value of execution is less than the cost of carrying out the execution process itself, which leads the ex-wife to reconsider her intention to pursue this course of action. It would be more beneficial for the money to be allocated towards meeting the child's needs; (2) Due to a

³⁴ Nurhidayah Muhammad Hashim et al., "Child Support after Divorce: Review on the Practices in Malaysian Shariah Courts," *Environment-Behaviour Proceedings Journal* 9, no. 29 (22 June 2024): 63–67, <https://doi.org/10.21834/e-bpj.v9i29.6024>.

prolonged separation, the ex-wife is unaware of her ex-husband's assets; and (3) The ex-husband has stated that he cannot fulfill his child support obligations.³⁵

Indeed, it is a prevalent phenomenon in contemporary society for fathers or former spouses to evade their responsibilities of fulfilling their children's needs. Despite the availability of legal remedies, they often fail to provide a solution for the aggrieved party, the ex-wife. It is uncommon for a lawsuit related to child support from the ex-wife to be filed. Even in Malang Regency, during the last three years, there has only been 1 (one) lawsuit related to child needs efforts, namely in 2024.

According to Muhammad Azani and Cysillia Aggraini Novalis, "The state must be able to uphold and seek the fulfillment of rights for its people. Especially the court, which has the judicial principle that determines a case quickly, simply, and cheaply for the applicant. The Court should be able to uphold these principles to fulfill the community's rights." Amitri further asserts that the 1945 Constitution, Articles 28 B and 34, paragraph (1), which emphasizes the state's guarantee of children's rights and survival, growth, and development, and protection from violence and discrimination, as well as the state's obligation to uphold the Convention on the Rights of the Child (KHA) regarding child support in cases of divorce, must be considered.³⁶

The objective is to reinforce the legislation to create a deterrent effect for those not accountable for the outcome of the case. This is at odds with one of the theories, namely the carrot-and-stick theory. A journal article titled "Do Carrots Work Better than Sticks? The Results of the National Child Support Noncustodial Parent Employment Demonstration"³⁷ indicates that the effectiveness of using sticks and carrots is attributed to punishment and reward for irresponsible offenders. Similarly, a person riding a donkey can direct the donkey to walk by either striking it with a stick or luring it with carrots in front of the donkey. This metaphor gives rise to a

³⁵ Bariroh and Muthiah, "Eksekusi Terhadap Kewajiban."

³⁶ Amitri Dinar Sari, "Pengabaian Nafkah Anak Pascaperceraian Orang Tua Sebagai Penelantaran Anak," *JISIP: (Jurnal Ilmu Sosial Dan Pendidikan)* 6, no. 3 (5 July 2022): 9925–32, <https://doi.org/10.36312/jisip.v6i3.3299>.

³⁷ Maria Cancian, Daniel R. Meyer, and Robert G. Wood, "Do Carrots Work Better than Sticks? Results from the National Child Support Noncustodial Parent Employment Demonstration," *Journal of Policy Analysis and Management* 41, no. 2 (2022): 552–78, <https://doi.org/10.1002/pam.22370>.

theory pertinent to the case of the law for perpetrators who disobey the law. The question thus arises as to whether the objective is to impose harsh penalties to deter future offenses or provide incentives or assistance in the form of a forum to facilitate the perpetrator's rehabilitation and avoidance of further violations. The findings of this journal provide substantial evidence that severe laws do not always yield the anticipated outcomes. Instead, it is evident that with the provision of legal assistance that is not unduly burdensome, the desired outcomes can be effectively achieved.

The complexity of legal procedures and expensive financing make the injured party feel even more disadvantaged by undergoing existing efforts. This is inversely proportional to Australia's existing legal policy, as discussed with the judge Shobirin, in Australia, state administrative affairs, if an ex-husband does not fulfill his child support after divorce. For example, he will be banned from traveling abroad, and his financial accounts cannot be accessed until he fulfills his child support obligations. This is stated by Shobirin, a Judge of the Religious Court of Malang Regency, when comparing legal remedies in Indonesia with Australia regarding this case.

In Australia, most separating couples can reach an independent agreement regarding the decision-making authority for the children and the custody arrangement. A specialist family mediation service can assist if an agreement cannot be reached independently. If the specialist family mediation service cannot decide, the Family Court Judge will intervene. According to Australian family law legislation, the judge's decision will be based on the child's best interests. Concerning support, Australia has two types of parenting plans: joint custody, in which both parents retain shared responsibilities and authority over significant aspects of their children's lives, and sole custody, in which one parent has the legal authority to make crucial decisions for the child without consulting the other parent.³⁸

The financing of child support in Australia is also characterized by a diverse system encompassing two distinct types. In cases where sole custody is awarded, the

³⁸ Services Australia, 'Recovering Child and Spousal Support Payments', www.servicesaustralia.gov.au, 31 January 2025, <https://www.servicesaustralia.gov.au/recovering-child-and-spousal-support-payments?context=21911>.

government plays a role in facilitating the fulfillment of child support obligations. This is typically done through the Department of Social Services of Australia, which serves as a mediator between the former husband and wife. In practice, the former husband is responsible for making the child support payment to the government agency, which then transmits it to the former wife. A child support assessment, agreement, or court order sets the amount to be paid. Australian social services administer the child support payments. Services Australia tells the parents how and when to pay, collects the money from the paying parents, and transfers the money to the receiving parent. This is also done in several countries that apply both types of child support fulfillment, such as New Zealand, Norway, Spain, Belgium, etc. Research in 13 countries is written in the book *Shared Physical Custody* by Laura Bernardi and Dimitri Mortelmans.³⁹ If a charged perpetrator fails to provide child support, statutory consequences allow government authorities to recover the overdue child and spousal support through several means. These include the deduction of income support payments, the increase of tax liabilities, cooperation with other parties such as debt collection agencies, the deduction or direct withdrawal of funds from bank accounts, and litigation, which ultimately returns the matter to the court for the perpetrator to fulfill his or her obligations.⁴⁰

The reality of the field is not based on the ruling that has permanent legal force, which proves the weakness and behavior of people who simplify the law. It is important to note that the state must still consider existing legal remedies when implementing the law in society. There are still missing points in the legal policy, which result in a lack of deterrent effect for convicted parties who do not carry out the responsibilities of the punishment stated in the verdict, particularly in cases related to child support.

³⁹ Laura Bernardi and Dimitri Mortelmans, eds., *Shared Physical Custody: Interdisciplinary Insights in Child Custody Arrangements*, vol. 25, European Studies of Population (Cham: Springer International Publishing, 2021), <https://doi.org/10.1007/978-3-030-68479-2>.

⁴⁰ Services Australia, 'Recovering Child and Spousal Support Payments'.

CONCLUSION

Based on the explanation above, it is suggested that a significant number of convicted individuals, particularly former spouses, evade their financial obligations by refusing to provide child support as required by the court's decision. This consequently forces single mothers to become self-sufficient and to work assiduously, not only in caring for their children but also in financing their support. This situation is influenced by several factors, including (1) the absence of a sense of responsibility on the part of the former husband, (2) the lack of knowledge regarding the whereabouts of the former husband before the divorce, and (3) the influence of a third party, in this case the wife or the new family.

As an aggrieved party, a single mother or her child who has legal capacity can sue for execution related to unfulfilled child support to the Religious Court. However, it is still rare to find an incoming lawsuit regarding this case. This is due to several factors that prevent this existing legal effort from running optimally. Among them are (1) Poor relations between the ex-husband and wife, (2) Protection of children's mentality, and (3) Legal problems, namely the lack of legal understanding in the community and the complicated legal litigation process with expensive financing.

Hence, the existing legal efforts are not considered the best way out because there is no specific legal policy regarding this condition. This means there are still no legal efforts to fix this. However, an attempt can be made to reassess the existing law to consider the field conditions of single mothers when implementing it. In addition, it is necessary to seek a particular policy related to controlling the fulfillment of child support, both from the court and outside the court, which can serve as a deterrent effect on the former husband in carrying out the responsibilities imposed on him by the ruling. In addition, there is empowerment for single mothers from the smallest scope, such as the Regional Government, to play a role in alleviating the circumstances experienced by single mothers.

REFERENCES

- Afandy, Tri, and Yati Sharfina Desiandri. 'Tinjauan Implementasi Kebijakan Perlindungan dan Pemenuhan Hak Anak'. *Iuris Studia: Jurnal Kajian Hukum* 4, no. 3 (October 2023): 145–55. <https://doi.org/10.55357/is.v4i3.411>.
- Aiko, Ondra. 'Hak Anak Pasca Perceraian (Studi Kasus Di Nagari Pakan Rabaa Timur Kec. Koto Parik Gadang Diatesh Kabupaten Solok Selatan)'. *Jurnal Al-Ahkam* 12, no. 1 (June 2021): 53–70. <https://doi.org/10.15548/alahkam.v12i1.2915>.
- Azani, Muhammad, and Cysillia Anggaraini Novalis. 'Pelaksanaan Putusan Pengadilan Agama Mengenai Pemenuhan Hak Nafkah Anak Pasca Perceraian Di Pengadilan Agama Pekanbaru'. *Jotika Research in Business Law* 1, no. 2 (8 July 2022): 46–59. <https://doi.org/10.56445/jrbl.v1i2.43>.
- Aziz, Syukron Nur, and Mustofa Anwar. 'Wives for Seekers in Islamic Law Perspective (Women Vegetable Traders in Metro City) Istri Pencari Nafkah Perspektif Hukum Islam'. *JSHI: Jurnal Syariah Dan Hukum Islam* 1, no. 1 (31 December 2022): 1–23.
- Badan Pusat Statistik Provinsi Jawa Timur. 'Jumlah Talak Dan Cerai Menurut Kabupaten/Kota Di Provinsi Jawa Timur 2020–2022'. jatim.bps.go.id, 2023. <https://jatim.bps.go.id/id/statistics-table/1/MzAyOSMx/jumlah-talak-dan-cerai-menurut-kabupaten-kota-di-provinsi-jawa-timur-2020-2022.html>.
- Bariroh, Alfi, and Aulia Muthiah. 'Eksekusi Terhadap Kewajiban Pemberian Nafkah Anak Pasca Perceraian Menurut Hukum Positif'. *Jurnal Jantera Hukum Borneo* 5, no. 2 (July 2022): 77–94.
- Bernardi, Laura, and Dimitri Mortelmans, eds. *Shared Physical Custody: Interdisciplinary Insights in Child Custody Arrangements*. Vol. 25. European Studies of Population. Cham: Springer International Publishing, 2021. <https://doi.org/10.1007/978-3-030-68479-2>.
- Cancian, Maria, Daniel R. Meyer, and Robert G. Wood. 'Do Carrots Work Better than Sticks? Results from the National Child Support Noncustodial Parent Employment Demonstration'. *Journal of Policy Analysis and Management* 41, no. 2 (March 2022): 552–78. <https://doi.org/10.1002/pam.22370>.
- Darmawan, Feby Dwiki, and Dodik Setiawan Nur Heriyanto. 'Invoking International Human Rights Law to Prevent Statelessness of International Refugee Children Born in Indonesia'. *Prophetic Law Review* 5, no. 1 (1 June 2023): 22–41. <https://doi.org/10.20885/PLR.vol5.iss1.art2>.
- Gushairi. 'Pelaksanaan Pemenuhan Nafkah Anak Pasca Perceraian Di Provinsi Riau'. *Hukum Islam* 22, no. 1 (6 June 2022): 23. <https://doi.org/10.24014/jhi.v22i1.17198>.
- Hamid, Muhammad Hamizan Ab, Mohd Amzari Tumiran, Durriyyah Sharifah Hasan Adli, Mohd Yakub, Mohd Yakub @ Zulkifli Mohd Yusoff, Mohd Hapiz Mahaiyadin, Amir Muhriz Abdul Latiff, and Mohd Zaid Daud. 'A Systematic

- Literature Review (SLR) Study on the Level of Eligibility of al-Ahliyyah for Muslim Individuals with Disabilities'. *Al-Qanatir: International Journal of Islamic Studies* 30, no. 2 (1 June 2023): 224–36.
- Harvin, and Liza Priandhini. 'Pengaturan Hukum Pemberian Nafkah Anak Setelah Perceraian Orang Tua Dalam Undang-Undang Perkawinan'. *Jurnal Kertha Semaya* 9, no. 12 (2021): 2466–78. <https://doi.org/10.24843/KS.2021.v09.i12.p17>.
- Hashim, Nurhidayah Muhammad, Tim Lindsey, Zuliza Mohd Kusrin, and Aishah Mohd Nor. 'Child Maintenance after Divorce: Review on the Practices in Malaysian Shariah Courts'. *Environment-Behaviour Proceedings Journal* 9, no. 29 (22 June 2024): 63–67. <https://doi.org/10.21834/e-bpj.v9i29.6024>.
- Holid, Muhammad. 'Implementasi Pemenuhan Hak Anak Pasca Perceraian Di Desa Kembang Tlogosari Bondowoso Ditinjau Dari Kompilasi Hukum Islam Dan Undang-Undang Perlindungan Anak Nomor 23 Tahun 2002'. *Jurnal Pendidikan Tambusai* 8, no. 1 (15 January 2024): 3055–63. <https://doi.org/10.31004/jptam.v8i1.12841>.
- Lamb, Michael E., Kathleen J. Sternberg, and Ross A. Thompson. 'The Effects of Divorce and Custody Arrangements on Children's Behavior, Development, and Adjustment'. *Family and Conciliation Courts Review* 35, no. 4 (1 October 1997): 393–404. <https://doi.org/10.1023/A:1008873721682>.
- Law No. 35 of 2014 on Child Protection (n.d.).
- Masyhari, Kholid, and Akhmad Nurasikin. 'Implementasi Putusan Pengadilan Agama Tentang Nafkah Anak Dan Hadlanah'. *Iqtisad: Reconstruction of Justice and Welfare for Indonesia* 10, no. 1 (20 June 2023): 17–36. <https://doi.org/10.31942/iq.v10i1.8508>.
- Mawaddah, Lailatul and Zulfadli. 'Jaminan Hak Nafkah Anak Pasca Perceraian Perspektif Fikih Syafi'iyah Dan Maqasid Al-Syari'ah'. *Al-Madaris Jurnal Pendidikan Dan Studi Keislaman* 4, no. 1 (8 November 2023): 1–11. <https://doi.org/10.47887/amd.v4i1.109>.
- Ramadhani, Nabilla Suci, Salsabila Lubis, Afifa Tohira, and Usiono. 'Hak Asasi Manusia Terhadap Anak'. *IJEDR: Indonesian Journal of Education and Development Research* 2, no. 1 (1 January 2024): 109–14. <https://doi.org/10.57235/ijedr.v2i1.1567>.
- Ramlah. 'Tanggungjawab Orang Tua Terhadap Hak Hadhanah Dan Nafkah Anak Pasca Perceraian: Perspektif Hukum Islam Dan Putusan Pengadilan Agama'. *Harakat An-Nisa: Jurnal Studi Gender Dan Anak* 6, no. 1 (3 December 2021): 1–12. <https://doi.org/10.30631/harakatan-nisa.2021.61.1-12>.
- Salsabila, Miyah, and Ashwab Mahasin. 'Dampak Perceraian Bagi Anak Dalam Mencapai SDGs Di Indonesia'. *Pro Justicia: Jurnal Hukum Dan Sosial* 3, no. 1 (June 2023): 1–10.
- Saputera, Abdurrahman Adi and Masniyati. 'Analisis Terhadap Kelalaian Pemenuhan Nafkah Anak Pasca Putusan Pengadilan Agama Gorontalo'.

- Tamaddun: Journal of Islamic Studies* 2, no. 1 (June 2023): 1–22. <https://doi.org/10.55657/tajis.v2i1.117>.
- Sari, Amitri Dinar. 'Pengabaian Nafkah Anak Pascaperceraian Orang Tua Sebagai Penelantaran Anak'. *JISIP: (Jurnal Ilmu Sosial Dan Pendidikan)* 6, no. 3 (5 July 2022): 9925–32. <https://doi.org/10.36312/jisip.v6i3.3299>.
- Sari, Intan Puspita, and Hariyo Sulistiyantoro. 'Implementasi Pemberian Nafkah Anak Pasca Perceraian Di Pengadilan Agama Surabaya Studi Putusan Nomor 2669/Pdt.G/2023 P.A Sby'. *Civilia: Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan* 2, no. 6 (26 November 2023): 275–88. <https://doi.org/10.572349/civilia.v2i6.1435>.
- Sepma, Armevyva, and Yenni Erwita. 'Pemberian Hak Nafkah Anak Pasca Perceraian Di Pengadilan Agama Jambi'. *Zaaken: Journal of Civil and Business Law* 1, no. 2 (1 October 2020): 344–58. <https://doi.org/10.22437/zaaken.v1i2.9434>.
- Services Australia. 'Recovering Child and Spousal Support Payments'. www.servicesaustralia.gov.au, 31 January 2025. <https://www.servicesaustralia.gov.au/recovering-child-and-spousal-support-payments?context=21911>.
- Siregar, Wahidah Zein Br. 'Causes and Impacts of Domestic Violence Against Women: Cases in Indonesia'. *Jurnal Sosiologi Dialektika* 19, no. 1 (11 June 2024): 77–88. <https://doi.org/10.20473/jsd.v19i1.2024.77-88>.
- Sukmawati, Berlia, and Nancy Dela Oktora. 'Dampak Perceraian Orang Tua Bagi Psikologis Anak'. *Setara: Jurnal Studi Gender Dan Anak* 3, no. 2 (17 December 2021): 24. <https://doi.org/10.32332/jsga.v3i2.3801>.
- Supreme Court Circular (SEMA) Number 3 of 2018 (n.d.).
- Supreme Court Circular (SEMA) Number 7 of 2012 (n.d.).
- Suri, Gusni Dian, Afdal Afdal, Mutia Afrida, Azmatul Khairiah Sari, Rezki Hariko, Miftahul Fikri, Rima Pratiwi Fadli, and Azahra Hardi Cusinia. 'Bagaimana Kekerasan Dalam Rumah Tangga Berefek Pada Kondisi Psikologis Anak?: Analisis Pendahuluan Intervensi Pendidikan'. *Jurnal Educatio: Jurnal Pendidikan Indonesia* 9, no. 2 (30 December 2023): 1072–78. <https://doi.org/10.29210/1202323434>.
- Suzanna, Ella, Shabrina Hanifa, Sri Kesuma Wardhani Siahaan, Sheilvia Azura, Kartika Setiya, Raihanul Jannah, and Ade Ira Rahayu Berutu. 'Kekerasan Pada Anak Dalam Keluarga'. *Journal of Psychology* 1, no. 1 (29 August 2024): 33–40. <https://doi.org/10.70248/jp.v1i1.1220>.
- the Compilation of Islamic Law (KHI) of 1991 (n.d.).
- Wasiati, Cunduk, Bagus Anwar Hidayatullah, and Imma Indra Dewi Windajani. 'Kewajiban Ayah Terkait Nafkah Anak Setelah Terjadinya Perceraian Di Pengadilan Agama: Perspektif Hak Asasi Manusia'. *Juris Humanity: Jurnal Riset*

Dan Kajian Hukum Hak Asasi Manusia 2, no. 2 (27 December 2023): 11–21.
<https://doi.org/10.37631/jrkhm.v2i2.25>.

Yana, Lutfi, and Ali Trigiyatno. 'Pemenuhan Hak Nafkah Anak Pasca Perceraian'.
Alhukkam: Journal of Islamic Family Law 2, no. 2 (2022): 113–22.