

## LEGAL CONSTRUCTION OF CHILD CUSTODY IN THE LAHAT RELIGIOUS COURT: AN ANALYSIS OF CUSTODY AWARDS TO FATHERS AFTER DIVORCE

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### Abstract

**Purpose:** This study aimed to analyze the legal considerations and implementation of custody decisions in Case Number 977/Pdt. G/2022/PA.LT at the Lahat Religious Court. Specifically, it seeks to examine the legal basis used by the judge in granting custody to the father and evaluate how the decision has been implemented.

**Methods** - A normative-empirical research method is employed, which combines legal analysis with field research. Data were collected through structured interviews with the parties involved and library research on relevant legal sources. This study adopts a qualitative approach with descriptive analysis to interpret judicial reasoning and assess the ruling's impact.

**Findings** - The judges prioritized the best interests of the child over Article 105(a) of the Compilation of Islamic Law, which normally grants custody of a non-mumayyiz child to the mother. The decision was based on three key considerations: the child had been continuously cared for by the father since the separation, the child expressed a preference to remain with the father, and the mother admitted infidelity as a factor in the divorce. The ruling has been partially effective: while the child remains in the father's custody, the mother's visitation rights have been hindered by parental conflict. Over time, however, the child's initial reluctance to meet the mother shifted toward more positive interactions.

**Contribution/Limitation:** This study contributes to the discourse on custody disputes by demonstrating how judicial discretion and social dynamics influence the application of family law. A limitation of this research lies in its focus on a single case, which may not fully represent broader judicial trends.

**Originality/Value** - The originality of this study lies in its combination of legal and empirical perspectives, offering insights into how custody rulings are not only legally grounded but also shaped by practical, social, and familial considerations.

**Keywords:** Child custody, Islamic Law, Religious Court, and Islamic Studies.

### Abstrak

**Tujuan** - Penelitian ini bertujuan untuk menganalisis pertimbangan hukum dan pelaksanaan putusan hak asuh dalam Perkara Nomor 977/Pdt.G/2022/PA.LT di Pengadilan Agama Lahat. Secara khusus, penelitian ini ingin

mengkaji dasar hukum yang digunakan hakim dalam memberikan hak asuh kepada ayah serta mengevaluasi bagaimana putusan tersebut dilaksanakan.

**Metode** - Metode penelitian yang digunakan adalah normatif-empiris, yang menggabungkan analisis hukum dengan penelitian lapangan. Data dikumpulkan melalui wawancara terstruktur dengan pihak-pihak terkait serta studi pustaka terhadap sumber hukum yang relevan. Penelitian ini menggunakan pendekatan kualitatif dengan analisis deskriptif untuk menafsirkan pertimbangan hakim dan menilai dampak dari putusan tersebut.

**Temuan** - Hakim mengutamakan prinsip kepentingan terbaik bagi anak di atas Pasal 105(a) Kompilasi Hukum Islam, yang pada umumnya memberikan hak asuh anak belum mumayyiz kepada ibu. Putusan tersebut didasarkan pada tiga pertimbangan utama: (1) anak telah terus-menerus diasuh oleh ayah sejak perpisahan, (2) anak menyatakan keinginannya untuk tetap bersama ayah, dan (3) ibu mengakui adanya perselingkuhan sebagai faktor penyebab perceraian. Putusan ini terlaksana sebagian: anak tetap berada dalam pengasuhan ayah, namun hak kunjungan ibu terhambat konflik antar orang tua. Seiring waktu, interaksi anak dengan ibu berubah menjadi lebih positif.

**Kontribusi/Keterbatasan** - Penelitian ini berkontribusi pada diskursus sengketa hak asuh dengan menunjukkan bagaimana diskresi hakim dan dinamika sosial memengaruhi penerapan hukum keluarga. Keterbatasannya adalah fokus pada satu kasus, sehingga belum sepenuhnya mewakili tren yurisprudensi yang lebih luas.

**Keaslian/Nilai** - Keaslian penelitian ini terletak pada perpaduan perspektif hukum dan empiris, yang memberikan wawasan bahwa putusan hak asuh tidak hanya berlandaskan hukum, tetapi juga dibentuk oleh pertimbangan praktis, sosial, dan kekeluargaan.

**Kata kunci:** Hak asuh anak, Hukum Islam, Pengadilan Agama dan Kajian Islam.

## INTRODUCTION

Marriage is a significant institution in human civilization that forms the foundation of family life and societal stability. According to Article 1 of Law No. 1 of 1974 on Marriage in Indonesia, marriage is defined as a bond between a man and a woman as husband and wife with the purpose of forming a happy family based on the belief in One Almighty God. The Compilation of Islamic Law (KHI) further defines marriage as a strong contract (*akad*) to fulfill God's commands and as a form of worship. Marriage is a sacred commitment that plays a crucial role in shaping the social fabric and ensuring continuity of human civilization (Manan, 2008). However, despite its significance, marriages do not always last, and many end in divorce due to

various irreconcilable differences and conflicts that arise over time.

Divorce is a complex legal and social phenomenon with profound implications for both the individuals involved and their children involved. In Islamic jurisprudence, divorce is considered permissible but discouraged because it disrupts the family unit and often leads to psychological and emotional distress (Yusdani, 2019; Yusdani et al., 2021). The legal framework governing divorce in Indonesia, particularly for Muslims, is outlined in the Marriage Law and further elaborated upon in the Compilation of Islamic Law (KHI). A critical issue that arises from divorce is the custody of children, particularly those who have not reached the age of discernment (*mumayyiz*), typically defined as below 12 years of age. The prevailing legal principle, as outlined in

Article 105 of the KHI, states that custody of children under 12 should be granted to the mother unless there are compelling reasons to decide otherwise. However, recent court rulings have deviated from this principle, raising legal and ethical questions regarding child custody determinations.

The significance of this study lies in its examination of a specific legal case: the decision of the Lahat Religious Court in Case No. 977/Pdt.G/2022/PA.LT, which granted custody of a child under the age of *mumayyiz* to the father rather than to the mother. This decision appears to challenge the general legal presumption in favor of maternal custody, highlighting the need for a nuanced analysis of the legal reasoning applied by the court and its implications for child welfare. The initial field data further illustrate the relevance of this case. Interviews with court officials revealed that custody disputes remain among the most frequently contested issues in divorce proceedings at the Lahat Religious Court, often accompanied by prolonged conflicts between parents that directly affect the child's psychological well-being. In this particular case, preliminary observations indicated that the child had been living with the father since the separation, and community reports suggested that the child showed reluctance to interact with the mother due to unresolved parental disputes. Therefore, understanding the factors that influence judicial decisions in child custody cases is essential for

ensuring that the best interests of the child are prioritized in all legal proceedings.

Divorce has long been recognized as a significant social and legal issue, particularly regarding its impact on children (Arfaizar et al., 2023). The dissolution of marriage affects the rights and responsibilities of both parents, especially regarding child custody and financial support. Islamic law provides a framework for resolving custody disputes, emphasizing the welfare of the child as the primary consideration (Yusdani et al., 2025). However, judicial discretion plays a crucial role in determining the outcome of such cases, leading to variations in the rulings.

In Indonesia, the legal system governing post-divorce child custody is primarily based on Islamic law for Muslim couples, as outlined in the KHI. Article 105 of the KHI stipulates that custody of a child below 12 years of age should be granted to the mother, while the child may choose between the parents after reaching the age of discernment. This principle aligns with the general Islamic jurisprudential consensus, which considers mothers the primary caregivers for young children. However, courts are also tasked with considering the child's best interests, which may sometimes lead to exceptions to the general rule (Akbari, 2025; Firdaus & Iwan, 2024).

The literature on child custody highlights variations in judicial decisions influenced by *fiqh* principles and child

protection considerations (Hidayana et al., 2020). Practices in Nigeria also reveal paternal dominance despite cases of domestic violence, underscoring the need for gender-responsive legal reforms (Ntoimo & Ntoimo, 2021). In terms of regulation, Supreme Court Circular No. 4 of 2016 has not been effective, as many rulings fail to stipulate child maintenance (Nasution & Muchtar, 2020), even though Islamic law supports the confiscation of fathers' property to guarantee children's rights (Zuhdi et al., 2024). Public opinion tends to favor joint custody, contrasting with legal practices perceived as biased toward mothers (Ali, 2024; Braver et al., 2011).

Recent legal developments have shown that courts occasionally deviate from standard custodial norms when determining the child's best interests. The case analyzed in this study, involving the Lahat Religious Court, presents a unique instance in which custody was awarded to the father despite the child being under the age of 12. This case raises critical questions about the legal principles guiding custody decisions, the interpretation of the best interests of the child, and the implications of judicial discretion in family law. The novelty of this research lies in its combined normative-empirical approach, which not only examines judicial reasoning but also explores the practical implementation of the decision and its social impact. By integrating legal analysis with field-based insights,

this study provides a fresh perspective on how custody rulings are shaped by legal norms and lived family dynamics.

## **METHOD**

This study employs a normative-empirical research methodology that combines legal analysis and field research. The normative aspect involves the analysis of legal statutes, court rulings, and relevant legal literature. The empirical aspect involves gathering field data through interviews and observations. This study focuses on Case Number 977/Pdt. G/2022/PA.LT in the Lahat Religious Court. Field research was conducted over a period of three months (March–May 2024) through structured interviews with six key informants: two judges of the Lahat Religious Court who handled custody disputes, one lawyer involved in family cases, one academic specializing in Islamic family law, and two family members directly related to the custody case (the father and mother). These interviews provided insights into both legal reasoning and the social dynamics surrounding custody decisions. Data collection consisted of two sources: Field Research (Empirical Approach): Conducting structured interviews with the parties involved in the case, namely the father (defendant) and the mother (plaintiff), the judge, and family members, as well as examining the implementation of the custody decision in practice. and Library Research (Normative Approach): Reviewing laws,

court rulings, legal commentaries, and academic literature on child custody under Islamic Law. The data were analyzed using a qualitative descriptive approach, interpreting the judicial reasoning in the case, comparing it with existing legal norms, and evaluating its implications for future custody cases (Ibrahim, 2013; Muhammad, 2004; Soemitro, 1990).

## RESULTS AND DISCUSSION

### Judicial Considerations of the Lahat Religious Court Regarding Child Custody in Case Number 997/Pdt.G/2022/PA.LT

In determining child custody for a child who has not yet reached the age of *mumayyiz* (age of discernment), the court considers several legal aspects to ensure that the decision is in accordance with Indonesian law. The Compilation of Islamic Law (KHI) regulates custody in Articles 105 and 156, which generally grant custody to the mother for children under 12 years old unless she is proven unfit (Mera et al., 2024; Yuniansa et al., 2024). This principle has also been reinforced by the Supreme Court Decision No. 102/K/Sip/1973, which prioritizes maternal custody unless there is strong evidence to the contrary (Abadi et al., 2023; Government of Canada, 2002; Sabreen, 2024).

However, in decision no. 997/Pdt.G/2022/PA.LT, the Religious Court of Lahat deviated from the general rule by granting custody to the

father. The judges' considerations can be categorized into three main factors:

The child's expressed preferences. Although the child was only six years old and had not reached the age of *mumayyiz*, he was deemed capable of expressing his wishes in court. The child explicitly stated that he wanted to live with his father because he found it more comfortable to do so. The judge acknowledged this preference, considering that the child's comfort and emotional well-being are crucial in custody cases (Fitria & Wulandari, 2021; Halikha & Winanti, 2024; Hasibuan, 2023; Langmeyer et al., 2022). While the KHI does not explicitly require consideration of children's preferences at this young age, the court emphasized the importance of listening to the child's experiences and feelings.

The factual caregiving situation is as follows: The child had been living under the father's care since the parents' separation. The court assessed that maintaining this arrangement would provide stability and continuity in the child's daily life and education. This factual condition was given more weight than the normative provision prioritizing maternal custody (Bagenda & Carbonilla, 2024; Imran et al., 2024).

The mother's moral conduct and its psychological impact. The court considered the mother's proven infidelity, which was also a contributing factor in the divorce. The child witnessed the mother with her partner, creating potential risks of emotional

distress, loss of confidence, and social difficulties. The judge emphasized that such exposure could harm the child's sense of security and psychological development; therefore, the judge ruled that remaining with the mother was not in the child's best interests (Casas & Ditzel, 2024; Koller et al., 2024; Skaug et al., 2021).

From these considerations, it is clear that the judge prioritized the principle of the best interests of the child over the KHI's normative provisions. This approach aligns with Indonesia's obligations under the Convention on the Rights of the Child (CRC), which emphasizes four key principles: non-discrimination, the best interests of the child, the right to life and development, and respect for the child's views (B & Siswanto, 2023; Bagenda & Carbonilla, 2024; Eekelaar, 2015, 2016; Forslund et al., 2022; Widjaja et al., 2020).

Nevertheless, the judicial considerations in this case may be criticized for two reasons. First, the reliance on a six-year-old child's stated preference raises questions, since the child is not yet *mumayyiz* and may not fully understand the long-term implications of his choice. This creates a potential inconsistency with Article 105 of the KHI, which grants custody based on maternal priority until age 12 (Mera et al., 2024; Yuniansa et al., 2024). Second, the emphasis on the mother's infidelity as a determining factor can be problematic if it is not directly linked to neglect or the inability to care for the

child. While moral conduct is relevant, excessive reliance on it may overshadow other factors such as caregiving capacity, education, health, and daily needs (Agustina, 2023; Turisno et al., 2021; B & Siswanto, 2023; Prasetyo & B, 2023).

Thus, while the decision reflects a progressive application of the "best interests" principle and a contextualized interpretation of custody law, it also illustrates judicial discretion that sometimes departs from explicit, normative provisions. This tension between normative law (KHI Articles 105 and 156) and judicial discretion based on factual conditions is highly relevant to the research question, as it demonstrates how Indonesian courts balance legal texts with real-life circumstances to safeguard children's overall welfare (Ahyani et al., 2021; Haarberg, 2024; Munthe & Sidauruk, 2025; Pérez Fuentes & Cantoral Domínguez, 2015).

The decision of the Lahat Religious Court in Case Number 977/Pdt. G/2022/PA.LT demonstrates that judicial considerations are not limited to normative provisions but extend to contextual factors such as the child's expressed preferences, continuity of caregiving, and moral conduct of parents. This approach reflects the application of the best interests principle, which is central to both Indonesian family law and international legal standards, such as the Convention on the Rights of the Child (CRC) (Amin & Aziz, 2023; Eekelaar, 2015, 2016;

Bagenda & Carbonilla, 2024). The case shows that judges are willing to depart from the literal reading of Articles 105 and 156 of the KHI when real-life conditions suggest that a strict application would not adequately protect the child's welfare.

Simultaneously, this judicial reasoning opens up space for academic debate and critical reflection. Reliance on the child's preference, despite his young age, and the strong emphasis on the mother's infidelity highlight a potential imbalance between normative standards and discretionary judgment (Blumenthal-Barby & Opel, 2018; Łuszczynska, 2020). While such considerations may be justified in protecting a child's psychological well-being, they also raise questions about the consistency of custody decisions across different courts in Indonesia. This underscores the need for clearer judicial guidelines to ensure that the application of the best interests principle remains consistent and predictable (Agustina, 2023; B & Siswanto, 2023; Prasetyo & B, 2023; Turisno et al., 2021).

Ultimately, this case illustrates the dynamic interaction between Islamic legal norms, statutory law, and judicial discretion in child custody cases. By prioritizing the child's welfare over parental rights, the court aligns its decision with both domestic and international child protection frameworks. However, the critical issues identified in this study—particularly regarding the weight given to a young

child's testimony and the treatment of parental moral conduct—suggest that judicial practices require further refinement. Such refinement would strengthen legal certainty while ensuring that custody rulings consistently uphold the fundamental principle of prioritizing the child's best interests (Haarberg, 2024; Munthe & Sidauruk, 2025).

### **Implementation of Child Custody Based on Religious Court Decision of Lahat Number 977/Pdt.G/2022/PA.LT**

Child custody dispute rulings generally fall into two categories. The first condition occurs when the child was already in the care of the winning party before the case was filed, making the court's decision merely a formal legal recognition. The second condition arises when the child was in the custody of the losing party before the ruling, requiring the losing party to hand the child over to the winning party. Issues arise when the losing party refuses to surrender the child voluntarily or when the child is unwilling to be handed over or cared for by the winning party (Hamonangan, 2024). In such cases, the winning party may need to file for forced enforcement or an execution.

According to M. Yahya Harahap, execution is the forced implementation of a court ruling with the assistance of public authorities if the losing party refuses to comply. Child custody execution has a unique aspect because the object being enforced is a person, not an object, as in most execution cases.

This raises ethical and legal concerns, as the enforcement of custody rulings involves human emotions and the well-being of the child, rather than simply transferring property from one party to another (Prihatini et al., 2019).

The execution of child custody rulings remains a topic of debate among legal experts. Some argue that a child cannot be forcibly executed because, in judicial practice, executions have traditionally been applied to property law, not individuals (Browder, 2022; Schulte, 2014). They believe that forcing a child to live with a particular parent against their will could be harmful and contradict the best interests of the child, which should be the primary consideration in custody cases.

However, some legal experts argue that child custody rulings can and should be executed because the custody decision is condemnatory (*condemnatoire*), meaning that once it has permanent legal force, it can be enforced (Prihatini et al., 2019). They emphasize the importance of upholding court decisions to maintain legal order and ensure compliance with judicial rulings, arguing that failure to enforce custody decisions undermines the authority of the court (Harman et al., 2023; Huchhanavar, 2023).

This ongoing debate highlights the complexities of child custody enforcement, balancing the legal principle of executing court rulings with the emotional and psychological well-being of children. Courts and authorities

must consider not only the legal aspects of enforcement but also the child's best interests, ensuring that any forced execution does not cause further trauma or distress (Stalford & Hollingsworth, 2020). Consequently, child custody cases require a delicate approach that prioritizes the child's welfare while respecting the authority of judicial decisions.

In the ruling of the Lahat Religious Court Number 977/Pdt. G/2022/PA.LT, custody was awarded to the defendant (biological father). Prior to the divorce, the plaintiff and the defendant had already been living separately, during which time the child had consistently remained under the father's care. Thus, the court's decision did not fundamentally alter the existing custodial arrangement but rather provided formal legal recognition and legitimacy to the father's custody. This ruling underscores the court's consideration of factual caregiving conditions as a decisive factor in determining the child's best interests (Gresdahl et al., 2025; Skivenes & Sørdsdal, 2018).

The question that arises is whether the child remained under the father's care after the ruling became legally binding or was transferred to another party in the future. Based on the author's investigation, the child remained under the father's care until the time of the interview. In an interview, Suriadi bin Bastomi, the biological father, stated the following:



*"Since we lived separately before the divorce until now, the child has remained in my care and has never been placed under another party's custody."*

Similarly, in an interview, Winda Herianti binti Romli, the biological mother, explained: *"Since we lived separately before the divorce until now, the child has remained in the father's care."* From these interviews, it is evident that since the ruling was issued, the custody decision granting the father guardianship has been upheld, and custody has never been transferred to another person, including the mother or other relatives.

In the ruling of the Lahat Religious Court Number 977/Pdt.G/2022/PA.LT, aside from granting custody to the defendant as the biological father, the ruling also includes an order: *"with the obligation for the plaintiff in reconvention to provide access to the defendant in reconvention, as the mother, to meet with the child."*

Regarding the obligation to grant access to the non-custodial parent, the father stated in an interview that he never restricted the mother from meeting the child.

"I never prevent the mother from meeting or taking the child for a short period. However, she must seek my permission as her legal guardian. So far, the mother has never come to ask for permission to take the child, and the child does not want to meet the mother..."

On the other hand, the mother felt that she used to meet the child

frequently but noticed that the child seemed fearful and would run away from her. However, in the past month, she met the child twice. The child appeared happy to see her but refused to go with her, fearing a reprimand from her father. The mother also found it difficult to ask the father for permission to take the child because of her husband's jealousy of the child.

Interviews with both parents revealed that the father never prevented the mother from meeting the child after the divorce. However, the mother made little effort to take the child, only occasionally seeing them in passing. She expressed difficulty in requesting permission from her father due to his jealousy, which created an emotional barrier between them. Since the divorce, the mother had only taken the child for an overnight stay twice—once with the father's permission and once without, which led to a dispute with the father's older daughter.

From a legal perspective, while custody decisions prioritize the child's best interests, maintaining a strong relationship with both parents is essential for emotional stability. The mother's limited interaction with the child raises concerns about her commitment to fulfilling her parental role (Gresdahl et al., 2025; Revheim et al., 2025). However, restricting a mother's access to her child, whether due to personal conflicts or unresolved emotions, can negatively impact the child's psychological well-being. Courts

often encourage co-parenting arrangements that allow both parents to remain actively involved in their children's lives (Forslund et al., 2022).

From a religious perspective, many Islamic scholars emphasize the importance of maintaining family ties (*silaturahmi*), especially between children and their parents, regardless of custody arrangements (Mera et al., 2024; Munim, 2020). Islamic teachings stress that mothers play a significant role in a child's upbringing, and efforts should be made to facilitate their involvement. Scholars suggest that both parents should set aside personal grievances and prioritize the child's emotional and spiritual well-being, fostering an environment of mutual respect and cooperation (Dwinandita, 2024; Risni & Vitasmo, 2024).

In addition to the parents' testimonies, interviews with the judges of the Lahat Religious Court revealed how judicial considerations were formulated in custody disputes. One of the judges explained that the panel relied on the Compilation of Islamic Law (KHI), particularly Article 105, which states that a child under 12 years old should generally remain with the mother unless proven otherwise. However, the judges also assessed the sociological realities in the field. In this case, the child had consistently lived with the father since the separation, and the mother's remarriage was considered a factor that could affect the child's

adjustment (Jeynes, 2006; Moen, 2023; Vázquez et al., 2024).

Another judge added that the decision-making process was not merely a legal exercise but also a moral responsibility to ensure the child's best interests:

"Judges in custody cases must not only apply the law but also pay attention to the child's voice and emotional state. Even if the law allows custody to be placed with one parent, we must anticipate whether the child will feel comfortable living there. Stability and continuity of care became decisive in this case."

The interviews also highlighted that the effective implementation of custody is rarely determined by a ruling alone. Multiple actors beyond the court influence whether custody and visitation arrangements are respected. The father's daughter from a previous marriage often acted as a gatekeeper, either preventing or facilitating contact between the child and mother. Relatives, such as cousins and uncles, also intervened in visitation attempts. These findings show that custody implementation cannot be isolated from the role of extended families.

Moreover, the mother's new husband indirectly limited the mother's access to the child. According to her testimony, she often refrained from requesting visitation from the father because of her fear of conflict between the two men. This situation created an emotional barrier that weakened their presence in the child's life. On the other hand, the

father viewed himself as the sole legal guardian and demanded that any contact with the child must go through him first. His protective attitude, although lawful, further complicated the realization of the mother's visitation rights.

Economic and social factors have also emerged in this field. The father, as the custodial parent, provided daily care and financial support, which strengthened his position as the primary caregiver of the child. The mother's limited economic contribution after remarriage and her reduced involvement in the child's daily life weakened her claim in practice, even though she legally retained visitation rights (Ellman & Braver, 2015; Teachman & Paasch, 1994).

In further interviews, the judges acknowledged that custody decisions are among the most sensitive cases in Religious Courts. Unlike property disputes, the object of custody is a living child with emotions and preferences that must be considered. One judge explained that, in practice, the court often considers the child's expressed wishes, even if they are not formally recorded in the decision. According to the judge:

"Children in custody disputes may not always be directly asked in court, but their behavior, comfort, and refusal to meet a parent are carefully considered by judges during the trial. In this case, the child's reluctance to meet the mother was a strong signal that influenced the panel's considerations."

Field findings also show that the implementation of visitation rights often involves informal negotiations outside the court. The father's older daughter, for example, acted as a mediator and sometimes as a barrier to contact between the mother and the child. This dynamic demonstrates how non-legal actors can wield power to shape the outcome of judicial rulings. Similarly, neighbors and community members were reported to have influenced the child's perception of the mother, sometimes reinforcing their loyalty to the father.

Finally, the data indicate that the role of court enforcement is limited once custody has been established. Judges admitted that they rarely intervened after the ruling became final unless one party filed a new petition for execution. However, in child custody cases, forced execution is considered a last resort and is often avoided. As one judge remarked:

"Execution in custody matters is complicated because we cannot simply 'deliver' a child as we would with property. The child's refusal or trauma must be respected. Therefore, the court encourages mediation and voluntary compliance rather than enforcement."

## **CONCLUSION**

This study concludes that the Lahat Religious Court's decision in Case Number 977/Pdt. G/2022/PA.LT reflects the exercise of judicial discretion in

prioritizing the child's best interests over the normative provisions of Article 105(a) of the Compilation of Islamic Law. The court granted custody to the father based on three main considerations: the continuous care provided by the father since separation, the child's expressed preference to remain with the father, and the mother's admission of infidelity as a factor in the divorce.

The implementation of the ruling has shown both effectiveness and challenges. While the child remains under the father's custody in accordance with the judgment, the mother's visitation rights have been disrupted due to parental conflict. However, over time, the child's interactions with the mother gradually improved, reflecting the dynamic nature of custody arrangements in practice.

This case study highlights the importance of balancing legal norms with practical realities in custody cases. This demonstrates how judicial decisions are not only grounded in legal provisions but also shaped by considerations of child welfare, parental conduct, and social dynamics. Therefore, this study contributes to the broader discourse on child custody by emphasizing the need for a more child-centered approach in future rulings within Indonesia's family law system.

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