

Fulfillment of Children's Post-Divorce Supporting Obligations from an Islamic Law Perspective in Polewali Mandar Regency

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ABSTRACT

The rights of children after divorce, both in the Marriage Law and the Compilation of Islamic Law, are that children have the right to continue to receive maintenance, care and education from their parents. In terms of financing the maintenance and education of children after divorce, it is the responsibility of the father, which in the Compilation of Islamic Law is known as hadhanah living. This is a form of parental responsibility in carrying out their obligations for the realization of children's rights as regulated in Law Number 23 of 2002 concerning Child Protection. However, mothers also help in managing the household and maintaining the welfare and happiness of the family. Therefore, father and mother both have an important role in the family, and the integrity of both is highly expected in a family in order to achieve a happy family. This type of research is field research. According to Dedy Mulyana, field research is a type of research that studies phenomena in their natural environment. For this reason, primary data is data that comes from the field. So that the data obtained truly corresponds to the reality regarding the phenomena that exist at the research location. Based on the results of the interview with Mr Syamsul, he explained that he was still able to work but did not carry out his responsibilities regarding child support rights after divorce based on the results of court decision Number 65/Pdt.G/2023/PA. Pwl which sentenced the applicant to provide child support for 3 (three) children in the amount of Rp. 2,000,000 (two million rupiah) per month until the child is an adult or 21 years old with an additional 10% each year excluding education and health costs. Based on the results that the researcher has obtained, it can be concluded that the father's fulfillment of child support rights post-divorce in Polewali Mandar Regency based on the results of court decision Number 65/Pdt.G/2023/PA. Pwl has not been fully carried out by the father. This is caused by various factors, ranging from economic incompetence, indifference, to a lack of effective law enforcement mechanisms.

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INTRODUCTION

Marriage for mankind is a very sacred process and has a sacred purpose, and is inseparable from the provisions set by religious law. Through this process, a family can be formed and preserve family life as well as the purpose of marriage itself. The purpose of marriage in general that everyone wants is to obtain happiness and happiness both physically and mentally towards happiness and well-being in this world and the hereafter. as well as carrying out rights and obligations with their respective positions and proportions according to their roles in the family.

In each family, roles are attached, such as a husband who plays the role of the head of the family, while a wife plays the role of a housewife. The father or husband in the family is obliged to provide for and meet the needs of the family.

In the Compilation of Islamic Law (KHI) article 80 paragraph (4) emphasizes; In accordance with her income, the husband bears; (a) Maintenance, *kiswah* and place of residence for the wife; (b) Household expenses, treatment costs and medical expenses for his children and wife; (c) Tuition fees for children.

The rights of children after divorce both in the Marriage Law and the Compilation of Islamic Law are that children have the right to continue to receive maintenance, care and education from both parents. In terms of financing, maintenance and education of children after divorce is the responsibility of the father, which in the Compilation of Islamic Law is known as *hadhanah* maintenance. This is a form of parental responsibility in carrying out their obligations for the realization of children's rights as stipulated in Law Number 23 of 2002 concerning Child Protection.

The obligation to provide for parents by the child is indeed something mandatory, but there is an exception, the first is that even though the child is obliged to provide for the parents, if the parents do not want to (because they feel enough or because of other factors), then the law of obligation disappears. It is like a person who is in debt who is obliged to return his debt, but if the person who has a debt has given up, then there is no need to return the debt. This means that the debt is released, then the law of obligation has disappeared. Second, unless the child is really incapable or strong enough to try, then the mandatory law is also lost. But in this case, if the child's life situation is in line with the ability of the parents, meaning that they are both incapable, then doing the right thing to the parents by providing a living just because of their ability is still necessary, because the giving is relatively in nature, meaning that it does not have to meet the needs of the person who is given. So we all understand each other. And the gift from the child does not have to be permanent, but it can be once.

Indirectly, the definition explains that the one who should provide for the family is a father or husband. Nevertheless, mothers also help in organizing the household and maintaining the welfare and happiness of the family. Therefore, both fathers and mothers have an important role in the family, and the integrity of both is highly expected in a family in order to achieve a happy family.

It is explicitly from the articles listed in the Marriage Law No. 1 of 1974 that the husband or father is obliged to provide support. The mother is only in charge of nurturing and educating the child, while the child's maintenance needs are charged to the father. Even though the marriage bond has been severed, the father's obligation to the child cannot be decided. So even though the maintenance of the child due to the divorce is in the hands of the mother, the cost of maintenance is still the responsibility of the father.

METHOD

This type of research is field research. According to Dedy Mulyana, field research is a type of research that studies phenomena in their natural environment. For this reason, the primary data is data from the field. So that the data obtained is really in accordance with the reality of the phenomena that exist at the research location.

RESULT AND DISCUSSION

Fulfillment of Child Support Obligations After Divorce in Polewali Mandar Regency

Among the obligations of parents to their children is to provide support, both parents, especially fathers, are obliged to provide guarantees of maintenance rights to their children, both the right to education, clothing, housing, health and other needs, even though the marriage of the child's parents has been broken. A divorce does not result in the loss of parental obligations to their children until adulthood or being able to live independently.

The phenomenon of inhibition of the fulfillment of child support rights by fathers after divorce is a real social problem in society. Ideally, providing child support after divorce is a father's obligation. Therefore, the author will describe several cases that occurred to families who have divorced and already have children. The researcher took several divorce cases where there were problems or problems in fulfilling child support rights. The sampling of this case has represented the condition of the community in Polewali Mandar Regency in terms of fulfilling child support after the breakup of marriage due to divorce. Here are some divorce cases based on the decision of the Polewali Religious Court:

Decision of the Polewali Religious Court Number 65/Pdt.G/2023/PA. Pwl

At first, the couple got married at the Binuang District Religious Affairs Office. This couple has been blessed with 3 children, each of whom is 20 years old and is running education at one of the universities in Makassar. The second child in the name of Nur Safira is 16 years old and is attending one of the high schools in Campalagian. The third child is named Muh. Safwan is 5 years old and is attending one of the kindergartens in Campalagian. These three children are taken care of by Mrs. Najamiah whose address is in Rea Village, Binuang District, Polewali Mandar Regency.

In this case, Mrs. Najamiah was sued for divorce by her husband who no longer lived together for approximately 2 years and was filed at the Polewali Religious Court. The reason her husband sued for divorce from Najamiah's mother was because there were frequent quarrels and disputes. To meet all the needs of her and her children, Mrs. Najamiah supports her children with a salary as an ASN at the Polewali Mandar Regency Agriculture Office.

Then to find out the fulfillment of child support rights after divorce, the researcher conducted an interview with an informant, namely Mrs. Najamiah as the mother of her children. From the results of the researcher's interviews with the informants, the researcher found that the children's livelihood was related. The following are the results of the interview with Mrs. Najamiah:

"Yes, indeed my ex-husband and I have officially divorced because there is a certain reason, I am indeed divorced and have 3 children with my ex-husband, and my ex-husband has never provided support for my children after the divorce, even though in accordance with the court decision, this is my husband has the right to provide support for his three children. Until now, it is true that there is no alimony given, so I live alone with my child and then I am also the one who bears the cost of my child, because I always hope that nana kasihki alimony until now there is no one, then I am also grateful as a mother because I have a job with a job as a civil servant so I can take care of my child. Yes, at least my ex-husband if he wants to know the condition of the children just by calling to ask how they are doing, he has never discussed the cost or just snacks for the children.

Mrs. Najamiah's explanation said that it was true that she had divorced for a reason that caused her marriage to be unsustainable and had 3 children. Then Mrs. Najamiah confirmed that after divorcing her ex-husband, the three children lived with her. Her ex-husband never provided for her children so she had to work hard to meet their daily needs, and the income from her job as a Civil Servant became the only source of finance for her family. Sometimes the ex-husband contacts the children by phone to ask how they are doing. However, it is not followed by financial contributions or help over the phone to inquire about their well-being.

Decision of the Polewali Religious Court Number 397/Pdt.G/2018/PA. Pwl

In this case, the married couple Abd. Rahman bin H. Saenal Abidin and Hijriani bin Hadi have divorced with court decision Number 397/Pdt.G/2018/PA. Pwl with a ruling (1) Granting the Plaintiff's lawsuit; (2) Imposing talaq one ba'in shughra of the Defendant (Abd, Rahman bin H. Saenal Abidin) to the Plaintiff (Hijriani, S.Kep binti Hadi); (3) Charging the Plaintiff to pay the case fee in the amount of Rp.451,000.00 (four hundred and fifty-one thousand rupiah).

Initially, the couple had been married at the Binuang District Religious Affairs Office and had been blessed with a child named Naurah Syafiqah Rahman who is now 10 years old. After the couple divorced, their children lived with their mother and grandmother in Kuajang Village, Binuang District, Polewali Mandar Regency. Where in this case after a divorce between the couple, there is a problem, namely the non-fulfillment of child support rights by the father.

In the results of the author's interview with Mrs. Hijriani, she explained that she had actually separated from her husband around 2017 because there were frequent fights. However, it was only in 2018 that Hijriani's mother filed a divorce lawsuit against her husband at the Polewali Religious Court. He explained that, after separating at first, Mr. Abd. Rahman often comes here and also gives money to his son to buy necessities at least once a month. The following are the results of the researcher's interview with informant Mrs. Hijriani which revealed that:

"We separated because there was no longer compatibility and we had been separated for 5 years, I just wanted my child's support from his father to be fulfilled to the child because after all, my child is also a child. My son's father ran away from his responsibility as a father because he did not provide for my son. My ex-husband sometimes only buys new clothes for my son during Eid al-Fitr and Eid al-Adha."

The explanation of the former Mrs. Hijriani said that the child was still 5 years old when I divorced my ex-husband and the child lived with her when she was divorced from her ex-husband. The ex-husband's obligation in terms of providing for the child has never given it to the child, but if the assistance is indeed there but not regularly, such as when the eve of Eid al-Fitr or Eid al-Adha, the ex-husband gives money for the purpose of buying new clothes for the child, sometimes the ex-husband immediately gives his clothes to the child. That's all my ex-husband gave me for the needs of the child, the rest was only I met the daily needs of the child from hard work as an honorary worker at Hj. Andi Depu Polewali Hospital, but she was still grateful because when she was going to work, the child's grandmother could help to take care of her child.

Analysis of the Fulfillment of Child Support Rights After Divorce in Polewali Mandar Regency

Based on the work data of the mother (ex-wife) who provides for her child after divorce from her husband, it is also supported by financial assistance from the family, especially from the mother's side, namely the parents of the ex-wife who also help and provide support for the child in fulfilling the child's

daily needs after the divorce.

An ex-husband who abandons the obligation to provide for his children in a marriage that has been broken up because he divorced his wife deliberately is a reprehensible act and includes domestic violence, namely domestic neglect (to children) as stated in Article 1 paragraph of Law Number 23 of 2004 concerning domestic violence because children are still included in the family scope.

Economic factors that caused the ex-husband to be unable to provide support for his child, the respondent replied that he abandoned the ex-husband's obligation to provide support to his child.

To strengthen the researcher's findings regarding child support not being implemented by the father in accordance with the court decision, the researcher conducted interviews with the two children of the couple Syamsul and Najamiah. In the results of the interview, the first child said:

"Actually, it has been a long time since my mother's house and my father have been at the same house because this is my father, he has a new wife as a result of a series marriage. Since then, there has never been a case of money until this point, my father sued the court for a divorce. For the payment of my UKT is paid by my mother, sometimes I also owe money if I suddenly ask for money".

In this case, the informant said that his father never gave money after the divorce of his parents because the father of the child was married to someone else, the child's education expenses were borne by his mother who sometimes owed money to get payment.

So researchers can find that the above conditions are very clear about the father's obligations to his children, and it is also explained if a father is unable to provide for his children. Meanwhile, in Polewali Mandar Regency, children after their parents divorced are not given anything, especially the children are still 3-15 years old, some of whom have not yet gone to school and still need support from their fathers.

Based on the results of the data obtained both from direct interviews and through observation, in general what happens in the community of Polewali Mandar Regency regarding child support after divorce has never been implemented, so that what happens when divorcing children who live with their ex-wives, only the ex-wife has to meet all the needs of children without alimony from her ex-husband for her children and partly assisted by parents from the mother's side.

Implementation of the Religious Court's Decision on Child Support Rights in Polewali Mandar Regency

Implementation of Child Support Rights Decision

The maintenance and provision of child support is basically the responsibility of both parents. This includes various things, economic problems, education, and everything that is a child's basic needs. In Islam, economic responsibility lies with the husband as the head of the household. Although in this case, it is possible that the wife can help the husband in bearing these economic obligations. The Marriage Law and the Compilation of Islamic Law do not regulate the issue in detail. Because the duties and obligations of taking care of children are inherent in the duties and responsibilities of the husband as well as being a father to his children.

To dig up data related to the implementation of court decisions on child support rights after the breakup of marriage, researchers conducted interviews with informants, namely the Judge of the Polewali Religious Court. In the interview he revealed that:

"When the plaintiff asks for automatic child support, it must be a concern for the panel of judges who handle it. But the question arises, what if you don't ask? But in reality, when it turned out that in the trial, the plaintiff, for example, had a child, his child was with him, all of whom continued to work as a housewife. For example, online sales, it is permissible from the panel of judges to give some kind of direction and instructions to the plaintiff to be able to get child support rights with changes to the lawsuit, by including a child support application in the lawsuit".

Explanation from the Judge of the Polewali Religious Court related to the implementation of the divorce decision, the panel of judges who handled the case still pays attention to the child support rights and when in the trial process it turns out that the plaintiff has a child and the child is with him and the plaintiff only works as a housewife, then the panel of judges will give directions and instructions to the plaintiff to be able to get child support rights by first changing the lawsuit and Include the application for child support.

Analysis of the Implementation of Child Support Rights Decisions

The maintenance and provision of child support is basically the responsibility of both parents. This includes various things, economic problems, education, and everything that is a child's basic needs. In Islam, economic responsibility lies with the husband as the head of the household. Although in this case, it is possible that the wife can help the husband in bearing these economic obligations. The Marriage Law and the Compilation of Islamic Law do not regulate the issue in detail. Because the duties and obligations of taking care of children are inherent in the duties and responsibilities of the husband as well as being a father to his

children.

For the implementation of child support, it must be given by the father every month until the child grows up or is independent. Hadhanah is a livelihood for the maintenance of children, because they need supervision, care, and execution of their affairs and people who educate their bodies and spiritually and their intellect, so that their children can develop and overcome the problems of life that they face.

In Article 156 (d) of the Compilation of Islamic Law, it is stated that the result of the breakup of marriage due to divorce is that all the costs of hadhanah and child maintenance become the responsibility of the father according to his ability, at least until the child is an adult and can take care of himself. The provisions of the Compilation of Islamic Law appear that a father's responsibility to his children cannot be lost even if he has divorced his wife or remarried. It can also be understood that when the child is still young (not yet puberty), the maintenance is the mother's right, but the cost is borne by the father with his wife or remarrying. It can also be understood that when the child is still young (not yet puberty), the maintenance is the mother's right, but the cost is borne by the father. Child care also means a parent's responsibility to supervise the provision of services that should meet the needs of a child's life by parents.

Furthermore, the responsibility for maintenance in the form of supervision and service as well as the adequacy of the child's maintenance is sustainable until the child reaches the legal age limit as an adult who is able to stand on his own.

The implementation of decisions in the Religious Court generally follows the civil procedure law, but there are specificities that apply in the procedural law in the Religious Court, including the relative authority of the Religious Court, the nature of the trial, summons, examination, bookkeeping and case costs, as well as the implementation of the decision.

Basically, there are two implementations of decisions related to child support in the procedural law of the Religious Court and the civil procedural law. The first is voluntarily, where the husband who is burdened with the obligation to pay iddah alimony is willing to carry out the court decision voluntarily or without any coercion. The second type of execution, as for the type of execution related to the payment of child support, is the execution of the payment of a sum of money. The legal basis is Articles 197-200 of the HIR and Articles 208-218 R. Bg. If the verdict contains a punishment for the payment of a sum of money, it means that the defendant is forced to pay off a certain amount of money to the plaintiff by selling the property.

Likewise, regarding the decision of the Religious Court whose ruling requires the husband to pay the wife's rights in the form of child maintenance in the form of child maintenance, the husband is forced to pay, if he does not carry out or implement the content of the decision that has the legal force to maintain the child is by selling the property owned by the husband.

Legal Protection Process for the Fulfillment of Child Support Rights After Divorce

Based on the results of the interview with Mrs. Najamiah, she gave an explanation related to the results of the decision with the Polewali Religious Court. In her explanation, Mrs. Najamiah said:

"Of the five rulings read out in the trial, the four rulings were carried out except for child support for three children in the amount of Rp. 2,000,000.00 (two million rupiah) per month for their children".

From the explanation above, it has been harmonized as expressed by the Polewali Religious Court. In his presentation, he said:

"If alimony is iddah and mut'ah, the applicant must pay before the reading of the talaq pledge is read. In addition, the cost of the case in the court process must also be paid by the applicant except for child support, we in court only reach a decision on the authority, later if the mother or child applies again for child support, we will continue to mediate if the mediation process is not completed".

From the results of the interview, it has given an idea that only child support rights are not fulfilled based on the court decision. This happened because there was no direct supervision from the court regarding the verdict they decided.

Based on the results of the researcher's interview with an informant at the Polewali Religious Court, the researcher asked about persuasive mediation for couples who had divorced but the decision related to child support rights was not implemented. In the interview, the Judge of the Polewali Religious Court revealed that:

"Verbally conveyed. It is also permissible after the application for execution, one of the parties submits an application for the execution of child support, but in the application for the execution process, both parties will be called, there can also be a mediation process. And the mediation can be carried out when both parties are present at the hearing. If one of the parties is not present, it is called an effort of the peace party. So at the first hearing, when both parties are present, mediation is carried out, this is mandatory mediation, starting with the mediation of judges or non-judges who are already registered in court, it is outside the trial, but this is part of the trial stage. After then

mandatory mediation does not close the possibility, when entering the trial, the panel of judges still provides mediations related to divorce. So far, the execution of children is difficult and as far as I know, there has been no application for the execution of child support. To state whether it is difficult or not, it cannot also be said because it does not exist yet, but information from the outside is indeed difficult to support the child, especially if for example the husband does not have a job/property. So if faced with this problem, the wife is also the mother of the children, inevitably having to work hard for the sake of needs. The court cannot come to both parties, the court can only provide mediation."

From this explanation, the Polewali Religious Court explained that mediation is carried out when there is an application or submission for the execution of child support and the mediation is carried out in the trial when both parties are present. If one of the parties is not present, it is called an effort of the peace party. So in the first hearing, when both parties are present, mediation is carried out, mandatory mediation, starting with the mediation of judges or non-judges who are already registered in court, it is outside the trial, but this is part of the trial stage. So far, the execution of the child is difficult, especially if, for example, the husband does not have a job/property. So if faced with this problem, the wife is also the mother of the children, inevitably having to work hard for the sake of needs. The court cannot come to both parties, the court can only provide mediation.

If at the time of filing a divorce lawsuit it is not accompanied by a maintenance lawsuit, a new lawsuit must be filed regarding the provision of alimony to the wife and children. Ex-husbands who do not carry out maintenance obligations to children and ex-wives who have been divorced, religious courts have the duty and authority to examine, decide and settle special civil cases at the first level for people who are Muslims, the implication is that every person who is Muslim can file or prosecute all special civil cases to the religious courts in accordance with the juridical area and absolute competence. One of the duties and authorities of the Religious Court is to determine maintenance for the child and the wife who are divorced by her husband where the case is a series of civil cases resulting from the occurrence of a divorce.

Further Legal Proceedings

The cassation process is the last legal remedy that can be taken after the appeal process. Parties who feel that the appeal decision is unfair or not in accordance with the law can file an appeal to the Supreme Court. Cassation aims to ask the Supreme Court to examine the validity and fairness of decisions that have been taken by the appellate courts. The Supreme Court can confirm, change, or cancel a decision that has been taken previously.

In addition, the execution of the verdict is a step that needs to be considered. If the verdict is not voluntarily enforced by the obligated party, the entitled party can apply for execution to the court. The execution process aims to force the losing party to comply with the court decision, including in terms of child support payments. If the court decision is not implemented voluntarily by the obligatory party, the party who has the right can apply for execution to the court.

The execution process aims to force the losing party to comply with the court decision, including in terms of child support payments. The court will issue an execution warrant to the tax collection officer or executing agency to withdraw property or take other necessary actions.

Alternative Out-of-Court Settlement

Mediation is one of the alternatives to dispute resolution outside the court. In the context of child support, mediation involves the parties to the dispute, mediators, and sometimes legal advocates. Mediation provides an opportunity to reach an adequate agreement more quickly and less formally than a court proceeding. The potential of mediation lies in its ability to create solutions that consider the interests of all parties, especially children.

The family approach is also an alternative settlement outside the court. Involving families in resolving disputes can create a supportive environment and facilitate constructive dialogue between the disputing parties. In some cases, family roles can help create sustainable solutions and promote better relationships in the future.

Evaluation of the Decision Implementation System

Evaluation of the judgment enforcement system is necessary to understand the successes and challenges that may be faced. Some factors that can affect the implementation of the decision include the effectiveness of the legal process, the compliance of the disputing parties, and the support of related institutions. To improve the implementation of judgments, it is necessary to consider increasing access to legal information, educating the public about rights and obligations, as well as the active role of law enforcement agencies and related parties in supporting the implementation of court decisions.

Based on what the researcher has done, the conclusion of the analysis of the settlement if the decision is not implemented, namely when the divorce decision is issued and one of the parties, especially related to

the obligation to support the child, is not implemented and consideration arises in the context of the settlement.

The non-implementation of the Phenomenon Decision where the divorce decision related to child support is not implemented shows that there is a gap between the law established and its implementation in the field. This can be caused by a variety of factors, ranging from economic incapacity, indifference, to a lack of effective law enforcement mechanisms.

The impact on children can be in the form of non-implementation of child support obligations, which has a serious impact on children's welfare. Children may have difficulty meeting basic needs such as education, health, and daily necessities, which can negatively impact their growth and development.

Alternative Settlement Mechanisms, in addition to through litigation channels, there is a need to consider alternative settlement mechanisms, such as mediation or negotiation, that can facilitate the disputing parties to reach an agreement that is acceptable to both parties and prioritizes the interests of the child.

Law Enforcement System Reform, reforms in the law enforcement system to ensure that divorce judgments, especially those related to child support, can be implemented effectively. This includes increasing the capacity of law enforcement officials, increasing public legal awareness, and strengthening reporting and enforcement mechanisms for violations.

The Role of the Community and Social Institutions, the community and social institutions have an important role in supporting the settlement of divorce decisions that are not implemented. Through a collaborative approach between judicial institutions, communities, and social organizations, an environment can be created that supports the fulfillment of children's rights and the restoration of their welfare.

Based on the results of the researcher as a whole, the settlement of divorce decisions that are not implemented, especially related to child support, requires a comprehensive approach involving various parties. Thus, collaborative efforts between legal institutions, communities, and social organizations are key in ensuring the protection and fulfillment of children's rights in the context of divorce. The failed divorce decree marks a serious complexity and challenge in the legal system. The gap between existing legal theories and realities on the ground reflects the existence of various factors such as economic problems, indifference, and shortcomings in efficient law enforcement mechanisms. The immediate impact of this non-implementation is very threatening to children's welfare, threatening their access to education and health services. Alternative solutions such as mediation emerge as a potential option, allowing the parties to the dispute to find a solution that puts the child's interests first. Furthermore, the importance of systematic reform in law enforcement becomes clear, with a focus on strengthening the capacity of law enforcement and increasing public awareness. However, synergy between legal institutions, communities, and social organizations is needed to ensure the protection and fulfillment of children's rights amid the complex challenges of divorce. In the context of Islamic law and view, the fulfillment of alimony to the family, especially children, has a very important position and is considered one of the main obligations. If a person does not fulfill his obligation to provide maintenance, he or she may be subject to legal sanctions.

Parties who do not fulfill their maintenance obligations may be subject to fines, imprisonment, or other sanctions in accordance with applicable law. Overall, both from the perspective of law and Islamic views, the failure to fulfill maintenance to the family, especially children, is considered a serious violation that affects family welfare and social integrity.

The implementation of the fulfillment of children's rights after divorce tends to be less than optimal. This happens because the parents who live with the children are the most dominant in meeting the needs of their children's rights. Both parties who have divorced rarely want to cooperate in taking care of their children. Sometimes what often happens to both mothers and fathers is to suspend each other all the costs of their children's needs.

In essence, the most important right given by parents to their children is the right to obtain affection, because the existence of affection can be the foundation for the beginning for parents to fulfill other rights. This is in accordance with the Child Welfare Law No. 4 of 1979 Article 2 paragraph (1) which states that children have the right to care, nurturing, welfare and guidance based on love both in their family and in special care, to grow and develop naturally.

The existence of this divorce causes the child not to receive special attention, especially regarding the non-fulfillment of children's rights after divorce. When parents divorce, symptoms appear in the child that are not fulfilled where a child's life changes drastically. Children who do not earn a living from their parents will choose to work and become the backbone for their younger siblings. The lack of love from parents also makes children feel inferior, difficult to interact with the surrounding environment because they feel ashamed of their situation, inner conflicts, and trauma that is difficult to eliminate.

CONCLUSIONS

A father does not carry out the obligation to provide for his child as he should, so that in its implementation to meet the needs of the child is only done by the mother of the child and partly assisted by

the parents of the mother, then in meeting the needs of the child there are several jobs or efforts that a mother does for her child and is assisted by parents from the mother's side.

In general, what happens in the community of Polewali Mandar Regency regarding child support after divorce has never been implemented, so that what happens when divorcing children who live with their ex-wife, only the ex-wife must meet all the needs of children without alimony from her ex-husband for her children and partly assisted by parents from the mother's side.

Alternative Settlement Mechanisms, in addition to through litigation channels, there is a need to consider alternative settlement mechanisms, such as mediation or negotiation, that can facilitate the disputing parties to reach an agreement that is acceptable to both parties and prioritizes the interests of the child.

RECOMMENDATIONS

Based on the results of the research, conclusions and implications as stated earlier, the next government in this case the Religious Court or related agencies should supervise the decisions they make, especially in terms of child custody decisions.

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