



The Impact of Parental Divorce on Children: A Maqāṣid al-Sharī'ah and Child Protection Law Perspective (A Case Study in Bekasi, Indonesia)

Syifa Fadila

Universitas Islam 45 Bekasi, Indonesia

syifanaa190@gmail.com

Suprihatin

Universitas Islam 45 Bekasi, Indonesia

suprihatin@unismabekasi.ac.id

Oni Wastoni

Universitas Islam 45 Bekasi, Indonesia

oni.wastoni@unismabekasi.ac.id

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*Corresponding Author

Abstract

This study explores the impact of parental divorce on children living at the Nairul Umroh Orphanage in Bekasi City, from the perspective of *Maqāṣid al-Sharī'ah* and child protection laws. Divorce not only impacts the marital relationship but also has various social, educational, and psychological consequences for children. The purpose of this study is to analyze these impacts and evaluate them within the context of *Maqāṣid al-Sharī'ah* and child protection regulations in Indonesia. The research method applied is qualitative with data collection through observation, interviews, and document study. The research findings indicate that parental divorce has a significant negative impact on children's social interactions, motivation to learn, and mental well-being. However, the existence of an orphanage as an alternative care provides a significant contribution in reducing these negative impacts through emotional support, educational assistance, and character development. From the perspective of *Maqāṣid al-Sharī'ah*, the role of orphanages supports the protection of religion (*hifz al-din*), reason (*hifz al-'aql*), and soul (*hifz al-nafs*). Furthermore, within the legal framework for child protection, orphanages function as social institutions that strive to fulfill children's rights even if the family experiences separation due to divorce.

[Penelitian ini mengeksplorasi dampak perceraian orang tua terhadap anak-anak yang tinggal di Panti Asuhan Nairul Umroh di Kota Bekasi, dari perspektif maqashid syariah dan hukum perlindungan anak. Perceraian tidak hanya



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berdampak pada hubungan perkawinan tetapi juga memiliki berbagai konsekuensi sosial, pendidikan, dan psikologis bagi anak-anak. Tujuan penelitian ini adalah untuk menganalisis dampak-dampak tersebut dan mengevaluasinya dalam konteks maqashid syariah dan peraturan perlindungan anak di Indonesia. Metode penelitian yang diterapkan adalah kualitatif dengan pengumpulan data melalui observasi, wawancara, dan studi dokumen. Hasil penelitian menunjukkan bahwa perceraian orang tua memiliki dampak negatif yang signifikan terhadap interaksi sosial anak, motivasi belajar, dan kesejahteraan mental. Namun, keberadaan panti asuhan sebagai alternatif pengasuhan memberikan kontribusi yang signifikan dalam mengurangi dampak negatif tersebut melalui dukungan emosional, bantuan pendidikan, dan pengembangan karakter. Dari perspektif maqashid syariah, peran panti asuhan mendukung perlindungan agama (*hifz al-din*), akal (*hifz al-'aql*), dan jiwa (*hifz al-nafs*). Selain itu, dalam kerangka hukum perlindungan anak, panti asuhan berfungsi sebagai lembaga sosial yang berupaya memenuhi hak-hak anak meskipun keluarga mengalami perpisahan akibat perceraian.]

Keywords: Divorce, Maqāṣid al-Sharī'ah, Child Protection

Introduction

The Children occupy a strategic position in every society because they represent the continuation of family, community, and national development. Their physical, psychological, educational, and spiritual development is strongly influenced by the quality of care they receive within the family. In Islamic teachings, children are regarded not merely as descendants but as a trust (*amanah*) entrusted by Allah SWT to their parents.¹ Consequently, parents bear continuous moral, religious, and legal responsibilities to ensure the fulfillment of children's rights regardless of changes in their marital relationship. The obligation to provide affection, education, protection, and proper guidance therefore does not end when a marriage is dissolved through divorce.²

In recent years, divorce has become one of the most significant social phenomena affecting family resilience in Indonesia. Although divorce is legally recognized both in Islamic family law and national legislation, its consequences frequently extend beyond the relationship between husband and wife and disproportionately affect children.³ Statistical data released by the Indonesian

¹ Anas Ahmad Karzun, *Anak Adalah Amanah* (Qisthi Press, N.D.).

² Dedisyah Putra et al., "The Impact of Divorce In Contemporary Islamic Law: Children's Rights and Parents' Obligations After Divorce," *Al-Mawarid Jurnal Syariah Dan Hukum (JSYH)* 7, no. 2 (2025): 301-26, <https://doi.org/10.20885/mawarid.vol7.iss2.art6>; Siti Fatimah Azzahra et al., "Parental Divorce and Its Influence on Children's Perceptions of Marriage and Family Life: A Case Study in Pengasinan Village, Bekasi," *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam*, June 12, 2026, 155-70, <https://doi.org/10.56593/khuluqiyya.v8i1.197>.

³ Reza Fahlevi, "Aspek Hukum Perlindungan Anak Dalam Perspektif Hukum Nasional," *Lex Jurnalica*, January 1, 2015,

Central Bureau of Statistics indicate that hundreds of thousands of divorce cases occur annually, demonstrating that family dissolution has become a major social issue requiring comprehensive legal, psychological, and religious attention. The increasing divorce rate raises concerns not only about marital instability but also about the protection of children who often become the most vulnerable parties in the post divorce situation.

The impact of parental divorce on children has been widely documented in previous studies. Numerous scholars conclude that children from divorced families experience greater emotional instability, lower self confidence, behavioural problems, decreased academic achievement, and difficulties in social adaptation compared to children raised in intact families.⁴ Psychological studies further explain that prolonged parental conflict and family separation increase children's vulnerability to anxiety, depression, emotional insecurity, and identity confusion during adolescence. Educational research similarly demonstrates that reduced parental supervision after divorce frequently contributes to declining learning motivation and school performance.⁵

Despite these findings, previous studies predominantly examine divorce from psychological, educational, or sociological perspectives. Relatively few studies integrate Islamic legal philosophy, particularly the perspective of *Maqāṣid al-Sharī'ah*, with contemporary child protection law in explaining the consequences of divorce.⁶ This limitation creates an important research gap because children's welfare cannot merely be understood through psychological indicators but should also be examined through the broader objectives of Islamic law, which seek to preserve human dignity and public welfare.

Maqāṣid al-Sharī'ah provides a comprehensive framework for understanding human welfare through the protection of essential interests (*al-darūriyyāt*).⁷ Among the five fundamental objectives, this study focuses on the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), and intellect (*ḥifẓ al-'aql*), as these three dimensions are directly affected by parental divorce. The preservation of religion concerns

https://www.academia.edu/96276074/Aspek_Hukum_Pelindungan_Anak_Dalam_Perspektif_Hukum_Nasional.

⁴ Indah Choiriyah et al., "The Impact Of Parental Divorce On Children's Rights According To The Perspective Of Islamic Law Through The Maqashid Syariah Approach (Study Of Decision Number 2560/Pdt. G/2022/Pa. Bks)," *Muwafaqat: Journal of Islamic Law* 1, no. 1 (2025): 48–55, <https://doi.org/10.65097/muwafaqat.v1i1.35>.

⁵ Asriadi Asriadi, "Edukasi Parenting 'Dampak Perceraian Terhadap Psikologis, Emosional Dan Mental Anak Dalam Perspektif Hukum Islam,'" *Altafani* 4, No. 1 (2024), <https://doi.org/10.59342/Jpkm.V4i1.789>.

⁶ Ananda Rizky Pratama Et Al., "Analisis Maqashid Al-Syariah Terhadap Tingginya Angka Perceraian Di Indonesia," *Journal Of Sharia And Legal Science* 3, No. 3 (2025): 317–30, <https://doi.org/10.61994/Jsls.V3i3.1386>.

⁷ Alex Kusmardani Et Al., "Faktor-Faktor Penyebab Perceraian Dalam Perspektif Hukum Keluarga Antar Madzhab Islam Dan Realita Sosial," *JURNAL SYNTAX IMPERATIF: Jurnal Ilmu Sosial Dan Pendidikan* 3, No. 3 (2022): 176–94, <https://doi.org/10.36418/Syntax-Imperatif.V3i3.168>.

parents' responsibility to maintain children's religious development and moral values. The preservation of life extends beyond physical survival to include emotional security, psychological well-being, and social protection. Meanwhile, the preservation of intellect emphasizes children's right to education, intellectual development, and opportunities to achieve their full potential. Therefore, analysing divorce through the framework of *Maqāṣid al-Sharī'ah* enables a more holistic understanding of children's welfare than merely observing psychological symptoms.

From the perspective of Indonesian positive law, child protection remains a constitutional obligation even after parents divorce. Law Number 23 of 2002 concerning Child Protection, as amended by Law Number 35 of 2014 and Law Number 17 of 2016, explicitly guarantees children's rights to survival, growth, education, protection from violence, and equal opportunities to develop according to their dignity as human beings.⁸ Accordingly, divorce does not eliminate parental obligations toward children. Instead, both parents remain legally responsible for ensuring children's physical, educational, emotional, and social welfare. The legal framework therefore complements the objectives of *Maqāṣid al-Sharī'ah*, both of which prioritize children's best interests.

Previous research has generally discussed either the psychological consequences of divorce or legal issues concerning child custody and parental responsibility. Only a limited number of studies have attempted to analyse these issues simultaneously through Islamic legal philosophy and national child protection law.⁹ Furthermore, empirical studies involving children living in orphanage institutions remain relatively scarce. This absence of empirical evidence leaves unanswered questions regarding how orphanages function in restoring children's welfare after parental divorce and how Islamic legal objectives are implemented within institutional care settings.¹⁰

The present study addresses this research gap by examining children residing at Nairul Umroh Orphanage in Bekasi City. Unlike children who continue living with one parent after divorce, children living in orphanages experience unique social environments that influence their emotional recovery, educational development, religious guidance, and social interaction. The orphanage therefore provides an important context for understanding how institutional care contributes to fulfilling children's rights after family disintegration.

This research is also motivated by the author's direct interaction with children from divorced families during educational activities. Such interactions revealed

⁸ Undang-Undang Republik Indonesia Nomor 23 Tahun 2002 Tentang Perlindungan Anak, N.D., <https://jdih.go.id/files/4/2002uu023.pdf>.

⁹ Malik Adharsyah Et Al., "Pernikahan Dalam Perspektif Hukum Islam," *Jurnal Syariah Dan Ekonomi Islam* 2, No. 1 (2024): 44–53, <https://doi.org/10.71025/2xrmbv96>.

¹⁰ J. Scott Crapo et al., "The Effects of Resolution Method of Child Custody and Support Plans on Parental Well-Being During The Divorce Process: Implications From And For Divorce Education," *Family Court Review* 62, no. 3 (2024): 474–92, <https://doi.org/10.1111/fcre.12809>.

noticeable differences in children's behaviour, including emotional withdrawal, low self confidence, social isolation, and declining learning motivation.¹¹ These observations indicate that divorce affects children's development in multiple dimensions rather than solely disrupting family structure. Consequently, understanding children's experiences requires an interdisciplinary approach combining Islamic legal philosophy, child protection law, and empirical social research.

Based on these considerations, this study aims to analyse the social, educational, and psychological impacts of parental divorce on children living at Nairul Umroh Orphanage in Bekasi City. Furthermore, the study examines these impacts through the perspective of *Maqāṣid al-Sharī'ah* and Indonesian Child Protection Law to evaluate whether children's fundamental rights have been adequately fulfilled following parental divorce.¹² By integrating empirical field findings with Islamic legal theory and national legislation, this study is expected to contribute to the development of socio-legal studies concerning child protection, enrich the application of *Maqāṣid al-Sharī'ah* in contemporary family law, and provide practical recommendations for parents, orphanage institutions, and government agencies responsible for safeguarding children's welfare.

Methodology

This study employed a qualitative field research design to explore the social, educational, and psychological impacts of parental divorce on children residing at the Nairul Umroh Orphanage Foundation in Bekasi City. A qualitative approach was selected because the research sought to understand the lived experiences, perceptions, and meanings expressed by children who had experienced parental divorce, as well as the perspectives of orphanage administrators directly involved in their daily care. Rather than measuring variables quantitatively, this approach enabled an in depth exploration of children's experiences within their natural social environment.¹³

The research was conducted at the Nairul Umroh Orphanage Foundation, Bekasi City, Indonesia. The institution was selected purposively because it accommodates children from diverse family backgrounds, including children whose parents have divorced. In addition to providing residential care, the orphanage offers formal and non formal educational programs, religious guidance, character

¹¹ Muhammad Husni Abdulah Pakarti, "Perlindungan Hak Anak Dalam Perceraian Menurut Hukum Keluarga Islam," *Mawaddah: Jurnal Hukum Keluarga Islam* 1, No. 1 (2024): 1-13, <https://doi.org/10.52496/Mjhki.V1i1.1>.

¹² Hadijah And Ichsan, "Dampak Perceraian Orang Tua Terhadap Motivasi Belajar Anak Di Desa Karumbu, Kecamatan Langgudu, Kabupaten Bima," *JKKP (Jurnal Kesejahteraan Keluarga Dan Pendidikan)* 11, No. 01 (2024): 66-74, <https://doi.org/10.21009/JKKP.11i1.06>.

¹³ Agus Salam, *Metode Penelitian Kualitatif* (Cv. Azka Pustaka, 2023).

development, and psychosocial assistance, making it an appropriate setting for examining the implementation of child protection after parental divorce.¹⁴

The participants consisted of two categories of informants. The primary informants were children residing at the orphanage who had experienced parental divorce. These participants were selected purposively based on three criteria: (1) having experienced parental divorce, (2) currently residing at the Nairul Umroh Orphanage, and (3) being willing to participate in the interview process. Five children meeting these criteria participated as the main informants. To strengthen data credibility, supporting information was obtained from orphanage administrators who are directly responsible for the children's daily supervision, education, and psychosocial development. Their perspectives were used to confirm and complement the information provided by the child participants.

Data collection was conducted through three complementary techniques: in depth interviews, participant observation, and documentation.¹⁵ Semi structured interviews served as the primary source of data. This interview format allowed participants to describe their experiences openly while enabling the researcher to explore issues that emerged during the conversation. The interviews focused on several themes, including children's social relationships after parental divorce, emotional and psychological conditions, educational experiences and learning motivation, relationships with parents following divorce, religious guidance received at the orphanage, and perceptions regarding the support provided by the institution. Interviews with orphanage administrators explored their observations of children's behavioural changes, emotional development, educational progress, and institutional efforts to fulfil children's physical, psychological, educational, and spiritual needs.

Observation was conducted throughout the fieldwork to understand children's daily interactions within the orphanage environment. The researcher observed children's participation in educational activities, religious programs, social interactions with peers and caregivers, learning routines, and everyday behaviour. These observations provided contextual information that supported and verified the interview findings.¹⁶

Documentation was employed as an additional source of evidence to strengthen the research findings. Documents examined included the institutional profile of the Nairul Umroh Orphanage Foundation, records concerning the number of children under care, educational and religious programs, institutional regulations, and other documents relevant to child welfare and the implementation of caregiving

¹⁴ Dahwadin Et Al., *Perceraian Dalam Sistem Hukum Di Indonesia* (Penerbit Mangku Bumi, 2019).

¹⁵ Penerbit Zaini Et Al., *Metodologi Penelitian Kualitatif* (2023).

¹⁶ Herlambang P. Wiratraman, *Penelitian Sosio-Legal Dan Konsekuensi Metodologisnya*, N.D.

practices. Documentary evidence was also used to understand the organisational context in which the children were raised following parental divorce.¹⁷

Data analysis followed the interactive model proposed by Miles and Huberman. The process began with data reduction, during which interview transcripts, field notes, and documentary evidence were carefully reviewed, coded, and organised according to the research objectives.¹⁸ The reduced data were subsequently displayed by grouping findings into three principal themes: social impacts, educational impacts, and psychological impacts of parental divorce. Finally, conclusions were drawn through continuous interpretation of the relationships between empirical findings, the principles of *Maqāṣid al-Sharī'ah* particularly *ḥifẓ al-dīn*, *ḥifẓ al-nafs*, and *ḥifẓ al-'aql* and the provisions of Indonesian Child Protection Law. This analytical process enabled the study to integrate empirical evidence with both Islamic legal philosophy and contemporary legal norms governing child protection.

To ensure the trustworthiness of the findings, source triangulation was employed.¹⁹ Information obtained from child participants was systematically compared with data gathered from orphanage administrators, observational records, and institutional documentation. The consistency of information across multiple sources enhanced the credibility of the findings and reduced the possibility of subjective interpretation. The combination of interviews, observations, and documentary evidence also strengthened the overall validity of the research by providing

Social Impact of Parental Divorce on Children

Parental divorce affects not only the legal relationship between husband and wife but also significantly influences children's social development. Based on field findings, children residing at the Nairul Umroh Orphanage Foundation experienced noticeable changes in their social interactions after their parents' divorce. These changes were reflected in feelings of shame, reduced self confidence, withdrawal from social activities, and difficulties in establishing relationships with peers.²⁰ Although the intensity of these experiences varied among participants, all informants acknowledged that parental divorce altered the way they interacted with their surrounding environment.

¹⁷ Nazar Naamy, "Metodologi Penelitian Kualitatif Dasar-Dasar & Aplikasinya," *Pusat Penelitian Dan Publikasi Ilmiah LP2M UIN Mataram*, 2019.

¹⁸ Vigih Hery Kristanto, *Metodologi Penelitian Pedoman Penulisan Karya Tulis Ilmiah (KTI)* (Deepublish, 2018).

¹⁹ Muhammad Wahyu Wiyanda Vera, "Triangulasi Data Dalam Analisis Data Kualitatif," *Jurnal Ilmiah Wahana Pendidikan* (Universitas Islam Negeri Raden Fatah Palembang), N.D., <https://doi.org/10.5281/zenodo.13929272>.

²⁰ jalaluddin Ay, "Analisis Perceraian Ditinjau Dari Aspek Hukum Islam Dan Hukum Positif" (Diploma, IAIN Syekh Nurjati Cirebon, 2011), <https://doi.org/10.1/PERDAIS-116050009%2520-%2520Abstraksi.Pdf>.

The interview findings indicate that several children initially preferred to isolate themselves after experiencing parental divorce. Feelings of embarrassment regarding their family circumstances made them reluctant to disclose their parents' marital status to friends. One participant explained that they often avoided conversations about family because they feared negative judgments from others. Another participant stated that they became quieter and chose to spend more time alone rather than engaging in social activities with classmates or neighbourhood friends. These findings demonstrate that divorce affects children's social confidence and their ability to participate comfortably in everyday interactions.

The reduction in social interaction was also influenced by emotional instability following the separation of parents. Children reported experiencing confusion regarding changes in family structure, uncertainty about parental affection, and anxiety about their future. Such emotional conditions indirectly affected their willingness to establish new friendships or maintain existing social relationships. In several cases, the absence of harmonious family support made children perceive themselves as different from their peers who continued living with both parents.²¹

Interestingly, the findings also reveal that the orphanage environment gradually reduced these social difficulties. Daily interaction with caregivers and fellow residents created opportunities for children to rebuild their confidence and develop healthier interpersonal relationships. Religious activities, collective learning sessions, communal worship, and recreational programs encouraged children to interact more frequently and gradually strengthened their sense of belonging within the institution. Consequently, while parental divorce initially generated social withdrawal, the supportive environment of the orphanage contributed positively to children's social adaptation.

These findings are consistent with previous studies reporting that parental divorce often disrupts children's social adjustment. Previous researchers have argued that children from divorced families frequently experience lower levels of social confidence, greater sensitivity toward peer evaluation, and increased tendencies toward social isolation. Family conflict before and after divorce may further reduce children's ability to establish stable interpersonal relationships because emotional insecurity limits their willingness to trust others. The present study confirms these conclusions while providing additional evidence that institutional care can partially restore children's social functioning through structured social support and continuous guidance.

From a developmental psychology perspective, social interaction constitutes an essential component of children's emotional and personality development. Healthy relationships with peers enable children to develop communication skills,

²¹ Fitriani Et Al., *Dampak Perceraian Orang Tua Terhadap Kondisi Sosial Anak Remaja Di Perumahan Yayasan Gubernur Kota Makassar* | . | PREDESTINASI, December 3, 2022, <https://doi.org/10.26858/Predestinasi.V15i2.40122>.

empathy, cooperation, and self confidence. When parental divorce interrupts emotional security within the family, children often lose an important foundation for developing these competencies. Therefore, the social difficulties observed in this study should not merely be interpreted as behavioural changes but rather as indicators of broader emotional challenges resulting from family disintegration.

The findings can also be interpreted through the framework of *Maqāṣid al-Sharī'ah*, particularly the principle of *ḥifẓ al-nafs* (protection of life). Within Islamic legal philosophy, *ḥifẓ al-nafs* extends beyond protecting physical survival and includes safeguarding psychological well being, emotional stability, dignity, and human welfare. Children's reluctance to interact socially, diminished self confidence, and feelings of social exclusion indicate that their psychological welfare has been disrupted following parental divorce. Consequently, the responsibility to preserve children's well being does not end with fulfilling material needs but also requires emotional support capable of restoring children's sense of security and social acceptance.

The role played by the Nairul Umroh Orphanage demonstrates an important practical implementation of *ḥifẓ al-nafs*. Through continuous mentoring, religious education, communal activities, and emotional support provided by caregivers, the institution creates an environment that helps children recover from the social consequences of family breakdown. These institutional efforts illustrate that preserving children's welfare requires collective responsibility involving families, caregivers, educational institutions, and society.

From the perspective of Indonesian Child Protection Law, these findings likewise reinforce the principle that every child possesses the right to social development, protection from discrimination, and opportunities to participate fully within society. The law emphasizes that children's best interests must remain the primary consideration regardless of changes in parental marital status. Accordingly, parental divorce cannot be used as a justification for neglecting children's emotional or social needs. Instead, both parents retain continuing responsibilities to provide affection, guidance, and opportunities that support children's healthy social development. When parents are unable to fulfil these responsibilities adequately, social institutions such as orphanages play an important complementary role in ensuring that children's rights continue to be protected.

Overall, the findings demonstrate that the social consequences of parental divorce extend beyond temporary emotional discomfort. Divorce influences children's confidence, interpersonal relationships, and participation within their social environment. Nevertheless, the presence of supportive institutional care significantly contributes to children's recovery by rebuilding their confidence, expanding positive social interaction, and fostering emotional resilience. These findings suggest that effective child protection following parental divorce requires collaboration among parents, educational institutions, orphanages, communities,

and government agencies to ensure that children's social rights are consistently fulfilled.

Educational Impact of Parental Divorce on Children

Education constitutes one of the most fundamental rights of every child and plays a vital role in shaping intellectual development, character formation, and future opportunities. The findings of this study reveal that parental divorce has significant implications for children's educational experiences. Although the degree of impact varied among participants, all informants acknowledged that changes within the family environment influenced their learning motivation, academic concentration, and educational aspirations. The emotional consequences of divorce frequently interfered with children's ability to focus on school activities, particularly during the initial period following the separation of their parents.

Based on interviews conducted with children residing at the Nairul Umroh Orphanage Foundation, several participants explained that they experienced declining enthusiasm for learning after their parents divorced. Emotional distress, uncertainty regarding their family situation, and reduced parental attention affected their concentration during classroom activities. Some children admitted that they found it difficult to complete school assignments because their thoughts were dominated by family problems. Others reported that they became less motivated to participate actively in class and gradually lost confidence in their academic abilities.

One participant described the situation as follows:

"After my parents divorced, I often found it difficult to concentrate in class because I kept thinking about my family. Sometimes I lost the motivation to study because I felt that everything had changed." (Participant 3)

Another participant explained:

"My parents rarely asked about my school anymore. I felt like I had to handle everything by myself, so sometimes I became lazy to study." (Participant 5)

These statements indicate that the educational challenges experienced by children were not caused by limited intellectual ability but rather by emotional instability resulting from parental divorce. The absence of consistent parental support reduced children's learning motivation and weakened the encouragement that is generally required for academic success.

Despite these initial difficulties, the findings also demonstrate that the educational environment provided by the orphanage played an important role in restoring children's learning motivation. Caregivers continuously encouraged children to attend school regularly, complete homework, participate in religious learning, and develop discipline in their daily routines. In addition, educational supervision, mentoring activities, and moral guidance created a supportive

atmosphere that enabled children to gradually regain confidence in their academic potential. Consequently, although parental divorce disrupted children's educational experiences, institutional support significantly reduced the long term negative consequences.

These findings are consistent with previous studies indicating that parental divorce often affects children's educational achievement through indirect mechanisms. Earlier research has demonstrated that prolonged family conflict and parental separation reduce children's academic performance because emotional distress interferes with cognitive functioning, classroom participation, and learning motivation. Several studies have further reported that children from divorced families frequently experience declining grades, increased absenteeism, and reduced educational aspirations when adequate emotional support is unavailable. The present study confirms these conclusions while emphasizing that educational recovery becomes more achievable when children receive continuous guidance within a structured institutional environment.

From the perspective of educational psychology, effective learning requires emotional stability, family encouragement, and a supportive social environment. Children who experience chronic stress often allocate considerable cognitive resources to managing emotional difficulties rather than concentrating on academic tasks. As a result, educational performance should not be viewed solely as an indicator of intellectual ability but also as a reflection of children's psychological and social well being. Therefore, the decline in learning motivation observed in this study represents one of the indirect consequences of family disintegration rather than an inherent limitation of children's academic capacity.

The educational findings can be further analysed through the perspective of *Maqāṣid al-Sharī'ah*, particularly the principle of *ḥifẓ al-'aql* (protection of intellect). Within Islamic legal philosophy, preserving intellect encompasses not only safeguarding cognitive capacity but also ensuring access to education, knowledge acquisition, critical thinking, and intellectual development. Every child possesses the right to receive proper education as part of the broader objective of achieving individual and social welfare. Consequently, when parental divorce disrupts children's learning process and reduces educational opportunities, the objective of *ḥifẓ al-'aql* is only partially fulfilled.

The educational programs implemented at the Nairul Umroh Orphanage illustrate practical efforts to realise the principle of *ḥifẓ al-'aql*. Formal schooling is complemented by religious education, Qur'anic studies, tutoring, and character building activities that support children's intellectual and moral development. These educational initiatives demonstrate that protecting children's intellect requires comprehensive support extending beyond classroom instruction to include emotional guidance, motivation, and continuous supervision. In this regard, the orphanage functions not merely as a residential institution but also as an

educational environment that contributes to restoring children's academic confidence after parental divorce.²²

The findings are likewise consistent with the principles contained in Indonesian Child Protection Law, which guarantees every child's right to education, personal development, and equal opportunities regardless of family background. The legislation emphasizes that parents, families, communities, and the state share collective responsibility for ensuring children's educational welfare. Accordingly, parental divorce should never become an obstacle preventing children from obtaining quality education. When biological families experience difficulties in fulfilling these responsibilities, educational institutions and child welfare organisations assume an important complementary role in safeguarding children's educational rights.²³

Overall, the findings indicate that the educational consequences of parental divorce extend beyond declining academic performance. Divorce influences children's motivation, concentration, self confidence, and future educational aspirations. Nevertheless, these negative impacts are not irreversible. Continuous educational support, emotional mentoring, and structured learning environments provided by institutions such as the Nairul Umroh Orphanage significantly contribute to strengthening children's resilience and restoring their educational development. These findings highlight that fulfilling children's educational rights requires cooperation among parents, schools, child welfare institutions, and government agencies so that every child continues to receive opportunities to develop their intellectual potential despite experiencing family disruption.

Psychological Impact of Parental Divorce on Children

The findings of this study indicate that psychological consequences represent the most profound impact experienced by children following parental divorce. Unlike social and educational challenges, which may gradually improve through environmental support, psychological distress tends to persist for a longer period because it directly influences children's emotional security, self perception, and overall mental well being. Interviews conducted with children residing at the Nairul Umroh Orphanage Foundation revealed that parental divorce generated feelings of sadness, disappointment, confusion, insecurity, loneliness, and emotional instability. Although the intensity of these experiences differed among participants,

²² Musyaffa Amin Ash Shabah, "Perkawinan Sebagai HAM," *MASLAHAH (Jurnal Hukum Islam dan Perbankan Syariah)* 11, no. 2 (2021): 25–33, <https://doi.org/10.33558/maslahah.v11i2.2623>.

²³ Afdal Et Al., "Dampak Perceraian Orangtua Terhadap Meaning Of Life Remaja," *JKKP (Jurnal Kesejahteraan Keluarga Dan Pendidikan)* 8, No. 02 (2021): 186–98, <https://doi.org/10.21009/JKKP.082.07>.

every child acknowledged that the separation of their parents had significantly affected their emotional condition.²⁴

Several participants explained that they initially found it difficult to accept the divorce because they had hoped their parents would reconcile.²⁵ The sudden changes in family structure created uncertainty regarding their future and weakened their sense of security. Some children admitted that they frequently cried when remembering their family situation, while others preferred to suppress their emotions and avoid discussing the divorce with friends or caregivers. One participant stated:

“When my parents divorced, I often cried at night because I missed living together as a family. I kept hoping that they would reunite someday.” (Participant 1)

Another participant explained:

“I became easily offended and preferred to be alone because I felt that nobody really understood what I was going through.” (Participant 4)

These narratives demonstrate that parental divorce affects children not only through changes in family structure but also by disrupting their emotional stability and sense of belonging. The loss of harmonious parental relationships often creates prolonged emotional conflict that influences children's behaviour, confidence, and interpersonal relationships.²⁶

The psychological burden experienced by the participants was also reflected in feelings of anxiety concerning their future. Several children worried about their educational continuity, economic conditions, and relationships with both parents after the divorce. Such concerns generated continuous emotional pressure, particularly during the early stages of family separation.²⁷ Nevertheless, the findings also indicate that these psychological conditions gradually improved after children received emotional support from caregivers and peers within the orphanage. Religious guidance, counselling, daily interaction, and a supportive communal environment contributed significantly to strengthening children's resilience and emotional recovery.²⁸

These findings support previous empirical studies demonstrating that parental divorce constitutes one of the most influential risk factors affecting children's mental health. Earlier research consistently reports increased levels of sadness,

²⁴ Kurlianto Pradana Putra Et Al., “Makna Sakinah Dalam Surat Al-Rum Ayat 21 Menurut M. Quraisy Syihab Dalam Tafsir Al-Mishbah Dan Relevansinya Dengan Tujuan Perkawinan Dalam Kompilasi Hukum Islam,” *MASLAHAH (Jurnal Hukum Islam Dan Perbankan Syariah)* 12, No. 2 (2021): 15–34.

²⁵ Nazla Meyvida Et Al., “Dampak Perceraian Orangtua Terhadap Psikologis Remaja,” *Observasi : Jurnal Publikasi Ilmu Psikologi* 4, No. 1 (2026): 67–81, <https://doi.org/10.61132/Observasi.V4i1.2025>.

²⁶ Essy Zulfiani, *Psikologi Dasar*, N.D., <https://media.neliti.com/media/publications/630584-Psikologi-Dasar-B13b4bb8.Pdf>.

²⁷ Nurul Izzah, *Dampak Perceraian Terhadap Perkembangan Emosi Anak Usia Kelompok B Di Ra Tathmainnul Qulub Kota Parepare*, N.D.

²⁸ Suhaimi Suhaimi Et Al., “AL-MAQÂSHID AL-SYARÎAH;,” *Sahaja: Journal Sharia And Humanities* 2, No. 1 (2023): 153–70, <https://doi.org/10.61159/Sahaja.V2i1.13>.

anxiety, depression, emotional withdrawal, behavioural instability, and low self esteem among children whose parents experience marital dissolution. Family conflict preceding divorce further intensifies these psychological effects because children are often exposed to prolonged emotional tension before the legal separation occurs. The present study confirms these conclusions while demonstrating that continuous psychosocial support within institutional care can facilitate children's emotional adaptation and recovery.

From the perspective of developmental psychology, emotional security represents one of the primary foundations of healthy child development. Children require stable affection, consistent parental attention, and positive family relationships to develop confidence, emotional regulation, and psychological resilience. When parental divorce disrupts these protective factors, children frequently experience emotional insecurity that extends into various aspects of their daily lives. Consequently, psychological well being should be understood not merely as the absence of emotional distress but as the presence of supportive relationships that enable children to cope with adversity effectively.

Analysis from the Perspective of Maqāṣid al-Sharī'ah

The empirical findings obtained in this study may be comprehensively understood through the framework of *Maqāṣid al-Sharī'ah*, particularly the principles of *ḥifẓ al-dīn* (protection of religion), *ḥifẓ al-nafs* (protection of life), and *ḥifẓ al-'aql* (protection of intellect). These three objectives represent essential dimensions of child welfare that remain the responsibility of parents even after divorce.

The principle of *ḥifẓ al-dīn* emphasizes the obligation of parents and caregivers to preserve children's religious identity, moral values, and spiritual development. The findings reveal that although parental divorce reduced children's emotional stability, the orphanage consistently provided religious education through congregational prayers, Qur'anic recitation, Islamic studies, and moral guidance. These activities not only strengthened children's religious understanding but also functioned as psychological support by encouraging patience, gratitude, and hope. Consequently, the implementation of religious education within the orphanage reflects an important effort to fulfil the objective of *ḥifẓ al-dīn* despite the challenges created by family disintegration.

The principle of *ḥifẓ al-nafs* extends beyond the protection of physical life to encompass emotional security, mental health, dignity, and overall human welfare. The interview findings demonstrate that parental divorce disrupted children's emotional stability through sadness, anxiety, loneliness, and diminished self confidence. Such conditions indicate that children's psychological well being requires protection alongside their physical needs. The emotional assistance provided by caregivers, peer support, and structured daily activities within the

orphanage therefore represent practical implementations of *ḥifẓ al-nafs*, aiming to restore children's emotional resilience and social functioning.

Meanwhile, the principle of *ḥifẓ al-'aql* focuses on preserving children's intellectual development through education and opportunities for learning. The study found that emotional distress following parental divorce frequently reduced children's motivation to study and affected their academic concentration. Nevertheless, educational supervision, tutoring, religious instruction, and continuous encouragement provided by the orphanage contributed to restoring children's enthusiasm for learning. These findings illustrate that protecting intellect requires not only access to formal education but also emotional conditions that enable children to achieve their academic potential.

Overall, the findings suggest that parental divorce does not merely influence one dimension of children's lives but simultaneously affects religious development, emotional well being, and intellectual growth. Therefore, fulfilling the objectives of *Maqāṣid al-Sharī'ah* requires comprehensive collaboration among parents, educational institutions, caregivers, and society to ensure that children's essential rights continue to be protected following family dissolution.

Analysis from the Perspective of Indonesian Child Protection Law

The findings of this study are also closely aligned with the principles contained in Indonesian Child Protection Law. Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection affirms that every child possesses the right to survival, growth, development, participation, and protection from violence and discrimination. These rights remain fully applicable regardless of changes in parental marital status.

The empirical findings demonstrate that parental divorce frequently reduces the fulfilment of children's emotional and educational needs. Emotional instability, declining learning motivation, and weakened social confidence indicate that children require continued protection after divorce.²⁹ Accordingly, the responsibility to fulfil children's rights remains attached to both parents, despite the termination of their marital relationship. Divorce legally dissolves the relationship between husband and wife but does not eliminate parental obligations toward their children.

The role performed by the Nairul Umroh Orphanage illustrates the complementary function of child welfare institutions in supporting the implementation of child protection principles. Through educational assistance, psychosocial support, religious guidance, and fulfilment of children's daily needs, the institution contributes to safeguarding children's rights when families

²⁹ Nurlaila Harun, "Perlindungan Anak Perspektif Hukum Islam Dan Perundang-Undang," *Jurnal Harkat: Media Komunikasi Gender* 14, No. 1 (2019): 50–58, <https://doi.org/10.15408/Harkat.V14i1.10398>.

experience difficulties in providing optimal care. Nevertheless, institutional care should not replace parental responsibility. Rather, it serves as an additional mechanism to ensure that children's best interests remain protected.

The findings therefore reinforce the principle that effective child protection requires cooperation among parents, extended families, educational institutions, child welfare organisations, and government agencies. Such collaboration is essential for ensuring that children affected by parental divorce continue to enjoy equal opportunities for healthy physical, psychological, educational, and spiritual development.³⁰

General Discussion

The three dimensions identified in this study social, educational, and psychological impacts demonstrate that parental divorce affects children in a multidimensional manner. These dimensions are closely interconnected, as psychological distress influences social interaction, while emotional instability also affects educational achievement.³¹ Consequently, child welfare cannot be evaluated solely from one perspective but requires an integrated approach that combines psychological, educational, legal, and religious considerations.³²

The integration of empirical findings with *Maqāṣid al-Sharī'ah* and Indonesian Child Protection Law constitutes the principal contribution of this research. Unlike previous studies that primarily focused on psychological consequences or legal issues separately, this study demonstrates that child protection after parental divorce should simultaneously preserve children's religion (*ḥifẓ al-dīn*), emotional and physical well being (*ḥifẓ al-naḥs*), and intellectual development (*ḥifẓ al-'aql*). These objectives correspond with the principles of Indonesian Child Protection Law, both of which emphasize the fulfilment of children's best interests as the ultimate goal of family, community, and state responsibility.

Conclusion

The present study examined the social, educational, and psychological impacts of parental divorce on children residing at the Nairul Umroh Orphanage Foundation in Bekasi City through the perspectives of *Maqāṣid al-Sharī'ah* and Indonesian Child Protection Law. The findings demonstrate that parental divorce affects children's development in multiple and interconnected dimensions. Socially, children experienced decreased self confidence, social withdrawal, and difficulties in

³⁰ Nanda Dwi Rizkia Et Al., *Hukum Perlindungan Anak* (CV WIDINA MEDIA UTAMA, 2024), <https://Repository.Penerbitwidina.Com/Id/Publications/583738/>.

³¹ Sandi Matahati And Markoni Markoni, "Akibat Hukum Dari Perceraian Terhadap Anak Menurut Hukum Yang Berlaku," *Jurnal Multidisiplin Indonesia* 1, No. 4 (2022): 1308–27, <https://doi.org/10.58344/Jmi.V1i4.134>.

³² Dona Despika Susanti And Fadhilla Yusri, "Peranan Panti Asuhan Dalam Menunjang Pendidikan Anak Di Panti Aisyiyah Payakumbuh," *Jurnal Pengabdian Masyarakat Nusantara* 4, No. 4 (2022): 25–31, <https://doi.org/10.57214/Pengabmas.V4i4.166>.

establishing interpersonal relationships during the initial period following parental separation. Educationally, emotional distress reduced learning motivation, classroom concentration, and academic confidence, although these challenges gradually improved through continuous educational support provided by the orphanage. Psychologically, parental divorce generated feelings of sadness, anxiety, loneliness, insecurity, and emotional instability, making psychological well being the most dominant consequence experienced by the participants.

The findings further indicate that the negative consequences of parental divorce are not solely determined by the dissolution of marriage itself but are strongly influenced by the availability of emotional support, educational guidance, and a nurturing social environment after the divorce occurs. The Nairul Umroh Orphanage plays an important role in facilitating children's recovery through religious education, academic supervision, psychosocial assistance, and structured daily activities. These institutional efforts contribute significantly to restoring children's confidence, strengthening emotional resilience, and supporting their educational development.

From the perspective of *Maqāṣid al-Sharī'ah*, the study demonstrates that parental divorce has implications for several essential objectives of Islamic law, particularly *ḥifẓ al-dīn* (protection of religion), *ḥifẓ al-naḥs* (protection of life), and *ḥifẓ al-'aql* (protection of intellect). The fulfilment of these objectives requires more than meeting children's material needs; it also demands continuous attention to their spiritual formation, psychological well being, emotional security, and intellectual growth. Consequently, child protection following parental divorce should be understood as a comprehensive responsibility shared by parents, extended families, educational institutions, child welfare organisations, and society.

The findings are likewise consistent with the principles embodied in Indonesian Child Protection Law, which guarantees every child's right to protection, education, development, and equal opportunities regardless of changes in parental marital status. Divorce legally terminates the marital relationship between husband and wife but does not eliminate their obligations to fulfil children's rights. Accordingly, ensuring children's best interests requires sustained collaboration among parents, child welfare institutions, schools, communities, and government agencies.

This study contributes to the existing literature by integrating empirical evidence from children affected by parental divorce with the normative frameworks of *Maqāṣid al-Sharī'ah* and Indonesian Child Protection Law. While previous studies have generally examined psychological, educational, or legal dimensions separately, this research demonstrates that children's welfare should be analysed through an interdisciplinary approach combining socio-legal analysis, Islamic legal philosophy,

and field based qualitative evidence.³³ This integrated perspective offers a more comprehensive understanding of child protection in post divorce family settings and enriches the application of *Maqāṣid al-Sharī'ah* within contemporary family law studies.³⁴

Nevertheless, this study has several limitations. The research was conducted within a single orphanage institution and involved a limited number of participants, which may restrict the generalisability of the findings to other institutional or family contexts.³⁵ In addition, the study primarily explored the perspectives of children and orphanage administrators, while the views of biological parents, teachers, counsellors, and government child protection officers were not examined in depth.³⁶ Future research is therefore recommended to involve broader participant groups, compare multiple child welfare institutions, and employ interdisciplinary or mixed method approaches to obtain a more comprehensive understanding of children's post divorce experiences. Comparative studies across different regions or cultural contexts would also enrich the development of child protection policies and strengthen the implementation of *Maqāṣid al-Sharī'ah* principles in safeguarding children's welfare after parental divorce.³⁷

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³³ Fuad Fuad, "Socio Legal Research Dalam Ilmu Hukum," *Widya Pranata Hukum : Jurnal Kajian Dan Penelitian Hukum* 2, No. 2 (2021): 32–47, <https://doi.org/10.37631/Widyapranata.V2i2.261>.

³⁴ Maylyndha Marlina Lestari, "Dampak Perceraian Dalam Hukum Keluarga Islam Terhadap Kesehatan Mental Anak," *JIMU: Jurnal Ilmiah Multidisipliner* 2, No. 04 (2024): 1346–54.

³⁵ Muhammad Syarif, *Dampak Perceraian Terhadap Psikologis, Emosional Dan Mental Anak Dalam Perspektif Hukum Islam*, 4, No. 2 (N.D.).

³⁶ Agus Supriyanto, "Ijtihad: Makna Dan Relasinya Dengan Syari'ah, Fiqih, Dan Ushul Fiqih," *MASLAHAH (Jurnal Hukum Islam Dan Perbankan Syariah)* 1, No. 1 (2010): 1–20, <https://doi.org/10.33558/Maslahah.V1i1.1198>.

³⁷ Yogi Gunawan And Syamsudin Syamsudin, "Strategi Pembentukan Karakter Religius Di Lembaga Kesejahteraan Sosial Anak (LKSA) Panti Asuhan Muhammadiyah Tuksono Kulonprogo," *Jurnal Ilmu Pendidikan Dan Sains Islam Interdisipliner*, May 29, 2023, 52–62, <https://doi.org/10.59944/Jipsi.V2i1.110>.

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