

The Minority Child Before the Law: Best Interests, Religious Identity, and Custody Disputes in Indonesia

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Abstract

Family disputes involving parents from different religious backgrounds create complex legal questions concerning children's religious identity, parental authority, and the best interests of the child. This article investigates how Indonesian law addresses children situated at the intersection of competing parental religious claims. The research seeks to assess whether existing legal frameworks adequately protect children from being treated merely as objects of parental or religious contestation. Employing a normative juridical and case-based approach, the study examines constitutional guarantees, child protection legislation, family law, relevant judicial decisions, and selected custody disputes involving interreligious families. The analysis applies the principle of the best interests of the child alongside freedom of religion, parental rights, and the child's emerging autonomy. The article argues that Indonesian legal reasoning tends to emphasize parental authority and religious affiliation while insufficiently recognizing the child's independent rights and evolving capacity. Such an approach may create situations in which religious identity becomes determined through litigation rather than through a child-centered process. The study proposes a more consistent interpretive framework that places children's dignity, psychological well-being, and developing autonomy at the center of judicial decision-making. It concludes that minority justice in family law requires courts to move beyond binary religious classifications and adopt child-centered adjudication capable of protecting children from the consequences of interreligious legal conflict.

[Perselisihan keluarga yang melibatkan orang tua dari latar belakang agama yang berbeda menimbulkan pertanyaan hukum yang kompleks mengenai identitas agama anak, wewenang orang tua, dan kepentingan terbaik anak. Artikel ini meneliti bagaimana hukum Indonesia menangani anak-anak yang berada di persimpangan klaim agama orang tua yang saling bertentangan. Penelitian ini bertujuan untuk menilai apakah kerangka hukum yang ada cukup melindungi anak-anak agar tidak diperlakukan hanya sebagai objek perselisihan orang tua atau agama. Dengan menggunakan pendekatan yuridis normatif dan berbasis kasus, studi ini meneliti jaminan konstitusional,

undang-undang perlindungan anak, hukum keluarga, keputusan pengadilan yang relevan, dan beberapa sengketa hak asuh yang melibatkan keluarga antaragama. Analisis ini menerapkan prinsip kepentingan terbaik anak bersamaan dengan kebebasan beragama, hak orang tua, dan otonomi anak yang sedang berkembang. Artikel ini berpendapat bahwa penalaran hukum Indonesia cenderung menekankan wewenang orang tua dan afiliasi agama sementara kurang mengakui hak-hak independen anak dan kapasitasnya yang berkembang. Pendekatan seperti itu dapat menciptakan situasi di mana identitas agama ditentukan melalui litigasi daripada melalui proses yang berpusat pada anak. Studi ini mengusulkan kerangka interpretasi yang lebih konsisten yang menempatkan martabat anak, kesejahteraan psikologis, dan perkembangan otonomi sebagai pusat pengambilan keputusan yudisial. Kesimpulannya, keadilan minoritas dalam hukum keluarga mengharuskan pengadilan untuk melampaui klasifikasi agama biner dan mengadopsi peradilan yang berpusat pada anak yang mampu melindungi anak-anak dari konsekuensi konflik hukum antaragama.]

Keywords: minority children, best interests of the child, religious identity, custody, family law

Introduction

Custody disputes involving parents of different religions present one of the most difficult intersections between family law, religious freedom, and children's rights in Indonesia. The legal difficulty does not arise merely from disagreement over which parent should exercise daily care. It also concerns who may influence the child's religious education, how courts should understand the child's religious identity, and whether a child's developing beliefs can be subordinated to competing parental claims. These disputes are especially significant in Indonesia because marriage and family law remain deeply connected to religious institutions and normative traditions. When a marriage breaks down, the child's identity may become part of the legal dispute, particularly where one parent changes religion or where the parents have different religious affiliations. The risk is that the child may be treated as an extension of parental religious identity rather than as an independent rights-holder (Mera et al. 2024; Mursyid, Bilalu, and Subeitan 2024).

The Indonesian constitutional framework establishes a strong basis for protecting both children's rights and freedom of religion. Article 28B(2) of the 1945 Constitution guarantees every child's right to survival, growth, development, and protection from violence and discrimination. Article 28E protects freedom of religion and belief, while Article 29(2) guarantees the freedom of every resident to embrace religion and worship according to religion or belief. These provisions should be interpreted together rather than as separate constitutional compartments. A child is simultaneously a member of a family, a developing person, and an individual constitutional rights-holder. Consequently, the child's religious identity

cannot be analyzed exclusively through parental authority. The constitutional problem arises when family law grants practical priority to the religious affiliation of parents without sufficiently considering the child's own identity, welfare, psychological security, and developing capacity to form views (Republic of Indonesia 1945; United Nations 1989).

Indonesia has further incorporated the protection of children through the ratification of the Convention on the Rights of the Child (CRC) and through domestic child-protection legislation. The CRC requires the best interests of the child to be a primary consideration in actions concerning children, while also protecting the child's right to express views in matters affecting him or her and to enjoy freedom of thought, conscience, and religion. These rights establish an important conceptual limitation on parental and judicial authority. The child is not merely a passive beneficiary of parental protection. The child possesses rights that require consideration even when the child lacks full legal capacity. Law No. 35 of 2014 on Child Protection similarly places the best interests of the child among the fundamental principles governing child protection in Indonesia (United Nations 1989; United Nations Committee on the Rights of the Child 2009; Republic of Indonesia 2014).

The principle of the best interests of the child is particularly important in disputes involving religious difference because religious identity cannot be reduced to a single formal attribute. Religion may be connected to family relationships, culture, community, education, moral formation, and the child's sense of belonging. At the same time, a child may experience pressure, fear, or psychological conflict when forced to choose between parents on religious grounds. The legal task is therefore not simply to determine which parent's religion should prevail. Rather, courts must determine how custody arrangements can protect the child's overall rights while minimizing the risk that the child becomes a symbolic object in an adult conflict. General Comment No. 14 recognizes that the child's identity, including religion and beliefs, must be considered in assessing best interests, while General Comment No. 12 requires that children capable of forming their own views be given a genuine opportunity to express them (United Nations Committee on the Rights of the Child 2009, 2013).

Previous scholarship has addressed several dimensions of this issue. Research on Indonesian Islamic family law has examined custody, *ḥaḍānah*, parental conversion, and the continuing influence of religious affiliation in determining caregiving arrangements. Mera et al. (2024) analyze the custody rights of mothers of different religions through a *maqāṣid al-sharīʿah* perspective, while Mursyid, Bilalu, and Subeitan (2024) demonstrate that judges dealing with interreligious family disputes must balance formal religious norms with the child's psychological condition and social environment. Other studies have considered the tension between child-centered legal protection and parental religious authority, especially when divorce or conversion creates uncertainty regarding the religious upbringing of the child (Sholeh 2021; Rahman and Rahim 2023).

However, the existing literature remains fragmented. Islamic family-law scholarship frequently examines whether a parent retains custody after changing religious affiliation, while child-rights scholarship often discusses the best-interests principle in general terms without sufficiently examining religious identity as a distinct dimension of childhood. Likewise, legal debates on interfaith marriage frequently focus on the validity of the marriage rather than the legal position of children who continue to exist and require protection after the relationship breaks down. As a result, insufficient attention has been given to the possibility that children in interreligious custody disputes may experience a form of minority vulnerability: their identity may differ from the assumptions of the court, from one parent's religious expectations, or from the dominant religious framework governing the relevant legal institution.

This article contributes to minority justice and child-rights scholarship by conceptualizing the child in an interreligious custody dispute as an independent constitutional subject whose religious identity cannot automatically be absorbed into the identity of either parent. Its novelty lies in connecting three legal frameworks that are often analyzed separately: the best interests of the child, freedom of religion and belief, and emerging child autonomy. The article argues that the central legal problem is not simply which parent should receive custody but how judicial reasoning can avoid converting the child's religion into a consequence of parental litigation. A child-centered approach requires courts to distinguish between parental religious freedom, legitimate parental guidance, and the child's own evolving right to identity and belief.

The study addresses three principal questions. First, how does Indonesian law currently regulate custody where parents have different religious affiliations or where one parent changes religion? Second, to what extent does existing judicial reasoning adequately recognize the child's independent rights, religious identity, and evolving capacity? Third, what interpretive framework should courts apply to ensure that the best interests principle does not become a rhetorical formula masking parental or institutional religious preferences? Methodologically, this article employs normative juridical and case-based approaches. The normative analysis examines the 1945 Constitution, the CRC, Law No. 1 of 1974 as amended by Law No. 16 of 2019, Law No. 35 of 2014, Law No. 39 of 1999 on Human Rights, the Compilation of Islamic Law, and relevant judicial principles.

The case-based component analyzes selected patterns in Indonesian family-law reasoning rather than assuming that every custody dispute follows a single doctrinal formula. Particular attention is given to cases involving parental religious conversion, competing claims over children's religious upbringing, and judicial efforts to reconcile Islamic family-law norms with the best interests of the child. The study also uses international child-rights standards, particularly General Comment No. 12 on the right of the child to be heard, General Comment No. 14 on best interests, and General Comment No. 20 on adolescence and evolving capacities. The analysis is conceptual and interpretive: it assesses whether existing legal

reasoning is capable of treating the child as a participant in, rather than merely the object of, custody adjudication.

Results and Discussion

1. The Child as a Constitutional Subject, Not a Parental Object

Indonesian family law has historically been organized around parental authority, marital status, and the legal responsibilities of fathers and mothers. These categories remain important because children require care, guidance, and material support. However, contemporary constitutional and international human-rights law requires a significant conceptual development: children must also be recognized as rights-holders in their own capacity. Article 28B(2) of the Indonesian Constitution protects children directly, while the CRC recognizes children as individuals entitled to rights to identity, participation, development, and freedom of thought, conscience, and religion. The consequence is that custody adjudication should not ask only which parent possesses a stronger legal entitlement. Courts must also ask how each possible arrangement affects the child as an independent person (Republic of Indonesia 1945; United Nations 1989).

This distinction is particularly important when parents disagree about religion. Parental conflict can encourage each parent to frame custody as a competition between competing religious identities. The legal danger is that the child becomes a symbolic representation of the winning parent's faith. Such reasoning treats religious identity as a form of parental possession. Yet the CRC requires states to respect the child's right to preserve identity and to develop individual capacities. General Comment No. 14 specifically identifies religion and beliefs as elements of the child's identity that must be considered when determining best interests. A judicial decision that assigns religious identity without examining the child's circumstances therefore risks simplifying the child's life into a binary contest between adults (United Nations Committee on the Rights of the Child 2013).

The child's status as a constitutional subject does not mean that children possess the same decision-making capacity as adults in every context. Childhood is characterized by dependence and evolving maturity. However, the legal recognition of dependence should not become a justification for permanent silence. The concept of evolving capacities, reflected in the CRC, requires the weight given to the child's views and choices to develop with age and maturity. This principle rejects two extremes: complete child autonomy regardless of developmental circumstances and complete parental control regardless of the child's capacity to form views. In custody disputes involving religion, evolving capacity requires courts to ask what the child understands, what relationships and beliefs are meaningful to the child, and how the proposed decision may affect psychological and identity development (Lansdown 2005; United Nations Committee on the Rights of the Child 2016).

The practical implication is that the child's religious identity should not be mechanically inferred from the legal identity of the custodial parent. A young

child's beliefs may indeed be shaped substantially by family life, but this fact does not eliminate the child's rights. The older and more mature the child becomes, the more significant the child's own perspective should be. Courts should therefore avoid treating religion as a fixed attribute transferred automatically from one parent to a child. Such an approach is especially important where the child has developed relationships with both religious traditions, belongs to a religious minority in the relevant family environment, or expresses views that differ from either parent.

2. Religious Identity between Parental Authority and the Child's Emerging Autonomy

The right to freedom of religion creates a complex relationship between parents and children. Parents have legitimate interests and responsibilities in guiding their children, including in matters of moral and religious education. Article 14 of the CRC recognizes the child's right to freedom of thought, conscience, and religion while requiring states to respect the rights and duties of parents to provide direction in a manner consistent with the child's evolving capacities. This provision is significant because it neither excludes parents from religious education nor permits parental authority to eliminate the child's independent rights. Rather, it establishes a developmental relationship between parental guidance and the gradual emergence of child autonomy (United Nations 1989).

In Indonesia, this relationship is complicated by the legal and institutional importance of religion in family law. Marriage validity, religious-court jurisdiction, and the Compilation of Islamic Law reflect the fact that family relationships may be governed through religiously differentiated legal frameworks. The legal position of interreligious marriage itself has therefore remained controversial. Constitutional Court litigation concerning interfaith marriage demonstrates the continuing strength of the principle that marriage regulation is closely connected to religion in Indonesian law. However, the legal controversy over whether and how adults may enter interfaith marriages should not obscure the distinct rights of children produced by or living within interreligious families (Constitutional Court of the Republic of Indonesia 2022; Crouch 2010).

Custody disputes following conversion are particularly difficult because the parent's new religious affiliation may be treated as relevant to the child's religious upbringing. Classical *ḥaḍānah* doctrines and their modern interpretations have frequently associated the suitability of a custodian with the capacity to protect the child's religion. This reasoning reflects a legitimate concern within religious legal traditions regarding the moral and spiritual welfare of the child. Nevertheless, contemporary scholarship demonstrates that Islamic legal reasoning is not necessarily confined to a rigid formalism. A *maqāṣid al-sharī'ah* approach may support greater attention to welfare, protection, emotional stability, and the actual circumstances of the child rather than mechanically equating the child's best interests with the formal religious affiliation of a parent (Mera et al. 2024).

The distinction between parental authority and child autonomy should therefore be interpreted contextually. Parents may provide religious guidance, introduce children to religious practices, and transmit family traditions. Courts may also consider the child's religious environment as part of overall welfare. However, the child should not be required to serve as evidence that one parent's religion has legally defeated the other's. Where the child is mature enough to express meaningful views, those views must be considered. Where the child is younger, courts should examine continuity of care, emotional attachment, identity development, exposure to coercion, and the capacity of each parent to support the child's healthy development without unnecessarily severing the child's relationship with the other parent (United Nations Committee on the Rights of the Child 2009, 2013).

3. The Best Interests of the Child as a Substantive, Interpretive, and Procedural Principle

The best interests principle is central to contemporary child-rights law, but its broad language can produce inconsistent judicial application. General Comment No. 14 describes the principle as a substantive right, a fundamental interpretive legal principle, and a rule of procedure. This tripartite character is important for custody disputes. As a substantive right, the child is entitled to have his or her interests assessed and treated as a primary consideration. As an interpretive principle, competing legal rules should be interpreted in a manner most consistent with the child's rights. As a procedural rule, decision-makers must undertake a genuine process for identifying and explaining how the child's interests were determined (United Nations Committee on the Rights of the Child 2013).

This framework is particularly useful in disputes involving religious difference. Courts should not simply declare that a particular custody arrangement serves the child's best interests because the custodial parent shares a particular religious identity. Such reasoning risks transforming a legal conclusion into an assumption. Instead, judges should identify the factual and normative elements underlying the conclusion. These elements may include the child's views, age and maturity, emotional attachment, stability of care, educational needs, safety, psychological condition, family relationships, cultural background, and religious identity. The relevance of each factor will vary according to the circumstances of the individual child. Best interests therefore cannot be reduced to a universal religious formula (Eekelaar 1992; Freeman 2007).

The child's identity is especially significant. General Comment No. 14 explicitly states that religion and beliefs are elements of identity that should be taken into account when assessing best interests. This requirement has two implications. First, courts should not disregard religious identity as irrelevant to child welfare. Second, courts should not define that identity exclusively through adult categories. A child may experience religious identity through family relationships, practices, community membership, or personal belief in ways that do not correspond perfectly

to a parent's legal classification. A child-centered assessment therefore requires individualized inquiry rather than presumptive attribution (United Nations Committee on the Rights of the Child 2013).

The procedural dimension of best interests also requires meaningful judicial reasoning. A court should explain which factors were considered, what evidence was available, and why competing considerations were given different weight. This is particularly important where religious affiliation influences custody because unexplained reliance on religion may conceal discriminatory assumptions or fail to distinguish genuine child welfare from parental preference. The more fundamental the potential effect on the child's identity and relationships, the greater the need for transparent reasoning. A best-interests decision should therefore be reviewable not only for its outcome but also for the adequacy of the process through which that outcome was reached.

4. The Child's Right to Be Heard and the Problem of Judicial Silence

One of the most important limitations of parent-centered custody reasoning is the failure to provide children with a meaningful role in proceedings that profoundly affect their lives. Article 12 of the CRC recognizes the right of every child capable of forming views to express those views freely in matters affecting the child. The Convention further requires that those views be given due weight according to age and maturity. General Comment No. 12 emphasizes that the right to be heard applies to judicial and administrative proceedings and should not be treated as a discretionary privilege granted only to older children. The relevant question is whether the child can form a view, not whether the child has reached an arbitrary age of presumed competence (United Nations Committee on the Rights of the Child 2009).

In a custody dispute involving religion, hearing the child can be particularly sensitive. A child may fear disappointing one parent, experience divided loyalties, or feel pressured to repeat the language of an adult. For this reason, meaningful participation requires more than asking a child a single question in open court. Judges and other professionals may need child-sensitive procedures, psychological expertise, private interviews, independent representation, or specialized assessments. The purpose is not to require the child to choose between parents. Rather, the process should enable the court to understand the child's experiences, relationships, fears, identity, and wishes without converting participation into an additional source of pressure (Parkes 2013; Lansdown 2011).

The right to be heard is closely connected to the best-interests principle. A court cannot accurately determine what is best for a child if it has no reliable understanding of how the child experiences the relevant family situation. This is especially true where the dispute concerns religious identity. A child's perspective may reveal whether religious practices are experienced as meaningful, coercive, frightening, or comforting. It may also reveal whether the child maintains strong relationships with both parental communities. Such information cannot always be

inferred from the legal positions of the parents. Mursyid, Bilalu, and Subeitan (2024) similarly emphasize that judges confronting interreligious family disputes must consider psychological and social conditions rather than relying exclusively on formal legal status.

The child's participation should nevertheless be adapted to evolving capacity. Very young children may communicate indirectly through behavior, professional assessment, and relationships of attachment. Older children may articulate more explicit views regarding religion, residence, education, and family relationships. Adolescents require particular recognition because their developing autonomy becomes increasingly significant. General Comment No. 20 emphasizes the importance of participation and the changing capacities of adolescents. Courts should therefore avoid treating a seventeen-year-old's religious identity in the same manner as that of an infant. A legally defensible approach must be developmentally sensitive rather than mechanically uniform (United Nations Committee on the Rights of the Child 2016).

5. Minority Vulnerability and the Problem of Religious Classification

The concept of minority vulnerability provides an additional perspective for understanding interreligious custody disputes. A child may become a religious minority not only within society generally but also within the immediate family environment. This can occur where one parent belongs to a minority religion, where the child has inherited or developed attachments to a less dominant religious tradition, or where a change in parental religion alters the child's institutional environment. In such circumstances, the court should be attentive to the possibility that the child's identity will be shaped by majority expectations rather than individual welfare. The child may face pressure to conform to the religious identity of the more powerful parent or dominant legal institution.

This problem is intensified when courts rely on binary classifications. The legal system may ask whether the child is Muslim or non-Muslim and then use that classification as the central determinant of custody. Such an approach may be administratively convenient, but it risks overlooking the complexity of lived identity. Children can have relationships with more than one religious tradition. They may also be uncertain, developing, or changing in their beliefs. A child-centered approach does not require the state to treat religious identity as meaningless. Rather, it requires courts to recognize that the meaning of religion for a child must be determined through the child's actual circumstances rather than abstract assumptions (Taylor 1994; Parekh 2006).

The prohibition of discrimination reinforces this argument. The CRC requires states to protect children against discrimination based on, among other things, religion and the status or beliefs of the child's parents. Accordingly, courts should be cautious when parental religious conversion is treated as evidence of automatic unfitness. Religious affiliation may be relevant where there is evidence of coercion, abuse, or an inability to protect the child's welfare, but religion alone should not

substitute for individualized assessment. Otherwise, custody law may penalize a child because of the beliefs of a parent or require the child to suffer a diminished relationship with a parent on the basis of religious classification rather than demonstrated harm (United Nations 1989; Republic of Indonesia 2014).

The minority-child perspective also challenges the assumption that family harmony can be achieved by eliminating difference. Courts may be tempted to resolve interreligious disputes by assigning the child to one exclusive religious environment. In some cases, this may indeed be necessary where the child's welfare requires stability or protection from conflict. However, exclusivity should not be presumed to be inherently beneficial. A child may benefit from maintaining relationships with both parents and from understanding both aspects of family heritage, provided that such contact is safe and not coercive. The best-interests principle requires an individualized inquiry into whether continued exposure to both religious traditions supports or harms the particular child.

6. Toward a Child-Centered Framework for Custody Adjudication

Indonesian courts require a more consistent framework for adjudicating custody disputes involving competing religious claims. The first step should be to identify the child as an independent rights-holder. The court should explicitly distinguish the rights and interests of the child from those of each parent. A parent's constitutional freedom of religion and parental authority are important but do not automatically determine the child's legal interests. Likewise, a parent's religious conversion should not itself create a presumption of either fitness or unfitness. The legal question should remain whether the proposed arrangement protects the particular child's welfare and rights.

Second, courts should conduct a structured best-interests assessment. Relevant factors should include the child's physical and psychological well-being, continuity of care, emotional attachment, exposure to violence or coercion, educational development, social environment, religious identity, and capacity to maintain meaningful family relationships. The child's religion should be assessed as one relevant component of identity rather than as a conclusive legal criterion. Courts should also identify the evidence supporting their conclusions and explain why particular considerations have been prioritized. This would transform best interests from a general slogan into a reviewable legal methodology (United Nations Committee on the Rights of the Child 2013; Eekelaar 1992).

Third, the child should be given a safe opportunity to participate. The method of participation should correspond to age and maturity, but no child should be excluded solely because decision-makers assume that children cannot contribute to legal reasoning. Where direct participation could cause emotional harm, courts should use appropriately trained professionals or child-sensitive mechanisms. The objective is to obtain an authentic understanding of the child's circumstances rather than to force the child to make a binary choice. Participation must therefore be voluntary, informed, protected from parental influence, and integrated into the

judicial reasoning process (United Nations Committee on the Rights of the Child 2009; Parkes 2013).

Fourth, courts should apply a principle of non-coercive religious development. Custody arrangements should protect the child from religious manipulation, forced identity assignment, and pressure to reject a parent. This principle does not prohibit parents from providing religious education. Instead, it requires that parental guidance be compatible with the child's evolving capacity and dignity. As the child matures, greater weight should be given to the child's own developing convictions. Such an approach is consistent with Article 14 of the CRC and can also be reconciled with Islamic family-law objectives that prioritize the protection of life, intellect, dignity, family relationships, and religion through attention to actual welfare rather than abstract formalism (Mera et al. 2024; Kamali 2008).

Finally, judicial remedies should be flexible and periodically reviewable. A child's best interests may change as the child grows, parental circumstances evolve, or the child develops stronger and more independent views. A custody decision that was appropriate for a young child may become inappropriate during adolescence. Courts should therefore avoid treating initial religious identity determinations as permanently fixed when subsequent circumstances demonstrate a need for modification. The principle of evolving capacities requires family law to remain responsive to development. A child-centered system should therefore treat custody not as a final allocation of parental victory but as an ongoing legal arrangement designed to protect the changing rights of the child.

Conclusion

This article has argued that children in custody disputes involving competing parental religious claims occupy a particularly vulnerable position in Indonesian family law. The legal conflict is often framed as a dispute between parents, but its consequences extend directly to the child's identity, relationships, psychological well-being, and developing freedom of religion and belief. Existing legal frameworks contain important protections, including constitutional guarantees, child-protection legislation, and Indonesia's obligations under the CRC. Nevertheless, judicial reasoning may remain insufficiently child-centered when parental authority or religious affiliation is treated as the primary determinant of custody without adequate examination of the child's independent rights and circumstances.

The best interests of the child should therefore operate as a substantive right, interpretive principle, and procedural obligation. Courts should examine the child's individual circumstances, identity, psychological needs, relationships with both parents, and exposure to coercion. Religious identity must be considered as part of the child's best interests, but it should not be automatically defined by the legal identity of the custodial parent. The child's own views should receive increasing weight in accordance with age and maturity. A genuinely child-centered approach

thus requires Indonesian courts to move beyond binary classifications that frame religion as a prize awarded to the successful parent.

Future research should examine this issue through systematic empirical analysis of Indonesian custody judgments involving parental conversion and religious difference. A larger judicial database could identify whether religious affiliation functions as an explicit or implicit determinant of custody and whether children's views are recorded in judicial decisions. Qualitative research involving judges, lawyers, psychologists, parents, and young people could also reveal how courts assess religious identity and best interests in practice. Comparative research may further examine how plural legal systems balance parental religious authority with children's emerging autonomy. Such research is essential because minority justice in family law cannot be achieved through formal recognition alone. It requires judicial processes capable of seeing the child not as the object of competing religious claims but as a person whose dignity, identity, welfare, and developing autonomy deserve independent legal protection.

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