

Navigating Custody: The Impact of Religious Court Judges on Interfaith Family Dynamics

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ABSTRACT

This study examines the critical role of Religious Court judges in deciding child custody in families with parents of different religions in Indonesia. Religious Court judges face unique challenges in balancing Islamic legal principles with children's best interests in a complex and diverse social context. This study aims to identify factors that affect judges' decisions, including legal foundations, moral considerations, and social impacts. Using a qualitative approach, data were obtained through in-depth interviews with judges, case analysis, and literature reviews. The study results show that judges consider not only formal law but also social values and the interests of children. Factors such as the child's psychological condition, emotional stability, and a healthy growth and development environment are the primary considerations in decision-making. In addition, the study found that the diversity of interpretations of Islamic law among judges influenced their final decisions. This study found that Religious Court judges consider not only formal law but also social values and the best interests of children in making decisions on child custody in families of different religions. In addition, the diversity of interpretations of Islamic law among judges also influences the final decision, with factors such as the child's psychological condition and emotional stability being the primary considerations.

Keywords: Religious Court Judge; Child Custody; Interfaith Family.

INTRODUCTION

Religious diversity within a family creates a unique situation in which Religious Court judges are faced with the challenge of integrating the principles of Islamic law with the practical needs and best interests of the child (Usman, 2015). On the one hand, Islamic law provides specific normative guidelines regarding child custody (Mursyid et al., 2024). On the other hand, the diversity of interpretations among judges shows that there is room for flexibility in its application (Dupret et al., 2023). Children's psychological and emotional conditions, family environmental stability, and community influence are social factors that must be accommodated in the decision-making process (Bruch & Feinberg, 2017). Judges must act as rigid law enforcers and as social agents sensitive to social dynamics and developing human values (Efendi, 2018). This phenomenon shows that, in practice, law cannot be separated from its social context. Judges' legal decisions result from a complex process that combines normative aspects with the social realities faced.

Literature review shows that in determining the custody of children in families of different religions, the principle of "the best interests of the child" is the top priority, as recognized in the Convention on the Rights of the Child ratified by Indonesia through Presidential Decree Number 36 of 1990, and supported by literature as written by Breen (2021) Which emphasizes the importance of children's emotional and psychological needs. Islamic law regulated in the Compilation of Islamic Law (KHI) also supports the principle of child welfare. However, there is a diversity of interpretations among Religious Court judges, as discussed by Djawas et al. (2022), who note that the interpretation of Islamic law can vary depending on the social context and local policies. Social and cultural influences are crucial in judges' decisions, with Rossouw & Rothmann's (2020) research showing that judges often consider children's emotional stability, community influences, and psychological states. The diversity of legal interpretations in Religious Courts, as noted by Popa & Andreescu (2017), is influenced by educational background, personal experience, and social conditions, resulting in variations in the rulings taken, especially in the case of interfaith families. Jurisprudence analysis of various cases handled by Religious Courts, such as those discussed by Lefaan & Suryana (2018), shows that judges' decisions are often based on a thorough evaluation of the child's psychological and social condition, with an approach that seeks to ensure the most favorable decision for the child on the principle of the child's best interests. This research illustrates that judges of religious courts in Indonesia act as formal law enforcers and social mediators who seek to balance the law with existing social values, showing that Islamic law in Indonesia is dynamic and can be adapted to contextual needs.

This study identifies several gaps in the understanding and practice of decision-making on child custody in interfaith families by Religious Court judges in Indonesia, such as shortcomings in the integration of law and social values, variability in the interpretation of Islamic law, and limitations in case studies and

jurisprudence analysis. Further research is needed to explore how the judge's background, the child's psychological condition, and standard procedures affect the final decision. The purpose of this study is to deeply understand the factors that affect the judge's decision, as well as to identify the need to develop more consistent and clear guidelines and standards in handling child custody cases in interfaith families to ensure a fairer decision and by the principle of the best interests of the child.

The researcher argues that in the context of interfaith families in Indonesia, Religious Court judges need to have a more comprehensive understanding and a more structured methodology in balancing formal law with applicable social values. This is important to reduce disparities in the interpretation of Islamic law among judges, which often influence the final decision. Therefore, this study aims to dig deeper into how factors such as the background of the judge, the psychological and social condition of the child, and consistent procedural standards can be better integrated into the child custody decision-making process.

METHODS

This research method aims to conduct an in-depth analysis of the role of Religious Court judges in deciding the custody of children in interfaith families in Indonesia. The research uses a qualitative approach to holistically understand the phenomenon being studied, as described by Budianto (2020). Data will be obtained through a literature review involving studies such as those conducted by Purwati (2020). This literature review will support data analysis from interviews and case studies. Relevant literature will be studied to gain an in-depth understanding of Islamic legal theories, the principles of the child's best interests, and the social dynamics that affect the custody decision-making process. In addition, this literature review also aims to identify gaps in the existing literature and provide the necessary context for the research findings, in line with the approach suggested by Dobinson & Johns (2017).

Researchers will use qualitative analysis software to assist in coding and organizing the data obtained. This is done to ensure accuracy and consistency in interpreting research results. The research is expected to significantly contribute to understanding and practice handling child custody cases in Indonesia using this methodology. The qualitative approach will allow researchers to explore the various viewpoints and complex nuances involved in the judge's decision, which considers legal aspects and relevant social, cultural, and religious contexts in multicultural Indonesia. Thus, this research is expected to provide valuable insights for improving justice in the family justice process in Indonesia, especially in cases involving families of different religions.

RESULTS AND DISCUSSION

Legal Considerations and Social Values

Islamic law, the main cornerstone of this court decision, provides a normative framework that governs the rights and obligations of parents towards children (Rohmawati & Siddik, 2022). This legal framework details various aspects of child care, education, and protection, all of which aim to ensure their well-being. Islamic law, through the Qur'an and Hadith, provides clear guidelines regarding the roles and responsibilities of parents. For example, parents must provide support, proper education, and affection to their children (Nafisah et al., 2024). This obligation includes material and spiritual aspects that must be fulfilled to achieve children's prosperity and quality of life.

However, judges who handle cases involving children do not rely solely on textual interpretations of Islamic law. They also consider various social factors that can affect children's welfare. (Badriyah, 2022). These considerations include the family's economic condition, the social environment in which the child grows up, and the interpersonal relationships between family members. Judges often conduct in-depth examinations of children and their families in concrete situations to ensure that decisions are genuinely fair and beneficial to all parties involved, especially children. (Lindbekk, 2020).

In addition, this holistic approach also includes an analysis of the emotional and psychological needs of children. The judge will consider the testimony of psychologists or social workers who have interacted with the child. The views of these experts are crucial because they can provide deeper insights into a child's mental and emotional state, which is not directly visible through legal judgment alone. In many cases, decisions are aimed at prioritizing the child's best interests. However, this means taking a path that only partially conforms to the traditional interpretation of Islamic law.

The court's decision that considers these social factors reflects the flexibility and adaptability of Islamic law in dealing with the dynamics of modern life. This shows that Islamic law is not static but can evolve and adapt according to the needs of the times and society. In this context, Islamic law remains relevant and applicable in answering contemporary challenges faced by families and children in various parts of the world (Dupret et al., 2023).

The social values considered in decision-making related to childcare include various essential aspects to ensure children's optimal development. One aspect that is of great concern is the emotional stability of children. This emotional stability includes the child's ability to face and manage feelings, as well as the ability to adapt to changes that occur in their life. Children's psychological condition is also the main focus, considering the importance of mental health in supporting the growth and development of children as a whole. The judge will examine whether

the existing parenting environment supports the child's mental health or creates excessive pressure and stress.

In addition, the relationship between children and parents is also a crucial factor. The judge will look at the extent of the quality of the interaction between the child and the parent, including emotional closeness, good communication, and support provided by the parent. The quality of this relationship will significantly affect the child's sense of security and comfort. The influence of the social environment and the community in which the child is raised is no less critical. A healthy and supportive environment can provide positive stimulation, while a less conducive environment can hinder children's development.

In decision-making, judges often have to balance maintaining adherence to Islamic law principles and ensuring that decisions are made in favor of the child's development and well-being. This means that judges must consider the religious values embraced by the family but still pay attention to the needs and rights of children (Saputra, 2024). For example, in some cases, judges need to consider the impact of religious differences between parents on the welfare of children. These religious differences can cause potential conflicts or stress for children, especially if there is significant disagreement between parents regarding how to raise children (Litehua, 2020).

For example, if one parent is Muslim and the other is Christian, the judge needs to assess how these differences affect the child. Does the child feel pressured to choose between two different beliefs? Is there a risk of conflict between parents that can affect the child's emotional stability? The judge will evaluate this situation carefully and determine the most appropriate parenting for the child's interests while respecting each parent's religious beliefs (Efendi, 2018).

The research of Sudirman et al. (2023) found that in deciding on the custody of children in families of different religions, judges often combine formal legal considerations with social and moral values. Many judges stated that while Islamic law is the primary basis for their decisions, they also consider social factors such as the child's emotional stability, family conditions, and community influence. This shows that judges are deeply aware of the importance of considering various dimensions of children's lives in decision-making (Kasim & Semiaji, 2022). Thus, the resulting decision reflects not only compliance with the principles of Islamic law but also conformity with the child's social values and psychological needs.

The variation in how judges assess and integrate social factors in child custody cases indicates the need for more structured and clear guidelines. Judges often have to consider various complex social aspects, such as the family environment, the child's psychological well-being, and the dynamics of the relationship between parents. However, without concrete guidelines, such judgments can be highly subjective and vary from judge to judge, leading to inconsistencies in judgments and harming the parties involved, especially children. Developing this more structured guideline will help judges balance legal and social

considerations consistently. A comprehensive guideline would provide a clear framework for judges to evaluate each social factor more objectively and systematically, such as standardized assessment methods for assessing children's well-being, specific criteria for evaluating parenting abilities, and procedures to be followed in cases with complex family dynamics.

Variability of Interpretation of Islamic Law

The results of the study show that there is a diversity of interpretations of Islamic law among Religious Court judges in handling child custody in families of different religions. For example, in one case at the Manado Religious Court, a judge was more likely to follow a conservative interpretation of Islamic law, which emphasizes the importance of parenting by Muslim parents. The judge ruled that custody should be given to Muslim mothers, arguing that children should be raised in an environment consistent with Islamic teachings. On the other hand, in similar cases, other judges showed a more flexible approach. This judge considers a broader range of social and psychological factors, such as the child's psychological condition, relationship with both parents and emotional stability. In his ruling, this judge decided to grant custody to the father, who is a non-Muslim, considering that the father's family environment is more stable and supports the psychological development of the child. The judge also considered the positive influence of the surrounding community that supports both parents in educating their children (Bilalu et al., 2022).

Dupret et al. (2023) research results reinforce the findings regarding the diversity of interpretations of Islamic law in deciding custody of children in families of different religions. One of the judges stated that this decision was based on the understanding that Islam provides clear guidance regarding the rights and obligations of parents in educating children. The judge emphasized that the decision was based on the view that children should be raised in an environment that is by the teachings of Islam. Meanwhile, another judge, who has a more flexible approach, explained that in one ruling, he considered reports from psychologists that showed that a child would be more emotionally stable if he lived with his non-Muslim father, even if the mother had the same religion as the child. The judge added that the psychologist's report is crucial in determining the final decision, as the main focus is on the child's psychological well-being.

The results show that the judges of the Religious Court, in deciding the custody of children in families of different religions, have a diverse approach related to the interpretation of Islamic law. Judges with a conservative approach prioritize adherence to textual Islamic teachings, while judges with a more flexible approach consider children's social, psychological, and needs more broadly. This means that the decisions taken by judges can vary greatly depending on the interpretation of Islamic law they adhere to and how they assess the child's social and psychological situation.

Psychological and Social Factors in Decisions

The judge's decision in the case of child custody in a family of different religions involves various complex psychological and social factors. From a psychological perspective, judges consider the psychological well-being of children, including feelings of security, emotional stability, and parents' ability to meet children's emotional needs (Rachlinski & Wistrich, 2017). The emotional relationship between the child and each parent is also significant, especially those with a stronger and more stable bond with the child, who play a more substantial role in the child's daily life. In addition, the ability of parents to provide psychological support, including skills in coping with stress and conflict, as well as the ability to create an environment that supports the child's mental development, is also considered. Parent's mental health is another relevant factor, as poor mental health can affect their ability to care for children effectively (Hasballah et al., 2023).

From the social side, the social environment in which the child will live also affects the judge's decision. A supportive environment, such as a large family, a community, and a good school, is essential. Parents' social and economic stability, including employment, housing, and financial ability to support their children's needs, is also a consideration. Judges consider the social values and norms that apply in society, including the community's acceptance of families of different religions. The influence of religion on children and how each parent teaches and integrates religious values into children's lives is also considered (Efendi, 2018). In addition, the needs of children's education and health, as well as the ability of parents to meet these needs, are essential factors in the judge's final decision. This decision aims to ensure children's welfare and optimal development in the most supportive and stable environment.

In analyzing the judge's decision regarding child custody in interfaith families, it is necessary to understand that each case has its nuances and complexities. Judges must combine various psychological and social elements to reach the best decision for the child. Psychological factors such as a child's mental well-being and emotional attachment to parents are essential in ensuring a child's stability and happiness. When a child has a strong bond with one parent who can provide good emotional support, the judge will likely choose that parent to provide primary custody. However, the mental health of parents is also a concern because unstable mental conditions can pose a risk to children's development.

On the social side, judges also consider the environment in which the child lives, which includes support from extended family and the surrounding community. Parents' social and economic stability indicates their ability to provide basic needs for their children, such as education and health. A robust social network and a supportive environment can give children a significant sense of security and continuity. In addition, in interfaith families, judges must assess the influence of religion on children's daily lives and how these religious values are taught. Although religion is an important aspect, the main focus remains on children's welfare and stability in the long term (Nafisah et al., 2024).

Judges' decisions in child custody cases in interfaith families often consider the complex dynamics of these factors simultaneously. For example, in religious values, judges can assess how these values are applied in a child's daily life and how they positively or negatively impact a child's development. In addition, aspects such as the level of conflict between parents, the history of child care by each parent before, and the possibility of the child's adaptation to environmental changes are also important considerations (Sudirman et al., 2023). For example, suppose a child already has a strong bond with one parent and has difficulty adjusting to significant changes in their care structure. In that case, this can significantly impact the judge's decision. In addition to the psychological and social factors that have been explained, there are also legal aspects that must be considered by judges, including family law principles, legal standards applicable in the country or region, as well as policies that support the best interests of the child as the primary guide in decision-making. In some cases, especially those involving families of different faiths, judges may also have to navigate any potential controversy or social tension associated with their decision. This demonstrates the importance of judges' careful approach in balancing the various factors involved, ensuring that decisions taken will provide the child's best possible protection and development.

Shortcomings in Standard Procedures and Guidelines

The results of the study show that there are significant shortcomings in consistent procedural standards and clear guidelines for Religious Court judges in handling child custody cases in interfaith families. A literature review and interviews with judges revealed that many judges rely on their interpretations and experiences when making decisions, potentially leading to inconsistencies and unfairness in the decisions taken. Some judges revealed that they often relied on their knowledge and understanding of Islamic law and social conditions without a standard guideline to refer to. This creates significant variation in the approach and outcome of the decision, depending on the individual judge concerned.

The lack of clear procedural standards and guidelines for Religious Court judges in handling child custody cases in interfaith families poses several significant challenges, both in terms of uniformity and fairness in the judicial process. In many justice systems, the existence of consistent guidelines and structured procedures is essential to ensure that decisions taken are not only fair but also consistent. Judges often rely on their interpretations when these guidelines are absent or unclear, which can result in highly varied decisions.

First, the absence of clear guidelines can lead to inconsistencies in decisions, as noted by various studies that show that different interpretations of the law from one judge to another can produce different results in similar cases (Hasballah et al., 2023; Yahya & Zainuddin, 2021). This creates legal uncertainty and can reduce public confidence in the justice system. For example, in the context of Islamic law, differences in the understanding and interpretation of Islamic verses or principles can lead to significant differences in how the law is applied in practical cases (Hasballah et al., 2021).

Second, personal interpretations that rely on the knowledge and experience of individual judges can affect objectivity and consistency in law enforcement. According to a study conducted by McBarnet (2001), the lack of clear guidelines often leads judges to rely on their personal experiences, which are influenced by their biases or preferences (Rachlinski & Wistrich, 2017). This can lead to injustice, especially when judges have different views or interpretations of legal and social issues.

Third, diversity in judges' approaches can exacerbate uncertainty and injustice, as subjective factors can significantly influence decisions taken. A study by Teubner (1993) showed that legal uncertainty caused by varied interpretations can hinder fair judicial processes and undermine social consensus on legal norms and standards (Baude & Sachs, 2016).

Therefore, developing more comprehensive guidelines and structured procedures is crucial to guide judges' decisions. These guidelines should include criteria that can assist judges in balancing aspects of Islamic law and children's social and psychological needs to increase uniformity and fairness in the decisions taken.

Integration of Law and Social Values

The finding that judges combine formal law with social values suggests an effort to create decisions that are not only legal but also civilized and fair. This aligns with human rights principles that emphasize the importance of individual well-being, especially children (Tarantang et al., 2023). However, differences in the interpretation of Islamic law create challenges in achieving uniformity of decisions (Saputra, 2024). Therefore, developing mechanisms to bring together these interpretations within a framework consistent with Islamic law's principles is essential.

The diversity of interpretations of Islamic law found in this study reflects the dynamics and flexibility of Islamic law that can be adapted to different social contexts. However, this diversity can also create uncertainty and injustice in custody decisions. Developing more systematic training and guidance for judges can help reduce this uncertainty and ensure that decisions are more consistent with the principles of justice and the child's best interests (Welchman et al., 2023).

The shortcomings in consistent standard procedures highlight the need to develop more explicit guidelines in handling child custody cases. Developing these guidelines should involve the participation of various relevant parties, including legal experts, psychologists, and community representatives, to ensure that the resulting guidelines cover a wide range of perspectives and needs. Clear guidelines are hoped to increase consistency and transparency in decisions made by judges and ensure that these decisions truly support children's best interests.

CONCLUSION

Religious Court judges in Indonesia, in deciding custody of children in interfaith families, integrate Islamic legal principles with social values and the best interests of the child. However, variations in the interpretation of the law affect the decision. Factors such as the child's psychological and social condition and the stability of the family environment are the primary considerations in the decision-making process. However, the study also found shortcomings in consistent standard procedures and clear guidelines, which could result in decision inconsistencies.

This study opens up opportunities for further study on developing standard guidelines that Religious Courts can use in handling child custody cases in interfaith families. In addition, in-depth research on the factors influencing judges' decisions, such as the judge's educational background and experience, as well as further evaluation of the implementation of existing guidelines, can provide deeper insights and help improve the quality of custody decisions in the future.

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REFERENCES

- Badriyah, S. M. (2022). *Sistem penemuan hukum dalam masyarakat prismatic*. Sinar Grafika.
- Baude, W., & Sachs, S. E. (2016). The law of interpretation. *Harv. L. Rev.*, *130*, 1079.
- Bilalu, N., Jamal, R., Harun, N., & Subeitan, S. M. (2022). Compilation of Islamic Law as Judge's Consideration at a Religious Court in North Sulawesi, Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, *6*(2), 1–23. <https://jurnal.ar-raniry.ac.id/index.php/samarah/article/view/12441/7391>
- Breen, C. (2021). *The standard of the best interests of the child: A western tradition in international and comparative law* (Vol. 72). Brill.
- Bruch, E., & Feinberg, F. (2017). Decision-Making Processes in Social Contexts. *Annual Review of Sociology*, *43*(1), 207–227. <https://doi.org/10.1146/annurev-soc-060116-053622>
- Budianto, A. (2020). Legal research methodology reposition in research on social science. *International Journal of Criminology and Sociology*, *9*(1), 1339–1346.
- Djawas, M., Hasballah, K., Devy, S., Kadir, M. A., & Abda, Y. (2022). The

- Construction of Islamic Inheritance Law: A Comparative Study of the Islamic Jurisprudence and the Compilation of Islamic Law. *JURIS (Jurnal Ilmiah Syariah)*, 21(2), 207–219. <https://doi.org/10.31958/juris.v21i2.7495>
- Dobinson, I., & Johns, F. (2017). Legal research as qualitative research. *Research Methods for Law*, 18–47.
- Dupret, B., Belkadi, A., Lindbekk, M., & Yakin, A. U. (2023). Paternal Filiation in Muslim-Majority Environments: A Comparative Look at the Interpretive Practice of Positive Islamic Law in Indonesia, Egypt, and Morocco. *Journal of Law, Religion and State*, 10(2–3), 167–217. <https://doi.org/10.1163/22124810-20230002>
- Efendi, J. (2018). *Rekonstruksi Dasar Pertimbangan Hukum Hakim*. Prenada Media.
- Hasballah, K., Darna, A., Said, W., Akbar, H., Makinara, I. K., & Fauzan, F. (2021). Identifying 'Illat through Munasabah in Islamic Law: A Perspective of Imam Al-Ghazali. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 5(2), 598–618.
- Hasballah, K., Mubarrak, D., & Rasanjani, S. (2023). Disparity in judge decisions in resolving RAD inheritance disputes: case study at the Sharia Court in Banda Aceh City. *El-Usrah: Jurnal Hukum Keluarga*, 6(2), 249–261.
- Kasim, N. M., & Semiaji, T. (2022). Divorce Cases in Members of Indonesian Police Force: A Positive Law Perspective. *Jurnal Ilmiah Al-Syir'ah*, 20(1). <https://doi.org/10.30984/jis.v20i1.1793>
- Lefaan, V. B. B., & Suryana, Y. (2018). *Tinjauan Psikologi Hukum Dalam Perlindungan Anak*. Deepublish.
- Lindbekk, M. (2020). Implementing the Law of khul in Egypt: Tensions and Ambiguities in Muslim Family Law. *Hawwa*, 18(2–3), 265–294.
- Litehua, A. (2020). *Faktor-Faktor Cerai Gugat di Pengadilan Agama Kabupaten Madiun*. IAIN Ponorogo.
- Mursyid, S., Bilalu, N., & Subeitan, S. M. (2024). Between the Principles of Religion and Universal Justice: A Study of Judges' Opinions in the Matter of Hadhanah for Parents of Different Religions. *Proceeding Sharia International Conference, 10-12 Nov*.
- Nafisah, D., Nasrudin, N., Meidina, A. R., & Zain, M. F. (2024). Comparative Analysis of Islamic Family Law and Normative Laws: Examining the Causes of Divorce in Purwokerto, Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(2), 847–871.
- Popa, M., & Andreescu, L. (2017). Legal provisions, courts, and the status of religious communities: a socio-legal analysis of inter-religious relations in Romania. *Religion, State and Society*, 45(3–4), 297–316. <https://doi.org/10.1080/09637494.2017.1398942>
- Purwati, A. (2020). *Metode penelitian hukum teori & praktek*. Jakad Media Publishing.
- Rachlinski, J. J., & Wistrich, A. J. (2017). Judging the judiciary by the numbers: Empirical research on judges. *Annual Review of Law and Social Science*, 13, 203–229.
- Rohmawati, R., & Siddik, S. (2022). Legal Protection for Children Out of Wedlock:

- Ensuring the Best Interests of Children Through Judge Decisions. *Al- 'Adalah*, 19(2), 315–338.
- Rossouw, E., & Rothmann, S. (2020). Well-being of judges: A review of quantitative and qualitative studies. *SA Journal of Industrial Psychology*, 46. <https://doi.org/10.4102/sajip.v46i0.1759>
- Saputra, R. (2024). *Hak Hadhanah (Analisa Perbandingan Putusan Mahkamah Syari'ah Sabang Dan Mahkamah Syari'ah Meulaboh*. UIN Ar-Raniry Banda Aceh.
- Sudirman, L., Sunuwati, S., & Fasieh, M. A. (2023). Dwangsom: Investigate the Conceptual Basis of Religious Court on Child Custody Rulings. *Jurnal Ilmiah Al-Syir'ah*, 21(2), 173–185.
- Tarantang, J., Khosyi'ah, S., & Saepullah, U. (2023). Filosofi 'Illat Hukum dan Maqashid Syariah dalam Perkawinan Beda Agama. *Jurnal Studi Agama Dan Masyarakat*, 19(1), 44–55.
- Usman, M. (2015). *Rekonstruksi Teori Hukum Islam; Membaca Ulang Pemikiran Reaktualisasi Hukum Islam Munawir Sjadzali*. LKIS PELANGI AKSARA.
- Welchman, L., Jouriou, Z., & Sharafeldin, M. (2023). *Muslim Family Laws: Trajectories of Reform*. Working Paper Series: School of Law, Gender and Media.
- Yahya, A., & Zainuddin, M. (2021). The interpretation of the hadith on the characteristics of women and its implications for Islamic Law. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 5(1), 276–296.