

Parental Responsibility for Children Placed In The Aisiyyah Orphanage Batusangkar Branch a Review of Islamic Family Law

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Abstract: This study explores the responsibilities of parents toward children placed in the Aisiyyah Orphanage, Batusangkar Branch, through the lens of Islamic Family Law. parents are obliged to provide for and raise their children even after divorce. The 1974 Indonesian Marriage Law (Articles 45 and 41) mandates that both parents are responsible for their children's welfare until they are self-sufficient or married. However, the reality on the ground often shows a significant gap between legal expectations and practical implementation, particularly in cases involving divorce, poverty, or remarriage. The research focuses on three issues: the reasons why parents put their children, the obstacles for parents to put their children, and the responsibility of parents for children who are put in the Aisiyyah Orphanage Batusangkar Branch. This study Used qualitative field research with a descriptive approach, data were gathered through interviews and documentation involving parents, children, and orphanage administrators. The results showed that people who put their children in orphanages had 5 reasons, namely: so that children are in a safe environment, biological fathers are reluctant to care for their children, mothers are unable to educate their children, to continue their children's education, get guidance from caregivers and administrators. There are 3 obstacles for parents to put their children in the Aisiyyah Branch Batusangkar orphanage, namely: not being fully supported by their biological father, the lack of income of parents, parents being unable to provide maintenance. For the responsibilities of parents towards children in orphanages according to the results of interviews found by researchers that there are 8 respondents who carry out their responsibilities as parents but not fully, while 2 foster children do not accept the responsibilities of parents.

Keywords: Responsibility, Parents, Children, Orphanage, Islamic Family Law.

Abstrak: Penelitian ini mengkaji tanggung jawab orang tua terhadap anak yang ditiptkan di Panti Asuhan Aisiyyah Cabang Batusangkar melalui sudut pandang Hukum Keluarga Islam. Orang tua berkewajiban untuk menafkahi dan membesarkan anak-anak mereka bahkan setelah perceraian. Undang-Undang Perkawinan No. 1 Tahun 1974 (Pasal 45 dan 41) mengamanatkan bahwa kedua orang tua bertanggung jawab atas kesejahteraan anak-anak mereka sampai mereka dewasa atau menikah. Namun, kenyataan di lapangan sering kali menunjukkan adanya kesenjangan yang signifikan antara harapan hukum dan implementasi praktis, terutama dalam kasus-kasus yang melibatkan perceraian, kemiskinan, atau pernikahan kembali. Penelitian ini berfokus pada tiga isu utama: alasan orang tua menitiptkan anak, kendala orang tua menitiptkan anak, dan tanggung jawab orang tua terhadap anak yang ditiptkan di Panti Asuhan Aisiyyah Cabang Batusangkar. Penelitian ini merupakan penelitian lapangan (field research) yang bersifat kualitatif dengan pendekatan deskriptif, data dikumpulkan melalui wawancara dan dokumentasi yang melibatkan orang tua, anak, dan pengurus panti asuhan. Hasil penelitian menunjukkan bahwa orang yang memasukkan anaknya di

panti asuhan terdapat 5 alasan yaitu: supaya anak berada di lingkungan yang aman, ayah kandung enggan mengasuh anaknya, Ibu tidak mampu mendidik anaknya, untuk melanjutkan pendidikan anak, mendapatkan bimbingan dari pengasuh dan pengurus. Kendala orang tua sehingga memasukkan anaknya di panti asuhan Aisyiyah Cabang Batusangkar terdapat 3 kendala orang tua yaitu: tidak dinafkahi sepenuhnya oleh ayah kandungnya, minimnya pendapatan orang tua, orang tua tidak mampu memberikan nafkah. Untuk tanggung jawab orang tua terhadap anak yang di panti asuhan sesuai dengan hasil wawancara yang ditemukan peneliti bahwa terdapat 8 responden yang menjalankan tanggung jawab sebagai orang tua tetapi tidak sepenuhnya, sedangkan 2 anak asuh tidak menerima tanggung jawab dari orang tua.

Kata Kunci: Tanggung Jawab, Orang Tua, Anak, Panti Asuhan, Hukum Keluarga Islam.

Introduction

This article examines the responsibilities of parents towards children who are admitted to the Aisyiyah Branch Orphanage in Batusangkar. Parents have full responsibility to protect, raise and educate their children.¹ The obligation of parents towards children is very important and influential for the survival of children both physically and spiritually.² Physical education is the teaching given so that children can take care of themselves. Spiritual education is the education of the soul so that children have a strong and healthy soul.³ The main task of parents is to keep their children safe and foster their independence according to their age.⁴ Parents are the first party who are obliged to educate their children⁵.

Based on the Child Protection Law and its amendments, a child is someone who is not yet 18 years old, including children who are still in the womb. Therefore, the obligations and responsibilities of parents towards their children are also regulated in Article 45 paragraphs (1) and (2) of Law No. 1 of 1974 as follows:⁶

1. Both parents are obliged to maintain and educate their children to the best of their ability.
2. The obligation of the parents referred to in paragraph (1) of this article shall apply until the child is married or able to stand on his own feet, the obligation shall continue even if the marriage between the parents is broken.

Even though the parents are divorced, the responsibility of the parents towards the children continues. According to Article 41 of Law Number 1 of 1974, the father still has an obligation to provide maintenance to his children. The obligation of the former

¹ Rohmi Yuhani'ah, "Tanggung Jawab Orang Tua Terhadap Pendidikan Seksual Anak," *Jurnal Kajian Pendidikan Islam* 3, no. 2 (2022): 163–85, <https://doi.org/10.58561/jkpi.v1i2.34>.

² A.Samad Usman, "Tanggung Jawab Orang Tua Terhadap Pendidikan Anak Dalam Perspektif Islam," *Bunayya : Jurnal Pendidikan Anak* 1, no. 2 (2017): 112, <https://doi.org/10.22373/bunayya.v1i2.1324>.

³ Achmad Junaedi Sitika and Ine Nirmala, "Tanggung Jawab Orang Tua Terhadap Pendidikan Akhlak Anak Dalam Perspektif Al-Qur'an," *Al-Hikmah : Indonesian Journal of Early Childhood Islamic Education* 1, no. 2 (2017): 121–36, <https://doi.org/10.35896/ijecie.v1i2.9>.

⁴ Muhammad Fatkurrochman, "Tanggung Jawab Orang Tua Terhadap Anak (Telaah Pendapat Surat Lukman Ayat 13)," *Skripsi Pendidikan Agama Islam (PAI) IAIN SALATIGA*, 2017, 27–31.

⁵ Rohmi Yuhani, "TANGGUNG JAWAB ORANG TUA TERHADAP PENDIDIKAN SEKSUAL ANAK (Tela ' Ah Atas Pemikiran ' Abdullah Nashih)" 1 (2022).

⁶ Purwanto Purwanto, "Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Dalam Perspektif Hukum Positif Indonesia," *Jurnal Idea Hukum* 6, no. 1 (2020): 77–95, <https://doi.org/10.20884/1.jih.2020.6.1.133>.

husband (parent) to provide post-divorce maintenance is one of the consequences of divorce, the regulation of which we can see in Article 41 of the Marriage Law.⁷

The current reality shows that there are still many parents who are less responsible for their children. There are still many children who do not get their rights from their parents, such as; the right to get full affection care. Very often parents are busy with themselves, which sometimes leads to forgetting their responsibilities as parents, the right to get a good and correct education, the right to receive a halal and good living.

The problem that arises is the occurrence of parents placing their children in orphanages. Many parents place their children in orphanages for various reasons and constraints. This will have an impact on the reduction of parental responsibility for their children, so that it will cause the fulfillment of parental responsibilities for their children. As is the case now, children who are placed in orphanages have all their needs taken care of by the orphanage.

It turns out that in the Aisyiyah Orphanage Batusangkar Branch there are parents of foster children who are still alive.

Table. 1

Number	Foster Child's Name
1.	NBA
2.	SC
3.	TW
4.	IO
5.	ZYR
6.	REP
7.	RG
8.	KP
9.	FV
10.	AN

From the table above there are 10 foster children whose parents are included in the Aisyiyah Orphanage Batusangkar Branch. Of the 10 foster children there are parents of foster children who are still complete, parents of foster children who have divorced and one of the parents of foster children has died. According to Islamic Family Law, parents are entitled to fulfill their children's responsibilities. Meanwhile, children who are included in the Aisyiyah Orphanage Batusangkar Branch do not receive responsibility from their parents.

Previous research conducted by Jarbi, Muktiali with the title "Parental Responsibility for Children's Education".⁸ This journal explains that parents are people who are given a mandate by Allah SWT. In educating their children, they have a big role and responsibility to educate their children. Research conducted by Eni Putri Sari with the title "Fulfillment of Child Support as a Result of Divorce in Ulu Talo District, Seluma

⁷ Ahmad Haris Muizzudin and M Willian Anwar, "Tinjauan Yuridis Relevansi Pasal 41 Huruf a Undang-Undang Nomor 1 Tahun 1974 Dan Pasal 105 Kompilasi Hukum Islam Tentang Hak Asuh Anak Pasca Perceraian," *Al-Akmal: Jurnal Studi Islam* 2, no. 1 (2023): 50–62.

⁸ Yuhani`ah, "Tanggung Jawab Orang Tua Terhadap Pendidikan Seksual Anak."

Regency in the Perspective of Islamic Law”.⁹ This thesis found that in Ulu Talo District, Seluma Regency, the fulfillment of divorced children's maintenance is only borne by the mother and assisted by the mother's family by working and having a business. Research conducted by Resti Hedi Juwandi with the title “Post-Divorce Child Maintenance in Decisions of the Indonesian Religious Courts and the Malaysian Shari'ah Court in the Perspective of Jurisprudence and Human Rights”.¹⁰ This thesis shows that in Indonesia and Malaysia, the law has regulated in detail the protection of child maintenance after divorce, the law is not in accordance with fiqh. Research conducted by Arlizza Muzayyanah with the title “Implementation of Post-Divorce Child Maintenance (Case Study of Banguntapan Village, Bantul, Yogyakarta).¹¹ The results of this study indicate a lack of legal awareness of ex-wives and ex-husbands, so that the provision of maintenance to children after divorce does not work well in society.

From some previous research there are some differences. In this research, the author focuses on the reasons why parents put their children in the Aisyiyah orphanage in Batusangkar branch, and the obstacles of parents so that they put their children in orphanages, the responsibilities of parents towards children who are included in orphanages. The research place used is an orphanage in the Lima Kaum sub-district, namely: Aisyiyah orphanage Batusangkar branch.

Method

The type of research that the author uses in this research is field research or field research and uses descriptive methods. According to Sugiyono, qualitative research is a research method that is in accordance with philosophy and is used to research in scientific conditions.¹² In conducting this research, the research instrument is the researcher himself, then assisted by supporting instruments such as interviews, and then documentary evidence during the interview. Researchers obtained primary data by interviewing parents of foster children, foster children, administrators. Researchers obtained secondary data by reading foster child data and assisted with foster child acceptance forms. To collect accurate data, the research used data collection techniques by conducting interviews and documentation. As for the data validity assurance technique in this study, the researcher used the triangulation method to check data from various sources, methods or techniques and time. In this study researchers used source triangulation.

Discussion

A. Parental Responsibility

The Big Indonesian Dictionary explains that parents are the biological mother and father.¹³ The Indonesian Wikipedia states that parents are the father and mother of a child,

⁹ Eni Putri Sari, “Pemenuhan Hak Nafkah Anak Akibat Perceraian Di Kecamatan Ulu Talo Kabupaten Seluma Perspektif Hukum Islam,” *Qiyas : Jurnal Hukum Islam Dan Peradilan* 7, no. 1 (2022): 19–27, <https://doi.org/10.29300/qys.v7i1.6612>.

¹⁰ Resti Hedi Juwandi, “Nafkah Anak Pasca Perceraian Pada Putusan Peradilan Agama Dan Mahkamah Syariah Malaysia Dalam Prespektif Fikih Dan HAM,” *Reporsitory UIN*, 2018, 145.

¹¹ Rafiqi Zul Hilmi, Ratih Hurriyati, and Lisnawati, “PELAKSANAAN PEMBERIAN NAFKAH ANAK PASCA PERCERAIAN (Studi Kasus Desa Banguntapan, Bantul, DIY)” 3, no. 2 (2018): 91–102.

¹² Albi Anggito dan Johan Setiawan, *Metodologi Penelitian Kualitatif*, (Sukabumi: CV JEJAK, 2018).

¹³ ASMAMAW ALEMAYEHU SHELEMO, “No Title يليب,” *Nucl. Phys.* 13, no. 1 (2023): 104–16.

either through biological or social relationships. As for the nature of Law (UU) of the Republic of Indonesia Number 35 of 2014 concerning child protection, what is meant by parents are biological fathers and / or mothers, or fathers and / or stepmothers, or fathers and / or adoptive mothers.

Parents can be called those who are not the biological parents of the person filling this role, such as foster parents (due to adoption) or stepmothers (wife of the child's biological father) and stepfathers (husband of the child's biological mother).¹⁴ The educational situation is realized thanks to the association and relationship of mutual influence between parents and children.¹⁵ It is the duty of both parents to be responsible for the maintenance of all rights attached to the child. What is meant by victims here are those who suffer losses due to passive or active actions of other people or groups.¹⁶

Law No. 1 of 1974 on marriage, mentions and regulates the rights and obligations of parents and children. Article 45 paragraph (1) explains that both parents are obliged to maintain and educate their children as well as possible. Article 45 paragraph (2) states that the parents' obligations are referred to until the child is or stands alone. Based on this article, even though the parents are separated or divorced, the obligation as parents to provide their rights to their children is not broken.¹⁷ It is the mother who lays the basic foundation for the child's behavior and character. Through her milk she provides nourishment for the body, through her teachings, she strengthens the soul. As a result, the child inherits behavior, habits and other character traits from his mother from infancy and will encounter them throughout his life. Finally happiness is derived from her.¹⁸

1. Fulfillment of Child Support

Etymologically the word *nafkah* comes from the word *infaq* means basic needs, shopping, and also means the cost or expenditure of money. According to Sheikh Muhammad ibn Qasim al-Ghazi, and Sheikh Zainuddin Ibn Abd al-Aziz al-Malibary al-Fanani, the word *nafkah* means to spend. Thus at first glance it can be understood that *nafkah* is certainly related to the daily necessities of life for humans. The law of *nafkah* is obligatory for husbands towards their wives, fathers towards their children, or masters towards their slaves.¹⁹

Livelihood is a basic need for the survival of a family. Family life is not comfortable if it is not fulfilled.²⁰

¹⁴ Ayu Rahayu Andirah, "Pola Komunikasi Orang Tua Dengan Anak Remaja Tergantung Ketergantungan Media Internet Di BTN Gowa Lestari Batangkaluku," 2019, 1–105.

¹⁵ Jurnal Kajian Islam and Muh Judrah, "Al-Qalam Pembinaan Orang Tua Dalam Pembentukan Akhlak Anak" 8, no. 1 (2016): 73–82.

¹⁶ Siti Shofiyah et al., "Peran Ayah Dalam Pendidikan Tauhid," *International Virtual Conference on Islamic Guidance and Counseling* 1, no. 1 (2021): 267–77, <https://doi.org/10.18326/iciegc.v1i1.69>.

¹⁷ Irfan Islami, "Legalitas Penguasaan Hak Asuh Anak Dibawah Umur (Hadhanah) Kepada Bapak Pasca Perceraian," *Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 6, no. 2 (2019): 181–94, <https://doi.org/10.24252/al-qadau.v6i2.10715>.

¹⁸ Muhammad Muslih, "Peran Ibu Dalam Melatih Pengamalan Beragama Pada Anak Di Lingkungan Keluarga," *Edunesia: Jurnal Ilmiah Pendidikan* 2, no. 1 (2021): 162–70, <https://doi.org/10.51276/edu.v2i1.103>.

¹⁹ B A B Ii, A Pengertian Nafkah, and Zainuddin Ibn Abd, "BAB II TINJAUAN UMUM TENTANG NAFKAH A. Pengertian Nafkah Secara Etimologi Kata Nafkah Berasal Dari Bahasa Arab (," 2001, 16–31.

²⁰ E Elimartati, "Implikasi Harta Bersama Terhadap Nafkah Keluarga," *PROCEEDING IAIN Batusangkar*, 2019, 63–70.

A person's obligation to spend on those who are entitled to receive it, such as a husband is entitled to provide for his wife and children in order to fulfill the basic needs of life, namely food, clothing and shelter. A family is to some extent obliged to provide maintenance by those responsible for the family.²¹

Husbands and wives have the same position in the law, which is entitled to make and carry out legal actions, whether the wife acts as a housewife or the husband acts as the head of the household.²² Although both of them both have rights and obligations that must be fulfilled between one another, so that if both of them are negligent in fulfilling their obligations, then one of them has the right to sue in court.²³ The obligation to fulfill maintenance is the same, both physically and mentally, both wife and children. If there is a negligence or violation and one of the parties feels aggrieved, it is permissible to file a lawsuit with the court that has the authority.²⁴

2. Education Fulfillment

The word education is synonymous with the word education in English and the word “rabba” in Arabic.²⁵ According to Noor Syam, education experts simply define education as human efforts to build a personality in accordance with the values in society and culture. In Islam, education was originally mentioned with the word ta'dib. The notion of ta'dib refers to a higher sense and includes all elements of knowledge, teaching and good upbringing. After fertilization, all processes during the womb until the birth of the child are borne by the mother. It does not stop there, but continues until the breastfeeding process, even beyond that.²⁶

3. Hadhanah (Child Care)

Child maintenance in Arabic is called “hadhanah”. Hadhanah according to the language is “putting something near the ribs or on the lap”, because when the mother breastfeeds her child on her lap, as if the mother was protecting and maintaining her child. Education and maintenance of children from birth until they are able to stand alone to take care of themselves carried out by relatives. According to the scholars of fiqh hadhanah is taking care of young children, whether male or female, who have grown up but are not yet mumayyiz, providing something that makes it good, keeping something from hurting and damaging it,

²¹ Ulya Sofiana, “Pencatatan Perkawinan Merupakan Bentuk Perlindungan Hukum Bagi Perempuan Dan Anak,” *Qawwam* 11, no. Vol 11 No 1 (2017): *Qawwam: Journal for Gender Mainstreaming* (2017): 49–58.

²² Dyah Ochtorina Susanti, “Perjanjian Kawin Sebagai Bentuk Perlindungan Hukum Bagi Pasangan Suami Istri (Perspektif Maqashid Syari’ah),” *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 1, no. 2 (2018): 1, <https://doi.org/10.30659/jua.v1i2.2456>.

²³ Alfian Qodri Azizi Nurhadi, “Filosofis Kewajiban Nafkah Anak Dalam Uup Islam Indonesia,” *Jurnal Ilmiah Ahwal Syakhshiyah (JAS)* 1, no. 2 (2019): 55, <https://doi.org/10.33474/jas.v1i2.3707>.

²⁴ Wanis Aisyah Oktavia, “Kedudukan Akta Dan Akibat Hukum Terhadap Notaris Yang Melakukan Rangkap Jabatan,” *Acta Diurnal* 3, no. 1 (2019): 24–42.

²⁵ Adyatama Muhammad Fajar, “NILAI-NILAI PENDIDIKAN MORAL DALAM BUKU CATATAN MOTIVASI SEORANG SANTR,” *Tarbiyah Islamiyah: Jurnal Ilmiah Pendidikan Agama Islam* 13, no. 1 (2022): 79–90, <https://doi.org/10.18592/jt>.

²⁶ Rika Dea Genisa, Elimartati, and Nofialdi, “Masyarakat Tanah Datar,” *PROCEEDING IAIN Batusangkar*, no. 1 (2022): 1157–62.

educating physically, spiritually and intellectually, so that they are able to stand up to life and take responsibility.²⁷

In fiqh terms, two words are used for the same purpose, namely kaffalah or hadhanah. What is meant by kaffalah or hadhanah is the care and maintenance of the child.²⁸ Which means the maintenance of a young child after the breakup of a marriage. In Shari'ah, caring for children is defined as taking care of someone who is not yet able to take care of his own affairs, educating him, keeping him from something that damages or harms him.²⁹ In the fiqh literature, hadhanah is defined in several terms, including according to Sayyid Syabiq Hadhanah is an attitude of maintenance towards young children who cannot distinguish between good and bad and are not yet able to take care of themselves. Maintain, educate and nurture them both physically, mentally and intellectually so that they are able to live a perfect and responsible life.

B. Reasons Parents Put Their Children in Orphanages in Subdistrict Lima Kaum

Based on interviews conducted by researchers with informants, there are several reasons divorced parents put their children in orphanages.

1. To keep the child in a safe environment

There are 3 parents of foster children, namely NBA, SL and TW, who have the same reason. As researchers found with informants during interviews. The following are the results of the researcher's interview with one of the parents of foster children:

“The reason I put NBA in an orphanage is because there is no safe place for NBA, After I divorced NBA's father I remarried. I am worried about NBA's condition if he comes with me to live with his stepfather”.³⁰

To find out why parents put their children in orphanages, researchers also conducted an interview with one of the foster children.

“My mother put me in an orphanage after my mother and father divorced. The reason I was put in the orphanage was because there was no safe place for me after my parents' divorce”.³¹

From the results of the interview above, it can be concluded that the reason why NBA and SL were put into an orphanage was because there was no safe place for them. This decision was made because the mother felt that living with the stepfather did not provide a sense of security or well-being for NBA and SL. As for TW, from the results of the interview, the reason why the parents put TW in the orphanage was because of the disturbance from the neighbor, namely the neighbor's husband.

2. To continue education

There are 8 parents of foster children, namely AN, FV, IO, KP, REP, RGC, TW, ZYR, who have the same reason for being put in the orphanage. If not included in

²⁷ Abdul Rahman Ghazali, *Fiqh munakahat*, (Jakarta: Prenadamedia, 2015).

²⁸ Idul Adnan et al, “Menggali Prinsip-Prinsip Hukum Keluarga Islam: Perspektif Keseimbangan Antara Tradisi Dan Modernitas,” *Al-Balad: Jurnal Hukum Tata Negara dan Politik Islam* 3, no. 2 (2023): 13–20, <https://doi.org/10.59259/ab.v3i2.90>.

²⁹ Husnatul Mahmudah and Zuhrah Juhriati, “Hadhanah Anak Pasca Putusan Perceraian (Studi Komparatif Hukum Islam Dan Hukum Positif Indonesia),” *SANGAJI: Jurnal Pemikiran Syariah Dan Hukum* 2, no. 1 (2018): 57–88, <https://doi.org/10.52266/sangaji.v2i1.263>.

³⁰ AN, Orang Tua Anak Asuh (October 23, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

³¹ NBA, Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

the orphanage, their children will stop going to school. Lack of money causes parents to be unable to send their children to school. The following are the results of researcher interviews with parents of foster children AN:

“The reason I put AN in the orphanage was so that she could continue her education. The tuition fees are not enough to pay for AN's education. I as a parent am overwhelmed when paying tuition fees”.³²

The researcher also conducted an interview with AN, the following are the results of the interview:

“the reason my parents put me in the orphanage was so that I could continue my education.”³³

From the results of the interviews above, researchers can conclude that there are 8 parents of foster children who have the same reasons for putting their children in orphanages. Children are placed in orphanages so that they can continue their education. Parents realize that they do not have enough money to send their children to school, and by putting their children in orphanages, parents feel that their children's education will be more secure.

3. Mother is unable to educate her child

Researchers conducted interviews with the grandmother of foster children, because the parents of foster children had divorced, while the mother of foster children had a stroke. The following are the results of the researcher's interview with the ZYR family.

" As a grandmother, I am no longer able to care for and educate ZYR, let alone look after ZYR's mother. ZYR had previously lived in an orphanage. But because the orphanage did not accept female foster children, ZYR was recommended to enter the Batusangkar Branch Aisyiyah Orphanage”.³⁴

To find out the reasons why parents put their children in orphanages, the researcher also conducted an interview with ZYR as a foster child whose parents were divorced and whose mother had a stroke.

“The reason my grandmother put me in an orphanage was because she was no longer able to take care of me and educate me, due to her old age. The community advised me to stay at the orphanage”.³⁵

From the interview, ZYR's grandmother explained that after the divorce between ZYR's parents, his mother had a stroke which required his grandmother to take care of her.

4. Receive guidance from caregivers

To find out the reasons why parents put their children in orphanages, researchers conducted interviews with parents of foster children.

" The reason I, as a parent, put AN in the orphanage is so that she can continue her education and get direction and guidance from the administrators and caregivers”.³⁶

³² JN, Orang Tua Anak Asuh (October 25, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

³³ AN, Orang Tua Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar

³⁴ EZY, Anak Asuh (October 25, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

³⁵ ZYR, Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

³⁶ JN, Orang Tua Anak Asuh (October 25, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar

To find out the reasons why parents put their children in orphanages, the researcher also conducted an interview with AN as a foster child whose father had a stroke.

“I am a foster child of Aisyiyah orphanage in Batusangkar Branch. The reason I put my child in the orphanage is so that I can continue my education”.³⁷

From the interview with AN's parents, the reason they put her in the orphanage was so that she could get the direction and guidance she needed to grow and develop positively.

5. The biological father is reluctant to take care of the child

There is one foster child family that has different reasons from other foster children. This child since childhood was fostered by his biological mother's brother after his mother died. His mother died since giving birth to him. The following are the results of the researcher's interview with one of the families of IO.

“The reason I put IO in the orphanage was because IO's biological father did not want to take care of him because IO's mother died when giving birth to IO. IO's father blamed IO for his mother's death”.³⁸

To find out the reasons why parents put their children in orphanages, researchers also conducted an interview with Iisselaku, a foster child whose mother passed away.

“The reason I was put in the orphanage was because my mother had passed away, while my father did not accept me because he thought I was the cause of my mother's death. Meanwhile, my aunt still has children to send to school”.³⁹

From the interview, the reason why IO was put into an orphanage was because his biological father refused to take care of IO. This was due to feelings of anger over the death of IO's mother during childbirth.

C. Parents' Constraints for Putting Their Children in Orphanages

Parents of foster children have different constraints from other parents of foster children so that children are put in orphanages. To find out the obstacles of parents, researchers conducted interviews with parents of foster children. The following are the obstacles of divorced parents so that children are put in orphanages

1. Not fully supported by her biological father

Researchers found at the Aisyiyah Orphanage Batusangkar Branch that divorced foster parents did not fully provide for their biological children. Meanwhile, the mother of the foster child after divorce remarried and finally the child was put in the orphanage. The following are the results of researchers' interviews with parents of foster children.

“My obstacle as a mother to put NBA in an orphanage is because after the divorce with NBA's father, NBA and his brother rarely get a living from his father, before the divorce NBA's father rarely worked and provided for the family. I as a

³⁷ AN, Orang Tua Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

³⁸ DI, Orang Tua Anak Asuh (October 26, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

³⁹ IO, Orang Tua Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar

mother did not work after marriage. As a parent, I was afraid that NBA would drop out of school, so I put him in an orphanage”.⁴⁰

To find out the obstacles parents put their children in the Aisyiyah Orphanage Batusangkar Branch, researchers also conducted interviews with the NBA.

“The reason my parents put me in the orphanage was because I was not fully supported by my biological father. After my parents divorced, I did not get full support from my father”.⁴¹

The mothers of NBA, SL and RGC explained that the decision to put their children in an orphanage was made because of the financial constraints faced after the divorce with their children's father. After the divorce, these 3 foster children and their siblings rarely received maintenance from their father. The foster children's mother did not work after her marriage, making it difficult to make ends meet and ensure that her children's education was guaranteed. The mother's biggest concern is that her children do not drop out of school, and for this reason, they as parents choose to put their children in an orphanage as a solution so that their children's education is still carried out properly, despite the difficult circumstances.

2. Parents are unable to provide support

In this problem, parents are unable to provide support for their children because the parents do not work because the mother has had a stroke, while the father does not provide support for his children.

" My problem is that as ZYR's grandmother, I am no longer able to work. Meanwhile, his mother was suffering from stroke. For my needs, ZYR's mother and I were helped by the community. ZYR's mother cannot be left alone at home and must be looked after”.⁴²

To find out the obstacles for parents to enroll their children in the Batusangkar Branch of the Aisyiyah Orphanage, researchers also conducted interviews with ZYR.

"The problem was that my parents put me in an orphanage because there was no one to support me. After my father divorced my mother, my father did not support me. Meanwhile, my mother suffered from stroke”.⁴³

From the results of the interviews, there were 3 parents of foster children who had the same problem so they put their children in an orphanage. ZYR's grandmother explained that after ZYR's parents divorced, ZYR did not receive support from his father. Meanwhile, ZYR's mother suffered a stroke and needed intensive care. IO's adoptive mother explained that IO's biological mother had died when she gave birth to IO, and since then, IO's father had not provided support for IO. IO's father blamed IO for the death of his biological mother, which led to the father's inability to care for and provide for IO. IO's mother is worried that IO will not be able to continue school due to financial limitations. FV's parents explained that the main obstacle they faced was the inability to work and support their children because their health condition often worsened and required routine medical care. In addition, FV's brother is married and can no longer provide support in parenting. For this reason, FV's parents find it difficult to provide attention and fulfill basic needs for FV.

⁴⁰ AN, Orang Tua Anak Asuh (October 23, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁴¹ NBA, Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar

⁴² HZ, Orang Tua Anak Asuh (HZ, 25 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁴³ ZYR, Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

3. Minimum income of parents

Very low parental income is one of the obstacles for parents to put their children in orphanages. In accordance with the results of researchers' interviews with parents of foster children. "My obstacle as a parent in putting my child in an orphanage was the low income of my husband, who is REP's stepfather. Meanwhile, after REP's father died, I remarried".⁴⁴ To find out the obstacles for parents to enroll their children in the Batusangkar Branch of the Aisyiyah Orphanage, researchers also conducted interviews with REP. "My parents' constraints forced me to put me in an orphanage because of my parents' lack of income. I have a stepfather who works as a farmer. My stepfather's income is not sufficient for the needs of me and my younger siblings".⁴⁵

Parents still have complete constraints so they put their children in an orphanage because of the parents' lack of income. AN's parents' lack of income resulted in AN's parents placing AN in an orphanage. The following are the results of the researcher's interview with AN's parents:

"My problem as a parent was that I put my child in an orphanage because AN's father was no longer able to earn a living. AN's father was suffering from stroke, while as a mother I rarely worked because AN's father couldn't stay at home. There was also my income if I worked for daily needs and AN's father received treatment".⁴⁶

TW's parents also expressed the same obstacle. Tiwi's father's lack of income resulted in his child being placed in an orphanage. The following are the results of the researcher's interview with TW's parents:

"My problem as a parent is that I put TW in an orphanage because my children are close by, once they finish school it is always at the same time. Meanwhile, the costs of continuing education are getting higher. As a mother, I work as a housewife. Meanwhile, my husband's income is not stable, while the children's school fees have to be paid".⁴⁷

To find out the obstacles for parents to enroll their children in the Batusangkar Branch of the Aisyiyah Orphanage, researchers also conducted interviews with TW.

"My parents had problems putting me in an orphanage because of my parents' lack of income. My father worked as a farm laborer whose income was uncertain".⁴⁸

From the results of the interview, REP's parents explained that the main obstacle they faced in caring for their children was the low income of their husband, who was the stepfather. Limited financial conditions make it difficult for parents to meet daily living needs and provide adequate care for REP. In addition, after the death of REP's biological father, REP's mother remarried, and this situation further increased the family's financial burden. To ensure that REP continues to receive good care, education and upbringing, the decision was taken to place REP in an orphanage. This decision reflects the parents' efforts to provide better opportunities for REP's future despite being faced with financial limitations and changes in family structure.

⁴⁴ DR, Orang Tua Anak Asuh (21 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁴⁵ REP, Anak Asuh (21 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁴⁶ EN, Orang Tua Anak Asuh (25 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁴⁷ GT, Orang Tua Anak Asuh (28 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁴⁸ TW, Orang Tua Anak Asuh (October 21, 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

From the results of the interview, you explained that the main obstacle your parents faced in caring for and raising you was their very minimal income. After your father died, your mother became the backbone of the family. However, even though mother works hard, her income is not sufficient to meet the family's basic needs, including yours. Therefore, your parents decided to put you in an orphanage, so that you can get proper care, attention and education, even though you are financially limited. This decision reflects your parents' efforts to ensure a better future for you despite having to face tough economic challenges.

D. Parents' responsibilities towards children placed in an orphanage

Judging from the aspect of parental responsibility towards children living in orphanages, there were 10 respondents who the researchers interviewed. There were 8 respondents who gave their responsibility for their children who were placed in an orphanage but not completely. 2 respondents did not take responsibility for their children.

Fulfilling the living expenses of parents for children living in an orphanage is different from fulfilling the living expenses of children living with their parents. There are 8 foster children who receive support in the form of additional pocket money and some also in the form of food. In accordance with the results of the researcher's interview on October 19 2024 with Desma Umar as head of the Batusangkar Branch of the Aisyiyah Orphanage, implementing a new regulation regarding parents coming to the orphanage once every 3 months, with the aim of allowing parents to know how children are developing in the orphanage. There are parents who give additional pocket money directly, via transfer and there are also those who send it via neighbors, especially if they go to Batusangkar. The following are the results of researchers' interviews with parents of foster children who provide support but not fully.

Orphanages are not only homes and places of refuge for children who do not have or have lost their parents, but also become a source of support for children from poor and troubled families. Apart from receiving alternative care in an orphanage, they also receive education from MTs to high school level. The majority of children in orphanages or Child Welfare Institutions (LKSA) still have parents or family. Only some don't have parents or family. Only a small percentage do not have parents (orphans, orphans and orphans). Their parents deliberately took them to an orphanage to get the opportunity to continue their education. Generally they come from poor families from rural areas. Parents who want to send their children to an orphanage often face various obstacles related to social, economic and emotional conditions.

The jobs of the children's parents are varied, some are farmers, traders and household servants. Parents' incomes are very low, which is what encourages parents to put their children in orphanages. The following are the obstacles for parents who put their children in an orphanage. One of the factors that causes husbands to be less able to fulfill their obligations to support the family is work. Sometimes husbands do not have a job at all or have a job, but the work they earn is not enough to meet the living needs of the household. In Islamic terms, there is actually no prohibition on women working like their husbands, because Islam actually upholds the principle of equality.⁴⁹

At the Aisyiyah Orphanage, Batusangkar Branch, there are children whose parents are divorced. There are 6 foster children whose parents are divorced. After conducting

⁴⁹ Nori Bahar, Sri Yunarti, and Kamila Herti, "Konstalisasi Isteri Karier Dengan Meningkatkan Kasus Perceraian Di Kabupaten Sijunjung," *National Conference on Social Science and Religion (NCSSR 2022)*, no. Ncssr (2022): 1169–75.

interviews with foster children, children rarely receive support from their parents. After divorce, the living is borne by the mother. After the mother of the foster child's parents remarried, the mother did not work and ultimately it was difficult for the parents to provide for the child. Community economic empowerment is an effort to increase the community's ability or potential in economic activities in order to meet their living needs and improve their welfare and potentially for their families.⁵⁰

The situation of parents who hand over their children to an orphanage because they are in an economically disadvantaged condition, so that it becomes the last alternative to entrust their children to an orphanage so that their inherent rights are fulfilled. After the child completes education, the child is returned to his parents. Divorced parents put their child in an orphanage. Because he has a low economic situation. After divorce, children do not receive support from their father, while there is not one child left behind. There are also parents who divorce and then remarry. Due to economic factors, the mother put her child in an orphanage.⁵¹

The parents' desire was very high to continue their children's education to the next level, so the children were sent to orphanages. Information from the management of the Lima Kaum Orphanage is that the parents of the foster children's economy is so low that they cannot afford to send their children to school, due to the high costs. The following are the results of informant interviews with foster children regarding the situation of parents who put their children in orphanages.

The Aisyah Orphanage, Batusangkar Branch, has children whose parents have divorced. Meanwhile, the mother remarried and had children with her new husband. Meanwhile, the stepfather is unable to provide support for his stepson. After getting married, her mother no longer works and works as a housewife. This is an obstacle for parents if they are divorced. Failure to fulfill child support after divorce occurs. Finally, the mother put her child in an orphanage so that his rights could be fulfilled. Such as livelihood, education, children's gifts.

The obstacle for parents of foster children who are still incomplete in placing their children in an orphanage is economic. The low income of parents results in them being unable to meet their children's needs. People complain about paying SPP every month. Children's tuition fees that have not been paid in full are not allowed to take the exam. The SPP for children who are in arrears every month ends up piling up. Parents' jobs that are not permanent or odd jobs result in no permanent income. Ultimately the child's needs are not met. This is the situation for parents of foster children whose parents are still intact and put their children in an orphanage.⁵²

Conclusion

This study reveals that parents place their children in the Aisyiyah Orphanage, Batusangkar Branch, for five main reasons: to ensure a safe environment, due to the biological father's refusal to care for the child, the mother's inability to educate the child, the need to continue the child's education, and to obtain guidance from caregivers. The placement is further influenced by three key obstacles: lack of financial support from the

⁵⁰ Maisarah Leli and Farida Arianti, "Pola Akad Dalam Pemberdayaan Ekonomi Masyarakat Perantau Atar," *Juris: Jurnal Ilmiah Syariah* 18, no. 2 (2019): 203–19, <https://doi.org/10.31958/juris.v18i2.1741>.

⁵¹ Desma Umar, Ketua Panti Asuhan Aisyiyah Cabang Batusangkar (19 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

⁵² TW, Orang Tua Anak Asuh (28 October 2024), Panti Asuhan Aisyiyah Cabang Batusangkar.

father, insufficient household income, and the parents' inability to provide for their children's basic needs.

According to Imam Al-Ghazali's perspective in Islamic Family Law, parental responsibilities include education, guidance, and care. However, findings show that such responsibilities are often only partially fulfilled. Of the ten children studied, eight receive limited support primarily in the form of pocket money while two receive none due to their parents' health conditions. Educational and caregiving responsibilities are largely assumed by the orphanage. These findings reflect a shift in parental roles driven by economic hardship, fractured family structures, and diminished capacity to meet children's rights and needs.

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