

Analysis of Child Custody Following Divorce Caused by Apostasy Under Positive Law and Islamic Legal Frameworks (Case Study: Case No. 1189/Pdt.G/2023/PA.Tnk)

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ABSTRACT

This study examines the Tangerang Religious Court's ruling in case number 1189/Pdt.G/2023/PA.Tnk, focusing on child custody disputes arising from apostasy within marital dissolution. The research investigates how Islamic civil law operates within Indonesia's judicial framework, particularly when religious conversion becomes a determining factor in custody arrangements. Employing a normative juridical approach alongside descriptive analytical methods, the investigation draws primary data from court rulings, trial documentation, and judicial reasoning articulated by the panel of judges. Secondary sources encompass statutory regulations, Islamic jurisprudence literature, scholarly journals, and pertinent reference materials. The theoretical foundation rests on Classical Islamic Law principles articulated by Imam Syafi'i, which address the legal implications of apostasy on marital bonds and parental rights, complemented by legal interpretation frameworks developed by Dr. Yahya Harahap, SH., MH., regarding procedural justice in religious courts. The research reveals tensions between protecting children's religious upbringing and applying established custody principles that typically favor maternal care for young children. Findings demonstrate how judges navigate between statutory law, Islamic jurisprudence, and the best interests of the child when apostasy disrupts conventional custody determinations.

ABSTRAK

Penelitian ini mengkaji putusan Pengadilan Agama Tangerang dalam perkara nomor 1189/Pdt.G/2023/PA.Tnk, dengan fokus pada sengketa hak asuh anak yang muncul akibat kemurtadan dalam perceraian. Riset ini menyelidiki bagaimana hukum perdata Islam diterapkan dalam kerangka peradilan Indonesia, khususnya ketika perpindahan agama menjadi faktor penentu dalam pengaturan hak asuh. Dengan menggunakan pendekatan yuridis normatif dan metode deskriptif analitis, penelitian mengandalkan data primer yang bersumber dari putusan pengadilan, dokumen persidangan, dan pertimbangan hukum yang dirumuskan majelis hakim. Data sekunder dihimpun melalui studi kepustakaan yang meliputi peraturan perundang-undangan, literatur hukum Islam, jurnal ilmiah, dan buku referensi terkait. Landasan teoretis bertumpu pada prinsip Hukum Islam Klasik yang dirumuskan Imam Syafi'i mengenai implikasi hukum kemurtadan terhadap ikatan perkawinan dan hak-hak orang tua, dilengkapi kerangka interpretasi hukum Dr. Yahya Harahap, SH., MH., tentang keadilan prosedural di pengadilan agama. Penelitian mengungkapkan ketegangan antara perlindungan pendidikan agama anak dan penerapan prinsip hak asuh yang umumnya mengutamakan pengasuhan ibu bagi anak usia dini. Temuan menunjukkan bagaimana hakim menavigasi antara hukum positif, yurisprudensi Islam, dan kepentingan terbaik anak ketika kemurtadan mengganggu penetapan hak asuh konvensional.

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1. Introduction

Article 1 of Law Number 1 of 1974 concerning Marriage (Marriage Law) defines marriage as "a physical and spiritual bond between a man and a woman as husband and wife, aimed at forming a happy and eternal family based on belief in the One Almighty God." Divorce creates legal consequences, particularly regarding child custody. According to Article 45 of the Marriage Law, parents are obligated to care for and educate their children. This obligation persists even after the marital relationship ends. However, disputes over child custody following parental divorce are sometimes resolved outside court through non-litigation methods.

Rahman (2024) explains that Indonesian practice predominantly employs a sole custody system to facilitate resolution of child custody disputes. In divorce cases examined by religious courts for Muslim couples, sole custody means judges tend to apply a specific approach, emphasizing *lex specialis derogat legi generali*—specifically the Compilation of Islamic Law, which grants custody to the mother. Within Islamic legal tradition, mothers are recognized as having significant influence on a child's developmental interests and growth.

The Compilation of Islamic Law addresses divorce in Book 1 concerning Marriage. Divorce represents the dissolution of family bonds between husband and wife, carrying prolonged impacts not only on their relationship but also requiring sacrifices, particularly concerning child custody arrangements after separation. When disputes arise between parents regarding custody, court resolution becomes advisable. According to Kasdi (2024), Islamic jurisprudence traditionally entrusts child custody to mothers until children reach age 7. Meanwhile, the Compilation of Islamic Law extends this limit to age 12, after which children gain freedom to determine which parent better serves their spiritual and developmental needs. Indonesian courts predominantly utilize sole custody arrangements in divorce proceedings involving Muslim couples, with judges applying the Compilation of Islamic Law as the governing statute, typically awarding custody to mothers based on Islamic legal perspectives recognizing maternal influence on child development.

Government Regulation Number 9 of 1975, particularly Article 19, operationalizes Law Number 1 of 1974 concerning Marriage by establishing legal grounds for filing divorce petitions in court. This regulation identifies six categories of acceptable divorce grounds (Muh Badrani, 2024). Rofiq (2021) notes that mothers receive custody priority when both parents are Muslim and both possess the capability to care for and support their children despite separation. Biologically, children—especially those under 12 years or not yet *mumayyiz*—require maternal presence. This research examines a household dispute between spouses specifically concerning custody of a 2-year-old child, well below the *mumayyiz* threshold. Children at this age require constant support, guidance, and stimulation, including affection, attention, and encouragement for learning and exploration.

Divorce cases triggered by one spouse's religious conversion appear frequently in religious court proceedings, as mandated by Law Number 7 of 1989 concerning Religious Courts, subsequently amended by Law Number 3 of 2006 and Law Number 50 of 2009. These cases reflect household dynamics shaped by diverse family factors—from differing religious understandings to social environmental pressures and fundamental value conflicts within marital life. During divorce proceedings initiated by conflict, spouses often defend their positions with high subjectivity. When ego dominates, couples should instead build objective arguments and thinking patterns to maintain a marriage characterized by *mawadah*, *sakinah*, and *rahmah*. Subjectivity escalates toward divorce. Religious courts provide objective forums where spousal confrontations can conclude, allowing both parties and their children to move forward (Efendi, 2020). This thesis aims to benefit humanity and welfare for all. The case

examined here—Number 1189/Pdt.G/2023/PA.Tnk—involves a respondent who apostatized, returning to Christianity, while the petitioner (the father) filed suit at the Tanjung Karang Religious Court. They have a 2-year-old child, and the father requests custody be transferred from the mother. This analysis focuses on custody arrangements arising from religious conversion, as detailed in the problem formulation below.

This research addresses two primary questions that emerge from the case under examination. First, what form does the husband's claim take regarding his wife's religious conversion in the Tanjung Karang Religious Court ruling? Second, how does the choice of law operate in the husband's custody petition triggered by his wife's apostasy, and what legal considerations and *ratio decidendi* did the judicial panel employ in determining custody arrangements based on case ruling Number 1189/Pdt.G/2023/PA.Tnk? These questions guide the analysis of how religious courts navigate the intersection between apostasy and parental rights, particularly when conventional custody principles that favor maternal care conflict with religious law considerations. The formulation seeks to uncover the judicial reasoning process and legal framework applied when a parent's religious conversion becomes the catalyst for custody disputes, examining both the procedural mechanisms and substantive legal principles that shape court decisions in such cases.

2. Methodology

This research employs a normative-juridical method, adhering to applicable statutory regulations and legal principles. Given that the case was adjudicated in Tanjung Karang, the analysis relies on three primary approaches: the statutory approach (*rechtssysteembenadering*), the case approach (*casusbenadering*), and the conceptual approach (*conseptuele aanpak*). These methodological frameworks allow for systematic examination of legal norms, judicial decisions, and theoretical constructs relevant to custody disputes involving apostasy.

The study utilizes legal materials from two categories: primary and secondary sources. Primary legal materials, which carry binding legal authority, include Indonesian Law Number 1 of 1974 concerning Marriage, Government Regulation Number 9 of 1975 on the Implementation of Law Number 1 of 1974 concerning Marriage, and Islamic legal provisions based on *fiqh* principles and *qaidah*. Secondary legal materials consist of previous studies conducted by earlier researchers to supplement research information needs, including relevant literature and book references (Nugroho, 2022). The theoretical framework draws upon Classical Islamic Legal Theory, particularly Imam Shafi'i's position that apostasy constitutes a major obstacle to marital integrity. According to his jurisprudence, children must receive special protection to preserve their honor and *fitrah* (natural disposition).

Data collection techniques follow a descriptive research model, which systematically describes and illustrates social phenomena or events (Dintara Lubis, 2023). The research employs library study methods, gathering data from legal research journals related to the topic for deeper analysis. This approach enables thorough documentation and examination of legal precedents, scholarly interpretations, and doctrinal positions concerning custody arrangements when parental apostasy occurs. The descriptive nature of the research facilitates detailed portrayal of how religious courts balance competing legal principles—maternal custody preferences versus religious considerations—when adjudicating cases where one parent abandons Islam.

3. Results

Based on Decision Number 1189/Pdt.G/2023/PA.Tnk, the Tanjung Karang Religious Court granted the petitioner's request to withdraw the case. The case, registered on August 1, 2023, was concluded through withdrawal mechanism before the lawsuit was read, following Article 271 Rv provisions. Despite the withdrawal, Article 89 paragraph (1) of Law Number 7 of 1989 concerning Religious Courts mandated that court costs of Rp.355,000.00 (Three Hundred Fifty-Five Thousand Rupiah) remained the petitioner's responsibility. Judge Agusti Yelpi of the Tanjung Karang Religious Court stated in his legal considerations that during the August 14, 2023 hearing, the petitioner verbally withdrew his request regarding child custody, which was at that time under the petitioner's care. Throughout the proceedings, the petitioner presented written evidence including photocopies of the marriage certificate, the respondent's identity card showing religious conversion from Islam to Christianity, the child's birth certificate from the hospital, and baptism certificate Number 67/F/Gdl/JA/LS/2022 dated December 23, 2022 issued by Jemaat Filadelfia Karang Mas Jati Agung. The petitioner also brought two sworn witnesses who confirmed that the petitioner and respondent frequently quarreled due to religious differences and beliefs. However, before the lawsuit reading occurred, the respondent provided no testimony during the trial facts, and the petitioner subsequently decided to withdraw his request.

4. Discussion

4.1 Forms of Claims Submitted by Husband Regarding Wife's Religious Conversion in Tanjung Karang Religious Court Decision

The phenomenon of religious conversion specifically refers to transition from Islamic faith toward non-Islamic beliefs, known in Islamic legal terminology as "murtad" or riddah. According to established Islamic jurisprudence provisions, when either spouse commits apostasy or converts after marriage has been solemnized according to Islamic law, the legal consequence involves automatic damage or cancellation of the marital bond, termed fasakh in jurisprudence. The term fasakh explains that a marital relationship under Islamic religious regulations becomes damaged when either spouse commits apostasy. "Damaged" here means efforts to reconnect the marital bond become impossible, making divorce the culmination point of the husband-wife relationship and maintaining child custody patterns raised during proceedings through litigation or court dispute resolution channels.

What requires examination in this case involves the husband petitioning for child custody because his wife committed apostasy or religious conversion. In his petition, the husband demanded custody of their child still under 12 years old—specifically 2 years old—be granted to him. The petition's foundation rested on the petitioner or husband convincing the judge that he practices Islam and can foster the child's growth in Islamic religious aspects to become a righteous child who remains devoted to Allah SWT. Legal standing proved this through documentation submitted to the Tanjung Karang Court Judge Panel. The petitioner or husband's purpose in filing the custody child lawsuit aimed to protect the child's faith from the respondent, who in this case was the wife.

Based on Islamic law principles (sharia), individuals with kafir status and those categorized as apostates hold equivalent legal positions in marriage, where both are normatively prohibited (haram) from entering marriage with Muslim women. Furthermore, individuals with such status experience disqualification in their capacity as marriage guardians for women who practice Islam. Provisions regarding fasakh or marriage annulment due to apostasy have strong legal foundations in Indonesia's legal system, as explicitly regulated in Article 39 paragraph (2) of Law Number 1 of 1974

concerning Marriage, clarified through Article 19 of Government Regulation Number 9 of 1975 concerning Implementation of Law Number 1 of 1974 concerning Marriage. Additionally, the same provisions are reinforced by Article 116 of the Islamic Law Compilation (KHI) Book 1 concerning Marriage, which specifically regulates reasons that can cause marriage dissolution, including apostasy by one party in marriage (Khair, 2023).

Article 39 paragraph (2) of Law Number 1 of 1974 concerning Marriage regulates divorce grounds. This article's intent states that when one party in a marriage contract holds Muslim status then experiences apostasy (*riddah*), the marriage legally undergoes automatic annulment (*fasakh*). Legal consequences arising from this condition mean any intimate relations conducted after apostasy occurs will be categorized as adultery, lacking legitimate marriage validation. When apostasy occurs after marriage consummation, the wife who commits apostasy loses her right to obtain maintenance. Islamic legal systems provide temporal space through the *iddah* period as a transition phase, where if the party committing apostasy returns to Islam within that timeframe, the marriage can be restored. However, if the *iddah* period ends without reconversion to Islam (Sihotang, 2023).

The petitioner's purpose in filing the lawsuit to Tanjung Karang Religious Court aimed to protect the child's faith. Regarding child custody not being granted to the mother or respondent, the father's side worried about the child's physical and psychological growth. Therefore, the respondent's husband as petitioner sought legal certainty or *rechtszakerheid* in Dutch terminology. The petitioner or father's testimony during marriage with the respondent or mother's side stated that the mother never attended to their beloved child. The petitioner also stated willingness and ability to pay costs arising in this case. Here, the lawsuit reading never occurred because the respondent or wife's side provided no testimony during trial facts.

Through analysis following trial facts and case copy 1189/Pdt.G/2023/PA.Tnk in the case position section, conclusions show the father's side demonstrated strong ambition to obtain *hadhanah* or child custody. In this case copy, the child's name from both spouses remains unmentioned, only stating the child's birthplace and date. The child remains 2 years old, while on one side with the child's age still below *mumayyiz* according to the case, a 2-year-old child requires affection in the form of warmth from a mother. Although the husband's lawsuit submission provided testimony that the mother never attended to the child's growth, for the best interest for child, the Tanjung Karang Court Judge Panel should have summoned the mother's side or before the child custody lawsuit to Tanjung Karang Court, mediation outside litigation channels (non-litigation) needed to occur. Non-litigation mediation aims to seek win-win solutions for husband and wife interests.

In the Islamic Law Compilation and Marriage Law Number 1 of 1974 concerning Marriage, apostasy matters receive heavy emphasis in the Islamic Law Compilation because apostasy is considered to make marriage *fasakh*, where marriage becomes damaged due to one party's apostasy. Most significantly, divorce caused by apostasy is considered *najis* in the Islamic Law Compilation. However, Marriage Law Number 1 of 1974 concerning Marriage does not heavily emphasize apostasy, because Marriage Law views from the writer's perspective that any religious teachings teach goodness, returning to those who embrace that faith. According to this research title, the writer seeks to compare attitudes between Law Number 1 of 1974 concerning Marriage and the Islamic Law Compilation in Book 1 regarding marriage converted with the case study raised in the Tanjung Karang Religious Court Decision to answer question number 1 from the problem formulation.

4.2 Application of Legal Choices in Child Custody Lawsuits: Analysis of Decision Number 1189/Pdt.G/2023/PA Regarding Custody Disputes Filed by Husband Based on Wife's Apostasy

Ratio decidendi represents terminology for judicial reasoning in determining a case. A case is not viewed from its weight, but what receives implicit and explicit attention is the judge's direct responsibility. In deciding a case, considerations must be made with broad scope to meet justice standards for parties disputing in court or litigation. According to the mandate of Law Number 48 of 2008 concerning Judicial Power, what becomes the judge's thinking tool uses legal reasoning. Even when disputing parties corner each other, judges must remain mediators. Here, judges act in the name of law according to administration, and most crucially judges use their wisdom side (Ghufron, 2020).

Ratio decidendi is often understood as the judge's reason in delivering decisions. Meaning, before delivering decisions there are judicial considerations containing argumentation and reasoning. In custody child disputes or hadhanah, ratio decidendi represents the panorama of legal argumentation used by Judge Panels to decide to whom custody child or child care will be granted. Ratio decidendi represents a fundamental concept in the legal system referring to legal reasons underlying court decisions. In custody child disputes, Judge Panels apply various juridical considerations with great complexity to reach decision levels reflecting justice, because courts are represented as places for the oppressed, therefore courts exist as vessels for seeking justice. Ratio decidendi etymologically derives from Latin meaning reason to deciding. In jurisprudence, this concept refers to legal principles becoming essential foundations for judge's decisions and holding binding precedent power for similar cases in the future. Unlike obiter dictum which represents side statements, ratio decidendi holds direct relevance to the dispute's core.

According to Khair *et al.* (2021), in custody child disputes, Judge Panels apply multidisciplinary approaches integrating normative juridical aspects with sociological and psychological considerations. The ratio decidendi determination process involves hierarchical analysis of various determinant factors, namely applying the "best interest of child" principle which represents a fundamental doctrine in family law. This principle requires judges to prioritize children's best interests above disputing parties' interests, namely their father and mother. In implementing this principle, judges conduct thorough reflection on environmental stability factors, parenting capacity or parents' conditions, and family economic factors. In child custody cases, determination methodology involves systematic analysis stages. Judge Panels apply syllogism logic consisting of several provisions, namely major premise (applicable legal norms), minor premise (revealed legal facts), and conclusion or delivered decisions.

In this case, to save the petitioner and respondent's child because the respondent converted from Islam to Christianity, attached based on respondent's baptism certificate Number 67/F/Gd//JA/LS/2022 dated December 23, 2022 issued by Jemaat Filadelfia Karang Mas Jati Agung, the petitioner requested that hadhanah of the petitioner and respondent's child fall to the petitioner's hands. The petitioner also greatly needed a determination letter to care for the petitioner's child still aged 2 years to obtain legal certainty for the child.

Agusti Yelpi as Tanjung Karang Religious Court Judge stated that legal considerations based on Decision Number 1189/Pdt.G/2023/PA.Tnk placed the petitioner's child in the petitioner's care. At the August 14, 2023 hearing, the petitioner verbally stated withdrawal of the request. Considering that because the case withdrawal request occurred before the lawsuit was read, according to Article 271 Rv provisions, the petitioner's request could be accepted. Considering that although the petitioner's request was withdrawn, because this case had been registered in the case register and included in the marriage field, according to Article 89 paragraph (1) of Law Number 7 of 1989 concerning Religious Courts, case costs must be charged to the petitioner. The

Tanjung Karang Religious Court Judge in the decision granted the case withdrawal request submitted by the petitioner. Consequently, the case with register number 1189/Pdt.G/2023/PA.Tnk registered on August 1, 2023 was declared completed through withdrawal mechanism, with the petitioner's obligation to bear case costs of Rp.355,000.00 (Three Hundred Fifty-Five Thousand Rupiah).

Looking at this case regarding divorce or custody child disputes occurring between husband and wife at Tanjung Karang Religious Court, according to Article 86 paragraph (1) of Law Number 7 of 1989 concerning Religious Courts which covers child guardianship rights disputes and child support obligations, wife support, and joint property of husband and wife can be filed simultaneously with divorce lawsuits or after divorce decisions that have obtained permanent legal force. Based on Article 164 HIR/Article 284 RBg and Article 1866 of the Civil Code, valid evidence includes written evidence, witness testimony, presumptions, confessions, and oaths. Looking at Decision Number 1189/Pdt.G/2023/PA.Tnk, what can serve as written evidence includes photocopies of marriage certificate excerpts, photocopies of the mother's identity card as respondent who converted Islamic status to Christianity, and photocopies of birth certificates from the hospital. Meanwhile for witnesses in that decision, 2 (two) witnesses were presented where each witness was also sworn in providing testimony. Witnesses presented by the petitioner acknowledged that the petitioner and respondent frequently quarreled due to religious and belief differences.

5. Conclusion

According to the writer, the case involves a divorce lawsuit and child custody following parental separation due to apostasy. The apostate here is the wife holding respondent status. Therefore, in examining the decision with permanent legal force, the writer addresses material law aspects. The decision demonstrates complexity in applying Islamic law within Indonesia's religious courts. The judge panel has successfully interpreted provisions in the Islamic Law Compilation and Law Number 1 of 1974 concerning Marriage, referred to as positive law or *rechtspositivisme* in their legal reasoning or law consideration. Such interpretation proves that Indonesia's religious court system has matured in harmonizing various applicable legal sources.

References

- Abdullah, A. (2024). Problematika Eksekusi Hak Asuh Anak Studi Kasus Perlindungan Hukum Terhadap Anak Yang Belum Mummyiz. *Adab Indonesia*.
- Badrani, M. (2024). *Implementasi Undang-undang Nomor 16 Tahun 2019 Tentang Pembatasan Usia Nikah dan Implikasinya dalam Perspektif Maqashid Syariah (Studi Kasus Di KUA Kokap Kulon Progo)* (Tesis Magister, Universitas Islam Indonesia).
- Efendi, Z. (2020). Pelaksanaan eksekusi hak asuh anak (hadhanah) terhadap isteri yang murtad dalam perkara nomor: 398/P.dt.G/2013/PA.Pbr di Pengadilan Agama Pekanbaru. *Teraju*, 2(01), 1–34. <https://doi.org/10.35961/teraju.v2i01.62>
- Fikri, & Muchsin, A. (2022). *Hak-hak anak dalam hukum keluarga Islam: Pendekatan yurisprudensi di Pengadilan Agama*.

- Ghufron, M., & Ali, M. (2020). Nalar integrasi fikih dan psikologi keluarga dalam pandangan hakim agama Jawa Timur tentang hak asuh anak pasangan murtad. *Al-Hukama'*, 10(1), 73–98. <https://doi.org/10.15642/alhukama.2020.10.1.73-98>
- Hakim, L., & Chandra, M. Z. (2024). Upaya hukum gugatan hak asuh anak oleh suami yang disebabkan istri berpindah agama (Studi putusan nomor 1189/Pdt.G/2023/PA.Tnk). *JALAKOTEK: Journal of Accounting Law Communication and Technology*, 1(2), 81–91. <https://doi.org/10.57235/jalakotek.v1i2.2151>
- Husna, N., & Kasdi, A. (2024). Hak Asuh Anak Bagi Perceraian Sebab Istri Murtad (Studi Kasus Putusan PA Semarang Nomor 1101/Pdt. G/2022/PA. Smg.). *JIMSYA: Jurnal Ilmu Syariah*, 3(1), 120-136.
- Indonesia. (1848). *Kitab Undang-Undang Hukum Perdata (Burgerlijk Wetboek)*. Kodifikasi Tahun 1848.
- Indonesia. (1974). *Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan*. Lembaran Negara Republik Indonesia Tahun 1974 Nomor 1.
- Indonesia. (1975). *Peraturan Pemerintah Nomor 9 Tahun 1975 tentang Pelaksanaan Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan*. Lembaran Negara Republik Indonesia Tahun 1975 Nomor 12.
- Indonesia. (1991). *Kompilasi Hukum Islam: Buku I tentang Perkawinan*. Instruksi Presiden Nomor 1 Tahun 1991.
- Indonesia. (1999). *Undang-Undang Nomor 39 Tahun 1999 tentang Hak Asasi Manusia*. Lembaran Negara Republik Indonesia Tahun 1999 Nomor 165.
- Indonesia. (2002). *Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak*. Lembaran Negara Republik Indonesia Tahun 2002 Nomor 109.
- Indonesia. (2019). *Undang-Undang Nomor 16 Tahun 2019 tentang Perubahan atas Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan*. Lembaran Negara Republik Indonesia Tahun 2019 Nomor 186.
- Khair, U., Putri, I. H., & Payakumbuh, M. (n.d.). Pelaksanaan hak asuh anak setelah terjadinya perceraian. *JCH (Jurnal Cendekia Hukum)*, 5(2). <https://doi.org/10.3376/jch.v5i2.231>
- Lubis, S. D. (2023). Kedudukan hak asuh anak pasca terjadinya perceraian dari istri yang murtad menurut hukum Islam. *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, 6(1), 205–212. <https://doi.org/10.47467/as.v6i1.3324>
- Nugroho, M. A. (2022). Akibat hukum perceraian terhadap hak asuh anak yang disebabkan salah satu pasangan suami istri berpindah agama. *Jurnal Kewarganegaraan*, 6(2), 3638–3649.
- Rahman, T. A., & Rizkianti, W. (2024). Penyelesaian sengketa hak asuh anak setelah perceraian: Perbandingan antara Indonesia dan Inggris. *Jurnal USM Law Review*, 7(1), 248. <https://doi.org/10.26623/julr.v7i1.8801>

- Rofiq, M. K. (2021). Pemberian hak asuh anak dalam perceraian karena peralihan agama (murtad). *Journal of Islamic Studies and Humanities*, 6(2), 97–110. <https://doi.org/10.21580/jish.v6i2.8171>
- Sihotang, R. B. (2023). *Status Hukum Perkawinan Pasangan Suami Istri Yang Salah Satunya Murtad Dan Hak Asuh Anak Dalam Perspektif Fikih Dan Kompilasi Hukum Islam* (Skripsi, UIN Ar-Raniry Fakultas Syariah dan Hukum).