



**SYARAH: JURNAL HUKUM ISLAM DAN EKONOMI**

P-ISSN: 2302-9978 / E-ISSN: 2715-262

Volume 12, Nomor 1, Juni 2023

DOI: <https://doi.org/10.47766/syarah.v11i2.1270>

## **The Impact of Divorce on Psychological, Emotional and Mental Children in the Perspective of Islamic Law**

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**Abstract:** *Every human being certainly has the hope of building a family which is the goal of marriage law, namely building a family that is sakinah, mawaddah wa rahmah. However, there are various factors that cause damage and destruction of a household so that they choose to divorce. The result of the divorce will damage the relationship between husband and wife and have an impact on the psychological, emotional and mental health of children. Data collection with a library research approach, which is carried out by searching for research data or information through reading scientific journals, reference books and publication materials available in various sources. The results of this study indicate that married couples sometimes have to face problems in their household life, the emergence of problems in the household can be caused by many things including economic factors, lack of a sense of responsibility, differences in outlook on life that can lead to household crises. The woman who will become a widow does not think about other people's views on her because she thinks this is her life and she is the one who lives it all, it's just that there is guilt in her child when she has to divorce. Of course, there is an impact of divorce that will arise on the psychological development of their children, trying so that their children do not lose the love of a father.*

**Keywords:** *Divorce, Psychology, Emotional, Islamic Law.*

### **INTRODUCTION**

Having a happy household ark is everyone's dream to achieve. Giving birth to offspring and educating them to be pious and useful children for the Nation and Religion. Being ideal in the face of real life with its various kinds of problems, of course all of that is not as simple as what has been described in many theories and concepts of marriage. Life problems will continue to appear as trials in the household. Starting from economic difficulties that make relationships disharmonious and then trigger infidelity that leads to divorce.

These problems will often arise in society and become the main cause of the damage and destruction of a household. The consequences of divorce damage the relationship between husband and wife and have an impact on the psychology of children. Child custody will be a complicated issue that must be resolved. Minor children will always be victimized by the divorce. The rule that has been established regarding this case is that the custody of minors is the responsibility of the mother until she can determine who she will be with.

The issue of custody of minors is an important matter that must be explored in depth so that it is not neglected and escapes legal monitoring. Moreover, the government always tries to protect the existence of children so that there is no disturbance both from within and outside the environment. Legally, children will also have "special privileges". Children are the main object as well as the main subject in the process of legitimization, generalization, and systematic rules that govern. This legal protection will provide the basis and strength of legal protection for the existence and rights of children.<sup>1</sup>

The results show that updating considerations in deciding child custody is not only seen from a legal perspective, but must also be seen using other domains such as psychology, society, and the environment where the case occurs.<sup>2</sup> Legal studies cannot be generalized entirely to various fields. Studies that start from the roots, such as the causes of divorce, to child custody issues need to be carried out in each region. This is because each region in Indonesia has a diversity of cultures and levels of society. Of course, the results of this research are expected to be taken into consideration for judges in deciding cases within the scope of divorce and child custody.

To answer the above problems, research was conducted on the factors causing divorce and its impact on child custody. To obtain an accurate interpretation of the content and content of the concept of justice for children, both in positive law and Islamic law. After that, it will be analyzed and conclusions drawn to maintain the validity and reliability of the research, all data will be confirmed with the source through data analysis techniques.

## **RESEARCH METHODS**

This research is a qualitative descriptive research that produces data descriptions through written words and aims to express certain circumstances or objects based on context, and provides meaning from understanding the problem at hand. This type of research is library research, which is carried out by searching for research data or information through reading scientific journals, reference books and publication materials available in various sources.

## **RESULTS AND DISCUSSION**

### **Divorce in Legal Perspective**

The word "divorce" according to the dictionary means separation, breaking up as husband and wife, divorce. Then, the word "divorce" means separation, divorce (between husband and wife), and division. The word "divorce" means: no more mixing (relating, uniting), stop practicing (husband

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<sup>1</sup> Maulana Hassan Wadong dan R Masri Sareb Putra, *Pengantar Advokasi dan Hukum Perlindungan Anak*, (Jakarta: Grasindo, 2000).

<sup>2</sup> Ridwan Jamal, Rosdalina Bukido, and Y Yasin, "Pertimbangan Perkara Pemeliharaan Anak di Pengadilan Agama Manado," *Al-Istinbath: Jurnal Hukum Islam* 6, No. 2, (2021), hlm. 204-22.

and wife).<sup>3</sup> The term divorce according to Law Number 1 of 1974 as a positive legal regulation on divorce indicates the existence of 1). Legal actions that can be taken by husband or wife to break the marital relationship between them; 2). The legal event that breaks the relationship between husband and wife, namely the death of the husband or wife concerned, which is a definite and direct determination by God Almighty; 3). A legal verdict declared by the court resulting in the dissolution of the marital relationship between husband and wife.<sup>4</sup>

Whereas in fiqh terms it is called *talak* which means breaking ties and canceling agreements. Divorce in fiqh terms is also often called *celah*, which means divorce, which is the opposite of gathering. Later both terms were used by fiqh scholars as a term meaning "divorce of husband and wife".<sup>5</sup> Divorce is a part of marriage. Therefore, divorce is always governed by marriage law. Marriage law in Indonesia is not only focused on one matter but applies various marriage law regulations to various groups of citizens and various regions. This is due to the provisions of Article 163 IS (*Indische Staatsregeling*) which divides the Indonesian population into three groups, namely: European group, Eastern group, and Indigenous Indonesian group (Bumiputera).<sup>6</sup>

Divorce can only occur if it is done in front of the court, either because the husband has annulled the divorce, or because the wife sues for divorce or requests the right to divorce because of *sighat taklik talak*. Whereas in Islamic teachings, divorce is considered valid if it is directly pronounced by the husband, but it must still be done in front of the court. The aim is to protect all rights and obligations arising from the law or divorce.

When viewed from a legal perspective, divorce cannot occur without reasonable grounds. This means that there must be reasons justified by law for divorce. This is very basic, especially for the court, which in fact has the authority to decide whether a divorce is feasible or not. Including all decisions relating to the consequences of divorce and also determined by the reasons for divorce.<sup>7</sup> For example, child custody, and division of property. Divorce is not allowed both in the religious view and in the scope of positive law. Religion considers that divorce is the worst thing that happens in a domestic relationship. However, religion still gives freedom to each of its adherents to determine reconciliation or the best way for anyone who has problems in the household, until finally divorce occurs. Positive law views divorce as valid if it

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<sup>3</sup> Mohammad Reza Marandi dan Zeynab Farzizadeh, "Studi Perbandingan Hukum Perceraian dalam Fikih Islam dan Hukum Iran," *Jurnal Penelitian Ilmu Sosial dan Humaniora* 5, No. 01, (2017), hlm. 15-17.

<sup>4</sup> Heniyatun Heniyatun dan Siti Anisah, "Memberikan Tunjangan Mut'ah dan Iddah dalam Masalah Litigasi Perceraian," *Profetik: Jurnal Studi Islam* 21, No. 1 (2020), hlm. 39-59.

<sup>5</sup> Soemiyati, *Hukum Perkawinan Islam Dan Undang-Undang Perkawinan (Undang-Undang No. 1, Tahun 1974, Tentang Perkawinan)* (Kebebasan, 1982).

<sup>6</sup> Soemiyati, *Hukum Perkawinan Islam Dan Undang-Undang Perkawinan (Undang-Undang No. 1, Tahun 1974, Tentang Perkawinan)* (Kebebasan, 1982).

<sup>7</sup> Fika Burlian, "Eksistensi Perkawinan dan Perceraian Menurut Hukum Islam Dan Pasca Berlakunya UU NO. 1 Tahun 1974," *Mizan, Jurnal Ilmu Hukum* 8, No. 2 (26 Desember 2019), hlm. 77, <https://doi.org/10.32503/mizan.v8i2.669>.

fulfills the elements of divorce, including because of disputes that cause disputes that are difficult to stop, or because the husband is unable to carry out his responsibilities as head of the household.

*Divorce* is an official separation between husband and wife and they are determined not to carry out their duties and obligations as husband and wife. They no longer live in the same house, as there is no official bond. For those who have divorced but do not have children, separation does not cause psychological traumatic effects on children. But for those who already have children, divorce certainly causes psycho-emotional problems for children. On the other hand, children born while they were living as husband and wife may belong to one of the parents, either following the father or the mother.<sup>8</sup>

Divorce is an issue of concern at the local and national levels. Many families are affected by the problem of divorce. Unintended consequences arise from divorce cases. They range from minor violence to severe violence that results in a person being sentenced to prison. Hostility and discord between families. Children left behind due to divorce. In a household, problems always exist and if they cannot be resolved, they will lead to divorce. Everyone always desires a conducive environment, full of peace, coolness, and inner and outer tranquility in the neighborhood where they live.<sup>9</sup> However, what is always forgotten to create such conditions is how to maintain and preserve the climate in order to remain harmonious, despite being faced with various trials of life. Peace will always be obtained if we prioritize clear thinking while maintaining, protecting, and understanding the rights and obligations of humans as social beings in a homogeneous environment.

The role of the family is needed to form a positive child's personality. Family conditions that are not harmonious will make children lose direction. Especially if the divorced family conditions are accompanied by acts of violence. Divorce itself is a legal and permanent termination of marital ties that is dynamic in nature which can affect a person's psychological growth. Divorce is often seen as a safety cover that restores the autonomy of the individuality of the former husband or former wife. Many cases occur in divorced families, namely the impact of divorce on the psychological and economic conditions of children.

Some teenagers whose parents are divorced and have not been able to accept their parents' divorce will have a very strong desire to restore a normal family by persuading their parents to reconcile.<sup>10</sup> In some adolescents, there may be ways that lead to self-harm because they feel they have failed to reunite their parents. The existence of various reactions in adolescents to parental divorce is closely related to individual acceptance of divorce.

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<sup>8</sup> Putri Erika Ramadhani and Hetty Krisnani, "Analisis Dampak Perceraian Orang Tua Terhadap Anak Remaja," *Focus: Jurnal Pekerjaan Sosial* 2, No. 1 (2019), hlm. 109-19.

<sup>9</sup> Uswatun Hasanah, "Pengaruh Perceraian Orangtua Bagi Psikologis Anak," *Agenda: Jurnal Analisis Gender Dan Agama* 2, No. 1, (2020), hlm. 18-24.

<sup>10</sup> Febriyani Jenz and Nurliana Cipta Apsari, "Dampak Perceraian Orang Tua Pada Prestasi Anak Remaja," *Jurnal Pengabdian dan Penelitian Masyarakat (JPPM)* 2, No. 1 (22 Mei 2021), hlm. 1, <https://doi.org/10.24198/jppm.v2i1.33430>.

Some adolescents who are raised and live with one of their parents experience several unpleasant events, this makes adolescents become moody and unable to accept the fact that their parents are divorced, adolescents also lack confidence when expressing opinions and feel embarrassed by their situation, this makes it difficult for adolescents to get along with others, the inability of adolescents to control emotions when venting anger makes it difficult for adolescents to adjust to the surrounding environment.<sup>13</sup> Social service with children is a service that is carried out to help children improve their social functioning. Social workers strive to be able to improve children's ability to meet their needs, be able to improve children's ability to carry out roles in accordance with their status and stage of development, and be able to improve children's ability to solve problems. In working with children, social workers must base their interventions on the best interests of the child.

### **The Impact of Divorce on Children**

Divorce, which is the end of marital instability and then living separately, is an action taken by certain couples that is not just a momentary decision, but a long process that requires contributions of thought from various parties, especially from family and close relatives. The decision to divorce is a long thought that requires a lot of consideration. Although the decision to divorce is absolutely in the hands of the married couple, in the process they can discuss their decision with their family. Divorce certainly has an unfavorable impact on the wife, husband, and children. The impact can also be felt by people around families who experience more divorce. Among the things that can be felt by them after divorcing their spouses are as follows:

#### **1. Positive Impact**

##### **a. There is a feeling of relief**

A feeling of relief after divorce because the conflict that triggered the divorce has been resolved. Divorce is considered a way to solve household problems that have occurred so far. In addition, the divorcee no longer has to maintain his feelings towards his partner's behavior that triggers domestic disputes or conflicts, so divorce is the last resort so that partners in the family no longer hurt each other.

Every human being certainly has the hope of building a family which is the goal of marriage law, namely building a family that is *sakinah, mawaddah wa rahmah*. This is in line with *maqasid al-syariah* as an effort to obey religious orders, by carrying out religious rules means protecting religion itself (*hifdzu al-din*).<sup>11</sup> Therefore, the essence of a marriage is to realize the benefit of husband and wife. Conversely, if the rights and obligations in the household between husband and wife are not fulfilled, it will often lead to a household rift, namely divorce. If in fact divorce occurs, there will be child

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<sup>11</sup> Zulhamdi Zulhamdi, 'Tinjauan Hukum Islam Terhadap Perempuan Melahirkan Pada Dokter Kandungan Laki-Laki', *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan*, 4.2 (2017), 74-97

custody, even though divorce is something that Allah hates, although it is allowed as an emergency exit. However, children are often victims of their parents' divorce, even though they need love from both of them. Fulfilling all the needs and requirements of children, which is a right that they must get, is part of the purpose of shari'ah, namely protecting the nasab (*hifdzu al-nasl*).

As well as the unbalanced roles in the division of household tasks, all tasks related to taking care of the house and children are their responsibility. Even if her child is sick she has to take him to the doctor after work and her husband does not care about him at all, and he will scold her if he sees her resting or not doing any activities.<sup>12</sup> Furthermore, the reality is that in terms of prioritizing the fulfillment of household needs, the husband spends more of his income on himself and with his friends. Some women had to sell their jewelry to meet their daily needs for food and milk for their children because their husbands only provided limited spending money.<sup>13</sup> Based on these reasons, some made the decision to file for divorce against their husbands.

There is an assumption that individual happiness is more important than having to live a domestic life that makes them feel tortured. Before a woman decides to divorce, she thinks about the status of widowhood because it still has a negative connotation according to the views of society in general. Some worries arise in her but then reconsider than her household problems will cause mental disorders, so she must choose to become a widow,<sup>14</sup> especially if the woman is the one who earns a living for the family, especially children. The woman who will become a widow does not think about other people's views on her because she thinks this is her life and she is the one who lives it all, it's just that there is guilt in it, her child when she has to divorce.<sup>15</sup> She thinks about the impact that divorce will have on the psychological development of her child, she tries so that her child does not lose the love of a father.<sup>16</sup>

#### b. Trying to Adjust to Post-Divorce Conditions

Other impacts felt by divorced couples include those who experience divorce trying to adjust to their situation after divorce, with the difference in status before and after divorce requiring these parties to be able to place

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<sup>12</sup> Nibras Syafriani Manna, Shinta Doriza, and Maya Oktaviani, "Cerai Gugat: Telaah Penyebab Perceraian Pada Keluarga Di Indonesia," *Jurnal Al-Azhar Indonesia Seri HumaniorA* 6, No. 1 (2021), hlm. 11-21.

<sup>13</sup> Nibras Syafriani Manna, Shinta Doriza, and Maya Oktaviani, "Cerai Gugat: Telaah Penyebab Perceraian Pada Keluarga Di Indonesia," *Jurnal Al-Azhar Indonesia Seri HumaniorA* 6, No. 1 (2021), hlm. 11-21.

<sup>14</sup> Silfia Yanasti, "Status Cerai Tidak Penting: Analisis Sosiologis Perempuan Yang Tidak Menggugat Suaminya Ke Pengadilan Agama," *Jurnal Sosiologi Andalas* 7, No. 2, (2021), hlm. 104-11.

<sup>15</sup> Indah Fajrotuz Zahro and Alifatuz Zahrotul Uyun, "Konsep Diri Janda Cerai Usia Dewasa Madya Ditinjau Dari Teori Person Centered Counseling," *Attanwir: Jurnal Keislaman Dan Pendidikan* 11, No. 2, (2020), hlm. 109-24.

<sup>16</sup> Anwar Hafidzi, Rusdiyah Rusdiyah, and Nurdin Nurdin, "Arranged Marriage: Adjusting Kafa'ah Can Reduce Trafficking of Women," *Al-Istinbath: Jurnal Hukum Islam* 5, No. 2 (30 November 2020), hlm. 177, <https://doi.org/10.29240/jhi.v5i2.1991>.

themselves. In this case, they must get used to living without the figure of a husband for his wife, wife for her husband, and father and mother for their children and carry out their functions in order to continue to exist and be able to maintain and sustain their lives as members of society, how to maintain their lives by working to meet their own needs and for their children. Adjustment to the new status is very influential on a person's survival after their divorce, those who can easily adjust after divorce will be easier to accept.

Women as single parents is a situation where a woman will occupy two positions at once, namely as a mother, which is a natural position, and as a father. She will have two forms of attitude, a woman and a mother must be gentle with her children, a father who is manly and in charge of controlling rules and regulations, and acting as an enforcer of justice in domestic life. A mother has a dual role, that of both father and mother to her children after a divorce.

Divorce due to infidelity causes hurt feelings in single mothers after divorce. Stressful behaviors raised by single mothers are crying, depression, and feeling inferior to their status. Stress in single mothers is the pressure experienced by mothers due to sources of stress that occur in divorced families. Stress is a condition caused by a mismatch between a desired situation and an individual's biological, psychological, or social system. Individual changes due to stress can be grouped into three general categories, namely physical symptoms, psychological symptoms, and behavioral symptoms. The initial effects of stress are usually physical symptoms. Stress can cause changes in metabolism, increase heart rate, increase blood pressure, cause headaches, and trigger heart attacks. Psychological symptoms of stress can lead to job dissatisfaction, tension, anxiety, irritability, boredom, and procrastination. After stress-related behavioral symptoms include changes in productivity, absenteeism, changes in eating habits, smoking patterns, alcohol consumption, fast talking, restlessness, and sleep disturbances. The results showed that potential sources of stress were conflict, life changes, and daily arguments.

## 2. Negative Impact

### a. Lack of a life partner

Living in a household means that one will not live alone, there will be other families to be with, and of course there will be a husband or wife to share everything with. However, when a family goes through a divorce, the couple who used to live together must certainly get used to living without their partner. Losing a spouse requires the divorced person to adjust to their new status as a widow/widower and as a single parent to their children (for those who already have children).<sup>17</sup> The situation is not easy because solitude requires them to think about the problems in their lives without the help of a partner who always accompanies them under any circumstances. This makes divorced

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<sup>17</sup> Nuram Mubina and Ayu Anisatuzzulfi, "Kepuasan Pernikahan pada Wanita Dewasa Awal yang Melakukan Pernikahan Kembali," *Jurnal Ilmiah Penelitian Psikologi: Kajian Empiris & Non-Empiris* 6, No. 1, (2020), hlm. 1-14.

couples feel the need for their life partner.

Loneliness is a condition felt by someone where negative emotions arise because of a gap in one's life, where something happens that is not as expected. Individuals who experience loneliness feel that no one can understand them well, so there is a feeling that there is still something wrong in their lives so that they feel alienated and feel they have no one to run to when needed.<sup>18</sup> Loneliness is a condition that is almost the same as where someone feels they have no friends in society. In addition, loneliness is felt by someone who feels useless, and is unable to build close relationships with relatives and friends, so he feels unable to create and produce something.

The many problems and considerations of women who have failed in marriage make them have to lose happy moments with their small families. There is regret in women for behaving as they did in the past. Women feel that with their current life, which considers themselves to be enjoying their lost youth, can provide satisfaction. Divorced women realize that now they should not act like young people, but also have not been able to direct themselves to a better life after their divorce.<sup>19</sup> Loneliness makes her lonely and feel alone. Building love and relationships with the opposite sex after divorce is a difficult thing to do, because it is not certain that a new partner can accept the status of someone who failed in their first marriage.

Loneliness is defined as the gap between one's expectations and the reality one feels about the level of social relationships one has. An individual experiences loneliness if they are unable to build closeness in interpersonal relationships as expected. In other words, loneliness arises when individuals find their current social relationships unsatisfactory. Loneliness is the mental suffering that comes from separation from others due to one's uniqueness and specialness. Loneliness is felt subjectively, depending on the individual who feels it. Because someone can feel lonely in the middle of a crowded atmosphere. Loneliness is a subjective anxiety that a person feels when social relationships lose their important characteristics. This loss situation can occur quantitatively or qualitatively. Quantitatively in the sense that a person has only a few friends, or even none at all. Loneliness occurs qualitatively when a person feels that their relationships with others are too shallow, and less satisfying than expected.

#### b. Hurt Feelings

In addition to losing a spouse, there are those who feel hurt, heartache is also felt by some divorcees. The feeling of heartache arises because divorced couples still have the same feelings, it will cause a hurt effect for them. Women heads of households who work to fulfill the needs of their families are not a

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<sup>18</sup> Reny Firsty Oktasari and Elly Yuliandari Gunatirin, "Kecemasan, Kesepian dan Persepsi Terhadap Perkawinan Siri," *LEBIH: Jurnal Sosial dan Humaniora*1, No. 2, (2020), hlm. 93-101.

<sup>19</sup> Santi Muardini, Alia Azmi, and Fatmariza Fatmariza, "Dampak Perceraian pada Perempuan Usia Muda di Kecamatan Pondok Tinggi Kota Sungai Penuh," *Jurnal Pendidikan Kewarganegaraan* 2, No. 1, (2019), hlm. 1-11.

foreign phenomenon. Seeing the increasingly advanced economic competition and social life, they do not want to be left behind and do not want to be underestimated. From an economic perspective, female heads of households tend to be in a low economic condition. This can be seen in the economic conditions after divorce. Women's economic conditions before divorce tend to be more dependent on their husband's income.

Divorce is a social phenomenon where husband and wife no longer find the same solution in solving a problem. Divorce can also be caused by several factors such as infidelity and also the death of one of the spouses. This of course has an impact especially on women's lives, one of which is that after divorce, women have to bear more burden than usual only doing household chores and now have to become the head of the family in the household. Families headed by women tend to be in poor condition and women themselves are often gender biased and disadvantaged in decision-making. Socially, women in households are also often stigmatized as widows.

The problem of divorce for women heads of households, both in cases of divorce and divorce, tends to make their lives so turbulent, starting from a decrease in income levels to labeling in the community. Faced with these conditions, as a woman who inevitably has to become the head of the family in her household, she must bear the burden of providing for the needs of her family members.<sup>20</sup> This situation will be difficult for women who were previously housewives. Seeing this condition, the women heads of households did not remain silent. After being faced with limited conditions, they are determined to make changes to improve their lives. The divorce phenomenon experienced by them is not an easy thing to go through. The impact varies, ranging from declining financial conditions, family conditions that tend to experience conflict, to psychological and mental disorders in women. It takes adaptation for them to restore their lives so that unwanted things do not happen.

#### c. Children Become Uncontrollable

In addition to the impact on those who experience divorce, it also has an impact on children in other families. Psychologically, the impact of divorce will cause mental stress such as depression, erratic anger, and inaction, even experiencing the opposite, namely being too mature (even before the time is ripe), always blaming others and circumstances or culminating in them running away from the association that received it<sup>21</sup>.

The impact of divorce is the breakup of the relationship between the two camps of the husband and wife's family who were originally united because of kinship ties, even more heartbreaking is that children become victims. The direct impact of divorce. This can be seen from the quarrels between the two

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<sup>20</sup> Nawawi Maimun, Toha Muhammad Toha, and Arifin Misbahul Arifin, "Fenomena Tingginya Angka Cerai-Gugat dan Faktor Penyebabnya: Analisis Reflektif atas Kasus-Kasus Perceraian di Madura," *Islamuna, Jurnal Studi Islam* 5, No. 2, (2018), hlm. 157-67.

<sup>21</sup> Darmawati Darmawati, "Perceraian dalam Perspektif Sosiologi," *Sulesana: Jurnal Wawasan Keislaman* 11, No. 1, (2017), hlm. 64-78.

parents which will be able to damage their souls and souls, even though in *maqasid al-syari'ah*, the mind must be protected (*hifdzu al-aql*). Children will experience mental stress such as depression, anger that has no clear cause and immaturity in thinking, or vice versa, namely being too mature (even before the time is ripe), blaming others and their environment or finally they run towards bad relationships befalling them, this is due to the *broken home* that happened to his parents that he saw and heard.

The impact of divorce is also felt by children in the family as other children of divorce victims also feel the impact of their parents' divorce. The impacts that arise after the divorce of parents in the family include children becoming unruly, children tend to be selfish to be what they want.<sup>22</sup> They behave as if they like themselves and do not care about the situation. Most children feel that their parents no longer care about them because all they get is the fulfillment of economic needs but for needs in the form of a lack of affection they get.

The impact of parental divorce on adolescents can be shown by internalizing or externalizing behavior. Internalizing behaviors include fear, shame, depression, low self-esteem, sadness, anxiety, confusion, pain, and low self-esteem. Active externalizing behavior, difficulty building relationships with others, inability to adapt to authoritative people, behavioral problems at school, bad behavior, drinking, dangerous sexual activities, theft, smoking, and can even fall into drugs due to the divorce of both parents,<sup>23</sup> children act as independent people, the subject has low self-esteem and loses interest in continuing school and the child still consumes alcohol, the subject also smokes, and most importantly the seriousness of the child dares to steal.

The next effects of divorce are feeling neglected by the parents who left them, having difficulty accepting the reality of changes due to divorce, withdrawing from old friends and favorite activities, losing interest in learning, and committing unacceptable acts or committing unacceptable acts such as stealing, skipping school, in addition to starting to use abusive language, becoming aggressive or rebellious, feeling angry and unsure of their own beliefs about love, marriage and family, starting to worry about adult issues, such as family economic security, feeling obliged to assume more adult responsibilities in the family other effects of divorce felt by children<sup>24</sup>.

When the parents divorced, the child finally decided not to continue school anymore, and this made the child's knowledge limited, and the subject's trust in his parents faded after his parents separated and no longer expected his parents. Based on the cognitive approach, the conditions experienced by

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<sup>22</sup> Rina Hanya Aziza, "Dampak Perceraian Orang-orang Tua terhadap Perkembangan Psikologis Anak," *AL-IBRAH2*, No. 2, (2017), hlm. 152-72.

<sup>23</sup> Ria Juliana and Ridwan Arifin, "Anak dan Kejahatan (Faktor Penyebab dan Perlindungan Hukum)," *Jurnal Selat* 6, No. 2, (2019), hlm. 225-34.

<sup>24</sup> Hendra Cipta, "Dampak Perceraian Terhadap Kenakalan Remaja," *Eduagama: Jurnal Kependidikan Dan Sosial Keagamaan* 3, No. 2, (2017), hlm. 88-103.

children can be explained due to misconceptions and understanding. Rapid physical and intellectual development in adolescence needs to be accompanied by intellectual adjustments in the formation of new attitudes, values and interests in order to undergo the developmental process properly. When the subject loses the role of both parents, this makes the child's physical and mental development somewhat disturbed, which should get good development on the contrary. Attention and affection from parents and people around is very important and something that children and adolescents crave. Because of the loss of the role of their parents, children become naughty to cover up their disappointment with their parents.

The child's family has divorced so that the child's need for affection is not fulfilled, this leads the child to commit destructive behavior. The stigma from the community about him for committing theft makes the child never shunned by the community. Parents need to instill values and positive thinking in children from an early age, this does not mean that children of divorce victims will experience juvenile delinquency. This can be traced back to the role of parents in education and childcare, as well as parenting patterns, one of which is children's self-love and understanding.

d. Children are only close to one parent

Another impact seen on children after divorce is that they are only close to one parent of the divorced parents. Children must choose to live with their mother or with their father. This situation will make children victims of divorce closer to one of their parents. Having to choose to live with their father or mother is a difficult choice for children after their parents' divorce, often they will choose to live with their grandparents. Most children of divorce will choose to live with whom they feel comfortable when they are in the environment they choose. Affection and fulfillment of economic needs become the benchmark with whom they choose to live, this factor will also make them only close to one party.

Divorce is also a big problem for children, especially those still in elementary school because children at this age need the love and full attention of both parents. This also has an impact on their education, an uncomfortable learning atmosphere that will certainly be detrimental to the development of children. Children raised by lower-middle class mothers often experience financial difficulties<sup>25</sup>. So, family integrity is very important in fostering the education of a child's psychological and emotional development.

Children in adolescence whose parents experience divorce tend to show attitudes in the form of delinquent behavior, which can lead to free sex, depression, and drug abuse. This can occur because the child feels less attention from parents which will affect the child's mental development. The behavior of parents before, during, and after divorce greatly influences children's reactions

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<sup>25</sup> Nancy Dela Oktora, "Dampak Perceraian Orang Tua bagi Psikologis Anak," *Setara: Jurnal Studi Gender Dan Anak* 3, No. 2, (2021), hlm. 24-34

to divorce.<sup>26</sup> The impact of divorce can also occur on the divorcee, namely the emergence of new problems that must be faced by the divorcee. This problem can be in the form of readjusting roles and relationships in the social environment. In addition, divorce also has juridical consequences relating to the status of husbands, wives, and children, and even their property.

e. Relationship Between Two Families

The impact of divorce can also be felt by the people around the divorcing couple. The impact is mainly felt by the families of the two divorced parties. This impact is related to the family relationship that has been established between the two families. Family relationships that have been well established through marriage ties will be different after a divorce. The decision to divorce which is considered the best way may not be well received by both families of the parties, some of whom cannot accept it because they feel that family members (involved in the divorce) will only be more disadvantaged. The aforementioned issues can cause strife or conflict for both parties, especially the children.

So when they grow up, they will be ready, and have the provision of noble morals and adequate education to face their lives. Thus the role of parents is very influential in the development of children's personalities. Separated parents certainly have a big impact on realizing children's dreams of being strong and able to act. Furthermore, a child who has grown up will determine the path of his life by relying on the parents he is paired with, either his father or mother or grandfather or grandmother. The provision of knowledge and morals in their lives is very important so that children are not easily eroded by the global world which is very dangerous if they do not have strong provisions.

## CONCLUSIONS

The causes of divorce are economic factors, moral crisis, lack of responsibility, lack of harmony, and physical and mental abuse. There are positive and negative impacts of divorce on the custody of minors. The positive impact is a sense of relief because it is free from conflict and the divorced party tries to adjust to the post-divorce situation. Meanwhile, the negative impact of divorce on child custody begins with the loss of a life partner, that love for children is incomplete. Then feelings of hurt arise because the divorced spouse still has feelings and also for those whose divorce is due to a third party. The direct impact is related to the child's future. They will have difficulty managing, because even though their economic needs are met, they certainly also need affection from their parents.

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<sup>26</sup> Bukhari Bukhari, "Harta Bersama Akibat Perceraian Dalam Perspektif Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan dan Kompilasi Hukum Islam, *At-Tasyri': Jurnal Ilmiah Prodi Muamalah*, 2021, hlm. 127-36.

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