



What an Important Implementation of the Educational Rights of Adopted Children in Indonesia from an Islamic Jurisprudence Perspective?

History of Author	Abstract
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Introduction

Maturity requires every individual, incredibly progressive parents, to keep up with the times, as this era demands technology-based education. In this era of society 5.0, parents can provide adequate education rights for their adopted children. The phenomenon that occurs in Indonesia is that some adoptive parents do not provide educational rights for their adopted children.¹ In fact, providing appropriate educational rights for adopted children is the basic aim of adopting an adopted child. The basic aim of adopting an adopted child is to ensure the welfare of education for him, so that in this situation it opens up opportunities for anyone who wishes to carry out adoption.²

Adoption of an adopted child is initially to continue the offspring for the adoptive parents, when in a marriage bond they cannot produce offspring. In line with that, adoption of children is also permitted for parents who are well off and have good intentions to carry out their responsibilities, as adoptive parents. However, in society in the era of society 5.0, which is full of activities using technology, adoption has shifted to utilization. One of the phenomena of this practice is in Indonesian

¹ Ahmad Rezy Meidina, "Anak Di Luar Kawin Dalam Hukum Kewarisan Islam: Sebuah Ragam Perspektif Dan Analisa," *El-Aqwal: Journal of Sharia and Comparative Law*, August 2022, 1–14, <https://doi.org/10.24090/el-aqwal.v1i1.6778>.but we also find many people in Indonesia who practice unregistered marriages. These cases from both practices have causes and effects on the status of children, which is in the context of inheritance, both Islamically and legally in Indonesia. Therefore, regarding the child's status, it is necessary to ask what the status of his inheritance is. The author uses library research methods or literature studies to answer these questions. In this case, the results of this research will be found from various literature and perspectives to resolve the status of children out of marriage with a broader explanation. From the author's search, it was found that children who birth from fornication (out of Islamic marriage

² Elsa Tairas Manopo, "Pengangkatan Anak Ditinjau Dari Aspek Perlindungan Hak Anak," *Lex Crimen EJournal Unsrat* 6, no. 3 (2017): 69–77.

villages, so it is of interest to researchers to look at the phenomenon that occurs and analyze why this practice is carried out.

The basic aim of adopting adopted children is to help children who are less fortunate, both from an economic perspective, and orphans. But some parents in Indonesia go beyond the purpose of adopting their child to using it. Factors that result in adoptive parents not paying attention to their adopted children are one factor that can be seen from an economic perspective. Due to the poor economic factors of the adoptive parents, this has a big impact on the continuity of the child's education.³

The definition above provides an explanation that the economy of adoptive parents really needs to be considered before adopting a child. As explained above, one of the aims of allowing adoption is to improve the welfare of the child, especially in the field of education.

Based on the description above, several research similarities were found and they will be classified based on similarities. The research belongs to the first group, an article written by Afif Faizal Bahar, in the case of appointment without a court decision. The results of his research stated that adoption of an adopted child is actually a person's social awareness, thereby giving rise to willingness, sincerity and care to take over the role of the biological parent and fulfill the child's rights.⁴

Furthermore, regarding inheritance rights for adopted children, the article written by Legi Riska Ivon, explains that adopted children's rights to inheritance in civil law are that the position of adopted children in inheritance, has the same rights as biological children and they have the right to receive inheritance. Almost similar research written by Sumiati Usman, states that the same as previous research, the inheritance rights of adopted children are the same as the rights of biological children.

Classifying previous research into two parts, this research is included in the first group, namely research without court approval. What is interesting in this research and what differentiates previous research is that it focuses on adoption rights in the field of education. Another difference in terms of approach, in this research the author uses a *sociological normative approach* by utilizing Islamic legal theory found in the Al-Qu'an and *phenomenological theory* which can see the phenomenon of shifting rights of adopted children. Thus, according to the author, a relevant *sociological normative approach* is used to solve this research problem.

The aim of this research is to review further, to look further at the factors that encourage adoptive parents to no longer provide educational rights to their adopted children. As is the background to the problem above, adoptive parents no longer provide educational rights to their adopted children. Several factors were found that contributed to the non-fulfillment of the educational rights of adopted children, such as social factors, economic factors, habitual factors and so on.

Method

³ IGAC Pramana, IGWM Yasa, and Ni Luh Karmini, "Pengaruh Faktor Ekonomi, Sosial Dan Demografi Terhadap Pendidikan Anak Nelayan Di Kabupaten Badung," *Jurnal Piramida* 13, no. 1 (2017): 51–58.

⁴ Afif Faisal Bahar, "Perlindungan Hukum Atas Anak Angkat Tanpa Penetapan Pengadilan Perspektif Hukum Keluarga Islam Di Indonesia (Studi Kasus Di Kelurahan Demaan Kecamatan Jeparu Kabupaten Jeparu)," *Istidal: Jurnal Studi Hukum Islam* 8, no. 2 (2021): 152–75.

This research is field research, using a *sociological normative approach* with descriptive analytical research characteristics. This research utilizes Islamic legal theory found in the Koran as well as *phenomenological theory*, which is carried out systematically regarding the society or subjectivity of the person being studied as well as social, cultural and other aspects. Then it is described to achieve a complete picture as desired. Utilizing *phenomenological theory*, this method is generally subjective and based on case studies, with a micro-subjective level of social reality to be studied. This is a small part of the macro social network, so it is deliberately focused on in this research. The consequence of using *phenomenological theory* is that it does not have the ambition to generalize the social reality constructed by the roles or actors that have become their way of life.⁵

The researcher chose the *phenomenological theory*, because the researcher identified a certain phenomenon in society, in this case the shift in the rights of adopted children in Indonesia. So it requires researchers to study the subject and be directly involved in developing relationship patterns that have meaning to solve this problem. This research focuses on the rights of adoptees in the field of education, where previous research also explained the rights of children, which also explained the rights to education but did not explain them in focus.

Next, the importance of this research is reviewed again, because the author is interested in further researching the phenomenon of shifting rights of adopted children in education in Indonesia. As explained in the background above, adoptive parents no longer provide educational rights to their adopted children, due to several driving factors such as social factors, economic factors, habitual factors, so this research is important and interesting to study in more depth.⁶

Results and Discussion

Right Education of Adopted Children in Indonesia According to Islamic Jurisprudence

The right to education for adopted children should be guaranteed and protected in accordance with human rights principles. In many countries, laws and regulations regulate the rights of adopted children in terms of education. The following are several important aspects related to the right to education for adopted children: access to education, an adopted child has the same rights as a biological child to gain access to adequate education. They should be able to attend schools appropriate to their age and level of development. Equality, adopted children must be treated fairly and equally in terms of education. This means they should not be discriminated against or receive different treatment than biological children. Educational Certainty: Adopted children should have the guarantee of a stable and continuous education, without the risk of losing access to education due to changes in their legal or living status. Care for Special Needs: If an adopted child has special needs or a disability, they should receive support and access to educational services appropriate to their needs.

Document Ownership, adopted children should have documents reflecting their status as adopted children, which can help ensure that their rights are well protected in the educational process. Participation and Involvement: Adopted children should be given the opportunity to participate in decisions that affect their education, such as choosing courses or extracurriculars. Protection from

⁵ Vicki L Plano Clark, "Mixed Methods Research," *The Journal of Positive Psychology* 12, no. 3 (2017): 305–6.

⁶ Rusdin Tahir et al., *Metodologi Penelitian Bidang Hukum: Suatu Pendekatan Teori Dan Praktik* (PT. Sonpedia Publishing Indonesia, 2023).

Discrimination and Harassment: Adopted children have the right to be protected from all forms of discrimination, harassment or detrimental treatment in the educational environment.

Psychosocial support: Adopted children also need psychosocial support to help them adapt to changes in their lives and overcome feelings that may arise related to their status as adopted children. It is important to understand that these rights may vary between countries and regions, so it is important to refer to applicable local and national regulations. In addition, it is also important to work together with educational institutions and relevant authorities to ensure that adopted children receive appropriate support and protection in pursuing their education.

Good education for children is the obligation of parents to pay attention to their children in the field of education, because every individual has the right to receive education, especially an adopted child who has an obligation to fulfill their rights, because basically child protection has become the responsibility of parents, family, society and government.⁷

Every child has the right to education, whether they are adopted children, street children or children with special needs and this is included in human rights which must be provided by both parents, family, community, government and state.⁸ Thus, education for children is an important thing provided by both parents, and gets more attention from society, the government and government.

Organizing the above rights of children is an obligation and responsibility of the government, society, families and parents. These rights include protection of educational, religious, health, social and security rights. The responsibility of parents, fathers or mothers for their biological children, as well as adopted children, is responsible for caring for children, educating children, protecting children, supporting children according to their talents. Talents that lead to positive things, prevent underage marriages and provide character education for children so that they become good individuals.

Providing full protection of rights for children is a good act, because children are an investment in future generations. It is hoped that all parents will provide equal education for every child, as well as access to education that every child in Indonesia can get, this is one of the efforts to make the nation's life smarter.⁹

To educate children, basically schools also play a very important role for adopted children, because each child spends a third of his time studying and developing his talents at school.¹⁰

The importance of education for every child in Indonesia is not only limited to biological children but also less fortunate children. This is an obligation for parents, an explanation of which is contained in the Compilation of Islamic Law regarding the position of adopted children, stating that adopted children are children whose daily care for their living needs, starting from education and so

⁷ Okti Nur Hidayah, Muhammad Fuad Zain, and Anis Ma'rifah, "Reconstruction of Islamic Family Law: Analyzing Marital Issues Through Multimedia," *Interdisciplinary Journal of Social Science and Education (IJSSE)* 2, no. 1 (2024): 1–10, <https://doi.org/10.53639/ijss.v2i1.14>.

⁸ Faiqatul Husna, Nur Rohim Yunus, and Andri Gunawan, "Hak Mendapatkan Pendidikan Bagi Anak Berkebutuhan Khusus Dalam Dimensi Politik Hukum Pendidikan," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 6, no. 2 (2019): 207–22, <https://doi.org/10.15408/sjsbs.v6i1.10454>.

⁹ Rachmat Putro Ferdiawan Putro Ferdiawan, Meilanny Budiarti Santoso, and Rudi Saprudin Darwis, "Hak Pendidikan Bagi Anak Berhadapan (Berkonflik) Dengan Hukum," *Jurnal Kolaborasi Resolusi Konflik* 2, no. 1 (2020): 19, <https://doi.org/10.24198/jkrk.v2i1.27044>.

¹⁰ Raden Dewi Setiani, "Implementasi Kebijakan Pembentukan Kabupaten/Kota Layak Anak Pada Bidang Pendidikan Dan Kesehatan Di Kabupaten Pendeglang," *ISSN 2502-3632 (Online) ISSN 2356-0304 (Paper) Jurnal Online Internasional & Nasional Vol. 7 No.1, Januari - Juni 2019 Universitas 17 Agustus 1945 Jakarta* 53, no. 9 (2019): 1689–99.

on, shifts responsibility to their adoptive parents.¹¹

Thus, more attention is needed to maintain the rights of adopted children, both in terms of guidance, development and child protection. This requires more role for parents, the community, child protection institutions, religious institutions, non-governmental organizations, community organizations, social organizations, educational institutions. and so forth.

Thus, it is necessary to pay more attention to socialization of society, especially in the area regarding the rights of adopted children. So that it doesn't have an impact on children in the future. Basically, one of the good intentions, if it is based on something good, this is a good deed that brings rewards, it's just that some individuals or adoptive parents are no longer able to pay for it, especially from an economic perspective, as the author explained above.

The Phenomenon of Shifting Rights of Adopted Children in Indonesia

Along with the progress of society in the era of society 5.0, there has been exploitation and not giving rights to adopted children. As in the initial agreement regarding the purpose of adopting the child, this was due to several factors. One of these factors is economic, this was mentioned by one of the informants, Mr. A, "It is difficult to survive nowadays, especially to send children to school." In this way, economic factors will change the mindset of parents to improve the welfare of their children in the field of education.

In Indonesia, as in many other countries, there are several phenomena and challenges related to the shift in the educational rights of adopted children. Some problems that often arise in this context include: **Lack of Legal Awareness:** Many adoptive parents and adopted children do not fully understand the educational rights of their adopted children. This can result in inequality in education or even denial of educational rights. **Lack of Legal Identity:** Adopted children often do not have documents reflecting their status as adopted children. This can hinder their access to education because schools or educational institutions may require clear identification. **Termination of Relationship with Biological Parents:** A shift in educational rights can also occur if adopted children have been legally separated from their biological parents. This can be a challenge if you need to verify data or consent for education.

Discrimination and Social Stigma: Some adopted children may face discrimination or unfair treatment at school or in society because of their status as adopted children. This social stigma can affect their psychological well-being. **Lack of Support and Supervision:** In some cases, adopted children may not get enough support and supervision from their adoptive families in terms of education. This may affect their ability to succeed in school. **Limited Access to Educational Resources:** Adopted children from economically disadvantaged backgrounds or remote areas may face difficulties in accessing adequate educational resources, such as textbooks, school supplies, or access to quality schools.

To overcome the phenomenon of shifting educational rights of adopted children in Indonesia, efforts need to be made to increase legal awareness, provide adequate documentation, and provide support to adopted children and adoptive families. Government agencies, non-governmental organizations, and educational institutions can also work together to ensure that the educational

¹¹ Karimatul Ummah, "Adopsi Sebagai Upaya Melindungi Hak-Hak Anak Dalam Perspektif Hukum Islam," *Jurnal Hukum IUS QUIA IUSTUM* 12, no. 29 (June 2005): 76-87, <https://doi.org/10.20885/iustum.vol12.iss29.art6>.

rights of adopted children are fully respected and protected. This is important to create an inclusive and fair educational environment for all children, including those with adopted child status.

The explanation of one of the respondents in this research in an Indonesian village, as stated by Mr. Rahman, was “the main factor that pushed adoptive parents, one of whom was Mr. Aji, to no longer give rights to his adopted child, because of the wrong intentions at the beginning of the child’s adoption. A group of people in an Indonesian village believe that by adopting a child, they can encourage or provoke someone to have offspring .”¹²

The phenomenon above explains that a group of people in Indonesia still believe in myths in their area, resulting in the initial goal of adopting a child not being fulfilled. In practice, it can be seen that after the adoptive parents have offspring or their biological child is born, there is a differentiation of rights between the adopted child and the biological child. It can be seen from the results of the author’s interview with Mr. Pajri that “the right that Mr. Budi no longer gives is education to his adopted child. The factor is that Mr. Budi does not give his right because of economic factors and does not pay attention to his adopted child.”

The definition above explains that another informant, namely Mr. Budi, does not give rights in the field of education, because he differentiates between the rights of adopted children and biological children as well as economic factors in sending these children to school. This is in accordance with what Mr. Budi said as the second informant in this research, namely “We don’t have more funds to send our children to school, because the other child is already in school, so we need large funds.”

The definition above explains not only the economic factors that result in the rights of adopted children not being fulfilled, but there are also differences in the rights of biological children and adopted children. The author needs to say that in this research he did not mention the real names of the informants or objects, because the person concerned objected. This research only received two research objects, because the person concerned objected to being interviewed and objected to conducting research.

Thus, there are still many adoptive parents who do not give their adopted children their rights, especially in this era of society 5.0. It cannot be denied that other areas have phenomena similar to this problem, but they are not recorded or known. In line with this, basically many appointments in the field are still outside the approval of the Court. This happens because of society’s habit of completely trusting people who want to adopt their children.

This belief is like believing that his adoptive parents will love him and give him all his rights. There are several motivations for adoptive parents to adopt children in rural areas:

1. Because he doesn’t have children.
2. Because I feel sorry for the child, because his parents are financially incapable.
3. I feel sorry for not having a father and mother.
4. Because he doesn’t have daughters, he only has sons.
5. As a lure to get offspring.
6. Increase the workforce of family workers.
7. Prospering the welfare of these children in the field of education.
8. Because of the element of trust.

¹² Beni Ahmad Saebani, *Fiqh Munakahat 2* (Bandung: Cv Pustaka Setia, 2020).

9. To continue the lineage because there are no successors.
10. If there is a family relationship, and there are no children, the child is adopted.

The definition above explains the motivation of adoptive parents in adopting different children. There are still many cases of willing adoption of children in rural areas without a court decision, because a group of people think that this is a good deed that can bring goodness.

In line with this problem, some adoptive parents manipulate population data by changing their adopted children to their biological children. In essence, Islamic law has explained that adopted children will not be able to change the child's fate towards their adoptive parents.

Confirmed in Law No. 24 of 2013 regarding amendments to Law No. 23 of 2006 concerning Population Administration, Article 94 states, "Anyone who manipulates elements of population data is threatened with imprisonment for a maximum of 6 years or a maximum fine. Rp. 75,000,000,."

So that for the sake of continuing adequate education for children, there are principles of protection, obligations of children and special and criminal protection that have been confirmed in Law Number 35 of 2014 including: the right to survival for children, the right to grow and develop, the right to protection against violence and discrimination, the right to participate, civil rights, the right to freedom, the right to care, the right to use, the right to care, the right to use free time, the right to health, the right to welfare and the right to education and culture.¹³

Factors Influencing Adopted Children's Educational Rights Not Fulfilled in Indonesia

There are several factors that can result in the failure to fulfill the educational rights of adopted children in Indonesia, including:

1) Social factors

People in the digital era or society 5.0 era in rural areas are taking part in today's progress which encourages all groups to take part in it. Such as media encouragement which results in social factors in society being focused on using communication media, all of which can be accessed via the internet.

On average, people's activities in the era of society 5.0 are at home, so everything they want is easy to find. Especially regarding today's lifestyle, which is only controlled by the internet or *e-commerce platforms*. Such as YouTube applications, Instagram, Facebook, Twitter, Tiktok, Shoppe, Lazada, and other OTT platforms. Like WhatsApp, Line helps better social communication so that people's interests and styles increase and change. In this way, inferiority arises towards people who have offspring.¹⁴

So that the feeling of wanting to have children grows, plus social encouragement from society, this has a big influence on both husband and wife who cannot have children, and it even creates pressure on them to be able to have children, namely by adopting an adopted child in order to complete their family.

According to Mattensich and Hill, they are competent in social relations because the

¹³ Ahmad Tang, "Hak-Hak Anak Dalam Pasal 54 UU No. 35 Tahun 2014 Tentang Perlindungan Anak," *JURNAL AL-QAYYIMAH* 2, no. 2 (February 2020): 98-111, <https://doi.org/10.30863/aqym.v2i2.654>.

¹⁴ Tasya Safiranita Ramli et al., "ASPEK HUKUM PLATFORM E-COMMERCE DALAM ERA TRANSFORMASI DIGITAL," *Jurnal Studi Komunikasi Dan Media* 24, no. 2 (2020): 119, <https://doi.org/10.31445/jskm.2020.3295>.

family is a group with very close emotional relationships which shows four things, namely interdependence and intimacy, maintaining selected boundaries, being able to adapt among humans to current changes which can influence lifestyles and provide The impact of bookworms on the resilience of the household, so that there is a need for good adaptation, social skills, maintaining one's identity in the long term and carrying out family duties well.¹⁵

In fact, good socializing is real evidence of achieving family prosperity because the family is the smallest unit of the social system, so the role of parents is very important in fulfilling aspects of the integrity of their household by giving and implementing their rights to their biological and adopted children. This is their responsibility. his responsibility is to fulfill his children's rights, especially in this research in the field of education.¹⁶

2) Economic Factors

Sustainability of education certainly requires large amounts of funds, a big influence on children's education and parents' income, with these factors it has a big impact on the continuity of children's education.¹⁷

The economy greatly influences the character of children, parents who live financially and have a low economy have parenting styles that tend to be authoritarian and tend to be depressed and confused in their children's education and this influences their children's character.¹⁸

With economic factors that cause children to be disturbed in their education, the basic aim of adopting adopted children is to ensure their welfare in the field of education is good. However, with the Court's decision, it is not impossible to rule out the possibility of adopting a child outside the Court to make the adopted child prosperous.

3) Facts about Community Habits in Adopting Children

Custody of adopted children in rural areas is a habit that is continuously carried out by the community, basically this habit is a good habit, as times change, the benefits, one of which in this research is support for obtaining offspring. This results in several impacts, one of which is psychological, here is the impact caused by the child not receiving a proper education for his adoptive parents. For the sake of proper education, support should be provided by their parents.

Local customs or culture can influence parents in supporting children in education. Factors in the habits of parents in the family, environmental factors, kinship, friends in providing support to parents in providing proper education for their children.¹⁹

4) Learning Media Factors

¹⁵ H. Puspitawati et al., "Relasi Gender, Ketahanan Keluarga Dan Kualitas Pernikahan Pada Keluarga Nelayan Dan Buruh Tani 'Brondol' Bawang Merah," *Jurnal Ilmu Keluarga Dan Konsumen* 12, no. 1 (January 2019): 1-12, <https://doi.org/10.24156/jikk.2019.12.1.1>.

¹⁶ Farah Tri Apriliani and Nunung Nurwati, "Pengaruh Perkawinan Muda Terhadap Ketahanan Keluarga," *Prosiding Penelitian Dan Pengabdian Kepada Masyarakat* 7, no. 1 (2020): 90-99.

¹⁷ Karmini Ary Candra Pramana, Wayan Murjana Yasa, "Pengaruh Faktor Ekonomi, Sosial Dan Demografi Terhadap Pendidikan Anak Nelayan Di Kabupaten Badung, Bali,," *PIRAMIDA Jurnal Kependudukan Dan Pengembangan Sumber Daya Manusia* Volume XII, no. 1 (2017): 51-58.

¹⁸ Aiman Faiz et al., "Tinjauan Analisis Kritis Terhadap Faktor Penghambat Pendidikan Karakter Di Indonesia," *Jurnal Basicedu* 5, no. 4 (June 2021): 1766-77, <https://doi.org/10.31004/basicedu.v5i4.1014>.

¹⁹ Nita Fitria, "Pola Asuh Orang Tua Dalam Mendidik Anak Usia Prasekolah Ditinjau Dari Aspek Budaya Lampung," *Jurnal Fokus Konseling* 2, no. 2 (2016): 99-115.

In the era of society 5.0, teaching and learning uses media such as G-Meet and so on, so parents are required to prepare *cellphones* or *mobile phones* to carry out this learning. In fact, for the sake of fulfilling *cellphones*, a case of theft occurs so that learning is fulfilled, this has a negative impact on the cost of education.²⁰

The understanding above provides an explanation, the era of society 5.0 requires money and the readiness of parents to control their children's use of it. From this research, it was found that many parents in rural areas do not understand and understand how to use these communication media, and are less able to follow developments in this era of society. So, it is hoped that parents will be able to follow these developments, in order to carry out effective learning.²¹

With the role that parents have in educating children regarding learning activities, it is necessary to pay attention to the fact that a person's motivation for learning is different, including:

- a. Persevere in facing tasks for a long time so that you persist in the work.
- b. Active in facing problems and does not give up easily.
- c. Always wants to learn and is not satisfied with the achievements he gets.
- d. Highlighting interest or talent in learning problems,
- e. Don't like relying on other people in learning matters,
- f. Quickly get bored when learning.
- g. Strong in the opinions he expresses.
- h. Not easily influenced in his opinion.
- i. Likes to solve problems and discuss them.

5) Parenting Pattern Factors

Parenting patterns are patterns of behavior applied to their children that are continuous. The impact will have a big influence on their children's education, because parental education is the first learning their children encounter. Thus, the role of parents greatly influences the child's personality.

The importance of parental involvement in education according to Plowden is by highlighting assumptions, by encouraging good personalities for parents, namely schools. In this way, schools that can communicate well to parents will produce commendable attitudes from parents.²²

In this way, the factor of parental support for children's education will have a big influence on early childhood talents, this is the factor that every parent should have in order to pay more attention to the basis of their child's educational rights.

Understanding the description of the factors above, the impact of not fulfilling the educational

²⁰ Aiman Faiz et al., "Tinjauan Analisis Krisis Terhadap Faktor Penghambat Pendidikan Karakter Di Indonesia," *Jurnal Basicedu* 5, no. 4 (2021): 1766–77.

²¹ Dina Kartika Putri, Myrnawati Handayani, and Zarina Akbar, "Pengaruh Media Pembelajaran Dan Motivasi Diri Terhadap Keterlibatan Orang Tua Dalam Pendidikan Anak," *Jurnal Obsesi : Jurnal Pendidikan Anak Usia Dini* 4, no. 2 (2020): 649, <https://doi.org/10.31004/obsesi.v4i2.418>.

²² Rahminur Diadha, "Keterlibatan Orang Tua Dalam Pendidikan Anak Usia Dini Di Taman Kanak-Kanak," *Edusentris* 2, no. 1 (2015): 61, <https://doi.org/10.17509/edusentris.v2i1.161>.

rights of adopted children results in social and psychological impacts on children, therefore more attention is needed for the government, adoptive parents and society. In order to provide adequate education for adopted children, this is a concern in this era of society 5.0.

Cultural factors or customs also determine parents' change in the aim of improving the welfare of adopted children, from the influence of culture, friends, an environment that is not good for their parents, being able and clever in choosing the environment makes the parents' character good and able to fulfill their obligations as parents, factors Social media is also an obstacle in this digital era where, with the school needs of children who need telephones, this will have a big influence on the role parents need in this matter, for the sake of effective learning in the current era of rapid technological progress.

Basically, adopting an adopted child in Pedican is a noble goal for the welfare of the child because his parents are less well off, but it needs to be remembered that the child's fate cannot be transferred to his adoptive parents, he remains with his original parents. On this occasion, the good done by the adoptive parents in Pedasan was a common good

It is necessary that every adoptive parent pays more attention to their adopted child, giving them proper rights and if they are able to finance it in terms of economic finance, economic factors also determine the child's character, the lack of ability of parents to send them to school is an obstacle for children to develop their talents.

In fact, proper education for each individual is important, it is a forum for each individual to develop their talents, and can shape individuals into figures who are useful for social and national life.²³

Conclusion

The research above provides the conclusion that the right to education according to Islamic law is to help in goodness. However, Islamic law stipulates that adopting a child will not change the child's fate towards his adoptive father. In terms of phenomena in Indonesian villages, there are several factors that result in adoptive parents not giving them the right to education, such as social, economic factors, community habits, social media, and so on. The Right to Education as a Fundamental Right, Islamic law recognizes the right to education as a fundamental right that must be guaranteed for every individual, including adopted children. Protection and Justice, Islamic law emphasizes protection and justice for adopted children, including in the context of education. This includes their right to receive an education equal to that of biological children. Implementation of Islamic law in Indonesia, the dynamics of the educational rights of adopted children in Indonesia are related to how Islamic law is implemented in the national legal system. The government and relevant institutions need to ensure that these rights are respected and protected in accordance with Islamic principles. Social challenges and changes, Social and cultural changes in Indonesia can influence how adopted children receive education and how Islamic law is applied in practice. This creates a dynamic that needs to be understood and addressed. Cooperation between Positive Law and Islamic Law is important to find common ground between Indonesian positive law and the principles of Islamic

²³ Waston Waston and Miftahudin Rois, "Pendidikan Anak Dalam Perspektif Psikologi Islam (Studi Pemikiran Prof. Dr. Zakiyah Daradjat)," *Profetika: Jurnal Studi Islam* 18, no. 1 (2017): 27–35, <https://doi.org/10.23917/profetika.v18i1.6298>.

law in ensuring that the educational rights of adopted children are well protected. This conclusion reflects the complexity of the relationship between Islamic law, national law, and social realities in Indonesia in the context of adopted children's educational rights. Further study and collaboration between stakeholders is key to effectively addressing these issues.

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