

THE ROLE OF PARENTS IN EDUCATING CHILDREN ACCORDING TO LAW NUMBER 35 OF 2014 CONCERNING CHILD PROTECTION AND ISLAMIC LAW

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Abstract

Parents have a role in shaping character in children, wrong parenting in educating children will affect children in the future. Children who become victims of violence or perpetrators of violence are a negative impact of wrong parenting. This study aims to determine the role of parents in educating children according to Law Number 35 of 2014 concerning Child Protection and Islamic Law. The research method used is qualitative research with a normative juridical approach with the method of collecting data through literature studies where the data sources are obtained from books, Al-Qur'an and hadith, laws and journals that have been published and have similarities with this research as reinforcement and refinement. The data collected is analyzed using descriptive analysis, the data collected is in accordance with the actual then the data is processed and analyzed to be able to provide a picture found and get conclusions according to what it is. The results in this study confirm that parents have a very important role in shaping children's character, to get a good child's character, parents have a duty to educate their children, regulated in Article 26 paragraph (1) of Law Number 35 of 2014, and Islamic Law, including by way of: Instilling monotheism and faith, educating children in worship, educating children to be responsible, and educating adab and noble morals.

Keywords: *Child protection, Role of parents, Law Number 35 Year 2014.*

Abstrak

Orang tua mempunyai peran dalam membentuk karakter pada anak, pola asuh yang salah dalam mendidik anak akan memperngaruhi anak di masa depan. Anak yang menjadi korban kekerasan atau pelaku kekerasan merupakan sebuah dampak negatif dari pola asuh yang salah. Penelitian ini bertujuan untuk mengetahui peran orang tua dalam mendidik anak menurut Undang-Undang Nomor 35 Tahun 2014 Tentang

Perlindungan Anak dan Hukum Islam. Metode penelitian yang digunakan adalah penelitian kualitatif dengan pendekatan yuridis normatif dengan metode pengumpulan datanya melalui studi kepustakaan yang mana sumber datanya didapatkan dari buku-buku, Al-Qur'an dan hadis, Undang-undang maupun jurnal-jurnal yang sudah terpublikasi dan memiliki kesamaan dengan penelitian ini sebagai penguat dan menyempurnakan. Data yang terkumpul dianalisis menggunakan analisis deskriptif, data yang terkumpul sesuai dengan yang sebenarnya kemudian data disusun diolah dan dianalisis untuk dapat memberikan gambaran yang ditemukan dan mendapatkan kesimpulan sesuai apa adanya. Hasil dalam penelitian ini menegaskan bahwa orangtua mempunyai peranan yang sangat untuk membentuk karakter anak, untuk mendapatkan karakter anak yang baik orangtua mempunyai tugas untuk mendidik anaknya, diatur dalam Pasal 26 ayat (1) Undang-Undang Nomor 35 Tahun 2014, dan Hukum Islam, diantaranya dengan cara: Menanamkan tauhid dan akidah, mendidik anak dalam melakukan ibadah, mendidik anak untuk bertanggungjawab, dan mendidik adab serta akhlak yang mulia.

Kata kunci: Perlindungan Anak, Peran Orang Tua, UU No. 35 Tahun 2014.

INTRODUCTION

Family is always in everyone's life. A family is a group of people consisting of one or more people, families may not be bound by blood or legal relations, but they consider themselves to be family.¹ The family is the smallest part of society consisting of fathers, mothers, and children born through marriage.² Marriage, according to Article 1 of Law Number 1 of 1974, is an inner birth bond between a man and a woman as husband and wife with the aim of forming a happy and sustainable family (household) based on the One and Only Godhead. Families perform some basic functions, such as nurturing each other, rewarding family relationships, performing social functions, performing reproductive functions, and providing health care. Family is very important as a place to meet the needs of children.³

Children are the greatest trust God gives to every parent, they are a source of happiness and conditioning. Therefore, children are the responsibility of parents.⁴ Their parenting and education greatly affect a

¹ Vatima Estetika Siswandari, *Cinta dalam kehidupan* (Bantul: CV. Pilar Nusantara, 2023), h. 66.

² Hapi Hastuti, *Meneropong Konsep Binsyowi Kedudukan Perempuan Biak-Papua dalam Perspektif Komunikasi* (Bandung : Joeragan Artikel, 2022), hlm. 32.

³ Rezka Arina Rahma dkk., *Pengembangan Model Parenting Support Center Dalam Mendukung Program Penurunan Stunting* (Madiun : Bayfa Cendekia Indonesia, 2023), hlm. 32.

⁴ Budi Sunarso, *Merajut Kebahagiaan Keluarga (Perspektif Sosial Agama) Jilid 1* (Yogyakarta : Deepublish, 2021), hlm. 51.

child's future. The child is God's entrustment. As a deposit, parents who accept children must take good care and care of their children. They must provide everything they need to ensure that the entrustment is maintained and in accordance with the expectations of the depositor to their child.⁵

Article 26 Paragraph (1) of Law Number 35 of 2014 concerning Child Protection states that parents have the duty to provide, nurture, educate, and take care of their children.⁶ Article 1 letter (g) Kompilasi Hukum Islam Defining hadanah or parenting is the act of raising, educating, and nurturing a child until he reaches adulthood or is able to live independently. Parenting patterns are the way parents behave differently and over time towards their children.⁷

Therefore, parents have an obligation to educate children who have good morals. In the afterlife, parents have children as an obligation to give. Therefore, it is the duty of parents to love, raise, support, and educate their children. Education is the most effective means to maximize children's potential and shape their character. Therefore, education is built and developed consistently to produce the desired generation.

Therefore, education is very much needed for Indonesian children. To date, many parents still do not care about the education of their children. With the development of the times and technological progress, human beings must not only be intellectually intelligent, or IQ, or intelligence level, but also must have character. Character is a unique personality that encourages and moves others. Parents need a long and continuous time to form the character of a child. The family is the first place where children get character education. Children will learn behavioral principles that are important for their future lives in their family environment.⁸

Inappropriate roles and parenting styles can support children to commit juvenile delinquency and even commit juvenile delinquency at a more severe level, namely crime. According to Kohn "Parenting is a

⁵ Muhammad Husni Abdulah Pakarti. 2024. "PERLINDUNGAN HAK ANAK DALAM PERCERAIAN MENURUT HUKUM KELUARGA ISLAM". Mawaddah: Jurnal Hukum Keluarga Islam 1 (1):1-20. <https://doi.org/10.52496/mjhki.v1i1.1>.

⁶ Rahman Amin, *Hukum Perlindungan Anak Dan Perempuan Di Indonesia* (Yogyakarta : Deepublish, 2021), hlm. 169.

⁷ Cik Basir, *Konstruksi Yuridis Penerapan Uang Paksa (Dwangsom): Sebagai Instrumen Eksekusi Dalam Putusan Hakim dan Eksistensinya Dalam Perspektif Hukum Islam* (Jakarta: Prenada Media, 2020), h. 76.

⁸ Marzuki, *Pendidikan Karakter Islam* (Jakarta : Amzah, 2022), h. 69.

parent's attitude in dealing with their children, this attitude can be seen from various aspects, including the way parents give rules to children, how to give rewards and punishments, how parents show authority and how parents pay attention, responses to children's desires". So, parenting is the attitude or way of parents that has a relationship with the interaction of children.⁹

Acts that lead to criminal or unlawful acts, such as foul language, theft, destruction of property, running away from home, lack of discipline at school, truancy, possession of sharp weapons, smoking, hitting, speeding on the street. Murder, robbery, rape and free sex, as well as the use of illegal drugs are other acts of violence that are widely reported in the mass media. Juvenile delinquency is caused one of them by wrong parenting (family education).¹⁰

Therefore, children's behavior is more reinforcing than good behavior, and their views are strongly influenced by the way they imitate what they observe.¹¹ To maximize a child's growth and development, parents should be able to choose a discipline plan that is best for them. Most importantly, a discipline plan should instill religious values in children and help them avoid any form of inappropriate behavior. abnormal in adolescents.

Data showing an increase in juvenile delinquency from year to year was obtained from the Central Bureau of Statistics. In 2013, the juvenile delinquency rate increased by 25%. . The number of juvenile delinquency cases in Indonesia reached 6325 cases, while in 2014 it reached 7007 cases and in 2015 it reached 7762, meaning that from 2013 to 2014 it increased by around 10.7%. Juvenile delinquency cases include theft, murder, promiscuity, and drugs. From these data, it can be predicted that the number of juvenile delinquency cases continues to increase every year. The prediction for 2019 is 11685.90 cases and in 2020 it will reach 12944.47 cases. Experienced an annual increase of 10.7%. According to the Central Statistics Agency (BPS) of Indonesia's

⁹ Adistinindya Citra Nur Utami, dan Santoso Tri Raharjo, "Pola Asuh Orang Tua Dan Kenakalan Remaja", Jurnal UNPAD, No.1, Vol. 4, Juli 2021, hlm. 5.

¹⁰ Abhi Rachma Ramadhan, *KENAKALAN REMAJA Penguatan Peran Keluarga dan Sosial* (Sumedang : Mega Press Nusantara, 2023), hlm. 59.

¹¹ M. Ihsan Dacholfany and Uswatun Hasanah, *Early Childhood Education According to Islamic Concepts* (Jakarta : Amzah, 2021), p. 76.

233 million people, 28.6% or 63 million people are teenagers aged 10-24 years.¹²

One very strong factor that affects juvenile delinquency, broken families, or the result of parental divorce and not paying attention to the child when they do something detrimental Parenting will affect their children's development, including their involvement in delinquency or delinquency.¹³

Therefore it is interesting to be careful, on the one hand law number 35 of 2014 and Islamic law mandate us as parents who always educate their children properly and correctly, but on the other hand the fact is not as expected, of course it needs to be studied and examined why this happens.

RESEARCH METHODS

The research method used is qualitative research with a normative juridical approach with data collection methods through literature studies where data sources are obtained from books, the Qur'an and hadith, laws and journals that have been published and have similarities with this research as reinforcement and improvement. The collected data is analyzed using descriptive analysis, the data collected is in accordance with the truth then the data is compiled processed and analyzed to be able to provide a picture found and get conclusions as they are.

RESULTS AND DISCUSSION

Educating Children According to the Law

Parents have a responsibility to fulfill their children's rights so that they can live, grow, develop, and participate optimally. Their goal is for their children to become qualified, noble, and prosperous people. This is in accordance with Article 3 of Law on Child Protection Number 35 of 2014.

Based on Article 26 paragraph (1) of Law Number 35 of 2014 concerning Child Protection, parents and families must provide good education to children during their growth:

- a. Guarding, nurturing, educating, and protecting Children;
- b. Developing Children according to their abilities, talents, and interests;
- c. Avoiding marriage at the age of the child;

¹² Hardin, Frans, and Elin Nidia. "GAMBARAN FAKTOR-FAKTOR PENYEBAB KENAKALAN REMAJA DI RT 09 RW 03 KELURAHAN ALANG LAWEH KOTA PADANG." CITRA RANAH MEDIKA 2.1 (2022): 9-19.

¹³ Adistinindya Citra Nur Utami, dan Santoso Tri Raharjo, "Pola Asuh Orang Tua Dan Kenakalan Remaja", hlm 3.

d. Provide character education and moral values to children.

Article 9 of Law Number 35 of 2014 concerning Child Protection, which states, the above article emphasizes the importance of education and education of children, including:

- a. Paragraph (1) Every child has the right to receive education and instruction in the context of his personal development and level of intelligence, in accordance with his interests and talents.
- b. (1a) Every child has the right to protection in the education unit from sexual crimes and violence committed by educators, educators, fellow students, and/or other parties.
- c. (2) In addition to obtaining the rights of the Child as referred to in paragraph (1) and paragraph (1a). Children with disabilities are entitled to special education and children who have excellence are entitled to special education.

Parents have a responsibility to teach children about the environment around their home and the place where they live. This is done so that children who are involved in activities outside the home, such as attending school and playing with friends, have the necessary provisions to socialize and develop their talents and desires well. Parents are expected to teach biological (sexual) and religious sciences to their children.

In an effort to raise morally and spiritually strong children, parents should instill moral and spiritual education to their children from an early age. Spiritual intelligence, according to Danah Zahar, is the basic manifestation of all human intelligence and has a significant impact on the future life of children.¹⁴ Article 6 of Law Number 35 of 2014 states, "Every child has the right to worship according to his religion, think, and interact according to his level and age under the guidance of Parents and Guardians." This explanation is in accordance with the verse.

To prevent and avoid sexual violence against children, parents must be able to educate their children to provide an understanding of biological science (sexual), indistinguishable boys and girls, both must get sensual education. The World Health Organization (WHO) says that adolescence is a time of rapid growth, including reproductive function, which has an impact on changes in physical, mental, and social roles and developmental changes from infancy to adulthood.¹⁵

¹⁴ Habibu Rahman, dkk, *Pengembangan Nilai Moral dan Agama Anak Usia Dini*, (Edu Publisher: Tasikmalaya, 2020), hlm. 3

¹⁵ Wellina Sebayang, dkk, *Perilaku Seksual Remaja*, (Yogyakarta: Deepublish, 2018), hlm. 5.

Before going to this adolescent phase, parents should start teaching children from an early age as possible about sexual education, including:

1. Introducing limbs without disguising the name of the genitals as parallel to the rest of the body, so as not to make it difficult for them to understand sexual education.
2. Teach children to keep private areas, that there are parts of the body that should not be touched by others.¹⁶
3. Parents teach their children about shame when there are limbs that are visible to others, these limbs are especially the chest, thighs, genitals, and buttocks.¹⁷

Educating Children According to Islamic Law

The obligation of parents must really be carried out as a responsibility towards children, in Q.S At-Tahrim verse 6 Allah SWT says which means as follows:

"O men of faith, preserve yourselves and your families from the fires of hell whose fuel is man and stone; his guardians were angels who were harsh, hard, and disobeyed God not what he commanded them and always did what he commanded."

In the hadith parents have an obligation in educating and nurturing their children, this hadith is as follows:

From Abdullah bin Umar said, that the Prophet (peace be upon him) said, *"Each of you is a leader, and every leader will be held accountable for what he leads. The priest is the leader who will be held accountable for his people. A husband is a leader and will be held accountable for his family. A wife is the leader in her husband's household, and will be held accountable for the affairs of the household. Each of you is a leader and every leader will be held accountable for those he leads."* (H.R Bukhari)

In the word of Allah and the words of the Messenger of Allah in the verse and hadith above that must protect his family from hellfire by carrying out what is commanded, leaving what is forbidden by Allah, parents must take care of their children by educating them properly, as

¹⁶ Indarwati, Sutrisno, dkk, *Pendidikan Anak Usia Dini*, (Serang: PT Sada Kurnia Pustaka, 2023), hlm. 114

¹⁷ Boyke Dian Nugraha, dan Sonia Wibisono, *Adik Bayi Datang Dari Mana?*, (Jakarta Selatan: PT Mizan Publika, 2016), hlm. 10

exemplified by the Prophet SAW some teachings in educating children including:¹⁸

1. Inculcating Tauhid and Aqidah

Tawhid educators are developed with the view that children are rewarded with potential and excellence, Faith in Allah SWT is a seed that must be planted by parents, because the nature of faith has been embedded in the child's life.¹⁹ Instilling tawhid in children can be done by getting children to say *thayyibah sentences* that are easy to remember.

Parents can teach their parents to taste basmallah when starting something, say hamdallah when finished doing something, taste Masya Allah when admiring something, this simple habit will be recorded in the child's memory to always remember Allah anywhere, and introduce him to Allah.²⁰ Other habits that parents can do are:

a. Playing the adhan

According to Imam Musbikin in *his book The Magic Adhan to Educate Otal Children from birth, the sound of Adhan and Iqomah is a gos spot installer software*. This act is an exhortation of the Sunnah of the Messenger, Imam an-Nawawi in his kitan an-Adzkar states: We have narrated in the books of Sunan Abu Dawud and at-Tirmidhi and apart from these two from Abu Rafi (r.a), the Prophet (saw) said: "*I have seen the Prophet (peace be upon him) adzani in the ear of Hasan bin Ali when Fatimah had just given birth to him with the adhan of prayer may Allah have mercy on them all*". Imam al-Tirmidhi said: This is a hadith that hasan lagi shahih.²¹

b. Take advantage of bedtime

Parents can introduce children to tawhid to Allah when they want not to by telling the attributes of Allah, listening to the recitation of the holy verses of the Quran and other activities that he thinks can and is needed.

c. Reflecting on the creation of Allah SWT

¹⁸ Muhammad Mahfud. 2022. "Mendidik Anak Menurut Ajaran Rasulullah : (Kajian Hadis Tematik)". Jurnal Pendidikan Agama Islam Miazhar 1 (1), 11-21. <https://jurnal.mialazhar.sch.id/index.php/jpaimi/article/view/9>.

¹⁹ Achmad Sifullah Syahid, *Parenting Kidz Zaman Now*, (Jombang: Maticinta, 2019), hlm. 120.

²⁰ Ririn Astutiningrum, dan Kazuhana El-Ratna Mida, *49 Teladan Dalam Al-Qur'an*, (Jakarta: PT Elex Media Komputindo, 2017), hlm. 152

²¹ Achmad Sifullah Syahid, *Parenting Kidz Zaman Now*, hlm. 121.

Children are often very curious and their curiosity is very high, parents can introduce God's creations such as the earth, sky, stars, moon, sun, humans, and others because someone created, and God created it.

c. Thankful for the blessings of Allah SWT

No need for difficult parents can teach children to be grateful, just as simple as being grateful for God's blessings that have been given five senses and limbs.

Instilling Aqidah to children, the first time that parents can teach shahada sentences to children, by listening to these sentences²², according to the hadith narrated by Ibn Abbas "*Open the tongues of your children first with the phrase Lailaha-illaallah*". The sturdiness of a child's Akidah will be the foundation of the sturdy edifice of Islam and the decoration of faith in his soul.²³

Teaching the right creed why children are more important and easier, because the right creed is in accordance with human nature, and at an early age there is no influence that pollutes the nature. Note in education the true creed for children is the main reason for guarding them from nature and deviation in the future. Reality proves, whoever grows above the right rules, will avoid indicators of deviation (shirk, heresy, and slander).²⁴

2. Educating Children in Performing Worship

Understanding tawhid without understanding the concept of worship is impossible, worship is a matter of *tauqifiyah* that is not allowed to have forms of worship that are not based on the Qur'an and As-Sunnah.²⁵ Among the worship that can be taught to children based on the Qur'an and the Sunnah is prayer and fasting.

As exemplified by the Prophet SAW in educating children to perform prayers, because prayer is one of the pillars of Islam, and the law does it is mandatory, then parents must teach prayer to their children from an early age possible, in the hadith narrated Tirmidhi it is explained that the Prophet SAW told to teach prayer to children

²² Muhammad Fathurohman, *Prinsip dan Tahapan Pendidikan Islam*, (Yogyakarta: Garudhawaca, 2017), hlm. 149

²³ Muhammad Syafiie El-Bantanie, *Menjadi BundaYang Dirindukan*, (Jakarta: PT Elex Media Komputindo, 2018), hlm. 204

²⁴ Agus Hasan Bashori dan M. Syu'aib Al-Fa-liz, *Mengajarkan Akidah Sejak Dini*, (Malang: Pustaka al-umm, 2020), hlm.44.

²⁵ Junaidi Ahmad, *Rahasia Selamat Dari Siksa Kubur*, (Yogyakarta: Araska, 2020), hlm. 11

from the age of 7 years, if until the age of 10 years it is difficult or unwilling to do it then it may hit him in an educational way.²⁶

Then the worship taught to children is to train children to fast, Ibn Qadamah's statement if the child is 10 years old and is able to fast, then it must be printed to do so. This question can be learned that children are commanded to fast as id commanded to pray. Some scholars also believe so, although they differ in their views on the age at which children are instructed to do so,²⁷ The child does it as an exercise or study.

3. Educating Children To Be Responsible

The next way to educate children in Islam is to teach how to be responsible for every action and speech of the child. Strive to set boundaries on children and provide appropriate consequences to instill discipline in them.²⁸ Here are some ways you can teach your child how to be responsible:

a. Give Age-Appropriate Tasks and Their Responsibilities

Training children to be responsible can start from childhood. One of them is to accustom children to tidy up their toys, make the bed, and throw garbage in its place.

b. Be a Good Example For Kids

Children will imitate what their parents do. If you want a child to be a responsible person, then be a person who can be an example for your children.

c. Give Praise, Acknowledgment, or Even Rewards

As a form of positive appreciation and support, you can give praise or recognition to children so that they are always responsible in everything.

d. Give Appropriate Consequences

Teach children about the consequences of their irresponsible attitude. Explain to them if something not done seriously can cause problems for yourself and others.

e. Communication and Discussion

²⁶ Nurul Hikmah, *Pendidikan Islam Anak Usia Dini Berbasis Al Qur'an*, (Tangerang Selatan: Bait Qur'any Multimedia, 2022), hlm. 252

²⁷ Mohammad Wifaqul Adaini, *Wasiat Rasulullah Tentang Anak*, (Yogyakarta: Araska, 2019), hlm. 87

²⁸ “5 Cara Mendidik Anak dalam Islam, Calon Orangtua Wajib Tahu!” dalam BFI Finance 23 Mei 23, <https://www.bfi.co.id/id/blog/cara-mendidik-anak-dalam-islam-calon-orangtua-wajib-tahu> diunduh pada 31 Januari 2024.

Communicate with your child the importance of responsibility and discuss with them what responsibility means in various ways, such as at home, at school, in friendships, and so on

4. Educating His Holiness and Morals

Among the ways to educate children in civilization is to get used to speaking with good speech, so that children can imitate what their parents do. Teaching children to dress modestly and closed, adab in dressing is mentioned in the Qur'an to cover his aurat, in addition to being a command from Allah to wear clothes that are in accordance with sharia he will be more awake from views that are not makhrom that can lead to sexual things. Educate children to behave politely towards peers or parents.

Adab is a reflection of morality.²⁹ As explained in the hadith of Abi Hurairah, the Prophet (peace be upon him) said: *"Indeed, I was sent nothing but to perfect morals"*. (H.R Imam Ahmad).

So as parents must educate their children to have good morals, the Qur'an has given a very clear picture of moral education in children³⁰, diantaranya:

- a. Morals to Allah, in Q.S Luqman verse 13 of the verse regarding morals to Allah, parents are required to educate their children to feel Allah and not fellowship with him.
- b. Akhliah to parents, in Q.S Luqman verse 14 the verse explains that humans must do good to both parents, parents must educate their children by explaining to their children to do good to their parents as gratitude for being born and love that has been given, acting courtesy to fellow humans.
- c. Morality to others, in Q.S Luqman verse 18 the verse explains that Allah does not like people who are arrogant. So parents must educate children not to be indifferent to others.

CONCLUSION

The responsibility of parents towards their children is enormous, both according to positive law and Islamic law. One of the rights emphasized in the law on child protection is the right to education, protection from violence, and moral and spiritual guidance. Parents should educate their children about various aspects of their lives,

²⁹ Ahliya Tiffani, *Mudzakarah Cinta*, (Ponogoro: Uwais Inspirasi Indonesia, 2019), hlm. 93

³⁰ (2017). STRATEGI PENDIDIKAN AKHLAK PADA ANAK. Sawwa: Jurnal Studi Gender, 12(2), 241-264. Doi: <https://doi.org/10.21580/sa.v12i2.1544>

including the importance of sexual education to prevent sexual violence. The perspective of Islamic law emphasizes the importance of religious and moral education from an early age. Parents are obliged to educate children about tawhid, qidah, as well as religious obligations such as prayer and fasting. In addition, it must also guide children in good behavior and noble morals, including civility towards God, parents, and fellow humans.

Critics of the law do not provide a clear explanation of how parents should educate their children according to their religion, talents, and interests. This can cause some parents to feel confused and unsure about how best to educate their child. Researchers suggest that parenting education is needed for each parent to provide more learning to parents about how they should educate their children. For example, it could include a guidebook on how to educate children in religious values, how to identify and support children's talents and interests, and how to protect children from the dangers they may face.

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