

RINGKASAN

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**Perlindungan Terhadap Anak Akibat Perceraian dari
Pernikahan Beda Agama di Sitinjo, Kabupaten Dairi**

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Pernikahan beda agama merupakan permasalahan yang masih menimbulkan perdebatan di Indonesia, mengingat ketidaksesuaian dengan hukum agama dan hukum negara. Berdasarkan Pasal 2 Ayat (1) Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan, suatu pernikahan dianggap sah apabila dilakukan sesuai dengan hukum agama masing-masing. Namun, dalam praktiknya, masih ditemukan pernikahan beda agama yang tetap dilaksanakan dengan berbagai cara, meskipun tidak mendapatkan pengakuan hukum yang jelas.

Di Sitinjo, Kabupaten Dairi, kasus perceraian dari pernikahan beda agama memberikan dampak signifikan terhadap anak yang lahir dari pernikahan tersebut. Anak-anak sering kali mengalami kebingungan identitas, tekanan psikologis, serta permasalahan hukum terkait hak asuh dan status keagamaannya. Ketidaksahan pernikahan orang tua menurut hukum agama dan negara semakin memperumit perlindungan hukum bagi anak yang menjadi korban perceraian.

Penelitian ini menggunakan metode yuridis normatif dengan pendekatan peraturan perundang-undangan serta wawancara dengan tokoh masyarakat, pemuka agama, dan pihak berwenang. Hasil penelitian menunjukkan bahwa perceraian akibat pernikahan beda agama memicu permasalahan hukum terkait hak asuh anak, kewajiban nafkah, serta pencatatan administrasi kependudukan anak. Selain itu, anak juga menghadapi stigma sosial serta ketidakjelasan dalam pembinaan moral dan keagamaan.

Dalam upaya memberikan perlindungan hukum bagi anak, diperlukan penegakan aturan yang lebih ketat terhadap larangan pernikahan beda agama, agar tidak terjadi dampak hukum yang merugikan anak di kemudian hari. Pemerintah dan lembaga sosial juga memiliki peran penting dalam memastikan hak-hak anak tetap terpenuhi, terutama dalam aspek pendidikan, kesejahteraan, dan identitas hukum.

Berdasarkan hasil penelitian ini, disimpulkan bahwa pernikahan beda agama tidak hanya bertentangan dengan norma agama dan hukum negara, tetapi juga berdampak buruk bagi anak yang lahir dari pernikahan tersebut. Oleh karena itu, diperlukan langkah konkret dalam pencegahan pernikahan beda agama serta kebijakan yang lebih jelas dalam perlindungan hak anak akibat perceraian dari pernikahan yang tidak sah.

Kata Kunci: Perlindungan Anak, Perceraian, Pernikahan Beda Agama, Hukum Perkawinan, Sitinjo.

SUMMARY

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Protection of Children Due to Divorce from Interfaith Marriages in Sitinjo, Dairi Regency

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Interfaith marriage is an issue that is still causing debate in Indonesia, considering the inconsistency with religious law and state law. Based on Article 2 Paragraph (1) of Law Number 1 of 1974 concerning Marriage, a marriage is considered valid if it is carried out in accordance with the laws of each religion. However, in practice, interfaith marriages are still found to be carried out in various ways, even though they do not receive clear legal recognition.

In Sitinjo, Dairi Regency, divorce cases from interfaith marriages have a significant impact on children born from the marriage. Children often experience identity confusion, psychological stress, and legal issues related to custody and religious status. The invalidity of the parents' marriage according to religious and state law further complicates legal protection for children who are victims of divorce.

This study uses a normative legal method with a statutory regulatory approach and interviews with community leaders, religious leaders, and authorities. The results of the study indicate that divorce due to interfaith marriage triggers legal problems related to child custody, maintenance obligations, and registration of children's population administration. In addition, children also face social stigma and uncertainty in moral and religious guidance.

In an effort to provide legal protection for children, stricter enforcement of rules on the prohibition of interfaith marriage is needed, so that there are no legal impacts that are detrimental to children in the future. The government and social institutions also have an important role in ensuring that children's rights are fulfilled, especially in terms of education, welfare, and legal identity.

Based on the results of this study, it is concluded that interfaith marriages are not only contrary to religious norms and state laws, but also have a negative impact on children born from such marriages. Therefore, concrete steps are needed in preventing interfaith marriages as well as clearer policies in protecting children's rights due to divorce from illegitimate marriages.

Keywords: *Child Protection, Divorce, Interfaith Marriage, Marriage Law, Sitinjo.*