

THE RIGHTS FOR CHILD CUSTODY AFTER A DIVORCE
(A CASE STUDY AT THE COURT OF RELIGIOUS AFFAIRS
AND THE DISTRICT COURT OF MAKASSAR
IN MAKASSAR)

by
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ABSTRACT

The objective of this research is to address issues of the rights for child custody decided by the court and the reasons for the decision; the possibility for custody to be decided by both parties; and the possibility for accountability from one of the parents appointed as guardian.

The research is juridical and normative by conducting library research to obtain secondary data and field research for primary data. It was conducted in Makassar using 3 judges of the District Court of Makassar and 5 judges of the Court of Religious Affairs of Makassar as respondents, completed with 33 widows/widowers as targeted respondents selected in a purposive sampling technique. The research report was analyzed and described.

The research results show that the reasons for the judges to decide the rights for child custody are the facts that the child under the custody has been deserted, or the child is under age so that he/she still needs much attention and affection from the mother. The rights for child custody decided by both parties are based only on an agreement between them and this has never been brought to the court to be decided by the court.

Keywords: the rights for child custody

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