EMPOWERING YOUTH: SOCIAL TRANSFORMATION AND ISLAMIC LAW'S IMPACT ON CHILD RIGHTS

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Abstract

This study aims to understand the role of Islamic law in empowering youth and its impact on protecting children's rights in a social context by analyzing the challenges and opportunities that exist in defending children's rights within the framework of Islamic law. The literature study method is used by collecting information from relevant sources such as books, journals, and related documents. The results show that Islamic law provides a robust framework for each child to contribute to society through values such as Justice, balance, and social responsibility. Implementing children's rights in Islamic law creates holistic growth and positive social change. Educational institutions, families, communities, and the state are essential in upholding the child's rights. Despite challenges such as diverse interpretations, gender imbalances, and social problems, opportunities lie in the flexibility of Islamic law and the involvement of activists and civic organizations. By optimally utilizing the role of Islamic law, involving all parties, and overcoming existing challenges, there can be sustainable social transformation and fulfillment of children's rights within the framework of Islamic law.

*Keyword: **Empowering Youth, Social Transformation, Islamic Law, Child Rights***

Abstrak

Kajian ini bertujuan untuk memahami peran hukum Islam dalam memberdayakan pemuda dan dampaknya terhadap perlindungan hak anak dalam konteks sosial dengan menganalisis tantangan dan peluang yang ada dalam mempertahankan hak anak dalam kerangka hukum Islam. Metode yang digunakan adalah studi literatur dengan mengumpulkan informasi dari sumber-sumber yang relevan seperti buku, jurnal, dan dokumen terkait. Hasil kajian menunjukkan bahwa hukum Islam memberikan kerangka kerja yang kuat bagi setiap anak untuk berkontribusi dalam masyarakat melalui nilai-nilai seperti keadilan, keseimbangan, dan tanggung jawab sosial. Implementasi hak-hak anak dalam hukum Islam menciptakan pertumbuhan holistik dan perubahan sosial positif. Lembaga pendidikan, keluarga, masyarakat, dan negara penting dalam menegakkan hak anak. Meskipun ada tantangan seperti interpretasi yang beragam, ketidakseimbangan gender, dan masalah sosial, peluang terletak pada fleksibilitas hukum Islam dan keterlibatan juga para aktivis serta organisasi sipil. Dengan memanfaatkan peran hukum Islam secara optimal, melibatkan semua pihak, dan mengatasi tantangan yang ada, dapat terjadi transformasi sosial berkelanjutan dan pemenuhan hak anak dalam kerangka hukum Islam.

Kata Kunci: **Pemberdayaan Pemuda, Transformasi Sosial, Hukum Islam, Hak Anak**

A. INTRODUCTION

Youth empowerment and the protection of children's rights have been issues of global concern in recent years.[1] Youth is essential in society because they are potential agents of change and the nation's future.[2] On the other hand, children's rights are fundamental rights that must be guaranteed to ensure their well-being, development, and participation in social, cultural, and political life.[3] In this context, it is essential to understand the impact of Islamic law on children's rights and how it relates to youth empowerment efforts. Islamic law has a significant influence on societies that are based on Islamic religious beliefs.[4] Islamic law covers everyday life, including family, financial, criminal, and ethical law.[5] Therefore, a deep understanding of Islamic law and how it affects the protection and empowerment of children is essential.

In many cases, the interpretation and implementation of Islamic law can affect children's rights directly or indirectly. For example, in some cases, Islamic law regulates marriage at a relatively young age, which can conflict with human rights principles that recognize the importance of protecting children from child marriage. On the other hand, there are also aspects of Islamic law that favor the protection and empowerment of children, such as protection against child violence and exploitation.[6] However, please be aware that the implementation of Islamic law and societal views on children's rights may vary across different countries and cultures. There is a spectrum of

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[1] Mónica Ruiz-Casares et al., "Children's Rights to Participation and Protection in International Development and Humanitarian Interventions: Nurturing a Dialogue," *The International Journal of Human Rights* (Taylor & Francis, 2017), https://doi.org/10.1080/13642987.2016.1262520; Tara M Collins and Laura H V Wright, "The Challenges for Children's Rights in International Child Protection: Opportunities for Transformation," *World Development* 159 (2022): 106032, https://doi.org/10.1016/j.worlddev.2022.106032.

[2] David Alberto Quijada Cerecer, Caitlin Cahill, and Matt Bradley, "Toward a Critical Youth Policy Praxis: Critical Youth Studies and Participatory Action Research," *Theory into Practice* 52, no. 3 (2013): 216–23, https://doi.org/10.1080/00405841.2013.804316.

[3] Patrick Dolan, Nevenka Žegarac, and Jelena Arsić, "Family Support as a Right of the Child," *Social Work and Social Sciences Review* 21, no. 2 (2020): 8–26, https://doi.org/10.1921/SWSSR.V21I2.1417; Nadine Correia et al., "Children's Right to Participate in Early Childhood Education Settings: A Systematic Review," *Children and Youth Services Review* 100 (2019): 76–88, https://doi.org/10.1016/j.childyouth.2019.02.031.

[4] Husnul Fatarib et al., "Sultan's Law and Islamic Sharia in The Ottoman Empire Court: An Analysis of The Existence of Secular Law," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 1 May (2023): 117–34, https://doi.org/10.29240/jhi.v8i1.4908.

[5] Arif Sugitanata, Suud Sarim Karimullah, and Rizal Al Hamid, "Hukum Positif Dan Hukum Islam: Analisis Tata Cara Menemukan Hukum Dalam Kacamata Hukum Positif Dan Hukum Islam," *JURISY: Jurnal Ilmiah Syariah* 3, no. 1 (2023): 1–22, https://doi.org/10.37348/jurisy.v3i1.242.

[6] Suud Sarim Karimullah, "The Urgency of Building Legal Awareness on Care of Children in the Family," *Amsir Law Journal* 3, no. 2 (2022): 76–86, https://doi.org/10.36746/alj.v3i2.66.

interpretations and approaches to applying Islamic law, including differences in understanding religious values and principles. Therefore, research on the relationship between youth empowerment, social transformation, and the impact of Islamic law on children's rights need to consider the local context and cultural factors that influence the interpretation and practice of Islamic law.

In the context of social transformation, including social, economic, and cultural change, the role of youth is becoming increasingly important in shaping the future of society. Youth have the potential to generate positive change and fight injustice. However, children can face challenges in actualizing their potential and acquiring their fundamental rights. To overcome this challenge, youth empowerment becomes a critical approach. Youth empowerment includes providing youth with the necessary knowledge, skills, and resources to actively participate in community life and assume leadership roles.[7] It also ensures children have fair and equal access to education, employment, health services, and political life.

In Islamic law, youth empowerment can provide a more profound knowledge and understanding of religious values and Islamic principles that encourage equality, justice, and active participation. In addition, youth empowerment is expected to create space for youth to play a role in formulating policies and practices that support children's rights within the framework of Islamic law. With a deeper understanding of this relationship, more effective strategies, policies, and programs can be developed to promote children's rights in the context of Islamic law. In this context, it is essential to conduct in-depth research on the relationship between youth empowerment, social transformation, and the impact of Islamic law on children's rights.

It is hoped that a better understanding of the interrelationships between youth empowerment, social transformation, and Islamic law in the context of children's rights will be found through comprehensive research. The results of this study can provide a better understanding of the challenges and opportunities in promoting children's rights in countries with majority Muslim populations. In addition, these findings can also serve as a basis for developing more effective policies and programs in strengthening youth and protecting their rights within a legal framework consistent with Islamic values. In

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[7]   Celeste Nicholas, Heather Eastman-Mueller, and Natalie Barbich, "Empowering Change Agents: Youth Organizing Groups as Sites for Sociopolitical Development," *American Journal of Community Psychology* 63, no. 1–2 (2019): 46–60, https://doi.org/10.1002/ajcp.12315; Maru Gonzalez et al., "Critical Positive Youth Development: A Framework for Centering Critical Consciousness," *Journal of Youth Development* 15, no. 6 (2020): 24–43, https://doi.org/10.5195/jyd.2020.859.

addition, it is also essential to consider the balance between the child's rights guaranteed by international conventions on child's rights, such as the UN Convention on Child's Rights, and the values and principles embodied in Islamic law. While this International Convention aims to protect the fundamental rights of all children worldwide, there are differences in its understanding and application in countries with an Islamic legal context.

B.   RESEARCH METHOD

This study uses the bibliography method with a comprehensive literature analysis. This method involves a search for relevant literature and a comprehensive analysis of the literature related to the topic of study. Literature searches are conducted through academic databases, Libraries, Research Institute websites, and other reliable sources of information. Data from the literature found were then systematically analyzed to identify relevant patterns, perspectives, and implications related to youth empowerment, social transformation, and the impact of Islamic law on children's rights in the context of child protection. The results of the analysis of such literature are used to obtain a deep and broad understanding of the research topic and the basis for developing a more comprehensive conceptual framework.

C.   RESULTS AND DISCUSSION
1.   The Role of Islamic Law in Empowering Youth

The younger generation's empowerment is a critical aspect of community development. The younger generation has a strategic role in realizing positive and sustainable change in various sectors of life.[8] In this context, Islamic law has a significant role in empowering the younger generation by providing strong guidance and value frameworks to develop their potential holistically. Islamic law provides strong moral and ethical foundations for the younger generation.[9] Islamic law affirms the importance of integrity, honesty, and responsibility in everyday life. By internalizing these values, the younger generation is directed to become individuals who are dignified, moral, and responsible for their actions and decisions.

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[8]   Marianne Kinnula and Netta Iivari, "Empowered to Make a Change: Guidelines for Empowering the Young Generation in and through Digital Technology Design," in *Proceedings of the FabLearn Europe 2019 Conference*, 2019, 1–8, https://doi.org/10.1145/3335055.3335071.

[9]   Khaled Abou El Fadl, "Qurʾanic Ethics and Islamic Law," *Journal of Islamic Ethics* 1, no. 1–2 (2017): 7–28, https://doi.org/10.1163/24685542-12340002.

Islamic law also encourages young people to develop an attitude of humility, mutual respect, and respect for diversity, thus creating an inclusive and harmonious society.[10] In addition, Islamic law provides clear guidelines in terms of education and learning. The younger generation is the change agent of the future, and Islamic law emphasizes the importance of education and knowledge to succeed in this world and the hereafter. In Islam, knowledge is valued as a heritage that must be studied and fought for. Therefore, Islamic law encourages the younger generation to pursue a high-quality education, both in religious and world Sciences, to become intelligent and insightful leaders.

Islamic law also provides clear guidance in managing finances and the economy.[11] The younger generation is often faced with handling their financial resources. Muslim law encourages the younger generation to understand the concepts of *zakat*, alms, and responsible financial management.[12] Islamic economic principles, such as the prohibition of usury, fairness in transactions, and the elimination of social inequalities, can help the younger generation develop prudent attitudes in managing their finances and encourage inclusion and sustainable economic well-being.[13] In addition, Islamic law also guides in managing social relations and Justice. The younger generation must understand how to build harmonious relationships with fellow human beings. Islamic law emphasizes the importance of brotherhood, tolerance, and Justice in interacting with others. Young people are taught to avoid behaviors that harm themselves and society, such as violence, fraud, and discrimination. By adhering to these principles, the younger generation can actively build a just, harmonious, and equitable society.

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[10] Abdul Qodir Zaelani and Rudi Santoso, "Understanding Civil Society Through the Perspective of Ushul Fiqh (Basic Principle in Islamic Law)," in *1st Raden Intan International Conference on Muslim Societies and Social Sciences (RIICMuSSS 2019)* (Atlantis Press, 2020), 60–66, https://doi.org/10.2991/assehr.k.201113.012; Aaron Rock-Singer, "The Rise of Islamic Society: Social Change, State Power, and Historical Imagination," *Comparative Studies in Society and History* 64, no. 4 (2022): 994–1023, https://doi.org/10.1017/S0010417522000317; Muhajir Muhajir et al., "Agus Moh Najib's Thoughts on the Interconnection of Islamic Law and National Law," *Jurnal Ilmiah Al-Syir'ah* 21, no. 1 (2023): 86–103, https://doi.org/10.30984/jis.v21i1.2321.

[11] Sami Al-Daghistani, "Semiotics of Islamic Law, Maṣlaḥa, and Islamic Economic Thought," *International Journal for the Semiotics of Law-Revue Internationale de Sémiotique Juridique* 29, no. 2 (2016): 389–404.

[12] Lukman Raimi, Ashok Patel, and Ismail Adelopo, "Corporate Social Responsibility, Waqf System and Zakat System as Faith-Based Model for Poverty Reduction," *World Journal of Entrepreneurship, Management and Sustainable Development* 10, no. 3 (2014): 228–42, https://doi.org/10.1108/WJEMSD-09-2013-0052.

[13] Rania Kamla and Rana Alsoufi, "Critical Muslim Intellectuals' Discourse and the Issue of 'Interest'(Ribā): Implications for Islamic Accounting and Banking," in *Accounting Forum*, vol. 39 (Elsevier, 2015), 140–54, https://doi.org/10.1016/j.accfor.2015.02.002.

Islamic law encourages the younger generation to engage in social and humanitarian empowerment. Islamic law emphasizes the importance of positively contributing to society and helping those in need. The younger generation is encouraged to engage in social activities, such as assisting people experiencing poverty, helping orphans, and making voluntary donations. By engaging in these activities, the younger generation can develop a sense of empathy, solidarity, and concern for fellow human beings, thus creating a more just and socially minded society. Islamic law also guides in building good leadership. The younger generation has the potential to become leaders in various fields, whether in politics, business, or society. Islamic law emphasizes the importance of integrity, fairness, and wisdom in leadership. The younger generation is taught to be responsible, fair, and insightful leaders with effective communication and leadership skills. Thus, Islamic law assists the younger generation in developing their leadership potential to bring about positive change and benefit society.

The role of Islamic law in empowering the younger generation also involves religious and spiritual aspects. Islamic law provides a solid foundation for the younger generation to understand and practice the teachings of religion correctly. The younger generation is encouraged to practice conscious worship, such as prayer, fasting, and Hajj, and apply moral and ethical values daily. By strengthening their spiritual dimension, young people can find inner peace, strengthen their bond with God, and develop gratitude and devotion. In addition, Islamic law provides a solid foundation to address contemporary issues the younger generation faces. In the era of globalization and the development of Information Technology, young people are often faced with new challenges, such as promiscuity, internet addiction, radicalization, and extremism. Islamic law provides clear guidelines on the limits and norms that should be adhered to by the younger generation in dealing with such issues.

Islamic law encourages them to maintain good morals, avoid behavior that harms themselves and others, and promote peace and harmony amid diversity. Furthermore, Islamic law also provides a foundation for developing a deep understanding of human rights.[14] The younger generation needs to understand that Islamic law has a strong foundation in respecting and protecting the rights of every individual, regardless of race, religion, gender, or social background. Islamic law affirms the importance of Justice, equality, and non-discrimination

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[14] Mashood A Baderin, *International Human Rights and Islamic Law* (New York: OUP Oxford, 2003); Siti Rohmah, Moh Anas Kholish, and Andi Muhammad Galib, "Human Rights and Islamic Law Discourse: The Epistemological Construction of Abul A'la Al-Maududi, Abdullahi Ahmed An-Naim, and Mashood A. Baderin," *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial* 19, no. 1 (2022): 153–70, https://doi.org/10.21154/justicia.v19i1.3282.

in social relations. By understanding this concept, young people can become agents of change that encourage the enforcement of human rights, fight injustice, and fight for equality in various sectors of life.

The role of Islamic law in empowering the younger generation also involves aspects of the gender approach. Islamic law emphasizes the importance of respecting and protecting the rights of women and men in a fair and balanced manner. Muslim law encourages young people to build healthy and harmonious relationships between women and men and promotes equality in educational opportunities, employment, and social participation. By understanding and applying these principles, young people can create an inclusive and equitable environment where women and men can contribute optimally to the development of society. In addition, Islamic law provides a vital role in developing the awareness and responsibility of the younger generation towards the environment and sustainability. Islamic law teaches the importance of maintaining harmony with nature and other living things. The younger generation is encouraged to become agents of change in protecting and preserving the environment. Islamic law encourages the wise use of Natural Resources, biodiversity protection, and the avoidance of behaviors that damage the environment. By integrating these values into everyday life, young people can help keep the planet sustainable for future generations.

Islamic law also provides a comprehensive legal framework for maintaining order, justice and protecting individual rights. The younger generation needs to understand and respect the law to create a just and civilized society. Islamic law encourages the younger generation to participate in the judicial process as judges, lawyers, or social workers to ensure fair and equitable law enforcement for all citizens. Furthermore, Islamic law is vital in developing the younger generation's critical and analytical thinking skills. Islam encourages its people to use common sense and rational thinking daily. The younger generation is inspired to receive information passively and analyze, assess, and filter the information they receive. Islamic law teaches the importance of objectively seeking knowledge, using strong evidence and arguments, and thinking critically about various problems and challenges. By building these critical thinking skills, young people can become intelligent, independent individuals and deeply understand the social, political, and economic realities around them. By following these principles of Islamic Law, young people can develop their potential holistically and contribute positively to building a just, harmonious, and sustainable society. The empowerment of the younger generation through the guidance of Islamic law helps them

become individuals of integrity and broad-minded and have a positive impact in creating beneficial changes for society and humanity.

2. Social Transformation through the Implementation of Child Rights in the Context of Islamic Law

Social transformation through the implementation of the child's rights in the context of Islamic law is an attempt to create significant societal changes by making the child's rights the main foothold in social development. Islamic law provides a strong foundation in terms of the protection, welfare, and development of children as valuable assets for the future of society.[15] Implementing children's rights in the context of Islamic law has great potential to foster positive social transformation in society. Islamic law recognizes that children have rights that must be respected, protected, and fulfilled to ensure their development and well-being. These rights include the right to education, protection from violence, the right to play, the right to health, and the right to maintain their religious and cultural identity.

Implementing children's rights in the context of Islamic law leads to improved access and quality of education for children. Islam encourages its people to seek knowledge and advance knowledge. Therefore, teaching is considered a fundamental right of the child in Islam.[16] By implementing children's right to education, society can ensure that all children have equal access to quality education, including religious education based on Islamic values. This will help address educational gaps and provide equal opportunities for all children to develop their potential. Implementing children's rights in the context of Islamic law also encourages the protection of children from all forms of violence, abuse, and exploitation. Islam places great importance on protecting children from violence and abuse. Islamic law forbids the violent treatment of children and encourages their protection. Implementing this child's right will enable society to ensure that every child is protected from physical violence, sexual violence, abuse, and exploitation to their detriment.[17] In addition, children also need to be empowered with the

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[15] Siti Fitriah, "Children with Special Needs In the Eyes of Islamic Law and the State," *AKADEMIK: Jurnal Mahasiswa Humanis* 1, no. 2 (2021): 77–86, https://doi.org/10.37481/jmh.v1i2.231; Aisha Jane Hutchinson et al., "Child Protection in Islamic Contexts: Identifying Cultural and Religious Appropriate Mechanisms and Processes Using a Roundtable Methodology," *Child Abuse Review* 24, no. 6 (2015): 395–408, https://doi.org/10.1002/car.2304.

[16] J Mark Halstead, "Islamic Values: A Distinctive Framework for Moral Education?," *Journal of Moral Education* 36, no. 3 (2007): 283–96, https://doi.org/10.1080/03057240701643056.

[17] Maryam Elahi, "The Rights of the Child under Islamic Law: Prohibition of the Child Soldier," in *Children in the Muslim Middle East* (University of Texas Press, 1995), 367–74,

necessary knowledge and skills to protect themselves from the dangers and threats around them.

Implementing children's rights in the context of Islamic law also emphasizes the importance of allowing children to play and relax. Play is considered a child's right in Islam, as space is integral to healthy and joyous development. Children can develop social skills, creativity, and emotional intelligence through play. Implementing this right for the child will encourage communities to create safe spaces and times for children to play and provide access to playgrounds that match their needs and interests. The community can help children grow and develop appropriately by providing adequate play opportunities.

Implementing the child's rights in the context of Islamic law also includes the right of the child to access adequate health services. Islam places the importance of maintaining health as one of the human duties. A child's right to health includes access to essential health services, immunization, good nutrition, and necessary medical care. Implementing this right for the child will encourage society to ensure that every child has equal access to quality health services and the fulfillment of health needs necessary for their growth and development. In addition, implementing children's rights in Islamic law also emphasizes the importance of maintaining the child's religious and cultural identity. Islamic law recognizes the right of every child to maintain their religious and cultural identity, as well as the right to an appropriate religious education. Implementing this right for the child will encourage the community to respect and support children's religious freedom and ensure that children can learn and develop their religious values freely. This will help children grow up with a strong identity and maintain Islamic values.

In implementing children's rights in the context of Islamic law, children's active participation and involvement must also be considered. Children have the right to participate in decisions that affect their lives. Therefore, society needs to provide space for children to speak and express their opinions, as well as value and consider their input in making relevant decisions. By encouraging child participation, communities can provide opportunities for children to develop leadership skills, self-confidence, and social responsibility.

Implementing children's rights in Islamic law also involves building public

awareness and understanding of the importance of protecting and empowering children. Islam emphasizes that children are a mandate that must be taken care of and given maximum protection and attention. Therefore, society needs to engage in child protection efforts, including preventing violence, fulfilling the fundamental rights of children, and providing support to those in need. Furthermore, implementing children's rights in the context of Islamic law can also encourage social change through changes in mindset and attitudes towards children. Islam teaches to see children as individuals with potential and rights that must be respected, not objects or property that can be treated at will. Society needs to understand that children have rights that must be protected and fought for, as well as allow them to grow and develop according to their potential. This change in attitude and mindset will impact better respect and protection of children's rights in society.

Implementing children's rights in Islamic law also involves efforts to prevent and counter various forms of violence against children. Islam strongly condemns all forms of violence against children, physical, psychological, sexual, or exploitation. Communities need to work together to identify, report, and deal effectively with cases of violence against children. This involves the role of governments, educational institutions, families, and the wider community to create a safe and supportive environment for children and provide support and protection to victims of violence. Furthermore, implementing children's rights in the context of Islamic law can also encourage an increase in the role and responsibility of parents and families in educating and protecting children. Islam emphasizes the importance of parents as responsible caregivers and educators of children. Parents must understand their children's rights in Islam and carry out their duties with full awareness and responsibility. Education and debriefing for parents regarding children's rights and educational methods by Islamic values is critical. Thus, children will grow up in an environment that reflects Islamic values that promote compassion, appreciation, and coaching. By fulfilling children's rights, protecting them, empowering children as agents of social change, overcoming discrimination and inequality, facing the challenges of the digital age, overcoming child poverty, and using a refreshing approach to handling child abuses, society can create an environment that supports the development of children who are healthy, intelligent, responsible, and fair and competitive. Implementing children's rights in the context of Islamic law involves strong cooperation between governments, communities, families, educational institutions, and all stakeholders to achieve sustainable positive change for children and society.

3. Challenges and Opportunities in Upholding Child Rights within the Framework of Islamic Law

The discussion of the challenges in defending the child's rights within the framework of Islamic law involves several complex and vital issues in protecting children's rights. Children's rights are one of the most critical issues within the framework of Islamic law, which governs various aspects of children's lives, including their rights to education, health, care, and protection from exploitation and violence. However, several challenges must be faced to ensure children's rights can be adequately defended within the framework of Islamic law.

Understanding the child's rights in Islam is one of the crucial aspects of the framework of Islamic law. The child's rights include the right to life, the right to affection, the right to education, the right to health, and the right to protection from all forms of exploitation and violence.[18] However, although the child's requests are guaranteed in the Islamic religion's teachings, various challenges must be overcome to maintain the child's rights within the framework of Islamic law. One of the challenges in defending the child's rights within the framework of Islamic law is the diverse interpretations of Islamic law itself. Islam has various schools (madhhab) and schools that give different emphases in understanding the teachings of Islam. This can lead to differences in the interpretation and application of Islamic law regarding the child's rights. These challenges can result in differences in protecting and enforcing children's rights between one country or community and another.

Another challenge is the gender imbalance in the protection of children's rights. In some traditions and cultures, especially those based on conservative interpretations, women often experience discrimination regarding children's rights. They may not have the same access to education, health, or freedom to make decisions. This contradicts the principle of gender equality in Islam which is supposed to protect girls' rights. In addition, the challenges in defending the child's rights within the framework of Islamic law are social and economic issues that affect the living conditions of children. Poverty, armed conflicts, migration, and natural disasters often hurt children's lives. In such situations, the enforcement and protection of children's rights can be disrupted and neglected. Lack of access to food, clean water, and adequate health

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18   Dejo Olowu, "Children's Rights, International Human Rights and the Promise of Islamic Legal Theory," *Law, Democracy & Development* 12, no. 2 (2008): 62–85, https://doi.org/10.4314/ldd.v12i2.52894; Khoiruddin Nasution and Syamruddin Nasution, "Implementation of Indonesian Islamic Family Law to Guarantee Children's Rights," *Al-Jami'ah: Journal of Islamic Studies* 59, no. 2 (2021): 347–74, https://doi.org/10.14421/ajis.2021.592.347-374.

facilities can affect a child's well-being and development.

Furthermore, the challenge in defending the child's rights within the framework of Islamic law is the lack of public awareness and understanding of the importance of children's rights. In some cases, local traditions or cultural norms can overpower the protection of children's rights mandated in Islam. For example, in some communities, the marriage of minors is still considered natural, although it is contrary to the child's rights in Islam. Extensive education and awareness campaigns are needed to change perceptions and practices that harm children.[19]

In addition, another challenge that needs to be addressed is the lack of effective institutions and mechanisms to protect children's rights within the framework of Islamic law. Protecting and enforcing children's rights requires a robust legal system, adequate institutions, and effective mechanisms to deal with violations of children's rights. Lack of resources, limited capacity, and corruption in the legal system can be obstacles to defending children's rights. The last challenge that can be highlighted is the impact of technology and social media on children's rights within the framework of Islamic law. The development of information technology and social media has opened the door to violations of children's rights, such as disseminating harmful content, online harassment, and sexual exploitation of children. Defending children's rights in the digital age requires ongoing efforts to develop appropriate laws and policies and raise awareness and education among parents, educators, and the public.

In the face of these challenges, concrete steps can be taken to defend the child's rights within the framework of Islamic law. First, the need for harmonization of interpretations of Islamic law leads to an agreement on protecting and enforcing children's rights. This can be achieved through dialogue and discussion between scholars, Islamic legal experts, and other interested parties. Secondly, the importance of education and public awareness of the child's rights in Islam. Education should focus on protecting children's rights, gender equality, and eliminating harmful practices. Communities need to be empowered with correct information and a deep understanding of Islamic teachings related to children's rights. Third, it is necessary to establish effective institutions and mechanisms to protect and enforce children's rights within the framework of Islamic law. These institutions must have sufficient resources, adequate capacity, and freedom from corruption. They must also

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[19] Hazel Kemshall and Heather M Moulden, "Communicating about Child Sexual Abuse with the Public: Learning the Lessons from Public Awareness Campaigns," *Journal of Sexual Aggression* 23, no. 2 (2017): 124–38, https://doi.org/10.1080/13552600.2016.1222004.

have the authority to investigate violations of children's rights, provide protection, and punish perpetrators. Fourth, the importance of cooperation between states, international organizations, and civil society to strengthen the safety of children's rights within the framework of Islamic law. Through this collaboration, experience, and resources can be shared, and policies and best practices can be effectively developed and implemented. Fifth, there is a need for close supervision and monitoring of the implementation and enforcement of laws relating to the child's rights within the framework of Islamic law. Grievance and reporting mechanisms should be made available, and violations of children's rights should be dealt with firmly and fairly.

The challenge of defending the child's rights within the framework of Islamic law requires ongoing and comprehensive efforts. While some barriers and interpretations vary, there are opportunities to overcome these challenges. With progressive understanding, enhanced awareness and education, close collaboration between religious and state institutions, women's empowerment, and international cooperation, the protection of children's rights within the framework of Islamic law can be enhanced and strengthened. Defending the child's rights within the framework of Islamic law is a complex challenge that requires ongoing efforts from various parties. However, there are also significant opportunities to strengthen the protection of children's rights. With the consistent application of the law, the development of child protection institutions, the use of media and technology, the active involvement of children, advocacy and Community Empowerment, reference to human values, regular evaluation and monitoring, it can build a better legal system to protect the rights of children within the framework of Islamic law. This will provide a solid foundation for Muslim children to grow and develop healthily, safely, and dignifiedly.

D. CONCLUSION

Through values such as Justice, balance, and social responsibility, Islamic law provides a robust framework for every child to contribute to society. Implementing Islamic regulations that strengthen children's rights, such as education, protection, and participation, can provide a strong foundation for youth to grow and develop holistically. Social transformation can occur through implementing children's rights in the context of Islamic law. The inclusive and progressive teachings of Islam provide a solid foundation for the protection and empowerment of children. Implementing children's rights, such as equal education, protection from exploitation and violence, and participation in decision-making, can create positive social change. In this

context, educational institutions, families, communities, and the state are essential in upholding children's rights and creating an environment that supports their growth and development. In defending children's rights within the framework of Islamic law, challenges and opportunities need to be considered. Challenges include diverse interpretations of Islamic law, gender imbalances, social and economic problems, lack of public awareness, and lack of effective institutions and mechanisms. However, there are opportunities through the flexibility of Islamic law, the principle of gender equality in Islam, the involvement of activists and civil organizations, and access to Information Technology. By optimizing the role of Islamic law, involving all relevant parties, and addressing existing challenges, sustainable social transformation and the fulfillment of children's rights within the framework of Islamic law can be realized.

E.   REFERENCES

Abou El Fadl, Khaled. "Qur'anic Ethics and Islamic Law." *Journal of Islamic Ethics* 1, no. 1–2 (2017): 7–28. https://doi.org/10.1163/24685542-12340002.

Al-Daghistani, Sami. "Semiotics of Islamic Law, Maṣlaḥa, and Islamic Economic Thought." *International Journal for the Semiotics of Law-Revue Internationale de Sémiotique Juridique* 29, no. 2 (2016): 389–404.

Baderin, Mashood A. *International Human Rights and Islamic Law*. New York: OUP Oxford, 2003.

Collins, Tara M, and Laura H V Wright. "The Challenges for Children's Rights in International Child Protection: Opportunities for Transformation." *World Development* 159 (2022): 106032. https://doi.org/10.1016/j.worlddev.2022.106032.

Correia, Nadine, Claudia Camilo, Cecilia Aguiar, and Fausto Amaro. "Children's Right to Participate in Early Childhood Education Settings: A Systematic Review." *Children and Youth Services Review* 100 (2019): 76–88. https://doi.org/10.1016/j.childyouth.2019.02.031.

Dolan, Patrick, Nevenka Žegarac, and Jelena Arsić. "Family Support as a Right of the Child." *Social Work and Social Sciences Review* 21, no. 2 (2020): 8–26. https://doi.org/10.1921/SWSSR.V21I2.1417.

Elahi, Maryam. "The Rights of the Child under Islamic Law: Prohibition of the Child Soldier." In *Children in the Muslim Middle East*, 367–74. University of Texas Press, 1995. https://doi.org/10.7560/711334-032.

Fatarib, Husnul, Meirison Meirison, Desmadi Saharuddin, Muchlis Bahar, and Suud Sarim Karimullah. "Sultan's Law and Islamic Sharia in The Ottoman

Empire Court: An Analysis of The Existence of Secular Law." *Al-Istinbath: Jurnal Hukum Islam* 8, no. 1 May (2023): 117–34. https://doi.org/10.29240/jhi.v8i1.4908.

Fitriah, Siti. "Children with Special Needs In the Eyes of Islamic Law and the State." *AKADEMIK: Jurnal Mahasiswa Humanis* 1, no. 2 (2021): 77–86. https://doi.org/10.37481/jmh.v1i2.231.

Gonzalez, Maru, Michael Kokozos, Christy M Byrd, and Katherine E McKee. "Critical Positive Youth Development: A Framework for Centering Critical Consciousness." *Journal of Youth Development* 15, no. 6 (2020): 24–43. https://doi.org/10.5195/jyd.2020.859.

Halstead, J Mark. "Islamic Values: A Distinctive Framework for Moral Education?" *Journal of Moral Education* 36, no. 3 (2007): 283–96. https://doi.org/10.1080/03057240701643056.

Hutchinson, Aisha Jane, Patrick O'Leary, Jason Squire, and Kristen Hope. "Child Protection in Islamic Contexts: Identifying Cultural and Religious Appropriate Mechanisms and Processes Using a Roundtable Methodology." *Child Abuse Review* 24, no. 6 (2015): 395–408. https://doi.org/10.1002/car.2304.

Kamla, Rania, and Rana Alsoufi. "Critical Muslim Intellectuals' Discourse and the Issue of 'Interest'(Ribā): Implications for Islamic Accounting and Banking." In *Accounting Forum*, 39:140–54. Elsevier, 2015. https://doi.org/10.1016/j.accfor.2015.02.002.

Karimullah, Suud Sarim. "The Urgency of Building Legal Awareness on Care of Children in the Family." *Amsir Law Journal* 3, no. 2 (2022): 76–86. https://doi.org/10.36746/alj.v3i2.66.

Kemshall, Hazel, and Heather M Moulden. "Communicating about Child Sexual Abuse with the Public: Learning the Lessons from Public Awareness Campaigns." *Journal of Sexual Aggression* 23, no. 2 (2017): 124–38. https://doi.org/10.1080/13552600.2016.1222004.

Kinnula, Marianne, and Netta Iivari. "Empowered to Make a Change: Guidelines for Empowering the Young Generation in and through Digital Technology Design." In *Proceedings of the FabLearn Europe 2019 Conference*, 1–8, 2019. https://doi.org/10.1145/3335055.3335071.

Muhajir, Muhajir, Ihda Shofiyatun Nisa, Akhmad Munawar, and Suud Sarim Karimullah. "Agus Moh Najib's Thoughts on the Interconnection of Islamic Law and National Law." *Jurnal Ilmiah Al-Syir'ah* 21, no. 1 (2023): 86–103. https://doi.org/10.30984/jis.v21i1.2321.

Muslim, J M, Nanda Humairatuzzahrah, and Suci Ratnawati. "Habitual Residence on Children Victims of Divorce in Mixed Marriage: Maslahah

Mursalah Perspective." In *Proceedings of the 4th International Colloquium on Interdisciplinary Islamic Studies in Conjunction with the 1st International Conference on Education, Science, Technology, Indonesian and Islamic Studies, ICIIS and ICESTIIS 2021, 20-21 October 2021, Jambi*, 2022. https://doi.org/10.4108/eai.20-10-2021.2316346.

Nasution, Khoiruddin, and Syamruddin Nasution. "Implementation of Indonesian Islamic Family Law to Guarantee Children's Rights." *Al-Jami'ah: Journal of Islamic Studies* 59, no. 2 (2021): 347–74. https://doi.org/10.14421/ajis.2021.592.347-374.

Nicholas, Celeste, Heather Eastman-Mueller, and Natalie Barbich. "Empowering Change Agents: Youth Organizing Groups as Sites for Sociopolitical Development." *American Journal of Community Psychology* 63, no. 1–2 (2019): 46–60. https://doi.org/10.1002/ajcp.12315.

Olowu, Dejo. "Children's Rights, International Human Rights and the Promise of Islamic Legal Theory." *Law, Democracy & Development* 12, no. 2 (2008): 62–85. https://doi.org/10.4314/ldd.v12i2.52894.

Quijada Cerecer, David Alberto, Caitlin Cahill, and Matt Bradley. "Toward a Critical Youth Policy Praxis: Critical Youth Studies and Participatory Action Research." *Theory into Practice* 52, no. 3 (2013): 216–23. https://doi.org/10.1080/00405841.2013.804316.

Raimi, Lukman, Ashok Patel, and Ismail Adelopo. "Corporate Social Responsibility, Waqf System and Zakat System as Faith-Based Model for Poverty Reduction." *World Journal of Entrepreneurship, Management and Sustainable Development* 10, no. 3 (2014): 228–42. https://doi.org/10.1108/WJEMSD-09-2013-0052.

Rock-Singer, Aaron. "The Rise of Islamic Society: Social Change, State Power, and Historical Imagination." *Comparative Studies in Society and History* 64, no. 4 (2022): 994–1023. https://doi.org/10.1017/S0010417522000317.

Rohmah, Siti, Moh Anas Kholish, and Andi Muhammad Galib. "Human Rights and Islamic Law Discourse: The Epistemological Construction of Abul A'la Al-Maududi, Abdullahi Ahmed An-Naim, and Mashood A. Baderin." *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial* 19, no. 1 (2022): 153–70. https://doi.org/10.21154/justicia.v19i1.3282.

Ruiz-Casares, Mónica, Tara M Collins, E Kay M Tisdall, and Sonja Grover. "Children's Rights to Participation and Protection in International Development and Humanitarian Interventions: Nurturing a Dialogue." *The International Journal of Human Rights*. Taylor & Francis, 2017. https://doi.org/10.1080/13642987.2016.1262520.

Sugitanata, Arif, Suud Sarim Karimullah, and Rizal Al Hamid. "Hukum Positif Dan Hukum Islam: Analisis Tata Cara Menemukan Hukum Dalam Kacamata Hukum Positif Dan Hukum Islam." *JURISY: Jurnal Ilmiah Syariah* 3, no. 1 (2023): 1–22. https://doi.org/10.37348/jurisy.v3i1.242.

Zaelani, Abdul Qodir, and Rudi Santoso. "Understanding Civil Society Through the Perspective of Ushul Fiqh (Basic Principle in Islamic Law)." In *1st Raden Intan International Conference on Muslim Societies and Social Sciences (RIICMuSSS 2019)*, 60–66. Atlantis Press, 2020. https://doi.org/10.2991/assehr.k.201113.012.