

Evolution of Islamic Family Law in Multicultural Society Adoption Cases and Challenges International Law

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Article Info

Received: 2024-02-20

Revised: 2025-05-22

Accepted: 2025-06-26

Keywords:

Catcalling, Sharia Scales
and Islamic Perspective.

Abstract

The problem related to the evolution of Islamic family law in multicultural societies in cases of adoption lies in the tension between Islamic principles that regulate kafalah (protection of children without changing the status of descent) and international law that accepts full adoption, including changes in the legal status of children. This research uses a library research approach. The data sources used in this study consist of various types of relevant literature, namely: Books, scientific journal articles and research reports. The results of the research show that: 1). The form of evolution of Islamic family law related to adoption in a multicultural society is that Islamic family law has undergone changes to adapt to a multicultural society. Initially, Islam did not recognize full adoption, but rather the concept of kafalah, which only provides protection without changing the status of the child's descendants, 2). The challenge in implementing adoption rules in multicultural societies is the difference in understanding between Islamic law which does not change the child's status of descent and secular law which allows full adoption. 3). The interaction between Islamic family law and international law in adoption cases is that the interaction of these concepts becomes very urgent, especially in relation to international adoption. Although Islamic law does not allow full adoption which changes the legal status of the child, Muslim countries must balance the application of Islamic law with obligations to international treaties, such as the Hague Convention. 4). The impact of globalization on the acceptance of Islamic family law in adoption cases at the international level is that globalization

accelerates the acceptance of Islamic family law in international adoption cases, despite concerns about social changes affecting religious values.

1. Introduction

The evolution of Islamic family law in the context of a multicultural society, particularly in relation to adoption cases and the challenges of international law, is a complex and multidimensional topic. In this study, it is important to understand how Islamic family law adapts to diverse social dynamics, and how the interaction between Islamic law and positive law in Indonesia affects adoption practices and the protection of individual rights. Law in Indonesia has undergone significant developments along with social and cultural changes that have occurred in society. Islamic family law, which is basically derived from the Qur'an and Sunnah, must be able to answer the challenges that arise in the context of an increasingly pluralistic society. For example, in the context of adoption, Islamic law stipulates that adopted children do not have the same lineage as their adoptive parents, which is different from the view of positive law which may be more flexible in this regard (Shofi & Septiani, 2022). This creates challenges in the application of the law, especially when positive law recognizes the rights of adopted children in the context of legal protection and inheritance.

Reforms in various countries, including Turkey, show how these laws can transform to meet the demands of the times. In Turkey, Islamic family law reforms have been carried out by adopting new ideas from the West, such as rationalism and democracy, which have implications for marriage and inheritance laws (Hakim, 2022). These reforms not only change the substance of the law, but also

affect the way society views Islamic family law, including in terms of adoption. In this context, it is important to consider how local values and traditions can be integrated into the broader legal framework, so that Islamic family law remains relevant and responsive to the needs of society (Hardiyatullah et al., 2023).

The challenges of international law in a multicultural society are also important factors influencing the evolution of Islamic family law. For example, the international convention on the rights of the child provides guidance for countries to protect children's rights, including in cases of adoption. Islamic family law must adapt to these principles, which often conflict with traditional interpretations (Zulkarnain et al., 2023). This requires *ijtihad* or new interpretations that can bridge Islamic law and international norms, so that children's rights can be protected without ignoring the basic principles of Islamic law (Badri, 2022).

Furthermore, in the context of adoption, it is important to understand the role of gender in Islamic family law. Research shows that social constructions of women in Islamic family law often influence decisions related to adoption and children's rights (Anggreani, 2020). In many cases, women as mothers or prospective mothers have a strategic position in the adoption process, but often their rights are not fully recognized in the existing legal framework. Therefore, it is important to take a more inclusive approach in Islamic family law, which considers not only legal aspects, but also social and cultural aspects that influence family decisions (Darna, 2021).

In facing the challenges of international law, Islamic family law in Indonesia must also consider the aspect of legal pluralism. Customary law and positive law often interact with Islamic law, creating complex dynamics in the application of family law (Alamsyah et al., 2021). For example, in the context of mixed marriages, matrilineal Minangkabau customary law can conflict with the more patriarchal principles of Islamic law. This requires dialogue between various legal systems to achieve a just and sustainable solution (Ilham & Ashari, 2024).

In addition, it is important to note that the evolution of Islamic family law is

also influenced by technological developments and rapid social changes. For example, with the advent of electronic transactions and social media, the way people interact and form families has changed. Islamic family law must be able to respond to these changes in innovative ways, such as in terms of more transparent and accountable adoption arrangements (Hayati et al., 2024). This also includes the need for better legal education for the community, so that they understand their rights in the context of Islamic family law and positive law (Taqiyudin et al., 2023).

In this context, research on legal protection for women and children in Islamic family law becomes increasingly relevant. Studies show that although Islamic law provides protection for women, in practice there is often a gap between legal norms and social reality (Rizal et al., 2022). Therefore, efforts need to be made to increase public awareness about the rights of women and children in Islamic family law, so that they can participate actively in the legal process and decision making (Taqiyudin et al., 2023).

Adoption of children must also touch on the principles of child protection in the context of Islamic law and also in the formation of state policies, especially those related to the protection of children's rights. In maqashid al-syariah, there are three important aspects that must be considered to ensure the welfare of children: safety of life, education, and offspring (Sufrizal et al., 2022). Thus, to achieve effective renewal of Islamic family law, collaboration between various disciplines is needed, including sociology, anthropology, and law. This interdisciplinary approach can help understand the broader social and cultural context, as well as create more comprehensive solutions to the challenges faced (Badri, 2022). Thus, the evolution of Islamic family law in a multicultural society can go hand in hand with the times, while still maintaining the basic values that are the basis of Islamic law.

According to the author, the problematic issues related to the evolution of Islamic family law in multicultural societies, especially in cases of adoption, lie in the tension between Islamic principles governing kafalah and international law that accepts full adoption, including changes in the legal status of children. Muslim

countries are faced with the challenge of adapting Islamic law to align with international standards, such as the Hague Convention, without sacrificing the religious values and hereditary identity of the child. Differences in interpretation of Islamic law between countries also add to the complexity of implementing adoption in a multicultural context.

The urgency of writing an article on the problematic evolution of Islamic family law in a multicultural society, especially regarding adoption, is very relevant considering the dynamics of globalization and interaction between countries with different legal systems. In this context, there is a tension between the principles of kafalah in Islamic law, which does not change the status of a child's descendants, and international law which recognizes full adoption, including changes in the legal status of children. Writing this article is important to provide a clearer understanding of how Muslim countries face the challenges of adapting Islamic law to comply with international agreements, such as the Hague Convention, while maintaining deep religious values..

2. Research Method

This research uses a library research approach, which means that the data and information used in this research are obtained through literature studies or studies of various written sources. This type of research was chosen because of its more in-depth nature in examining theories, concepts, and legal evolution related to adoption in Islamic family law and its application in multicultural societies. Library research allows researchers to access and analyze various references from books, journals, scientific articles, and research reports that are relevant to the research topic.

The data sources used in this study consist of various types of relevant literature, namely: 1). Books: Books that discuss Islamic family law, adoption from an Islamic perspective, international law related to adoption, and social and

legal theories about multiculturalism. 2). Scientific Journal Articles: Journals that examine the development of Islamic family law, comparisons of international law with Islamic law, and research related to the challenges of international adoption, and 3). Research Reports: Reports from various international organizations, legal institutions, and previous research that discuss the implementation of Islamic family law in multicultural societies and the acceptance of the international adoption system.

Data collection techniques in this study include several steps, namely: 1). Literature Study: Reviewing books, scientific journal articles, and research reports that are relevant to the research topic. Researchers will collect literature that discusses Islamic family law, adoption, international law related to adoption, and the multicultural context in law and 2). Documentation: Collecting legal documents and international regulations relevant to international adoption, including the Hague Convention and Islamic legal documents on kafalah.

The data analysis technique used in this study is qualitative analysis. In this process, the researcher will : 1). Organize Data: Group the literature and information obtained into relevant categories, such as Islamic family law, international law, and multicultural issues. 2). Interpret Data: Interpret the contents of the sources collected, focusing on understanding how the evolution of Islamic family law related to adoption took place and the challenges that arise in multicultural societies, and 3). Conclude: Make conclusions based on the literature analysis that has been carried out, and explain the relationship between Islamic family law and international law in the context of international adoption.

Testing is carried out using several techniques as follows: 1). Source Triangulation: Ensuring the validity of data by comparing information obtained from various different sources (books, journals, research reports, and legal documents). If information from various independent sources shows similarities, then the data is considered valid. 2). Reference Checking: Checking the accuracy

of the references used by referring to sources that have proven credibility. This is to ensure that the data used in this study comes from legitimate and recognized sources in the field of Islamic family law and international law, and 3). Peer Review : Asking for opinions from legal experts or practitioners regarding the findings obtained in the research to confirm the validity and relevance of the research results.

3. Results and Discussion

a. The Evolution of Islamic Family Law Regarding Adoption in a Multicultural Society

Islamic family law regarding adoption has evolved along with social and cultural changes in multicultural societies. Initially, Islamic law did not recognize adoption in the full sense as understood in the West, but rather the concept of kafalah, namely providing protection and care to a child in need without changing the child's hereditary status. Over time, countries that adhere to Islamic law began to adjust the concept of kafalah to meet developing social needs, especially in a multicultural context.

In multicultural societies, the role of Islamic family law is increasingly important in maintaining a balance between Islamic traditions and legal norms prevailing in more secular countries. This evolutionary process is also seen in the acceptance of the international adoption system in Muslim countries, where Islamic law adapts to the international legal framework to protect children's rights and ensure that adopted children continue to have adequate legal protection (Nugroho, 2020). A number of Muslim countries have adopted changes to the kafalah rules to allow the acceptance of adopted children from abroad without changing their descendant identity, while still regulating inheritance rights and children's rights in accordance with Islamic principles.

The evolution of Islamic family law, particularly in relation to adoption in a

multicultural society, is a complex topic and requires a deep understanding of the interaction between traditions, laws, and diverse social contexts. In the context of Indonesia, which is the country with the largest Muslim population and a diverse culture, Islamic family law has undergone various transformations to adapt to the needs of the evolving society. This includes aspects such as the protection of children's rights, recognition of adopted children, and adjustment to universal values underlying justice and equality.

It is important to understand that Islamic family law in Indonesia is rooted in the Qur'an and Hadith, which provide basic guidance regarding marriage, divorce, and child custody. However, in practice, this law often has to adapt to dynamic social realities. For example, in the context of adoption, Islamic law recognizes the importance of protecting children's identities and their rights, which is reflected in the provisions regarding hadhanah or child custody. Research shows that there is a need to integrate the principles of justice and maslahah into the framework of Islamic family law, especially in the context of adopted children (Sugitanata, 2023).

Furthermore, in a multicultural society, adoption often involves interactions between different traditions and legal norms. In this regard, Islamic family law in Indonesia has attempted to accommodate the needs of diverse communities, including the recognition of adopted children. For example, Article 209 paragraph 2 of the Compilation of Islamic Law (KHI) states that adopted children who do not receive a will from their adoptive parents are entitled to a *wajibah* will, which indicates recognition of the emotional and social relationship between the adopted child and the adoptive parents (Windani & Meiliawati, 2023). This reflects an effort to provide better legal protection for adopted children while respecting existing traditional values.

On the other hand, challenges arise when Islamic family law must deal with different social practices, such as in the case of mixed marriages. Research shows that marriage between individuals from different cultural backgrounds can cause

conflict, but also offers opportunities to create harmony through an Islamic legal approach that emphasizes justice and mutual welfare (Ilham & Ashari, 2024). In this context, Islamic family law must be able to adapt and provide solutions that suit the diverse needs of society.

Reform of Islamic family law in Indonesia also includes efforts to increase awareness of the rights of women and children. Outreach activities carried out in various communities show the importance of empowering the community to understand their rights in the context of Islamic family law (Taqiyudin et al., 2023). This is important to ensure that all family members, especially women and children, receive adequate protection and their rights are recognized within the existing legal framework.

Furthermore, *ijtihad* or contextual interpretation of law becomes very important in facing social challenges and changes. In the context of Islamic family law, *ijtihad* can help produce solutions that are more relevant and appropriate to the needs of today's society (Badri, 2022). Thus, Islamic family law is not only a tool to uphold traditional norms, but also a means to achieve social justice and welfare for all members of society.

In this regard, it is also important to note that Islamic family law in Indonesia is inseparable from the influence of positive law and prevailing social norms. Research shows that Islamic family law in Indonesia tends to adopt elements of positive law, thus creating a legal system that is more inclusive and responsive to the needs of society (Sapriadi et al., 2022). This reflects the ongoing dynamics between tradition and modernity in the context of Islamic family law.

Meanwhile, another challenge faced is how Islamic family law can function effectively in a complex multicultural context. In this case, it is important to develop an approach that respects cultural differences and traditions, while ensuring that the principles of justice and equality remain the foundation in the application of Islamic family law (Hardiyatullah et al., 2023). Thus, Islamic family law can function as a bridge connecting various traditions and norms, creating harmony in

a diverse society.

In the context of adoption, Islamic family law in Indonesia must also consider the psychological and social aspects that affect adopted children. Research shows that recognition of adopted children is not only related to legal aspects, but also to how society views and accepts them (Windani & Meiliawati, 2023). Therefore, it is important to develop policies that not only regulate the legal aspects, but also support the social integration of adopted children in society.

In addition, it is also important to pay attention to how Islamic family law can adapt to rapid technological developments and social change. For example, in the digital era, many parents use online platforms to seek information about adoption and child custody. Therefore, Islamic family law needs to adapt to these developments and provide clear guidance for society (Hardiyatullah et al., 2023). This shows that Islamic family law must continue to develop and innovate to remain relevant in the context of a changing society.

Thus, the evolution of Islamic family law related to adoption in a multicultural society in Indonesia is a complex and dynamic process. Islamic family law must be able to adapt to the needs of a diverse society, respect cultural differences, and adhere to the principles of justice and equality. Through *ijtihad*, community empowerment, and recognition of the rights of women and children, Islamic family law can serve as a tool for achieving well-being and harmony in a multicultural society.

b. Challenges in Implementing Adoption Rules in Multicultural Societies

The main challenge in implementing adoption rules according to Islamic family law in a multicultural society lies in the different understandings of adoption itself. In many secular countries, full adoption involving a change in the child's legal status, including inheritance rights and family relationships, is widely accepted. However, in Islamic family law, the concept of adoption does not change the child's hereditary status, and only provides protection rights without changing blood ties.

Another difficulty is how to accommodate the differences in legal systems that apply in countries with Muslim and non-Muslim populations. Stricter Islamic family laws governing adoption often clash with universal values regarding children's rights, which are more widely accepted in multicultural countries. This challenge is further complicated by the differences in the interpretation of Islamic law itself between different countries (Husni, 2019: 88). In this context, Muslim countries are trying to find a middle ground that allows the implementation of adoption rules that still comply with religious principles, but still accommodate social developments. The implementation of adoption rules in a multicultural society in Indonesia faces various complex and diverse challenges. In the context of multicultural education, these challenges are not only related to understanding and accepting multicultural values, but also to the integration of local values and the development of an inclusive curriculum. Multicultural education in Indonesia, which aims to create a harmonious and tolerant society, is often hampered by differences in views and understanding among educators and students regarding the concept of multiculturalism itself (Arfa & Lasaiba, 2022).

One of the main challenges in implementing multicultural education is the lack of shared understanding among educators and students. Prasetyo et al. emphasized that not all education practitioners have the same understanding of multicultural education, which can result in gaps in the application of these values in the school environment (Prasetyo et al., 2021). This is exacerbated by differences in cultural and religious backgrounds among students, which often create tension and conflict. Therefore, it is important to develop educational strategies that can bridge these differences and create a space for constructive dialogue (Yasin, 2024).

Integration of local wisdom values is also a significant challenge in multicultural education. Chotimah et al. showed that local wisdom values can strengthen national integration through multicultural education, but often these values are not accommodated in the existing education curriculum (Chotimah et al., 2018). This shows the need for a curriculum restructuring that not only

emphasizes universal values, but also respects and integrates local values that exist in society. Thus, multicultural education can become more relevant and contextual for students.

Furthermore, Lestari et al. highlighted the importance of the values of equality, togetherness, and justice in multicultural education, which should be an integral part of the education curriculum in Indonesia (Lestari et al., 2024). However, challenges arise when these values are not properly internalized by students, which can lead to injustice and discrimination within the school environment. Therefore, a more holistic approach is needed in education, which not only focuses on academic aspects, but also on the development of students' character and social values (Najmina, 2018).

Multicultural education must also be able to face the increasingly complex challenges of globalization. In this context, Yasin and Rahmadian emphasize the importance of developing an inclusive curriculum and improving teachers' multicultural competence (Yasin, 2024). Teachers as agents of change have an important role in shaping students' attitudes and behaviors towards differences. Therefore, training and professional development for teachers in the context of multicultural education are very important to ensure that they can manage diverse classes well.

In addition, Firman emphasized that multicultural education in Indonesia must be able to overcome the potential for disintegration between different ethnicities ((Firman, 2018). In a pluralistic society, education must function as a tool to build awareness of diversity and the importance of tolerance. This requires collaboration between various stakeholders, including the government, educational institutions, and the community, to create an environment that supports multicultural education.

Another challenge faced is resistance to change. Many individuals and groups may feel threatened by the ideas of multiculturalism, especially if they feel that their cultural identity will be threatened (Camelia & Suryandari, 2021).

Therefore, it is important to carry out effective socialization and education about the benefits of multicultural education, as well as how it can enrich students' learning experiences and build a more inclusive society.

Character education is also an important aspect in facing this challenge. Wahyuni et al. showed that instilling multicultural characters in learning can help minimize conflict in a heterogeneous society (Wahyuni et al., 2022). By integrating multicultural values into the learning process, students can learn to appreciate differences and build harmonious relationships with others. This is also in line with efforts to create a more tolerant and peaceful society.

In this context, it is important to develop an authentic assessment model that can measure the understanding and application of multicultural values among students. This can be done through an approach that integrates multicultural characters in the learning and assessment process (Wahyuni et al., 2022). Thus, multicultural education is not only a theory, but can also be implemented practically in students' daily lives.

Furthermore, multicultural education must also pay attention to developments in information and communication technology. Danurahman et al. noted that the digital era brings new challenges in multicultural education, where information can be easily accessed and disseminated (Danurahman et al., 2021). Therefore, it is important to develop digital literacy among students so that they can sort out relevant and positive information in a multicultural context.

Religious education also has an important role in forming tolerant attitudes in multicultural societies. Mubarok and Yusuf emphasize that religious education based on multicultural values can help students understand and appreciate religious and cultural differences (M. Mubarok & Yusuf, 2024). Thus, religious education not only functions as a tool to strengthen religious identity, but also as a means to build harmony between religious communities.

In order to create an inclusive society, multicultural education must pay attention to gender and equality aspects. This is important to ensure that all

individuals, regardless of gender background, have equal opportunities to participate in the educational process (Yasin, 2024). Thus, multicultural education can contribute to reducing discrimination and injustice in society.

Thus, the challenges in implementing multicultural education in Indonesia require a comprehensive and collaborative approach. All stakeholders, including the government, educational institutions, and the community, must work together to create an environment that supports multicultural education. This includes the development of an inclusive curriculum, teacher training, and the socialization of multicultural values to the wider community. In this way, multicultural education can serve as a tool to build a more harmonious and tolerant society in Indonesia. in society.

c. Interaction Between Islamic Family Law and International Law in Adoption Cases

The interaction between Islamic family law and international law in adoption cases is becoming increasingly relevant in the era of globalization. Muslim countries must balance the application of Islamic law on kafalah with their obligations under international treaties, such as the Hague Convention on the Protection of Children and Cooperation in International Adoption. This convention aims to ensure that international adoptions are carried out in a manner that protects the interests of the child. However, Islamic law does not permit adoptions that change the legal status of the child, as is accepted under international law. This creates tension, as Muslim countries must find a way to comply with international law governing adoption, while still upholding basic Islamic teachings relating to parentage and inheritance rights. Countries with mixed laws or secular-religious legal systems often have to compromise on the interpretation of kafalah law to allow for international adoptions that are valid under both national and international law (Salman, 2018). Some Muslim countries have adapted Islamic family law to allow for broader child protection, while still maintaining religious values.

The interaction between Islamic family law and international law in the context of adoption is a complex and multidimensional theme, involving various legal, social and cultural aspects. In this study, we will discuss how Islamic family law interacts with international law, especially in the case of adoption, by considering the principles contained in both legal systems.

Islamic family law, rooted in the Qur'an and the Hadith, has a unique view on adoption. In Islamic law, the concept of adoption is not recognized in the same sense as in positive law in many countries, including Indonesia. Islamic law places more emphasis on the concept of " kafalah " or guardianship, where a guardian is responsible for a child who does not have parents, but blood relations are still recognized. This means that adopted children still have recognized lineage from their biological parents, and cannot change their legal inheritance status (Hardiyatullah et al., 2023). In this context, Islamic law provides clear boundaries regarding custody and inheritance rights, which poses a challenge when dealing with more flexible international law regarding adoption.

On the other hand, international law, especially regarding children's rights, provides broader protection for children, including those who are adopted. The Convention on the Rights of the Child adopted by the UN in 1989 emphasizes that every child has the right to protection, care and education, regardless of their legal status (N. Mubarok, 2023). In the context of adoption, international law encourages practices that ensure the best interests of the child, which often conflict with the more conservative principles of Islamic family law.

One of the main challenges in the interaction between Islamic family law and international law is the difference in the definition and treatment of adopted children. In international law, adoption is often seen as a way to provide a family to children in need, regardless of blood relations. In contrast, in Islamic law, adoption does not change the child's lineage status, which can cause confusion and conflict in legal practice (Darna, 2021). This shows the need for harmonization between the two legal systems to ensure that children's rights are optimally

protected.

In the Indonesian context, where Islamic family law and positive law interact, there are efforts to harmonize these two systems. For example, the Compilation of Islamic Law (KHI) provides guidelines regarding child custody after divorce, which also includes aspects relevant to adoption and guardianship (Islami, 2019). However, challenges remain, especially in terms of consistent implementation and enforcement of the law. Research shows that there is an urgent need to explore practical strategies in harmonizing domestic and international laws in cases involving adoption (Sari & Prastyanti, 2024).

Furthermore, in the context of globalization and legal pluralism, the interaction between Islamic family law and international law becomes increasingly complex. Globalization has had a major impact on legal developments, including in terms of adoption, where international norms often conflict with local practices governed by Islamic law (Fariduddin, 2023). It is therefore important to understand how Islamic family law can adapt to the demands of modern times without compromising its basic principles.

In this regard, it is important to consider the role of *ijma'* in the development of Islamic law that is responsive to social change and the needs of society (Habibullah, 2024). *Ijma'* can serve as a tool to adapt the principles of Islamic family law in the context of adoption, thereby creating solutions that are more inclusive and appropriate to the needs of the children involved. Thus, a more flexible and adaptive approach is needed to bridge the gap between Islamic family law and international law.

In addition, it is important to educate the public about children's rights in the context of Islamic family law and international law. Awareness of these rights can help create a more supportive environment for children, especially those in adoption or guardianship situations (Taqiyudin et al., 2023). This education can also strengthen understanding of the importance of legal protection for children, as well as encourage the public to respect and protect their rights.

Thus, the interaction between Islamic family law and international law in adoption cases reflects a complex challenge and requires a holistic approach. Collaborative efforts are needed between various stakeholders, including governments, legal institutions, and civil society, to create a legal framework that is more harmonious and responsive to the needs of children. Thus, it is hoped that children's rights can be optimally protected, both in the context of Islamic family law and international law.

d. The Impact of Globalization on the Acceptance of Islamic Family Law in Adoption Cases at the International Level

Globalization has had a major impact on the acceptance of Islamic family law in adoption cases at the international level. Increased international mobility and awareness of global child rights have led to an increase in international adoptions involving countries with Islamic legal systems. These countries face the challenge of adapting Islamic family law to remain relevant to international standards, without compromising their religious principles.

The influence of globalization is also seen in the increasing acceptance of international agreements in Muslim countries, despite concerns about the impact of social change on local religious and cultural values. Muslim countries that adhere to Islamic family law are starting to open up space for international adoption practices, but with adjustments to Islamic teachings that maintain the identity of descendants and blood relations of children. Globalization has a positive impact by expanding acceptance of the kafalah system as an alternative adoption that is more in accordance with Islamic principles, although it still maintains difficulties in its implementation (Hasan, 2021).

Globalization, as a complex phenomenon, has had a significant impact on various aspects of life, including the acceptance of Islamic family law in the context of adoption at the international level. In this context, it is important to understand how globalization affects the values and practices of Islamic family law, especially in terms of adoption, which is often a controversial issue in many Muslim countries.

Globalization not only introduces new ideas, but also challenges existing traditions and norms, including Islamic family law governing adoption and child protection.

One of the main impacts of globalization is the increasing interaction between different cultures and legal systems. This is seen in how Islamic family law adapts to international norms relating to children's rights and child protection. For example, in many countries, international law recognizes the right of children to protection and care, which often conflicts with traditional interpretations of Islamic law regarding adoption. In this context, several studies have shown that Islamic family law in modern Muslim countries has begun to adopt elements of international law to enhance child protection (Nugraha, 2022).

In Indonesia, there are efforts to harmonize Islamic family law with national and international laws. Research shows that the implementation of Islamic family law in Indonesia has undergone a transformation, where Islamic values are integrated with internationally recognized human rights principles (Rohmah & Alfatdi, 2022). This reflects an awareness of the importance of child protection in the context of adoption, although there are still challenges in its implementation. In this regard, Islamic family law in Indonesia seeks to balance tradition and the demands of globalization, which often creates tension in its practice (Kusmardani et al., 2023).

Furthermore, globalization has also affected the way Muslim societies view adoption. In many cases, adoption in traditional Islamic law is not fully recognized, and adopted children do not have the same rights as biological children. However, with increasing awareness of children's rights and child protection at the international level, some Muslim countries are beginning to change their views on adoption. For example, several studies have shown that there has been a shift in society's understanding of adoption, where adoption is now seen as a way to provide protection and welfare for children in need (Sebriyani, 2023).

On the other hand, the challenges faced in accepting Islamic family law regarding adoption cannot be ignored. Some conservatives reject this change,

arguing that Islamic law should stick to existing traditional principles. Research shows that there is resistance to this change, which is often based on strict interpretations of religious texts (Halim, 2013).

In this context, it is important to consider how Islamic family law can adapt to the changes brought about by globalization without losing its essence. Several researchers argue that reform of Islamic family law is needed to ensure that it remains relevant and able to provide adequate protection for children in the context of adoption (Anwar et al., 2024). This includes developing a more inclusive legal framework that recognizes children's rights and provides better protection for those in adoption situations.

In addition, legal education and counseling also play an important role in increasing public understanding of children's rights and the importance of adoption in the context of Islamic family law. Research shows that effective legal counseling programs can help communities understand their rights and obligations, as well as provide the information needed to make informed decisions regarding adoption (Fitria & Sarianti, 2024). By increasing legal awareness, it is hoped that society will be more accepting of the necessary changes in Islamic family law regarding adoption.

Thus, the impact of globalization on the acceptance of Islamic family law in adoption cases at the international level is very complex. While there are challenges and resistance to change, there are also opportunities for reform that can improve child protection and ensure that Islamic family law remains relevant in a changing global context. It is therefore important to continue research and dialogue on these issues to achieve a better understanding and more effective solutions to the challenges faced by Islamic family law in the context of adoption.

4. Conclusion

Law regarding adoption has undergone significant evolution to

accommodate the needs of a multicultural society. Initially, Islamic law did not recognize adoption in the full sense, but rather the concept of kafalah which provided protection without changing the child's hereditary status. The main challenge in implementing Islamic adoption law in a multicultural society is the difference in understanding between the Islamic legal system that maintains the status of the child's descendants and the more flexible secular law, allowing for changes in the status of the adopted child. In addition, differences in interpretation of Islamic law between countries further complicate the implementation of adoption rules that are in accordance with social developments and international norms.

The interaction between Islamic family law and international law is increasingly relevant, especially in the case of international adoption. Muslim countries are faced with a tension between upholding the principles of Islamic law and fulfilling obligations under international treaties, such as the Hague Convention. However, most Muslim countries try to compromise to provide child protection while maintaining the legal identity of Islam regarding descent and inheritance rights. The impact of globalization has accelerated the acceptance of Islamic family law in the context of international adoption, although concerns remain regarding social changes that could affect religious values. Muslim countries are beginning to adopt a more flexible kafalah system to allow for international adoptions, while still facing challenges in its implementation.

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