

The Implementation of Child Adoption as Legal Protection of Children

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Abstract : The principle of a marriage is to achieve a happy and eternity family based on the willing of the God. The family has a fundamental role in the society as a social individual and as a nuclear family consists of father, mother, and children. Thus, each family always would like to have children who will continue the family. However, not all family will be blessed with children and consequently, there is family without children. Therefore, the said the certain family will do any effort to fulfill the wish to have children. One of the ways is to adopt children. The implementation of child adoption is conducted by the family who does not have children but sometimes child adoption is conducted by a family who has already children. The implementation of child adoption is based on the interest of the welfare and the intellectual of the said child. Moreover, it should be based on the social liability of the individual in accordance with the developing of the traditional values as part of the nation culture. The child adoption is conducted for the welfare of the child demonstrates that a change on the basic motive (value) whereby in the past the child adoption is to fulfill the wish of foster parent (to have children in the family). Nowadays the purpose of child adoption is not merely for the interest of foster parent but in particular for the interest, welfare and the future of the child. The development of the society has caused the occurrence of changes of perspective in the society which lead to a need for new law. The court of justice has an impact of such changes. It is evidenced by the court order for child adoption in the legal framework of certainty of law. The changes of motives (value) of the child adoption in the society can be fully understood in the event that the society fully understand that the ultimate purpose of Indonesia nation is to achieve a justice and prosperity society, i.e., social welfare for all Indonesian people.

Keywords : child adoption, family law, legal protection, children

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