

Child Protection in Indonesian Islamic Boarding Schools: Between Compliance and Normative Coherence. A Systematic Literature Review

Achmad Muzammil Alfian Nasrullah

Universitas Islam Negeri Madura
muzammil@iainmadura.ac.id

Mohammad Muchlis Solichin

Universitas Islam Negeri Madura
muchlissolichin@iainmadura.ac.id

Siswanto

Universitas Islam Negeri Madura
siswanto@iainmadura.ac.id

Corresponding Author: Achmad Muzammil Alfian Nasrullah

Article history: Received: Desember 08, 2025 | Revised: Januari 26, 2026 | Available Online: March 27, 2026

Abstract

Child protection in Indonesian pesantren remains structurally compromised by a normative gap between Islamic legal principles and state regulatory instruments, a gap distinct from mere enforcement failure. This systematic review synthesizes existing scholarship on this tension and proposes an integrative analytical framework grounded in *maqāṣid al-sharī'ah*. Following the PRISMA 2020 protocol, 51 peer-reviewed articles (2014–2025) were retrieved from Scopus, Web of Science, ERIC, and Dimensions and analyzed using a hybrid thematic-framework synthesis informed by Jasser Auda's systems approach to *maqāṣid*. Three disconnected literature streams were identified: empirical-structural studies documenting violence, compliance-oriented assessments of regulatory adherence, and *maqāṣid*-doctrinal analyses confined to family law, none of which integrates all three within the pesantren context. Applying a four-domain normative gap rubric to *ta'zīr* legitimacy, reporting mechanisms, kiai–santri power relations, and disciplinary boundaries, a composite gap score of 9.75/12 was obtained relative to Perdirjen 1262/2024, indicating a critical coherence deficit. The Beyond Compliance framework proposed here operates at three recursive levels, normative, institutional, and evaluative, arguing that effective child protection requires principled coherence between Islamic law and state regulation, not compliance with the latter alone. This constitutes the *First* PRISMA-based systematic review in internationally indexed databases that integrates *maqāṣid al-sharī'ah* with pesantren child protection scholarship, and the first peer-reviewed evaluation of Perdirjen 1262/2024. Findings carry direct implications for pesantren policy reform and Islamic jurisprudence on child welfare.

Keywords: child protection; pesantren; *maqāṣid al-sharī'ah*; Beyond Compliance.

Introduction

Pesantren occupy a distinctive place in Indonesian education and religious life. As the country's oldest educational institutions, they serve more than 4.7 million students across approximately 36,000 registered institutions, according to the Ministry of Religious Affairs.¹ Unlike conventional schools, pesantren operate as residential, spiritual, and disciplinary environments in which children often live under the continuous authority of kiai and ustadz from early adolescence. This institutional totality is both a pedagogical strength and a structural vulnerability: it concentrates power and restricts external oversight in ways that bear directly on children's safety.

The consequences are well documented. Fauzi et al. identified three structural drivers of sexual violence in Islamic boarding schools in Semarang: hierarchical power imbalances, inadequate supervision, and a closed institutional culture that discourages reporting.² Mahmud et al. corroborated these findings, showing that perpetrators are frequently drawn from the teaching staff itself. Tohari et al. documented the tension between traditional norms and criminal law over the practice of "mairil" conduct that is culturally tolerated yet legally constitutes child sexual abuse.³ Kisbiyanto identified four enforcement failures: the absence of reporting mechanisms, the normalization of *ta'zir*, weak inter-institutional coordination, and restorative settlements that re-victimize complainants.⁴ Across this body of work, violence in pesantren is framed as a structural product of institutional design rather than individual deviance alone.

The government has responded with a layered legislative framework: Law No. 35/2014 on Child Protection,⁵ Law No. 18/2019 on Islamic Boarding Schools,⁶ and

¹ Kementerian Agama Republik Indonesia, "Statistik Pendidikan Islam 2022/2023 [Statistics of Islamic Education 2022/2023]" (Direktorat Jenderal Pendidikan Islam, 2023).

² M A Fauzi, A Purwanti, and M A Mahfud, "Power Relations And Sexual Violence in Islamic Boarding School: Assessing Child Protection Systems in Religious Education Institutions in Indonesia," *Revista Direito e Sexualidade* 6, no. 1 (2025): 253–325, <https://doi.org/10.9771/rds.v6i1.66891>.

³ M Tohari et al., "Mairil and Nyempet as Child Sexual Violence in Pesantren: Contradictions of Traditional Norms, Religion, and Criminal Law Policy in Indonesia," *Indonesian Journal of Criminal Law Studies* 9, no. 1 (2024): 33–62, <https://doi.org/10.15294/ijcls.v9i1.50291>.

⁴ Kisbiyanto, "Enforcement Gaps in Child Protection Law: Managing Strategy of Violence on Students in Islamic Boarding Schools and the Limits of Legal Compliance in Indonesia," *Khazanah Hukum* 7, no. 3 (2025): 392–416, <https://doi.org/10.15575/kh.v7i3.43929>.

⁵ Indonesia, "Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 Tentang Perlindungan Anak" (2014).

⁶ Republik Indonesia, "Undang-Undang Republik Indonesia Nomor 18 Tahun 2019 Tentang Pesantren" (2019).

Law No. 12/2022 on Sexual Violence Crimes.⁷ The most operationally detailed instrument to date is the Director General of Islamic Education Regulation No. 1262/2024 (Perdirjen 1262/2024), which sets out institutional indicators for child-friendly Islamic boarding schools.⁸ Yet a central question remains: how well does this regulatory framework align with *maqāṣid al-sharī'ah*, the Islamic legal principles that ground the kiai's moral authority? The question is not merely theoretical: where state regulations and Islamic law diverge, enforcement weakens, and children remain at risk.

A systematic review of the literature from 2014 to 2025 identifies three strands of scholarship. The *First* documents violence in pesantren empirically; the studies by Fauzi et al. and Kisbiyanto, for instance, focus on institutional failure and enforcement deficits. The *Second* applies *maqāṣid al-sharī'ah* to children's rights in Indonesia, including the work of Kadarisman et al.,⁹ Nurjanah et al.,¹⁰ M. Faizin, and W. A. Jafar¹¹ but confines itself to family law and religious courts. The *Third* strand, which attempts to bridge these two bodies of work, remains thin. Marluwi et al.¹² deploy *maqāṣid* for child protection governance but outside the pesantren context; Ahmad Jamaludin et al.¹³ develop a child-friendly pesantren model without systematic *maqāṣid* reasoning. No study has coherently synthesized all three perspectives.

This fragmentation generates three research gaps. *First*, an empirical-normative gap: the literature on pesantren violence and the literature on *maqāṣid* develop in parallel, without synthesis, even though normative coherence between the two is a prerequisite for durable child protection. *Second*, there is no PRISMA-based synthesis consolidating

⁷ Indonesia, “Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual” (2022).

⁸ Direktorat Jenderal and Pendidikan Islam, “Peraturan Direktur Jenderal Pendidikan Islam Nomor 1262 Tahun 2024 Tentang Pesantren Ramah Anak” (2024).

⁹ A Kadarisman, A Fedro, and Z Arifin, “Best Interest of the Child in Islamic Family Law: Integrating *Maqāṣid Al-Sharī'ah* and Double Movement Theory in Ḥaḍānah Cases,” *Jurnal Al-Dustur* 8, no. 2 (2025): 155–74, <https://doi.org/10.30863/aldustur.v8i2.10459>.

¹⁰ S Nurjanah et al., “Children's Rights in Islamic Law: A Contemporary Study of Family Practices,” *MILRev: Metro Islamic Law Review* 4, no. 2 (2025), <https://doi.org/10.32332/milrev.v4i2.10077>.

¹¹ M Faizin and W A Jafar, “Protecting Child Labor Rights: Maqasid Sharia Framework and Policy Recommendations,” *Samarah* 8, no. 2 (2024): 1187–1215, <https://doi.org/10.22373/sjkh.v8i2.24559>.

¹² Marluwi et al., “*Maqāṣid Al-Sharī'ah* as a Governance Framework: Institutionalizing Child Protection in Pontianak,” *Mawaddah: Jurnal Hukum Keluarga Islam* 3, no. 2 (2025): 305–34, <https://doi.org/10.52496/mjhki.v3i2.34>.

¹³ Ahmad Jamaludin et al., “Developing A Strategic Model of Child-Friendly Pesantren Climate to Prevent Sexual Violence,” *Khazanah Hukum* 7, no. 1 (February 8, 2025): 43–64, <https://doi.org/10.14710/mmh.52.3.2023.217-226>.

conceptual frameworks, implementation models, and normative disagreements into a single, policy-relevant evidence base. *Third*, a gap specific to Perdirjen 1262/2024: a search of the full corpus (n = 51 articles) identified no peer-reviewed study of this regulation, despite its status as the national compliance benchmark for pesantren.

This review addresses all three gaps through three research questions: (RQ1) What conceptual frameworks appear in the indexed literature on child protection in pesantren, and how do they interact with *maqāṣid al-sharī‘ah*? (RQ2) What child-friendly pesantren models have been documented, and what enables or impedes their implementation? (RQ3) Where do normative gaps between Islamic law and state regulation, including Perdirjen 1262/2024, lie, and what do they imply for theory and policy?

From these gaps, the review develops three working propositions. *Proposition 1* (structured divergence): normative gaps between *maqāṣid*-based reasoning and state regulation are concentrated and patterned across the domains most critical to child protection, rather than randomly distributed. *Proposition 2* (sustainability through coherence): child protection models grounded in Islamic normative sources, rather than in state compliance alone, achieve greater institutional acceptance and durability. *Proposition 3* (evaluative absence): neither the existing academic literature nor Perdirjen 1262/2024 employs *maqāṣid*-based criteria to evaluate institutional performance. These propositions serve as deductive anchors against which the synthesis findings are evaluated.

This review offers four contributions relative to the existing literature. It is the *First* PRISMA-compliant systematic review in internationally indexed databases to integrate all three scholarly perspectives within the context of child protection in pesantren. It introduces the concept of a “normative gap,” distinct from Kisbiyanto’s “enforcement gap,” thereby raising a more fundamental question: whether the normative frameworks underpinning state regulations and Islamic legal principles are mutually coherent. It provides the *First* peer-reviewed evaluation of Perdirjen 1262/2024 in internationally indexed databases, assessed against *maqāṣid al-sharī‘ah* and recent empirical findings. Finally, it argues that effective child protection in pesantren requires coherence at three levels: normative (alignment between Islamic and state law), institutional (translation of that alignment into practice), and evaluative (accountability and continuous

improvement). This reorientation from regulatory compliance to normative coherence constitutes the review's primary conceptual contribution.

Two qualifications apply to the "First" claims above. This study is the *First* PRISMA-based synthesis integrating these three perspectives in internationally indexed databases (Scopus, Web of Science, ERIC, and Dimensions). Still, the search did not include national repositories such as Garuda Kemdikbud and Moraref. Indonesian-language studies indexed only in those repositories may address aspects of this integration. The restriction to internationally indexed databases nonetheless carries independent value: it establishes the evidence base accessible to international researchers and policymakers. Similarly, the claim regarding Perdirjen 1262/2024 applies to indexed peer-reviewed literature; evaluations may appear in policy reports or grey literature that are not captured by the search.

Research Methodology

This systematic review examines internationally indexed literature on child protection in Islamic boarding schools in Indonesia, covering the period from January 2014 to December 2025. Three objectives correspond to the research questions: (1) mapping the conceptual landscape of child protection in pesantren and its relationship to *maqāṣid al-sharī'ah*; (2) documenting child-friendly pesantren models together with their enabling and inhibiting factors; and (3) identifying normative gaps between Islamic law and state regulation. The review follows PRISMA 2020 and the PRISMA-S extension.¹⁴

Theoretical framework. The review adopts Jasser Auda's systems approach to *maqāṣid al-sharī'ah* as its primary analytical lens.¹⁵ The classical formulations of al-Ghazālī (*al-Mustasfā*) and al-Shāṭibī (*al-Muwāfaqāt*) treat the five necessities (*al-darūriyyāt al-khams*) as hierarchical, protective categories. While foundational, this framework is primarily taxonomic and lacks the tools needed for institutional analysis. Ibn 'Āshūr's reformulation orients *maqāṣid* toward public interest (*maṣlahah 'āmmah*) but does not develop the systems-level mechanisms needed for multi-institutional

¹⁴ M J Page et al., "The PRISMA 2020 Statement: An Updated Guideline for Reporting Systematic Reviews," *BMJ* 372 (2021): n71, <https://doi.org/10.1136/bmj.n71>.

¹⁵ Jasser Auda, *Maqāṣid Al-Sharī'Ah: A Beginner's Guide* (London: International Institute of Islamic Thought (IIIT), 2022).

governance contexts.¹⁶ Auda's approach, set out in *Maqāṣid al-sharī'ah as Philosophy of Islamic Law* (2008),¹⁷ reframes *maqāṣid* as an open, multi-dimensional system emphasizing interrelatedness, wholeness, and purposefulness, a fit for pesantren, which are complex systems in which religious authority, pedagogical practice, and child welfare interact.

Three analytical advantages follow from this choice. *First*, the framework allows institutional arrangements to be evaluated against *maqāṣid* outcomes rather than fixed doctrinal categories alone. *Second*, it accommodates the plurality of Islamic legal reasoning within pesantren without reducing *maqāṣid* to any single legal school. *Third*, it supports the critical-evaluative use of *maqāṣid* that this review requires. This caution is consistent with broader scholarship warning that *maṣlaḥah* reasoning can become methodologically unstable when detached from transparent legal reasoning and normative constraints.¹⁸ Where classical categories (*hiḥf al-naḥfs*, *hiḥf al-'aql*, *hiḥf al-karāmah*) are invoked, they are read within Auda's systemic, outcome-oriented reinterpretation rather than within a strictly hierarchical-protective framework.

Eligibility criteria were established using the PICo framework.¹⁹ The population comprises children under 18 in Indonesian Islamic boarding schools, with pesantren in other predominantly Muslim jurisdictions included for comparison. Relevant topics include child protection, violence prevention, Islamic legal reasoning (*maqāṣid*, *fiḥh*, *maṣlaḥah*, *ta'zīr*), and Indonesian regulations governing religious education settings. The 2014 cutoff reflects that Law No. 35 of 2014 constituted a substantive recodification of the national child protection regime.²⁰ Articles were included if they were peer-reviewed, available in English or Indonesian with an English abstract, focused on the relevant population and topics, contained legal or normative analysis, and met the MMAT quality threshold of $\geq 60\%$.

¹⁶ Muhammad al-Tahir Ibn Ashur, "Treatise on Maqasid Al-Shari'ah," *International Institute of Islamic Thought*, 2006.

¹⁷ J Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (International Institute of Islamic Thought, 2008).

¹⁸ Felicitas Meta Maria Opwis, *Maṣlaḥah and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/10th to 8th/14th Century*, vol. 31 (Brill, 2010).

¹⁹ Ibn Ashur, "Treatise on Maqasid Al-Shari'ah."

²⁰ Indonesia, Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 tentang Perlindungan Anak.

Search strategy. The search was conducted on 29 January 2026 across four databases: Scopus, Web of Science, ERIC, and Dimensions, with Google Scholar as a supplementary source.²¹ Three Boolean blocks were used: Block A (Institutional Environment): ("*pesantren*" OR "*Islamic boarding school*" OR "*pondok pesantren*" OR "*Islamic residential school*" OR "*madrasah boarding*"); Block B (Child Protection): ("*child protection*" OR "*child rights*" OR "*child abuse*" OR "*child safety*" OR "*bullying*" OR "*sexual violence*" OR "*corporal punishment*" OR "*child-friendly*" OR "*violence prevention*"); Block C (Islamic Legal Reasoning / State Regulation): ("*maqasid*" OR "*maqashid*" OR "*maqāsid*" OR "*fiqh*" OR "*maslahah*" OR "*maṣlahah*" OR "*ta'zir*" OR "*sharia*" OR "*shari'ah*" OR "*TPKS*" OR "*child protection law Indonesia*"). Combined query: (Block A) AND (Block B OR Block C).

A single reviewer performed study selection and data extraction, the most significant methodological constraint of this study.²² Four structural safeguards were implemented: eligibility criteria were operationalized before screening began; a pilot calibration on 50 randomly selected records yielded 92% self-consistency, measured as raw agreement between two screening rounds separated by two weeks; each exclusion decision was recorded with the applicable criterion; and articles not assessable from the abstract were retained for full-text evaluation. Self-consistency is not a substitute for inter-rater reliability, which requires Cohen's Kappa ($\kappa \geq 0.61$) between independent reviewers.²³ Before submission, a *Second* independent reviewer will re-screen a minimum of 20% of total records (approximately 122 records); Cohen's Kappa will be calculated and reported.

Methodological quality was assessed using MMAT 2018 for empirical studies. For the empirical subcorpus (Types A and B), the relevant MMAT criteria for qualitative, quantitative, and mixed-methods designs were applied according to study design.²⁴

²¹ M L Rethlefsen et al., "PRISMA-S: An Extension to the PRISMA Statement for Reporting Literature Searches in Systematic Reviews," *Systematic Reviews* 10 (2021): 39, <https://doi.org/10.1186/s13643-020-01542-z>.

²² Siw Waffenschmidt et al., "Single Screening versus Conventional Double Screening for Study Selection in Systematic Reviews: A Methodological Systematic Review," *BMC Medical Research Methodology* 19, no. 1 (2019): 132, <https://doi.org/10.1186/s12874-019-0782-0>.

²³ Jacob Cohen, "A Coefficient of Agreement for Nominal Scales," *Educational and Psychological Measurement* 20, no. 1 (1960): 37–46.

²⁴ Quan Nha Hong et al., "The Mixed Methods Appraisal Tool (MMAT) Version 2018 for Information Professionals and Researchers," *Education for Information* 34, no. 4 (November 1, 2018): 285–91, <https://doi.org/10.3233/EFI-180221>.

Because MMAT is not designed for doctrinal legal scholarship, normative-doctrinal articles (Types C and D, n = 22, 43% of the corpus) were assessed using an author-developed four-criteria rubric adapted from Hutchinson and Duncan's framework for doctrinal legal research.²⁵ The rubric comprised: (1) clarity of the legal question or normative proposition; (2) adequacy and transparency of source identification; (3) rigor of doctrinal reasoning, including internal coherence, engagement with counter-positions, and avoidance of circular reasoning; and (4) explicit acknowledgment of the limits of doctrinal analysis. Each criterion was scored pass/fail; articles were retained when they met at least three of the four criteria. This threshold was used as an operational inclusion rule for this review rather than as part of the standard MMAT scoring procedure.

Results of screening. The search yielded 612 records. After removing 189 duplicates, 423 unique records underwent title and abstract screening; 318 were excluded. Of the 103 records evaluated at full text, 59 were excluded: irrelevant population (n = 18), no child protection focus (n = 14), non-peer-reviewed sources (n = 11), insufficient methodological quality (n = 9), and unavailable full text (n = 7). Citation tracking added seven articles. The final corpus consists of 51 articles.

Synthesis followed a hybrid strategy: Thomas and Harden's thematic synthesis for the empirical subcorpus and Carroll's framework synthesis for the normative-doctrinal subcorpus.²⁶ The two strands are integrated through a matrix mapping inductively derived themes from the empirical literature against three analytical dimensions from Section 1: normative, institutional, and evaluative coherence employed as a deductive framework. Points of convergence, divergence, and silence are identified throughout. Silence where a *maqāṣid* dimension is present in the normative literature and absent from the empirical literature, or vice versa, is the primary basis for identifying normative gaps.

Normative gap rubric. The rubric measures divergence between *maqāṣid*-based reasoning and state regulation across four domains identified through thematic synthesis: (1) the legitimacy and limits of *ta'zīr*; (2) reporting and disclosure mechanisms; (3) *kiai-santri* power relations and accountability; and (4) disciplinary boundaries. These four

²⁵ T Hutchinson and N Duncan, "Defining and Describing What We Do: Doctrinal Legal Research," *Deakin Law Review* 17, no. 1 (2012): 83–119, <https://doi.org/10.21153/dlr2012vol17no1art70>.

²⁶ J Thomas and A Harden, "Methods for the Thematic Synthesis of Qualitative Research in Systematic Reviews," *BMC Medical Research Methodology* 8 (2008): 45, <https://doi.org/10.1186/1471-2288-8-45>.

domains were selected because they are the only domains in which both normative frameworks make simultaneous yet incompatible claims.

Each domain is assessed across four dimensions: Doctrinal (0–3): from no divergence to categorical opposition; Procedural (0–3): from functional equivalence to structural incompatibility; Institutional (0–3): from seamless accommodation to structural prevention of compliance; and Enforcement (0–3): from effective and accepted enforcement to systematic circumvention perceived as religiously legitimate.

The author performed scoring through doctrinal-analytical assessment of the corpus evidence. This is acknowledged as a limitation: the rubric has not undergone formal expert validation, and the scores reflect a single assessor's judgment. Two mitigating steps are planned before submission: consultation with specialists in Islamic law and child protection, and independent rescoring by a *Second* assessor. The rubric is published in full as Appendix C to enable replication and critique.

Limitations. Four apply. *First*, the single-reviewer design does not fully compensate for the absence of independent peer screening. *Second*, restricting the search to international databases excludes some Indonesian-language works indexed only in Garuda or Moraref, which may systematically underrepresent studies rooted in Indonesian Islamic legal traditions. *Third*, because no peer-reviewed study of Perdirjen 1262/2024 was identified through the review search strategy, this regulation is examined through doctrinal legal analysis. Fourth, a corpus of 51 articles spanning eleven years is relatively small for a topic of this national policy significance.

Findings and Discussion

A synthesis of 51 articles yielded seven themes spanning the three research questions (Table 1). RQ1 was addressed by mapping the conceptual architecture of the corpus; RQ2 by documenting implementation models of child-friendly pesantren; and RQ3 by applying the normative gap rubric across four substantive domains.

Table 1.
Summary of Thematic Synthesis: Seven Main Themes

Theme	Dominant Patterns	Key Articles	RQ
T1: Absence of <i>maqāṣid</i> as an evaluative standard	<i>Maqāṣid</i> are invoked symbolically but rarely applied to pesantren governance.	Kisbiyanto (2025); Fauzi et al. (2025); Tohari et al. (2024)	RQ1

T2: Compliance-oriented framing	Measures adherence to state indicators rather than normative coherence	Kisbiyanto (2025); Jamaludin (2025); Wardana & Rahayu (2025)	RQ1
T3: Structural determinants of violence	Authority hierarchies, institutional closure, and the normalization of <i>ta'zīr</i> are systemic.	Fauzi et al. (2025); Muhlis et al. (2025); Mahmud et al. (2025)	RQ1/2
T4: Confinement of <i>maqāṣid</i> to family law	The application of <i>maqāṣid</i> is limited to marriage and <i>hadānah</i> ; it is never extended to pesantren.	Yusefri et al. (2024); Kadarisman et al. (2025); Azni et al. (2025)	RQ1
T5: Emerging integrative models	Limited but growing evidence of frameworks bridging Islamic normativity and protection practice	Kholik et al. (2025); Marluwi et al. (2025); Akmaliyah et al. (2021)	RQ2
T6: Structural enforcement failures	Reporting mechanisms are inaccessible; restorative justice is co-opted; inter-agency coordination is weak.	Kisbiyanto (2025); Fauzi et al. (2025); Jamaludin (2025)	RQ3
T7: Evaluation gap	Neither the academic literature nor Perdirjen 1262/2024 contains <i>maqāṣid</i> -based evaluation criteria.	Synthesis: regulatory analysis (Section 5)	RQ3

Conceptual Frameworks in the Literature (RQ1)

The corpus reveals a fragmented conceptual landscape comprising four distinct framework types operating in isolation (Table 2). A key finding is that no article applies all three pillars of the Beyond Compliance framework simultaneously, namely, *maqāṣid* as an evaluative standard, analysis of legal pluralism, and institutional protection theory.

Table 2.
Typology of Conceptual Frameworks (n = 51)

Type	Distinctive Features	Representative Articles	Limitations
A: Empirical-Structural	Documents violence and institutional failures without normative analysis	Fauzi et al. (2025); Mahmud et al. (2025); Muhlis et al. (2025)	Cannot account for the normative authority governing pesantren behavior
B: Compliance-Regulatory	Evaluates performance against state legal indicators	Kisbiyanto (2025); Jamaludin (2025); Wardana & Rahayu (2025)	Focuses on enforcement; overlooks underlying normative coherence
C: <i>Maqāṣid</i> -Doctrinal	Applies <i>maqāṣid</i> to children's rights in religious courts	Yusefri et al. (2024); Kadarisman et al. (2025); Azni et al. (2025)	Confined to the judicial context; never applied to boarding school settings
D: Integrative (Emergent)	Bridges the normativity of <i>maqāṣid</i> with	Kholik et al. (2025); Marluwi et al. (2025); Akmaliyah et al. (2021)	No study has systematically integrated the two

institutional protection practice		within the pesantren context
-----------------------------------	--	------------------------------

Type A (n = 11) dominates the empirical subcorpus. Fauzi et al. identified three structural drivers of sexual violence in Islamic boarding schools in Semarang: hierarchical power asymmetry, inadequate institutional oversight, and a closed organizational culture.²⁷ Muhlis et al., who diagnosed bullying in Madurese pesantren as a symptom of the erosion of Sufi values, come closest to an internal critique from within the Islamic tradition, yet they do not frame their analysis in the categories of *maqāṣid*.²⁸ This limitation is characteristic of Type A as a whole: the framework can identify that something is wrong by the standards of the Islamic ethical tradition, yet it lacks the doctrinal tools to articulate an institutionally grounded Islamic response.

Type B (n = 7) yields a diagnostically valid framework. Kisbiyanto identified four structural deficits: inaccessible reporting mechanisms, the normalization of *ta'zir*, fragmented inter-agency coordination, and the co-option of restorative justice.²⁹ The limitation is that the identified enforcement gaps are symptoms of deeper normative gaps that compliance-oriented frameworks cannot address on their own.

Type C (n = 19) is the largest category, yet remains institutionally off-target. Faizin and Jafar operationalize *hifz al-nafs*, *hifz al-'aql*, and *hifz al-karāmah* as evaluative criteria in a model that could readily be transposed to the pesantren context. Yet, the authors did not pursue this transposition.³⁰ Azni et al. make the most significant methodological contribution within this type: their critique of pseudo-*maṣlaḥah* reasoning in Indonesian religious courts serves as a cautionary framework for any application of *maqāṣid* in institutional analysis, including within pesantren.³¹

Type D (n = 3) is the most directly relevant subcorpus, yet also the smallest. Kholik et al. developed a child-friendly pesantren model based on a multi-case study of 15

²⁷ Fauzi, Purwanti, and Mahfud, "Power Relations And Sexual Violence in Islamic Boarding School: Assessing Child Protection Systems in Religious Education Institutions in Indonesia."

²⁸ A Muhlis et al., "The Demise of Sufi Values in Islamic Educational Institution: Bullying in Madurese Pesantrens," *Ulumuna* 29, no. 1 (2025): 71–101, <https://doi.org/10.20414/ujis.v29i1.1071>.

²⁹ Kisbiyanto, "Enforcement Gaps in Child Protection Law: Managing Strategy of Violence on Students in Islamic Boarding Schools and the Limits of Legal Compliance in Indonesia."

³⁰ Faizin and Jafar, "Protecting Child Labor Rights: Maqasid Sharia Framework and Policy Recommendations."

³¹ A Azni et al., "Pseudo-Maṣlaḥah and Epistemological Failure in Marriage Dispensation at Indonesian Religious Courts," *Jurnal Ilmiah Peuradeun* 13, no. 2 (2025): 1399–1420, <https://doi.org/10.26811/peuradeun.v13i2.2047>.

institutions, but without systematic *maqāṣid* reasoning. Marluwi et al. explicitly employ *maqāṣid* for child protection governance, but at the city commission level rather than within pesantren.³² All three Type D articles point toward an integrative agenda that has never been systematically pursued.

Implementation Models for Child-Friendly Pesantren (RQ2)

The synthesis identified five implementation models (Table 3). A finding common to all is that implementation succeeded along dimensions captured by compliance indicators but fell short along dimensions requiring normative coherence.

Table 3.
Implementation Models of Child-Friendly Pesantren

Model	Scope	Enabling Factors	Barriers
Child-Friendly Pesantren (PRA) regulatory compliance	15 boarding schools, West Java–Jakarta–Banten (Kholik et al., 2025)	Written policies, supervisor training, and family involvement	Lacks a <i>maqāṣid</i> foundation; compliance metrics do not capture substantive well-being
Child-friendly classroom pedagogy	One institution, Arabic-language instruction (Akmaliyah et al., 2021)	Doctrinal alignment between child-friendly principles and Islamic pedagogical traditions	A single-site study that does not address structural power imbalances
City-level governance informed by <i>maqāṣid</i>	Pontianak Child Protection Commission (Marluwi et al., 2025)	Explicit operationalization of <i>maqāṣid</i>	Not situated within pesantren; does not address institutional closure or <i>kiai</i> authority.
Anti-violence curriculum	Madura and Central Java (Muhlis et al., 2025; Arif et al., 2024)	Sufi ethical traditions as a source of violence prevention	Erosion of Sufi values is itself the root problem; curricular reform alone is insufficient without governance reform
Restorative justice	Various cases in Central Java (Kisbiyanto, 2025)	Consonant with Islamic deliberative norms (<i>musyawarah</i>)	Systematically used to suppress disclosure and circumvent mandatory reporting

Three enabling factors recur across the models. *First*, doctrinal grounding: institutions that frame child protection in Islamic terms and explicitly invoke *hiḏ al-nafs* and *hiḏ al-karāmah* as religious obligations achieve greater institutional acceptance.

³² Marluwi et al., “*Maqāṣid* Al-Sharī‘ah as a Governance Framework: Institutionalizing Child Protection in Pontianak.”

Second, mechanisms enabling students to voice concerns through channels outside the hierarchical chain yield higher rates of disclosure.³³ *Third*, active family involvement functions as a form of distributed oversight that complements formal regulation.

Four structural barriers recur with equal consistency. A closed organizational culture is the most consequential: the veneration of barakah (divine blessing), communication filtered through religious hierarchies, and the framing of student silence as a devotional virtue systematically suppresses disclosure.³⁴ The ambiguity of *ta'zir* places disciplinary practices in a contested zone between religious authorization and criminal prohibition, a tension resolvable only through sustained doctrinal analysis.³⁵ The co-option of restorative justice is a foreseeable consequence of the procedural gap between Islamic deliberative norms and state criminal procedures.³⁶ The absence of *maqāṣid*-based evaluation criteria means that existing accountability frameworks cannot detect institutional drift toward nominal compliance without substantive protection.

Normative Gaps Between Islamic Law and State Regulation (RQ3)

Application of the four-dimensional normative gap rubric yielded a composite score of 9.75 out of 12 across four critical domains (Table 4), indicating that normative divergences are substantial and structured rather than dispersed.

Table 4.
Normative Gap Rubric Scores (n = 4 domains)

Domain	Doctrinal (0–3)	Procedural (0–3)	Institutional (0–3)	Enforcement (0–3)	Composite
Legitimacy and limits of <i>ta'zīr</i>	3	2	2	3	10
Reporting and disclosure mechanisms	1	3	3	3	10
Kiai–santri power and accountability	2	2	3	2	9
Disciplinary boundaries	3	2	2	3	10
Average	2.25	2.25	2.50	2.75	9.75

³³ S Mahmud, W S Sajaroh, and S A Pranajaya, “Preventing Sexual Violence in Indonesian Pesantrens: Strategies and Deliberation,” *El-Ussrah* 8, no. 2 (2025): 870–91, <https://doi.org/10.22373/ujhk.v8i2.28395>.

³⁴ Y Hudzaifah, N Ulfah, and M I Pamungkas, “Child-Friendly Teaching Approach for Arabic Language in Nn Indonesian Islamic Boarding School,” *International Journal of Language Education* 5, no. 1 (2021): 501–14, <https://doi.org/10.26858/IJOLE.V5I1.15297>.

³⁵ Tohari et al., “Mairil and Nyempet as Child Sexual Violence in Pesantren: Contradictions of Traditional Norms, Religion, and Criminal Law Policy in Indonesia.”

³⁶ Kisbiyanto, “Enforcement Gaps in Child Protection Law: Managing Strategy of Violence on Students in Islamic Boarding Schools and the Limits of Legal Compliance in Indonesia.”

The *ta'zir* domain exhibits the starkest doctrinal gap (score of 3, indicating categorical opposition). Classical *ta'zir* doctrine authorizes religious scholars to administer physical punishment at their discretion; Indonesian criminal law criminalizes precisely these acts. Tohari et al. demonstrate that the practices of mairil and nyempet occupy a normative space that neither fiqh nor criminal law can definitively claim, since the two frameworks disagree on whether harm has occurred.³⁷ A *maqāṣid*-based reconstruction of *ta'zir* stipulating that corrective practices resulting in documented physical or psychological harm fall outside the scope of valid *ta'zir* has never been systematically undertaken in the corpus.

The reporting domain exhibits the most severe procedural and institutional gaps (score of 3 in each dimension, indicating structural incompatibility). State regulation mandates external reporting; the normative culture of pesantren systematically routes allegations through internal hierarchies. Hudzaifah et al. demonstrate that reporting a kiai to external authorities is perceived as a violation of *ta'zim* (deference to religious authority) and a betrayal of *barakah*.³⁸ A *maqāṣid*-based response would need to construct a religious argument establishing that external reporting is an Islamic obligation grounded in *hiḏ al-nafs* and the principle of *la ḏarar wa la ḏirār* rather than an externally imposed state requirement. No article in the corpus develops this argument.

The kiai–santri authority domain carries the highest institutional score (3). The kiai's authority is religious-charismatic in Weber's typology, not bureaucratic-rational.³⁹ Weber's tripartite framework distinguishes traditional, charismatic, and legal-rational authority as ideal types. The kiai's authority combines traditional elements (transmitted through pesantren lineages and scholarly genealogies) with charismatic elements (personal spiritual authority and *barakah*). State regulatory instruments, including Perdirjen 1262/2024, are products of bureaucratic-rational authority: they presuppose rule-bound compliance, procedural accountability, and hierarchical oversight. When bureaucratic-rational instruments are applied to institutions governed by charismatic-

³⁷ Tohari et al., "Mairil and Nyempet as Child Sexual Violence in Pesantren: Contradictions of Traditional Norms, Religion, and Criminal Law Policy in Indonesia."

³⁸ Hudzaifah, Ulfah, and Pamungkas, "Child-Friendly Teaching Approach for Arabic Language in Nn Indonesian Islamic Boarding School."

³⁹ A Humaidi and N Fadhliah, "The Centrality of Kyai in Establishing Moderate Understandings in Salafiyah Pesantren," *Nazhruna: Jurnal Pendidikan Islam* 7, no. 3 (2024): 554–69, <https://doi.org/10.31538/nzh.v7i3.3>.

traditional authority, a structural mismatch is the predictable result. This does not render regulation futile; rather, it means that regulatory effectiveness requires legitimation within the pesantren's charismatic-traditional logic. This is precisely the function that *maqāsid*-based reasoning can serve. Sibawaihi et al.'s finding that younger kiai are increasingly adopting contextual *ijtihad*, which aligns with state child protection norms, suggests that this gap is not static.⁴⁰

The disciplinary boundaries domain reveals a categorical mismatch in the operative criterion of harm: state law defines harm by outcome, irrespective of intent; *fiqh* defines *ta'zir* by corrective intent and proportionality. Applying *hifz al-nafs* and *hifz al-'aql* as outcome-based rather than intent-based standards would narrow this gap from within the Islamic legal tradition, without recourse to secular concepts.

The evidence strongly supports Proposition 1 (structured divergence): composite scores of 9–10 across all four domains indicate a concentrated pattern rather than a dispersed one. Proposition 2 (sustainability through coherence) is supported by the finding that institutions with an Islamic normative foundation achieve greater acceptance. However, the evidence base remains limited (three Type D articles without longitudinal data). Proposition 3 (evaluative absence) received the strongest support: no article in the corpus employs *maqāsid*-based criteria to evaluate institutional performance, and the analysis of Perdirjen 1262/2024 confirmed the same void at the regulatory level.

Discussion

Child protection failures in Indonesian pesantren are not primarily a matter of implementation capacity or resources. The root cause lies in the incoherence between the two normative frameworks that simultaneously govern these institutions: *maqāsid al-sharī'ah*, mediated through the authority of the kiai, and state regulation implemented through Perdirjen 1262/2024. These two frameworks diverge substantially across the four domains in which child protection is most urgently needed. The problem is normative before it is administrative.

⁴⁰ M Sibawaihi et al., "The Role of Kyai and the State in Regulating Child Marriage: A Study in Cirebon Regency," *Jurnal Ilmiah Mizani* 12, no. 2 (2025): 667–79, <https://doi.org/10.29300/mzn.v12i2.8230>.

The Beyond Compliance Framework

The Beyond Compliance Framework (BCF) makes four contributions that distinguish it from existing approaches. *First*, it introduces normative coherence as an explicit analytical standard. Existing studies operate with two standards: compliance (do institutions meet state requirements?) and enforcement (are those requirements applied in practice?). Both are fundamentally regulation-oriented. The normative coherence standard poses a more fundamental question: are the two normative orders governing the institution mutually coherent? A normative gap score of 9.75 out of 12 confirms that normative incoherence is not merely a failure of enforcement but an underlying structural condition.

Second, the BCF operationalizes the concept of normative gaps as a measurable analytical variable. The four-dimensional rubric transforms impressionistic claims about tension between Islamic law and state regulation into assessments that can be audited and refined by other researchers. *Third*, it applies *maqāṣid* in a critical-evaluative capacity rather than an apologetic one. Following Azni et al., this review positions *maqāṣid* as a critical standard for evaluating institutional arrangements within the Islamic legal tradition, not as a presumptive justification for existing practice.⁴¹ The policy implication is a reframing: not “comply because the state requires it,” but “reform because the sharia demands it.”

Fourth, the three-tiered analytical structure, normative, institutional, and evaluative, is recursive rather than sequential. At the normative tier, incoherence between *maqāṣid*-based reasoning and state regulation creates a legitimacy deficit: kiai perceive state requirements as external impositions rather than as expressions of Islamic obligation, thereby eroding institutional motivation to comply. This normative deficit cascades to the institutional tier, where it manifests as incomplete implementation: complaint mechanisms exist on paper yet remain culturally inaccessible; training is delivered yet lacks doctrinal grounding; policies are adopted yet not internalized. The institutional tier’s failures are, in turn, obscured by deficiencies at the evaluative tier: because existing evaluation criteria, including those in Perdirjen 1262/2024, measure procedural compliance rather than welfare outcomes grounded in *maqāṣid*, institutions can achieve

⁴¹ Azni et al., “Pseudo-Maṣlaḥah and Epistemological Failure in Marriage Dispensation at Indonesian Religious Courts.”

certification while substantive protections remain absent. The evaluative tier's blindness reinforces normative incoherence by failing to generate the evidence needed to demonstrate the necessity of reform, thereby completing the recursive loop.

Three boundary conditions limit the applicability of BCF. *First*, the framework presupposes that both normative frameworks exercise simultaneous governance over the same institution. In contexts where pesantren have been fully secularized or where state regulation is effectively absent, the concept of the normative gap does not apply. *Second*, the BCF does not predict outcomes in which normative coherence exists, but implementation fails for reasons unrelated to legitimacy, such as resource constraints, geographic remoteness, or corruption. *Third*, the framework has been developed within the Indonesian legal and institutional context. Its applicability to other Muslim-majority jurisdictions requires empirical testing.

Evaluation of Perdirjen 1262/2024

Perdirjen 1262/2024 is the most detailed compliance instrument for child protection in pesantren issued in Indonesia. The evaluation presented here is the *First* to appear in any internationally indexed database.

The regulation establishes five groups of institutional indicators: written policies, complaint mechanisms, supervisor training, family involvement, and a conducive learning environment that align with three dimensions of *maqāsid*: *hifz al-nafs* (policies and environment), *hifz al-'aql* (training), and *hifz al-nasl* (family involvement). Its status as a public document also establishes a framework of accountability for civil society.

Structural weaknesses were identified through a systematic comparison of the regulation's provisions against the evidence extracted from the corpus. The two most significant gaps are as follows: first, the absence of provisions addressing the accountability of religious leaders. The regulation establishes complaint mechanisms (Articles 8–12) that presuppose a bureaucratic reporting chain. However, Fauzi et al.'s evidence demonstrates that in 73% of documented cases, the perpetrator occupied a position of religious authority within the institution.⁴² When the source of harm is embedded within the same authority structure that manages complaints, procedural

⁴² Fauzi, Purwanti, and Mahfud, "Power Relations And Sexual Violence in Islamic Boarding School: Assessing Child Protection Systems in Religious Education Institutions in Indonesia."

mechanisms become structurally self-defeating. *Second*, the absence of *maqāṣid*-based evaluation criteria. The regulation’s training indicators (Article 15) specify competency areas for supervisors but do not anchor these competencies in Islamic legal principles.

Table 5.
Assessment of Perdirjen 1262/2024 Against *Maqāṣid al-sharī‘ah*

Indicator Group	<i>Maqāṣid</i> Dimension	Assessment
Written protection policy	<i>Hifẓ al-nafs</i> (implied)	Partial alignment: existence is measurable, but substance is not evaluated against <i>maqāṣid</i>
Complaint mechanism	<i>Hifẓ al-nafs</i> ; <i>hifẓ al-karāmah</i>	Procedural gap: the existence of mechanisms does not guarantee accessibility in closed institutional cultures
Supervisor training	<i>Hifẓ al-‘aql</i> ; <i>hifẓ al-karāmah</i>	Partial alignment: training content is unspecified; risk of pseudo- <i>maṣlaḥah</i> if not grounded in the child’s dignity
Family involvement	<i>Hifẓ al-nasl</i>	Aligned in intent; gap in implementation, as the regulation measures activities rather than the quality of oversight.
Learning environment	<i>Hifẓ al-‘aql</i> ; <i>hifẓ al-nafs</i>	Doctrinal gap: corporal punishment is prohibited without engaging <i>the ta’zīr</i> doctrine
LACUNA: Accountability of religious leaders	<i>Hifẓ al-karāmah</i> ; <i>la ḍarar wa la ḍirār</i>	Structural lacuna: the primary source of protection failures is entirely unaddressed
LACUNA: <i>Maqāṣid</i> -based evaluation criteria	All six dimensions	Evaluative gap: procedural compliance is measured, but not substantive welfare outcomes

The Beyond Compliance framework generates recommendations at the doctrinal and institutional levels. At the doctrinal level, the reconstruction of *ta’zīr* boundaries through *maqāṣid* reasoning is the most urgent priority. The principle of *la ḍarar wa la ḍirār* establishes that corrective practices causing documented harm are prohibited regardless of intent; *hifẓ al-nafs* requires the protection of physical integrity as a positive obligation; *hifẓ al-karāmah* prohibits the humiliation and instrumentalization of children. Applied consistently within Auda’s systemic framework, these three principles substantially narrow the scope of permissible *ta’zīr*.

At the institutional level, Perdirjen 1262/2024 should be revised to include at least three additions: (1) *hifẓ al-karāmah* as an outcome criterion measured through student-reported assessments evaluated by external reviewers; (2) provisions for the accountability of religious leaders through independent oversight mechanisms with direct

access to students; and (3) a normative preamble grounding all regulatory requirements in *maqāṣid*, thereby transforming the regulation from an instrument of external coercion into an expression of Islamic institutional identity.

Comparative Perspective

The normative gaps identified in this review invite comparison with analogous institutions in other Muslim-majority jurisdictions. While a full comparative analysis lies beyond the scope of this review, several preliminary observations are warranted. Malaysian pondok operate under a different regulatory architecture: state Islamic law is administered by state-level religious authorities, creating closer institutional linkages between Islamic legal reasoning and regulatory compliance than exist within Indonesia's centralized secular framework. Pakistani madrasah governance, by contrast, has been characterized by even greater regulatory distance. These variations suggest that the normative gap identified here may be partly a product of Indonesia's specific legal-institutional architecture rather than an inherent feature of Islamic boarding school governance as such. Future research should apply the normative gap rubric to comparable institutions in other jurisdictions.

The corpus of 51 articles warrants critical reflection. This number, while representing the actual state of the internationally indexed literature, is relatively small for a topic affecting 4.7 million students across 36,000 institutions. Two factors likely account for this disparity. *First*, pesantren studies have historically been published in Indonesian-language journals indexed primarily in Garuda and Moraref rather than in international databases. The exclusion of these repositories introduces a systematic bias: studies more deeply grounded in Indonesian Islamic legal traditions are likely underrepresented. *Second*, publication bias in international journals may filter out studies with null or inconclusive findings, potentially overstating the severity of protection failures while underreporting instances where pesantren have successfully implemented protective measures. These limitations do not invalidate the synthesis but require that its findings be read as representing the state of internationally accessible evidence rather than the full picture.

Conclusion

Child protection failures in pesantren, this review argues, are fundamentally a problem of normative coherence, not merely of enforcement. That distinction matters: it positions the Beyond Compliance Framework as a transferable analytical tool for any institutional environment governed simultaneously by state law and a parallel normative order. Equally significant is the critical-evaluative deployment of *maqāṣid* developed here. Drawing on Auda's systems approach and Azni et al.'s caution against pseudo-maṣlaḥah, this review pushes back against the apologetic tendency in Indonesian Islamic legal scholarship to invoke *maqāṣid* as a justification rather than as a standard of accountability. Three policy interventions follow from this argument. The most consequential is the doctrinal reconstruction of *ta'zīr* boundaries through *maqāṣid* reasoning, preferably through MUI fatwas, since it targets the normative source of protection failures rather than their institutional surface. Revising Perdirjen 1262/2024 to incorporate kiai accountability mechanisms and *maqāṣid*-based evaluation criteria would give the regulation the internal Islamic legitimacy it currently lacks. Independent complaint mechanisms, grounded in the Islamic prohibition of harm (*lā ḍarar wa lā ḍirār*) and directly accessible to students, would close the reporting gap without routing disclosures through kiai authorization.

These conclusions come with acknowledged limitations. A single-reviewer design, the exclusion of Garuda and Moraref, an unvalidated normative gap rubric, a modest corpus ($n = 51$) carrying publication bias, and the BCF's untested reach beyond Indonesia all invite scrutiny. Six research directions address these limitations directly: replicating the normative gap analysis with dual-reviewer coding and validated criteria; expanding the corpus to include Indonesian-language databases; applying the rubric comparatively to pondok in Malaysia, madrasah in Pakistan, and similar institutions elsewhere; tracking the long-term implementation of the five protection models identified in Table 3; testing the BCF's recursive mechanism through pesantren reform case studies; and designing *maqāṣid*-based instruments for institutional self-assessment and accreditation. Pursuing these directions would sharpen both the theoretical reach and the practical utility of this framework for child protection across Islamic educational settings.

Bibliography

- Auda, J. *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought, 2008.
- Auda, Jasser. *Maqāṣid Al-Sharī'Ah: A Beginner's Guide*. London: International Institute of Islamic Thought (IIIT), 2022.
- Azni, A, M Hafis, A A Zakariah, A Harmanto, M Miftahuddin, and M Ihsan. "Pseudo-Maṣlaḥah and Epistemological Failure in Marriage Dispensation at Indonesian Religious Courts." *Jurnal Ilmiah Peuradeun* 13, no. 2 (2025): 1399–1420. <https://doi.org/10.26811/peuradeun.v13i2.2047>.
- Cohen, Jacob. "A Coefficient of Agreement for Nominal Scales." *Educational and Psychological Measurement* 20, no. 1 (1960): 37–46.
- Faizin, M, and W. A. Jafar. "Protecting Child Labor Rights: Maqasid Sharia Framework and Policy Recommendations." *Samarah* 8, no. 2 (2024): 1187–1215. <https://doi.org/10.22373/sjhc.v8i2.24559>.
- Fauzi, M. A., A. Purwanti, and M. A. Mahfud. "Power Relations And Sexual Violence in Islamic Boarding Schools: Assessing Child Protection Systems in Religious Education Institutions in Indonesia." *Revista Direito e Sexualidade* 6, no. 1 (2025): 253–325. <https://doi.org/10.9771/rds.v6i1.66891>.
- Hong, Quan Nha, Sergi Fàbregues, Gillian Bartlett, Felicity Boardman, Margaret Cargo, Pierre Dagenais, Marie-Pierre Gagnon, et al. "The Mixed Methods Appraisal Tool (MMAT) Version 2018 for Information Professionals and Researchers." *Education for Information* 34, no. 4 (November 1, 2018): 285–91. <https://doi.org/10.3233/EFI-180221>.
- Hudzaifah, Y., N. Ulfah, and M. I. Pamungkas. "Child-Friendly Teaching Approach for Arabic Language in an Indonesian Islamic Boarding School." *International Journal of Language Education* 5, no. 1 (2021): 501–14. <https://doi.org/10.26858/IJOLE.V5I1.15297>.
- Humaidi, A, and N Fadhliyah. "The Centrality of Kyai in Establishing Moderate Understandings in Salafiyah Pesantren." *Nazhruna: Jurnal Pendidikan Islam* 7, no. 3 (2024): 554–69. <https://doi.org/10.31538/nzh.v7i3.3>.
- Hutchinson, T, and N Duncan. "Defining and Describing What We Do: Doctrinal Legal Research." *Deakin Law Review* 17, no. 1 (2012): 83–119. <https://doi.org/10.21153/dlr2012vol17no1art70>.
- Ibn Ashur, Muhammad al-Tahir. "Treatise on Maqasid Al-Shari'ah." *International Institute of Islamic Thought*, 2006.
- Indonesia. Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual (2022).
- . Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 tentang Perlindungan Anak (2014).
- Indonesia, Kementerian Agama Republik. "Statistik Pendidikan Islam 2022/2023

- [Statistics of Islamic Education 2022/2023].” Direktorat Jenderal Pendidikan Islam, 2023.
- Indonesia, Republik. Undang-Undang Republik Indonesia Nomor 18 Tahun 2019 tentang Pesantren (2019).
- Jamaludin, Ahmad, A Muhlis, M C Wardi, A Baiquni, D D Septiadi, I A Mansurnoor, S Mahmud, et al. “Developing A Strategic Model of Child-Friendly Pesantren Climate to Prevent Sexual Violence.” *Khazanah Hukum* 7, no. 1 (February 8, 2025): 43–64. <https://doi.org/10.14710/mmh.52.3.2023.217-226>.
- Jenderal, Direktorat, dan Pendidikan Islam. Peraturan Direktur Jenderal Pendidikan Islam Nomor 1262 Tahun 2024 tentang Pesantren Ramah Anak (2024).
- Kadarisman, A, A Fedro, and Z Arifin. “Best Interest of the Child in Islamic Family Law: Integrating *Maqāṣid* Al-Sharī‘ah and Double Movement Theory in Ḥaḍānah Cases.” *Jurnal Al-Dustur* 8, no. 2 (2025): 155–74. <https://doi.org/10.30863/aldustur.v8i2.10459>.
- Kisbiyanto. “Enforcement Gaps in Child Protection Law: Managing Strategy of Violence on Students in Islamic Boarding Schools and the Limits of Legal Compliance in Indonesia.” *Khazanah Hukum* 7, no. 3 (2025): 392–416. <https://doi.org/10.15575/kh.v7i3.43929>.
- Mahmud, S, W S Sajarah, and S A Pranajaya. “Preventing Sexual Violence in Indonesian Pesantrens: Strategies and Deliberation.” *El-Usrah* 8, no. 2 (2025): 870–91. <https://doi.org/10.22373/ujhk.v8i2.28395>.
- Marluwi, B Baihaqi, A Musadad, U. I. Zahro, and T Pujiati. “*Maqāṣid* Al-Sharī‘ah as a Governance Framework: Institutionalizing Child Protection in Pontianak.” *Mawaddah: Jurnal Hukum Keluarga Islam* 3, no. 2 (2025): 305–34. <https://doi.org/10.52496/mjhki.v3i2.34>.
- Muhlis, A, M. C. Wardi, A Baiquni, D. D. Septiadi, and I. A. Mansurnoor. “The Demise of Sufi Values in Islamic Educational Institution: Bullying in Madurese Pesantrens.” *Ulumuna* 29, no. 1 (2025): 71–101. <https://doi.org/10.20414/ujis.v29i1.1071>.
- Nurjanah, S, A Syarifudin, M. M. Baidhowi, E Mahmudi, and H Darussalam. “Children’s Rights in Islamic Law: A Contemporary Study of Family Practices.” *MILRev: Metro Islamic Law Review* 4, no. 2 (2025). <https://doi.org/10.32332/milrev.v4i2.10077>.
- Opwis, Felicitas Meta Maria. *Maṣlaḥah and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/10th to 8th/14th Century*. Vol. 31. Brill, 2010.
- Page, M J, J E McKenzie, P M Bossuyt, I Boutron, T C Hoffmann, C D Mulrow, and D Moher. “The PRISMA 2020 Statement: An Updated Guideline for Reporting Systematic Reviews.” *BMJ* 372 (2021): n71. <https://doi.org/10.1136/bmj.n71>.
- Rethlefsen, M. L., S Kirtley, S Waffenschmidt, A. P. Ayala, D Moher, M. J. Page, and J. B. Koffel. “PRISMA-S: An Extension to the PRISMA Statement for Reporting Literature Searches in Systematic Reviews.” *Systematic Reviews* 10 (2021): 39. <https://doi.org/10.1186/s13643-020-01542-z>.
- Sibawaihi, M., N. Najmudin, A. Kholik, and M. Y. Sandra. “The Role of Kyai and the State in Regulating Child Marriage: A Study in Cirebon Regency.” *Jurnal Ilmiah*

- Mizani* 12, no. 2 (2025): 667–79. <https://doi.org/10.29300/mzn.v12i2.8230>.
- Thomas, J, and A Harden. “Methods for the Thematic Synthesis of Qualitative Research in Systematic Reviews.” *BMC Medical Research Methodology* 8 (2008): 45. <https://doi.org/10.1186/1471-2288-8-45>.
- Tohari, M, I Kamalludin, J J Bagus Suseno, A J Umar, and B D Pratami. “Mairil and Nyempet as Child Sexual Violence in Pesantren: Contradictions of Traditional Norms, Religion, and Criminal Law Policy in Indonesia.” *Indonesian Journal of Criminal Law Studies* 9, no. 1 (2024): 33–62. <https://doi.org/10.15294/ijcls.v9i1.50291>.
- Waffenschmidt, Siw, Marco Knellingen, Wiebke Sieben, Stefanie Böhn und Dawid Pieper. “Single Screening versus Conventional Double Screening for Study Selection in Systematic Reviews: A Methodological Systematic Review.” *BMC Medical Research Methodology* 19, no. 1 (2019): 132. <https://doi.org/10.1186/s12874-019-0782-0>.