



CHILD STATUS OUTSIDE MARRIAGE AND THE RIGHT TO EDUCATION IN FAMILY LAW

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Abstract

This article presents a normative account of how family law classifications for children born outside marriage affect their right to education. It examines how civil recognition and public documentation influence school enrollment and daily treatment, distinguishing between basic access and "dignified participation." The author argues that administrative routines often expose sensitive family backgrounds, leading to social labeling and humiliation. To counter this, a three-pillar framework is proposed: identity recognition, which views the child as an independent rights holder; procedural fairness, ensuring clear and non-arbitrary enrollment; and dignity protection, which prioritizes privacy and the prevention of harassment. The article concludes that education providers must remain morally neutral, limit data collection to essential needs, and establish confidential complaint pathways. Ultimately, achieving equal educational enjoyment requires aligning school governance with practices that shield children from the legal and social stigmas associated with their birth status, ensuring they are protected from humiliation and unequal treatment.

Keywords: child status, family law, right to education, discrimination risk, social recognition, procedural fairness, dignity.

Introduction

The right to education is commonly understood as a fundamental right inherent to every child, as education paves the way for personality development, reasoning abilities, and citizen participation in communal life. In social practice, education is often treated as a measure of eligibility, because school serves as the gateway to social recognition and better life opportunities. However, a right that should be inherent frequently clashes with social categories that judge a child based on birth origin, family structure, and moral perceptions of the parents. Such assessments can result in children being treated as parties who must bear the consequences of events beyond their control (Walker, 2022). This becomes a major challenge because family harmony often changes in line with the times and shifting values in society (Sulistyo, 2022). When birth outside of marriage is understood as a violation of norms, labeling of the child can emerge in domestic spaces, administrative spaces, and educational spaces. At this point, the issue of the status of children born out of wedlock becomes a matter that transcends mere family affairs, as it touches upon how the state and society recognize legal subjects (Lundy, 2007). Moreover, in today's modern era, the development of technology and big data exerts a broad influence on various aspects of our social lives (Wahyudi et al., 2021). This recognition determines whether a child can access public services with dignity, including access to education that is safe from degrading treatment.

In family law, a child's status is often linked to civil relations that connect the child with the parents, particularly regarding recognition, lineage (*nasab*), guardianship, and maintenance responsibilities. This status affects civil registration, identity, and the rights that follow that identity. For children born out of wedlock, the determination of status can lead to tangible administrative consequences, for instance, in the naming of parents in documents, in caregiving procedures, and in how institutions view family legitimacy (Tobin, 2012). This problem is further complicated because dense urban environmental conditions often cause relationships between residents to become distant and less cohesive (Wisnujati & Mardikaningsih, 2021). At the experiential level, administrative procedures can become social experiences, as the process of proof and recording can open space for sensitive questions, prejudice, and judgmental treatment (Bhabha, 2009). If the law bases a child's status on

difficult proof of parental relations or on unilateral recognition, the child risks facing identity uncertainty. This uncertainty is exacerbated by social grouping and patterns of poverty that often occur in large cities (Fauzi, 2021). This uncertainty can spill over into access to basic services, including education, because schools often require clear documentation. Therefore, the relationship between the legal status of children born out of wedlock and the right to education needs to be read as a relationship between legal norms, administrative procedures, and social recognition.

Education as a public service demands the principle of non-discrimination, as school is a space for forming citizens that should uphold equality. However, schools are also bureaucratic spaces that depend on documents, forms, and family data. When a child's status is debated or when family documents are considered incomplete, schools may respond in ways that appear formally neutral but can be morally detrimental to the child. For example, repeated requests for additional documents, delays in registration, or placing the child in a position of having to explain family circumstances before officials (Hanson & Nieuwenhuys, 2013). Such situations show that out-of-school or non-formal education is very important for building a more caring and open society (Warin, 2022). Such treatment can foster feelings of shame and alienation, even if the actions are carried out without ill intent. At the same time, the social environment at school can reinforce social labels through mockery or gossip, such that birth status becomes a source of stigma. This condition is often worsened by issues of structural social injustice that make certain groups more easily marginalized (Gani, 2022). Thus, access to education cannot be understood merely as physical access to a classroom, but as access that encompasses psychological safety and treatment that respects dignity. This is where family law, educational policy, and social norms intersect, as legal status can influence how institutions and school communities treat a child.

Social recognition of children often follows the pattern of legal recognition, as society tends to use documents and status as the measure of legitimacy. When family law produces categories that differentiate children based on their birth origin, these categories can be translated into social distance, and even become a justification for differential treatment (Ferguson, 2017). Therefore, it is very important for us to continuously

provide understanding and awareness to the community so that their behavior can change in a more positive direction (Gautama & Mardikaningsih, 2022). This social recognition can manifest in extended family relations, neighborly relations, and institutional relations, including educational institutions. When a child is viewed as the result of a relationship that is blamed, the child can experience moral judgments unrelated to their own behavior (Cretney, 2003). In fact, bad assumptions regarding a family member's mental condition often make it difficult for them to obtain proper legal protection (Zahid et al., 2022). Such moral judgments can decrease self-confidence, decrease the sense of security, and decrease participation in school activities. At the family level, parents or guardians may feel pressured, leading them to choose to hide information or avoid administrative matters. This avoidance can reduce parental involvement in school, which ultimately disadvantages the child. Thus, the status of children born out of wedlock needs to be read as a matter of recognition, as recognition determines whether a child is fully considered a member of the community. The right to education demands equal recognition, because without recognition, schools can become spaces that perpetuate stigma.

Within a normative framework, children cannot be burdened with the consequences of adult choices or conflicts, as the principle of the best interests of the child demands protection that prioritizes the child's needs (Zermatten, 2010). This principle must be maintained, especially when divorce occurs, so that child-rearing continues to function well for the sake of their future (Fajar et al., 2021a). This principle requires that family law and population administration position the child as a rights-holder, rather than an object of moral judgment. However, in many systems, the status of children born out of wedlock is often treated as an issue inherent to the parents' marital relationship, such that the child's rights become dependent on certain formalities. This dependency can create a gap between the principle of equality and procedural reality (Sutherland, 2012). Sometimes, pressure from the surrounding environment also makes children feel confused in determining their aspirations (Fajar et al., 2021b). In the educational space, this gap is visible when school access becomes dependent on identity documents containing sensitive information. When documents become the sole entry point, a child can

be held back by matters beyond their control. Furthermore, differences in status can affect access to social support, such as educational assistance that requires family verification. In this case, fair scholarship assistance is greatly needed so that children from underprivileged families can still attend school and live healthily (Suwito et al., 2021). Therefore, this discussion converges on an important question, namely how family law regulates the status of children born out of wedlock and how that regulation implicates the right to education, social recognition, and the potential for discrimination.

The main problem arises when the regulation of the status of children born out of wedlock creates uncertainty in the legal relationship between the child and the parents, especially regarding recognition, maintenance responsibilities, and identity in documents (Kilkelly, 2014). Additionally, changes in increasingly modern urban environments sometimes actually marginalize low-income communities (Fauzi, 2022). This uncertainty can shift the burden of proof onto the child or onto caregivers who face complicated procedures. At the experiential level, the burden of proof often means dealing with questions that intrude on privacy and cause shame. When privacy is disturbed, the child risks experiencing stigma that spreads to the school environment (Sanders, 2016). To overcome social problems of this kind, cooperation and support from all citizens are greatly needed (Zulkarnain et al., 2021). In relation to education, identity uncertainty can cause institutional doubt about the validity of documents, so the registration process and school administrative services become protracted. Although institutional actions appear administrative, the consequences are moral because they touch upon the sense of equality and acceptance. Status uncertainty can also affect the child's relationship with the father figure or the father's family, as unclear recognition can close off access to support. This support is relevant to education, as education requires stability in caregiving and material support. Thus, the issue of status is not merely a legal concept, but a knot that affects the child's access to educational opportunities and to recognition within the learning community.

The next problem lies in the potential for discrimination that occurs through the social and institutional practices accompanying the status of children born out of wedlock. Discrimination can be present as differential

treatment, negative judgment, exclusion, or policies that implicitly assume a certain family model as the standard (Parkes, 2013). Therefore, providing advice or counseling before marriage is very important to do so that the divorce rate can be reduced (Darmawan et al., 2022). In the school space, the potential for discrimination can emerge through forms that force the filling of certain data, through communication that brings up family status, or through the treatment of teachers and peers who attach labels. Discrimination can also appear in access to educational assistance programs when family verification requires documents that are difficult to fulfill (Byrne, 2019). Normatively, such discrimination denies the principle of equality and denies the principle that children should not bear the faults of adults. However, normative assessments are often blurred because discrimination is institutionalized through routines, rather than through aggressive actions that are easily recognized. As a result, victims find it difficult to name the experience as a violation, and institutions find it difficult to see the moral impact of procedures. This issue needs to be understood systematically so that the protection of the right to education can include protection from stigma and degrading treatment.

Moral debates about birth outside of marriage must not stop at formal explanations of documents. In fact, the right to education demands guarantees that can work in real life, including guarantees against humiliating treatment and against hindering procedures (Eekelaar, 2017). This writing is necessary to emphasize that a child's legal status influences social recognition, and social recognition influences the school experience. Urgency also arises because school is a space that shapes identity, so the stigma experienced by children at school age can leave long-lasting psychological wounds (Ruggiero, 2021). With an orderly normative framework, the discussion can direct attention to the principle of equality, the principle of the best interests of the child, and the principle of non-discrimination in educational services. This framework is expected to provide a foundation for the formulation of institutional guidelines that respect family privacy while still ensuring equal educational access for every child, without placing birth status as a burden.

The purpose of this writing is to formulate a conceptual framework regarding the status of children born out of wedlock in family law and its implications for the right to education. This writing explains the

relationship between legal identity, social recognition, and the potential for differential treatment in school services. This writing also formulates normative standards that place the best interests of the child, equality, and privacy protection as the measures for educational administration practices. Furthermore, this writing asserts that education as a public service must be free from the stigma of birth origin. This framework is expected to assist legal reasoning and school policy in assessing registration procedures, verification, as well as communication with families. Theoretically, this writing clarifies the relationship between family law categories and the social rights of children. Practically, this writing provides a basis for guidelines for dignified treatment.

Method

This study employs a qualitative literature study to construct a conceptual synthesis regarding the status of children born out of wedlock in family law and its connection to the right to education. The reading is directed toward works discussing principles of child protection, equality, recognition in family law, as well as normative consequences for public educational services. Privitera and Ahlgrim-Delzell (2018) emphasize the importance of orderly research steps in the field of education, including the formulation of focus, selection of relevant sources, and the structuring of themes so that arguments do not leap. Bryman (2016) highlights the consistency of reasoning in social research, particularly when the author builds claims from written sources and structures relationships between concepts. In this study, sources were selected based on the clarity of the concept of child status, the definition of the right to education as a fundamental right, and discussions on non-discrimination and the protection of dignity. Synthesis was conducted by grouping themes such as the theme of legal identity, the theme of school administrative procedures, and the theme of social recognition then weaving them into a narrative flow that addresses the problem formulation.

Processing of materials was carried out through repeated reading, noting key concepts, and formulating coherent normative propositions. In the initial stage, core terms were organized for consistency, for example, distinguishing legal status from social recognition, and distinguishing access to education from a dignified experience at school. In the subsequent stage,

ideas from various sources were brought together to map normative causal relationships, such as how legal categories can trigger procedural consequences, and how procedural consequences can open space for differential treatment. The arguments were then tested for internal consistency, namely whether the principles of the best interests of the child and equality are truly maintained within the reasoning. Because this study does not utilize D or observations, the primary weight lies in conceptual clarity, the accuracy of categorization, and the firmness of normative measures to evaluate educational procedures. With this approach, the result of the writing takes the form of a synthesis linking family law and educational policy through accountable child protection standards.

Result and Discussion

The status of children born out of wedlock in family law can be understood as a category that regulates civil relationships between children and parents, while simultaneously governing how the state recognizes a child's identity through registration (Nurhayati, 2019). This category carries normative consequences because legal identity functions as an entry point to many public services, including education. When legal identity is structured with specific requirements, these requirements are no longer mere formalities, but rather become selection mechanisms that can create inequality. This condition demonstrates the importance of legal guarantees to ensure that children's rights in the fields of education and health are properly fulfilled (Hariani dkk., 2021a). Within the framework of child protection, identity should be treated as a means to guarantee rights, not as a tool to judge family morality. However, in administrative practice, identity is often linked to family forms that are considered standard. As a result, children who fall outside these standards may be treated as special cases. This aligns with the view that children growing up on the streets often experience multi-layered failures of protection (Aidan Bin Abdullah, 2021). Treatment as a special case creates vulnerability to stigma and repeated verification. This vulnerability is significant because education requires stability and a sense of security. If the initial process of school access already places the child in a position of having to explain themselves, the child enters the learning space with a psychological burden. Therefore, this discussion positions legal status as a starting point

to assess whether the principles of equality and the best interests of the child are truly maintained when the right to education is exercised.

In family law, the regulation of a child's status is often related to parental recognition, proof of biological relationships, and the determination of maintenance responsibilities. These relationships determine who is obligated to provide care, who is authorized to represent the child, and who is responsible for basic needs, including education. Legally, the status of the child is also a serious concern in discussions regarding reproductive technologies such as artificial insemination (Priyatama dkk., 2022). Normatively, parental responsibility for a child's education should not depend on marital status, as education is a child's right. However, when the legal relationship between father and child is restricted or complicated, the child may lose access to support, both material and social. Moreover, amidst major changes toward a more modern society, psychological perspectives in social life become very crucial (Darmawan dkk., 2021). The loss of support has the potential to reduce the family's ability to meet schooling needs. Furthermore, regulations that differentiate the father-child relationship can create a lingering sense of non-recognition attached to the child's identity. This sense of non-recognition can be linked to social recognition, as society often follows legal signals. In the school environment, social recognition influences how the child is treated by peers and school authorities (Colpin et al., 2004). Therefore, status in family law must be read as a structure of recognition. This structure of recognition determines whether a child is viewed fully as a subject of rights or as an exception that must bear a stigma.

The right to education has dimensions of access and dimensions of dignified treatment. Access means the child can register, be accepted, and participate in learning without irrelevant procedural barriers (Bereday, 2015). Dignified treatment means the child is not humiliated, not forced to reveal family secrets, and not subjected to labeling. Within a normative framework, these two dimensions are inseparable, as access without dignity still contains discrimination. We must realize that education covering various fields of knowledge greatly assists the development of a child's social competence (Hariani dkk., 2021b). In the issue of the status of children born out of wedlock, school administrative procedures can become a vulnerable point because documents often request parental

identity, guardianship status, and address. These requests are essentially for administrative purposes, but they can turn into tools of judgment when officials interpret the documents as moral indicators. Children and guardians may be treated with suspicion, as if they intended to commit fraud. This suspicion certainly adds a burden for working mothers who already bear a double burden in the household (Khairi, 2021). This suspicion erodes the sense of equality. Additionally, waiting rooms, administrative offices, and classrooms can become spaces for the dissemination of sensitive information through unguarded conversations. The spread of sensitive information violates privacy. Within the framework of the best interests of the child, privacy is part of protection. Therefore, the regulation of a child's status must be evaluated based on its impact on educational procedures and school communication practices that uphold dignity.

Social recognition of children is often shaped by everyday language that attaches labels to birth (Rohmawati & Siddik, 2022). Labels can turn a child into a symbol of adult mistakes, so the child is judged before being known as an individual. In education, these labels can appear as mockery, gossip, or restrictions on participation. Normatively, schools have an ethical obligation to prevent bullying and to build a culture of respect. However, a major challenge arises because social stigma toward certain mental conditions is still frequently found in society (Aisyah & Issalillah, 2022). This ethical obligation easily collapses if the school's administrative structure itself opens space for labeling, for example, through unnecessary announcements, lists, or questions. When a school requests an explanation of family status openly, the school signals that such status is important. This signal reinforces stigma. Therefore, the protection of the right to education must include protection from stigma created by institutions. Social recognition is also related to recognition by the extended family. If the extended family rejects the child, the child loses a support network that often assists in education, such as financial aid, study supervision, and emotional support. Education indeed plays a key role in helping children from poor urban families improve their fate (Hartono & Sulistyono, 2022). Within a normative framework, the support network influences a child's ability to persist in school. Thus, legal status and social recognition form a chain of consequences that culminate in the

educational experience. This chain demands a refinement of norms so that children do not become victims of multiple layers of disadvantage.

Berikut adalah terjemahan teks tersebut ke dalam bahasa Inggris dengan tetap mempertahankan struktur paragraf dan kutipan asli:

Potential discrimination in access to education can emerge through policies that appear uniform but have differing impacts on certain groups (Azizi et al., 2020). For example, document requirements that assume two parents with a clear marital relationship. Such requirements can force single guardians, mothers, or other caregivers to undergo additional processes. These additional processes can consume time, energy, and a sense of security. This issue of social inequality is often a challenge in building harmony in urban environments (Mardikaningsih, 2021). Within a normative framework, uniform policies that ignore family variations can be considered unjust because they disregard the need for child protection. Procedural justice demands that administrative procedures provide an equal path, rather than a path that forces some children to work harder to prove their eligibility. Therefore, organizations or educational institutions need to have adaptive ways of facing every crisis or difficulty (Arifin & Darmawan, 2022). Procedural justice also demands that officers' decisions must be understandable and not arbitrary. If an officer rejects a registration due to doubts about status without a clear explanation, that rejection shifts the burden onto the child. This burden contradicts the principle of the best interests of the child. Discrimination can also occur through informal treatment, such as demeaning comments or judgmental stares. Informal treatment is often considered trivial, yet it shapes the school climate. School climate affects attendance, participation, and learning outcomes. Thus, the potential for discrimination must be interpreted as a combination of policy, procedure, and communication culture in schools.

In normative discussion, the principle of the best interests of the child demands that every status arrangement concerning a child must be assessed by the ability of that arrangement to protect the child's development (Vandenhoe et al., 2011). Education is an essential element of development; therefore, status arrangements that hinder access to education contradict this principle. It is important for us to continue maintaining values of kindness amidst the onslaught of modern lifestyles today (Amri & Khayru, 2022). The best interests of the child also demand

that moral considerations regarding parental behavior must not be used as a basis to reduce the child's rights. This principle requires a strict separation between the assessment of adults and the rights of the child as a subject. In the issue of children born out of wedlock, this separation is often blurred because the child's status is viewed as a reflection of the parents' relationship. When the child's status is framed as a moral consequence, the child's rights are eroded. Therefore, this discussion emphasizes the need for reasoning that places the child as an independent rights holder. In the educational space, this reasoning means schools must not demand that children explain family matters. Schools also must not produce documents or communications that disclose a child's status to the school public. Privacy protection is part of the best interests of the child. Thus, the principle of the best interests of the child must function as a measure to assess the suitability of status arrangements in family law with the fulfillment of educational rights.

The principles of equality and non-discrimination demand that children in any birth situation must obtain equal access to schools, support services, and respectful treatment (Joni, 2013). Equality does not mean all procedures must be identical, but rather that the protection outcomes must be equal. If the same procedure results in systematic disadvantage for certain groups, procedural equality needs to be rectified. This is very important because the gap in educational access remains a major problem requiring real solutions in many developing countries (Rojak & Khayru, 2022). Within a normative framework, equality in educational services demands the design of procedures that are sensitive to the diversity of family forms. This diversity includes single-parent families, families with guardians, and families with parental relationships not bound by marriage. Equality also demands that school officials understand the limits of their authority. Schools have the authority to verify identity for administrative purposes, but schools do not have the authority to judge family morals. When schools act like a moral court, they violate equality. Equality also demands protection from bullying. Furthermore, active participation from all levels of society is greatly needed to ensure that democracy and social justice continue to function (Rojak et al., 2021). Bullying based on birth status is a form of social discrimination that damages educational rights. Thus, the principle of equality directs this discussion toward two focuses:

procedural reform so that access is not hindered, and school culture reform so that the child's dignity is respected.

Administrative identity is often the intersection between family law and educational rights (Rohmawati & Siddik, 2022). Identity documents contain information that influences how institutions process services. In the issue of children born out of wedlock, information about parents can be sensitive. Normatively, educational institutions should apply the principle of data minimization, which is collecting only enough information for educational services. The emotional balance and mental health of children are greatly influenced by how the family interacts every day (Safira, 2021). When schools collect unnecessary information, they increase the risk of stigma and privacy violations. The principle of data minimization is related to the protection of dignity. Children have the right not to be made objects of curiosity. Additionally, identity documents are often the basis for access to assistance programs. Assistance programs that require family verification must ensure that verification does not produce discrimination. One way to hone children's creativity and critical thinking is through enjoyable arts education (Ramle, 2021). Verification that forces the disclosure of status can cause families to refuse assistance for fear of stigma. Refusing assistance harms the child. Within a normative framework, verification design must protect privacy and prioritize the child's needs. Thus, administrative identity is not merely a technical matter, but a tool that can expand or narrow educational access. This discussion directs attention to the ethics of educational administration specifically, how schools and related institutions can fulfill their obligations without making birth status a source of differential treatment.

The legal recognition of a father's status in legal relations often carries consequences for educational support, as support can be both material and symbolic. Material support relates to school fees, supplies, and learning needs. Symbolic support relates to a sense of being recognized, a sense of security, and a feeling of belonging to a family network (Sloth-Nielsen et al., 2011). In urban environments, people often form groups or communities based on shared hobbies and interests (Rejeki, 2021). If family law structures the recognition of father and child in a limited way, the child may lose one of these sources of support. Normatively, the arrangement of parental responsibility should place the child's needs at the center. The child's needs

include educational needs. Thus, status arrangements that reduce opportunities for responsibility can be seen as less aligned with the child's interests. However, this discussion also demands caution, as recognition must not be understood as a tool of control that endangers the child's safety. Good public policy must have a strong legal foundation for the welfare of the broader community (Rizky & Udjari, 2021). Therefore, the normative framework needs to balance two values: protection from neglect and protection from the abuse of power. In education, this balance is relevant when schools interact with guardians. Schools need to know who is authorized to make educational decisions, but that knowledge must be obtained without causing shame. Thus, the arrangement of a father's status is not merely a family issue, but an issue of access and educational governance that demands protection, certainty, and respect.

The potential stigma against children born out of wedlock can cause psychological effects that influence school participation (Alifah et al., 2022). Children who feel they are looked down upon may choose to remain silent, withdraw, or avoid activities involving parents. Withdrawing behavior can decrease learning opportunities. Normatively, schools have a responsibility to build a psychologically safe environment. The well-being of employees in public service institutions also greatly influences the quality of service provided to the community (Gautama et al., 2021). A psychologically safe environment means a child can learn without fear of being shamed. In the issue of birth status, psychological safety also demands strict communication policies. Teachers and staff must not discuss family status as a topic of conversation. This policy is related to professional ethics. Additionally, schools need to ensure that activities involving families are designed with respect for various family forms. Through social education, students are expected to have a broader global awareness (Hariani & Mardikaningsih, 2022). If event forms or school speeches assume a certain ideal family, children from different families may feel alienated. The feeling of alienation is a form of symbolic discrimination. Symbolic discrimination is difficult to see, yet its impact on the sense of equality is significant. Thus, the discussion of stigma demands an interpretation of educational rights as the right to a learning space that respects family diversity, without turning the child's status into an identity that invites judgment.

Within a legal framework, discrimination can occur when different treatment is given without a justifiable basis and results in harm to the rights holder (Caulfield, 2012). For children born out of wedlock, different treatment can appear in school registration, processing aid, or access to certain activities. The basis for different treatment is often framed as an administrative necessity. However, administrative needs must be tested by the principle of proportionality. Proportionality demands that the means of achieving administrative goals must not harm the child's dignity. If a goal can be achieved without requesting sensitive information, then requesting sensitive information becomes disproportionate. Every step taken must be carefully considered so that no party feels unilaterally disadvantaged. Furthermore, the principle of certainty demands that schools have clear written procedures so that staff decisions do not depend on personal attitudes. When procedures are unclear, the room for discrimination increases. In normative discussion, procedural certainty is not just about efficiency, but protection. This protection is important because children are in a weak position within bureaucratic relations. Thus, the structuring of educational procedures is part of the legal protection against discrimination. This protection includes privacy protection, protection from demeaning comments, and protection from service delays that cannot be reasonably explained.

Family law is often understood as law regulating the private sphere, while education is understood as the public sphere (Taufik, 2022). However, this separation is not always distinct, because family decisions and family status enter the public sphere through documents. In the issue of children born out of wedlock, the entry of status into the public sphere can prolong stigma. Normatively, the state has an obligation to ensure that differences in family status do not become a basis for exclusion from public services. This obligation demands a coordination of principles: the principle of child protection in family law must be aligned with the principle of non-discrimination in educational services. This is certainly the hope for all of us, so that every child can feel comfort while seeking knowledge. If the principles are aligned, procedures can be designed to protect. If the principles are not aligned, procedures become a breeding ground for stigma. In this discussion, alignment means that schools do not consider birth status as relevant information for assessing a child's

eligibility. Alignment also means that identity verification is conducted for service purposes, not for moral judgment. Furthermore, alignment means that the child's right to education is recognized without moral conditions. Thus, the relationship between the private and public spheres must be read through a flow of protection, namely how information moves, who accesses it, and how the risk of stigma is controlled. The flow of protection is key so that legal status does not transform into a tool of discrimination.

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Social recognition often follows legal language, as society borrows terms like legitimate and illegitimate to judge human beings (Besson, 2007). In a normative framework, borrowing such terms is problematic because it transforms administrative categories into moral judgments. A child born out of wedlock may be judged as less "legitimate" in social interactions, even though that judgment has no ethical basis. In education, moral judgments can alter peer relationships. A child may become a target of mockery or exclusion. Exclusion reduces the sense of security. A sense of security is a prerequisite for learning. Therefore, the right to education must include protection from exclusion based on family status. This protection requires schools to implement firm and fair anti-bullying policies, as well as values education that respects dignity. However, values education must be carried out without marginalizing specific families. Values education must emphasize that children are not responsible for the decisions of adults. Thus, the discussion of social recognition points to the need to build a school ethic that rejects labels. This school ethic is aligned with legal principles that place the child as a rights holder. When the school ethic is strong, legal status is not easily translated into a social stigma that damages the educational experience.

Access to education is also linked to access to support services, such as counseling, school health, and extracurricular activities (Swick & Powers, 2018). Children experiencing stigma due to birth status may be reluctant to access support services for fear of being found out. This fear reduces the benefits of the services. Normatively, support services must be designed to

maintain confidentiality and remain free from moral judgment. Confidentiality protects children from the dissemination of information that could trigger stigma. Additionally, student data management must adhere to the principle of minimization storing only necessary data and limiting staff access. When sensitive data is leaked, the school becomes a source of harm. This harm contradicts the goal of education as protection. This discussion affirms that the right to education includes the right to secure and dignified data governance. In the issue of children born out of wedlock, data governance is crucial because family status can be considered sensitive. Thus, protection from discrimination is not enough through explicit prohibitions; it requires detailed regulations in school work processes. These work processes include registration, archiving, communication with guardians, and conflict resolution. When work processes prioritize dignity, the potential for discrimination decreases.

Within a normative framework, the status of a child born out of wedlock should not determine the child's social value, yet social reality often places status as a sign (Azizi et al., 2020). This sign can become a source of differential treatment within the extended family, such as differences in attention, assistance, and inheritance. Differential treatment within the extended family can affect education because education often depends on family support. If support decreases, the child faces a heavier burden. However, this discussion does not depend on data, but rather on the logic of social relations. Social relations are formed by norms of honor, reputation, and sexual morality that are often imposed on the child. Within a child protection framework, this burden cannot be justified. Protection demands a separation between the judgment of adults and the rights of the child. This separation is also vital for schools. Schools must see the child as a whole learner, not as a shadow of parental conflict. Thus, the discussion leads to the idea that educational rights need to be protected from two sources: legal sources that can cause uncertainty and social sources that can cause stigma. This dual protection requires a framework that unites family law and educational ethics.

Education as a right is also related to the state's obligation to provide easily accessible services (Redi & Chandra, 2022). Ease of access means clear registration procedures, available information services, and staff trained to act respectfully. In the issue of children born out of wedlock,

staff training is important because moral bias can emerge unconsciously. Moral bias can transform the language used by officials into judgmental language. Judgmental language causes shame. Within a normative framework, shaming is a form of treatment that damages dignity. The state also needs to ensure the existence of safe and effective grievance mechanisms in schools, so that guardians and children can report discriminatory treatment without fear of social retaliation. Grievance mechanisms are part of accountability. Accountability increases trust in institutions. Trust is vital for families already vulnerable to stigma. Thus, the right to education is not just about the availability of schools, but also the quality of administrative services and the quality of protection from differential treatment. This discussion affirms that the quality of administrative services can determine whether a child feels accepted. If a child feels accepted, they engage more easily in learning. If they feel suspected, they carry a psychological burden that hinders them.

The right to education also requires stable identity recognition. A stable identity means the child has recognized documents without having to repeatedly prove themselves (Heriyah & Barthos, 2021). In the issue of children born out of wedlock, identity stability can be disrupted if the child's status is debated or if parental relations are not clearly recorded. When identity is unstable, every school matter becomes a source of stress. Stress can affect concentration and attendance. Normatively, the legal and administrative systems should avoid placing the child in a state of uncertainty. Uncertainty is a form of harm that contradicts the best interests of the child. This discussion asserts that the child's identity must be prioritized as the basis for fulfilling social rights. This basis includes educational rights. Therefore, the arrangement of a child's status in family law must consider cross-service implications. If the status arrangement creates doubt regarding documents, educational services are also impacted. Consequently, the discussion directs attention to the need for normative harmony, namely the alignment between status determination in family law and the administrative needs of schools. Such alignment must be placed within a framework of dignity, not a framework of morality.

The regulation of a child's status is also related to the concept of responsibility, as family law governs who is obligated to provide maintenance and care (Topidi, 2016). In education, this responsibility

includes the payment of fees, learning assistance, and school decisions. When a child's status makes the responsibility of certain parents weak, the child may experience educational neglect, such as late payments or a lack of support. Normatively, educational neglect is a violation of the child's rights. Thus, status arrangements should strengthen parental obligations, not weaken them. However, this discussion also demands the principle of protection from conflict, as parental conflict often influences educational decisions. The child can become a bargaining chip. Within a normative framework, making a child a tool is a violation of dignity. Therefore, the protection of educational rights needs to include protection from instrumentality—namely, protection to ensure that educational decisions are determined by the child's needs, not by adult conflicts. Schools can get trapped in conflicts if they do not have guidelines. Guidelines are needed to determine who is authorized to make decisions without opening space for manipulation. Thus, the relationship between status and education encompasses the dimension of responsibility and the dimension of decision-making governance, both of which need to be assessed through the best interests of the child.

The potential for discrimination faced by children born out of wedlock can also emerge through cultural narratives that position the child as a symbol (Rohmawati & Siddik, 2022). This symbolism can trigger comments in the classroom, comments in the environment, and judgments regarding achievement. A child's achievement may be interpreted as a surprising exception or as something that remains insufficient to erase the label. Within a normative framework, such cultural narratives are demeaning because they refuse to see the child as an individual. As institutions that shape citizens, schools need to reject narratives that attach family morality to the child. This rejection can be manifested through disciplinary policies against bullying, character education that emphasizes human dignity, and teacher role-modeling through respectful language. However, role-modeling requires an awareness that birth status is a sensitive issue. If a teacher jokes about status, the teacher reinforces the stigma. Therefore, this discussion leads toward the ethics of the teaching profession as part of the protection of rights. Professional ethics demand confidentiality, non-discrimination, and fair treatment. Professional ethics also demand that schools understand that access to education is a right, not

a gift. Thus, the status of a child born out of wedlock must not be a basis for reducing services or diminishing recognition.

In a normative framework, family privacy is an important value, but privacy does not mean allowing institutions to act without standards (Azizi et al., 2020). Privacy means that sensitive information is protected and not disseminated. In the issue of children born out of wedlock, protecting privacy in schools means limiting who can access family data, restricting conversations about the data, and limiting the use of data in school activities. Protecting privacy also means that school forms do not ask for unnecessary details. When a school asks for unnecessary information, it exceeds its needs and increases the risk of stigma. Furthermore, privacy also relates to how the school contacts parents or guardians. If a school contacts the wrong party due to assumptions about the family, the school can trigger conflict and cause embarrassment. Therefore, communication governance must be accurate and respectful. Within the framework of the best interests of the child, privacy is part of the sense of security. This sense of security affects learning. Thus, this discussion affirms that the protection of educational rights in the issue of child status needs to include strict privacy standards. Privacy standards help prevent discrimination arising from information leaks. Information leaks are often the beginning of social stigma. By protecting privacy, schools reduce the opportunities for stigma.

Procedural justice in schools demands that every child be treated with the same standards in core services, yet procedures must be flexible enough to accommodate family variations (Rohmawati & Siddik, 2022). Procedural justice means that decisions can be explained, processes can be traced, and rejections can be reviewed. In the issue of the status of children born out of wedlock, procedural justice is important when there are differences in guardian documentation. Schools must have a verification path that does not complicate matters and does not cause embarrassment. A good verification path separates the service space from the public space, so families do not have to explain themselves in front of others. Procedural justice also demands that officials do not add requirements beyond the rules. The addition of requirements often stems from bias, such as perceiving certain families as less "legitimate." This bias can disadvantage the child. Within a normative framework, bias is a form of discrimination. Therefore, written guidelines and staff training become essential to reduce variations in

arbitrary decisions. Additionally, procedural justice demands a correction mechanism, such as a grievance channel. The grievance channel must be safe and maintain confidentiality. Thus, procedural justice serves as a bridge between the principle of non-discrimination and daily school practices.

Social recognition can also be influenced by the way state institutions name a child's status (Falahiyati & Ahmad, 2021). When legal or administrative language uses terms that carry a judgmental tone, those terms can spread to society. Within a normative framework, the state's language must uphold dignity because state language shapes social norms. This is crucial so that governance is truly directed toward providing the best public services for citizens (Rojak, 2021). If state language provides space for labels, those labels become normalized. In the issue of children born out of wedlock, judgmental language can reinforce stigma. This stigma then enters the school as a culture. Therefore, this discussion emphasizes the importance of neutral and rights-oriented language. Rights-oriented language views the child as a subject who must be protected. In schools, rights-oriented language means addressing students with respect, avoiding questions that probe into origins, and avoiding comments about the family. Thus, language is an instrument of protection. This protection may seem small, but it shapes the learning experience. A child who is respected feels worthy of learning. A child who is shamed feels alienated. Ultimately, every child has the right to feel comfortable in the environment where they learn and grow. Within a normative framework, a sense of worthiness is part of substantive equality. Substantive equality demands that a child perceives the school as theirs, not as a space that tests the legitimacy of their birth.

The relationship between a child's status and educational access also touches on the aspect of parental participation (Suhariyanto, 2022). Parents or guardians experiencing social stigma might reduce their involvement in school due to fear of judgment. The role of parents is actually very significant in shaping a child's life values starting from within the home (Safira et al., 2022). When involvement decreases, communication regarding learning needs can be disrupted. Normatively, schools should create a safe space for participation for all families. A safe space means the school welcomes various family forms without judgmental comments. A safe space also means the school provides communication

channels that maintain confidentiality. If a school fails to build a safe space, it contributes to reinforcing the stigma. The public policies we create must be balanced between economic, social, and environmental protection affairs (Mardikaningsih & Hariani, 2021). Stigma can cause families to close themselves off, and this withdrawal can disadvantage the child. Therefore, the right to education includes the right to a dignified school-family relationship. This relationship is important to prevent school dropouts and to support development. In the issue of children born out of wedlock, the school-family relationship must avoid the assumption that a family always consists of a father and a mother. This assumption is seen in invitations, forms, and school events. If the assumption is shifted toward the language of "guardians," the school becomes more inclusive. Thus, this discussion affirms that the design of school communication is part of the protection of educational rights.

Within a normative framework, a child has the right to be heard in matters concerning them, including educational affairs. However, the stigma of birth status can cause the child's voice to be ignored (Tittensor et al., 2022). A child may be deemed to have no authority to speak about their needs. In school, the dismissal of their voice can occur when teachers link a child's behavior to their family status and then judge without listening. Judging without listening is a form of injustice. Much like environmental affairs, good environmental management also requires firm and fair law enforcement (Nuraini et al., 2021). Justice demands a fair hearing. A fair hearing means the teacher evaluates behavior based on the learning situation, not based on assumptions about the family. Furthermore, a fair hearing means the school provides safe counseling services for the child to talk about experiences of stigma. These services must maintain confidentiality. We must also respect the local wisdom existing in society in preserving biodiversity (Nurmalasari & Nuraini, 2021). In the issue of children born out of wedlock, the child might carry an emotional burden due to stigma. This emotional burden can affect achievement. A fair school does not blame a child for declining achievement without understanding their social burden. Thus, the protection of educational rights includes protection against biased judgment. This protection demands that schools separate family identity matters from academic evaluation. When this separation is implemented,

the school approaches the principle of equality that evaluates the child as a subject of learning.

A conceptual framework linking the status of children born out of wedlock and educational rights can be structured through three normative axes: identity recognition, procedural justice, and the protection of dignity (Hak, 2018). Identity recognition means that the state and schools recognize the child as a subject of rights without questioning birth origin as a measure of eligibility. Procedural justice means that the processes of registration, verification, and access to assistance are designed so as not to produce unnecessary additional burdens and are accompanied by clear reasons. Protection of dignity means the school maintains privacy, prevents labeling, and rejects shaming comments. These three axes are interconnected. Without identity recognition, procedures become a moral selection. Without procedural justice, the right to education becomes dependent on the flexibility of officials. Without the protection of dignity, access becomes a painful access. Thus, the answer to the problem formulation shows that the arrangement of status in family law shapes normative consequences through documents, through the relationship of responsibility, and through social signals that affect the school experience. This framework affirms that the fulfillment of educational rights demands the arrangement of legal norms and school institutional norms so that children do not become victims of stigma and differential treatment.

The status of a child born out of wedlock is a node that brings together family law, state administration, and educational ethics (Nasution, 2020). When this node is organized with the principles of equality and the best interests of the child, status does not become a tool for stigma. When this node is left in the language of judgment, status becomes a source of disadvantageous restrictions. In education, the impact of status is visible at initial access, in communication experiences, and in social relations. Therefore, the protection of educational rights requires a normative approach that views procedures as an ethical domain. Procedures are not merely ways of working, but ways of treating human beings. Schools and related institutions must understand that every administrative question can carry social meaning. If the social meaning is one of judgment, the school damages the right. If the social meaning is one of respectful service, the school protects the right. Thus, this

discussion affirms that the debate over a child's status should not stop at legal definitions, but must reach how those definitions affect school life. The right to education demands more than an entrance; it demands full recognition of the child's dignity as a learner.

Conclusion

The regulation of the status of children born out of wedlock in family law carries normative consequences that spread to the fulfillment of the right to education through administrative identity channels, parental responsibility channels, and social recognition channels. When status is strictly linked to the formalities of parental relationships, the child risks facing identity uncertainty and a verification burden that disrupts their sense of equality. In educational services, this burden can manifest as registration delays, repeated document requests, or communications that open a space for stigma. Beyond procedures, status can also be translated into social labels that trigger exclusion and bullying, such that the right to education is reduced to access without dignity. The normative framework established in this discussion places identity recognition, procedural justice, and the protection of dignity as the main axes for assessing the compatibility of status arrangements with the principles of the best interests of the child and non-discrimination. Thus, the status of a child born out of wedlock must be understood as an issue of children's rights within public services, rather than as a medium to prolong moral judgments upon the family.

Implications and suggestions emphasize the need to organize institutional guidelines in educational services so that administrative procedures do not produce discrimination based on birth status. Schools need to apply the principles of data minimization and confidentiality in managing family information, as well as develop verification procedures that respect privacy and provide understandable explanations. The training of staff and teachers needs to be directed toward non-discrimination ethics, respectful language, and the awareness that family status is irrelevant to assessing a child's eligibility as a learner. Safe and confidential grievance mechanisms are necessary so that demeaning treatment can be corrected without adding a social burden to the child and guardian. At the level of legal reasoning, the interpretation of child status

norms must always be tested against the measures of the best interests of the child and substantive equality, ensuring that identity and parental responsibilities do not produce uncertainty that harms education. A conceptual suggestion for future writing is to detail procedural justice indicators in schools that can be used as measures for policy evaluation without relying on field data.

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