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Strategies to Prevent Increasing Divorce Rates for Muslim Families in Indonesia

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Abstract: The Annual Report of the Director General of the Religious Courts Agency states that the number of divorces in Muslim families in Indonesia has increased over five years (2017-2021). The impact of the increasing number of divorces is on parenting both emotionally and physically because the average age of 60% of divorced couples is aged 20-40 years who still have children in care. This study aims to formulate a strategy to prevent an increase in divorces in Indonesian Muslim families. This research uses a qualitative approach with descriptive analysis. Data was collected by using a questionnaire to several respondents, studying documents of religious court judges' decisions, interviews, and literature study. This study found that the strategy to prevent the number of divorces in Muslim families in Indonesia is carried out integrally, starting from the institutionalization of the fundamental values of marriage education in the family, pre-marital education in official institutions (Office of Religious Affairs), husbands and wives understand well the methods of resolving marital conflicts, and revitalization of the process of examining divorce cases in the religious courts. Thus, this study concludes that what must be done to strengthen the resilience of Muslim families in Indonesia in preventing an increase in the number of divorces is to prevent them from upstream to downstream.

Keywords: Divorce, Marriage, Muslim Families, Pre-Marriage Education, Religious Courts.

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Abstrak: Laporan Tahunan Direktur Jenderal Badan Peradilan Agama menyebutkan bahwa jumlah perceraian dalam keluarga muslim di Indonesia meningkat selama kurun waktu lima tahun (2017-2021). Dampak dari meningkatnya jumlah perceraian ini yaitu pada pengasuhan anak baik secara emosional maupun fisik sebab usia rata-rata pasangan bercerai sebanyak 60% berusia 20-40 tahun yang masih memiliki anak dalam pengasuhan. Penelitian ini bertujuan untuk merumuskan strategi mencegah peningkatan jumlah perceraian dalam keluarga muslim Indonesia. Penelitian ini menggunakan pendekatan kualitatif dengan analisis deskriptif. Pengumpulan data dilakukan dengan menggunakan kuesioner kepada sejumlah responden, studi dokumen putusan hakim pengadilan agama, wawancara dan studi pustaka. Penelitian ini menemukan bahwa strategi pencegahan jumlah perceraian dalam keluarga muslim di Indonesia dilakukan secara integral yaitu dimulai dari pelebagaan nilai-nilai dasar pendidikan perkawinan dalam keluarga, pendidikan pranikah di lembaga resmi (Kantor Urusan Agama), suami dan isteri memahami dengan baik metode penyelesaian konflik perkawinan dan revitalisasi proses pemeriksaan perkara perceraian di pengadilan agama. Dengan demikian, penelitian ini menyimpulkan bahwa yang harus dilakukan untuk memperkuat ketahanan keluarga muslim di Indonesia dalam mencegah peningkatan jumlah perceraian adalah dengan mencegahnya dari hulu hingga hilir.

Kata Kunci: Perceraian, Perkawinan, Keluarga Muslim, Pendidikan Pra Nikah, Pengadilan Agama.

Introduction

This study will examine the increasing number of divorces in Indonesian Muslim families, especially in the last 5 years (2017-2021). Based on data from the Directorate General of Religious Courts,¹ in, the number of divorces increased by 50,194 out of 415,848 (12.7%) from. In the number of divorces increased by 28,510 out of 444,358 (6.14%) from 2017. In, divorces increased by 36,260 of 480,618 (7.54%) cases from 2018. In, the number of divorces decreased by 15,090 from a total of 465,528 (3.24%) cases in 2019, and in decreased by 5,898 from a total of 459,630 (1.2%)) cases in 2020. Thus, the number of divorces that continues to increase even though there is a decrease but not significant will have psychological, social, economic and emotional

¹ Compiled from the Annual Report of the Directorate General of Religious Courts, 2017-2021.

impacts on husbands, wives and children.²

The increasing number of divorces in Indonesian Muslim families every year shows that the marital bond in Muslim families is very fragile.³ For example, if in 2021 there were 459,630 divorces, then 1,335 divorce cases occurred every day, and 56 divorce cases occurred every hour. The same data was found in research that divorce decisions are higher than those rejected.⁴ Indonesian Muslim families face a divorce emergency as their number increases yearly. Therefore a strategy is needed to prevent the number of divorces, which is also the central issue of this paper.

So far, studies on dealing with the number of divorces have been carried out but are limited to certain aspects. The first is a study conducted by, which emphasizes the involvement of the extended family and local institutions. This involvement is very effective in reducing the divorce rate⁵. The two studies conducted by emphasized the optimization of the role of BP4 and the need to form a *sakinah* family working group to reduce the increase in the number of divorces.⁶ The three studies conducted by⁷ concluded that the strategy to prevent divorce is carried out through a mediation process in court by providing advice, suggestions, and views that are persuasive to husbands and wives in conflict. The three previous studies conducted studies on reducing the number of divorces by addressing certain aspects, while an integral study on preventing divorce from upstream to downstream had not been carried out.

This paper aims to complement the shortcomings of previous studies that tend to address divorce only in certain aspects. This is also stated by⁸ and

² Putri Erika Ramadhani and Hetty Krisnani, "Analisis Dampak Perceraian Orang Tua Terhadap Anak Remaja," *Focus: Jurnal Pekerjaan Sosial* 2, no. 1 (2019), <https://doi.org/10.24198/focus.v2i1.23126>.

³ Ramdani Wahyu Sururie, *Darurat Perceraian dalam Keluarga Muslim di Indonesia*. (Bandung: Lembaga Penelitian dan Pengabdian kepada Masyarakat), p. 5, Tahun 2017

⁴ Jummi Nelli and Sobhan Lubis. "Community Support For Divorced Women: A Study In Riau Province." *Samarah. Jurnal Hukum Keluarga dan Hukum Islam*. 6 No. 1. (2022), p. 409.

⁵ Fachrina et al, *Strategi Pemberdayaan Keluarga Luas Dan Institusi Lokal Dalam Pencegahan Dan Penanggulangan Maraknya Perceraian Di Sumatera Barat*. Universitas Andalas: Padang. 2017.

⁶ Heniyatun et al, "Upaya Menekan Tingkat Perceraian Pasangan Suami Isteri Pada Perkawinan Usia Dini" *The 4th University Research Coloquium* 2016.

⁷ Nikolay Gordiychuk, "Divorce and Family Mediation: an Overview" dalam *Family Psychology and Psychotherapy*. Regional NGO Association of Family Counselors and Therapists, (2017) p. 23.

⁸ Khairul Anam. "Strategi Hakim Mediator Dalam Mencegah Terjadinya Perceraian", dalam *Jurnal Hukum - Yustitiabelen* 7, No. 1 (2021)

⁹ that divorce coping strategies are carried out through mediation emphasizing religious approaches, past approaches, remembering romantic times, family approaches, and psychological approaches. The problem of conflict in divorce has complex dimensions. An integral approach is needed from upstream to downstream, namely preventing divorce through institutionalizing marriage education in the family, pre-marital education, understanding conflict methods in marriage, and revitalizing the divorce process in religious courts. In line with that, the focus of this study is how to prevent an increase in the number of divorces. The results of the purpose of this paper are expected to provide a more critical understanding of strategies to prevent divorce from upstream to downstream, which are seen as capable of preventing an increase in the number of family divorces.

The method used in studying strategies to prevent an increase in divorces in Muslim families is a qualitative method with descriptive analysis. To obtain data on strategies to prevent an increase in divorces through institutionalizing marriage education in families, 100 respondents were selected by distributing questionnaires online. The criteria for the selected respondents are respondents who have been married for 30-35 years and have never been divorced. Obtaining data on strategies to prevent an increase in the number of divorces through pre-marital counseling was obtained through a questionnaire to 100 prospective brides who carried out Marriage Guidance at the Office of Religious Affairs (KUA) in Arcamanik District, Bandung. Data on married couples understanding marital conflict resolution methods were taken from 100 parties who successfully mediated at the Bandung Religious Court. Data on strategies to prevent an increase in divorce in religious courts were conducted through interviews with several informants, namely judges, lawyers, mediators, and officers. The data collection process was carried out during 2021-2022.

The data is divided into two, namely primary data and secondary data. Primary data were obtained from sources from several respondents, informants, Posbakum officers, mediators, and literature review results. In comparison, secondary data is in the form of studies in various literature that support strategies to prevent an increase in divorces.

There may be weaknesses in collecting data. Therefore, in order to guarantee data validity and objectivity, triangulation techniques are used. This study used triangulation of sources and methods, which was carried out by cross-checking between data sources and methods with one another, both obtained through questionnaire techniques, interviews, and document studies.

⁹ Tirtawening, Rini Maryam. "The Urgency Of Applying Domestic Violence Screening Mechanism For Divorce Mediation In Religious Court". *Mimbar Hukum*. 30 No. 1. (2018)

Data collected from the questionnaire results, interviews, and literature will be analyzed using qualitative data analysis techniques. The qualitative data analysis follows the interactive model described by Miles and Haberman, which consists of data collection, reduction, presentation, and conclusion/verification activities.¹⁰

Strategies to Prevent an Increase in the Number of Divorces

The increase every year in the number of divorces has had an impact on children and husband and wife.¹¹ Therefore, a strategy is needed to prevent the number of divorces from increasing. This study describes the experiences of respondents whose marriage age was 30-35 years and who were not divorced. They revealed experiences in the family, significantly when their parents raised them about the fundamental values of marriage education. Until now, it is assumed that they are not divorced. One of the reasons is the institutionalization of the values of marriage education. Several other respondents answered with direct experience in pre-marital education, understanding of conflict management, and handling the process of examining cases in a court of judges, advocates, and Posbakum officers. There are 4 strategies to prevent the increase in marriages, as described below.

1. Institutionalize Marriage Education in the Family

The high number of divorces in Muslim families in Indonesia needs to be handled integrally from upstream to downstream and integrally. The first step to prevent the spike in the divorce rate from its upstream is to institutionalize marriage education within the family. Prevention of increasing divorce from the upstream must start with marriage education in the family, starting from preparation for entering marriage or pre-marital education and improving downstream by revitalizing the process of examining cases in the Religious Courts.

Respondents' responses when their parents taught them the importance of instituting marriage education values can be seen in Table 1.

¹⁰ M B Miles, A M Huberman, and J Saldana, *Qualitative Data Analysis: A Methods Sourcebook* (SAGE Publications, 2013), <https://books.google.co.id/books?id=p0wXBAAAQBAJ>.

¹¹ M Yusuf, "Dampak Perceraian Orang Tua Terhadap Anak," 2014, <https://doi.org/10.22373/albayan.v20i29.112>.

Table 1. Sources of Information on the Institutionalization of Marriage Education Values in the Family

No	Question	Answer	Score
1	The primary source of information on marriage education in the family	Mother	62%
		Teacher	12%
		Books	3 %
		From a married woman	3,3%
		Friends	2,7%
Total			100%

Source: Processed from questionnaire data

The respondents made the mother the primary source of information on marriage education in the family. Respondents whose marriage age was over 30-35 confirmed that mothers are a source of information on marital values education. In line with the above data, a study states that in every family, there is a concept of fostering young girls, especially those passed down from generation to generation, in the context of adhering to cultural values. However, this concept is relatively static and challenging to develop following the times. Hence, concepts containing cultural and religious values need to be adapted so that they are adequate to keep up with the times, especially in fostering young women entering the pre-marital phase.¹²

The respondents believed that the source of information about the basics of education in marriage was obtained from the mother as the first informant. This has a significant impact on the child's readiness for the future. Therefore, the role of the family is significant in the process of educating children before marriage. The primary role that must be carried out is the active role of parents in institutionalizing marital values in the family, as stated by the respondents.¹³ conducted the same study where 37.5% of parents provide coaching very often, 50% quite often, and 12.5% rarely. In this study, the role of parents in marriage education is very significant.¹⁴

Meanwhile, very few sources of information other than mothers were selected. This is understandable because the age of the respondents in childhood in 1963-1977 at that time was still scarce information. Moreover,

¹² Rus'an Rus'an and Hamzah Hamzah, "Pendidikan Pranikah Berbasis Keluarga Pada Remaja Putri Di Kecamatan Dampal Selatan," *Scolae: Journal of Pedagogy* 2, no. 2 (2019), <https://doi.org/10.56488/scolae.v2i2.54>.

¹³ Liliek Desmawati and Abdul Malik, "Peran Orangtua Dalam Pembinaan Pemahaman Motif Pernikahan Bagi Anak Dalam Lingkup Pendidikan Informal," *Journal of Nonformal Education and Community Empowerment* 2, no. 2 (2018).

¹⁴ Liliek Desmawati and Abdul Malik,,

teachers are also limited in providing education on this matter. Respondents also mentioned how their parents educated their children to prepare for marriage with education on marital values in the family through several stages, as shown in the following tables.

Table 2. The Purpose of Instilling Religious Teachings

No	Question	Answer	Score
2	The aim of instilling religious teachings	The goal is to be a pious child	95%
		another goal	5%
Total			100%

Source: Processed from questionnaire data

Several respondents stated that their parents instilled a vision of teaching Islamic teachings to become pious children as much as 95% and the remaining 5% for other purposes, namely to become children who are helpful to parents and society. In contrast, the religious material taught is shown in Table 3.

Table 3. Religious Teaching Material

No	Question	Answer	Score
3	Religion material taught	Procedures for worship	32%
		Reading and writing the Qur'an	35%
		Moral education	30%
		Other education	3%
Total			100%

Source: Processed from questionnaire data

The teachings of Islam instilled by parents in the respondents to strengthen the foundation of marriage and were also carried out to the respondents' children were very diverse. Based on this data, the inculcation of Islamic teachings as the foundation of life for children has been carried out to prepare children's household life. Islam as a religion is seen as capable of providing solutions to every problem faced by all people, families, and society.¹⁵ As the family's first and foremost educator, the mother's father plays a crucial and strategic role in educating their children. This means family

¹⁵ Nurul Adhha, "Analysis of Causes of Divorce in the Perspective of Islamic Law: A Case Study in the Class 1 A Religious Court of Padang," *AL-'ADALAH* 16, no. 1 (2019), <https://doi.org/10.24042/adalah.v16i1.2305>.

education determines children's good or bad education.¹⁶

Therefore, all respondents have been trained from an early age to get used to reading the Koran well, praying in congregation at the mosque for men and women at home, wearing Islamic clothes, and getting their children used to studying and working because they hope to please Allah. Another study states that the internalization of religious values in the family can be done by religiosity. Religiosity in early childhood can be introduced through habituation, such as being grateful for God's grace. In order to train this to become a habit, it should be done by getting used to good behavior such as praying before or after doing something, before and after eating, studying, and so on.¹⁷

In particular, internalizing religious teachings for respondents has become the foundation for preventing divorce. The data above is also relevant to the study presented by Aristans that internalizing Islamic teachings from an early age to children is very important so that later they become Muslims with solid faith and strong marriages because one partner does not convert (apostate) due to weak faith. If one partner apostatizes, it will result in divorce.¹⁸ The case of apostasy as a reason for divorce can be seen in the decision of the Religious Court Number 157/Pdt.G/2014/PA.Wt. In this case, the husband filed for divorce concerning his wife's apostasy. Divorce on the grounds of apostasy shows a weakness in faith due to the non-internalization of religious teachings.¹⁹

Apart from the religious values taught to the respondents, their parents also taught them about dealing with problems. Table 3 below is explained.

Table 4. Training to Face Problems

No	Question	Answer	Score
4	Train children to solve problems on their own	Identify problems that occur in children	12%
		Help the child complete the solution	11%
		Discuss solution options	11%
		Implement solutions	10%

¹⁶ Munawiroh, "Pendidikan Agama Islam Dalam Keluarga," *EDUKASI: Jurnal Penelitian Pendidikan Agama Dan Keagamaan* 14, no. 3 (2016).

¹⁷ Sapendi Sapendi, "Internalisasi Nilai-Nilai Moral Agama Pada Anak Usia Dini," *At-Turats* 9, no. 2 (2015), <https://doi.org/10.24260/at-turats.v9i2.313>.

¹⁸ Diana Aristanti, Dyah Ochtorina Susanti, and Pratiwi Pusphitho Andini, "Cerai Gugat Akibat Murtad (Studi Putusan Pengadilan Agama Palu No: 0249/Pdt.G/2016/PA.Pal)," *E-Journal Lentera Hukum* 4, no. 1 (2017), <https://doi.org/10.19184/ejlh.v4i1.4492>.

¹⁹ Nationally the number of divorces on the grounds of apostasy is not widely known. But in West Java, the number is 76 cases for 2023 and 272 cases in 2022. See http://kabayan.pta-bandung.go.id/pengawasan_sipp/

	Apply all means	67%
Total		100%

Source: Processed from questionnaire data

The data above explains that the respondents had experienced being trained by their parents in solving problems since they were children. With these results, parents have taught their children to practice their problems when they have problems at home or school. Parents can and have the right to take over the problem from the child provided the problem is severe, such as threatening the child's safety. Children who can solve their problems are independent. According to independent children are characterized by giving children freedom and trust in children.²⁰

Teaching children to deal with their problems has made respondents become strong individuals when they marry. The respondents successfully resolved conflicts and commotions in the household without involving their parents. A marriage in which there is conflict will result in divorce. Divorce is a small opportunity that can only be used when there is a deadlock and all ways to save the marriage are closed.²¹

One of the causes of conflict in marriage is the excessive intervention of parents who protect their children from the inconvenience of other parties, such as the Decision of the Jakarta Religious Court Number 0118/Pdt.G/PA. JS and the Decision of the Malang Religious Court Number 1294/Pdt.G/2011/PA.Mlg concerning divorce due to parental interference. This study also found divorce due to trivial reasons, such as tension in the place, parental intervention for where they live, and the habitual behavior of the less tidy partner, disciplined and orderly at home. Divorce for trivial reasons such as place tension is found in the Sorolangun Religious Court Decision Number: 127/Pdt.G/2010/PA.Srl. In one of its posts, they stated that the respondent did not want to be invited to stay at the residence of the applicant's parents without clear reasons because the Petitioner was building a joint residence.²²

²⁰ Rika Sa'diyah, "Pentingnya Melatih Kemandirian Anak," *Kordinat: Jurnal Komunikasi Antar Perguruan Tinggi Agama Islam* 16, no. 1 (2017), <https://doi.org/10.15408/kordinat.v16i1.6453>.

²¹ Ilham Hidayat, Yaswirman Yaswirman, and Mardenis Mardenis, "Problems Arising from Talak Divorce Outside the Court," *International Journal of Multicultural and Multireligious Understanding* 6, no. 10 (2019), <https://doi.org/10.18415/ijmmu.v6i10.919>.

²² <https://putusan3.mahkamahagung.go.id/direktori/putusan/6272e943b855ed53b3a53bbaa99bffd0.html> Apart from that, there is also a decision on Divorce Lawsuit Number 352/Pdt.G/2021/PA.Twg regarding divorce due to parental intervention.

Training sons to become responsible heads of households is a way that was taught to respondents by their parents in anticipation of a divorce, as in Table 5.

Table 5. Training boys to become heads of families

No	Question	Answer	Score
5	Train boys to be the head of the family	Train children's emotions	37%
		Teach empathy	28%
		Teaches respect for others	31%
		Others	5%
Total			100%

Source: Processed from questionnaire data

Respondents explained that their parents' experience taught them how to train sons to become responsible heads of families in different ways. Training boys' emotions in the family is a capital for responsible boys. Therefore it is necessary to teach boys to express their feelings adequately and appropriately. Likewise, teaching empathy will make boys understand other people nicely so that, in the end, they can become good friends, husbands, and fathers in the future. Therefore, the respondents' parents trained them to have empathy when a friend was sick.

Many cases of divorce are caused by husbands who are not responsible for their families by not providing a living, a decent place to live, and a steady job in their life.²³ For example, in the Decision of the Baturaja Religious Court Number 30/Pdt.G/2019/Pa.Bta. In this case, the husband is not responsible for earning a living, thus neglecting the family. In addition, the husband also had an affair with another woman.²⁴ In the Surakarta Religious Court throughout 2019, the leading cause of divorce is the lack of responsibility in economic matters.²⁵ Likewise, the results of a poll study conducted by Kompas in 2018 stated that in DKI Jakarta, the second cause of divorce is the head of the

²³ Divorce for economic reasons and one party leaving the other party is one proof of an irresponsible husband. The national number is not yet known clearly, but in West Java divorce for economic reasons is 37159 (in 2022), 41014 (2021) and 40546 (in 2020). Look inside http://kabayan.pta-bandung.go.id/pengawasan_sipp/

²⁴ Nabilla Alya Adelia, Siti Muflichah, and Rochati Rochati, "Gugat Cerai Karena Perselisihan Dan Pertengkar Terus-Menerus (Tinjauan Yuridis Terhadap Putusan Pengadilan Agama Baturaja Nomor 30/Pdt.G/2019/Pa.Bta)," *Soedirman Law Review* 1, no. 1 (2019).

²⁵ Aji, Y. T. (2019). Sepanjang Tahun 2019 Pengadilan Agama Surakarta Putus 1321 Perkara Perceraian. <http://www.pa-surakarta.go.id/index.php/82-berita-terkini/542-tahun-2019-pengadilan-agama-surakarta-putus-1321-perkara-perceraian>

household (male), who is not responsible for the family.²⁶

Apart from men, female respondents also had the experience of being trained by their parents to become assistants to the head of the family, as described in Table 6.

Table 6. Training Girls to Become Assistant Heads of the Family

No	Question	Answer	Score
6	Training daughters to become assistants to the head of the family	Taught about frugal living	27%
		How to cook	27%
		Taught how to live frugally	47%
		Educate gently and affectionately	23%
		Others	3%
Total			100%

Source: Processed from questionnaire data

The way that was taught to the respondents about being a companion to the head of the family was through various ways. The number of respondents taught by their parents about cooking was far greater than those taught to be gentle and affectionate women. This is understandable because the age strata of the respondents who were estimated to have lived in the 1960s and 1970s when they were children were aware of gender, cultural, and industrial developments that had not had an impact on the equality of relations between men and women so that the role of women was placed in the domestic position. In general, respondents as daughters in the family have been trained by their parents to prepare themselves to be a mother as well as a companion for their husbands in the family.

The respondent's parents have carried out their obligations to equip their daughters to be innovative in doing all household chores and teach them how to get along with their husbands. Preparing daughters to understand their duties as husband's companions are expected to be able to clear up misunderstandings that have often occurred in court. Religion, where the cause of divorce is because the wife does not carry out household duties properly, so trivial cases in the household, such as the wife not wanting to tidy up the house is the cause of divorce, for example, the Pasuruan Religious Court Decision Number 0781/Pdt.G/2015/PA. Pas, Decision of the Malang

²⁶ Palupi Annisa Auliani, *Membesarkan Anak Lelaki yang Bertanggungjawab* in <https://lifestyle.kompas.com/read/2018/04/20/171400920/membesarkan-anak-lelaki-yang-bertanggung-jawab?page=all>, accessed June 2022

Religious Court Number 1537/Pdt.D/2009/PA.Mlg.²⁷

In addition, to prevent an increase in the number of divorces, the experiences of the respondents who have been trained in being grateful for sustenance and managing finances are shown in Tables 7 and 8.

Table 7. Trained to be grateful for the sustenance

No	Question	Answer	Score
7	Practice being grateful for the sustenance	The habit of prayer from waking up until going back to sleep	26%
		Give thanks for the gift	24%
		Grateful for the little things	23%
		Say hamdalah as a sign of gratitude	27%
Total			100%

Source: Processed from questionnaire data

The data above explains that almost the average respondent was trained to be grateful by their parents so that it would be a provision when they live as a husband and wife to have the courage to accept circumstances because Allah SWT has determined all these conditions.

Likewise, the respondents were asked about managing finances as a fundamental value of marriage education in the family. Regarding financial management, respondents received education from their parents in various ways, as described in Table 8.

Table 8. Managing Finance

No	Question	Answer	Score
8	Managing Finances	Taught to save	45%
		Teach about the function of money	19%
		Taught to live frugally	24%
		Taught about what needs and what wants	12%
Total			100%

Source: Processed from questionnaire data

²⁷ The number of divorces on the grounds that the wife does not serve her husband within the scope of domestic duties is not explained in the source of the Annual Report of the Religious Courts. However, what is listed in this category is the reason for continuous disputes caused by one of the reasons that the wife cannot carry out her household obligations. Data in West Java for the number of divorces for 2020-2022 are 25775, 25929 and 26703. See http://kabayan.pta-bandung.go.id/pengawasan_sipp/

Respondents answered about education on marital values in the family related to being grateful for sustenance and managing finances, which were trained by their parents and also trained for the children of the respondents. Regarding respondents' answers regarding financial management, the majority answered by saving. This is understandable because the nation's economic situation in the 1960s and 1970s was relatively poor, so parents taught their children to save to live frugally. Respondents' answers regarding the introduction of which needs and desires are not widely chosen are due to various possibilities, namely saving and living frugally have become the parts which must be prioritized to be purchased or owned and which are not.

Empirically it was found that the inability to accept circumstances in the form of sustenance and the ability to manage finances can lead to divorce. However, the respondents have been equipped with this matter in marriage education in the family. Lack of gratitude in the family can lead to divorce. One of these things happened in the Sumedang Religious Court Number 2307/Pdt.G/2021/PA.Smdg, where they have lived for 5 years, have no children, and their husbands have provided an average living of Rp. 1,500,000 (one million five hundred thousand) per week, but the wife sues for maintenance.

2. Pre-marital education

Pre-marital education is the foundation for the bride and groom to enter marriage. This is stated in the Decree of the Director General of Islamic Community Guidance Number 379 concerning Guidelines for Implementing Pre-Marriage Marriage Guidance for Prospective Brides. Respondents gave answers regarding the importance of pre-marital education. Questions asked before they carry out pre-marital education and after pre-marital education are carried out as described in Tables 9 and 10.

Table 9. Knowledge of Fiqh Munakahat before Pre-Marriage Guidance

No	Question	Answer	Score
1	Knowledge of fiqh munakahat	Do not know	49%
		Know some	49%
		Know	2%
Total			100%

Source: Processed from questionnaire data

Table 10. Knowledge of Fiqh Munakahat after Pre-Marriage Guidance

No	Question	Answer	Score
2	Knowledge of fiqh munakahat	Understand	85%
		Lack of understanding	14%
		Do not understand	1%
Total			100%

Source: Processed from questionnaire data

Table 11. Application of Knowledge from Pre-Marriage Guidance

No	Question	Answer	Score
3	Application of knowledge from Pre-Marriage Guidance	Sure	97%
		Doubtful	2%
		Not Sure	1%
Total			100%

Source: Processed from questionnaire data

Based on this data, pre-marital education is essential for respondents as husband and wife candidates. Likewise, the significance can be seen from the commitment to carry out the results of marriage guidance in their household life so that the influence of marriage guidance on family harmony is very significant. However, this data was confirmed by one of the heads of the KUA in Arcamanik District, Bandung City, that marriage guidance was still ineffective in reducing the divorce rate. This was felt due to a lack of updated guidance materials and methods.²⁸

Most of the respondents, as bride and groom, entered the world of marriage without adequate household knowledge. In pre-marital education, many things can support the success of the newlyweds' household life. The teaching material provided in pre-marital education is in the form of knowledge information and basic skills training related to aspects that are expected to strengthen the couple's relationship so that they can maintain their married life.²⁹ Divorce is generally caused by a husband and wife not being ready to face the challenges in marriage.³⁰ The unpreparedness of this husband and wife is due to their lack of knowledge about married life which they have

²⁸ Toto Supriyanto (Head of KUA Arcamanik Bandung District). Interview result, 2 Juli 2022

²⁹ Jason S. Carroll and William J. Doherty, "Evaluating the Effectiveness of Premarital Prevention Programs: A Meta-Analytic Review of Outcome Research," *Family Relations*, 2003, <https://doi.org/10.1111/j.1741-3729.2003.00105.x>.

³⁰ D H Olson, *Marriages and Families: Intimacy, Diversity, and Strengths*, 7th Ed, 2011, <https://books.google.co.id/books?id=geXngEACAAJ>.

not practiced. Thus pre-marital education is a crucial learning medium.

The data regarding the significance of pre-marital education above, which the respondents answered, are similar to the results of Agustina (2021) that pre-marital guidance significantly affects family resilience, namely 71.8% of the R square value of 0.718. This means the influence produced by the independent variable (pre-marital counseling) on the dependent variable (family resilience) strongly influences the interval 0.60 - 0.799. The remaining 28.2% is again influenced by other factors not examined by the authors in this study.³¹

3. Understanding Marital Conflict Resolution Methods

Preventing an increase in divorces is done by asking how the respondent understands marital conflict resolution methods. The selected respondents' understanding of marital conflict resolution methods was obtained from data from the parties who had successfully mediated at the Bandung Religious Court. Respondents whose successful mediation results were selected as respondents with the assumption that they have basic knowledge about methods of resolving marital conflict, as described in Table 12 through Table 14.

Table 12. Knowledge of Conflict Methods in Marriage

No	Question	Answer	Score
1	Knowledge of the Conflict Method	Do not know	35%
		Know	51%
		Very know	14%
Total			100%

Source: Processed from questionnaire data

Table 13. Conflict Resolution Forum in Marriage

No	Question	Answer	Score
2	Conflict resolution forum in marriage	Consultation with the Family	45%
		Talking with Partners	37%
		Involving Third Parties	18%
Total			100%

Source: Processed from questionnaire data

³¹ Anjelina Agustina, "Pengaruh Bimbingan Pra Nikah Terhadap Ketahanan Keluarga (Studi pada KUA Kec. Meurah Dua Kab. Pidie Jaya), in Master Tesis. Univeristas Islam Negeri Ar-Raniry, Aceh, (2021)

Table 14. Conflict Resolution Techniques in Marriage

No	Question	Answer	Score
3	Conflict resolution techniques in marriage	Leaving the problem/silent	21%
		Mutual advice/discussion	39%
		Forgive each other / give in	40%
Total			100%

Source: Processed from questionnaire data

The respondents gave answers about knowledge, forums, and conflict resolution techniques in marriage with various answer choices. The data above shows that respondents who have successfully mediated at the Bandung Religious Court can understand conflict resolution methods. This further strengthens the allegation that what is needed when conflicts occur between husband and wife are conflict resolution skills played by each partner, not about the status and education level of the partner. In intimate relationships such as husband and wife, conflicts can often lead to fights and even violence.³² If the husband and wife do not have a method of conflict, then the marriage will quickly end.

Respondents consisting of men and women as husband and wife have intensity in a circle of household conflicts. In that regard, women tend to be more vulnerable to conflict. According to this is because women, after marriage, can surrender to their partners. This drives them to orient all their attention, maintaining and maintaining household life. As a result, women are more easily dominated by prejudice and feelings of suspicion, which in turn trigger conflicts with their husbands.³³ This is supported by research conducted by which concluded that conflict must occur in married life. As many as 45% of respondents stated that they were always hit by conflict after marriage, while 32% of respondents who stated that their married life was harmonious also stated that they often experienced conflict.³⁴

The respondents' answers in the table above are relevant to other studies that place each partner's conflict strategies as very satisfying in marriage. A study conducted by states that there is a significant influence between conflict

³² Siti Mupida, "Relasi Suami Isteri Dalam Konflik Pendidikan Nusyuz Menurut Nash Al-Qur'an Dan Hadis," *Millah* 18, no. 2 (2019), <https://doi.org/10.20885/millah.vol18.iss2.art4>.

³³ Eva Meizara Puspita Dewi, "Konflik Perkawinan Dan Model Penyelesaian Konflik Pada Pasangan Suami Istri," *Jurnal Psikologi* 2, no. 1 (2008).

³⁴ Shelley E Taylor, Letitia Anne Peplau, and David O Sears, "Psikologi Sosial," Jakarta: Kencana Prenada Media Group, 2009.

resolution on marital satisfaction.³⁵ This study reinforces that marital conflict does not cause lasting problems if the husband and wife understand conflict resolution methods.

4. Revitalization of the Religious Courts

Religious courts, in order of strategy to reduce the number of divorces in Indonesian Muslim families, are placed as the last bastion of family resilience. The facts show that approximately 90% of divorce cases examined and decided in the religious courts are approved by the religious courts, so only 10% are successfully maintained as husband and wife.³⁶ This condition does not mean that the religious courts do not have a stake in strengthening Muslim family marriages because the laws and regulations which form the basis for examining divorce cases have provided a narrow space for the divorce process. The general explanation of the Marriage Law number 4 letter (e) states, "Because the purpose of marriage is to form a happy, eternal and prosperous family, this Law adheres to the principle of making it difficult for divorce to occur."

Several respondents descriptively provided an overview of the need to revitalize the religious courts in examining divorce at the religious courts. A divorce is a form of breaking up a marriage with a court decision. Divorce submitted to the court as a form of marriage termination is proposed by all parties, not only the husband.³⁷ Nanang Rofi'i (2022) said, "The principle of complicating divorce does not mean making it difficult for the parties to divorce but in the procedure." He reasoned that divorce should be complicated because it damages marriage worship, so it must be prevented or closed while marriages are facilitated because they will carry out worship or open the way. Another meaning of the complicated principle is to close the road or to prevent it as much as possible. In principle, there is nothing to complicate matters, let alone the litigants' affairs.³⁸

³⁵ Abdul Muhid, Prayinda Elsa Nurmamita, and Lailatul Muarofah Hanim, "Resolusi Konflik Dan Kepuasan Pernikahan: Analisis Perbandingan Berdasarkan Aspek Demografi," *Mediapsi* 5, no. 1 (June 1, 2019): 49–61, <https://doi.org/10.21776/ub.mps.2019.005.01.5>.

³⁶ Processed from data from the Annual Report of the Directorate General of Religious Courts (Badilag) concerning the Number of Divorce Cases that are the burden of cases and decided on in 2021. Divorce cases that are the burden of cases in the religious courts in 2021 are 673,290 and cases that are decided are 602,397 so that the number of individuals whose status is revoked or peace about 10%.

³⁷ Soraya Devy et al., "The Role of Witness as Evidence in Divorce Cases at the Banda Aceh Syar'iyah Court," *Samarah* 5, no. 2 (2021), <https://doi.org/10.22373/sjhc.v5i2.10879>.

³⁸ Nanang Rofii (Judge of the Cibinong Religious Court), Interview Result, 5 Agustus 2022.

Meanwhile, Yayuk Afiyanah (2022) said that what is meant by complicating divorce is the ability of a judge to suppress as much as possible the reasons for divorce, let alone the reasons that are still vague by taking into account the condition of households that are still living in one house. The implementation of this principle is tightened with various layers, such as mediation and reconciliation carried out by judges at every trial stage, including encouraging the creation of a peace agreement with the agreed agreement.³⁹

Based on the explanation above, the divorce process is relatively complicated. The parties must follow the stages of examining the case, starting from registration, examination, verification, and deciding the case by the panel of judges. Even though the principle is complicated, the fact is that divorce cases filed by husband and wife to court are still high. However, there is still an opportunity for the involvement of the religious courts to reduce the number of divorces with various steps to revitalize the religious courts as follows:

a. Maximizing mediator rewards

The Director General of the Religious Courts Agency has given awards to judge mediators who have successfully performed mediation in the “Supreme Court Mediator Award” activity.⁴⁰ However, this effort needs to be increased by making the high success of mediation by judges the basis for consideration for the promotion and transfer of judges. Judge mediators who successfully mediate will reduce the number of divorces.

b. Increasing the courage of judges to reject divorce cases

Judges in the Religious Courts determine married couples' fate and marital status. As human beings, judges can be wrong in deciding cases because, during the examination process, there was no clarity on the reasons, reasons, and evidence, but the decision was granted. For example, in the presence of witnesses in the examination of divorce cases, on average, the witnesses provide testimony only by hearing. In procedural law, a witness who only hears and does not see is considered to have incomplete testimony. This often occurs in divorce decisions, which in the judge's consideration at the first instance, were annulled by the judge at the appeal level because they did not

³⁹ YayukAfiyanah (Central Jakarta Religious Court Judge), Interview Result, 6 Agustus 2022

⁴⁰ <https://badilag.mahkamahagung.go.id/seputar-peradilan-agama/berita-daerah/luar-biasa-1-mediiasi-3-perkara-berhasil-dicabut-13-4>, accessed 29 Juli 2022

reasonably consider that the statements of the witnesses they heard were received perfectly. Therefore, the judge's consideration in his decision can make the judge dare to reject a divorce case with imperfect witness supporting data.

Various studies state that examining cases where witnesses are imperfect has resulted in decision disparity. For example, one of the decisions that reject the Testimonium de Auditu testimony is the Banda Aceh Syar'iyah Court's decision, with decision number 133/Pdt.G/2019/MS-Bna. In contrast, the decision accepts the Testimonium de Auditu witness as material for consideration. One of the cases is decision No. 113/Pdt.G/2019/MS-Aceh. On the one hand, the disparity in court decisions is a necessity from the various interpretations of witness statements made by the panel of judges, but on the other hand, it has shown the existence of uncertainty for husband and wife regarding the fate of their marriage.

On the other hand, judges' caution in applying proof of reasons for divorce with continuous disputes and quarrels should have become a separate moral burden for judges to prevent divorces where the legal reasons are still unclear. Sometimes, the reason for the lawsuit is trivial. For example, the reason for the dispute is that the defendant no longer wants to come to the place of the plaintiff's in-laws and rarely cleans up the house. In this case, judges are often carried away by formal truths so marriages can end in divorce for that reason alone.⁴¹ Therefore, judges should prove more carefully for divorces where the reasons for not granting the divorce suit are still brief and trivial.

c. Improving the Divorce Examination Process in the Verstek Judgment

Article 125 HIR (Het Herziene Inlandsch Reglement) states that if the defendant does not appear before the trial and does not order another person as his representative, then the lawsuit will be granted with a decision outside the presence of the defendant or what is referred to as a vertex decision. Apart from using the vertex door, the examination process through a divorce petition is more effective and efficient to be carried out by a husband and wife than a talak divorce. The contested divorce chosen by the husband and wife, whether the parties are present or the defendant is not, turns out to be more effective regarding examination time and efficient in terms of costs. In terms of time, the average divorce takes 2 months, while divorce takes an average of 3 months. The same goes for costs. Divorces usually cost less than talak

⁴¹ Dwi Reiza Menianti, (Officers Posbakum Bandung Religious Court), Interview result, 20 September 2021

divorces.⁴² Vertex decisions that have been conditioned and contested divorces which are short in time and low cost provide an opportunity for the high number of divorces.

In general, examining cases with vertexes has done well in religious courts.⁴³ However, there are still some weaknesses, especially in examining divorce cases, namely, when the defendant/respondent is never present during the trial, the judge cannot seek reconciliation as mandated in the law. The panel of judges could only advise the plaintiff not to divorce with various considerations, and even then, they could not be forced back to the plaintiff.⁴⁴ As a result of the divorce examination with a wide-open vertex decision, the number of divorces has increased.

Based on these weaknesses, divorce examinations become easy and fast and allow unfair decisions to occur with the emergence of resistance to the vertex decision through legal efforts *verzet*. The number of divorces is increasing due to vertex decisions, which in several respects still contain weaknesses. Therefore, improvements are needed, including:

- a) Summons are made with two calls. Although it is not obligatory to make two summons, to ensure that the summons is legally proper, an official summons for the hearing is carried out with two summons submitted to the village office and the address of the principal. Calling with two strands of this call to avoid vertex decisions;
- b) It requires the parties to a divorce case to be present. In the Cianjur district, based on interviews with judges at the Cianjur Religious Court, it is known that civil servants who will get divorced must both be present at the trial. The country that is the last in domestic turmoil. Likewise, divorces that are not civil servants can be applied after amendments and improvements to the civil procedural law in the religious courts. The obligation to be present for both parties in order to avoid an examination process where one of them is not present with the hope that there will be a peace process;
- c) Discipline bailiffs. Ambo Ase (2021)⁴⁵ found unscrupulous bailiffs/substitute bailiffs who were inconsistent with their duties, namely conveying subpoenas to the parties, especially the defendant, sometimes

⁴² Asep Hamdan Arif and Zeni Hamdadin, (Advocate at the Cimahi Religious Court and the Ngamprah Religious Court), Interview result, 6 Desember 2021

⁴³ Mukti Arto, *Praktek Perkara Perdata pada Pengadilan Agama, Yogyakarta: Pustaka Pelajar*, (2011), p. 87.

⁴⁴ Muhammad Isna Wahyudi, "Mengapa Marak Terjadi Perceraian", in *badilag.net*, accessed 7 Desember 2021

⁴⁵ Ambo Asse, *Verstek Decisions Dominate Divorce Decisions of the Religious Courts (Special Analysis on Divorce Cases)*, in *badilag.net*. accessed 3 Desember 2021

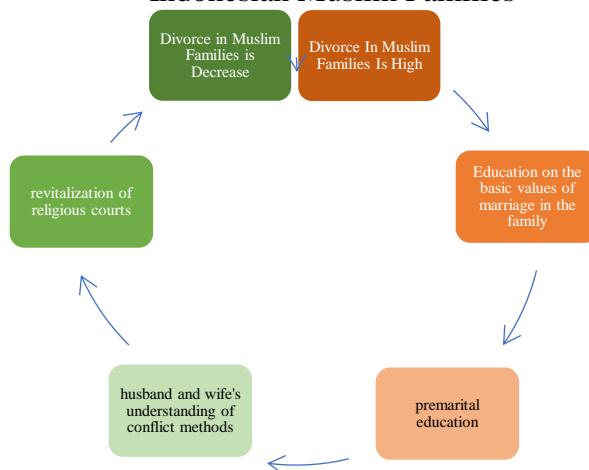
taking sides and teaching the defendant by stating, “If you want to accept a quick decision,” so you do not have to attend the trial, just sign the release of this summons, later the decision will be brought again. “ If this happens and is not resolved, more and more divorce proceedings will be attended by one of the parties so that efforts to make divorce difficult through an amicable process will cease to exist, and the number of divorces will increase;

- d) The caution of judges in examinations with vertex decisions. Even though the bailiff/substitute attorney has summoned the defendant, the decision does not necessarily have to be reversed; the judge needs to be careful so that there are no illegal or inappropriate summons under (3 working days) based on procedural law. Occasionally summons were found that were delivered to people who were not parties to the case or were not brought by the local Lurah for the defendant who could not be found at their address. All of them can potentially become reasons for imposing a vertex decision without the judge knowing.

By improving the divorce examination process and avoiding the fall of a vertex decision, the process of examining divorce cases that have been taking place in religious courts needs to be revitalized so that with the presence of the parties to the court, the opportunity for reconciliation is opened and the potential for divorce can be prevented.

Based on all the explanations above, this study found that the strategy to prevent high divorces in Indonesian Muslim families is carried out from upstream to downstream through the involvement of all components, as illustrated in Figure 1.

Figure 1. The Cycle of Preventing an Increase in the Number of Divorces in Indonesian Muslim Families



Based on the figure above, the component's involvement in preventing the high number of divorces involves family institutions, KUA institutions, married couples, and religious courts. If all of these components function to carry out their roles, the number of divorces in Indonesian Muslim families will decrease because resolving divorce conflicts cannot be done partially but must be integral.

Conclusion

This study found that the strategy to prevent an increase in the number of divorces in Indonesian Muslim families is determined by several components from upstream to downstream that are involved in it, namely the role of parents in instituting the fundamental values of marriage education in the family, pre-marital education, husband and wife understanding methods conflict in marriage and the revitalization of religious courts. So far, other studies have found that strategies to prevent an increase in divorces are only partly due to components such as local culture and mediator strategies in resolving conflicts in the mediation process. In this study, the strategy to prevent an increase in divorces is carried out integrally from upstream to downstream, involving various components of parents, married couples, and religious courts.

This research makes a scientific contribution, especially in the subjects of fiqh munakahat, family sociology, and Religious Court Procedure Law that the determining factor in preventing an increase in the number of divorces in Indonesian Muslim families is the involvement of all components from

upstream to downstream, namely parents educating fundamental values of marriage, pre-marital education, basic knowledge of conflict methods owned by husband and wife and revitalization of religious courts in the process of examining divorce cases. This study is also different from the findings of other studies in that the strategy to prevent an increase in the number of divorces in Indonesian Muslim families is only partial to specific components.

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