



Family Problems in Marriage Law

Diva Aidilla Fitri^{1*}, Bambang Fitrianto², Rahman Maulana Siregar³

^{1,2,3} Faculty of Law, Universitas Pembangunan Panca Budi, Medan, Indonesia.

 : divaaidilla008@gmail.com

Corresponding Author*



Abstract

Marriage is a legal bond regulated in Law Number 1 of 1974 concerning Marriage, which aims to create a harmonious and prosperous family. However, in practice, divorce still occurs frequently, including in Stabat Religious Court Decision Number 1113/Pdt.G/2023/PA.Stb. The main problem in this study is how the regulation of marriage law in Indonesia regulates divorce and the main factors that cause divorce in these cases. This research aims to analyze the regulation of divorce in Indonesia and identify the main causes of divorce based on a case study at the Stabat Religious Court. The research method used is normative juridical, with a legislative approach and case studies of court decisions. The results showed that divorce in Indonesia must go through the courts in accordance with Article 39 of the Marriage Law, with reasons regulated in Government Regulation No. 9 of 1975, such as prolonged disputes and domestic violence. In the case of the Stabat Religious Court Decision, the main factors for divorce are disharmony, unresolved arguments, and differences in principles that cause the relationship between husband and wife to be untenable. In conclusion, divorce is the last resort in resolving household conflicts that can no longer be saved. Therefore, there is a need for more effective mediation efforts and legal education to married couples so that they can understand the legal consequences of divorce before filing it with the court.

Keywords: Divorce; Marriage Law; Court Decisions.

Submitted: 2025-04-24

Revised: 2025-08-28

Accepted: 2025-08-30

Published: 2025-08-31

How To Cite: Diva Aidilla Fitri, Bambang Fitrianto, and Rahman Maulana Siregar. "Family Problems in Marriage Law." BACARITA Law Journal 6 no. 1 (2025): 26-34. <https://doi.org/10.30598/bacarita.v6i1.18655>

Copyright © 2025 Author(s)



Creative Commons Attribution-NonCommercial 4.0 Internasional License

INTRODUCTION

Problems in the family are often the main topic in marriage law, especially in the case of divorce. Divorce often reflects a mismatch between marital expectations and the realities of home life. Family problems that lead to divorce are generally triggered by lack of communication, domestic violence, and disharmony in marital relations, in the context of marriage law in Indonesia, Law Number 1 of 1974 concerning Marriage stipulates that divorce can only be carried out in front of a court session after the court has tried and failed to reconcile the two parties.¹

Decision Number 1113/Pdt.G/2023/PA. The Stb at the Stabat Religious Court describes the complexity of family problems, such as irresponsible husband's behavior, gambling habits, and temperamental attitudes. This phenomenon is in line with the findings of Wahyuni (2021), who revealed that the deviant behavior of couples is the dominant factor in divorce lawsuits at the Religious Court.² Law Number 1 of 1974 concerning Marriage Article 39 paragraph (2): "Divorce can only be carried out in front of the Court session after the Court concerned has tried and failed to reconcile both parties." This article emphasizes that divorce is not the main solution in domestic conflicts. The Religious Court must first

¹ Tinuk Dwi Cahyani, *Hukum Perkawinan*, vol. 1 (UMMPress, 2020), p. 41.

² "Siregar, A. dan Wahyuni, R., "Faktor Dominan Dalam Gugatan Cerai Di Pengadilan Agama," *Jurnal Hukum Keluarga Islam* 12, no. 1 (2021): 45-60.

seek peace before granting the divorce application, as in the context of the above case where mediation efforts were unsuccessful due to the absence of the Defendant.

Marriage in the realm of Islamic law is seen as a sacred contract that binds two individuals in a relationship based on affection and responsibility.³ However, if the purpose of the marriage is not achieved and actually causes mudharat, Islam allows divorce as the last resort.⁴ This view is reinforced by the opinion that divorce is permissible in Islam if domestic life no longer provides benefits for the spouse.⁵

Decision of the Stabat Religious Court Number: 1113/Pdt.G/2023/PA. STB reflects the dynamics of family problems in marriage law in Indonesia. This case illustrates how domestic conflict, which involves negative behaviors such as gambling, verbal abuse, and court absences, can trigger divorce. According to data from the Religious Justice Agency of the Supreme Court of the Republic of Indonesia (2022), divorce cases in Indonesia are increasing every year, with the main reasons such as disputes and prolonged quarrels.⁶

Law Number 1 of 1974 concerning Marriage emphasizes that marriages must be recorded in order to have legal force. However, in practice, the phenomenon of *nikah sirri* still occurs in society, especially as an alternative for couples who face obstacles in official marriage. As explained in the research of Bambang Fitrianto et al. (2021) in the journal "Legal Policies in Protecting Women from Adultery and the Problematic of Sirri Marriage", *nikah sirri* is often considered a solution compared to the practice of adultery, especially due to the factor of inequality between men and women, economic incapacity, and reluctance to be bound by a legal marriage according to state law.⁷

The legal approach to resolving domestic conflicts requires an in-depth analysis of the factors that cause divorce and how the judge considers the verdict based on the evidence and testimony available.⁸ Judges have an important role to play in ensuring that divorce decisions reflect substantive justice and protection for vulnerable parties, especially women and children.⁹

The case also highlights the challenges in the application of Islamic legal principles in the Religious Courts, particularly related to divorce. In deciding a divorce case, the judge must consider the *sharia maqashid*, which is the benefit and protection of individual rights in marriage.¹⁰ Thus, an analysis of Decision Number 1113/Pdt.G/2023/PA. STB makes an important contribution to understanding family problems in marriage law as well as its relevance to contemporary Islamic law theory and practice.

Law No. 7 of 1989 concerning Religious Courts (as amended by Law No. 3 of 2006 and Law No. 50 of 2009) Article 65 paragraph (1): "The Religious Court is authorized to adjudicate cases at the first level between Muslim persons in the field of: a) marriage; b) heirs; c) will; d) grants; e) waqf; (f) zakat; g) infaq; h) shadaqah; and i) sharia economics." This article explains the authority of the Religious Court to examine and decide lawsuit

³ Nurhadi, *Proses Peradilan Perceraian Di Indonesia* (Bandung: Bandung: CV Pustaka Setia, 2019), p. 87.

⁴ M. Abdullah, "Maqashid Syariah Dalam Putusan Hakim Pengadilan Agama," *Jurnal Hukum Islam* 10, no. 2 (n.d.): 98-115.

⁵ M. Rahman, "Konsep Pernikahan Dalam Hukum Islam," *Jurnal Studi Islam* 8, no. 1 (2020): 21-35.

⁶ Mahkamah Agung Republik Indonesia, "Putusan Pengadilan Agama Stabat Nomor 1113/Pdt.G/2023/PA.Stb" (Stabat, 2023).

⁷ Dkk. Fitrianto, B., "Kebijakan Hukum Dalam Melindungi Perempuan Dari Perzinaan Dan Problematika Nikah Sirri," *Jurnal Hukum Islam* 15, no. 1 (2021): 55-70.

⁸ Muawanatul Azis, Syahrudin Nawir, and Ilham Abbas, "Efektivitas Penilaian Kesaksian De Auditit Dalam Perkara Perceraian Di Pengadilan Agama," *Journal of Lex Philosophy (JLP)* 5, no. 2 (2024): 1918-32.

⁹ Muhammad Yassir, Abd Muthalib, and Akhmad Husaini, "Analisis Ex Officio Dan Perlindungan Hukum Di Pengadilan Agama (Studi Putusan PA Jember Nomor 1323/Pdt. G/2024/PA. Jr)," *Jurnal Al-Fawa'id: Jurnal Agama Dan Bahasa* 15, no. 1 (2025): 210-27.

¹⁰ Wahbah Al-Zuhaili, *Al-Fiqh Al-Islami Wa Adillatuhu*, Juz VII, vol. 3 (Dar Al-Fikr, Damsyiq, 1989), p. 432.

divorce cases, such as case Number 1113/Pdt.G/2023/PA.Stb. In this context, the Stabat Religious Court has jurisdiction to adjudicate cases because both parties are Muslim and cases related to marriage issues.

This research has authenticity in several aspects that distinguish it from previous studies. The main focus of this study is the *verstek* procedure in divorce cases in the Religious Courts, which has not been discussed specifically in other studies. Many previous studies have focused more on the authority of the Religious Court in general in divorce cases, while this study specifically examines the legal implications of the defendant's absence from the divorce hearing and how judges consider the evidence and reasons for divorce in *verstek* decisions. In addition, this study combines normative and empirical approaches by analyzing the applicable legal basis, such as Law Number 7 of 1989, HIR, RBg, and the Compilation of Islamic Law (KHI), as well as examining relevant Religious Court decisions to understand their implementation in judicial practice. Another aspect of novelty lies in the in-depth analysis of the relationship between the principles of Islamic law and substantive justice in *verstek* decisions, especially in the protection of the rights of women and children after divorce. With this approach, this research is expected to make an academic contribution to the development of legal science and provide more equitable and effective policy recommendations in resolving divorce cases in the Religious Court.

METHODS OF THE RESEARCH

This research uses a normative juridical method, which is legal research conducted by examining secondary data in the form of literature materials.¹¹ This approach was chosen because the research focuses on the analysis of applicable laws and regulations related to divorce, especially Law Number 1 of 1974 concerning Marriage, Law Number 7 of 1989 concerning Religious Courts, and the Compilation of Islamic Law. In addition, this study also examines court decisions related to divorce cases at the Stabat Religious Court.¹² The research approaches used include a statutory approach to examine written legal rules related to divorce, a *case approach* to analyze court decisions as a case study, and a *conceptual approach* to understand the concept of divorce and the protection of spousal rights according to the views of legal experts. The data sources used in this study are secondary data, which include primary legal materials such as laws and regulations, court decisions, and official legal documents; secondary legal materials in the form of legal literature, scientific journals, and books related to family law and divorce; as well as tertiary legal materials such as legal dictionaries and encyclopedias that provide additional explanations. The data collection technique is carried out through *library research*, namely by collecting data from various written sources, as well as analyzing court decisions related to relevant divorce cases.¹³ Data analysis is carried out descriptively to explain regulations and court decisions systematically, and uses qualitative normative analysis to examine data based on applicable legal norms. In addition, legal interpretation is also used to interpret legal provisions related to divorce, in order to understand the purpose and purpose of the law. To ensure the validity of the data, this study uses source triangulation, which is by comparing data from various sources to ensure the validity and reliability of the data. Credibility checks are also carried out by checking the suitability of data and literature with the research topic, so that the results of the research can be scientifically accounted for.

¹¹ Peter Mahmud Marzuki, "Penelitian Hukum," Jakarta: Kencana Prenada Media 55 (2005): p.21.

¹² Pemerintah Pusat Indonesia, "Instruksi Presiden (Inpres) Nomor 1 Tahun 1991 Penyebarluasan Kompilasi Hukum Islam" (1991).

¹³ S H Suyanto, *Metode Penelitian Hukum Pengantar Penelitian Normatif, Empiris Dan Gabungan* (Unigres Press, 2023), p. 7.

RESULTS AND DISCUSSION

A. Marriage Law Regulations in Indonesia in Regulating Divorce Based on Law Number 1 of 1974

Marriage law in Indonesia is regulated in Law Number 1 of 1974 concerning Marriage, which is the main basis for the implementation of marriage and divorce in Indonesia.¹⁴ This law stipulates that marriage is an innate bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family based on the One Godhead (Article 1 of the UUP). However, when this goal of marriage cannot be achieved, divorce becomes the last resort with strict conditions so that abuse or divorce does not occur too easily.

Law Number 1 of 1974 concerning Marriage is the main legal basis that regulates marriage and divorce in Indonesia. In Article 39 paragraph (2), it is stated that divorce can only be carried out in front of the Court session after the Court has tried to reconcile the two parties but has not succeeded. This provision aims to ensure that divorce is not a decision taken in a hurry, but has gone through a mediation process sought by the Religious Court. In addition, in Article 19 of Government Regulation Number 9 of 1975, several reasons are mentioned that can be used as the basis for divorce, including:¹⁵ a) One of the parties commits adultery or becomes a drunkard, compactor, and gambler who is difficult to cure; b) One of the parties leaves his or her spouse for two consecutive years without a clear reason; c) One of the parties commits domestic violence; d) There are disputes and prolonged quarrels.

From these regulations, it can be seen that the marriage law in Indonesia recognizes divorce as the last resort when the marriage can no longer be maintained. The court has an important role to play in ensuring that every divorce case has a clear legal basis and is not solely based on one-sided wishes without objective consideration.

Indonesia's Constitution, the 1945 Constitution, is also closely related to the regulation of marriage and divorce. Some of the articles that are the basis of the law include:¹⁶ a) Article 28B paragraph (1) of the 1945 Constitution: "Everyone has the right to form a family and continue progeny through lawful marriage," this shows that the state recognizes marriage as a human right regulated by law; b) Article 28G paragraph (1) of the 1945 Constitution: "Everyone has the right to the protection of personal self, family, honor, dignity, and property under his control." If violence or acts that harm one of the parties occur in marriage, then the state is obliged to provide protection, including in the form of divorce permits through legal channels;¹⁷ c) Article 28D paragraph (1) of the 1945 Constitution: "Everyone has the right to fair recognition, guarantee, protection, and legal certainty and equal treatment before the law."

This means that in divorce cases, both husband and wife must receive fair legal treatment and there should be no discrimination in the legal process. Based on existing regulations, divorce in marriage law in Indonesia is strictly regulated to ensure that divorce is not the

¹⁴ Indonesia Pemerintah Pusat, "Undang-Undang (UU) No. 1 Tahun 1974 Perkawinan" (1974), <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.

¹⁵ Pemerintah Pusat Indonesia, "Peraturan Pemerintah (PP) No. 9 Tahun 1975 Pelaksanaan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan" (1975), pasal.19.

¹⁶ Pemerintah Pusat Indonesia, "Undang-Undang Dasar (UUD) Tahun 1945 Dan Amandemen Nomor - UUD 1945 Dan Amandemen" (1945).

¹⁷ Muhammad Husni Abdulah Pakarti et al., "Perlindungan Hak Anak Dalam Perceraian Menurut Hukum Keluarga Islam," *Usroh: Jurnal Hukum Keluarga Islam* 7, no. 2 (2023): 14-36.

first option, but rather the last step after mediation efforts fail. Law Number 1 of 1974 and Government Regulation Number 9 of 1975 are the main legal basis that regulates the procedures and legal reasons for divorce.¹⁸ From the perspective of legal experts, divorce regulations in Indonesia are good enough to maintain a balance between the individual's right to divorce and the state's obligation to maintain family resilience. However, there needs to be a strengthening in mediation institutions in the courts to be more effective in preventing unnecessary divorces.¹⁹ In addition, this regulation is also in line with the principles of protection in the 1945 Constitution, which ensures that every individual has the same rights before the law in living a married life and in the divorce process.

Based on the results of the case examination conducted by the Stabat Religious Court in Decision Number: 1113/Pdt.G/2023/PA. Stb, the judge issued the following verdict: a) Granting the Plaintiff's lawsuit to divorce from the Defendant; b) Stipulate that the marriage between the Plaintiff and the Defendant legally terminates in accordance with the applicable law; c) Ordering the Registrar of the Stabat Religious Court to send a copy of the decision to the Office of Religious Affairs where the marriage of the Plaintiff and the Defendant is recorded; d) Charging the Plaintiff the cost of the case in accordance with the applicable provisions.

B. Factors Causing Divorce in the Religious Court Decision of Stabat Number 1113/Pdt.G/2023/PA.Stb

Decision of the Stabat Religious Court Number 1113/Pdt.G/2023/PA. Stb revealed that the divorce in this case was caused by several main factors, namely: a) Irresponsible Husband's Behavior: In this case, the Defendant was known to have not carried out his obligations as the head of the household, both financially and emotionally. This irresponsible attitude reflects a failure to fulfill the principles of marriage which demand affection and responsibility as stipulated in Islamic law;²⁰ b) Gambling Habits: One of the main causes of divorce is the gambling habits carried out by the Defendant. In Islam, gambling is a prohibited act because it can bring losses to yourself and your family. Based on Wahyuni's (2021) research, deviant behavior such as gambling is one of the dominant factors in divorce lawsuits at the Religious Court;²¹ c) Temperamental Attitude and Verbal Violence: The Defendant is also known to have a temperamental attitude which is often accompanied by verbal violence against the Plaintiff. This behavior causes disharmony in the household and is a factor that strengthens the reason for the divorce lawsuit;²² d) Physical Violence: In marriage law, physical violence is considered a serious violation of human rights, especially of couples in marriage. Domestic Violence is regulated in Law Number 23 of 2004 challenging the Elimination of Domestic Violence. One party commits violence or severe persecution that endangers the other party. For example, a husband has hit his wife's head with a stick, causing a concussion, and the act endangers his survival (Oti, 2019);²³ e) Absence from the Trial: The Defendant's absence from the trial shows a

¹⁸ Isna Diana and Anfal Bahri, "Dinamika Pernikahan Dan Perceraian Di Berbagai Negara: Inspirasi Reformasi Hukum Perkawinan Di Indonesia," *Lentera* 6, no. 2 (2024): 142-45.

¹⁹ Muhammad Damar Galih, Dzulfikar Rodafi, and Khoirul Asfiyak, "Efektifitas Proses Mediasi Dalam Mengurangi Perkara Perceraian (Studi Kasus Di Pengadilan Agama Blitar)," *Jurnal Hikmatina* 6, no. 2 (2024): 348-56.

²⁰ Ajeng Putri Wahyuni and Arrum Budi Leksono, "Tinjauan Yuridis Gugat Cerai Istri Akibat Perubahan Status Sosial Tenaga Kerja Wanita (Studi Kasus Putusan Nomor: 0217/Pdt. G/2021/Pa. Im)," *Jurnal Ilmiah Publika* 11, no. 1 (2023): 135-42.

²¹ Indah Wahyuni, Syarifuddin Yusuf, and Erna Magga, "Pengaruh Konsumsi Kopi Terhadap Tekanan Darah Dan Insomnia Pada Mahasiswa Universitas Muhammadiyah ParePare," *Jurnal Ilmiah Manusia Dan Kesehatan* 3, no. 3 (2020): 395-402.

²² Naila Farah, Musahwi Musahwi, and Muhamad Ridho Hidayatullah, "Kekerasan Berbasis Gender Dalam Kasus Perceraian Pada Masa Pandemi Covid-19 Di Kabupaten Cirebon," *Yinyang: Jurnal Studi Islam Gender Dan Anak* 18, no. 2 (2023): 177-96.

²³ R. Oti, "Kekerasan Dalam Rumah Tangga Dan Konsekuensi Hukumnya," *Jurnal Kriminologi Islam* 7, no. 3 (2019): 112-128.

lack of good faith to solve domestic problems. This is in line with the findings of Nurhadi (2019) who stated that the absence of a spouse in the trial can complicate the judicial process and affect the judge's decision.²⁴

1. Authority of Religious Courts in Marriage Disputes

The Religious Court has the absolute authority to examine, adjudicate, and decide cases in the field of marriage for Muslims, as stipulated in Article 49 of Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts.²⁵ In divorce cases, the Religious Court is authorized to accept divorce lawsuits for talaq and divorce. This authority is absolute because it is directly related to the status of family law for adherents of Islam in Indonesia. In addition, Article 66 of Law Number 7 of 1989 stipulates that the Religious Court is also authorized to provide determinations related to child custody, alimony, and distribution of joint property after divorce.²⁶ In this case, the judge considers these aspects thoroughly to ensure legal protection for the parties.²⁷

2. Summons Procedure and Consequences of the Defendant's Absence

In the trial of divorce cases, the summons of the defendant must be carried out legally in accordance with the provisions of HIR (*Herzien Inlandsch Reglement*) Article 390 and RBg (*Rechtsreglement Buitengewesten*) Article 121.²⁸ If the defendant is not present after being duly summoned, the trial can be continued with *verstek* (verdict without the defendant's presence) as stipulated in Article 125 of the HIR and Article 149 of the Criminal Code. If the defendant is indeed deliberately absent, the judge can continue the examination based on the evidence and testimony of the plaintiff.²⁹ In his consideration, the judge will evaluate whether the reason for the divorce submitted is strong enough and valid according to Islamic law and applicable laws.³⁰

3. Proof Through Letter and Witness Evidence

The evidentiary process is a crucial aspect in a divorce case. Article 1865 of the Civil Code and Article 164 of the Civil Code stipulate that the party filing a lawsuit must prove its evidence.³¹ In the context of divorce, evidence can be: 1) Letter Evidence: For example, a marriage certificate, statement letter, or other related document that supports the postulation of divorce; 2) Witness Evidence: The witnesses presented must meet the requirements for the validity of the testimony, namely Muslim, adult, and have direct knowledge related to the disputed case.

The judge will consider whether the witness's testimony is consistent and relevant to the reason for the divorce. If the evidence is strong enough, the judge can grant the divorce application without the presence of the defendant (*verstek*), as long as it still meets the principles of justice and legal certainty.

4. Material Considerations Related to the Reasons for Divorce

²⁴ M. Nurhadi, "Faktor Perceraian Dalam Putusan Pengadilan Agama," *Jurnal Hukum Islam* 12, no. 1 (2019): 89-102.

²⁵ Indonesia Pemerintah Pusat, "Undang-Undang Republik Indonesia Nomor 3 Tahun 2006 Tentang Perubahan Atas Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama" (2006).

²⁶ *Ibid.*, pasal 66.

²⁷ Nur Aisyah, "Peranan Hakim Pengadilan Agama Dalam Penerapan Hukum Islam Di Indonesia," *Jurnal Al-Qadaw: Peradilan Dan Hukum Keluarga Islam* 5, no. 1 (2018): 73-92.

²⁸ Fitriani Lundeto, "Efektifitas Relas Panggilan Dalam Penyelesaian Perkara Perceraian Di Pengadilan Agama Bitung," *I'tisham: Journal of Islamic Law and Economics* 1, no. 2 (2021).

²⁹ Fitrianto, B., *Loc. cit.*

³⁰ Indonesia, "Putusan Pengadilan Agama Stabat Nomor 1113/Pdt.G/2023/PA.Stb."

³¹ Fatimah, *Peran Hakim Dalam Perkara Perceraian* (Yogyakarta: Yogyakarta: UII Press, 2020, 2020), h.120.

The reason for the divorce submitted must be in accordance with the provisions of Article 19 of Government Regulation Number 9 of 1975 and Article 116 of the Compilation of Islamic Law. Some of the valid grounds for divorce include: 1) One of the parties commits adultery or becomes a drunkard, stuffer, gambler, etc. which is difficult to cure; 2) One party leaves the other party for two consecutive years without permission and valid reasons; 3) There are constant disputes and quarrels; 4) One of the parties has a physical disability or illness that results in being unable to carry out its obligations.

In his consideration, the judge will evaluate whether the reasons stated meet these elements and whether the divorce will provide benefits to both parties. Judges must also consider the impact of divorce, especially related to child custody and division of joint property, to ensure that neither party is disproportionately harmed.

CONCLUSION

Based on the discussion that has been described, it can be concluded that the Religious Court has a significant role in handling divorce cases, especially those involving Muslims in Indonesia. The absolute authority of the Religious Court in divorce cases is clearly regulated in laws and regulations, including material and formal legal considerations. An analysis of the factors that cause divorce shows that reasons such as disputes, disharmony, and violations of rights in the household are the main aspects considered in deciding the case. The Religious Court also ensures that the trial process is carried out in accordance with the principles of fast, simple, and low-cost justice to ensure justice for the parties. In addition, an in-depth analysis shows the importance of the role of judges in considering social, economic, and psychological aspects in decision-making, in order to ensure that the decisions taken provide substantive justice. Thus, the process and decision in divorce cases in the Religious Court not only reflect the juridical aspect but also pay attention to the interests of the parties to the case. Therefore, the main conclusion of this discussion is that the role of the natural Religious Court in divorce cases is very important to uphold justice, maintain the Islamic family legal order, and provide adequate legal protection for the parties involved.

REFERENCES

- Abdullah, M. "Maqashid Syariah Dalam Putusan Hakim Pengadilan Agama." *Jurnal Hukum Islam* 10, no. 2 (n.d.): 98–115.
- Aisyah, Nur. "Peranan Hakim Pengadilan Agama Dalam Penerapan Hukum Islam Di Indonesia." *Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 5, no. 1 (2018): 73–92.
- Al-Zuhaily, Wahbah. *Al-Fiqh Al-Islami Wa Adillatuhu*, Juz VII. Vol. 3. Dar Al-Fikr, Damsyiq, 1989.
- Azis, Muawanatul, Syahrudin Nawi, and Ilham Abbas. "Efektivitas Penilaian Kesaksian De Audit Dalam Perkara Perceraian Di Pengadilan Agama." *Journal of Lex Philosophy (JLP)* 5, no. 2 (2024): 1918–32.
- Cahyani, Tinuk Dwi. *Hukum Perkawinan*. Vol. 1. UMMPress, 2020.
- Diana, Isna, and Anfal Bahri. "Dinamika Pernikahan Dan Perceraian Di Berbagai Negara: Inspirasi Reformasi Hukum Perkawinan Di Indonesia." *Lentera* 6, no. 2 (2024): 142–45.
- Farah, Naila, Musahwi Musahwi, and Muhamad Ridho Hidayatullah. "Kekerasan Berbasis

- Gender Dalam Kasus Perceraian Pada Masa Pandemi Covid-19 Di Kabupaten Cirebon." *Yinyang: Jurnal Studi Islam Gender Dan Anak* 18, no. 2 (2023): 177-96.
- Fatimah. *Peran Hakim Dalam Perkara Perceraian*. Yogyakarta: Yogyakarta: UII Press, 2020, 2020.
- Fitrianto, B., Dkk. "Kebijakan Hukum Dalam Melindungi Perempuan Dari Perzinaan Dan Problematika Nikah Sirri." *Jurnal Hukum Islam* 15, no. 1 (2021): 55-70.
- Galih, Muhammad Damar, Dzulfikar Rodafi, and Khoirul Asfiyak. "Efektifitas Proses Mediasi Dalam Mengurangi Perkara Perceraian (Studi Kasus Di Pengadilan Agama Blitar)." *Jurnal Hikmatina* 6, no. 2 (2024): 348-56.
- Indonesia, Mahkamah Agung Republik. "Putusan Pengadilan Agama Stabat Nomor 1113/Pdt.G/2023/PA.Stb." Stabat, 2023.
- Indonesia, Pemerintah Pusat. Instruksi Presiden (Inpres) Nomor 1 Tahun 1991 Penyebarluasan Kompilasi Hukum Islam (1991).
- — —. Peraturan Pemerintah (PP) No. 9 Tahun 1975 Pelaksanaan Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan (1975).
- — —. Undang-undang Dasar (UUD) Tahun 1945 dan Amandemen Nomor - UUD 1945 dan Amandemen (1945).
- Lundeto, Fitriani. "Efektifitas Relas Panggilan Dalam Penyelesaian Perkara Perceraian Di Pengadilan Agama Bitung." *I'tisham: Journal of Islamic Law and Economics* 1, no. 2 (2021).
- Mahmud Marzuki, Peter. "Penelitian Hukum." *Jakarta: Kencana Prenada Media* 55 (2005).
- Nurhadi. *Proses Peradilan Perceraian Di Indonesia*. Bandung: Bandung: CV Pustaka Setia, 2019.
- Nurhadi, M. "Faktor Perceraian Dalam Putusan Pengadilan Agama." *Jurnal Hukum Islam* 12, no. 1 (2019): 89-102.
- Oti, R. "Kekerasan Dalam Rumah Tangga Dan Konsekuensi Hukumnya." *Jurnal Kriminologi Islam* 7, no. 3 (2019): 112-128.
- Pakarti, Muhammad Husni Abdulah, Diana Farid, Iffah Fathiah, and Kemal Al Kautsar Mabruuri. "Perlindungan Hak Anak Dalam Perceraian Menurut Hukum Keluarga Islam." *Usroh: Jurnal Hukum Keluarga Islam* 7, no. 2 (2023): 14-36.
- Pemerintah Pusat, Indonesia. Undang-undang (UU) No. 1 Tahun 1974 Perkawinan (1974). <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.
- Pemrintah Pusat, Indonesia. Undang-Undang Republik Indonesia Nomor 3 Tahun 2006 Tentang Perubahan Atas Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama (2006).
- Rahman, M. "Konsep Pernikahan Dalam Hukum Islam." *Jurnal Studi Islam* 8, no. 1 (2020): 21-35.
- Siregar, A. dan Wahyuni, R., ". "Faktor Dominan Dalam Gugatan Cerai Di Pengadilan Agama." *Jurnal Hukum Keluarga Islam* 12, no. 1 (2021): 45-60.
- Suyanto, S H. *Metode Penelitian Hukum Pengantar Penelitian Normatif, Empiris Dan Gabungan*. Unigres Press, 2023.

- Wahyuni, Ajeng Putri, and Arrum Budi Leksono. "Tinjauan Yuridis Gugat Cerai Istri Akibat Perubahan Status Sosial Tenaga Kerja Wanita (Studi Kasus Putusan Nomor: 0217/Pdt. G/2021/Pa. Im)." *Jurnal Ilmiah Publika* 11, no. 1 (2023): 135–42.
- Wahyuni, Indah, Syarifuddin Yusuf, and Erna Magga. "Pengaruh Konsumsi Kopi Terhadap Tekanan Darah Dan Insomnia Pada Mahasiswa Universitas Muhammadiyah ParePare." *Jurnal Ilmiah Manusia Dan Kesehatan* 3, no. 3 (2020): 395–402.
- Yassir, Muhammad, Abd Muthalib, and Akhmad Husaini. "Analisis Ex Officio Dan Perlindungan Hukum Di Pengadilan Agama (Studi Putusan PA Jember Nomor 1323/Pdt. G/2024/PA. Jr)." *Jurnal Al-Fawa'id: Jurnal Agama Dan Bahasa* 15, no. 1 (2025): 210–27.