



Generation Z's Understanding of Prenuptial Agreements from an Islamic Family Law Perspective: An Empirical Study in Gemawang Hamlet, Pakurejo, Indonesia

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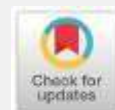
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ABSTRACT

This study was motivated by Generation Z's limited understanding of marital rights and obligations, particularly regarding prenuptial agreements. Although digital media provides broad access to legal information, such access does not necessarily improve their understanding of Islamic family law. This study aims to examine Generation Z's understanding of prenuptial agreements from the perspective of Islamic family law. A qualitative field research approach was employed, with data collected through observation, in-depth interviews, and documentation involving married Generation Z participants in Gemawang Hamlet, Pakurejo Village, Temanggung Regency, Indonesia. The data were analyzed descriptively using Benjamin Bloom's theory of understanding and the perspective of Islamic family law. The findings indicate that participants' understanding of prenuptial agreements remains limited. Most viewed such agreements merely as instruments for the separation of marital assets, without adequately understanding their objectives, functions, and legal implications. The study also found that several participants entered marriage with insufficient knowledge of spouses' rights and obligations. From the perspective of Islamic family law, prenuptial agreements are permissible provided they do not contradict Sharia principles and serve to clarify the rights and obligations of both parties. Therefore, strengthening Islamic family law education is essential to improve Generation Z's preparedness for marriage.

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Introduction

Marriage is one of the most fundamental social and religious institutions in human life. In Islam, marriage is not merely regarded as a means of fulfilling biological needs but also as an act of worship (*‘ibādah*) intended to establish a family characterized by *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion) (Syarifuddin, 2014). Through marriage, a man and a woman enter into a legally and religiously recognized union in which they exercise reciprocal rights and obligations in a balanced manner (Law No. 1 of 1974 on Marriage). Therefore, marriage is not simply an emotional bond between two individuals; rather, it is a legal contract that entails legal, social, economic, and moral consequences, all of which must be understood and fulfilled by both spouses (Ramulyo, n.d.). From the perspective of Islamic family law, marriage is regarded as a *mitsāqan ghalīẓan* (a solemn and binding covenant) (Qur'an 4:21). This concept reflects the sacred nature of marriage and emphasizes the necessity of both physical and psychological preparedness among prospective spouses (Masykuri, 1998). Such preparedness extends beyond economic and psychological readiness to include an adequate understanding of the reciprocal rights and obligations of husband and wife, conflict management, and effective communication within the family. Insufficient understanding of these aspects frequently contributes to marital disputes and, in many cases, eventually leads to divorce (Mardani, 2011). The rapid advancement of information technology and globalization has significantly transformed social values and patterns of thought, particularly among younger generations. Generation Z refers to individuals who were born and raised in the digital era, where access to information is virtually unlimited (Laurensius, 2024). This accessibility has made Generation Z more exposed to social, legal, and religious issues than previous generations (Indra Haryanto Ali, 2026). Nevertheless, abundant access to information does not necessarily translate into a comprehensive understanding. Instead, many young people possess fragmented or even inaccurate knowledge of important aspects of life, including marriage and family law (Munir, 2023).

One issue that has attracted increasing public attention in contemporary society is the prenuptial agreement. A prenuptial agreement is a contract concluded by prospective spouses before marriage to regulate their respective rights, obligations, and other matters relating to their future marital life (Susanti, 2020). In practice, however, prenuptial agreements are often narrowly perceived as legal instruments solely intended to separate marital property. In fact, their scope may extend to various aspects of family life, including the distribution of family responsibilities, child education, financial management, and mechanisms for resolving marital disputes (Dahlan, 2008, p. 145). In Indonesia, prenuptial agreements have a clear legal basis under both national law and Islamic family law. The Compilation of Islamic Law (*Kompilasi Hukum Islam*), particularly Articles 45 and 47, allows prospective spouses to formulate a prenuptial agreement prior to the marriage contract, provided that its provisions do not

contradict the principles of Islamic law (Compilation of Islamic Law, Articles 45 and 47). These provisions demonstrate that Islam recognizes the legitimacy of agreements designed to establish legal certainty regarding the rights and obligations of both spouses (Assidik et al., 2019, p. 8). Accordingly, a prenuptial agreement should not be interpreted as an expression of distrust between future spouses but rather as a preventive legal mechanism intended to safeguard family welfare (*maṣlaḥah*) (Syah & Ilham, 2022, p. 11). A similar phenomenon can also be observed among Generation Z. As digital natives, members of this generation enjoy extensive access to information concerning marriage and prenuptial agreements (Binus Higher Education, 2023). Nevertheless, the availability of information is not always accompanied by an adequate level of understanding. Many young people are familiar with the term "prenuptial agreement" but have only a limited understanding of its objectives, legal basis, functions, and relevance to married life (Hutapea et al., 2023, p. 4). Some even continue to perceive prenuptial agreements solely as arrangements concerning the separation of marital assets.

This issue deserves scholarly attention because understanding prenuptial agreements is closely associated with an individual's readiness for marriage. A sound understanding of the reciprocal rights and obligations of spouses, including the significance of premarital agreements, may assist couples in establishing a more well-prepared, transparent, and responsible family life (Syarif, 2018, p. 94). Conversely, inadequate understanding of these matters may contribute to marital conflicts that ultimately undermine family stability and harmony.

Method

This study employed a qualitative approach using a field research design to examine Generation Z's understanding of prenuptial agreements from the perspective of Islamic family law (Sugiyono, 2017). The research was conducted in Gemawang Hamlet, Pakurejo Village, Bulu District, Temanggung Regency, Indonesia. The participants consisted of married members of Generation Z selected through purposive sampling based on the objectives of the study. The study utilized both primary and secondary data sources (Moleong, 2018). Primary data were collected through observation and in-depth interviews, while secondary data were obtained from books, scholarly journal articles, previous studies, statutory regulations, and the Compilation of Islamic Law (Kompilasi Hukum Islam [KHI]) relevant to the research (Arikunto, 2013). Data were collected through observation, semi-structured interviews, and document analysis (Moleong, 2018). To ensure the trustworthiness of the findings, source triangulation and methodological triangulation were employed by comparing information obtained from different participants as well as from observations, interviews, and documentary evidence (Sugiyono, 2017). The data were analyzed using Miles and Huberman's interactive model, which consists of data reduction, data display, and conclusion drawing and verification (Miles & Huberman, 2014). The findings

were interpreted inductively through an iterative process of analysis and verification, providing a comprehensive understanding of Generation Z's understanding of prenuptial agreements from the perspective of Islamic family law.

Result

A. Generation Z's Understanding of Prenuptial Agreements

The findings indicate that the level of understanding of prenuptial agreements among married members of Generation Z in Gemawang Hamlet, Pakurejo Village, Bulu District, remains relatively low. Most participants lacked a comprehensive understanding of the concept, functions, objectives, and legal status of prenuptial agreements within marital life. Their knowledge was generally limited to perceiving prenuptial agreements as legal arrangements concerning the division of marital assets in the event of divorce (Susanti, 2020, p. 22). Such understanding was primarily derived from social media, internet sources, and news coverage featuring prenuptial agreements among public figures (Hutapea et al., 2023). Consequently, their understanding was fragmented and failed to reflect the broader legal and social functions of prenuptial agreements.

These findings suggest that the ease of accessing information among Generation Z does not necessarily translate into a deeper understanding. As digital natives, Generation Z enjoys unprecedented access to diverse sources of information (Laurensius, 2024, p. 25). However, information abundance does not automatically foster comprehensive knowledge. Instead, much of the available information is fragmented and tends to emphasize highly publicized issues, particularly those relating to the division of marital property, while paying little attention to the legal foundations, preventive functions, and protective objectives of prenuptial agreements (Indra Haryanto Ali, 2026, p. 33).

From the perspective of Benjamin Bloom's taxonomy, these findings indicate that most participants remained at the knowledge level and had not yet achieved the comprehension stage. According to Bloom, understanding involves not only recalling information but also interpreting, explaining, comparing, and applying concepts in real-life situations (Bloom, 1956, p. 89). The majority of participants were familiar with the term prenuptial agreement but were unable to explain its legal basis, objectives, or practical significance within marriage. Their understanding therefore remained superficial rather than conceptual.

The limited understanding observed in this study also extended to participants' knowledge of the reciprocal rights and obligations of spouses before marriage. Most participants admitted that they only began to understand their marital responsibilities after entering married life. This finding suggests that decisions to marry were predominantly influenced by emotional readiness rather than adequate legal or practical preparation. Love,

family encouragement, social expectations, and the desire to avoid premarital relationships were frequently identified as the primary motivations for marriage, whereas knowledge of marital rights and responsibilities received relatively little consideration.

These findings further indicate that many members of Generation Z continue to perceive marriage primarily as an emotional relationship between two individuals rather than as a legal, social, and religious institution involving reciprocal rights, obligations, and responsibilities (Mardani, 2011, p. 12; Syarifuddin, 2014, p. 40). Such limited understanding may contribute to misunderstandings regarding family roles, marital conflicts, and ultimately family instability. The study also demonstrates that personal experience significantly influences an individual's level of understanding. Participants who had experienced marital conflict or divorce exhibited greater awareness of the importance of adequate premarital preparation. Their experiences led them to recognize that a successful marriage requires not only affection but also emotional maturity, economic readiness, legal literacy, and a clear understanding of mutual rights and obligations. Within this context, prenuptial agreements were increasingly viewed as preventive legal instruments capable of clarifying spouses' rights and responsibilities from the outset of marriage.

The case of Sundari illustrates how inadequate understanding of marital responsibilities may adversely affect marital stability (Interview with Sundari, November 18, 2025). Her divorce resulted not only from economic and communication problems but also from insufficient preparedness in understanding the respective roles of husband and wife. Consequently, Sundari expressed a more favorable attitude toward prenuptial agreements than other participants, considering them an effective mechanism for providing legal clarity and reducing the potential for future marital disputes.

Similarly, the experiences of Ina Zulaikha, Siska, and Dwi reveal that understanding of family life develops progressively through lived marital experience (Interviews with Ina Zulaikha, Siska, and Dwi, November 18, 2025). All three participants acknowledged that they only fully understood their responsibilities as spouses and parents after marriage. While these findings demonstrate that learning continues throughout married life, they also indicate that premarital education and family law literacy remain insufficient, forcing many young couples to acquire essential knowledge through trial and error, often accompanied by avoidable conflicts and challenges. Overall, the findings suggest that Generation Z's understanding of prenuptial agreements remains inadequate. This condition is attributable to several interrelated factors, including limited family law literacy, reliance on fragmented sources of information, and insufficient premarital education. Therefore, strengthening family law education through families, educational institutions, religious leaders, and premarital counseling programs is essential to enhance Generation Z's understanding of marital rights and obligations and to promote better preparedness for married life.

B. Generation Z's Views on Prenuptial Agreements from the Perspective of Islamic Family Law

The findings indicate that Generation Z's views on prenuptial agreements remain diverse. Some participants perceived prenuptial agreements as legal instruments that provide legal certainty and clarify spouses' rights and obligations within marriage. However, others still regarded prenuptial agreements as a manifestation of distrust toward their partners. These different perspectives demonstrate that Generation Z's understanding of the functions and objectives of prenuptial agreements remains uneven. From the perspective of Islamic family law, prenuptial agreements are fundamentally permissible as long as their provisions do not contradict Islamic legal principles (Tihami & Sohari Sahrani, n.d., p. 124). This principle is reflected in Articles 45 and 47 of the Compilation of Islamic Law (Kompilasi Hukum Islam [KHI]), which provide opportunities for prospective spouses to establish certain agreements prior to the marriage contract (KHI Articles 45 and 47). This legal recognition demonstrates that Islam acknowledges the importance of agreements between spouses as a means of creating a more organized, harmonious, and responsible family life.

Furthermore, prenuptial agreements are closely related to the Islamic concept of *mitsāqan ghalīẓan* (a solemn and binding covenant) as stated in Islamic teachings (Qur'an 4:21; Masykuri, 1998, p. 15). Marriage is understood as a sacred and binding covenant that generates legal consequences for both parties. Therefore, prenuptial agreements may be understood as an effort to clarify the implementation of spouses' rights and obligations after the marriage contract has been concluded. In this context, prenuptial agreements should not be interpreted as expressions of distrust, but rather as mechanisms to strengthen commitment, responsibility, and mutual understanding between spouses (Ahmad Sarwat, 2019, p. 312).

In addition, Islamic law recognizes the principle of *maṣlaḥah* (public interest or welfare), which aims to achieve benefits and prevent harm. Based on this principle, prenuptial agreements may be considered beneficial legal instruments because they provide legal certainty, protect the rights of spouses, and reduce the potential for disputes within marriage. Through clearly established agreements, couples have a framework that can guide them in managing their family life. Nevertheless, the findings reveal that most participants have not yet understood prenuptial agreements within this broader framework. The majority still associate prenuptial agreements primarily with the separation of marital property. In reality, prenuptial agreements may cover various aspects of family life, including the distribution of responsibilities, family financial management, child education, and mechanisms for resolving marital conflicts. This limited understanding indicates that Islamic family law literacy among Generation Z requires further improvement.

The study also demonstrates that personal experiences influence individuals' perspectives on prenuptial agreements. Participants who had experienced marital conflicts or divorce tended to hold more positive views toward prenuptial agreements compared to those who had never encountered similar problems. This finding suggests that awareness of the importance of legal protection within marriage often emerges after individuals experience marital challenges directly.

Overall, the study shows that Generation Z's views on prenuptial agreements are not yet fully aligned with the principles of Islamic family law. Limited understanding has led some young people to perceive prenuptial agreements negatively and primarily through an economic perspective. However, from the perspective of Islamic family law, prenuptial agreements are legitimate instruments that can promote clarity, justice, and family welfare within marriage. Therefore, strengthening Islamic family law education is essential to develop Generation Z's comprehensive understanding of marriage, spouses' rights and obligations, and the importance of premarital planning in establishing families characterized by *sakinah*, *mawaddah*, and *rahmah*.

Conclusion

Based on the findings of this study concerning Generation Z's perceptions of prenuptial agreements from the perspective of Islamic family law in Gemawang Hamlet, Pakurejo Village, Bulu District, Temanggung Regency, it can be concluded that Generation Z's perceptions of prenuptial agreements remain relatively limited. Most participants perceived prenuptial agreements merely as arrangements related to the separation of marital property in the event of divorce. Their perceptions were largely shaped by limited information, insufficient Islamic family law literacy, inadequate premarital education, the dominance of fragmented information obtained from digital media, and limited exposure to discussions regarding marital rights, obligations, and responsibilities before marriage. Generation Z's perceptions of prenuptial agreements also demonstrate considerable diversity. Some participants viewed prenuptial agreements as legal instruments that provide certainty, clarify the rights and obligations of spouses, and prevent potential conflicts within marriage. However, others continued to perceive them as expressions of distrust toward their partners, based on the assumption that such agreements are primarily related to anticipating divorce. These differences indicate that Generation Z's perceptions of the objectives, functions, and legal significance of prenuptial agreements have not yet been fully developed. From the perspective of Islamic family law, prenuptial agreements are permissible as long as their provisions do not contradict Islamic legal principles and are intended to achieve *maṣlaḥah* (family welfare), justice, and the protection of the rights of both parties in marriage. Therefore, strengthening Islamic family law literacy among Generation Z is essential through families, educational

institutions, premarital counseling programs, religious authorities, and digital platforms. Such efforts are expected to foster more comprehensive perceptions of marriage, marital rights and obligations, and the importance of premarital planning in establishing families characterized by *sakinah, mawaddah, and rahmah*.

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