

An Analysis of the Increasing Divorce Rate in Tlogo Village, Tretep District, Temanggung Regency

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ABSTRACT

This study is motivated by the increasing divorce rate in Tlogo Village, Tretep District, Temanggung Regency, Indonesia, where marital dissolution has become a growing social concern. Divorce is influenced by various interrelated factors that undermine marital stability and family cohesion. This study aims to analyze the factors contributing to the rising divorce rate and to examine these factors from the perspective of Islamic law. Employing a qualitative research design with an empirical juridical approach, the study collected data through in-depth interviews, document analysis, and a literature review. The data were analyzed using data reduction, data display, and conclusion drawing techniques. The findings reveal that the rising divorce rate is primarily driven by economic hardship, emotional and psychological immaturity of spouses, prolonged marital conflicts, extramarital affairs, long-term separation, and domestic violence. These factors hinder the realization of the fundamental objectives of marriage, namely establishing a harmonious, stable, and prosperous family. From the perspective of Islamic law, divorce is recognized as a lawful but exceptional remedy when marital relationships result in persistent harm (mafsadah) and reconciliation is no longer attainable. Consequently, divorce is regarded as a legitimate legal mechanism to prevent greater harm and to preserve the welfare (maslahah) of both spouses.

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Introduction

Divorce has become an increasingly significant social and legal issue in contemporary Indonesian society. In Islamic teachings, marriage is fundamentally intended to establish a family characterized by *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion), thereby fostering a harmonious, peaceful, and loving household (Siti Chadijah, 2018). Likewise, Indonesian national law, as stipulated in Article 1 of Law No. 1 of 1974 on Marriage, defines marriage as a sacred bond aimed at forming a happy and enduring family founded upon belief in the One Almighty God (Yahya Harahap, 2014). Consistent with these

principles, Islamic jurisprudence regards marriage as one of the most enduring acts of worship and as a solemn covenant (*mītsāqan ghalīẓan*) intended to realize psychological tranquility, mutual affection, and social protection among spouses (Aden Rosadi, 2022)

Despite these normative ideals, contemporary social realities reveal substantial challenges to family stability. Both traditional and modern families require strong emotional, spiritual, and economic foundations to maintain marital resilience. Among these, economic stability constitutes a critical pillar that supports the daily functioning of the household. The fulfillment of basic needs including food, housing, healthcare, and children's education largely depends on adequate financial capacity. When this economic foundation deteriorates or when the distribution of financial responsibilities between spouses becomes dysfunctional, family stability is increasingly vulnerable to gradual or even rapid disintegration.

From a sociological perspective, the failure of a family to fulfill its economic functions is commonly conceptualized as family economic dysfunction (Fatur Rohman & Dewi Sri, 2021). This condition refers not only to absolute poverty but also to broader financial maladjustments, including unequal economic contributions between spouses, excessive household debt, chronic unemployment, ineffective financial management, and consumerist lifestyles that exceed actual income. Such persistent financial instability frequently develops into a major catalyst for destructive interpersonal conflicts between husband and wife, ultimately threatening marital continuity.

The growing contribution of economic factors to divorce in Indonesia has become increasingly alarming. According to the national statistics released by the Indonesian Central Bureau of Statistics (BPS), Religious Courts across Indonesia finalized 399,921 divorce cases during the reporting period. Among the officially recorded causes, continuous marital disputes ranked first, while economic hardship constituted the second-largest contributing factor, accounting for 100,198 divorce cases (Statistics, 2024). These figures indicate that approximately one out of every four divorces in Indonesia is directly associated with domestic financial instability.

A similar pattern is evident at the provincial level. Central Java ranks among the three provinces with the highest number of divorce cases nationwide, recording 64,937 finalized divorces during the same period. Temanggung Regency, a predominantly agricultural region in Central Java, has likewise experienced a substantial increase in marital dissolution. Records from the Religious Court of Temanggung indicate that 1,220 divorce cases were decided during the reporting year. Furthermore, between 2021 and the end of 2024, the regency registered 20,593 marriages and 2,861 divorces, representing a local marital dissolution rate of approximately 13.89% (BPS, 2024). In practical terms, this means that approximately fourteen

out of every one hundred marriages eventually ended in divorce proceedings before the Religious Court (Lutfi Andriantama Mahendra & Muh. Alfian, 2023).

At the sub-district level, Tretep District has experienced a fluctuating yet concerning pattern of family instability, recording a cumulative total of 52 divorce cases since 2021 (Tretep Office of Religious Affairs Data). Within this district, Tlogo Village represents a particularly relevant case due to its distinctive socioeconomic characteristics. As a rural community whose economy largely depends on horticultural production and coffee plantations, household income is highly vulnerable to seasonal cycles, fluctuations in commodity prices, and harvest outcomes. Crop failures or declining market prices immediately place many households under severe financial pressure. This seasonal economic vulnerability is strongly associated with the emergence of family economic dysfunction, which subsequently intensifies marital conflicts and ultimately encourages spouses to pursue divorce through the Religious Court.

Against this background, the present study aims to provide a systematic and comprehensive investigation of the manifestations of family economic dysfunction within the community of Tlogo Village, to identify the internal and external factors contributing to such dysfunction, and to examine its causal relationship with the increasing incidence of divorce. To establish a robust normative framework, the sociological findings are analyzed through the perspectives of Islamic Family Law, the Indonesian Compilation of Islamic Law, and the Maqāsid al-Sharī'ah framework. By integrating empirical evidence with Islamic legal principles, this study seeks to contribute both theoretical insights and policy recommendations for strengthening the economic resilience of Muslim families in rural Indonesia and for developing preventive strategies to reduce economically driven divorce.

Method

This study employed a qualitative research design using an empirical juridical approach to examine how legal norms concerning family maintenance (*nafkah*) and divorce operate within the social realities of rural communities. Rather than focusing solely on normative legal provisions, the empirical juridical approach investigates the interaction between formal legal norms and their practical implementation in society. In this study, particular attention was given to how Islamic legal principles on family maintenance and divorce, as articulated in classical Islamic jurisprudence and the Indonesian Compilation of Islamic Law are interpreted, practiced, and invoked by the residents of Tlogo Village when confronting household economic crises.

The research was conducted in Tlogo Village, Tretep District, Temanggung Regency,

Central Java, Indonesia. The site was purposively selected because its predominantly agrarian economy is highly dependent on seasonal agricultural production and fluctuating commodity prices, making local households particularly vulnerable to economic instability. Primary data were collected through semi-structured, in-depth interviews with four divorced couples whose marriages had been legally dissolved by the Temanggung Religious Court between 2021 and 2025. The participants were purposively selected because economic hardship constituted the principal ground for their divorce petitions. To enrich and validate the findings, additional interviews were conducted with a village administrative official, while secondary data were obtained from court decisions, statistical records of the Tretep Office of Religious Affairs and village demographic documents.

Data validity was ensured through methodological triangulation, which combines multiple data sources and data collection methods (Huberman & Saldaña, 2024). The data were analyzed using the interactive model developed by Miles, Huberman, and Saldaña, which consists of three iterative stages: data reduction, data display, and conclusion drawing and verification. During the data reduction stage, interview transcripts were systematically coded and categorized to identify recurring themes related to family economic dysfunction and marital breakdown. The organized data were subsequently presented through analytical matrices, supporting tables, and descriptive narratives to facilitate pattern identification and interpretation. Finally, conclusions were drawn and continuously verified by integrating the empirical findings with the theoretical framework of Islamic family law and the provisions of the Indonesian Compilation of Islamic Law.

To ensure the credibility and trustworthiness of the findings, the study employed both source triangulation and methodological triangulation, allowing the consistency of evidence obtained from different participants, documentary sources, and data collection techniques to be systematically cross-validated.

Results

Case 1: Economic Mismanagement, Marital Immaturity, and the Breakdown of Family Stability

Based on field investigations and in-depth interviews involving four representative divorce cases in Tlogo Village, this study identified distinct yet interrelated patterns of family economic dysfunction. The first case illustrates how economic instability, compounded by emotional immaturity, contributed to the gradual dissolution of the marriage.

The marital relationship deteriorated due to the couple's limited psychological readiness for marriage and their inability to manage household finances effectively. Having

married at a relatively young age, both spouses lacked the emotional maturity required to cope with financial challenges. The wife perceived that the financial support provided by her husband was insufficient to meet the family's basic needs, whereas the husband was unable to improve his financial management practices. As economic tensions persisted, repeated attempts at family mediation failed to resolve the conflict. The prolonged financial disputes subsequently escalated into allegations of extramarital affairs, further eroding mutual trust and marital harmony. Ultimately, the husband filed for divorce before the Temanggung Religious Court.

From the perspective of *Maqāṣid al-Sharī'ah*, this case primarily concerns two essential objectives of Islamic law. First, it reflects a failure to preserve wealth (*ḥifẓ al-māl*), as ineffective financial management and the inability to provide adequate household maintenance contradict the Islamic principles of responsible economic stewardship and equitable family support. Financial instability became the primary source of persistent marital conflict, ultimately undermining domestic tranquility. Second, the emergence of alleged infidelity compromised the objective of preserving family lineage and dignity (*ḥifẓ al-nasl*). The breakdown of trust weakened the moral foundation of the family and prevented the realization of the Islamic ideal of marriage as a relationship founded upon *akīnah*, *mawaddah*, and *rahmah*.

Although divorce is regarded in Islamic law as a lawful but undesirable measure, the findings suggest that, in this case, it functioned as a measure of last resort (*daf' al-mafsadah*) after reconciliation had become unattainable (Zainal et al., 2024). Once the marriage ceased to promote welfare (*maṣlaḥah*) and instead generated persistent harm, divorce was considered the most appropriate legal remedy to protect the interests and well-being of both spouses (M. Quraisy, 2002).

Case 2: Business Failure, Household Debt, and the Collapse of Economic Justice

The second case demonstrates how financial collapse resulting from business failure can undermine family stability and ultimately lead to divorce. The marital conflict originated from the bankruptcy of the couple's poultry farming business, which had been financed through bank loans. Following the business failure, the family was unable to repay its financial obligations, placing the household under severe economic pressure. The

resulting financial distress generated persistent marital disputes that eventually culminated in divorce. Although the participant deliberately limited certain details to protect personal privacy, the interview clearly indicated that the primary source of marital breakdown was the collapse of the family's economic resilience.

This case can be interpreted through Hasbi Ash-Shiddieqy's Theory of Household Justice, which conceptualizes the Islamic family as a social institution founded upon the balanced fulfillment of rights, obligations, responsibilities, and public welfare (*maṣlaḥah*). Within this framework, justice extends beyond the equitable distribution of material resources to include cooperation, mutual consultation (*shūrā*), emotional support, and psychological well-being (Manna et al., 2021).

The family's inability to service its debt disrupted the balance of rights and responsibilities between the spouses. Rather than addressing the financial crisis through constructive communication and collective decision-making, economic hardship evolved into prolonged interpersonal conflict that gradually eroded their emotional relationship. As economic instability intensified and marital harmony could no longer be maintained, the fundamental objectives of marriage became unattainable. Consequently, divorce emerged as the final legal remedy because the household had lost its capacity to uphold justice, balance, and welfare—the core principles underlying the Islamic conception of family life.

Case 3: Long-Term Separation, Marital Abandonment, and the Loss of Family Function

The third case involved a couple whose marriage was legally dissolved in 2025 after nearly fifteen years of separation. The separation initially occurred when the wife migrated to Malaysia to improve the family's economic condition through overseas employment. However, she never returned, and reports subsequently emerged that she had remarried while abroad. The prolonged absence, complete loss of communication, and continuing uncertainty regarding the marital relationship gradually destroyed the emotional bond between the spouses, leaving divorce as the only viable legal resolution.

This case is closely aligned with the concept of Social Fiqh (*Fiqh al-Ijtimā'ī*) developed by KH. M.A. Sahal Mahfudh, and further elaborated by KH. Ali Yafie and M. Quraish Shihab (Fiqh et al., 2016). This perspective maintains that Islamic law should respond to changing social realities and should consistently pursue the realization of

human welfare (*maṣlaḥah*). Marriage is therefore understood not merely as a legally valid contract but as a social institution expected to provide affection, protection, mutual responsibility, and psychological tranquility.

The fifteen-year separation clearly demonstrates that the social functions of marriage had ceased to exist despite the formal continuation of the legal bond. From the perspective of Social Fiqh, such prolonged uncertainty generates significant psychological and social harm because neither emotional security nor legal certainty can be achieved. As emphasized by contemporary Islamic scholars, when the essential objectives of marriage—namely *sakinah*, *mawaddah*, and *raḥmah*—can no longer be realized and the marital relationship instead becomes a source of persistent hardship, divorce is considered a legitimate legal and social solution. In this context, divorce serves to terminate prolonged uncertainty and enables both parties to pursue a more stable and meaningful future.

Case 4: Socioeconomic Inequality, Domestic Violence, and the Protection of Human Dignity

The fourth case highlights the complex interaction between socioeconomic disparity, family intervention, and domestic violence in contributing to marital dissolution. The marriage was characterized by a significant economic imbalance between the spouses. The husband earned a modest income as a casual laborer, whereas the wife's family enjoyed relatively stable economic conditions as successful coffee farmers. This disparity generated continuous social pressure and encouraged persistent intervention from the wife's family, which gradually intensified tensions within the marriage. Over time, these conflicts escalated into incidents of domestic violence, ultimately prompting the wife's family to support divorce as a necessary measure to ensure her safety and well-being.

From the perspective of Islamic law, this case illustrates the erosion of the fundamental essence and objectives of marriage (Nelli & Jaafar, 2023). Although economic status is not the sole determinant of marital success, the inability of the spouses to manage socioeconomic differences constructively created significant psychological stress and severe interpersonal conflict. The situation became particularly critical when the conflict developed into domestic violence, which constitutes a clear violation of the Islamic principle of **mu'āsharah bi al-ma'rūf**—the obligation to treat one's spouse with kindness, dignity, and respect—as prescribed in the Qur'an (Qur'an 4:19) (Farkhan Muhammad, 2022). Furthermore, this case can be understood through the classical Islamic legal maxim *dar' al-mafāsid muqaddam 'alā*

jalb al-maṣāliḥ (“Preventing harm takes precedence over attaining benefit”) (Zainal et al., 2024). Within this framework, domestic violence constitutes a form of harm (ḍarar) that must be eliminated. Consequently, divorce is not merely viewed as the termination of a marital relationship but rather as a legitimate mechanism for safeguarding the wife's physical safety, psychological well-being, and human dignity. When marriage ceases to provide tranquility, protection, and mutual support and instead becomes a source of suffering and harm, divorce may serve as the most appropriate legal remedy to restore justice and protect the rights of the vulnerable party (Febiana et al., 2018).

Factors Contributing to Divorce from the Perspective of Islamic Law

The analysis of the four divorce cases in Tlogo Village demonstrates that marital dissolution resulted from a combination of interrelated socioeconomic and interpersonal factors rather than from a single cause. Economic hardship emerged as the most dominant factor, manifesting in the inability to meet basic household needs, poor financial management, excessive debt, and business failure. These conditions undermined household economic resilience, generated persistent psychological stress, and gave rise to prolonged marital conflicts, emotional alienation, and the spouses' inability to cooperate in resolving family problems.

Beyond economic difficulties, several additional factors intensified marital instability. Emotional immaturity and inadequate psychological preparedness, particularly among couples who married at a young age, limited their capacity to manage domestic challenges constructively. Ineffective communication further aggravated misunderstandings, reduced openness between spouses, and weakened emotional attachment, especially in cases involving prolonged geographical separation, where the social functions of marriage gradually ceased to operate (Manna et al., 2021). Infidelity also emerged as a significant contributing factor, destroying mutual trust and family dignity and transforming marriage from a source of affection into one of emotional suffering. In addition, domestic violence represented one of the most serious causes of marital breakdown, as it fundamentally contradicts the Qur'anic injunction to treat one's spouse with kindness (mu'āsharah bi al-ma'rūf) as prescribed in Qur'an 4:19 (M. Quraish, 2002).

From the perspective of Islamic law, divorce in these cases is understood as an ultimum remedium a remedy of last resort that is permitted only after all reasonable efforts toward reconciliation have failed (Fitri, 2022). Although divorce is generally regarded as a lawful yet undesirable act, it becomes a legitimate legal solution when the essential objectives of marriage namely the realization of sakinah (tranquility), mawaddah (affection), and raḥmah (compassion)—can no longer be achieved because the marital relationship has become characterized by persistent conflict, injustice, violence, and suffering (Manna et al., 2021). This

understanding is consistent with the Qur'anic guidance in Qur'an 4:130, which recognizes divorce as permissible when marital reconciliation is no longer attainable and affirms that God will provide each spouse with sufficient means after separation (Aly et al., 2025). Likewise, Qur'an 2:229 emphasizes that when a marital relationship cannot be maintained in a manner consistent with justice and kindness, its dissolution should likewise occur with dignity and fairness (Aly et al., 2025).

Particularly in cases involving domestic violence, the normative foundation is found in Qur'an 4:19, which commands spouses to treat one another with kindness and respect. Consequently, any form of physical or psychological abuse constitutes a clear violation of Islamic ethical principles and provides legitimate grounds for terminating the marriage. This position is further reinforced by the well-established Islamic legal maxim, *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ* ("Preventing harm takes precedence over attaining benefit"). Accordingly, when a marriage produces greater harm than benefit, divorce becomes a legitimate mechanism for protecting life, human dignity, and the welfare (*maṣlaḥah*) of both spouses.

Discussion

Maqāṣid al-Sharī'ah Analysis

From the perspective of Maqāṣid al-Sharī'ah, Islamic law seeks to promote human welfare (*maṣlaḥah*) through the protection of the five essential objectives (*al-ḍarūriyyāt al-khams*): the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl**). Although divorce is generally regarded as a lawful yet undesirable act, it becomes permissible when a marriage can no longer fulfill its fundamental objectives of *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion), and instead becomes a source of continuous harm. This position is grounded in the well-established Islamic legal maxim that preventing harm takes precedence over attaining benefit (*dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*). Accordingly, divorce functions as a protective legal mechanism when the principles of justice, mutual kindness (*mu'āsharah bi al-ma'rūf*), and family welfare can no longer be sustained, or when the marital relationship threatens the physical safety, psychological well-being, and dignity of either spouse.

The analysis of the four divorce cases in Tlogo Village demonstrates that each case involved violations of one or more of these five essential objectives, thereby rendering divorce a legitimate remedy within the framework of Maqāṣid al-Sharī'ah. In the first case, marital breakdown originated from poor financial management and emotional immaturity, which were subsequently aggravated by allegations of infidelity. These circumstances undermined

the preservation of property (ḥifẓ al-māl) through ineffective financial stewardship and compromised the preservation of lineage (ḥifẓ al-nasl) by destroying mutual trust, family honor, and marital fidelity. Moreover, the prolonged psychological distress experienced by both spouses also affected the preservation of life (ḥifẓ al-nafs) and intellect (ḥifẓ al-‘aql). Under such conditions, divorce was regarded as a necessary means of preventing further harm.

The second case, involving business failure and overwhelming household debt, primarily reflected a failure to preserve property (ḥifẓ al-māl). Financial collapse severely undermined the family's economic stability and welfare, while prolonged economic pressure generated chronic stress, anxiety, and emotional exhaustion, thereby threatening both the preservation of life (ḥifẓ al-nafs) and intellect (ḥifẓ al-‘aql). As the marriage gradually became a source of suffering rather than well-being, divorce represented the most appropriate legal mechanism for preventing greater harm.

The third case concerned a marital separation that lasted nearly fifteen years due to labor migration motivated by economic necessity. Although the initial objective was to improve the family's financial condition, the prolonged separation effectively eliminated the social functions of marriage. The complete breakdown of communication, emotional attachment, and marital companionship, together with allegations of remarriage, constituted a serious violation of the preservation of lineage (ḥifẓ al-nasl). Ironically, the attempt to secure economic welfare (ḥifẓ al-māl) ultimately produced greater social and psychological harm. Within the Maqāṣid al-Sharī‘ah framework, divorce therefore provided legal certainty and enabled both parties to regain personal stability and emotional well-being.

The fourth case involved severe socioeconomic inequality that culminated in domestic violence. This case most directly implicated the preservation of life (ḥifẓ al-nafs), as both physical abuse and psychological violence posed a direct threat to the wife's safety and well-being. The abusive relationship also impaired sound judgment and emotional stability, thereby affecting the preservation of intellect (ḥifẓ al-‘aql), while simultaneously undermining family dignity and the preservation of lineage (ḥifẓ al-nasl). Furthermore, persistent socioeconomic conflict reflected the failure to maintain household welfare and financial justice, thereby compromising the preservation of property (ḥifẓ al-māl). Under these circumstances, divorce became an indispensable legal instrument for protecting the wife's life, dignity, and fundamental rights.

Overall, the findings indicate that divorce in these four cases should not be understood merely as the legal termination of marriage but rather as a restorative mechanism aimed at safeguarding the essential objectives of Islamic law. When marriage ceases to preserve religion, life, intellect, lineage, and property, and instead generates sustained injustice,

violence, and suffering, divorce becomes a legitimate means of restoring *maṣlahah* and preventing greater harm. Thus, within the *Maqāṣid al-Sharī'ah* framework, divorce serves not as a rejection of the institution of marriage but as a legal remedy designed to protect human dignity and re-establish the fundamental values that Islamic family law seeks to uphold.

Conclusion

The findings reveal that divorce in Tlogo Village is driven by interconnected factors, including family economic dysfunction, emotional immaturity, prolonged marital conflict, infidelity, long-term separation, and domestic violence, with economic hardship emerging as the primary cause. Financial instability—including inadequate *nafkah*, poor financial management, debt, business failure, and unstable employment—created sustained psychological and social pressures that ultimately led to marital breakdown. From the perspective of *Maqāṣid al-Sharī'ah*, these conditions undermined the preservation of property (*ḥifẓ al-māl*) and family integrity (*ḥifẓ al-nasl*), preventing the realization of *sakinah*, *mawaddah*, and *raḥmah*. Consequently, Islamic law regards divorce as an *ultimum remedium* when reconciliation is no longer possible, particularly in cases involving domestic violence. In this context, divorce serves as a legitimate means of preventing harm, protecting human dignity, and restoring *maṣlahah* for both spouses.

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