

Legal Considerations of Domestic Violence in Divorce (Case study at the Merauke Religious Court No. 254 / Pdt.G / 2022 / PA. Mrk)

Suwarno ¹, Hendra Yulia Rahman ², M. Thohar Al Abza ³

^{1,2,3} Postgraduate of Fattahul Muluk State Islamic Religious Institute, Papua, Jayapura City

Article History

Received: 07 Oct 2024

Revised: 20 Nov 2024

Accepted: 23 Dec 2024

Keyword

Legal Considerations,
Domestic Violence,
Divorce, Religious Court

Abstrak

Violence in Rmah Tangga (KDRT) is one of the reasons that is often used as the basis for divorce applications in court. This study aims to analyze the legal considerations desired by the judges of the Merauke Religious Court in deciding divorce cases on the basis of domestic violence in decision Number 254/Pdt.G/2022/PA.M. This research uses qualitative research methods. By using an empirical study or case study approach. The data collection is sourced from the results of the decision of case Number 254/Pdt.G/2022/PA. Mrk and interview. The results of the study indicated that case Number 254/Pdt.G/2022/PA. The reason that makes the plaintiff in this case the wife filed for divorce from the defendant who is none other than her husband is the first physical violence. The plaintiff said that this physical violence was in the form of beating and kicking the plaintiff which had an impact on bruises on his body. The second reason for the plaintiff is the existence of Psychological Violence, namely the defendant always says rude words that cause fear and threats to the plaintiff. The subsequent finding is that case Number 254/Pdt.G/2022/PA. Mrk mentioned that the judge in considering the filing of divorce on the grounds of Syiqaq or the existence of continuous quarrels and disputes. These legal considerations certainly obscure the reasons put forward by the plaintiff under the pretext of domestic violence, namely the existence of physical and psychological violence. In general, of course, the judge in considering the law in the decision has been fair, that is, the judge is based on benefits. Which if this case is not granted, it will cause great benefits or harm to one of the parties.

1. Pendahuluan

Marriage is the first step for men and women to form a family, because marriage is a physical and inner bond determined by Allah SWT that allows a person to have a marital relationship to continue their offspring and continue their life.(Fadilah, 2021) Then the purpose of marriage in Islam has also been stated in the Qur'an Surah Ar-Rum verse 21 which explains that the purpose of marriage is to become a family that is sakinah, mawaddah, and warahmah, as explained in QS. Ar-Rum / 30:21.(Santoso, 2016). Mawadah contains the meaning of mutual love and affection, Sakinah can be interpreted as the realization of a happy and eternal family, while mawadah is between husband and wife accepting and complementing each other.(Jalil, 2021) sakinah and mawaddah will also lead to ar-rahmah, which is the essential purpose of marriage, namely healthy children and the pleasure of Allah SWT, as well as an overflow of love and affection between husband and wife and their offspring.(Al-Amruzi, 2021) Therefore, marriage is a sacred contract that must be upheld.

According to Islamic law, a marriage contract is not just an agreement, but a sacred bond (mitsaqon golizhon) related to one's religion and belief in Allah SWT.(Yanti & Zahara, 2022) Then Marriage involves worship horizontally and vertically, the Vertical part is the relationship

*Corresponding author, email: suwarnods@gmail.com

doi:

© 2024 The Authors

This work is licensed under a [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/)

between a person and God, which involves faith. Marriage becomes sacred and full of worship because of this relationship. The horizontal part of marriage is a man and a woman bonding themselves physically and mentally as husband and wife to build a family.(Alfa, 2019). In Article 1 of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage, it is stated that:

"Marriage is a physical and spiritual relationship between a man and a woman to build a happy and eternal family (household) based on God."(Gunawan, 2010)

So it can be concluded that the main purpose of marriage is to form a happy, eternal, until death separates the husband and wife, in accordance with the will of God Almighty.

The current issue of marriage in the implementation of family life is domestic violence which has recently received a lot of attention in the media. Victims of domestic violence come from all walks of life, including the rich, the poor, the educated, and even the uneducated. Victims often experience physical and psychological violence, including being beaten and scolded.(Jalil, 2021) The increase in the number of domestic violence cases shows that public awareness of violence is increasing, especially related to violence that occurs in the household, while women as victims of violence are also now more courageous in reporting incidents experienced in their families. Then also the house that was supposed to be a shelter became a nest of violence and harassment. With the passage of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, often referred to as the PKDRT Law, on September 22, 2004, Indonesia has truly provided protection for victims of domestic violence. The government's awareness that domestic violence is now a criminal act or a public problem, no longer a secret, is evidenced by the passage of the PKDRT Law.(Santoso, 2019) With many gender stereotypes, women in this case wives place a heavy responsibility if physical violence occurs in their family environment.

From domestic violence cases, of course, this is a problem in a person's marriage or household. We know that although the purpose of marriage is to create an eternal and peaceful family or household, divorce can occur if there are deviations or behaviors that make domestic life uncomfortable.(Subairi, 2021) In the Islamic view that talaq or divorce only applies to the husband to divorce his wife, but the Marriage Law and the Compilation of Islamic Law also allow a wife to request a divorce through the religious court by filing a divorce lawsuit.(Badruzaman, 2021)

Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage in Chapter VIII Articles 38 to 40 regulates the possibility of divorce as long as it is done correctly. Article 39 emphasizes that there must be a strong reason for divorce, namely that husband and wife can no longer live in harmony as husband and wife.(Iba, 2024) In addition to being legally valid, divorce also affects the extent to which the culture of shame and control that prevails in society is allowed. While divorce is not always easy to talk about in cultures that have strong blood ties, divorce is more common in societies with weak kinship systems. When all other options have been exhausted and there is no longer a chance to save the marriage, divorce becomes a last resort.(Amri, 2022)

Therefore, from the explanation above, a husband or wife can decide to file a divorce lawsuit for various reasons because of the many new problems that arise in the household. Considering that for them, a divorce lawsuit is the last resort. Divorce is actually a common thing because, except by the will of Allah SWT, everything in this world is temporary, including

marriage. Divorce is one of the acts that is hated by Allah SWT, but it can be accepted in urgent circumstances and requires a strong reason. According to the laws and principles of Islamic law, domestic problems that cause constant quarrels between husband and wife and finally divorce lawsuits must first be resolved amicably. Because, if the problem cannot be resolved familiarly, then a divorce lawsuit is the last resort.(Yuliasari et al., 2023)

In case 254/Pdt.G/2022/PA. Mrk in the Religious Court is a divorce lawsuit case in which a wife files for divorce from her husband on the grounds of Domestic Violence (KDRT). In this case, it was stated in the lawsuit that the wife was treated harshly by her husband. Rudely explained here that wives often fight with their husbands, which has an impact on the husband hitting and committing physical violence against her husband. For that reason, the wife filed a divorce lawsuit against her husband on the grounds of Domestic Violence (KDRT). By looking at the case filed by the Wife, which was then registered in Case Number 254/Pdt.G/2022/PA. The judge of the Merauke Religious Court clearly granted and decided the case. So that the wife officially divorced her husband. From the decision to dismiss the case, the study will look at the factors considered by the judge in deciding the case. which then the judge's consideration will be analyzed using the perspective of Islamic Law.

2. Method

Judging from its type, this research is a qualitative research with the nature of descriptive analysis, because this research is expected to be able to provide a detailed, systematic, and comprehensive picture of the object being studied. The object referred to here is a divorce case on the grounds of domestic violence at the Merauke Religious Court. In order for this research to be structured and systematic, of course, data sources are needed in the research, data collection, and data analysis process.(Sugiono, 2020) Therefore, below will be discussed how the source of this research data was obtained, then how the data was collected, and subsequently the data was analyzed as follows:

2.1 Legal Resources and Collection of Legal Materials

Because this research is qualitative with an empirical study / case study approach in the field, the data source of this research uses three sources of legal materials, namely primary, secondary and tertiary data sources.

The primary data sources were obtained through interviews, observations, and documentation.(Moleong, 2017) The interview was conducted by interviewing the judges who decided the case Number 254/Pdt.G/2022/PA. Mrk and Registrar during the examination. Then observations were made by seeing firsthand the examination of the case at the Merauke Religious Court. Subsequently, the documentation obtained to support the data was obtained from case registration books, case examination documents 254/Pdt.G/2022/PA.Mrk.

In addition to primary data sources as legal materials, this research also uses secondary and tertiary sources of materials or data.(Suprayogo & Tobroni, 2001) Secondary data sources are data obtained from books, journals, magazines or related

laws and regulations, for example the Marriage Regulation (Law No. 1 of 1974), the Domestic Violence Law, the Merauke Religious Court Decision and the Compilation of Islamic Law. while the source of data or tertiary legal materials is data material for instructions or explanations from primary and tertiary legal materials, such as the Great Indonesian Dictionary, Legal Dictionary, and Encyclopedia.

1.1. Legal Material Analysis Method

After all legal materials or data are collected through interview, observation and documentation techniques, the data presentation process will be carried out next. In the process of displaying data from the collected data, 4 processes will be carried out, namely the Eddying process, Classification Process, Verification Process, and analysis.(Moleong, 2017) As explained by Moleong, these 4 processes are as activities to edit data that do not need to be presented. Subsequently, the edited data will be classified so that it is a sub-theme of discussion. Then the data is also so that it is really valid for analysis. And then the data that has been edited, classified, and verified for the validity of the data, the next process is to analyze using the relevant theories in this study, so as to get conclusions according to the research objectives. Because this research is an empirical law obtained from a case study, the analysis will be used qualitatively to look at the judge's decision regarding the divorce lawsuit for domestic violence at the Merauke Religious Court.

3. Results and Discussion

3.1 Representation of Domestic Violence in Case Number 254/Pdt.G/2022/PA. Mk.

In the Decision of the Religious Court of Merauke Regency, South Papua Province, Case Number 254/PDT. G/2022/PA. MK.. filed by the Plaintiff in 2022, it is clearly stated that this lawsuit was carried out as the culmination of the violence committed by the husband (Defendant) against the victim (Plaintiff). As for the violence experienced by the victim in the form of physical and psychological violence, the author will explain in more detail the following points:

a. Physical violence (kicking and punching) to the plaintiff

In the decision of the Religious Court Number 254/PDT. G/2022/PA. MRK., there are indications of domestic violence in the form of physical violence. In a copy of the decision, the plaintiff said that "There are often quarrels, the Defendant often hits and kicks the Plaintiff which makes the Plaintiff hurt". The Plaintiff's explanation in this copy of the decision confirms that the Plaintiff's circumstances are that he received the act of domestic violence by the defendant or her own husband. If reviewed legally based on Law Number 23 of 2004 concerning PKDRT, the Defendant's treatment of the Plaintiff is included in the realm of domestic violence, in accordance with the provisions of Article 5 of Law Number 23 of 2004, which says as follows:

"No one has the right to make another person a victim of domestic violence, in the event of: (a) physical violence, (b) psychological violence, (c) sexual violence, or (d) neglect of domestic responsibilities."(Atikah & Riwanto, 2020)

continued in Article 6 which says that "Acts that cause harm to the body, such as suffering, illness, or serious injury, are considered physical violence according to Article 5 letter a.". The explanation in the PKDRT Law is certainly a form of criminal offense, and

of course damages the domestic relationship between husband and wife because it harms one of the parties.(Karini, 2023)

If viewed from the KHI and Government Regulation Number 9 of 1975, the act of domestic violence in the form of physical violence as experienced by the victim (Plaintiff), then this act of violence is included in the grounds for divorce as stated in Article 116 letter (d) of the Compilation of Islamic Law explained about 8 causes that can be used as a reason for divorce. In these 8 reasons, one of the parties or spouses commits severe persecution and cruelty that causes one of the parties.(Ridwan et al., 2021) Then Article 19 letter (d) of Government Regulation Number 9 of 1975 also explains the same thing that committing persecution and cruelty can be a reason for people who feel aggrieved to file for divorce.(Dewi, 2022) The explanation of the two regulations indeed seems to make it difficult for the indication of domestic violence to appear in the decision of the Merauke Religious Court, because the term "committing cruelty and severe persecution" intended in the Law has a multi-interpretation meaning such as for example the person who is beaten or persecuted has a very serious injury and must be treated in the hospital, the impact of the persecution committed by one of the spouses. This makes it difficult for judges to give up indications of domestic violence in the form of physical violence.

b. Psychic violence (abusive speech) to the plaintiff

Psychological violence by the husband is a form of domestic violence that is often difficult to see physically, but leaves deep wounds in the victim's heart and mind. This form of violence can be in the form of insults, insults, emotional manipulation, excessive control, threats, and deliberate cold treatment. When a wife constantly lives in the shadow of fear, feels unappreciated, or loses confidence due to her husband's words and actions, she not only loses her sense of security but also her honor as a human being. This psychological violence, if left unchecked, can adversely affect the victim's mental health, destroy the happiness in the marriage, and create an unhealthy environment, especially if there are children in the family.(Hotifah, 2011) Therefore, many women finally decide to divorce as a form of courage to protect themselves and restore the dignity that has been taken away so far. This decision is not a sign of weakness, but rather an attempt to break the cycle of violence and seek a more decent and peaceful life.

From the information that the author took from a copy of the verdict and the results of the interview, it was stated that the Plaintiff not only experienced physical violence but also the Defendant often spoke abusively towards the Plaintiff. From the copy of the verdict and interview, it can be concluded that psychological violence is also experienced by the plaintiff (wife) committed by the defendant (husband), this is in line with Article 7 of Law Number 23 of 2004 concerning PKDRT which says that "According to Article 5 letter b, psychological violence occurs when a person experiences very intense psychological pressure, including: fear, lack of confidence, helplessness, and/or constant pain.", this is also strengthened by the testimony of witnesses in the trial process.(Fatakh, 2022)

Psychological violence in marriage is recognized as a serious violation in Indonesian law, especially through Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT Law). Psychic violence is defined as an act that results in fear, loss of confidence, helplessness, or deep mental anguish. It can take the form of insults, emotional manipulation, verbal threats, neglect, or excessive control.(Santoso, 2019) This action violates the principle of the obligation of husband and wife to love and respect each other, as stipulated in Law Number 1 of 1974 concerning Marriage. In addition, in the

Compilation of Islamic Law (KHI), psychological violence is categorized as dharar which is a valid reason for the wife to file for divorce.(1991, 1996) Perpetrators of psychological violence can also be subject to criminal sanctions based on the PKDRT Law, with a maximum prison sentence of 3 years or a fine of up to Rp 9 million.(Pramesti, 2023) With this regulation, the law provides protection for victims of psychological violence in the household to get justice and welfare.

Islamic law also explains that psychological violence is included in the category of actions that are contrary to sharia principles that emphasize affection, justice, and respect between husband and wife. The Qur'an and hadith provide guidance on the relationship between husband and wife which is based on mutual respect, mutual support, and treating each other in a good way (mu'asyarah bil ma'ruf). Psychological violence, such as insults, degrading a partner, or hurting feelings emotionally, is not justified because it violates this principle.(Amri et al., 2023) So it can be concluded from the entire regulation regarding Psychic violence that it is agreed that this is a violation of the provisions in the household that causes family disharmony and harms one of the parties, in this case the wife. From this conclusion, Psychological Violence (Harsh Speech) committed by the Defendant to the plaintiff in Case Number 254/PDT. G/2022/PA. MRK is one of the reasons that can be used as the basis for a person to ask for a divorce.

3.2 Legal considerations in deciding case number 254/Pdt.G/2022/PA. Mk.

The judge's consideration of domestic violence is due to physical violence factors and psychological or psychiatric factors. Observing the Judge's considerations as understood by the author in the decision of case Number 254/Pdt.G/2022/PA Mrk, in the judge's consideration of domestic violence in case Number 254/Pdt.G/2022/PA Mrk can include a number of aspects that are recognized in the law and judicial process. In the context of domestic violence, judges will consider a variety of factors to make fair and appropriate decisions. In his writing, Amri stated that several factors that are considered by the Judge of the Religious Court can grant a divorce case on the grounds of domestic violence, including evidence of violence, threats to safety, and the psychology of the plaintiff himself.(Amri, 2023)

Regarding legal, material and formal considerations, in the decision of case Number 254/Pdt.G/2022/PA Mrk that the author has carefully researched is in accordance with the existing rules, but in his legal considerations the Judge does not necessarily touch on the slightest Article related to domestic violence, such as Article 116 letter (d) of the Compilation of Islamic Law, Article 19 letter (d) of Law Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage and Articles in the Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT). However, based on the author's review of the decision document Number 254/Pdt.G/2022/PA. Mrk, that in this case of divorce due to domestic violence, the consideration of the Merauke Religious Court Judge in his decision was returned to the grounds of quarrels and disputes or can also be called Syiqaq not to domestic violence/physical or psychological violence.

To find out the Judge's considerations in the settlement of case Number 254/Pdt.G/2022/PA. Regarding the divorce lawsuit due to domestic violence which was changed to a verdict because of syiqaq and not because of domestic violence, the author conducted a direct interview with the Judge of the Merauke Religious Court who handled the case. In the interview said,

Article 19 letter (f) of Government Regulation Number 9 of 1975, may be because the beating is not proven or no one can prove it because no one saw it directly. But if it is proven that he was beaten, then he can be directed to Article 19 letter (d) of Government Regulation Number 9 of 1975 with a note that there was indeed severe persecution. But if the domestic violence problem is not in the realm of PA, but enters the criminal realm.(Hakim, 2024)

From the data collected from the verdict and interview above, it can be seen that there is a difference between Syiqaq and domestic violence. If syiqaq can be interpreted as a quarrel without physical violence that occurs continuously without having to exist, while domestic violence must be related to physical and psychological that causes others to become victims both mentally and physically. Then if there are no victims in syiqaq, but there are continuous disputes or quarrels, while domestic violence is more towards criminal law. If we look at the Judge's Consideration in his decision, where the judge is based on Law No. 3 of 2006 which is an amendment to Law No. 7 of 1989 regarding the absolute authority of the Religious Court which can only adjudicate cases in the civil realm, not in the criminal realm. Likewise, in Article 49 of Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts which says that "Religious courts are tasked and authorized to examine, decide, and settle cases at the first level between Muslim people in the fields of marriage, inheritance, wills, grants, waqf, zakat, infaq, shadaqah, and sharia economics"ah".(Iba, 2024) The above article limits the authority of the Judges of the Religious Court so that in their consideration the Panel of Judges cannot necessarily decide on divorce cases caused by domestic violence with legal considerations that lead to the criminal realm.

The use of the terms dispute and quarrel used by the Panel of Judges according to the author can obscure the indication of domestic violence in the Plaintiff's lawsuit, this can be the reason why the divorce case motivated by domestic violence submitted to the Religious Court is interpreted as a divorce case motivated by dispute or shiqaq. In the application of articles related to the reasons for divorce, as written in a copy of decision Number 254/Pdt.G/2022/PA Mrk stated:

"Considering, that in Article 19 letter (f) of Government Regulation Number 9 of 1975 Jo. Article 116 letter (f) of the Compilation of Islamic Law (Presidential Instruction Number 1 of 1991), it is stated that one of the reasons for divorce is "Between husband and wife there are continuous disputes and quarrels and there is no hope of living in harmony in the household anymore".

In a copy of the decision, the panel of judges did explain the meaning of the continuous dispute that resulted in an irreconcilable relationship between the Plaintiff and the Defendant, but in its consideration the panel of judges also still came up with terms with multiple interpretations such as "disharmony". Disharmony according to the author has a very broad meaning, so that the term can obscure the indication of domestic violence in the consideration of the panel of judges. In addition, according to the author himself, the reason for the divorce filed by the plaintiff in Case Number 254/Pdt.G/2022/PA. Mrk can be explained in Article 19 Letter (d) of Government Regulation Number 9 of 1975 which was later reaffirmed in the Compilation of Islamic Law, where it states that the reason a person can file for divorce is because there is a party who commits physical cruelty and persecution. Meanwhile, in Letter (f) it is mentioned that there are parties who are constantly in dispute and quarrel with each other. Of these two reasons, of course, there is a difference between

domestic violence and disputes and arguments. Therefore, the judge should not necessarily mention the reason for causing it because of disputes and quarrels (Syiqaq). The reason that is suitable in the case is because of cruelty to persecution and of course what is interpreted as physical violence.

In a deeper analysis, the author finds that the terminology used by the Judge of the Merauke Religious Court in categorizing the causes of divorce, has the effect of obscuring the real cause of divorce. In the 2017 Annual Record (CATAHU) of Komnas Perempuan it is said that the obscuration of the real cause carried out by the Religious Court in showing a phenomenon of refinement of terminology carried out by the State which has an impact on a reason that is not the main subject of divorce. Although in the CATAHU of Komnas Perempuan the number of cases of physical cruelty and mental cruelty categories is relatively small compared to other categories, it is evidence that the factor of domestic violence as the cause of divorce is always present every time. (Komnas Perempuan, 2017) Then the term "disharmony" or "irresponsibility" contained in the copy of the case decision Number 254/Pdt.G/2022/PA. Mrk has a broad meaning, not only includes disputes and fights continuously but can also include domestic violence (KDRT).

4. Conclusion

The results of the study concluded that case Number 254/Pdt.G/2022/PA. The reason that makes the plaintiff in this case the wife filed for divorce from the defendant who is none other than her husband is the first physical violence. The plaintiff said that this physical violence was in the form of beating and kicking the plaintiff which had an impact on bruises on his body. The second reason for the plaintiff is the existence of Psychological Violence, namely the defendant always says rude words that cause fear and threats to the plaintiff. This research also shows that the reasons for the two are in the decision of the Merauke Religious Court through case Number 254/Pdt.G/2022/PA. Mrk mentioned that the judge in considering the filing of divorce on the grounds of Syiqaq or the existence of continuous quarrels and disputes. These legal considerations certainly obscure the reasons put forward by the plaintiff under the pretext of domestic violence, namely the existence of physical and psychological violence. In general, of course, the judge in considering the law in the decision has been fair, that is, the judge is based on benefits. Which if this case is not granted, it will cause great benefits or harm to one of the parties.

Author's Contribution

The author's contribution to the research described in this scientific article consists of the search for legal materials and related references, as well as analysis in the discussion of background and legal issues. The distribution of the author's contribution is Suwarno who is in charge of finding legal materials, references related to research, and analysis. Meanwhile, Hendra Yulia Rahman and M. Thohar Al Abza are tasked with editing and reviewing.

Funding

In this study, there is no support from partners who have an impact on funding in this study. This research is purely charged from the author himself.

Reference

- 1991, I. N. 1 T. (1996). *Kompilasi Hukum Islam*. Karya Anda.
- Al-Amruzi, M. F. (2021). Pencatatan Perkawinan Dan Problematika Kawin Siri. *Ulumul Syar'i : Jurnal Ilmu-Ilmu Hukum Dan Syariah*, 9(2), 1–18. <https://doi.org/10.52051/ulumulsyari.v9i2.79>
- Alfa, F. R. (2019). Pernikahan Dini Dan Perceraian Di Indonesia. *Jurnal Ilmiah Ahwal Syakhshiyah (JAS)*, 1(1), 49. <https://doi.org/10.33474/jas.v1i1.2740>
- Amri, A. (2022). Disfungsi Nilai Maqhasid Syariah Terhadap Perceraian Karena Alasan Ekonomi di Masa Pandemi Covid-19. *Jurnal Tassamuh*, 14(2), 308–328.
- Amri, A. (2023). Penerapan Asas Peradilan : Studi Kekurangan Hakim Di Pengadilan Agama Sentani. *Perspektif Hukum*, 23(2), 1–16. <https://doi.org/https://doi.org/10.30649/ph.v23i2.203>
- Amri, Aminah, S., Janah, S., Utama, Y. Y., & Dewi, D. R. C. (2023). Representation of Family Law in the Digital Space: A Study of Discourse Analysis on Instagram Accounts. *Al Istinbath : Jurnal Hukum Islam*, 8(2), 507–534. <https://doi.org/http://dx.doi.org/10.29240/jhi.v8i2.6578>
- Atikah, G. A., & Riwanto, A. (2020). ANALISIS UNDANG-UNDANG NOMOR 23 TAHUN 2004 TENTANG PENGHAPUSAN KEKERASAN DALAM RUMAH TANGGA DITINJAU DARI PERSPEKTIF HAK ASASI PEREMPUAN DALAM UPAYA MEWUJUDKAN ACCSESS TO JUSTICE BAGI PEREMPUAN KORBAN KEKERASAN. *Res Publica*, 4(1), 38–55.
- Badruzaman, D. (2021). Pengaruh Pernikahan Usia Muda terhadap Gugatan Cerai di Pengadilan Agama Antapani Bandung. *Muslim Heritage*, 6(1). <https://doi.org/10.21154/muslimheritage.v6i1.2653>
- Dewi, D. R. C. (2022). Inconsistency Norm Peraturan Perkawinan Beda Agama (Studi Undang-Undang No. 1 Tahun 1974 Tentang Perkawinan Dan Undang-Undang No. 23 Tahun 2006 Tentang Administrasi Kependudukan): Inconsistency Norm In Interfaith Regulation (Study On Law No. 1 Of 1974 Con. *AL-AQWAL: Jurnal Kajian Hukum Islam*, 1(1), 13.
- Fadilah, D. (2021). Tinjauan Dampak Pernikahan Dini dari Berbagai Aspek. *Pamator Journal*, 14(2), 88–94. <https://doi.org/10.21107/pamator.v14i2.10590>
- Fatakh, A. (2022). Kekerasan Psikis Oleh Istri Terhadap Suami Prespektif Hukum Islam Dan Undang-Undang Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga. *Mahkamah : Jurnal Kajian Hukum Islam*, 7(2), 195. <https://doi.org/10.24235/mahkamah.v7i2.11084>
- Gunawan, E. (2010). Eksistensi Kompilasi Hukum Islam Di Indonesia. *Jurnal Ilmiah Al-Syir'ah*, 8(1), 1–15. <https://doi.org/http://dx.doi.org/10.30984/as.v8i1.39>
- Hotifah, Y. (2011). Dinamika Psikologis Perempuan Korban Kekerasan dalam Rumah Tangga. *PERSONIFIKASI*, 2(1), 62–75.
- Iba, F. (2024). *Kedudukan Kompilasi Hukum Islam Dalam Memutus Perkara Perdata Islam Di Pengadilan Agama Jayapura – Papua The Position of the Compilation of Islamic Law in Deciding Islamic Civil Cases in the Jayapura – Papua Religious Court*. 01(01), 54–72.
- Jalil, A. (2021). Manajemen Konflik dalam Keluarga Relevansinya dalam Membentuk Keluarga Sakinah. *Al Magashidi: Jurnal Hukum Islam Nusantara*, 4(1), 55–69. <https://doi.org/https://doi.org/10.32665/almaqashidi.v4i1.906>
- Karini, E. (2023). *Kekerasan Fisik Dalam Rumah Tangga Menurut KUHP Dan Undang-Undang Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga*. 5(1), 75–88.

International Journal of Sustainable Law, 1(2), (2024) doi:

Moleong, L. J. (2017). *Metodologi Penelitian Kualitatif*. Rosda Karya.

Pramesti, T. J. A. (2023). *Jerat Pidana Ortu yang Mengurung Anaknya karena Pindah Agama*. Hukum Online.Com. <https://www.hukumonline.com/klinik/a/jerat-pidana-ortu-yang-mengurung-anaknya-karena-pindah-agama-lt52c42ce8c9385>

Ridwan, M., Sulaiman, S., & Azed, A. B. (2021). Kompilasi Hukum Islam Ditinjau dari Perspektif Politik Hukum Indonesia. *Al-Ahkam*, 17(1), 39–47. <http://103.20.188.221/index.php/ahkm/article/view/4739>

Santoso. (2016). Hakekat Perkawinan Menurut Undang-Undang Perkawinan, Hukum Islam dan Hukum Adat. *Jurnal YUDISIA*, 7(2), 412.

Santoso, A. B. (2019). Kekerasan Dalam Rumah Tangga (KDRT) Terhadap Perempuan: Perspektif Pekerjaan Sosial. *Komunitas*, 10(1), 39–57. <https://doi.org/10.20414/komunitas.v10i1.1072>

Subairi. (2021). KEHARMONISAN RUMAH TANGGA PERSPEKTIF HUKUM ISLAM. *Mabahits : Jurnal Hukum Keluarga*, 2(2), 171–187. <https://doi.org/https://doi.org/10.36835/mabahits.v2i2.765>

Sugiono. (2020). *Metode Penelitian Kuantitatif, Kualitatif Dan R&D*. Alfabeta.

Suprayogo, & Tobroni. (2001). *Metodologi Penelitian Sosial-Agama*. Remaja Rosdakarya.

Yanti, E. R., & Zahara, R. (2022). Hak Dan Kewajiban Suami Istri Dan Kaitan Dengan Nusyuz Dan Dayyuz Dalam Nash. *Takammul: Jurnal Studi Gender Dan Islam Serta Perlindungan Anak*, 9(1), 1–22.

Yuliasari, A., Hardiansyah, F., & Jamiah, R. (2023). Edukasi Calon Pengantin Tentang Dinamika Perkawinan dan Pencegahan Stunting pada Kelas Calon Pengantin. *AKM: Aksi Kepada Masyarakat*, 4(1), 33–40. <https://doi.org/10.36908/akm.v4i1.730>