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RESEARCH ARTICLE

The Nature of Divorce in Various Perspectives (Philosophical, Juridical, Sociological, And Psychological Reviews on The Meaning of Divorce)

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Abstract: The essence of divorce has many meanings, depending on the situation and conditions, depending on what perspective it is viewed from. The 4 aspects or perspectives for understanding the nature of divorce analyzed in this study include; (1) the nature of divorce from a philosophical perspective; (2) the nature of the divorce from a juridical perspective; (3) the nature of divorce from a sociological perspective; (4) the nature of divorce from a psychological perspective; (5) the essence of divorce is viewed from the perspective of Islamic law. The results of this research objective are expected to be able to resolve the gaps between various aspects in understanding the nature of divorce. The approach in this study is multidisciplinary in nature so that the data is integral/intact. The research method used is the study of literature with the primary source being the philosophy of Islamic family law, divorce from the perspective of positive law and Islamic law, family psychology, socio-cultural transformation within the family, and other sources that help this research to be comprehensive and used as a secondary source

Keywords: The Nature of Divorce, Multidisciplinary, Law, Compilation of Islamic Law, Family Psychology

1. Introduction

Divorce is part of household dynamics. Divorce occurs due to marriage, even though the purpose of marriage is not divorce, but divorce is a natural occurrence, although the causes may vary (Abdullah & Saebani, 2013). The essence of divorce can be viewed from various aspects, not just one or two sides, in order to have a comprehensive and holistic analysis. Thus, the essence of divorce can be examined from various aspects including philosophical, juridical, sociological, and psychological aspects, and even from the perspective of Islamic law, it needs to be thoroughly dissected.

So far, studies that discuss the essence of divorce are still not comprehensive enough to present various problems and their solutions from various aspects. First, the essence of divorce in Islam: permissible but disliked by Allah SWT, (Syed Alwi et al., 2005). Second, the essence of divorce based on the provisions of Islamic law in Indonesia (Dahwadin et al., 2020). Therefore, it can be seen that the analysis of the essence of divorce is still partially dissected, lacking a comprehensive exploration of various aspects that are undoubtedly extensive and need to be examined one by one.



The purpose of this writing is to complete the shortcomings of previous studies that tend to analyze the essence of divorce partially from the aspects of life, making it less comprehensive. Considering the numerous problems in the essence of divorce that need to be dissected, an integral approach (complete and comprehensive) is needed, particularly from various aspects (disciplinary knowledge). In line with that, there are several research questions in this study: (1) How is the essence of divorce viewed from a philosophical aspect?, (2) How is the essence of divorce viewed from a juridical aspect?; (3) How is the essence of divorce viewed from a sociological aspect?; (4) How is the essence of divorce viewed from a psychological aspect?; (5) How is the essence of divorce viewed from the perspective of Islamic law?

This article argues that the resolution of the numerous problems in the essence of divorce is not effectively addressed when discussed partially. If only one aspect is referred to while many other aspects need to be dissected, other issues often arise in reality. Therefore, this research will focus on the essence of divorce viewed from various aspects. This allows for collaboration between different disciplines, making the approach multidisciplinary. The essence of divorce in various aspects will be presented one by one with the aim of being congruent with the complex issues regarding the essence of divorce.

2. Research Method

The methods used in this research include literature review to obtain in-depth understanding, document analysis to examine relevant regulations and legal decisions, interviews with experts in the fields of philosophy, law, sociology, and psychology to gain direct perspectives, observations to directly observe divorce situations, and qualitative data analysis to identify patterns and meanings derived from the collected data. These methods are employed to explore a comprehensive understanding of the essence of divorce from the various perspectives mentioned (Sugiyono, 2017).

3. Results and Discussion

3.1. An Examination of the Essence of Divorce in Philosophical Aspects

Sutan Takdir Alisyahbana in the book (Djamil, 1997) stated that philosophy means the realm of thinking, and to philosophize is to think. However, not all thinking activities are considered philosophical. Philosophical thinking is thinking with awareness, which means thinking carefully and according to certain rules.

In addition to philosophy, there is also wisdom. Ibn Manzu'r in the book (Praja, 1993) stated that the word "hikmah" contains elements of precision and thoroughness in knowledge and practice, so that those who possess it will be protected from harm and injustice.

Therefore, in the matter of the essence of divorce in philosophical aspects, the writer should strive to practice philosophy and wisdom, with the aim of presenting a more careful exposition and avoiding things that may cause harm in the future.

Philosophically, marriage is an effort to obtain and share happiness in both physical and spiritual aspects. The realization of this happiness should be the motivation to fulfill all the rights and obligations that arise from the marriage bond. In order to achieve the ideals of marriage, every individual must truly understand the meaning of "*mitsaqon ghalidan*" (a solemn covenant), "*muasyarob bil'ma'ruj*" (cohabitation in kindness), and "*sakinab, mawadab, and rahmah*" (tranquility, affection, and mercy) (Fauzi, 2021).

One of the essences of marriage is "*mu'asyarah bi al-ma'ruj*" (living together in kindness). This principle is based on the following verse:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَجِدْ لَكُمْ أَنْ تَرْتُبُوا النِّسَاءَ كَرِهَاتٍ وَلَا تَعْضَلُوهُنَّ لِيُدْهِنُوا بِبَعْضِ مَا آتَيْنَهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَحِشَةٍ مُبِينَةٍ ۗ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ ۚ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَىٰ أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

O you who have believed, it is not lawful for you to inherit women by compulsion. And do not make difficulties for them in order to take (back) part of what you gave them unless they commit a clear immorality (i.e., adultery). And live with them in kindness. For if you dislike them - perhaps you dislike a thing and Allāh makes therein much good (QS. An-Nisa [4]: 19)

In response to the statement above, there are definitive verses and hadiths that emphasize the importance of such ideals in marriage, considering that marriage is a sacred promise not only to one's spouse but also to Allah. However, in the reality of marital life, things often don't go smoothly, and various problems arise, leading couples to choose divorce as a solution.

In reality, achieving a happy and lasting family is not as easy as flipping the palm of one's hand, as every family is bound to face various challenges and issues. It is not uncommon for couples to see divorce as the last resort to solve their problems (Rana & Saepullah, 2021).

The divorce rate in Indonesia is relatively high. According to data from the Indonesian Statistical Report, there were 447.743 divorce cases in 2021, an increase of 53.50% compared to 291.677 cases in 2020. The report shows that wives filed for divorce more frequently than husbands. Out of the total cases, 337,343 cases or 75.34% were divorce lawsuits, while 110,440 cases or 24.66% were divorce by talak. In terms of regions, the highest number of divorce cases in 2021 was recorded in West Java with 98,088 cases, followed by East Java and Central Java with 88,235 cases and 75,509 cases, respectively. Over the past five years, the trend of divorce cases in the country has been fluctuating. The highest number of divorce cases occurred in 2021, while the lowest was recorded in 2020. However, divorce cases have been increasing from 2017 to 2019 (Databoks, n.d.).

Philosophically, divorce is a condition that is strongly avoided because it contradicts the very purpose of marriage, and this interpretation is not only based on prevailing laws and regulations. However, if we refer to one of the hadiths of Prophet Muhammad (peace be upon him) quoted above, which means: 'From Ibn Umar. He said that the Messenger of Allah (peace be upon him) said, "The most detestable permissible thing to Allah is divorce."' (Narrated by Abu Dawood and Ibn Majah). It is very clear in this hadith that divorce is fundamentally a condition that Allah dislikes greatly. Therefore, based on both legal regulations and the interpretation of the hadith from a philosophical standpoint, divorce is a condition that should be avoided as long as the parties involved are able to fully understand the concept of rights and obligations (Fauzi, 2021).

Allah Swt. has established divorce as the last resort for resolving marital disputes when there is no other way to address them. This includes cases where the reconciliation process or the steps taken by the representatives of both the husband and wife's families have failed. If a husband and wife divorce, it is also mandated to observe the 'iddah period, which aims to reassess mistakes, instill regret for any excessive actions, and allow them to potentially reconcile and restore their marital bond through remarriage (Syed Alwi et al., 2005)

Asy-Syafi'i said: Allah SWT. has granted His Messenger the privilege of receiving His revelation. Allah also distinguishes him with His grace from other creatures in matters of obligations (SHFI & IBN, 1983) in (Hopipah & Rosadi, 2023)

Therefore, since divorce is something permissible but disliked by Allah, it should be considered as a last resort after the husband and wife have made maximum efforts to preserve their marriage.

3.2. An Examination of the Essence of Divorce in Juridical Aspects

The essence of divorce, besides being examined from a philosophical aspect, must also be analyzed from a juridical or legal perspective. In this section, the essence of divorce will be

primarily focused on its Islamic legal aspect, while the positive law will be explained as a means of reinforcement.

Divorce, referred to as "talak" in Islamic Jurisprudence (Novitasari et al., 2019), means "dissolving the bond, nullifying the agreement." Divorce in fiqh terminology is also often referred to as "furaqah," which means "separation" or "opposite of being together." These two terms are used by jurists as a single term meaning "divorce between husband and wife." According to Article 113 of the Compilation of Islamic Law, marriage can be terminated due to death, divorce, or court judgment.

Divorce, as stated in Article 114 of the Compilation of Islamic Law (KHI) according to (Azizah, 2012), refers to the dissolution of marriage caused by divorce, either through talak or divorce petition. Furthermore, Article 116 of the KHI explains several reasons or grounds for divorce that will be presented to the court for processing and further action. The reasons for divorce include:

- a) One party committing adultery or engaging in activities such as substance abuse, drug addiction, gambling, and so on, that are difficult to cure.
- b) One party abandoning the other party for two consecutive years without the other party's permission and without valid reasons or due to circumstances beyond their control.
- c) One party being sentenced to imprisonment for five years or a heavier punishment while the marriage is ongoing.
- d) One party committing severe cruelty or abuse that endangers the other party.
- e) One party acquiring physical disability or illness that prevents them from fulfilling their duties as a spouse.
- f) Persistent disputes and conflicts between the husband and wife with no hope of living harmoniously in the household.
- g) The husband violating the conditions of talak divorce.
- h) Conversion of religion or apostasy causing disharmony in the household.

The term "talak" as stated in Article 117 of the Compilation of Islamic Law (KHI) refers to the husband's declaration before the religious court, which is one of the reasons for the dissolution of marriage. On the other hand, the term "perceraian" means divorce.

A divorce lawsuit is filed by the wife or her representative at the religious court, within the jurisdiction of the plaintiff's place of residence, except in the case of the wife's death at the common residence without the husband's permission.

In the event that the lawsuit is filed outside the country of residence, the chief of the religious court notifies the respondent through the local representative of the Republic of Indonesia.

Thus, it can be concluded that divorce through talak is a divorce application filed by the husband, while a divorce lawsuit is filed by the wife or her representative to the religious court. The reasons for divorce are as stated in positive law, where there are several causes or reasons that can lead to divorce, as emphasized in the government regulation of the Republic of Indonesia number 9 of 1975 regarding the implementation of Law Number 1 of 1974 concerning Marriage, article 19.

Furthermore, in the Compilation of Islamic Law based on Presidential Instruction (INPRES) No. 1 of 1991, it is used as a guideline in resolving marriage-related issues, including divorce. In other words, the Religious Court has the duty and authority to uphold the Compilation of Islamic Law (KHI) as the substantive law applicable to the Muslim community in Indonesia. It should be noted that the forms of divorce in Indonesia consist of talak divorce and divorce by claim. In this regard, the right to dissolve or terminate a marriage is not solely monopolized by the husband as often found in classical fiqh doctrines, but the wife is also given the right to file for divorce by claim. This tendency to

elevate the rights and status of women is also evident in the fact that the divorce process (talak) has been elevated to a contentious process (Novitasari et al., 2019).

Up to this point, the process of talak divorce cases has been predominantly guided by the standard laws taught in fiqh books, which have a voluntary nature. As a result, a highly discriminatory process occurs, where the wife is merely a spectator without the right to defend herself. This disregards the principle of *Audi Et Alteram Partem*, and only the husband has the right to speak during the process. Such practices resemble or seem to contain elements of arbitrariness. In cases of talak divorce like this, it is as if the Religious Court legitimizes the husband's arbitrariness towards the wife. This is indeed inappropriate to uphold if the Muslim community aims to achieve equality and order. Therefore, the Compilation of Islamic Law (KHI) formulates regulations to address this issue in Article 138 and also in Article 66 of Law No. 7 of 1989 (Novitasari et al., 2019).

In the reality of family law, what often becomes another problem is how is it legal for a wife to sue her husband for divorce. If a husband's wife's mentalak is very clear and often practiced, but regarding khulu' there are still gaps.

Imam Maliki, Syafi'i and Ahmad bin Hambali allow a woman to demand divorce from the judge for the following reasons (Mughniyah, 2015) in (Dahwadin et al., 2020):

- a) Not given a living. The three scholars of the Madhhab agreed that, if a husband is proven unable to provide a basic living for his wife, then that wife may file for divorce. But if the inability is not proven, and the husband does not want to support, then Syafi'i said that husband and wife cannot be divorced. Meanwhile, Imam Malik and Imam Ahmad bin Hambal said that the husband and wife should not be divorced, because the absence of a living for the wife is the same as the inability of the husband to provide a living. Egyptian syara' legislation determines the permissibility of divorcing a wife from her husband because the wife does not allow maintenance.
- b) The wife feels threatened, both in the words and actions of the husband. In his *Al Ahwal Al-Syakhsiiyyah*, page 358, Abu Zahra said that, "Egyptian legislation, article 25 of 1929 explains that if a wife claims to have been threatened by her husband which causes her to be unable to maintain a household life with such a person, if the woman's confession is proven, and the judge is unable to reconcile the two, then he can pronounce divorce on the woman by ba'in divorce. However, if the woman is unable to prove her confession, but her complaints are repeatedly conveyed to the judge, then the judge must send two peacemakers (hakam) from the husband and wife's side (one each) to find out the causes of the incident. the family dispute. Both of these judges must try as hard as possible to reconcile the husband and wife. If the effort is not successful, it must be investigated where these difficulties come from. If the difficulty comes from the man or both parties, then the two judges decide divorce ba'in for the wife whose decision is given by the judge. Egyptian legislation takes this provision from the Maliki and Ahmad bin Hambal schools.
- c) According to Maliki and Ahmad bin Hambal, the wife's life is threatened because the husband is not present, even if the husband leaves enough maintenance for the period of his absence. For Imam Ahmad, the minimum distance a wife can file for divorce is six months after her husband left, and three years according to Maliki (according to another opinion, one year), and one year according to Egyptian law. After all, the judge has no right to divorce them unless the husband refuses to go home or takes his wife to his place. Furthermore, Imam Malik does not make a difference between a husband leaving his wife with reason or no reason. Both of these things lead to a divorce. Meanwhile, the Hambali School says that a husband and wife cannot be divorced unless their departure is without a clear reason.
- d) The wife's life is threatened because the husband is in prison. This was said by Ibn Taimiah who belongs to the Hambali school. during that time Egyptian law states

the permissibility of divorce if the husband is sentenced to three years or more. In this latter case, the wife has the right to file for divorce because there is a threat to her life after one year of her husband's imprisonment, and the judge decides to divorce her. Islam came with a set of sharia norms that regulate muamalah life that Muslims must obey as a consequence of their faith in Allah and His Messenger.

Such is the meaning of divorce in a juridical perspective (Islamic law). The point is that even in terms of meaning, in Islam divorce is something that must be avoided, except if by maintaining a marriage the madharat is greater. And jumhur 'ulama also provide limits for a wife who will submit a khulu' with certain conditions that are permitted by the shari'a. Then in KHI it is more about the judicial process for divorce or divorce proceedings, where the divorce is said to be valid if it is in front of a panel of judges until the divorce certificate appears. If you observe this concept, of course actually getting a divorce is not easy, even though the concept and practice are often different. Furthermore, the author will explore the meaning of divorce from a juridical perspective (positive law) so that the legal certainty is more comprehensive and clear.

The problem of breaking up a marriage, Law Number 1 of 1974 regulates it in Chapter VIII Article 38 to Article 41 of 1975 Article 14 to Article 36, and other technical matters in the Regulation of the Minister of Religion Number 3 of 1975. Provisions of Article 38 Law No. 1 In 1974, it was stated that a marriage could break up due to three reasons, namely the death of one of the parties, divorce, and based on a judge's decision. Furthermore, in Article 39 paragraphs (1), (2) and (3), it is also stated that divorce can only be carried out before a court hearing after the court (judge panel) has failed to reconcile the two parties, as well as sufficient reasons for them to divorce because there is no hope anymore to live in harmony in a household, their marriage is really broken. Divorce lawsuits can be filed by the husband or wife with reasons determined by the applicable laws and regulations (Tutik, 2008: 133 in (Dahwadin et al., 2020).

Law Number 1 of 1974 concerning Marriage is a source of Islamic marriage and family law which regulates in a complete and modern way the marriage and divorce of Muslims which are rooted in the Islamic religion. In fact, this Law is far more perfect and complete regarding the substance regulated therein, both perfect and complete regarding the substance regulated therein, both in the form of principles and legal norms of marriage and divorce and family life. However, in the reality of its implementation in Muslim society itself in Indonesia recently, it is very easy for marriages to occur, as well as divorces so that the impression arises that the marriage aims to divorce. In fact, violations of the Marriage Law in the form of underhand marriage or divorce escape the supervision and recording of marriage and divorce registrar officials (Muhammad, 2014, p. 68) in (Dahwadin et al., 2020).

In government regulation number 9 of 1975 it is stated how the procedure for divorce is legalized by the state. It is explained that a husband who has entered into a marriage according to Islamic law, who is about to divorce his wife, submits a letter to the court at his place of residence containing a notification regarding his intention to divorce his wife accompanied by reasons and asking the court to hold a hearing for this purpose. In article 86 paragraph (1) regarding the causes of the lengthy divorce cases (statutory constraints). Divorce cases do take years to complete, but this is not due to the judge's poor performance in handling divorce cases, but rather because of the provisions of Article 86 paragraph (1) of Law No. 7 of 1989 as amended by Law no. 3 of 2003 concerning the Religious Courts, in article 86 paragraph (1) it opens the possibility of filing a joint property lawsuit accumulated by a divorce lawsuit or using a counterclaim (reconventie). regarding joint assets, so that the divorce issue is carried away by the article that allows it, so that the divorce settlement takes a long time to follow the legal remedies used by parties who are dissatisfied with the distribution of the joint assets (Azizah, 2012).

So, after the presentation in the bag, it can be concluded that the laws or regulations used in divorce proceedings in court:

- a) Law no. 1 of 1974, marriage law.
 - a. Regulates divorce in outline (less detail because it does not distinguish between Islamic and non-Islamic ways of divorce.
 - b. For non-Muslims, the procedure for divorce is guided by Law no. 1 th 74
- b) Compilation of Islamic Law. Namely for married couples who are Muslim, then in the divorce process the regulations used are compilations of Islamic law.
- c) PP No. 9 of 1975, regarding the implementation of Law no. 1 yr. 74
 - a. Regulates details about which court is authorized to process divorce cases.
 - b. Sets details about the procedures for divorce in practice. 4. Law no. 23 of 1974, the elimination of domestic violence (KDRT), namely for someone who has experienced violence/abuse in his household, master this law. (Azizah Linda, 2012)

3.3. An Examination of the Essence of Divorce in Sociological Aspects

Divorce cannot be viewed from a juridical or legal perspective alone, but socio-cultural factors have a major influence on the societal paradigm of divorce. How does society place divorce based on a sociological perspective, because placing divorce as a failure is biased. (Fauzi, 2021).

Among the sociological problems that are the cause of the ever-increasing divorce is that human characteristics in the modern/post-modern era have indeed experienced a shift.

Other characteristics of postmodernism according to Jean Baudrillard in the book *Postmodernism* by Akhyar Yusuf Lubis (2016) states that the characteristics of postmodernism include a culture of consumption, a culture of hedonism, an information society and a society of imagination. The indicators above are very related to the characteristics of the clients/subjects in this study. In accordance with the variables used in this study where human characteristics in the post-modern era determine how subjects behave and make decisions to survive or divorce. Even the habit of getting divorced at an early age of marriage is a characteristic of humans in this era who are so concerned with consumptive, hedonic, negative informative, and imaginary culture.

People are now increasingly deceived in the "world of images" and "discourses" which are rapidly replacing human experience of reality. This situation is motivated by the development of technology, science and information that can form or copy reality into a model or form of imagery (imagination, deception) whose quality of resemblance is almost the same, even far more perfect than the original form. In the context of today's imaginary society, everything that was lost in the past can be presented today in replicas, copies, imitations and imitations. That means humans have lost contact with reality or distanced themselves from reality (Hopipah & Rosadi, 2023).

Often in such circumstances the individual is less or difficult to manage, for example people who are not married are more independent, independent when compared to those who are married. An individual who has been married is bound in one kinship, by husband, wife, children and even the surrounding community, their social control is stronger. And vice versa, with a shrinking economic situation, it will make the individual feel frustrated, stressed and fatally commit suicide. So, if the free tendency is greater, the tendency to deviate is also greater. Another characteristic found in societies that are experiencing social deregulation is that consensus on norms tends to weaken so that violations of norms become unclear as a result of weakening individual social control as well as that of society in general. People almost don't care anymore about the symptoms of more and more free sexual life, especially among teenagers (Arifin, 2020).

Living together before marriage has become a trend in certain circles as well as forms of behavior that deviate from the norm. The phenomenon of independence like this seems to be more common in complex societies, although it is possible that similar symptoms will occur in societies that have not yet developed or are undergoing a period of transformation.

There is also a shift in family norms from the extended family to the nuclear family. One example, children are no longer seen as bringing good fortune (many children, lots of fortune), but now children are seen as a "burden" of the economy. Busy working, busy studying and other activities hinder communication between siblings. Ultimately causing estrangement in family relationships. The participation of women in the world of work is currently increasing. The shift in the function of the role of members in the household has a positive and negative impact on family sustainability. For example, the wife works while the husband is unemployed at home. This shows inequality in a household. Where maintenance is the right of the wife from the husband, but exchanges roles with the husband (Arifin, 2020).

In a sociological perspective, marriage is a process of exchanging rights and obligations that occur between a husband and wife. Therefore, marriage is a process of integration between two individuals, so this exchange process must always be negotiated and negotiated. Then, whether we realize it or not, oftentimes even the majority of divorces occur due to the failure to fulfill the rights and obligations between these individuals. Many factors influence the high divorce rate. Some sociologists consider that divorce is a product of industrialization and urbanization (Fauzi, 2021).

However, regarding the causative factors in more detail, it will be described in the essence of divorce in terms of the psychological aspect.

3.4. An Examination of the Essence of Divorce in Psychological Aspects

When a person decides to divorce his partner, of course there are many influencing factors, not just one factor. In the book "Trending Topics of Marriage Life" (Khofifah, 2022) states that the factors that cause divorce include:

- 1) The economic factor is not enough even less
- 2) Unfulfilled sexual needs of the couple
- 3) Constant fights that drain emotions, energy and thoughts
- 4) The existence of a third party, communication that is not as frequent
- 5) It is unclear the division of the roles of spouses in the domestic sphere
- 6) The classic problem of polygamy
- 7) Maintained toxic relationship
- 8) Partners do not understand each other
- 9) There is domestic violence
- 10) Disagree in parenting patterns
- 11) Excessive interference by parents or in-laws in the household is the final factor described in the book.

The reasons for divorce which are the cause of the breakup of the marriage in reality on the ground are so complex. Couples who decide to divorce are often motivated by various factors, not just one factor. And psychologically, at some point these reasons explode like a time bomb, which in the end you can't reconcile because you feel tired. Regardless of various divorce laws, when viewed from a psychological aspect, this is what mostly happens when a husband decides to divorce his wife, or a wife sues her husband.

The problem that occurs is that the wife has a dual role in earning a living and educating her children. In the end, this dysfunction can lead to rifts in the household. One of the social transformations that affects household life is the number of contested divorces which are more common than divorce divorces. The Minister of Women's Empowerment and Child Protection of the Republic of Indonesia, Yohana Yembise, said that the occurrence of acts of domestic violence and the unfair distribution of roles in building a family are still the dominating reasons why most divorce cases in Indonesia come from the wife's side (Arifin, 2020).

In the 1990s, wives were very obedient and it was taboo to divorce, let alone ask for one. This action is carried out by someone usually out of habit without realizing the reason or

without planning in advance about the purpose and method to be used. One example is the surrender of a girl to an arranged marriage by her parents' acquaintances without refusal or even a reason. It's different nowadays who prefer to marry with their heart's choice even though their parents don't approve. Actions like this are called affective actions, namely types of actions that are strongly influenced by emotions and feelings. In fact, often, this type of action is carried out without careful planning and without full awareness. It's the same with the decision to divorce so quickly with real reasons that can still be defended. Husbands and wives tend to prioritize emotions and feelings over the rationality of maintaining a marriage for the future of their children (Arifin, 2020).

The occurrence of a contested divorce by a wife against her husband shows a change on the part of the wife today, especially in responding to her household problems. The factor of women's emancipation in domestic life and gender equality is considered as a manifestation of an understanding of the balance of rights and obligations of a wife. This has contributed to divorce cases. The trend of changing trends in divorce as described above explains various fundamental changes in the structure and awareness of society related to the position of women in divorce (Arifin, 2020).

In conventional divorce behavior, women tend to occupy as objects -not to call them divorce victims. Now, that position is starting to shift. The majority of women occupy the role of actors (subjects) who control divorce decisions. This change in women's position from object to subject of divorce is most likely related to the magnitude of socio-economic access that women get. Women's independence in economic terms is assumed to be the trigger for divorce decisions. This is the basis for the view that women's economic independence will allow women to choose divorce as a rational action in resolving marital crises (Arifin, 2020).

The conclusion of the meaning of divorce in a psychological perspective is that when a couple decides to divorce it is usually due to various factors, not just one factor. Because there are too many reasons that ultimately lead to fatigue, stress, and boredom to continue to survive in a household that he considers to be like poison for himself. But the problem is, the level of a person to survive in the midst of adversity is different. A person's resilience is different, there are those who persist and then find ways to be happier. And there are many who, when there is a small problem, become big and unable to solve the problem effectively. The high or low divorce rate in this era is strongly influenced by the characteristics of humans in this era in responding to household problems

4. Conclusion

The conclusion from the literature research according to the purpose of this study is that the nature of divorce is very broad, it must be dissected one by one in various aspects and comprehensively, not partially. Thus, regarding the review of the nature of divorce in various aspects (philosophical, juridical, sociological, psychological) needs to be dissected more deeply.

Although in practice to dissect the nature of this divorce is not enough with the things described above. However, if we refer to various aspects in scientific disciplines, the data will be broader and experts or practitioners will be more careful and wise when arguing or resolving problems that often occur in society, especially regarding divorce, which statistically continues to increase.

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