

## The Effectiveness of Pre-Marriage Course in Overcoming Divorce (A Case Study in Religious Affairs Office of East Palu)

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### ABSTRAK

Marriage is an inner and outer bond between a man and a woman as husband and wife to form a happy and lifelong household based on the belief in the one almighty god. To create a household that is *Sakinah mawaddah warahmah* and to deal with divorce, the Religious Affairs Office (KUA) of East Palu conducts a pre-marriage course. This research focuses on the effectiveness of pre-marriage courses in tackling divorce. This research aimed to find out and provide information to the community about the procedures for implementing the pre-marriage course and its effectiveness in reducing the divorce rate. It is qualitative research using a normative juridical approach conducted in KUA of East Palu. The data sources used were primary and secondary data, with data collection methods of observation, interviews and documentation. After the data were collected, the writer analyzed them using descriptive analysis. The results showed that: 1) the procedures for implementing the pre-marriage course at the KUA of East Palu were organized by the Head of KUA, *Penghulu* and Extension Officers as facilitators. The methods used are lectures, discussions, questions and answers and simulations of cases in the household. There are 4 materials for a pre-marriage course given at the East Palu KUA: a) Ability to read the Qur'an, b) Thaharah, ablution, obligatory bath, questions and answers about prayers, c) Law No. 1 of 1974 concerning Marriage, and d) *Sakinah* family. The time ranges from about 15 minutes to two hours. In addition, each facilitator added material they thought was necessary for the bride and groom to know. 2) The effectiveness of the pre-marriage course at the KUA of East Palu, viewed from J.P Chambel's theory, towards the divorce rate is not effective because the divorce rate is still high in the East Palu District. In 2017, there were as many as 54.75%.

### 1. Introduction

Marriage is an inner and outer bond between a man and a woman as husband and wife to form a happy and lifelong household based on the belief in the one almighty god (Law No.1, 1974). There are some different opinions expressed by people regarding the definition of marriage. The difference does not indicate a contradiction or conflict with one another but lies in the number of elements to be included in the definition of marriage. One party argues that certain elements should be included, but the other states that these elements should be explained in the objectives instead of in the formulation of definitions (Sayuti Thalib, 1986).

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Things that need to be known in marriage to achieve a *sakinah* household are the obligations and rights of each individual to create a sense of responsibility and mutual understanding in living a household life. The husband is obliged to fulfill his wife's rights by treating his wife well, providing a living, paying dowries and being fair if he has more than one wife. In addition, it is also necessary to know the problem of menstruation and the obligation to obey the husband except in disobedience to Allah. The wife is obliged to fulfill her husband's rights by obeying her husband except in cases of immorality, socialising properly, surrendering all her body and soul to her husband, staying at home, protecting herself from the temptations of other men, covering her entire body except the face and palms from another man's view, because seeing further than the face and palms of the hands is forbidden, whether with lust or not, does not require the husband to provide exceeding her needs, even though her husband is able to fulfill it, protect herself from receiving her husband's unlawful income, and must not lie about her menstruation days (M. Ibnu Umar An-Nawawy, 1993).

In the technical terms of Shariah, divorce means separation where the husband wishes based on his rights. He is allowed to relinquish his rights as a husband arising from the dowry he gave at marriage. Even though the husband has the right to divorce his wife, it should only be used as a last resort. The verdict of the Qur'an is that a man should try his best to restore relations with his wife even if he is not happy with her. If it is impossible to maintain, the right to divorce can be taken as the only alternative after careful consideration (Maulana Abul A'la Maududi, 1993).

Everyone expects a harmonious, loving household, obtaining peace and tranquility in life that can lead to the bond of *mawaddah* and *rahmah* (love and affection) among family members (Ahmad Azhar Basyir, 1994). Realizing this desire is not easy because many problems arise and interfere with husband and wife relationships, which ultimately hinder the noble ideals of a marriage and often lead to divorce. Therefore, prospective brides and grooms need knowledge on maintaining the noble ideals of marriage so they can be realized as coveted. The purpose of this research was to determine the procedures of the pre-marriage course at KUA of East Palu and its effectiveness in reducing divorce cases in the East Palu District.

## **1. Literature Review**

### **1.1 Effectiveness**

Effectiveness is the accuracy of the target of an ongoing process to achieve predetermined goals. Meanwhile, what is meant by organizational effectiveness is the targeting accuracy of a process that occurs in formal institutions that organize collaboration with components that are coordinated with each other to achieve goals. (Hendyat Soetopo, 2012). Measuring organizational effectiveness is not a simple matter because effectiveness can be studied from various perspectives and depends on who is assessing and interpreting it. When viewed from the point of view of productivity, a production manager defines effectiveness as the quality and quantity of goods and services.

### **1.2 Bride and Groom**

According to the Great Dictionary of Indonesian Language, bridegrooms are people who are getting married, or the bride and groom (KBBI Online, 2019). According to Hanafiah, "marriage is a contract that provides benefits for doing *mut'ah* intentionally," meaning it is lawful for a man to have sex with a woman as long as there are no factors that hinder the validity of the marriage according to sharia. According to Sajuti Talib, marriage is a sacred, strong, and solid agreement to live together legally between a man and a woman and form an eternal, courteous, loving, peaceful, and happy family (Mohd.Idris Ramulyo, 1996).

The obligation of a husband who has a wife is regulated by articles 80 and 81 of the Compilation of Islamic Law (KHI). This is regulated in Article 34 of the Marriage Law in general and in detail and specifically in Articles 83 and 84 of the KHI. The function of marriage registration is as a "regulator" of polygamy practices which are often carried out secretly by certain parties who only perform an underhand marriage without registering it as a means of polygamy or polyandry (M. Ali Hasan, 2003). The marriage registration referred to in paragraph (1) is carried out by the Marriage Registrar as regulated in Law no. 22 of 1946 Jo Law no. 32 of 1954.

### **1.3 Pre-marriage Course (Suscatin)**

According to the Great Dictionary of Indonesian Language, A course is a lesson about a particular knowledge or skill that is given in a short time. The Pre-marriage Course (Suscatin) is the provision of knowledge, understanding and skills in a short time to the prospective bride and groom about household/family life (Ministry of Religion of the Republic of Indonesia, No DJ II/491, 2009).

Based on the Regulation of the Director General of BIMAS Islam No. DJ.II/491 of 2009, suscatin is held for at least 24 hours of lessons containing several materials or themes that must be conveyed to the bride and groom.

- 1) The Course Materials Include:
  - a. Procedures of marriage (2 hours)
  - b. Religious Knowledge (5 hours)
  - c. Legislations related to marriage and household/family (4 hours)
  - d. Rights and obligations of husband and wife (5 hours)
  - e. Healthy reproduction (3 hours)
  - f. Family management (3 hours)
  - g. Psychology of Marriage and Family (2 hours)
- 2) The course is conducted through lectures, dialogues, simulations, and case study methods.
- 3) Fasilitators consist of marriage and family consultants according to their expertise as referred to in paragraph (1)
- 4) The course material is given at least 24 hours of lessons.

### **1.4 Divorce**

Divorce is one of the problems in social life. Divorce is lawful but most hated by Allah SWT. (Abdul Halim Khafaji, 2011). According to the history of Ibn Jarir Ath-Thobary in his interpretation: Allah SWT has established laws and regulations regarding "divorce and *talaq*" in Islam, as His word: "*Talaq* that may return together (*rujuk*), it is only twice, after that, hold it well or let go well! (Q.S. Al-Baqarah, (2): 229). (Amir Obedient Nasution, 1994).

The reason for divorce, according to Islamic law, is caused by the attitude of *Nusyuz* and *Syiqaq* in marriage. The meaning of the word *nusyuz* is to rebel. According to Slamet Abidin and H. Aminuddin, *nusyuz* means disobedient. She disobeys her husband or refuses to be invited to his bed. While *shiqaq* means discord or crack. According to the fiqh term, *syiqaq* means a husband and wife dispute which is resolved by two *hakams*, one from the husband's side and the other from the wife's side. (Tihami and Sohari Sahrarni, 2013). The reasons for divorce have also been explicitly regulated in Article 39 of Law no. 1 of 1974, paragraph (1): Divorce can only be carried out before a court session after the court has tried and failed to reconcile the two parties. Paragraph (2): In order to divorce, there must be sufficient reason that the husband and wife cannot live in harmony as husband and wife. This reason is also regulated in Government Regulation no. 9 of 1975, Article 19.

## **2. Methodology**

The type of research used is qualitative. Qualitative data is data obtained based on the responses of people who are asked a set of questions by researchers. These responses are the primary source of qualitative data obtained either verbally through an interview or written through document analysis or survey responses. (Rulam Ahmadi, 2014). The locus of this research was the Office of Religious Affairs in East Palu District. Data collection techniques used were observation, interviews, and documentation. Observation is a data collection technique that is carried out by recording the object of the facility. (Abdurrahman Fhatoni, 2006); interviews are data collection using questions and answers to parties related to the object of research; documentation is a data collection technique by collecting and analyzing written documents, images, and electronically. (Nana Syaodin Sukmadinata, 2006). The data analysis technique used was descriptive analysis. The researcher describes and elaborates an inductive mindset by presenting specific data and then analyzing it with general explanation in accordance with juridical analysis. To measure the effectiveness of the pre-marriage course, the researcher uses J.P Chambel's theory which generally provides criteria for measuring the effectiveness of a program with the following criteria: a) the success of the program, b) the success of the target, c) satisfaction with the program, d) the level of inputs and outputs, e) Achievement of overall goals.

### 3. Results and Discussion

#### 3.1 Results

Based on the Instructions of the Director General of Islamic Community Guidance Number: DJ/II/491 of 2009, every prospective bride and groom are instructed to attend a pre-marriage course. The Religious Affairs Office of East Palu is one of the KUAs that has carried out the course.

Before conducting the pre-marriage course, the prospective couple must first complete the administration of the East Palu KUA, including:

- 1) Certificate for marriage from the local sub-district, including forms N1, N2, and N4, for both prospective husband and wife.
- 2) Copy of Birth Certificate.
- 3) Copy of the Residential Identity Card (KTP).
- 4) Copy of the KTP of the father of the bride/her male guardian (wali).
- 5) Copy of mother's ID card.
- 6) Copy of Family Card (KK).
- 7) Letter of Recommendation for Transfer of Marriage.
- 8) Letter of Approval for both Bride and Groom (N3).
- 9) Written permission from parents/guardians (N5) for prospective brides who have not reached 21 years old
- 10) There must be a Permission/Dispensation from the Religious Courts for:
  - a) Prospective groom who is less than 19 years old
  - b) Bride and groom who are less than 16 years old
  - c) Men who want to be polygamous
- 11) Death Certificate (N6) for Widower/Widow who divorced due to death.
- 12) The original Divorce Deed along with a copy of the Decree of the Religious Court for the Divorced Widower/Widow.
- 13) Members of ABRI/TNI/POLRI and civilians of ABRI/TNI/POLRI must have a Marriage Permit from a Superior/Commander Official.
- 14) Both prospective brides and grooms register in the KUA where the marriage will take place at least ten working days before getting married. If it is less than ten working days, the couple must attach a Marriage Dispensation Letter from the district head (Camat).
- 15) Passport Photo with Blue Background:
  - a) 2 x 3 size – 3 sheets
  - b) 3 x 4 size – 1 sheet
  - c) 4 x 6 size – 1 sheet

After completing all the files, the prospective bride and groom will be given a bill to pay to the bank as a marriage requirement. After all the requirements are completed, one day after registration or at least five days before the wedding, they are required to take a pre-marriage course.

The KUA of East Palu has conducted a pre-marriage course starting in 2010, based on the Regulation of the Director General of Islamic Community Guidance No. DJ/II/491 of 2009 concerning the pre-marriage Course. All prospective brides and grooms are required to attend a pre-marriage course. Before 2010 there was guidance carried out by BP4 (Marriage Advisory and Planning Agency) before the marriage took place. However, it was not based on the Regulation of the Director General of Islamic Community Guidance No. DJ/II/491 of 2009 concerning the pre-marriage Course.

The implementation of pre-marriage course at the Religious Affairs Office in East Palu District is organized by the Head of KUA, Penghulu, and Extension Officers as fasilitators, as stated in the Regulation of the Director General of Islamic

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Community Guidance No. DJ/II/491 Year 2009 about pre-marriage course. The KUA applies this to provide services to the community. The KUA of East Palu conducts pre-marriage courses using lectures, discussions, question-and-answer methods, and simulating examples of cases that will arise in the family. There are 4 course materials for prospective brides applied at the East Palu KUA, including:

- 1) Ability to read the Quran
- 2) Thahara, ablution, obligatory bath, questions and answers about prayer
- 3) Law No. 1 of 1974 concerning Munakahat
- 4) Sakinah family

Realizing a *sakinah mawaddah warahmah* family has a normative basis, they are Al-Quran and As-Sunnah (Pirnady, 2019). Facilitators who have a vital role in the implementation of the pre-marriage course are the experts and have attended Facilitator Training.

### **3.2 Discussion**

To determine the effectiveness of the prospective bride and groom course at the KUA, East Palu District, the researchers analyzed using the theory of effectiveness measurement proposed by J.P Chambel, wherein measuring the level of effectiveness there are five indicators :

#### **1. The Success of the Program**

The pre-marriage course program has been successfully implemented at the KUA of East Palu starting from 2010. However, the course's timing has not followed the Director General of Islamic Community Guidance Regulation No. DJ/II/491 About the Pre-marriage Course.

#### **2. The Success of the Target**

The Pre-marriage course is only given to the prospective bride and groom, and it is mandatory for them to take course. The Pre-marriage course at the KUA of East Palu has been right on target.

#### **3. Satisfaction with the program**

Prospective brides and grooms who have attended the Pre-marriage course have different opinions. Some say that the course is beneficial for them, and others say it is not beneficial because the material provided is not of good quality.

#### **4. The Success of Inputs and Outputs**

The pre-marriage course has not been considered successful in the input and output process because the materials provided by the facilitators to the bride and groom have not been successfully applied as a whole in domestic life to become a *sakinah mawaddah warahmah* family. It can be seen from the high divorce rate from year to year.

#### **5. Achievement of overall goals**

The pre-marriage course aims to make the family *sakinah, mawaddah warahmah* and reduce the rate of divorce and domestic violence. Based on the results of interviews with several informants as well as divorce data, it can be concluded that if viewed from J.P Chambel's theory, the implementation of the course at KUA of East Palu has not been effective in overcoming the divorce rate. The District's divorce rate is still high, as much as 54.75% in 2017.

Divorce occurs due to several factors: no harmony, cheating, moral crisis, economy, and no responsibility. (Religious Court Document) Technological advancements in the global era can also trigger divorce, such as social media.

### **4. Conclusion**

Procedures for the Pre-marriage Course at KUA of East Palu District: After The prospective brides complete the marriage requirements, they will receive a bill to pay for administration at the bank, after that the bride and groom are given one day or at least five days before the wedding to carry out the pre-marriage course through lectures, dialogues, questions and answers, and case studies. The course at the KUA of East Palu is conducted by the Head of the KUA, Penghulu, and Extension Officer almost daily. The time used to deliver the material varies greatly depending on the facilitators and the bride and groom. It ranges from about 15 minutes to two hours. As for the effectiveness of the course in tackling the divorce rate in East Palu District, it can be concluded that it has not been considered effective if viewed from J.P Chambel's theory. The divorce rate is still high in East Palu District, as much as 54.75% in 2017.

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