al-Rasīkh: Jurnal Hukum Islam
P-ISSN: 2089-1857 | E-ISSN: 2580-2755
Vol. 15 No. 02, November 2026, 214-228
DOI: https://doi.org/10.38073/rasikh.4364

An Islamic Family Law Analysis of the Factors Contributing to the High Divorce Rate in North Aceh Regency

Fita Alfiana[1*], Aulil Amri[2], Nurul Fithria[3]
[1,2,3] Universitas Islam Negeri Ar-Raniry, Banda Aceh, Indonesia
[1]fitaalfiana@gmail.com, [2]aulilamri@ar-raniry.ac.id, [3]nurulfithria@ar-raniry.ac.id

Submitted: 22 January 2026 Revision: 18 February 2026 Accepted: 23 August 2026 Published: 18 October 2026

*) Corresponding Author
Copyright ©2026 Authors

Abstract

The high divorce rate in North Aceh Regency reflects significant challenges to family resilience despite the implementation of Islamic law in the region. This phenomenon affects not only marital relationships but also social stability and the preservation of Islamic values within the community. This study aims to identify the factors contributing to the high divorce rate and examine them from the perspective of Islamic family law. According to data from the Supreme Court's Directory of Decisions, 915 divorce cases were recorded in 2024. This study employs a qualitative research method with a normative juridical approach, focusing on the analysis of six divorce rulings: Decisions No. 688/Pdt.G/2024/MS-Lsk, 748/Pdt.G/2024/MS-Lsk, 766/Pdt.G/2024/MS-Lsk, 583/Pdt.G/2024/MS-Lsk, 812/Pdt.G/2024/MS-Lsk, and 901/Pdt.G/2024/MS-Lsk. The findings reveal that the divorce cases examined were associated with persistent marital conflicts, ineffective communication, failure to fulfill financial obligations, infidelity, domestic violence, *nusyuz* (marital disobedience), and prolonged separation. From the perspective of Islamic family law, these factors undermine the fundamental objectives of marriage, particularly the establishment of *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion). Such circumstances may constitute legally recognized grounds for divorce when they result in persistent harm or the breakdown of marital relationships. The findings highlight the importance of marital relationship quality and the internalization of Islamic values in maintaining family stability. This study contributes to the discourse on Islamic family law and recommends strengthening divorce prevention efforts through comprehensive family development programs involving religious institutions and local governments.

Keywords: Divorce Factors, Divorce Rate, Islamic Family Law, North Aceh Regency.

INTRODUCTION

Marriage in Islam is a sacred institution that encompasses spiritual, moral, and legal dimensions.[1] Islam emphasizes that marriage is not merely a physical or legal union but also a means of attaining tranquility and preserving human dignity. This principle is affirmed in Surah Ar-Rum, verse 21, which states that the purpose of marriage is to establish *sakinah* (tranquility), *mawaddah* (affection), and *rahmah* (compassion). A hadith of the Prophet Muhammad (peace be upon him) also states that divorce is the most

[1] Rusdaya Basri, *Fikih Munakahat 2* (IAIN Parepare Nusantara Press, 2020).

How to Cite this Article
Alfiana, Fita, Aulil Amri, and Nurul Fithria. "An Islamic Family Law Analysis of the Factors Contributing to the High Divorce Rate in North Aceh Regency." *Al-Rasīkh: Jurnal Hukum Islam* 15, no. 2 (2026): 214–28. https://doi.org/10.38073/rasikh.4364.

This article is licensed under CC-BY-SA

disliked of permissible acts in the sight of Allah, indicating the importance Islam places on maintaining marital stability.[2] Marriage in Islam, therefore, serves as a fundamental foundation for establishing a morally upright society, while divorce is regarded as a last resort when all efforts to preserve the marital relationship have been exhausted.

Islamic family law in Indonesia is comprehensively regulated through Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law (*Kompilasi Hukum Islam*, KHI).[3] These legal frameworks provide guidelines for the implementation of marriage, the regulation of spousal rights and obligations, conflict resolution, and divorce proceedings through religious courts in accordance with Islamic legal principles.[4] Normatively, these provisions aim to establish families characterized by *sakinah*, *mawaddah*, and *rahmah*, while safeguarding the welfare and interests of all family members.[5] However, social realities in several regions, including North Aceh Regency, reveal a gap between legal norms and societal practices, as reflected in the high divorce rate. This situation indicates that the internalization of Islamic family law values remains suboptimal, accompanied by a limited understanding of marital roles and responsibilities and inadequate family development initiatives implemented by relevant institutions.[6]

Empirical data indicate that the divorce rate in North Aceh Regency has reached a concerning level.[7] According to the Supreme Court's Directory of Decisions, the number of divorce cases in North Aceh reached 915 in 2024.[8] Between 2019 and 2024, a total of 4,557 divorce cases were recorded in the region, placing North Aceh among the areas with the highest numbers of divorce cases in Aceh Province.[9] The contributing factors include marital disharmony, prolonged disputes, and insufficient religious understanding.[10] This phenomenon reflects the weakening of family resilience and a

[2] Rahmat Riyanda Agusta and Anisah Budiwati, "Transformasi Hukum Perceraian dalam Islam dan Relevansi Hukum Positif di Indonesia," *USRAH: Jurnal Hukum Keluarga Islam* 6, no. 1 (2025): 66–82, https://doi.org/https://doi.org/10.46773/usrah.v6i1.1620.

[3] Sri Hariati, "Analisis Hukum Penyebab Terjadinya Perceraian Ditinjau Dari Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan Dan Kompilasi Hukum Islam (Studi Di Pengadilan Agama Giri Menang, Lombok Barat)," *Jurnal Kompilasi Hukum* 8, no. 1 (2023): 1–23, https://doi.org/https://doi.org/10.29303/jkh.v8i1.127.

[4] Arif Sugitanata and Suud Sarim Karimullah, "Implementasi Hukum Keluarga Islam Pada Undang-Undang Perkawinan Di Indonesia Mengenai Hak Memilih Pasangan Bagi Perempuan," *Setara: Jurnal Studi Gender dan Anak* 5, no. 1 (2023): 1–14, https://doi.org/https://doi.org/10.32332/jsga.v5i01.6536.

[5] Rifki Rufaida, "Akibat Hukum Adanya Perceraian," *Iqtishodina: Jurnal Ekonomi Syariah dan Hukum Islam* 4, no. 2 (2021): 74–91.

[6] Muhazir, "Dualisme Peraturan Perceraian di Aceh: Kontestasi Fatwa dan Hukum Negara," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 13, no. 2 (2020): 198–208, https://doi.org/10.14421/ahwal.2020.13208.

[7] Bukhari and Anwar, "Implementasi Hukum Islam Di Aceh Dalam Perspektif Historis," *At-Tasyri': Jurnal Ilmiah Prodi Muamalah* 14, no. 2 (2022): 65–73, https://doi.org/10.47498/tasyri.v14i1.951.

[8] Mahkamah Syar'iyah Lhoksukon, "Data Perceraian Tahun 2019-2024," Direktori Mahkamah Agung, n.d.

[9] Eko Gani Pg and Eka Chyntia, "Analisis Yuridis Tingginya Cerai Gugat Istri terhadap Suami pada Masa Pandemi Covid-19 (Studi Penelitian di Mahkamah Syar'iyah Lhoksukon)," *Ius Civile: Refleksi Penegakan Hukum dan Keadilan* 7, no. 1 (2023): 12, https://doi.org/10.35308/jic.v7i1.7327.

[10] Hikmawati Ribi, "Efektifitas Mediasi Perkara Perceraian di Pengadilan Agama (Studi Normatif Implementasi PERMA No. 1 Tahun 2016)," *IJI: Indonesian Journal of Intellectual Publication* 5, no. 3 (2025): 302–10, https://doi.org/https://doi.org/10.51577/ijipublication.v5i3.730.

growing discrepancy between the ideal objectives of marriage in Islam and the social realities experienced by the community.[11]

Several previous studies have examined divorce in Aceh; however, most have remained descriptive and have not comprehensively integrated Islamic family law analysis.[12] A study conducted by Haikel Afandi et al. (2023) revealed that divorce was influenced by economic difficulties, infidelity, domestic violence, and educational factors. From the perspective of Islamic family law, divorce was regarded as a last resort. Nevertheless, their study primarily focused on husband-initiated divorce (*cerai talak*) and did not examine the relationship between the factors contributing to divorce and the effectiveness of legal implementation within judicial institutions.[13] Meanwhile, Durotun Nafisah et al. (2024) identified education, economic conditions, religiosity, health, and environmental influences as factors contributing to divorce. Their study also compared Islamic family law with the prevailing statutory legal framework. However, the research was conducted in a region without the distinctive implementation of Islamic law found in Aceh and did not specifically examine public legal awareness or the role of local policies in reducing divorce rates.[14] Therefore, the present study distinguishes itself by examining North Aceh as a region characterized by the formal implementation of Islamic law, emphasizing the integration of social factors contributing to divorce, the implementation of Islamic family law in judicial practice, and the legal culture of the community.

Based on these considerations, this study focuses on two main aspects: identifying the factors contributing to the high divorce rate in North Aceh Regency and examining how Islamic family law perceives and responds to this phenomenon. The investigation is conducted through an analysis of six divorce rulings issued in 2024, namely Decisions No. 583, 688, 748, 754, 766, and 794/Pdt.G/2024/MS-Lsk. This study is expected to provide a more comprehensive understanding of the relationship between Islamic legal norms and the social dynamics of the community, while offering recommendations for local governments, religious institutions, and society in their efforts to reduce divorce rates.

METHOD

This study employs a qualitative approach using a normative juridical method. This approach was selected because the research addresses conceptual and normative issues, particularly concerning how Islamic family law is understood and applied within

[11] Khairuddin, "Fenomena Tren Perceraian Di Indonesia: Apa Penyebabnya?," *Abdurrauf Science and Society* 1, no. 1 (2024): 1–8, https://doi.org/https://doi.org/10.70742/asoc.v1i1.95.
[12] Muhammad Habibi Miftakhul Marwa, "Model Penyelesaian Perselisihan Perkawinan Perspektif Hukum Adat Dan Hukum Islam," *Jurnal USM Law Review* 4, no. 2 (2021): 777–94, https://doi.org/10.26623/julr.v4i2.4059.
[13] M. Haikel Afandi et al., "An Examination of Islamic Family Law in Kampar Regency, Riau: Focusing on the Causes and Prevalence of Divorce in the Community," *El-Usrah: Jurnal Hukum Keluarga* 6, no. 2 (2023): 298, https://doi.org/10.22373/ujhk.v6i2.19089.
[14] Durotun Nafisah et al., "Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (2024): 847, https://doi.org/10.22373/sjhk.v8i2.16825.

the social context of North Aceh Regency. The study adopts a descriptive-analytical research design, aiming to identify the factors contributing to the high divorce rate while analyzing them based on the principles of Islamic family law, Law Number 1 of 1974 concerning Marriage, and the Compilation of Islamic Law.[15]

The research draws on primary, secondary, and tertiary legal sources. The primary legal materials consist of six divorce decisions issued by the Lhoksukon Sharia Court (*Mahkamah Syar'iyah Lhoksukon*) in 2024, comprising three husband-initiated divorce cases (*cerai talak*), namely Decisions No. 688/Pdt.G/2024/MS.Lsk, 748/Pdt.G/2024/MS.Lsk, and 766/Pdt.G/2024/MS.Lsk, and three wife-initiated divorce cases (*cerai gugat*), namely Decisions No. 583/Pdt.G/2024/MS.Lsk, 754/Pdt.G/2024/MS.Lsk, and 794/Pdt.G/2024/MS.Lsk. Secondary legal materials include relevant legislation, classical and contemporary Islamic jurisprudence literature, scholarly journal articles, books, and previous studies related to the research topic. Meanwhile, tertiary legal materials were obtained from legal dictionaries, encyclopedias, and other supporting references.

Data were collected through a literature review involving a systematic examination of Islamic legal sources and statutory regulations governing divorce. The collected data were subsequently examined using qualitative analysis, which involved three stages: data reduction, data presentation, and conclusion drawing.[16]

RESULTS AND DISCUSSION

Factors Contributing to the High Divorce Rate in North Aceh Regency

An examination of six divorce decisions issued by the Lhoksukon Sharia Court in 2024 reveals that the factors contributing to divorce in North Aceh Regency are diverse but primarily rooted in fundamental marital problems, including marital disharmony, domestic violence, failure to provide financial support, and family interference. An analysis of each decision identifies recurring patterns of persistent marital disputes, prolonged separation, and unsuccessful family mediation efforts.

In Decision No. 688/Pdt.G/2024/MS.Lsk, the divorce was initiated due to marital disharmony that had persisted since October 2019. The respondent was alleged to have neglected her marital responsibilities, prioritized her family of origin, behaved rudely, and demonstrated a lack of respect toward the petitioner. Repeated and unresolved conflicts gradually undermined mutual understanding and emotional intimacy between the spouses. These circumstances generated emotional distress and increased the distance between them. Consequently, the marriage could no longer fulfill its fundamental objectives of establishing a family characterized by *sakinah*, *mawaddah*, and *rahmah*, as prescribed by Islamic teachings and family law principles. Prolonged disputes eventually

[15] Abdurrahman, *Kompilasi Hukum Islam Di Indonesia* (Akademika Pressindo, 1992); Feny Rita Fiantika et al., *Metodologi Penelitian Kualitatif* (PT. Global Eksekutif Teknologi, 2022), https://Metodologi_Penelitian_Kualitatif/links.pdf.

[16] Najmah et al., *Analisis Tematik Pada Penelitian Kualitatif* (Salemba Medika, 2023), https://repository.unsri.ac.id/152280/1/Analisa%20TEMATIK_Najmah%20dkk_FINAL.pdf.

led to approximately one year of separation without communication. Mediation efforts undertaken by family members failed to restore the relationship or alleviate the existing tensions. The absence of communication, emotional intimacy, and marital relations indicated a serious breakdown of the marriage. Based on the facts presented during the proceedings, the judges determined that the marital relationship had irretrievably broken down. The inability of both parties to reconcile and maintain a harmonious marital relationship provided sufficient grounds for the court to grant the petition for husband-initiated divorce (*cerai talak*).

In Decision No. 748/Pdt.G/2024/MS.Lsk, the divorce resulted from changes in the respondent's behavior, including frequent anger, harsh language, verbal insults, and excessive demands toward her husband. Marital disputes began in mid-2017 and continued without substantial improvement. The respondent was also alleged to have disregarded her husband's position, ignored his advice, and demonstrated little willingness to improve the relationship. These recurring disputes created instability within the household. Prolonged marital disharmony eventually prevented the spouses from maintaining a functional relationship and fulfilling the objectives of marriage. In February 2019, the petitioner decided to leave the marital home because he could no longer tolerate the persistent conflicts. Since then, the spouses had lived separately for more than five years without communication or marital relations. The judges concluded that reconciliation was no longer feasible, considering the prolonged separation and the deterioration of emotional attachment. The absence of commitment, physical intimacy, and meaningful reconciliation efforts demonstrated that the marriage could no longer be sustained. Accordingly, the petition for husband-initiated divorce was considered legally justified and was granted.

In Decision No. 766/Pdt.G/2024/MS.Lsk, the divorce was attributed to the respondent's alleged disobedience toward her husband, frequent use of offensive language, and verbal insults directed at the petitioner's family. Furthermore, the respondent was accused of financial dishonesty, including borrowing money without her husband's knowledge. Interference from the respondent's family further aggravated the situation, resulting in increasingly frequent marital disputes. These circumstances caused the petitioner to experience frustration and anxiety about the potential escalation of the conflict, including concerns regarding possible domestic violence. Since March 2024, the spouses had ceased maintaining marital relations, and in June 2024, the petitioner eventually left the marital home. Communication between the parties was limited to matters concerning their children, while their emotional relationship had completely deteriorated. During the proceedings, the judges determined that the marriage had irretrievably broken down due to repeated conflicts, dishonesty, and the alleged lack of respect toward the husband. As there was no indication of reconciliation or willingness to restore the relationship, the court concluded that the petition for husband-initiated divorce was justified and should be granted.

In Decision No. 583/Pdt.G/2024/MS.Lsk, the divorce was associated with the defendant's abusive behavior, repeated infidelity, and lack of respect toward his wife.

Since early 2021, the marriage had been characterized by persistent disputes and a continuous deterioration of marital harmony. The plaintiff repeatedly advised the defendant to discontinue his extramarital relationships, but these efforts were met with anger. Consequently, the plaintiff experienced profound disappointment and insecurity, gradually losing trust, emotional comfort, and affection within the marriage. In early January 2024, the spouses separated and ceased communicating or maintaining marital relations. Reconciliation efforts initiated by family members were unsuccessful because the defendant demonstrated no meaningful behavioral improvement. The facts established during the proceedings indicated that the defendant had failed to fulfill his marital obligations, causing psychological distress to the plaintiff. The judges concluded that the marriage had irretrievably broken down and could no longer be maintained. Therefore, the plaintiff's petition for wife-initiated divorce (*cerai gugat*) was considered legally justified and was granted.

In Decision No. 754/Pdt.G/2024/MS.Lsk, the divorce originated from the defendant's failure to provide financial support, habitual drug use, verbal abuse, and death threats directed toward the plaintiff. The defendant was also suspected of engaging in an extramarital relationship, further increasing the wife's psychological burden. Feeling threatened, the plaintiff eventually fled the marital home to protect herself. Persistent disputes dating back to 2016 indicated that the marital relationship had been unhealthy for a considerable period. The defendant's behavior created an unsafe domestic environment that contradicted the principles of marital life in Islam. The spouses had lived separately for more than one year and five months without communication or marital relations. Reconciliation efforts initiated by family members and village authorities (*gampong*) were unsuccessful due to the defendant's aggressive behavior, lack of responsibility, and unwillingness to improve the situation. The judges found substantial evidence that the defendant had neglected his marital obligations and endangered the plaintiff's safety. Under these circumstances, maintaining the marriage would have resulted in further harm (*mudarat*). Therefore, the court considered divorce the most realistic legal measure to protect the plaintiff.

In Decision No. 794/Pdt.G/2024/MS.Lsk, the divorce was triggered by the defendant's frequent use of abusive language, remarriage without his wife's consent, and failure to provide adequate financial support for his wife and children. Since mid-2022, the marital relationship had been characterized by continuous disputes without any meaningful restoration of harmony. The defendant's *nusyuz* (violation of marital obligations) caused significant emotional distress to the plaintiff and made her feel disrespected. These circumstances undermined the values of *sakinah*, *mawaddah*, and *rahmah*, which constitute the fundamental objectives of marriage in Islam. Since November 2023, the spouses had lived separately for almost one year and had ceased fulfilling their marital responsibilities, including communication and intimate relations. Reconciliation efforts undertaken by family members were unsuccessful because neither party demonstrated sufficient commitment to restoring the relationship. The judges determined that the marriage had deteriorated severely and could no longer be sustained.

Considering the substantial emotional distress experienced by the plaintiff and the defendant's failure to fulfill his marital obligations, the court found the divorce petition legally justified and granted the plaintiff's request.

Based on the analysis of these six divorce decisions issued in 2024, several factors contributing to divorce in North Aceh Regency can be identified:

1. Persistent Marital Disputes

   Persistent marital disputes emerged as the most dominant factor and were identified in Decisions No. 688, 748, 766, 583, and 794/Pdt.G/2024/MS.Lsk. Prolonged and unresolved conflicts resulted in the deterioration of emotional security, mutual trust, and marital harmony. Unresolved disputes ultimately undermined the functioning of the household, leading the parties to consider divorce a viable solution.

2. Poor Communication and Lack of Mutual Respect

   Poor communication and the absence of mutual respect were particularly evident in Decisions No. 688, 748, 766, and 794. Marital relationships characterized by harsh language, disrespectful behavior, and disregard for one's spouse gradually weakened emotional bonds. The inability of spouses to maintain respectful communication accelerated the deterioration of their marital relationships.

3. Failure of Husbands to Provide Financial Support

   The failure to fulfill financial obligations was identified in Decisions No. 754 and 794. In these cases, husbands failed to provide adequate maintenance (*nafkah*) and neglected their financial responsibilities, causing economic hardship and psychological distress to their wives. Such conduct contradicts the husband's obligations under Islamic jurisprudence and Article 34(1) of the Indonesian Marriage Law.

4. Marital Infidelity

   Infidelity was identified in Decision No. 583 and was strongly suspected in Decision No. 754. Extramarital relationships undermine mutual trust and marital dignity while creating emotional insecurity within the household. Such behavior frequently contributes to the collapse of the emotional foundations necessary for maintaining a stable marriage.

5. Verbal Abuse, Threats, and Physical Violence

   Verbal abuse, threats, and issues related to domestic violence were identified in Decision No. 754 and, to a lesser extent, Decision No. 748. Domestic violence reflects the deterioration of marital security and contradicts the Islamic values of *mawaddah* and *rahmah*. Violence may also threaten the safety and well-being of spouses, making divorce a necessary protective measure under certain circumstances.

6. Prolonged Marital Separation

   Prolonged separation was identified in Decisions No. 688, 748, 754, and 794. Extended periods of living separately without communication or marital relations indicate a serious and potentially irreversible breakdown of the marital relationship. From the perspective of Islamic family law, such circumstances suggest that the fundamental objectives of marriage are no longer being fulfilled.

7. Lack of Commitment to Marital Reconciliation

The absence of commitment to restoring marital relationships was evident in all six decisions: No. 688, 748, 766, 583, 754, and 794. Unsuccessful mediation efforts, persistent problematic behavior, and unwillingness to reconcile demonstrated the severe deterioration of these relationships. Consequently, divorce was considered the final legal option when reconciliation was no longer feasible.

An Islamic Family Law Analysis of the Factors Contributing to the High Divorce Rate in North Aceh Regency

The high divorce rate in North Aceh Regency indicates fundamental problems within marital relationships that are inconsistent with the principles of Islamic family law. Normatively, Islam regards marriage as a sacred institution intended to establish *sakinah*, *mawaddah*, and *rahmah*. An analysis of six divorce decisions issued in 2024 reveals that most marital conflicts examined in North Aceh Regency were associated with the deterioration of these fundamental Islamic marital values. Marriage is fundamentally established upon the principles of tranquility, affection, and compassion, as stated by Allah SWT in Surah Ar-Rum, verse 21:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً

Meaning: "*And among His signs is that He created for you spouses from among yourselves so that you may find tranquility in them, and He placed between you affection and mercy...*" (QS. Ar-Rum: 21)

This verse emphasizes that an ideal household should provide emotional security and protection for both spouses. When these fundamental principles deteriorate, marital tension and conflict become increasingly difficult to avoid. This finding is consistent with the study conducted by Haikel Afandi et al., which identified the loss of tranquility within the family as a significant indicator of the failure to achieve the objectives of marriage under Islamic family law. In such circumstances, divorce may be understood as a legitimate Islamic legal mechanism for preventing further deterioration of marital relationships.[17]

Recurring disputes, abusive communication, and the deterioration of mutual respect reflect a decline in marital ethics and moral conduct.[18] The Prophet Muhammad (peace be upon him) stated:

عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ اللهِ:خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ، وَأَنَا خَيْرُكُمْ لِأَهْلِي)روه الترمذي(ي

Meaning: "*Aisha reported that the Messenger of Allah said: 'The best among you are those who are best to their families, and I am the best among you to my family*.'" (Narrated by al-Tirmidhi)

[17] Afandi et al., "An Examination of Islamic Family Law in Kampar Regency, Riau."

[18] T. M. Zainuddin and Kuntari Madchaini, "Analisis Faktor Penyebab Perceraian dengan Alasan Perselisihan Terus-Menerus Perspektif Fikih Munakahat," *Jeulame: Jurnal Hukum Keluarga Islam* 1, no. 1 (2022): 1–18, https://doi.org/https://doi.org/10.47766/jeulame.v1i1.1206.

This hadith emphasizes that marital harmony substantially depends on the moral conduct and ethical responsibilities of both spouses. When either or both partners fail to maintain appropriate behavior, the marital relationship may lose the values of *mawaddah* and *rahmah*, making divorce a possible last resort to prevent prolonged emotional suffering. This finding supports the conclusions of Durotun Nafisah et al., who demonstrated that poor interpersonal relationships within families, influenced by education, social environments, and religious understanding, contribute to marital conflicts that may ultimately result in divorce.[19]

Failure to provide financial maintenance constitutes a violation of the husband's obligations under Islamic law (Fahmi, 2025).[20] Financial maintenance (*nafkah*) is a fundamental right of the wife that must be fulfilled by her husband, as emphasized in the following Islamic jurisprudential maxim:

الْوَاجِبُ لَا يَسْقُطُ إِلَّا بِأَدَائِهِ

Meaning: "*An obligation is not discharged until it has been fulfilled*."[21]

The inability or negligence of a husband to provide financial maintenance may cause economic hardship and psychological distress to his wife. According to Article 116(d) of the Compilation of Islamic Law (KHI), such circumstances may provide grounds for a wife to seek divorce. From the perspective of *maqasid al-shariah* (the objectives of Islamic law), failure to provide maintenance threatens the preservation of life (*hifz al-nafs*) and property (*hifz al-mal*).[22] This argument aligns with the analysis of Haikel Afandi et al., who emphasized that economic problems extend beyond material deprivation and are closely related to the husband's responsibility as *qawwam*, or the person responsible for providing care and maintenance within the Islamic family structure.[23]

Marital infidelity constitutes a serious violation of marital dignity and moral responsibility. Such behavior contradicts the objective of *hifz al-'ird* (preservation of honor), as it undermines mutual trust and damages the emotional stability of the marital relationship.[24] The Prophet Muhammad (peace be upon him) stated:

[19] Fatimah Khoiriyah, "Hak Dan Kewajiban Suami Istri Dalam Rumah Tangga Prespektif Aris Munandar," *Jurnal Al Wasith: Jurnal Studi Hukum Islam* 10, no. 1 (2025): 1–15; Nafisah et al., "Comparative Analysis of Islamic Family Law and Normative Law."

[20] Anisa Rizki Al Fahmi, "Pengabaian Kewajiban Nafkah Oleh Suami Terhadap Istri Dan Solusinya Dalam Perspektif Hakim (Studi Kasus Pengadilan Agama Kota Bogor)," *Journal of Religion and Social Community* 2, no. 2 (2025): 1–2.

[21] Duski Ibrahim, *Al-Qawa`Id Al-Fiqhiyah (Kaidah-Kaidah Fiqih)* (NoerFikri, 2019).

[22] Sakirah, "Pengabaian Nafkah Lahir Sebagai Alasan Perceraian Di Pengadilan Agama Pangkajene Klas 1B (Studi Kasus Tahun 2021)," *Al Fuadiy: Jurnal Hukum Keluarga Islam* 5, no. 1 (2023): 18–31, https://doi.org/10.55606/af.v5i1.452.

[23] Afandi et al., "An Examination of Islamic Family Law in Kampar Regency, Riau"; Munjiatun et al., "Perselingkuhan dalam Perspektif Tafsir Al Maqashidi," *Ranah Research: Journal of Multidisciplinary Research and Development* 8, no. 1 (2025): 611–27, https://doi.org/https://doi.org/10.38035/rrj.v8i1.

[24] Munjiatun et al., "Perselingkuhan dalam Perspektif Tafsir Al Maqashidi."

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَا يَزْنِي الزَّانِي حِينَ يَزْنِي وَهُوَ مُؤْمِنٌ وَلَا يَسْرِقُ السَّارِقُ حِينَ يَسْرِقُ وَهُوَ مُؤْمِنٌ وَلَكِنَّ التَّوْبَةَ مَعْرُوضَةٌ)روه الترمذي(ي

Meaning: "*Abu Hurairah reported that the Messenger of Allah (peace be upon him) said: 'A person does not commit adultery while being a believer, nor does a thief steal while being a believer. However, the opportunity for repentance remains available*.'" (Narrated by al-Tirmidhi)

This hadith emphasizes that adultery constitutes a serious moral violation in Islam. The psychological consequences of infidelity may be difficult to overcome, potentially making divorce a reasonable legal option for protecting an affected spouse from prolonged emotional suffering. This phenomenon is also supported by the findings of Haikel Afandi et al., who identified third-party involvement as a factor that directly undermines emotional stability and the sustainability of marital relationships.[25]

Nusyuz, as reflected in several divorce decisions, indicates violations of the principle of justice within marital relationships.[26] Allah SWT emphasizes the importance of justice in Surah An-Nisa, verse 3:

...فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً...

Meaning: "*...But if you fear that you will not be just, then marry only one...*" (QS. An-Nisa: 3)

This verse establishes that individuals who fear being unable to maintain justice among multiple wives should limit themselves to one wife. When a husband commits *nusyuz* by neglecting his marital obligations or acting unjustly, such conduct violates the principle of fairness and may cause significant emotional harm to his wife. These violations may constitute grounds for seeking judicial dissolution or divorce, depending on the applicable legal provisions. From a comparative perspective, Durotun Nafisah et al. highlighted that inequality and injustice within marital relationships are structural factors that accelerate divorce by disrupting the balance of rights and obligations between spouses.[27]

Cases involving verbal abuse, threats, and physical violence reflect the deterioration of security and protection within the household.[28] The Prophet Muhammad

[25] Afandi et al., "An Examination of Islamic Family Law in Kampar Regency, Riau"; Siti Maharani and Tajul Arifin, "Membongkar Tabir Perselingkuhan: Perspektif Hadis Abu Daud No.1692 Dan KUHP 284," *Politika Progresif: Jurnal Hukum, Politik dan Humaniora* 1, no. 3 (2024): 23–37, https://doi.org/10.62383/progres.v1i3.383.

[26] Ilyya Muhsin et al., "Revolution of Islamic Proselytizing Organization: From Islamism to Moderate," *QIJIS: Qudus International Journal of Islamic Studies* 7, no. 1 (2019): 45, https://doi.org/10.21043/qijis.v7i1.5076.

[27] Nafisah et al., "Comparative Analysis of Islamic Family Law and Normative Law"; Juwita Mutiara Sintha and Yuarini Wahyu Pertiwi, "Kekerasan Verbal Terhadap Istri Di Dalam Rumah Tangga," *Jurnal Kajian Ilmiah* 25, no. 1 (2025): 51–60, https://doi.org/10.31599/qy5w4n27.

[28] Sintha and Pertiwi, "Kekerasan Verbal Terhadap Istri Di Dalam Rumah Tangga"; Sulfianti Irma Pai'pinan et al., "Taklik Talak as a Form of Reforming Islamic Family Law in Indonesia," *Al-Rasīkh: Jurnal Hukum Islam* 15, no. 1 (2026): 1–16, https://doi.org/10.38073/rasikh.3598; Muhammad Zuhdi,

(peace be upon him) prohibited abusive and harmful behavior, as reflected in the following hadith:

عَنْ عَبْدُ اللهِ بْنُ مَسْعُوْدٍ قَالَ: قَالَ رَسُولُ اللهِ :لَيْسَ الْمُؤْمِنُ بِالطَّعَّانِ وَلَا اللَّعَّانِ وَلَا الْفَاحِشِ وَلَا الْبَذِيءِ)روه الترمذي(ي

Meaning: "*Abdullah ibn Mas'ud reported that the Messenger of Allah said: 'A believer is not one who insults others, curses, uses obscene language, or speaks indecently*.'" (Narrated by al-Tirmidhi)

Domestic violence not only contradicts the Islamic principles of *mawaddah* and *rahmah* but also constitutes *dharar* (harm), which may serve as a legitimate basis for marital dissolution under Islamic law when necessary to protect a spouse's safety and well-being. This interpretation reinforces the findings of Durotun Nafisah et al., who emphasized that protecting vulnerable and harmed parties is a fundamental principle in resolving divorce cases under Islamic family law (Nafisah et al., 2024).[29]

Prolonged marital separation represents a significant indicator of an irretrievable breakdown of the marital relationship. In Islamic jurisprudence, marital relations serve important objectives, including the preservation of lineage (*hifz al-nasl*) and honor (*hifz al-'ird*). When spouses no longer maintain physical or emotional relationships, the marriage may fail to fulfill its fundamental objectives under Islamic law. Such circumstances strengthen judicial considerations that divorce may prevent greater harm compared with maintaining a dysfunctional and unhealthy marital relationship. This interpretation is consistent with the concept of divorce as a last resort, as discussed by Haikel Afandi et al., who emphasized that marital sustainability depends substantially on the effective fulfillment of both physical and emotional responsibilities between spouses.[30]

The six cases also demonstrate a lack of commitment to marital reconciliation, as reflected in unsuccessful mediation efforts, persistent behavioral problems, and the absence of a genuine willingness to restore marital harmony.[31] In this context, the following Islamic jurisprudential maxim is relevant:

إِذَا ضَاقَ الأَمْرُ اتَّسَعَ

"Sociological Exploration of Intentions in Marriage: A Study of the Living Hadith of the Prophet Muhammad," *Al-Rasīkh: Jurnal Hukum Islam* 14, no. 2 (2025): 287–98, https://doi.org/10.38073/rasikh.3320.

[29] Nafisah et al., "Comparative Analysis of Islamic Family Law and Normative Law."

[30] Afandi et al., "An Examination of Islamic Family Law in Kampar Regency, Riau"; Putri Cicilia Tambun et al., "Pertimbangan Hakim Pengadilan Agama Tentang Perceraian dengan Alasan Pisah Rumah Singkat (Studi Putusan Nomor 375 Pdt.G/2024/PA.Plk)," *Al-Hikmah: Jurnal Agama dan Ilmu Pengetahuan* 22, no. 1 (2025): 105–15, https://doi.org/10.25299/ajaip.2025.vol22(1).21698.

[31] Gretty Henofela Huwae, "Literatur Review: Komitmen dan Kepuasan Hidup Perkawinan," *Jurnal Riset Rumpun Ilmu Kesehatan* 4, no. 2 (2025): 380–91, https://doi.org/10.55606/jurrikes.v4i2.5586.

Meaning: "*When circumstances become constricted, the law provides flexibility*."[32]

This legal maxim provides a jurisprudential basis for considering divorce as an appropriate solution when marital circumstances have reached a level of harm that cannot reasonably be remedied. Accordingly, divorce is not merely an individual legal right but may also function as an Islamic legal mechanism to protect the dignity, safety, and welfare of the parties involved. This approach is consistent with the findings of Durotun Nafisah et al., who regarded divorce as a permissible solution when all efforts toward reconciliation (*islah*) have proven ineffective.[33]

Based on the preceding analysis, the factors contributing to divorce in North Aceh Regency are primarily associated with deteriorating marital relationship quality, declining marital ethics, and the inability of spouses to resolve conflicts in accordance with Islamic principles. Persistent disputes, failure to provide financial support, infidelity, domestic violence, *nusyuz*, and prolonged separation represent circumstances that undermine the objectives of Islamic marriage (*maqasid al-nikah*). Thus, the high number of divorce cases reflects significant challenges in maintaining the values of *sakinah*, *mawaddah*, and *rahmah*, which constitute the foundation of marriage under Islamic law. Furthermore, the divorce decisions issued by the Sharia Court demonstrate the role of Islamic legal mechanisms in preventing continued harm and promoting the welfare (*maslahah*) of the parties involved.

CONCLUSION

Based on the research findings, it can be concluded that the high number of divorce cases in North Aceh Regency in 2024 was associated with the deterioration of marital relationships, as reflected in persistent disputes, ineffective communication, failure to provide financial support, infidelity, domestic violence, and prolonged marital separation. These factors demonstrate the failure to fulfill marital roles and responsibilities, thereby preventing the realization of the fundamental objectives of marriage, namely the establishment of a family characterized by *sakinah*, *mawaddah*, and *rahmah*.

From the perspective of Islamic family law, these circumstances constitute violations of the principles of preserving life, honor, property, and lineage. Accordingly, divorce in the cases examined can be understood as a legitimate Islamic legal mechanism for preventing further harm and protecting the dignity and welfare of the parties when reconciliation efforts have proven unsuccessful. These findings suggest that divorce is influenced not only by interpersonal conflicts but also by the insufficient internalization of fundamental Islamic marital values within family life.

[32] Ibrahim, *Al-Qawa`Id Al-Fiqhiyah (Kaidah-Kaidah Fiqih)*.
[33] Tambun et al., "Pertimbangan Hakim Pengadilan Agama Tentang Perceraian dengan Alasan Pisah Rumah Singkat (Studi Putusan Nomor 375 Pdt.G/2024/PA.Plk)"; Nafisah et al., "Comparative Analysis of Islamic Family Law and Normative Law."

This study is limited to an analysis of six divorce decisions issued within a single year and therefore does not fully represent the broader dynamics of divorce in North Aceh Regency. Furthermore, the study does not directly examine the perspectives and experiences of the parties involved. Future research is recommended to adopt empirical approaches, expand the number of cases analyzed, and investigate the effectiveness of premarital education programs and the role of religious institutions in preventing divorce.

REFERENCES

Abdurrahman. *Kompilasi Hukum Islam Di Indonesia*. Akademika Pressindo, 1992.

Afandi, M. Haikel, Jumni Nelli, and Mohd. Yunus. "An Examination of Islamic Family Law in Kampar Regency, Riau: Focusing on the Causes and Prevalence of Divorce in the Community." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 2 (2023): 298. https://doi.org/10.22373/ujhk.v6i2.19089.

Agusta, Rahmat Riyanda, and Anisah Budiwati. "Transformasi Hukum Perceraian dalam Islam dan Relevansi Hukum Positif di Indonesia." *USRAH: Jurnal Hukum Keluarga Islam* 6, no. 1 (2025): 66–82. https://doi.org/https://doi.org/10.46773/usrah.v6i1.1620.

Basri, Rusdaya. *Fikih Munakahat 2*. IAIN Parepare Nusantara Press, 2020.

Bukhari and Anwar. "Implementasi Hukum Islam Di Aceh Dalam Perspektif Historis." *At-Tasyri': Jurnal Ilmiah Prodi Muamalah* 14, no. 2 (2022): 65–73. https://doi.org/10.47498/tasyri.v14i1.951.

Fahmi, Anisa Rizki Al. "Pengabaian Kewajiban Nafkah Oleh Suami Terhadap Istri Dan Solusinya Dalam Perspektif Hakim (Studi Kasus Pengadilan Agama Kota Bogor)." *Journal of Religion and Social Community* 2, no. 2 (2025): 1–2.

Fiantika, Feny Rita, Mohammad Wasil, Leli Honesti, and Sri Jumiyati. *Metodologi Penelitian Kualitatif*. PT. Global Eksekutif Teknologi, 2022. https://Metodologi_Penelitian_Kualitatif/links.pdf.

Hariati, Sri. "Analisis Hukum Penyebab Terjadinya Perceraian Ditinjau Dari Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan Dan Kompilasi Hukum Islam (Studi Di Pengadilan Agama Giri Menang, Lombok Barat)." *Jurnal Kompilasi Hukum* 8, no. 1 (2023): 1–23. https://doi.org/https://doi.org/10.29303/jkh.v8i1.127.

Huwae, Gretty Henofela. "Literatur Review: Komitmen dan Kepuasan Hidup Perkawinan." *Jurnal Riset Rumpun Ilmu Kesehatan* 4, no. 2 (2025): 380–91. https://doi.org/10.55606/jurrikes.v4i2.5586.

Ibrahim, Duski. *Al-Qawa`Id Al-Fiqhiyah (Kaidah-Kaidah Fiqih)*. NoerFikri, 2019.

Khairuddin. "Fenomena Tren Perceraian Di Indonesia: Apa Penyebabnya?" *Abdurrauf Science and Society* 1, no. 1 (2024): 1–8. https://doi.org/https://doi.org/10.70742/asoc.v1i1.95.

Khoiriyah, Fatimah. "Hak Dan Kewajiban Suami Istri Dalam Rumah Tangga Prespektif Aris Munandar." *Jurnal Al Wasith: Jurnal Studi Hukum Islam* 10, no. 1 (2025): 1–15.

Maharani, Siti, and Tajul Arifin. "Membongkar Tabir Perselingkuhan: Perspektif Hadis Abu Daud No.1692 Dan KUHP 284." *Politika Progresif: Jurnal Hukum, Politik dan Humaniora* 1, no. 3 (2024): 23–37. https://doi.org/10.62383/progres.v1i3.383.

Mahkamah Syar'iyah Lhoksukon. "Data Perceraian Tahun 2019-2024." Direktori Mahkamah Agung, n.d.

Marwa, Muhammad Habibi Miftakhul. "Model Penyelesaian Perselisihan Perkawinan Perspektif Hukum Adat Dan Hukum Islam." *Jurnal USM Law Review* 4, no. 2 (2021): 777–94. https://doi.org/10.26623/julr.v4i2.4059.

Muhazir. "Dualisme Peraturan Perceraian di Aceh: Kontestasi Fatwa dan Hukum Negara." *Al-Ahwal: Jurnal Hukum Keluarga Islam* 13, no. 2 (2020): 198–208. https://doi.org/10.14421/ahwal.2020.13208.

Muhsin, Ilyya, Nikmah Rochmawati, and Muhammad Chairul Huda. "Revolution of Islamic Proselytizing Organization: From Islamism to Moderate." *QIJIS: Qudus International Journal of Islamic Studies* 7, no. 1 (2019): 45. https://doi.org/10.21043/qijis.v7i1.5076.

Munjiatun, Nur Ihsan, and Dliyaul Muqsith. "Perselingkuhan dalam Perspektif Tafsir Al Maqashidi." *Ranah Research: Journal of Multidisciplinary Research and Development* 8, no. 1 (2025): 611–27. https://doi.org/https://doi.org/10.38035/rrj.v8i1.

Nafisah, Durotun, Nasrudin Nasrudin, Ahmad Rezy Meidina, and Muhammad Fuad Zain. "Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (2024): 847. https://doi.org/10.22373/sjhk.v8i2.16825.

Najmah, Namirah Adelliani, Citra Afny Sucirahayu, and Azmiya Rahma Zanjabila. *Analisis Tematik Pada Penelitian Kualitatif*. Salemba Medika, 2023. https://repository.unsri.ac.id/152280/1/Analisa%20TEMATIK_Najmah%20dkk_FINAL.pdf.

Pai'pinan, Sulfianti Irma, Rameyza Elya Yulianti, and Kurniati Kurniati. "Taklik Talak as a Form of Reforming Islamic Family Law in Indonesia." *Al-Rasīkh: Jurnal Hukum Islam* 15, no. 1 (2026): 1–16. https://doi.org/10.38073/rasikh.3598.

Pg, Eko Gani, and Eka Chyntia. "Analisis Yuridis Tingginya Cerai Gugat Istri terhadap Suami pada Masa Pandemi Covid-19 (Studi Penelitian di Mahkamah Syar'iyah Lhoksukon)." *Ius Civile: Refleksi Penegakan Hukum dan Keadilan* 7, no. 1 (2023): 12. https://doi.org/10.35308/jic.v7i1.7327.

Ribi, Hikmawati. "Efektifitas Mediasi Perkara Perceraian di Pengadilan Agama (Studi Normatif Implementasi PERMA No. 1 Tahun 2016)." *IJI: Indonesian Journal of Intellectual Publication* 5, no. 3 (2025): 302–10. https://doi.org/https://doi.org/10.51577/ijipublication.v5i3.730.

Rufaida, Rifki. "Akibat Hukum Adanya Perceraian." *Iqtishodina: Jurnal Ekonomi Syariah dan Hukum Islam* 4, no. 2 (2021): 74–91.

Sakirah. "Pengabaian Nafkah Lahir Sebagai Alasan Perceraian Di Pengadilan Agama Pangkajene Klas 1B (Studi Kasus Tahun 2021)." *Al Fuadiy: Jurnal Hukum Keluarga Islam* 5, no. 1 (2023): 18–31. https://doi.org/10.55606/af.v5i1.452.

Sintha, Juwita Mutiara, and Yuarini Wahyu Pertiwi. "Kekerasan Verbal Terhadap Istri Di Dalam Rumah Tangga." *Jurnal Kajian Ilmiah* 25, no. 1 (2025): 51–60. https://doi.org/10.31599/qy5w4n27.

Sugitanata, Arif, and Suud Sarim Karimullah. "Implementasi Hukum Keluarga Islam Pada Undang-Undang Perkawinan Di Indonesia Mengenai Hak Memilih Pasangan Bagi Perempuan." *Setara: Jurnal Studi Gender dan Anak* 5, no. 1 (2023): 1–14. https://doi.org/https://doi.org/10.32332/jsga.v5i01.6536.

Tambun, Putri Cicilia, Novea Elysa Wardhani, and Syamhudian Noor. "Pertimbangan Hakim Pengadilan Agama Tentang Perceraian dengan Alasan Pisah Rumah Singkat (Studi Putusan Nomor 375 Pdt.G/2024/PA.Plk)." *Al-Hikmah: Jurnal Agama dan Ilmu Pengetahuan* 22, no. 1 (2025): 105–15. https://doi.org/10.25299/ajaip.2025.vol22(1).21698.

Zainuddin, T. M., and Kuntari Madchaini. "Analisis Faktor Penyebab Perceraian dengan Alasan Perselisihan Terus-Menerus Perspektif Fikih Munakahat." *Jeulame: Jurnal Hukum Keluarga Islam* 1, no. 1 (2022): 1–18. https://doi.org/https://doi.org/10.47766/jeulame.v1i1.1206.

Zuhdi, Muhammad. "Sociological Exploration of Intentions in Marriage: A Study of the Living Hadith of the Prophet Muhammad." *Al-Rasīkh: Jurnal Hukum Islam* 14, no. 2 (2025): 287–98. https://doi.org/10.38073/rasikh.3320.