

Research Article

Saddu Dzari'ah: Islamic Marriage Guidance as a Prevention of Household Violence

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Abstract. This study aims to determine whether premarital marriage guidance can be based on the Saddu Dzari'ah method. Descriptive research method used in this study. This study uses a literature review approach by collecting data sourced from books, news and articles and reputable journals. The results of this study in the form of divorce due to domestic violence (domestic violence) will have an impact on the psychological well-being of the wife, especially for the children. Because divorce is seen from the start as a form of action which, if done with consideration, both have the potential to cause discussions about what is permissible and what is not. Second, it can be seen from the impact of divorce which will break the relationship between the family of men and women. Third, judging from the degree of harm caused by the demonstration of separation, it brings specific losses because separation is a legitimate demonstration but is hated by Allah SWT. The Saddu Dzari'ah method can thus be used as the basis for a law implementing Marriage Guidance (BINWIN). The use of this strategy is essentially being careful in doing good while dealing with conflicts between maslahat and mafsadah. between reconciliation and divorce. Precautions must be taken because the chances of meeting the mafsadah are very high.

Keywords: Family; Marriage Guidance; Saddu Dzari'ah; Violence.

INTRODUCTION

In society, the family is a minor institution with many members, usually a husband, wife, and children (Habibi, 2021). In a household, as in other larger institutions or institutions, some values are developed and agreed upon by all family members. According to the law, marriage is an inner and outer bond between a man

and a woman as husband and wife to form a happy and eternal family (household) based on belief in the One Almighty God (Prasetyo et al., 2022). It was passed on January 1, 1974.

In a harmonious and inclusive family setting, all members should be afforded equal opportunities to thrive and contribute to the family's progress, irrespective of their gender, socioeconomic background, or any other differentiating factor (Zhillima et al., 2023). Such an environment fosters collaboration and mutual support among family members, with everyone working towards the collective welfare. Unfortunately, the reality often deviates from this ideal, leading to a sense of disappointment among many relatives. Instead of experiencing a nurturing and equitable atmosphere, family members frequently encounter situations characterized by inequity and oppression, where their contributions may be overlooked or undervalued (Behera et al., 2022).

To maximize the potential of family human resources, building relationships between family members without distinguishing between husband, wife, rich, poor, male, female, and so on is necessary (Sear, 2021). As a result, everyone in the family is expected to play a role and contribute significantly to family welfare. The desired family institution will thrive in this setting. However, it turned out that many relatives were disappointed because what was usually expected from the family was just the opposite (Kriel et al., 2019). Every member of the family experiences injustice and oppression.

One of the responsibilities of a husband is to be a father and ensure family stability (Wissö et al., 2019). The husband is also obliged to provide for his family physically and spiritually because he is the head of the household (Maftuhah, 2022). This income is one of the factors that can lead to divorce. If the husband does not carry out his duty to earn a living properly, there will undoubtedly be quarrels between husband and wife which can lead to divorce.

As a developing country, Indonesia also has a bad reputation for violating human rights, including women's rights (Dewi et al., 2022; Larasati, 2021; Sergio, 2022). Crimes against women are a complex problem for many women, especially in Indonesia. Because it is seen as a private (family) problem that must be resolved quietly, aggressive behavior at home never violates fundamental freedoms. Violence against women continues to be illegal (Larasati, 2021). Typical, even if it results in physical disability or death. Indonesia's solid patriarchal culture is to blame for this fact.

According to the author's quotes, the Probolinggo Religious Court, one of the Religious Courts in Indonesia, recorded 2,314 divorce cases from January to December 2021 (Sumanto et al., 2021). Economic factors became one of the factors that led to 1,547 cases of divorce, 583 cases of continuous brawls, 106 instances of leaving one party, and 30 cases of domestic violence.

Cases of physical and non-physical violence in the family need to be resolved wisely and prudently. A set of regulations is required to regulate problems and solutions to domestic violence. Islamic law not only regulates human behavior that has been done but also that has not been done (Sihotang, 2022, p. 135). This does not mean that Islamic law tends to restrict human freedom. But because, indeed, one of

the objectives of Islamic law is to realize the benefit and avoid damage (Mafsadahh), this became known as Saddu Dzari'ah (Anshor & Muttaqin, 2022).

A form of action that supports marriage counseling is the Saddu Dzari'ah method, as per the Regulation of the Director General of Islamic Community Guidance No. 379 of 2018 concerning the Implementation of Marriage Guidance (Fad, 2021). The main objective of Marriage Guidance is to increase understanding and knowledge about household/family life in realizing a *sakinah*, *mawaddah*, and warm family (Arafah, 2020). As well as reducing the number of disputes, divorces, and domestic violence.

Recognizing benefits and avoiding harm (Mafsadahh) or called the Saddu Dzari'ah strategy. Premarital Marriage Guidance can be based on the Saddu Dzari'ah method, ensuring no more physical, psychological, sexual, or financial violence in the family. The author tries to raise the title, "Saddu Dzari'ah:" based on the description above-marriage counseling to prevent domestic violence.

RESEARCH METHOD

The descriptive research method was employed in this study. This method involves collecting data, organizing or categorizing it, analyzing and interpreting it, and then discussing various options to address actual problems. The descriptive analysis method begins with factual descriptions, followed by analyses that not only provide understanding and sufficient explanations to solve a problem but also simply describe it (Sugiyono, 2018, p. 98). The data collection strategy used in this research is a literature review. A literature review is a data collection method that focuses on searching for data and information in both written and electronic documents to support the writing process (Abdussamad & SIK, 2021, p. 54). Therefore, it can be said that a literature review can influence the validity of the side effects of directed exploration.

To gather the data for this study, the following steps were taken:

1. Identification of research objectives and research questions: The research objectives and questions were determined to guide the literature review process and data collection.
2. Literature search: Relevant literature was systematically searched and identified from various sources, such as academic journals, books, reports, and reputable online databases. The search aimed to gather comprehensive information related to the research topic.
3. Selection and evaluation of literature: The identified literature was screened based on predetermined inclusion and exclusion criteria. Only sources that aligned with the research objectives and met the predetermined criteria were included in the study.
4. Data extraction: Pertinent information and data were extracted from the selected literature. This involved capturing key findings, concepts, theories, and evidence relevant to the research topic.
5. Data analysis: The extracted data were analyzed using thematic analysis. Themes and patterns within the data were identified and organized to generate meaningful insights and interpretations.
6. Interpretation and discussion: The analyzed data were interpreted and discussed

in the context of the research objectives and questions. The findings were used to support the exploration and resolution of the research problem.

It is important to note that the accuracy and credibility of the information obtained from the literature review were assessed by considering the reputation and reliability of the sources, as well as the currency and relevance of the information to the research topic.

Sources for the research data can be obtained from various scholarly articles, books, reports, and reputable online databases. The data collection technique employed is a literature review, which involves searching and reviewing relevant written and electronic documents. The data analysis technique used in this study is thematic analysis, where themes and patterns within the collected data are identified and organized to gain insights and interpretations. The data collection procedure involved identifying research objectives and questions, conducting a literature search, selecting and evaluating relevant literature, extracting pertinent information, analyzing the data thematically, and interpreting and discussing the findings in relation to the research objectives.

Overall, the descriptive research method and literature review as a data collection strategy provide a systematic approach to gathering and analyzing information for this study, ensuring the validity and reliability of the research findings (Abdussamad & SIK, 2021, p. 34).

RESULT AND DISCUSSION

Building a household is something that is recommended in Islam. Besides, marriage can be interpreted as a way of worship and cannot be separated from human nature as creatures created in pairs. Therefore, it is infrequent for someone who can live a life alone or without a partner. This is clearly illustrated in the Qur'an surah ar-Rum verse 21:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً ۗ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

Meaning: "And among his signs (greatness) is that he created partners for you from your own kind, so that you tend and feel at ease with him, and he made between you feelings of love and affection. Indeed, in that there are signs (of Allah) for people who think (Shihab, 2020)."

From Allah's word above, one should trace the position of inner harmony. Anxiety, sadness, and heartache can be channeled through the marriage bond by sharing these emotions with their partner. The wife conveys her discomfort to her partner, and the wife can reduce the burden on her feelings for her husband. In other words, marriage aims to bring happiness and peace to both parties.

The definition of marriage itself, according to Arabic is الزَّوْاجُ which means "joining" or the union of the soul and body for resurrection, whereas according to the term is a bond that makes it lawful to have fun between a man and a woman with an adhesive, the prohibition of the Shari'a does not apply (Fadel, 2020). To achieve pleasure between husband and wife, three essential things must be considered in a marriage or household Fattaah, (2022):

1. Sakinah. It means a place to return to and live in peace and serenity (without fear). Thus, marriage is where people can settle down, protect one another, and live in peace, comfort, and tranquility without fear.
2. Mawadah. This means love, that is, love that is generally pleasant and does not cause a bad mood to build relationships based on mutual love, respect, and understanding between men and women.
3. Warahmah. This means love from God in the form of forgiveness, mercy, grace, and sustenance. In other words, a gentle affection that is ready to give, care for, and serve.

The three goals of marriage can be called norms that must be the basis for every decision that affects the interests of all family members. That way, a loving family or household can be established, a place to live built based on giving and receiving kindness, helping each other with sincerity and gentleness in speech and behavior, and understanding each other's shortcomings (Elimartati, 2020). For this reason, cooperation between the two is a necessity that must be carried out, not mutually trying to marginalize each other. And marriage is not only built on the foundation of mere lust or the harvesting of human nature, as creatures created in pairs. But behind that, there are noble goals outlined and desired to be achieved by Islam through marriage ties, namely Sakinah, mawaddah, and warahmah.

However, the desire by religion or the state to create a peaceful family has not been fully realized because this is indicated by the number of households that continue to experience problems, including various forms of domestic violence (KDRT). A partner, caregiver, or parent perpetrates domestic violence (KDRT). Typical offenders enjoy more excellent status and power regarding physical strength, wealth, or social status within a family. In other words, violence occurs when the relationship between men and women at home is unequal. Husbands, wives, children, and other families can all suffer greatly when husbands abuse their wives or vice versa. This negative impression will eventually manifest as a feeling of revenge and hatred that never stops for the culprit.

Forms of domestic violence (KDRT) are divided into two, physical and non-physical. The two forms are divided into four domains according to what is stated in the law on the Elimination of Domestic Violence (Alim, 2022):

1. Physical violence is an act that results in serious injury, pain, or illness, as stated in Article 6. Physical violence includes slapping, biting, choking, twisting a hand until it breaks, stabbing, kicking, burning, threatening with sharp objects, and killing.
2. Psychological Violence is an act that results in fear, loss of self-confidence, loss of ability to act, the feeling of helplessness, and severe psychological suffering to a person, as stated in Article 7. Psychological violence can be demonstrated by intimidating behavior and torture, threats of violence, confinement at home, overprotection, threats to let go of custody of children, separation, verbal abuse, and constant humiliation.
3. Sexual Violence, any act of coercion of sexual intercourse, the pressure of sexual intercourse in an unnatural and undesirable manner, or oppression of sexual intercourse with another person for commercial purposes and specific purposes, is contained in Article 8. This sexual violence is every act in the form of forced

sexual intercourse, sexual harassment, forced sexual intercourse with another person for commercial purposes and specific purposes, unnaturally forced sexual intercourse, and not being liked by the victim.

4. Household Abandonment, someone who neglects people within the scope of his household, even though according to the law that applies to him or because of an agreement or agreement, he is obliged to provide life, care, or care for that person. Apart from that, neglect also applies to anyone who causes economic dependence by limiting and prohibiting good work inside or outside the home so that the victim is under that person's control, as stated in Article 9. Household neglect can be said by economic violence, which can be referred to as the behavior of refusing to provide food and basic needs, providing financial assistance, restricting obtaining finance, limiting or prohibiting working inside or outside the home, and not paying attention to health.

The violence that occurs in a family must impact the household, both on the wife and especially in a family that already has children, because violence can cause a condition that is very painful and will cause tendencies that result in a person's psychological disturbance.

A wife who experiences violence will have a psychological crisis, so she becomes depressed and unable to feel confident. Not only that, but sexual violence will also cause suffering for a wife, with the disappearance of sexual dysfunction and even the emergence of diseases in the female area. Even a child affected by domestic violence will not rule out the possibility of being introverted because he has fear inside him.

For this reason, it is necessary to have a method that aims to reduce the number of Domestic Violence (KDRT). In Islam, a process is explained in which a job can be recommended if the work is not done can bring harm or damage, namely Saddu Dzari'ah.

Saddud adz-dzari'ah is one way to seek or deceive Islamic law by preventing, prohibiting, or closing roads or wasilah. This action was originally permissible but became not permitted because it can cause damage or loss.

Jumhur Ulama considers the benefit and mafsadah factors in determining the law, and the basic guideline for using the Saddud adz-dzari'ah method is caution in doing charity when facing conflicts between maslahat and mafsadah (Nasrullah, 2021). It can be done if the benefit is more dominant, and if the Mafsadah is prevalent, it must be abandoned. However, if both are equally strong, then to be careful, you must follow the principles that apply, namely:

دَرَأِ الْمَفْسَادِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ

Meaning: "Refusing damage is more prioritized than attracting benefit (Ulama said in Rohmah, 2021)."

In essence, the Saddu Dzari'ah rule associates something useful with mafsadah. A person performs a task with benefits and is generally accepted, but the results are alarming. Saddu Dzari'ah means intermediary. The point is to prevent and suppress ways that seem passable but can trigger things that break the law.

Regarding language, Saddu Dzari'ah means closing the road or blocking the road to a destination. The goal is to complete the road that will cause damage per the

star's objective of enforcing the law of Mukallaf to gain profit and avoid harm. Another interpretation of Saddu Dzari'ah is an attempt by a mujtahid to prohibit a legal process that is generally permissible (Jannah & Afifulloh, 2021). The prohibition is intended to prevent prohibited acts or other actions. Take, for example, someone's activities that initially benefit but end up causing harm.

One of the rules of Saddu Dzari'ah is:

مَا تَكُونُ وَسِيلَةً وَطَرِيقًا إِلَى شَيْءٍ مَمْنُوعٍ شَرَعًا

Meaning: "Something that becomes an intermediary and a way to something forbidden in syara' (2019, عبد الله)."

The completed syara' aims to benefit the people and reject mafsadah. So we as a people are encouraged to do things that are not regulated by share. In this way, people can choose and do activities that bring benefits. In connection with actions that lead us to danger and evil, Muslims are prohibited from doing so

The division of the legal basis of Saddu Dzari'ah includes:

1. Al Qur'an

In the Qur'an, surah al-An'am, verse 108, means: "And do not curse those they worship besides Allah, because they will later curse Allah by transgressing without knowledge. Thus We make every people think well of their work. Then to their Lord they will return, and he will tell them what they used to do."

In the meaning of the verse above, insulting God or worshiping other religions is Saddu Dzari'ah which will lead to a prohibited interpretation, namely insulting God. Following the psychological theory of mechanism defense, a person whose God is offended is likely to reciprocate by insulting the God believed by the person who previously insulted him. For this reason, before the reply to the insults occurs, prohibiting insulting the gods of other religions closes the road to a goal (Saddu Dzari'ah).

2. As-Sunnah

From Abdullah bin Amr RA, Rasulullah SAW said, which means: "Included among the great sins of a man curses his parents." He was then asked, "How can a man curse his parents?" He replied, "A man abused another person's father, then the person who was insulted returned to berate the old man's father and mother (Amiruddin et al., 2022)."

Imam Syathibi used this hadith as a legal basis for the Saddu Dzari'ah. This hadith can be used to determine the law in the context of Saddu Dzari'ah.

3. Fiqh Rules

دَرْءُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ

which means: "Refusing damage is more prioritized than attracting benefit".

Based on the rules above, it can be seen that actions and words prohibited by the mukallaf sometimes cause harm without intermediaries, such as in cases of domestic violence (KDRT). It also sometimes doesn't express itself, but it becomes a storage space for something else, which can result in separation or divorce.

Sheikh Wahbah Az-Zuhaili quotes in the book *Al-Wajis* by Imam Ash-Syatibi, that the law taken by the Saddu Dzari'ah method is divided into four parts. Az-Zuhaili said;

قسّم الشاطبي الذرائع باعتبار ما لها وما يترتب عليها من ضرر أو مفسدة إلى أربعة أنواع

Meaning: "Imam Asy-Syatibi divides each medium, taking into account the impact that occurs afterwards and something that arises from it, in the form of danger and damage into four parts (Hidayati & Hidayatullah, 2021)."

The four divisions, according to Imam Ash-Syatibi, are:

1. every mubah work in taklifi law. However, if it ends in damage or danger for sure, then the law is unlawful.
2. Any permissible work that results in damage or potential for danger. However, the potential risk arising from it is infrequent, so the law is acceptable.
3. Any more dominant work has the potential for damage and danger. As well as being dominant according to prejudice that the impact is dangerous, the law is unlawful.
4. Any work that has dominated resulted in a breakdown or will occur in a damaged transaction.

Because there is no explicit agreement regarding whether or not the use of Saddu Dzari'ah is permissible, its use is to do charity carefully and avoid harm. Strengths and weaknesses, or good and bad factors, are then used to guide careful action. The technique of drafting rules is fundamental to finding practices closer to truth, goodness, and justice for life satisfaction in this world and the hereafter.

Before harm occurred in a family in the form of Domestic Violence (KDRT), the Director General (Dirjen) of Islamic community guidance came up with the Marriage Guidance Program (BINWIN).

Marriage guidance assists individuals in carrying out marriage and the household life in harmony with God's provisions and instructions to achieve happiness in this world and the hereafter. Advice has a preventive function, which is more like preventing something so that harm does not occur.

Holding this pre-marital marriage guidance is to assist the bride and groom prepare for marriage. The following are the objectives of marriage guidance:

1. So that the individual or the bride and groom have more mature preparation in facing their new life stage, namely household and family life.
2. So that the family and its members can solve their problems as well as possible to get satisfaction, peace, and happiness, both physically and mentally.
3. To provide provisions to the bride and groom, who will be able to understand the meaning of sacred marriage correctly.
4. To emphasize to the bride and groom understanding the purpose of marriage in Islam, namely to find peace in life and form a Muslim family.
5. To create physical and mental peace, one must be able to educate his family so that they become a family that is sakinah and religiously devout.

By closing roads that lead to damage (Saddu Dzari'ah), Marriage Guidance (BINWIN) is an effort to prevent Domestic Violence (KDRT) which will result in divorce in the household.

CONCLUSION

The conclusion that can be drawn from the discussion above is that divorce due to domestic violence (domestic violence) will impact the wife's psychological well-being, especially for the children. Because divorce is seen from the start as a form of action that, if done with consideration, can cause discussions about what is permissible and what is not. Second, it can be seen from the impact of divorce, which will break the relationship between the family of men and women. Third, judging from the degree of harm caused by the demonstration of separation, it brings specific losses because separation is a legitimate demonstration but is hated by Allah SWT. The Saddu Dzari'ah method can thus be used as the basis for a law implementing Marriage Guidance (BINWIN). This strategy is being careful to do good while dealing with conflicts between *maslahat* and *mafsadah*. Between reconciliation and divorce. Precautions must be taken because the chances of meeting the *mafsadah* are very high.

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