

ICQS Proceeding Conference
The International Conference on Quranic Studies
Ilmu al-Quran dan Tafsir, Fakultas Ushuluddin, IAIN Kudus

**The Relevance of the Dowry Ease Concept to Divorce Rates in Indonesia
(Study of Nusantara Interpretation in Mahar)**

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Abstrak

The high number of divorce cases in Indonesia should be of serious concern to many groups, both the government and society. This paper is to discuss the existence of the hadith concept of taysiru al-Sidaq (facilitation in dowry) which is misunderstood by some Muslims in Indonesia, which has an impact on the rise of divorce in Indonesia. Even though the Mufassirin Nusantara like Prof. Dr. Quraish Syihab and Buya Hamka always emphasized the urgency of the dowry as a measure of a man's stability before getting married. By using a qualitative-descriptive method the author describes the problem based on phenomenological data which seems to make marriage easier in Indonesia, while there is a concept that makes it difficult for marriage in Arabic. From these two concepts it can be concluded that the ideal dowry is 8 grams of gold according to Imam Maliki. Less than that, a man tends to underestimate women's affairs so that there are many divorce cases.

Keyword; Divorce, Taysiru al-Sidaq Hadith (ease of dowry), Interpretation of the nusantara.

Introduction

Everyone who is married certainly crave happiness. A happy household will bring extraordinary blessings from Allah in the form of sakinah (feeling of peace), mawaddah (love), warahmah (affection) (Adhim, 2019). With that happiness will also get the next generation who are good and obedient to Allah. Meanwhile, a messy household will disturb child psychologists (Elia Dayati, Anna Farida, 2018).

But the fact is not all marriages will go well. The household big dipper must be destroyed in the middle of the road due to many factors, including the factor of someone's ignorance in preparing for marriage, the factor of laziness in working for a man that causes the family's economy to fall apart, the factor of lack of good communication skills between spouses and high expectations in marriage. marriage (Bojonegoro, 2022). Of all the existing factors, it is the economic factor that is the biggest contributor to divorce in Indonesia.

It is interesting what Mohammad Ridwan Hakim explored in his thesis, from 4905 divorce cases in 2011, economic factors occupied 88.38% of other factors (Hakim, 2011). Divorce from economic factors actually doesn't have to happen if it can be controlled by the concept of giving the right dowry at the time of marriage. Unfortunately, many Muslim

societies prefer to make marriage easier. The important concept of being legal and avoiding adultery has become a trigger for the ease of marriage in Indonesia. The convenience of this marriage even extends to the provision of a makeshift dowry, not infrequently even with only a set of prayer tools (Nurcahyono, 2020).

It's true, the apostle once said to Muslim women in his hadith; apostle: *أَعْظَمُ النِّسَاءِ بَرَكَتَهُ أَيْسَرُهُنَّ مَوْنَةً* which means; women who receive the greatest blessings are women who find it easy to determine a dowry (Ibn Hambal, 2001). But that doesn't mean that the dowry here is quite cheap and is a tradition among all circles. Because if it becomes a tradition, people will think that getting married with only 100 thousand capital is enough. So after that the responsibility to provide a living is no longer a priority. This is the main factor that makes divorce in Indonesia so widespread from year to year.

Research that presents the facts of the relevance between marriage dowry and divorce cases has so far not been found by the authors. Mohammad Ridwan Hakim's article entitled "Divorce Due to Economic Factors" (Hakim, 2011), only questions economic factors which are the main focus without any legal basis for easy dowry in Indonesia. Meanwhile, Armansyah Matondang's article, "Factors Causing Divorce in Marriage", also only highlights the factors that led to divorce in Harapan Village, Kec. Land of Pinem Dairi

With the presence of this paper, it is hoped that it will become a new discourse that can be constructed by the author in order to bridge the concept of ease of marriage. This is considered important as an effort to fight against the concept of giving cheap dowry which has been institutionalized in society, without having to look down on the dowry given during marriage.

Method

This paper uses a qualitative-descriptive method by combining the concept of hadith *taysiru al-sidaq* with the phenomenon of divorce that often occurs in Indonesian society (Suyoto, 2546). By using this method the author can describe the phenomenon of divorce caused by a very low marriage dowry. When compared to regions that stipulate a high dowry for marriage, of course the cases that will occur are very different.

Discussion

Sidaq (Mahar/dowry)

Ibn Mandzur defines dowry from the word *al-mahru jama'nya muhuran*, from *mahara yamhuru mahran* (Ibn Mandzur, 2011). Dowry means a gift given at the time of marriage in the form of wealth or benefits. Shaykh Nawawi al-Bantani explained, dowry is the name of property that must be given by a prospective husband to a prospective wife by way of marriage or marriage (Nawawi al-Bantati, 1991). While al-Muthi'i in his *Majmu'i* said that dowry is a treasure that must be paid by a man to a woman. Al-Muthi'i himself denies the meaning of expediency in the form of services in dowries. If indeed there is still property that can be paid, then it is not permissible for a man to provide services only as a dowry.

The argument for the obligation of dowry in marriage has been regulated by the Qur'an in Surat Annisa' verse: 4;

وأتو النساء صدقاتهن نحلة

"Give the women you marry voluntarily their dowry" (QS: Annisa Verse: 4)

Also found in QS. Al-Baqarah: 237.

"And if you divorce them before you touch (interfere with), even though you have determined the Mahar, then (pay) half of what you have determined, unless they (free) or are released by the person whose marriage contract is in his hand. Liberation is closer to piety." (QS. Al-Baqarah: 237)

In one hadith also narrated by Aisyah: "If a woman marries without the permission of her guardian then her marriage is void, and she must obtain a dowry."

Mahar Concept in Interpretation of the Archipelago

a) The concept of Mahar in Tafsir al-Misbah

Quraish Syihab in interpreting QS. Al Baqarah 237 explains that one of the purposes of marriage is sex. If indeed sex does not occur, it means that a husband is obliged to give 1/2 of the dowry that has been promised at the time the marriage ceremony takes place. This is because there is no intercourse between husband and wife but there has been a divorce.

Maskawin itself is named by QS. Annisa:4 with (صدقات) the plural form of (صدقة) which is taken from the root which means "truth" because the dowry is followed by a promise, so the gift is proof of the truth of the promise. It can also be said that the dowry is not only a symbol of proving the truth, but also the husband's sincerity to marry and provide for the needs of his wife's life, but more than that, it is a symbol of a promise not to reveal the secrets of domestic life, especially the deepest secrets that cannot be opened by anyone. except her husband.

Therefore, if it is indeed a symbol of sincerity, of course it is very unfair if a husband only gives a dowry in the form of a set of prayer tools that costs only 100,000 Rupiah. This verse is also contrasted with (نحلة) which means expecting the slightest reward. It can also mean religion, way of life, so that the dowry that is given is proof of the husband's truthfulness and sincerity, which is given without expecting anything in return.

All scholars agree that there is no maximum limit on dowry (Ibnu Rusy, 2004). Likewise, al-Qur'thubi also agrees with Ibnur Rush. If there is no maximum limit, then the minimum limit is also unknown. Imam Ibn Taimiyah said in al-Iqna' fi Masa'il al-Ijma' 2/24, whoever has the breadth of fortune to give a dowry to his future wife, there is nothing wrong with him giving a lot.

Ibn Qudamah gave a fatwa in his book, a prospective husband may give the slightest dowry, even if he only has an iron ring, it may be given to the prospective wife as a dowry. This is based on the hadith of the apostle: *إلتمس ولو خاتما من حديد* touch your wife even by paying for an iron ring. However, some scholars' provide a minimum limit in dowry. Imam Maliki himself in his book al-Taj wa al-Iklil said, "a marriage is ruined if one gives a dowry that is less than 1/4 dinar or three dinars."

Referring to these words, if 1 dinar is 4.25 grams, then 4 dinars is equal to 21.25 grams of pure gold. If 1 gram is 600 thousand rupiah, it means that the minimum dowry is 21 million rupiah.

The Hanafi school provides a clear definition of dowry as something that must be obtained by a woman due to a marriage contract or intercourse. While the Maliki School defines, dowry is something that is given to a wife in exchange for intercourse with her (Dr. Wahbah al Zuhaily, 1998). The Shafi'i school itself provides criteria regarding dowry as everything that is imposed on the husband due to marriage, intercourse or loss of women's honor without power. Another is the Hanbali school of thought which mentions that dowry is pen4. Mahar haruslah memiliki sifat yang bukan sesuatu yang tidak jelas keadaannya, bentuk dan sifatnya seperti tidak disebutkan jenisnya atau menyerupai tipuan.

5. If the dowry is in the form of non-material, it is required that it can provide benefits and the ownership is known. If these two conditions are not met, then the mention of the dowry is invalid and it is obligatory for the prospective groom to provide a mithl dowry (the same dowry as his mother before)

Relevance of Dowry Ease to Divorce Rate

The high number of divorces according to data from the Ministry of Religion of the Republic of Indonesia in 2008 in the City of Jember, East Java, shows a significant number. 200,000 cases per 2 million married couples, every year there is a divorce (Arif et al., 2020). In 2009 there was an increase, 250,000 divorce cases were recorded at the Jember KUA. Meanwhile, in 2010 there were 285,189 divorce cases again. It seems that divorce in Indonesia, which is so widespread, should be of concern to all parties! Remembering that divorce is the seed in the destruction of the future generations of the nation. A good generation is usually educated from a good environment, as well as a bad generation will usually be educated from the destruction of their parents' household.

The latest data states, in 2017 divorce cases in Indonesia based on Ministry of Religion statistics there were 347 thousand divorce cases. It rose in 2018 with 408 thousand cases and in 2019 with 439 thousand and peaked in 2021 with 447 thousand cases (Rina, 2022).

Divorce is a culmination point of incompatibility between husband and wife in resolving problems that occur between the two parties, causing the breakup of their marital relationship (Decision et al., 2020). Currently, divorce in a marriage is no longer considered a disgrace or taboo in society. Lots of divorced married couples are found among artists, celebrities, scholars, intellectuals. Even though sometimes their marriage is only as old as corn.

The background is that many divorce cases are mostly caused by family economic problems. A husband who cannot provide for his family tends to have his family fall apart. Not infrequently a husband will be sued for divorce by his wife because he cannot provide a living well. The assumption that there is a relationship between dowry and economic principles can be drawn a common ground, if a husband gives a cheap dowry to his wife, it can be

concluded that the person is a poor person. If indeed the person is poor, it is common among them who are unable to provide for their family after they marry (Decision et al., 2020).

The dowry factor is one of the main triggers for the high rate of divorce in Indonesia. This is corroborated by the divorce cases in Java which are higher than outside Java. Data from the KUA Jember, East Java, states that the average dowry given by prospective husbands to their wives is only around 50,000-100,000. This factor later became one of the indications of the causes of many divorces in Indonesia. In fact, the minimum dowry limit explained by Imam Maliki is 10 Dirhams (Al-Zuhaili, 2010).

The reason for women in Indonesia for the ease of dowry is none other than just wanting to make it easier for someone who comes to propose to her. This also refers to the living hadith of the Prophet's ease of dowry (Qudsy, 2016): *أَعْظَمُ النِّسَاءِ بَرَكَهً أَيْسَرُهُنَّ مَنُوءَةً* (Ibn Hambal, 2001) which means: the noblest women who receive blessings are women with the least amount of dowry. This hadith then becomes the basic foundation of convenience in marriage. Indonesian women tend to be sincere with very little dowry.

However, this is inversely proportional to the phenomenon that occurs in Arab society which sets the average dowry with a minimum cancellation of 30 thousand riyals. Quoted from the official website: the high marriage dowry in Saudi Arabia has an impact on the number of single women to 2 million in 2016-2017. This is caused by the minimum dowry that a Saudi man must pay is 30,000-50,000 riyals or the equivalent of 135 million-225 million rupiahs, if the Saudi Real Crude is in the range of 4500 per riyal. If at least a Saudi man has to pay that much, what if he marries someone of a higher social stratum, of course the dowry paid must be even more.

It's not just Saudi who is experiencing problems like this, the United Arab Emirates has even more astonishing data. There are 70% of single women due to the impact of the high dowry of marriage. The minimum dowry set by Emirati women is \$66,000 or the equivalent of 250,000 riyals. As for the state of Kuwait, the requested dowry

the average Kuwaiti woman is 4000-10000 dinars or about 35000 dollars. If dirupikan 490,000,000. While in Egypt only 15,000-20,000 Egyptian Pounds. which is equivalent to 22-40 million rupiah.

The determination of such a large dowry is intended to maintain family harmony. Saumi's wife after marriage is very disgraceful if she still lives under the same roof with her parents. That's why if a prospective groom wants to get married, then he has to buy an apartment in the name of his wife. If an apartment flat is valued at 300-400 million, it is only natural that the dowry of Arab residents is very expensive.

This is very different from the phenomenon of marriage in Indonesia which allows a husband and wife to still live under the same roof with their parents. They don't have to buy a house while they can't afford it. Various family problems arise, such as accusations of the husband's inability to support his wife, the husband tends to be lazy to work, the husband depends on the wealth of his parents. That's why the aspect of determining the high dowry is

one of the absolute requirements in marriage. At least a wife would expect her dowry to be sold in the event of an early divorce.

The high dowry in the Middle East, although it has an impact on the singleness of thousands of women, but on the one hand, divorce in the Middle East is lower than what happened in Indonesia (Team Website Sayyidi, n.d.). On the official topsarabia.com website, it is stated that 10% of divorce cases in Al-Jazair occur from the number of marriages. This is very far from Indonesia's divorce data which reaches 36% annually (Hamid, 2020). While Saudi Arabia has 21% and Iraq 22%, Sudan 21%, Egypt 11%. We can conclude from this data, the scale of divorce in the Middle East is far less than Indonesia. This also shows that the level of ability of a man in the household is also determined by the marriage dowry.

This paper aims to describe the problems of divorce in Indonesia which are relatively high due to economic problems, one of which arises because of the easy dowry at the time of marriage. By taking the middle way between the concepts (taysirussidaq) of facilitating dowry and ta'siru al-sidah (making it difficult for dowry) it is hoped that this can unravel the existing problems. This is done by examining the hadith sidaq (dowry) historically, complete with the takhrij hadith and the humanistic aspects that are emphasized behind the hadith. This research is categorized as a qualitative literary research or also known as library research (library research) (Surahman, Mohammad Rochma, 2015). This type of research tends to use analytical language. The theoretical foundation of the research is highlighted based on field facts.

Takhrij Hadith Mahar

عَنِ النَّبِيِّ قَالَ: " أَعْظَمُ النِّسَاءِ بَرَكَتَةً أَيْسَرُهُنَّ مَثْوَنَةً

"In fact, the most honorable woman who gets blessings in marriage is the woman who asks for a little dowry."

This hadith is found in the book Ittihaf al-Khairati Bizawaidi al-Masanid al-Asyrah hadith number 4181. It is also found in the book Muaddah Auham al-Jam'i wa al-Tafriq lil Khatib hadith number: 296, also in the book Hulyatu al-Auliya Liabi Na'im number 2039.

Sanad Hadith: This Hadith was first narrated by Aisyah, Ummul Mu'minin who died in 57 H, then narrated by Qasim bin Muhammad bin Abi Bakr, a credible narrator who died in 106, then Isa bin Maimun bin Talidan. Unfortunately, the narrator's years of life and death are unknown. He was also categorized as an abandoned narrator. Hammad bin Salamah bin Dinar 167 H. is a credible narrator who died in 167 H. Then Yazin bin Harun bin Za'id 206 H. is a credible person. Lastly is Ahmad bin Yusuf bin Ahmad Khalad 359 H. who is also an honest person. Even though this hadith has one narrator who is indicated as not credible, all scholars agree that this hadith is authentic by looking at the other chains of sanad. Hadis Kedua Hadis Muwatta' Malik Nomer 8:

"الْتِمَسْ وَلَوْ خَاتَمًا مِنْ حَدِيدٍ"، فَالْتَمَسَ فَلَمْ يَجِدْ شَيْئًا، فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «هَلْ مَعَكَ مِنَ الْقُرْآنِ شَيْءٌ؟» فَقَالَ: نَعَمْ. مَعِيَ سُورَةٌ كَذَا وَسُورَةٌ كَذَا - لِسُورٍ سَمَّاهَا - فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «قَدْ أَنْكَحْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ»

"Touch your future wife even with an iron ring," said the Apostle. But a friend did not find anything in his house, the apostle asked again: "Do you have the Koran memorized?" "Yes, I have this and that letter," said the apostle, "I will marry you with what you have from the Koran. (Malik bin Anas, 1985)"

This hadith was narrated by a friend named Sahal bin Sa'id bin Malik who died in 88 H. Then it was continued by Salamah bin Dinar a tsiqqah (credible) narrator who died in 140 H. then continued by the hadith writer, Malik bin Anas. Hadith scholars consider this hadith to be authentic by looking at the credible narrators whose statements do not conflict with other hadiths.

However, for the understanding of simplifying dowry in the context of this hadith, it is not fully accepted immediately. This hadith is not a recommendation to simplify marriage. Moreover, assuming this is part of the sunnah, it is not necessarily wrong. The asbab wurud hadith is none other than because there is a friend who wants to marry a woman, but doesn't have anything in his house. Even up to the iron ring was also not found. At the discretion of the apostle, the friend then married another Muslim woman by reciting the Koran.

Another Hadith Rasulullah's Mahar to Khadijah RA. In the Book of Sirah Ibn Hisham (Ibnu Hisham, n.d.):

وَأَصْدَقَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - عِشْرِينَ بَكْرَةً، وَكَانَتْ أُولَى امْرَأَةٍ تَزَوَّجَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - وَلَمْ يَنْزُوجْ عَلَيْهَا غَيْرَهَا حَتَّى مَاتَتْ، رَضِيَ اللَّهُ عَنْهَا

"The Prophet gave Sayyidah Khadijah Kubra a dowry of 20 camels. She was the first woman the Apostle married. During his marriage to him, the apostle never doubled over him."

The description of the apostle's marriage from this hadith is not an ordinary marriage. He glorified his married wife with a very large and luxurious dowry. If one camel alone is valued at 70 million rupiah, then 20 camels means 1.4 billion rupiah. This hadith, in addition to showing respect for his wife, also shows that the apostle is a man who is ready to provide for his wife physically and spiritually.

The inability to provide a dowry has an impact on the instability of the family's economic wheel. Men who tend to give dowries as they are (which is important to be legal), also have indications that they are not yet fit to become a householder. If indeed he is worthy of marriage and provides a living physically and spiritually, of course the dowry he gives to his wife will also be more appropriate.

Another hadith is the Prophet's dowry to Sayyidah Aisyah (Muslim, n.d.)

كَانَ صَدَاقُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ؟ قَالَتْ: كَانَ صَدَاقُهُ لِأَزْوَاجِهِ ثِنْتَيْ عَشْرَةَ أُوقِيَّةً وَنَشَأَ. قَالَتْ: أَتَدْرِي مَا النَّشُ؟ قَالَ: قُلْتُ: لَا. قَالَتْ: نِصْفُ أُوقِيَّةٍ، فَتِلْكَ خَمْسُمِائَةِ دِرْهَمٍ، فَهَذَا صَدَاقُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِأَزْوَاجِهِ

In Sahih Muslim Hadith it is stated, Aisyah RA. When asked how much dowry the apostle gave to his wives he answered: 12 uqiyah and 1 Nasyh. 1 Nas is half uqiyah. That is, the dowry that the apostle gave to his wives was 500 dirhams. If one Dirham is 70,000 then the value of 500 dirhams is equivalent to 35 million rupiah. (Saheeh Muslim No: 1426)

Conclusion

From this paper it can be concluded that, historically the concept of taysirunnikah was actually to make it easier for some friends who could not marry sahabiyyat because they did not have enough wealth. so that with the ease of dowry it is hoped that these friends can get married without having to be burdened with burdensome dowry matters. Meanwhile, if the ease of dowry makes a man look down on marriage matters, because 100 thousand is enough to get married, of course this will destroy the existence of the marriage itself. This is because after marriage, the main pillar of the family is the man. If he deliberately takes the dowry for granted, what if it's a matter of supporting the family.

In addition to the concept of convenience in marriage, the apostle himself in matters of dowry did not take women lightly. He married his wives with very high dowries. Even if it is converted into rupiah now, the value of his dowry is more than billions of rupiah. This shows that the concept of easy dowry is not entirely good to be applied in the current context.

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