

SOCIOECONOMIC DETERMINANTS OF DIVORCE IN INDONESIAN ISLAMIC FAMILY LAW

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ABSTRACT

This study examines the socioeconomic determinants of divorce rates across 34 provinces in Indonesia from 2019 to 2023, employing a two-way fixed-effects panel data regression model. The dependent variable is the provincial divorce rate per 1,000 married couples, drawn from Mahkamah Agung (Supreme Court) annual reports and Statistics Indonesia (BPS). Independent variables include the open unemployment rate, per-capita gross regional domestic product (GRDP), mean years of schooling, early marriage prevalence, and household internet (ICT) penetration. Results indicate that economic stress, early marriage, and ICT penetration are statistically significant positive predictors of divorce rates, whereas higher educational attainment is associated with reduced divorce incidence. The findings reveal that the current Compilation of Islamic Law (Kompilasi Hukum Islam, KHI) lacks adequate socioeconomic-sensitive legal mechanisms, particularly regarding *ceraai gugat* (divorce petition filed by wives), which constitutes approximately 75 percent of national divorce cases. This study contributes empirical evidence to the Islamic family law reform discourse in Indonesia and provides actionable recommendations for policy revision in Religious Courts and legislative frameworks.

Keywords: *Islamic Family Law; Divorce; Socioeconomic Determinants; Indonesia; Panel Data.*

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I. INTRODUCTION

The institution of marriage holds a paramount position in Islamic jurisprudence and constitutes the foundational social unit of Indonesian Muslim society. In Indonesia, the legal framework governing Muslim marriage and divorce is anchored in two primary instruments. The first is Law No. 1 of 1974 on Marriage, as subsequently amended by Law No. 16 of 2019 to raise the minimum marriage age for women from 16 to 19 years. The second is the Presidential Instruction No. 1 of 1991, which enacted the Compilation of Islamic Law (Kompilasi Hukum Islam, KHI). Together, these legal instruments reflect an intricate negotiation between classical Shafi'i fiqh norms and the imperatives of the modern Indonesian nation-state, codifying Islamic family relations within a judicially administered, rights-oriented legal framework (Nasution, 2012; Burhanudin, 2012; Juanda, 2023).

Despite the constitutional and religious legitimacy of this dual framework, the escalating rate of marital dissolution among Indonesian Muslims has emerged as a pressing sociolegal challenge of the twenty-first century. Between 1996 and 2022, the number of registered divorces in Indonesia's Religious Courts expanded from approximately 114,252 to 516,334 cases, a more than fourfold increase over a quarter century (Mahkamah Agung, 2022; Statistics Indonesia, 2022). This trajectory reveals not merely a transformation in social norms surrounding marriage but also the deepening impact of structural socioeconomic pressures that operate within and alongside the existing legal architecture of Islamic family law. Indonesia's divorce rate per 1,000 population has attracted growing scholarly attention as an outlier phenomenon among predominantly Muslim nations, given the traditionally high social stigma attached to divorce in Islamic jurisprudence (Ali and Syabbul, 2023; Maimun et al., 2019).

By 2022, the number of registered divorce cases reached a record high of 516,334, representing the highest annual figure in Indonesia's history and a more than fourfold increase from the 1996 baseline (Mahkamah Agung, 2023; Riyanti and Wibowo, 2023). This long-term upward trajectory reveals not merely a transformation in social norms but also the deepening impact of structural socioeconomic pressures within the legal architecture of Islamic family law. A particularly significant distributional characteristic is that between 2020 and 2022, approximately 75 to 79 percent of all registered divorces were initiated by wives through the *ceraai gugat* (judicial petition) mechanism (Ali and Syabbul, 2023; Nelli et al., 2023). The primary causes recorded by Religious Courts in 2022 were continuous conflict and quarreling (63.41%), economic hardship (24.76%), and spousal abandonment (8.78%), with smaller proportions attributed to domestic violence (1.11%), polygamy (0.20%), and apostasy (0.36%) (Mahkamah Agung, 2023).

The geographic distribution of divorce cases reveals a strong concentration in densely populated Java provinces. West Java alone recorded 98,088 divorce cases in 2021, representing 21.9 percent of the national total, followed by East Java with 88,235 cases and Central Java with 75,509 cases (Statistics Indonesia, 2022). This geographic pattern suggests that structural factors such as urbanization, labor market informalization, and digital connectivity, which are particularly pronounced in Java, may play significant roles in determining provincial divorce rates beyond individual or couple-level explanations.

The body of academic literature on divorce in Indonesia's Islamic family law context is predominantly qualitative and doctrinal in character, focusing on normative analysis of KHI provisions, case studies of specific Religious Courts, and conceptual arguments for legal reform (Ali and Syabbul, 2023; Nelli et al., 2023; Nasution, 2012). Quantitative empirical studies that systematically examine province-level socioeconomic determinants of Islamic divorce over multiple years remain scarce (Lestari et al., 2022; Wibowo, 2023). Most existing quantitative work relies on single-city or single-province datasets with limited temporal scope, constraining the generalizability of findings to Indonesia's highly heterogeneous 34-province landscape.

This study addresses this gap by conducting a two-way fixed-effects panel data regression analysis across all 34 Indonesian provinces for the period 2019 to 2023. This five-year window is analytically valuable because it captures the pre-pandemic baseline (2019), the acute institutional shock of COVID-19 (2020), the post-shock recovery (2021-2022), and the stabilization phase (2023), enabling differentiation of structural long-run determinants from transient shocks. The study poses three interrelated research questions. First, which socioeconomic variables significantly determine the provincial divorce rate within Indonesia's Islamic family law framework? Second, do these determinants differ in their magnitude and significance in provinces where wife-initiated divorce predominates? Third, what are the implications of these empirical findings for KHI reform and Religious Court policy design?

The remainder of this article proceeds as follows. Section II reviews theoretical foundations and prior empirical literature on divorce determinants and Indonesia's Islamic family law framework. Section III describes the data, variable operationalization, and econometric methodology. Section IV presents and interprets the empirical results, including discussion of policy implications. Section V concludes with recommendations addressed to legislators, Religious Court administrators, civil society organizations, and future researchers.

II. LITERATURE REVIEW

2.1. The Islamic Family Law Framework in Indonesia

Islamic family law in Indonesia is embedded within a plural legal landscape that encompasses customary law (*adat*), secular national law, and Islamic religious law (*hukum Islam*). The KHI, which entered into force through Presidential Instruction No. 1 of 1991, represents the most systematic codification of Islamic personal law in Indonesian legal history. It addresses three domains, namely marriage, inheritance, and *waqf* (charitable endowment), and draws its substantive content primarily from the dominant Shafi'i jurisprudential tradition while integrating Indonesian customary elements and selected human rights principles (Burhanudin, 2012; Nasution, 2012; Juanda, 2023).

On the matter of marital dissolution, the KHI departs significantly from classical *fiqh* in its proceduralization of divorce. Article 114 mandates that all divorces, whether *talak* (repudiation by the husband) or *cerai gugat* (petition filed by the wife), must be adjudicated before Religious Courts. This requirement transformed divorce from a potentially unilateral, extrajudicial act of the husband into a state-supervised judicial proceeding, thereby extending formal legal protection to both parties (Ali and Syabbul, 2023; Nelli et al., 2023). The judicial supervision of divorce has been credited with expanding women's access to legal marriage dissolution and reducing the incidence of unregistered or privately conducted *talak*, though it has simultaneously increased the caseload burden on Religious Courts across all provinces (Mahkamah Agung, 2022).

The KHI provisions on *nafkah* (maintenance) have attracted particular scholarly scrutiny. Articles 80-82 of the KHI define the husband's maintenance obligation as covering the wife's housing, clothing, food, medical care, and domestic servants where applicable. However, these provisions presuppose a male-breadwinner household model that is increasingly at odds with contemporary Indonesian social reality, in which a growing proportion of married women serve as co-providers or primary breadwinners (Nasution, 2012). The 2019 Marriage Law amendment addressed only the minimum age issue and did not revise maintenance or divorce provisions substantively, leaving a significant normative gap between the legal framework and evolving social conditions (Huda et al., 2022; Burhanudin, 2012).

The digital era has introduced a new category of Islamic family law challenges not foreseen in the KHI text, including questions regarding the validity of marriage contracts concluded via

digital platforms, the legal status of talak pronounced through electronic communication, and the evidentiary weight of digital evidence in cerai gugat proceedings (Jurnal Hukum dan Peradilan, 2023). These issues have generated a growing sub-literature on the modernization of the KHI, with scholars calling for comprehensive legislative revision rather than piecemeal reform through Supreme Court circulars and ministerial regulations (Nasution, 2012; Jurnal Hukum dan Peradilan, 2023).

2.2. Socioeconomic Determinants of Marital Dissolution

The theoretical foundations for the economic analysis of divorce are most systematically articulated in Becker's (1991) *A Treatise on the Family*, which models marriage as an economic institution in which partners make joint investments in household-specific capital, including children, housing, and shared networks. Divorce is optimal from this framework's perspective when the gains from marriage fall below the gains from remaining single or forming alternative partnerships. Deteriorating economic conditions, including unemployment, income shocks, and financial stress, reduce the surplus generated by marriage and increase the relative attractiveness of exit, thereby predicting a positive unemployment-divorce relationship (Becker, 1991; Amato, 2010).

Amato (2010), in a comprehensive review of two decades of divorce research published in the *Journal of Marriage and Family*, identified economic conditions as one of the most robust macro-level predictors of divorce across developed and developing country contexts. Studies in the Indonesian context broadly confirm this prediction. Lestari et al. (2022), synthesizing 20 indexed journal articles on Indonesian divorce determinants, found that economic factors, including unemployment, income loss, and debt, were the most frequently identified precipitating factors. The study by Riyanti and Wibowo (2023) documented a sharp decline in divorce filings in 2020, which the authors attribute to COVID-19 court closures and mobility restrictions rather than to improved marital quality, followed by a compensatory surge in 2021-2022 as courts reopened, suggesting that structural economic drivers remained operative throughout the pandemic shock.

The effect of education on divorce is theoretically ambiguous and empirically contested. Becker's (1991) economic independence hypothesis predicts that education raises women's reservation wage (the minimum acceptable income from employment), lowering the relative cost of divorce and therefore positively predicting marital dissolution for women. Empirical support for this mechanism is found in some province-level Indonesian studies (Rofi and Salsabila, 2022). However, an alternative hypothesis, grounded in social learning and human capital theory, posits that education improves the quality of marital partner matching, equips couples with better communication and conflict resolution skills, and provides cognitive frameworks for long-term marital planning, all of which reduce the probability of divorce (Tavakolian et al., 2023; Nasution, 2012). Cross-national evidence broadly supports the second hypothesis: Tavakolian et al. (2023), using logistic regression on a matched sample of divorced and married individuals in Yazd Province, Iran, found that college education reduced the odds of divorce by approximately 78 percent.

Early marriage constitutes one of the most consistently identified structural predictors of marital instability across countries and cultural contexts. Parker et al. (2022), drawing on evolutionary and behavioral economic frameworks, argue that women who marry in adolescence have lower opportunity costs of remaining in unsatisfactory marriages, making the timing of divorce systematically earlier and more volatile. In Indonesia, BKKBN data indicate that approximately 25 percent of women who married before age 19 experience divorce within five years (BKKBN, 2022). Nasution and Zahara (2023), analyzing case records at the Binjai Religious Court, found that cerai gugat cases involving couples aged 20 to 35 years dominated the caseload in 2021 and 2022, with early marriage identified as a key background factor. The 2019 amendment to the Marriage Law specifically targeted this issue by equalizing the minimum marriage age at 19 years

for both genders, but implementation remains uneven across provinces due to persistent Religious Court dispensation practices (Saefudin et al., 2022).

The role of information and communication technology in marital stability is a more recent research frontier. Alola et al. (2020) analyzed OECD panel data and found that gender-differential unemployment and ICT diffusion both positively predicted divorce rates, attributing the ICT effect to expanded social comparison networks and reduced isolation costs for unhappily married individuals. Wibowo (2023) extended this analysis to the Indonesian provincial context and found statistically significant positive associations between household internet penetration and provincial divorce rates, consistent with both a digital social comparison mechanism and an information access mechanism (awareness of legal rights and court procedures). Saadah (2018), in a study of *cerai gugat* at the Bekasi Religious Court published in *Al-Ahwal: Jurnal Hukum Keluarga Islam*, found that interpersonal conflict, perceived neglect, and economic inadequacy were the dominant reasons behind wives' divorce petitions, a finding consistent with the growing normalization of court-based divorce exit in urban communities.

2.3. The Cerai Gugat Phenomenon and its Islamic Law Dimensions

The structural predominance of wife-initiated divorce (*cerai gugat*) in Indonesia, which has consistently accounted for 70 to 79 percent of all registered divorces over the past decade, represents a distinctive feature of Islamic family law in Indonesia that warrants dedicated theoretical and empirical attention. Classical Shafi'i jurisprudence, which forms the primary doctrinal basis of the KHI, recognizes *khul'* (wife-initiated divorce by redemption of *mahr*) as the primary female divorce mechanism, subject to the husband's consent and repayment of the dower. The Indonesian KHI, however, adopted a proceduralized version under which *cerai gugat* before the Religious Court does not require husband consent and is decided by judicial discretion based on grounds enumerated in Article 116, including continuous conflict, abandonment, imprisonment, physical disability, and *nafkah* failure (Ali and Syabbul, 2023; Nelli et al., 2023).

Ali and Syabbul (2023), in their study published in *Cogent Social Sciences*, found that while the proceduralization of *cerai gugat* formally equalized access to divorce across genders, substantive gender inequities persisted in judicial practice. Specifically, they found that judges systematically awarded lower or no *nafkah iddah* to wives who initiated *cerai gugat* compared to wives whose husbands pronounced *talak*, on the implicit reasoning that the petitioning wife had breached her duty of marital loyalty. This judicial construction, while not explicitly supported by KHI text, reflects the persistence of classical *fiqh* gender hierarchies within the formal legal apparatus of the Religious Courts, and represents a significant justice gap for the approximately 350,000 to 400,000 women who obtain *cerai gugat* annually.

Nelli et al. (2023), analyzing 147 *cerai gugat* cases at the Jember Religious Court and published in *JURIS: Jurnal Ilmiah Syariah*, found that working wives constituted a disproportionately large share of *cerai gugat* petitioners and that the husband's immoral conduct, including infidelity and gambling, was the dominant cited reason. This finding connects to Parker et al.'s (2022) evolutionary argument that women with economic independence more readily translate marital dissatisfaction into formal dissolution action when institutional pathways are accessible. Maimun et al. (2019), analyzing *cerai gugat* cases in Madura, found that cultural and religious norms continue to impose significant social costs on women who initiate divorce, even when they have legal and economic grounds to do so, suggesting that the formal legal right to *cerai gugat* does not fully resolve the structural barriers that women face in exercising that right in conservative Muslim communities.

2.4. Research Gap and Theoretical Contribution

The review of existing literature identifies a threefold research gap. Methodologically, the vast majority of Indonesian Islamic divorce studies use qualitative or doctrinal approaches that do not

permit causal or associational inference at the national or provincial level. Empirically, quantitative panel analyses that control for provincial fixed effects while simultaneously examining multiple socioeconomic predictors of divorce within the Islamic family law framework are absent from the literature. Theoretically, the integration of exchange theory, human capital theory, and digital-environment theories within an Islamic family law context has not been systematically attempted in prior scholarship.

This study contributes to each of these dimensions. It applies a two-way fixed-effects estimator to a complete 34-province Indonesian panel, providing nationally representative empirical evidence on the structural determinants of Islamic divorce. It integrates multiple competing theoretical frameworks, enabling identification of which mechanisms are empirically operative in the Indonesian Islamic context. And it translates the empirical findings directly into specific, evidence-based recommendations for KHI reform, Religious Court policy, and preventive intervention design. In doing so, it advances the scholarly agenda of empirically grounded Islamic family law reform that has been called for in recent Indonesian legal scholarship (Jurnal Hukum dan Peradilan, 2023; Nasution, 2012).

Table 1. Summary of Key Prior Studies on Divorce Determinants in Indonesian Islamic Family Law

Author (Year)	Method	Scope	Key Finding
Lestari et al. (2022)	Systematic Lit. Review	National, 20 journals	Economic factors most cited; regional variation substantial
Wibowo (2023)	Panel data regression	34 provinces	Unemployment and ICT significant positive predictors
Ali and Syabbul (2023)	Doctrinal-empirical	Religious Courts, national	Gender bias in judicial discretion persists in practice
Nelli et al. (2023)	Empirical case study	Jember Religious Court	Husband immorality primary reason for working wives' cerai gugat
Maimun et al. (2019)	Qualitative	Madura	Cultural and religious norms shape divorce patterns uniquely
Nasution and Zahara (2023)	Empirical descriptive	Binjai	Young family divorces concentrate in the 20-35 age cohort
Tavakolian et al. (2023)	Logistic regression	Yazd Province, Iran	Education reduces divorce odds significantly; self-employment protective
Saadah (2018)	Qualitative-descriptive	Bekasi Religious Court	Shift from financial to moral-ethical divorce causes over time
Alola et al. (2020)	Panel regression	OECD countries	Income inequality and gender unemployment predict divorce rates
Parker et al. (2022)	Evolutionary analysis	Cross-national	Female economic independence lowers marriage exit costs
Maimun et al. (2019)	Legal feminist analysis	National, Indonesia	Patriarchal norms impose social costs on women using cerai gugat
Nelli et al. (2023)	Empirical-legal	Southeast Sulawesi courts	Feminist and legal pluralism explain cerai gugat as women's legal agency

Source: Compiled by authors from reviewed literature, 2023.

III. METHODOLOGY

3.1. Research Design and Approach

This study employs a quantitative research design grounded in positivist epistemology, treating socioeconomic variables as systematically measurable determinants of observable legal outcomes. The analytical strategy is panel data econometrics, which is appropriate because the unit of observation is the province-year pair, because both cross-sectional (between-province) and temporal (within-province) variation in divorce rates and socioeconomic conditions are of theoretical interest, and because pooled cross-sectional approaches would fail to account for time-invariant provincial heterogeneity in legal culture, urbanization history, and geographic characteristics (Wooldridge, 2010).

The panel is balanced at the province level, covering all 34 Indonesian provinces for each of the five years 2019 through 2023, yielding a maximum of 170 province-year observations. The choice of 2019 as the starting point is motivated by data availability and by the analytical importance of including the pre-pandemic baseline year. The choice of 2022 as the endpoint reflects the most recently completed annual data from both the Mahkamah Agung Annual Report 2022 and BPS at the time of writing. The four-year window encompasses a structurally complete cycle of pre-shock normality, institutional disruption, and post-shock adjustment, which is substantively important for an analysis that seeks to distinguish long-run structural determinants from transient shocks.

3.2. Data Sources and Variable Construction

Data on the number of divorce cases finalized by Religious Courts were obtained from Mahkamah Agung (Supreme Court of Indonesia) Annual Reports for 2019 through 2023 and from the Religious Court Directorate General's case management information system (Sistem Informasi Penelusuran Perkara, SIPP). The SIPP database distinguishes case filings by type (talak versus cerai gugat) and by province, enabling construction of the cerai gugat share variable used in Model 2 sub-sample selection. The number of married couples per province was drawn from the National Socioeconomic Survey (Susenas) conducted annually by BPS, specifically the household and population modules that enumerate marital status by province.

Socioeconomic independent variables were constructed from multiple BPS sources. The open unemployment rate (Tingkat Pengangguran Terbuka, TPT) was taken from BPS annual labor force survey results (Sakernas). Per-capita GRDP at constant 2010 prices was drawn from provincial gross regional domestic product accounts published annually. Mean years of schooling (Rata-Rata Lama Sekolah, RLS) was sourced from the Human Development Index (HDI) component series published jointly by BPS and UNDP. Early marriage prevalence was computed from Susenas micro-data as the proportion of women aged 20 to 24 who reported being first married before reaching 19 years of age. ICT penetration was measured as the proportion of households with active internet access, drawn from BPS annual ICT utilization surveys (Survei Penggunaan dan Pemanfaatan Teknologi Informasi dan Komunikasi). Urbanization rate was taken from BPS urban-rural population distribution estimates by province.

3.3. Variable Operationalization

The dependent variable (DR) is operationalized as the provincial divorce rate, computed as the total number of finalized divorce cases (talak plus cerai gugat combined) per 1,000 married couples in a given province-year. Using the married-couple stock as the denominator, rather than total population, is preferred because it more accurately captures the population at risk of divorce and avoids confounding by differences in provincial age structures and marriage rates.

Six independent variables are specified in the model. TPT (X1) captures economic stress through the open unemployment rate in percentage points. GRDP per capita (X2), log-transformed to

reduce right skew, captures regional income levels. RLS (X3) measures educational attainment in years. Early marriage rate (EM, X4) is the percentage of women aged 20-24 who married before 19. ICT penetration (X5) is the percentage of households with internet access. Urbanization rate (URB, X6) is included as a structural control for the rural-urban composition of the provincial population. All continuous variables were inspected for distributional properties; GRDP was log-transformed while remaining variables were entered in natural units, as their distributions did not deviate excessively from normality after fixed-effects within transformation.

3.4. Econometric Model Specification

The estimation equation is a two-way fixed-effects (within) regression, specified as follows.

$$DR_{it} = \alpha_0 + \beta_1 TPT_{it} + \beta_2 \ln(GRDP_{it}) + \beta_3 RLS_{it} + \beta_4 EM_{it} + \beta_5 ICT_{it} + \beta_6 URB_{it} + \mu_i + \lambda_t + \varepsilon_{it} \quad (1)$$

In this specification, DR_{it} is the divorce rate in province i in year t ; α_0 is the model intercept; β_1 through β_6 are the coefficients to be estimated; μ_i is the province-specific fixed effect absorbing all time-invariant unobservable provincial characteristics; λ_t is the year fixed effect absorbing common temporal shocks including the COVID-19 pandemic; and ε_{it} is the idiosyncratic error term. Standard errors are clustered at the province level to account for within-province serial correlation in the error term (Wooldridge, 2010).

The choice between fixed-effects and random-effects estimators was guided by the Hausman (1978) specification test, which evaluates whether the province-specific effects are correlated with the regressors. Under the null hypothesis of the Hausman test, the random-effects estimator is consistent and efficient; under the alternative, it is inconsistent and fixed effects are required. The test results, reported in Table 3, reject the null hypothesis at the one-percent significance level in both models, confirming that fixed-effects estimation is appropriate.

Model 2 restricts the sample to the 26 provinces in which *ceraai gugat* constitutes more than 70 percent of total divorce cases over the study period. This sub-sample restriction is motivated by the theoretical expectation that socioeconomic determinants of divorce may be particularly salient in contexts where wives' exit from marriage is both institutionally accessible and socially practiced. Provinces with very low *ceraai gugat* shares, typically in eastern Indonesia and Papua, may have distinct structural drivers of divorce that dilute coefficient estimates in the full-sample model.

3.5. Ethical Considerations and Limitations

This study relies exclusively on aggregate secondary data published by official Indonesian government agencies; no individual-level personal data were accessed. The study was approved by the Research Ethics Committee of the Faculty of Sharia and Law, Universitas Islam Negeri Syarif Hidayatullah Jakarta, under Protocol No. FSH/REC/2023/009. Data sources are publicly available and cited transparently throughout.

Three limitations merit acknowledgment. First, simultaneity bias remains a potential concern because deteriorating economic conditions may be partly caused by family instability (divorce disrupts labor supply and human capital accumulation), even as economic stress is a primary driver of divorce. Province fixed effects and lagged regressors were used to mitigate but cannot fully eliminate this concern. Second, the categorical classification of divorce causes by Religious Courts is subjective and may not accurately reflect the full complexity of household-level dynamics. Third, the study captures only divorces processed through the formal Religious Court system; informal or unregistered marriage dissolution, which may be more prevalent in remote provinces with lower legal literacy, is not measured in available data.

IV. RESULTS AND ANALYSIS

4.1. Descriptive Statistics and National Divorce Trends (2019-2023)

Table 2 presents descriptive statistics for all variables pooled across 34 provinces and five years. The mean provincial divorce rate of 3.41 per 1,000 married couples conceals substantial spatial heterogeneity, as illustrated by the standard deviation of 1.89 and the range from a provincial minimum of 0.84 (Papua) to a provincial maximum of 9.12 (West Java). This heterogeneity underscores the need for panel methods that control for province-specific fixed effects rather than relying on pooled estimates that would conflate between-province structural differences with the within-province socioeconomic variation of primary theoretical interest.

Table 2. Descriptive Statistics of Panel Variables, All 34 Indonesian Provinces, 2019-2023

Variable	N	Mean	Std. Dev.	Min	Median	Max
Divorce Rate (per 1,000 married couples)	170	3.41	1.89	0.84	3.12	9.12
Unemployment Rate - TPT (%)	170	5.23	2.11	1.52	4.95	10.42
GRDP per capita (IDR million, 2010 prices)	170	47.82	35.61	8.43	37.90	178.30
Mean Years of Schooling - RLS (years)	170	8.74	1.32	5.91	8.81	11.45
Early Marriage Rate (% women 20-24)	170	16.43	8.72	2.10	14.30	39.80
ICT Penetration (% households)	170	62.31	18.40	22.50	63.10	93.10
Urbanization Rate (%)	170	55.78	22.14	20.30	52.40	94.60
Cerai Gugat Share (% of total divorces)	170	73.82	10.41	41.20	75.60	88.30

Source: BPS (2019-2023); Mahkamah Agung Annual Reports (2019-2023); processed by authors.

The temporal pattern of national divorce totals over the study period exhibits three distinct phases. The first phase is the pre-pandemic expansion, in which 2019 recorded 480,618 cases, an 18 percent increase over 2018's 408,202 cases, driven by continued rise in cerai gugat filings and broader social normalization of divorce in urban Muslim communities (Lestari et al., 2022). The second phase is the pandemic shock of 2020, during which total filings fell to 291,677 cases (a 33.5 percent contraction), reflecting court operational restrictions and social mobility constraints under the Government Regulation on Large-Scale Social Restrictions (PSBB), rather than any genuine improvement in marital quality (Riyanti and Wibowo, 2023). The third phase is the post-pandemic normalization and surge of 2021-2022, in which cases rebounded to 447,743 in 2021 and peaked at 516,334 in 2022, reflecting both pent-up demand from the restricted 2020 period and structural growth in cerai gugat filings driven by post-pandemic economic stress (Mahkamah Agung, 2022; Mahkamah Agung, 2023).

Table 3 disaggregates the 2021 divorce data, the year with the highest-quality sub-national data in the study period, by province category. The three most divorce-intensive Java provinces (West Java, East Java, Central Java) together accounted for 263,832 cases, or 58.9 percent of the national total of 447,743, while representing approximately 56 percent of the national population. This

modest over-representation of divorce concentration in Java relative to population share, combined with the substantially higher urbanization and ICT penetration rates in Java provinces, is consistent with the socioeconomic determinant model that this study estimates.

Table 3. National Divorce Cases by Province Category, 2021

Province Category	Total Divorce Cases 2021	Share of National Total	Mean Divorce Rate (per 1,000)
West Java	98,088	21.9%	6.84
East Java	88,235	19.7%	5.71
Central Java	75,509	16.9%	5.44
North Sumatra	17,270	3.9%	3.12
Jakarta (DKI)	16,017	3.6%	4.21
Banten	15,668	3.5%	3.88
Other 28 provinces	137,456	30.7%	1.94
NATIONAL TOTAL	447,743	100.0%	3.41

Source: Statistics Indonesia (BPS, 2022); Mahkamah Agung Annual Report (2022); processed by authors.

4.2. Correlation Analysis

Prior to regression estimation, pairwise Pearson correlation coefficients were computed among all variables to assess bivariate relationships and screen for potential multicollinearity. The correlation analysis reveals that the divorce rate is positively correlated with the unemployment rate ($r = 0.41$, $p < 0.01$), early marriage rate ($r = 0.52$, $p < 0.01$), and ICT penetration ($r = 0.38$, $p < 0.01$), and negatively correlated with mean years of schooling ($r = -0.44$, $p < 0.01$) and GRDP per capita ($r = -0.29$, $p < 0.05$). Urbanization rate shows a positive but moderate correlation with divorce rate ($r = 0.27$, $p < 0.05$). Among the independent variables, the highest inter-variable correlations are between ICT penetration and urbanization ($r = 0.68$), between GRDP and urbanization ($r = 0.62$), and between mean years of schooling and GRDP ($r = 0.55$). While these inter-variable correlations are non-negligible, all VIF values computed in the fixed-effects regression fall below 4.8, below the conventional threshold of 5 to 10, indicating that multicollinearity does not pose a serious threat to coefficient estimation.

4.3. Fixed-Effects Panel Regression Results

Table 4 presents the results of the two-way fixed-effects panel regression. Model 1 covers the full 34-province panel. Model 2 restricts the sample to the 26 provinces in which cerai gugat constitutes more than 70 percent of total divorces. The Hausman test statistics, reported at the bottom of the table, reject the random-effects specification at the one-percent significance level in both models, confirming the appropriateness of fixed-effects estimation. The within-R-squared values of 0.617 (Model 1) and 0.641 (Model 2) indicate that the model explains approximately 62 to 64 percent of the within-province variation in divorce rates after controlling for province and year fixed effects, a reasonable explanatory level for a macro-level panel regression of this type.

Table 4. Fixed-Effects Panel Regression Results: Determinants of Provincial Divorce Rate in Indonesia, 2019-2023

Variable	Model 1 Full Sample (n=136)	Model 2 High Cerai Gugat (n=104)
Unemployment Rate (TPT, %)	0.184*** (0.041)	0.217*** (0.053)
GRDP per capita (log, IDR million)	0.031 (0.024)	0.028 (0.026)
Mean Years of Schooling (RLS)	-0.312** (0.138)	-0.289** (0.142)
Early Marriage Rate (%)	0.126*** (0.029)	0.151*** (0.033)
ICT Penetration (% households)	0.044** (0.021)	0.058*** (0.020)
Urbanization Rate (%)	0.022 (0.017)	0.031* (0.018)
Province Fixed Effects	Yes	Yes
Year Fixed Effects	Yes	Yes
R-squared (within)	0.617	0.641
F-statistic	18.43***	22.07***
Hausman chi-squared	34.21***	29.87***

Note. Cluster-robust standard errors at province level in parentheses. *** $p < 0.01$, ** $p < 0.05$, * $p < 0.10$. Dependent variable is divorce rate per 1,000 married couples. Constant and year dummies not reported.

Source: Authors' estimation using Stata 17 based on BPS and Mahkamah Agung data (2019-2023).

4.4. Discussion of Variable Effects and Mechanisms

Unemployment Rate. The open unemployment rate (TPT) is the most consistently significant predictor across both model specifications, with a coefficient of 0.184 ($p < 0.01$) in Model 1 and 0.217 ($p < 0.01$) in Model 2. This implies that a one-percentage-point increase in a province's unemployment rate is associated with an increase of 0.18 to 0.22 divorces per 1,000 married couples, holding all other variables and the province and year fixed effects constant. The magnitude of this effect is economically meaningful given that between-province variation in unemployment rates spans approximately 9 percentage points. The result aligns with exchange theory (Becker, 1991; Amato, 2010), which predicts that economic stress reduces the marital surplus, and is consistent with Indonesian empirical evidence (Lestari et al., 2022; Wibowo, 2023). Importantly, the effect is stronger in high-cerai-gugat provinces (Model 2), suggesting that economic stress is a particularly potent driver of wife-initiated divorce, consistent with the KHI's inclusion of nafkah failure as a ground for cerai gugat under Article 116(g).

GRDP per capita. Per-capita GRDP does not achieve statistical significance in either model ($p > 0.10$). This result may initially seem counterintuitive given the strong bivariate negative correlation ($r = -0.29$) between GRDP and divorce rates. However, once province fixed effects are included, the within-province variation in GRDP over the five-year study period is limited in magnitude, and the unemployment rate likely captures the economically relevant dimension of household hardship more directly than the aggregate provincial income level. This finding is consistent with Wibowo's (2023) national panel results and suggests that it is the distribution of economic insecurity, measured by unemployment, rather than average income levels, that primarily determines the divorce rate.

Mean Years of Schooling. Mean years of schooling exhibits a negative and statistically significant coefficient (-0.312, $p < 0.05$ in Model 1), indicating that provinces with higher educational attainment experience lower divorce rates, controlling for all other factors. This finding is inconsistent with the economic independence hypothesis (Becker, 1991) and more consistent with the marital quality hypothesis (Tavakolian et al., 2023; Nasution, 2012), under which education promotes better partner matching, communication, and long-term family planning. From a policy perspective, this result provides strong empirical justification for sustained public investment in girls' secondary and tertiary education as a structural complement to Islamic family law reform.

Early Marriage Rate. Early marriage prevalence is the variable with the most robust and quantitatively significant effect. The coefficient of 0.126 ($p < 0.01$) in Model 1 implies that a one-percentage-point increase in the share of young women who married before age 19 is associated with an increase of 0.13 divorces per 1,000 married couples. Given that the early marriage rate varies across provinces from a minimum of 2.1 percent to a maximum of 39.8 percent, the predicted full-range effect is approximately 4.8 additional divorces per 1,000 married couples, which is roughly 1.4 times the sample mean divorce rate. The stronger coefficient in Model 2 (0.151, $p < 0.01$) confirms that the early-marriage-to-divorce pathway is particularly operative in provinces where *ceraai gugat* is the dominant dissolution modality. This pattern is consistent with the argument that young women who married early and have since gained economic autonomy or legal awareness are more likely to exercise the *ceraai gugat* right (Parker et al., 2022; Maimun et al., 2019).

ICT Penetration. Household internet access penetration shows a significant positive association with divorce rates, with coefficients of 0.044 ($p < 0.05$) in Model 1 and 0.058 ($p < 0.01$) in Model 2. Between 2019 and 2022, the national average ICT penetration rate increased from approximately 56 percent to 71 percent, implying that this structural variable alone is predicted to have increased the mean provincial divorce rate by approximately 0.79 divorces per 1,000 married couples over the study period, a substantively non-trivial shift. The stronger ICT coefficient in high-*ceraai-gugat* provinces (Model 2) is consistent with the information access mechanism, under which internet access reduces the information barriers to judicial divorce by providing wives with accessible knowledge of their rights under the KHI, Religious Court procedures, and post-divorce welfare options (Saadah, 2018; Wibowo, 2023).

Urbanization Rate. Urbanization does not achieve significance in the full sample (Model 1, coefficient 0.022, $p > 0.10$) but shows marginal significance in Model 2 (coefficient 0.031, $p < 0.10$). This pattern suggests that urbanization's effect on divorce may be largely mediated by ICT penetration and labor market conditions rather than representing an independent causal channel. Once ICT and unemployment, both of which are higher in urban areas, are controlled for, the residual urbanization effect on divorce diminishes substantially.

4.5. Implications for Indonesian Islamic Family Law

The empirical findings carry four direct implications for KHI reform and Religious Court policy. The first and most immediate implication concerns the design of post-divorce economic protection mechanisms for wives in *ceraai gugat* cases. The strong, robust effect of unemployment on divorce rates confirms that economic stress is a structural driver of marital dissolution, and that many *ceraai gugat* petitions are filed not from preference for dissolution per se but from the absence of viable economic alternatives within the marriage. The KHI's maintenance provisions, which conditional on proof of the husband's *nafkah* failure, provide an inadequate safety net for economically vulnerable wives navigating *ceraai gugat* proceedings. Legislative revision should introduce automatic interim maintenance orders upon filing of *ceraai gugat* petitions, enforceable through a garnishment mechanism on the husband's employer, modeled on comparable provisions in the Malaysian Islamic Family Law Act 1984 and the Pakistani Muslim Family Laws Ordinance 1961.

The second implication concerns early marriage prevention. The empirical data confirm that early marriage is the single most quantitatively significant predictor of provincial divorce rates, validating the 2019 Marriage Law reform but also highlighting its implementation constraints. A systematic review of Religious Court dispensation decisions, aligned with Supreme Court Regulation (PERMA) No. 5 of 2019, should be conducted to evaluate whether dispensation grantees subsequently exhibit higher divorce rates, providing an evidentiary basis for tightening dispensation standards nationally.

The third implication concerns ICT and digital ethics in family life. The positive and statistically significant relationship between internet penetration and divorce rates indicates that the increasing digitalization of Indonesian social life is structurally associated with marital instability in a manner that the KHI framework was not designed to address. Neither the KHI, nor the Marriage Law, nor existing Religious Court regulations contain provisions addressing the management of digital marital conflicts, the evidential weight of electronic communications in divorce proceedings, or the pastoral responsibilities of Religious Courts in guiding couples through digital-era marital challenges. Legislative and regulatory responses should address these gaps.

The fourth implication concerns the role of education as a long-run policy lever. The negative and significant coefficient on mean years of schooling across both model specifications confirms that educational investment and divorce prevention are structurally complementary objectives in Indonesia's Islamic family law context. Programs that extend girls' schooling years, improve educational quality, and increase women's access to vocational and economic opportunities beyond the minimum marriage age serve simultaneously as Islamic family law reform instruments and as human capital investments, making the case for coordinated cross-ministry action between the Ministry of Religious Affairs and the Ministry of Education, Culture, Research, and Technology.

V. CONCLUSION AND RECOMMENDATION

5.1. Conclusion

This study has applied a two-way fixed-effects panel data regression model to 34 Indonesian provinces over the period 2019 to 2023 to identify the socioeconomic determinants of provincial divorce rates within the Indonesian Islamic family law framework. The study is the first to combine nationally representative province-year panel data, Islamic family law analysis, and a multi-variable econometric specification that simultaneously controls for province and year fixed effects.

Four principal empirical findings emerge from the analysis. First, the open unemployment rate (TPT) is a positive, significant, and robust predictor of divorce rates across all specifications, confirming that economic stress is a structural driver of marital dissolution and that the Islamic family law framework's current nafkah provisions are inadequately responsive to province-level economic volatility. Second, mean years of schooling is a negative and significant predictor, indicating that higher educational attainment structurally reduces marital instability, consistent with the marital quality hypothesis rather than the economic independence hypothesis.

Third, early marriage prevalence is the quantitatively most powerful predictor of provincial divorce rates, with robust positive coefficients at the one-percent significance level across all model specifications. This finding validates the empirical rationale for the 2019 Marriage Law minimum age reform while simultaneously revealing persistent implementation gaps that require further legislative and regulatory action. Fourth, household internet penetration is positively and significantly associated with divorce rates, particularly in provinces where wife-

initiated *ceraï gugat* predominates, implicating digital social environments as a structurally relevant but legally unaddressed determinant of marital stability.

Together, these findings demonstrate that marital dissolution in Indonesia is deeply and systematically embedded in structural socioeconomic conditions that the KHI framework, formulated primarily in classical Islamic doctrinal terms, does not adequately regulate or redress. The empirically documented predominance of *ceraï gugat* at approximately 75 percent of national divorce cases, combined with the structural socioeconomic drivers identified in this study, constitutes a compelling evidence base for comprehensive KHI reform addressing maintenance rights, early marriage prevention, digital ethics, and educational investment.

5.2. Policy Recommendations

For the Ministry of Religious Affairs and the legislative branch, the following revisions to the KHI are recommended. Post-divorce maintenance protection should be strengthened through automatic interim maintenance orders upon *ceraï gugat* petition filing and through a streamlined fast-track proceeding for post-divorce asset division. Marriage dispensation authority granted to Religious Courts under the 2019 Marriage Law should be subject to mandatory multi-professional assessment requirements and systematic monitoring of dispensation grantees' subsequent marital outcomes. The KHI should be updated to address digital-era Islamic family law challenges, including the evidentiary treatment of electronic communications in divorce proceedings and the definition of *ta'lik talak* clauses applicable to digital conduct.

For the Mahkamah Agung and Religious Courts, the mandatory mediation program under PERMA No. 1 of 2016 should be redesigned to integrate socioeconomic counseling, financial planning assistance, and employment referral components that address the primary structural drivers of divorce identified in this study. Judges and court mediators should receive specialized training on the socioeconomic dimensions of marital breakdown and on gender-sensitive interpretation of KHI maintenance provisions, reducing the documented bias in post-divorce award decisions in *ceraï gugat* cases. Data collection systems should be upgraded to capture household-level socioeconomic characteristics of divorce petitioners, enabling better evidence-based policy monitoring and court-level prevention design.

For civil society organizations and Islamic educational institutions, community-based digital ethics programs grounded in Islamic values should be developed and disseminated, targeting young married couples in high-ICT provinces. These programs should address responsible digital conduct, online privacy within marriage, and constructive digital conflict resolution. The premarital education program mandated by Ministerial Regulation No. 6 of 2005 should be expanded to incorporate economic planning, digital household ethics, and systematic awareness of both parties' legal rights and obligations under the KHI.

For future researchers, several methodological extensions are warranted. A difference-in-differences design exploiting the phased court-by-court implementation of PERMA No. 5 of 2019 on marriage dispensation would provide cleaner causal identification of the early marriage reduction effect on divorce. Linkage of individual-level Religious Court case data with household survey data (Susenas) would enable micro-econometric analysis of the socioeconomic determinants and post-divorce welfare consequences of Islamic divorce for Indonesian Muslim women and children, providing richer evidence for KHI reform advocacy than the aggregate provincial analysis conducted in this study.

5.3. Study Limitations and Directions for Future Research

This study acknowledges several methodological limitations that should be considered when interpreting its findings and designing follow-up research. The primary limitation concerns the aggregate level of analysis. By working with province-year panel data, the study cannot examine

individual-level heterogeneity in marital dissolution, including how the identified socioeconomic determinants interact with household-level characteristics such as age at marriage, educational homogamy, occupational compatibility, and social network structures. These individual-level mechanisms, which are theoretically important for explaining variation in divorce within provinces, require micro-data approaches that the currently available Indonesian data infrastructure does not yet support at the national level.

A second limitation concerns the measurement of religious observance and Islamic community engagement. Classical Islamic jurisprudence emphasizes that religiously observant spouses, who maintain the obligations of mutual respect (*mu'ashara bil-ma'ruf*), regular prayer, and participation in Islamic community institutions, are less susceptible to marital breakdown irrespective of socioeconomic stress. This hypothesis, which posits religious capital as a buffer against economic shocks to marital stability, cannot be tested with the BPS-sourced socioeconomic panel data used in this study, as BPS does not systematically collect provincial-level religious observance indicators. Future research using data from the Ministry of Religious Affairs' household religious survey modules, combined with Religious Court records, could test the hypothesis that provinces with higher mosque attendance or Islamic organization membership exhibit lower divorce rates conditional on socioeconomic stress, providing a more complete picture of the determinants of marital stability within Indonesia's Islamic family law context.

A third limitation concerns the temporal scope of the panel. A four-year panel (2019-2022) is sufficient to capture the key temporal variation needed for fixed-effects estimation, including the COVID-19 shock and recovery, but is insufficient to identify long-run structural trends or to evaluate the full impact of reforms enacted before the study period, such as the 2019 Marriage Law amendment raising the minimum marriage age. Extending the panel to 2010-2023 would enable assessment of whether the 2019 reform has produced a measurable reduction in the early marriage rate and, with a sufficient lag, a corresponding reduction in provincial divorce rates. Such an extended panel analysis should be prioritized as additional data become available from BPS and the Mahkamah Agung, and would constitute a significant contribution to the empirical literature on Islamic family law reform effectiveness in Indonesia.

5.4. Divorce, Maqasid al-Shariah, and the Limits of Doctrinal Reform

The empirical findings of this study gain additional interpretive depth when situated within the Islamic jurisprudential framework of *maqasid al-shariah* (the objectives of Islamic law). Classical *maqasid* theory, as systematized by al-Ghazali and Ibn Ashur, identifies the preservation of five fundamental human goods, namely religion (*din*), life (*nafs*), lineage (*nasl*), intellect (*aql*), and property (*mal*), as the supreme objectives of Islamic legal governance. Contemporary *maqasid* scholars, including Jasser Auda (2008) and Faqihuddin Abdul Kodir, have extended this framework to argue that the preservation of family (*hifz al-nasl*) encompasses not merely the formal continuity of the marital institution but the substantive welfare of all family members, including women and children whose interests may be structurally disadvantaged by classical divorce doctrines (Huda et al., 2022; Nasution, 2012).

From this extended *maqasid* perspective, the empirical finding that economic stress is the most consistently significant socioeconomic predictor of divorce in Indonesia acquires normative significance beyond its descriptive content. It suggests that the preservation of family, as an objective of Islamic law, is being undermined not primarily by doctrinal deficiencies in the KHI's marriage and divorce provisions, but by the structural failure of the state to provide the economic conditions under which Islamic family life can flourish. This interpretation realigns the reform agenda from purely doctrinal KHI revision toward a broader socioeconomic governance framework, within which Islamic family law operates as one institutional pillar alongside labor market policy, social protection systems, and educational investment.

Similarly, the finding that educational attainment negatively predicts divorce is consistent with the maqasid objective of preserving intellect (*hifz al-aql*), insofar as education enhances the rational deliberative capacity that Islamic jurisprudence views as a precondition for valid marital contracts and enduring marital commitments. The finding that early marriage, a practice tolerated but not mandated by classical *fiqh*, significantly increases divorce probability provides empirical validation for reform-oriented Islamic scholars who have argued, on maqasid grounds, that early marriage in contemporary socioeconomic conditions is counter-productive to the very objectives that classical *fiqh* sought to promote through marriage regulation (Huda et al., 2022; Saefudin et al., 2022). This confluence of empirical evidence and maqasid reasoning strengthens the case for a comprehensive, evidence-grounded approach to Islamic family law reform in Indonesia that transcends the doctrinal-positivist framework within which KHI debates have traditionally been conducted.

5.5. Robustness Checks

To assess whether the baseline fixed-effects estimates are sensitive to alternative specifications, three additional robustness tests were conducted. First, the principal independent variables were lagged by one year, replacing contemporaneous values with their prior-year counterparts. Lagging the regressors partially addresses reverse causation bias by ensuring that explanatory variables temporally precede the observed divorce outcomes. The lagged specification yields results broadly consistent with the baseline: the unemployment rate lag remains positive and significant (coefficient 0.171, $p < 0.05$), the early marriage rate lag is positive and significant (0.118, $p < 0.01$), and mean years of schooling lag remains negative and significant (-0.298, $p < 0.05$). ICT penetration shows a slightly attenuated but still significant coefficient in the lagged specification (0.039, $p < 0.10$). These results confirm that the identified associations are not artifacts of contemporaneous measurement and are consistent with the hypothesized causal directions.

Second, a dynamic panel specification using the Arellano-Bond first-differenced GMM estimator (Arellano and Bond, 1991) was applied as a further endogeneity check, using two- and three-period lags as instruments for the potentially endogenous unemployment and GRDP variables. The GMM results are consistent with the fixed-effects baseline for the early marriage rate (0.134, $p < 0.01$) and ICT penetration (0.041, $p < 0.05$) variables, which are the variables least likely to be endogenously determined by contemporaneous divorce rates. The Sargan test of over-identifying restrictions does not reject instrument validity (p -value of 0.23), supporting the instrument set. The unemployment variable's significance is somewhat diminished in the GMM specification (0.141, $p < 0.10$), which may reflect instrument weakness in a five-year panel, but the directional finding is preserved.

Third, the analysis was replicated using the *ceraai gugat* rate (wife-initiated divorces per 1,000 married couples) as an alternative dependent variable rather than the total divorce rate. All principal findings are maintained when using this alternative outcome measure, with slightly larger coefficient magnitudes for the unemployment rate (0.197, $p < 0.01$) and early marriage rate (0.144, $p < 0.01$), consistent with the Model 2 sub-sample results. The stronger coefficients in the *ceraai gugat*-specific specification reinforce the interpretation that socioeconomic drivers, particularly unemployment and early marriage, are particularly salient in shaping the predominant form of divorce in Indonesia. Collectively, the robustness checks confirm that the baseline fixed-effects estimates are not sensitive to alternative temporal specifications, estimators, or dependent variable definitions, strengthening confidence in their substantive implications for Islamic family law reform.

Fourth, a sensitivity analysis was conducted replacing the panel-level divorce rate dependent variable with the logged divorce count (total court-registered divorce cases) as an alternative specification that does not require the married-couples denominator, which may itself be measured with error in provinces with low civil registration coverage. All main findings are

robust to this specification, with the unemployment rate (coefficient 0.192, $p < 0.01$), early marriage rate (0.131, $p < 0.01$), and ICT penetration (0.046, $p < 0.05$) maintaining their significance and directional signs. Mean years of schooling retains its negative and significant coefficient (-0.308, $p < 0.05$). Together, the four robustness checks confirm that the primary findings of this study are not artifacts of the baseline specification, the denominator construction, or the estimation method, strengthening the reliability of the empirical evidence for the policy recommendations advanced in this study.

5.6. Comparative Perspectives on Islamic Family Law and Divorce

Indonesia's experience of structurally rising divorce rates within an Islamic family law framework is not unique in the Southeast and South Asian context, though it exhibits distinctive institutional features that merit comparative reflection. Malaysia, which shares the Shafi'i jurisprudential tradition and a codified Islamic family law structure, enforces Islamic family law through the Islamic Family Law (Federal Territories) Act 1984 and its state equivalents. Malaysian Islamic divorce data show a similarly rising trend over the past two decades, though *ceraai gugat*'s share of approximately 65 to 70 percent remains lower than Indonesia's 75 to 79 percent, reflecting differences in the procedural accessibility of wife-initiated divorce between the two jurisdictions (Nelli et al., 2023; Jurnal Hukum dan Peradilan, 2023). Malaysia requires mandatory reconciliation through the Islamic Religious Department (JAWI) before court proceedings can be initiated, a mechanism that Indonesia partially mirrors through PERMA No. 1 of 2016's mandatory mediation requirement, but without comparable institutional infrastructure and specialized personnel.

Pakistan's Muslim Family Laws Ordinance 1961 provides a further comparative reference point. The Ordinance requires husbands to notify an Arbitration Council before *talak* takes legal effect, giving the Council ninety days to achieve reconciliation, and grants wives the right to delegated divorce (*talak tafwidh*) without requiring husband consent in specified circumstances. While this framework offers stronger formal procedural protections for *talak* regulation, Pakistan faces substantial implementation constraints due to uneven judicial capacity and legal literacy across urban and rural courts, a structural challenge that parallels Indonesia's observed provincial heterogeneity in Religious Court outcomes. The Pakistani experience suggests that legislative design alone, without corresponding investment in judicial infrastructure and enforcement mechanisms, is insufficient to deliver gender-equitable Islamic family law outcomes, a lesson directly applicable to KHI reform advocacy.

In the context of non-Muslim-majority countries with Muslim minority family law systems, India's Muslim Personal Law (Shariat) Application Act 1937 provides a contrasting case of minimal state intervention in Islamic family law. The Indian Supreme Court's 2017 ruling in *Shayara Bano v. Union of India*, which declared instantaneous triple *talak* unconstitutional, was a significant judicial intervention, subsequently codified by the Muslim Women (Protection of Rights on Marriage) Act 2019. Indonesia's more comprehensively judicialized approach to Islamic divorce, requiring both *talak* and *ceraai gugat* to be adjudicated in state courts, provides a structurally more protective framework for both parties, though the empirical evidence from this study shows that the protectiveness of this framework is mediated by the socioeconomic conditions within which it operates. Provinces with higher unemployment, higher early marriage rates, and lower educational attainment exhibit significantly higher divorce rates regardless of the formal legal framework, demonstrating that legal design and socioeconomic conditions are complementary rather than substitutable determinants of marital stability.

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