



## ABSTRACT

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**ANALYSIS OF THE CAUSES OF  
INCREASING DIVORCE PETITIONS IN THE  
SHARIA COURT OF TAKENONGON**

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*The law, being a fundamental principle of the Indonesian state, underscores that divorce litigation is not a process to be taken lightly. Regulations concerning divorce are governed by Law No. 16 of 2019, which amends Law No. 1 of 1974 on Marriage (hereinafter referred to as the Marriage Law). The divorce process, as stipulated in Article 39, paragraph (1) of the Marriage Law, requires a judicial mechanism.*

*This research aims to identify and analyze the causal factors, judicial considerations, and efforts undertaken in response to the increasing number of divorce litigations in the jurisdiction of Mahkamah Syar'iyah Takengon. This study is an empirical juridical research. The data sources for this research are secondary data, obtained through empirical juridical research by conducting interviews with respondents and informants. The data analysis involves systematically organizing all collected data and performing a qualitative analysis to clarify the issues being investigated, particularly the analysis of the factors contributing to the rise in divorce litigations in Mahkamah Syar'iyah Takengon.*

*The results of this study indicate that the occurrence of divorce litigations in the jurisdiction of Mahkamah Syar'iyah Takengon in 2022 is caused by several factors, including economic issues, gambling, domestic violence, lack of religious understanding, and infidelity facilitated by social media, all of which lead to household disputes. Judicial considerations in granting divorce litigations are based on three principles: philosophical, juridical, and sociological, with the aim of providing justice, certainty, and benefit to the parties involved. Efforts undertaken by Mahkamah Syar'iyah Takengon to reduce the divorce rate include the roles of judges and mediators in reconciling parties, as well as public outreach and information dissemination to prevent divorces. Meanwhile, the MPU of Central Aceh and village heads (Reje) also actively provide socialization, guidance, and counseling to the community regarding marriage and the consequences of divorce as preventive measures.*

*It is recommended that lawmakers revise the Marriage Law to regulate pre-marriage preparation stages, which can prevent divorce litigations due to the lack of awareness among spouses. For village heads (Reje), MPU, and KUA, pre-marital counseling, mediation, and the enhancement of village officials' competence in mediation are needed to reduce the divorce litigation rate. The Mahkamah Syar'iyah should maintain efforts to reconcile parties and provide opportunities for non-judge mediators to encourage peaceful settlements.*

*Keywords: Divorce Petitions, Sharia Court, Causes of Divorce*