DIVORCE RATES AMONG YOUNG FAMILIES AND EARLY-AGE COUPLES DURING THE COVID-19 PANDEMIC IN 2021 (A CASE STUDY OF THE RELIGIOUS COURT IN BINJAI CITY)

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Abstract

This research aims to examine more deeply the level of divorce cases in young families during the COVID-19 pandemic in 2021 at the Binjai City Religious Court. Specifically, this research aims to answer two problem formulations: (1) the percentage rate of divorce in young families during the pandemic; and (2) the factors that influence the increase in divorce. This research includes qualitative research using a case approach. This type of empirical research uses primary data, namely data from the Religious Court of Binjai City regarding contested divorce in young families and data from the Supreme Court Decision Repository. Secondary data in the form of interviews with Binjai religious court employees, books, journals, and literature regulations related to this research. From this study, the researchers found that divorce cases in young families in 2021 increased compared to the years before the pandemic. The results showed an increase in the percentage of divorce in young families by 15%, namely 408 cases in 2021 compared to 2020, which was only 347 cases. The main factors are economic and psychological pressures due to the pandemic.

Keywords: Divorce, Young Family, Pandemic, COVID-19

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INTRODUCTION

Marriage is an early step in forming a family, the desired family is a family that is always guided by the Qur'an and As-Sunnah. Allah requires every family to live in harmony, this is a goal that must be achieved by every family, this is based on Marriage Law Number. 1 if the purpose of marriage is to form a *sakinah* and eternal family based on the Almighty Godhead (Sulistyorini, 2023).

Marriage is an inner and outer relationship between a man and a woman as husband and wife to form a happy and eternal family (household) based on the Almighty Godhead. However, in practice, marriages may be terminated within days, months, or several years due to several factors and circumstances.

Apart from the high trend of young marriages, there is also a divorce rate that continues to increase every year. It was recorded that there were approximately 118,853 cases adjudicated by PAs throughout Indonesia in 2018. In 2019, divorce and divorce cases increased to 124,776 cases. There were also 325,505 divorce cases in 2018 and 355,842 cases in 2019. The number of divorces in 2020 was recorded at around 74,448 divorce cases and 228,240 divorce cases as of August. 2020. This is stated in the following table(Aini et al., 2023).

Table 1.

Data on Divorce from Religious Courts throughout Indonesia

Year	Divorce Sue	Divorce/ Talak	Total
2015	281,178	113,068	394,246
2016	287,749	113,968	401,717
2017	301,573	113,937	415,510
2018	325,505	118,853	444,358
2019	355,842	124,776	480,618
2020 (Aug)	228,240	74,448	306,688

The prolonged COVID-19 pandemic has had a significant impact on various aspects of people's lives, including mental health and household stability. According to records from the World Health Organization (WHO), pressure due to the pandemic risks increasing symptoms of anxiety, depression, and interpersonal conflict. In Indonesia, the existence of

Vol. 7. No. 3 (2024) Page: 6154-6171 young families as the front guard of the nation's next generation is a concern. In 2021, data from the Central Statistics Agency (BPS) stated that the high level of unemployment in the

young age group due to the pandemic had an impact on household welfare (BPS, 2022).

In Binjai City, the Religious Court recorded a rise in divorce cases initiated by wives (cerai gugat) in 2021 compared to the previous year. The majority of divorce cases involved young families aged between 20-35 years. The increase in divorce cases during the COVID-19 pandemic was observed across various Religious Courts in Indonesia, particularly at the Binjai Religious Court. In 2019, there were approximately 485 cases of cerai gugat, which decreased slightly to 446 cases in 2020, but then rose to 584 cases in 2021 and further increased to 685 cases in 2022. These figures demonstrate a significant rise in divorce cases compared to the pre-pandemic period, as shown in the following table:

Table 2. List of Cerai Gugat Cases at Binjai Religious Court

YEAR	CASES FILED	CASES RESOLVED	PENDING CASES
2018	543	569	26
2019	485	490	21
2020	446	467	2
2021	584	585	1
2022	685	685	1

Source: Central Statistics Agency

Initial data from the annual report of the Binjai Religious Court indicates an increase in cerai gugat applications in 2021 compared to previous years (Binjai Religious Court Data, 2021). The situation became more complex with the onset of the COVID-19 pandemic in 2020, which significantly affected marital stability.

The various social restriction regulations implemented by the government have a broad impact on all aspects of people's lives. Patterns of social interaction have changed, economic and educational activities have been disrupted, and limited space for movement has put a strain on people's mental health. This phenomenon certainly affects household resilience, especially for young couples (Amri, 2022).

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The initial study also stated that young couples aged 20-35 years were the group most vulnerable to divorce. This certainly indicates that there are new challenges faced by young couples in building a household. Several factors that are thought to influence include mental and economic readiness, parenting patterns, and the influence of modern lifestyles and social pressure (Alghifari et al., 2020).

This indicates the need for more in-depth studies to uncover the causal factors behind the increase in divorce during the pandemic. It is hoped that the research findings can provide input for the government and society in dealing with this social problem in a targeted manner. Therefore, this research aims to find out what factors are behind the increase in divorce cases in young families during the COVID-19 pandemic in 2021 based on data from the Binjai City Religious Court. It is hoped that the findings from the research can provide an overview and solution to overcoming the problem of divorce, especially in young family groups.

RESEARCH METHODOLOGY

This study employs a qualitative research method with a case approach. It is an empirical study that utilizes primary data from the Binjai Religious Court regarding divorce cases (cerai gugat) among young families and data from the Supreme Court Decision Repository. Secondary data includes interviews with court employees at the Binjai Religious Court, relevant books, journals, and legal literature related to the study. The research findings reveal that divorce cases among young families increased in 2021 compared to the pre-pandemic years. Primary data consists of information obtained from the Binjai Religious Court and the Supreme Court Decision Repository website, focusing on divorce cases involving young families in Binjai in 2021. Secondary data includes interviews with employees of the Binjai Religious Court Class II B, as well as books, journals, and literature reviews related to the study. The data collection techniques used in this research include field research to gather information related to the practice of divorce among young families in 2021 at the Binjai Religious Court, and library research, which involves the use of books or legal regulations pertinent to this study. The data analysis

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method employed is qualitative analysis, where materials are collected and analyzed to provide answers to the research questions and then presented in a descriptive format.

RESULTS AND DISCUSSION

COVID-19 Pandemic

The Covid-19 pandemic is a coronavirus pandemic caused by the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2) virus. This virus was first discovered in Wuhan, China in December 2019. Based on data from the World Health Organization (WHO), to date, there have been more than 500 million cases of COVID-19 recorded globally and more than 6 million deaths (Afifah & Syafrini, 2021).

In Indonesia, the first case of Covid-19 was discovered on March 2nd, 2020. Since then, the number of cases has continued to increase over time as the virus spread. The government then implemented policies such as large-scale social restrictions (PSBB), restrictions on community activities, and a new normal to prevent wider spread. However, the pandemic is still ongoing today and the virus continues to mutate into new variants such as the Omicron variant. The impact of this pandemic has been felt in various aspects of people's lives, including in the fields of psychology and economics (Kesuma & Hasyim, 2021).

One of the impacts of the COVID-19 pandemic felt by society is the psychological impact. Pandemic conditions cause mental and emotional stress for many people. Social isolation and restrictions on daily activities to prevent the spread of the virus have the potential to increase stress, anxiety, and even depression. Vulnerable groups who are more at risk of experiencing this psychological impact include health workers, the elderly, children, and also young couples. Economic pressure due to the pandemic is also a serious impact felt by society. Many people lost their jobs or income during the pandemic. This has the potential to cause intra-household conflict and tension. These difficult conditions will continue until 2021, risking worsening conflicts within the family (Wignjosasono, 2022).

Young Family Divorce

Based on Article 42 of the Marriage Law, divorce is the annulment of a marriage based on a court decision. This means that divorce can only be carried out through a judicial process by fulfilling certain conditions as regulated in this Law and its implementing regulations. A court decision is a prerequisite for the validity of a divorce. Meanwhile, according to Article 119 of the Compilation of Islamic Law, divorce is the act of ending a marriage bond according to law in a certain way. This means that divorce must be carried out legally before a court by fulfilling the elements and procedures that have been determined. The judge has the authority to examine, hear statements from the parties, witnesses, and experts, and consider various legal facts to then decide on the divorce. A court decision is a condition that must be met for a divorce to produce legal consequences (Subardhini, 2021).

From the various definitions above, it can be concluded that legally and linguistically, divorce refers to the legal process of terminating marital status through a court decision based on applicable provisions. Divorce not only occurs in long-term marriages but can also occur in young families who are still married for a short time.

Young family divorce is a divorce carried out by a husband and wife who are still underage or relatively young. Generally, a young family is defined as a couple who have been married for less than 5 years. Some characteristics of young families filing for divorce include:

- 1. Under 30 years of age at the time of marriage.
- 2. Just married less than 5 years.
- 3. Have not/just had children.
- 4. Don't have a mature experience of living together.
- 5. Still in the adjustment stage after marriage.
- 6. Lack of communication and conflict management skills.
- 7. Don't have a stable income yet.

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8. Lack of support from parents/relatives (Ramadhani & Nurwati, 2021).

Young family divorce specifically refers to the group of newly married married couples. In general, young families are defined as those who are under 30 years old at the time of marriage and have been married for less than 5 years. The main characteristics of young families are their young marriage age and relatively short marriage duration. Age under 30 years indicates that they do not have sufficient life experience and emotional maturity to run a household. Meanwhile, their lack of marriage means they are not yet fully accustomed to their new responsibilities as husband and wife. For this reason, this group is less able to handle household conflicts effectively and is still in the process of adapting. This then becomes a risk factor for divorce in this particular age group and marital status (Waileruny & Karo, 2021).

Divorce Rates for Young Families During the 2021 Covid-19 Pandemic at the Binjai Religious Courts

The data shown in Table 2 shows a fairly high increase in divorce cases among young families recorded at the Binjai Religious Court in 2021. If in 2020 the increase in cases was still 10% from the previous year, then in 2021 the increase will reach 15%. This indicates that the impact of the COVID-19 pandemic which is increasingly being felt by society has increased household conflicts (Yuliani et al., 2022). The verses of the Qur'an and hadith that are in line with the practice of divorce (*khuku'*) are as follows:

"And the wives who are divorced (must) restrain themselves (wait) three times quru'. It is not permissible for them to hide what Allah created in their wombs if they believe in Allah and the Last Day. And their husbands have more right to return to them in that (period) if they want improvement. And they (women) have rights balanced with their obligations in an appropriate manner. But husbands have advantages over them. Allah is Mighty, Most Wise." (QS Al-Baqarah/2: 228).

The verse above discusses the rights and obligations of a divorced wife (talaq). As is known, in Islamic law there is khulu', namely the provision that a wife can apply for

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divorce from her husband. Based on this verse, it is explained that after the divorce process, the wife is required to restrain herself for three *quru'* times and must not hide her pregnancy from her husband.

"Has told me Ishaq bin Manshur, has told us Abdurrahman from Sufyan from Ashim Al Ahwal and Isma'il bin Abu Khalid from As Sya'bi from Masruq from 'Aisyah He said, That the Messenger of Allah sonce gave a choice (divorce or stay together), but we still chose (to be his wife), and that does not count as a divorce."

Based on this hadith, it is known that the wife has the right to file a divorce suit in court, or what is known as *khulu'*. This provides an explanation that not only husbands have rights to divorce but wives also have rights.

The work-from-home factor and activities only at home during the PSBB period seem to shorten the distance between partners but are not necessarily in line with the skills to manage problems together. The psychological and economic burden due to the pandemic which continues in its second year has triggered high rates of divorce among young families. In other words, the pandemic has had a major impact on the increase in divorce cases in 2021 at the Binjai Religious Court.

Young families are vulnerable to conflict because they do not have mature experience in managing household dynamics. During the pressure of the pandemic, various conflicts arise, such as facing dismissal or reducing income, adapting to spending more time together, and boredom caused by limited activities.

The new demands of producing at home while caring for children also add to the psychological burden of young couples. Not to mention social limitations that eliminate buffer nets when conflict arises. All of these factors have the potential to cause prolonged stress and trigger arguments (Dalvi & Hermaleni, 2021).

Difficulty resolving conflicts maturely then triggers high divorce rates. This is exacerbated by the unpreparedness of young families to mediate constructively due to pressure and limited resources during the pandemic. This condition in turn accelerates the

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increase in divorce cases in 2021. Thus, various conflicts faced by young families are the main trigger for this negative trend.

Based on the results of an interview with Akma Qomariyah a legal clerk for PA Binjai, he also said that the divorce rate in the city of Binjai during the pandemic in 2021 was quite high and there was an increase compared to last year, which was also during the pandemic. However, the increase is not so great, there are approximately 585 divorce cases that have been submitted as of the end of September 2021. This is different from other PAs in North Sumatra where the increase is quite significant. Akma Qomariyah also said that the majority of divorces that occurred were dominated by young couples with a marriageable age of less than 10 (ten) years, accounting for 70% of the total cases in PA Binjai (Agung, 2020).

The divorce case handled by PA Binjai in 2021 is proof that households are vulnerable to young people leaving. The problems of life and the addition of this pandemic have become obstacles that test the mentality of young couples. The divorce cases that have been handled by several Religious Courts are very diverse. These include economic factors, punishment, moral crisis, jealousy, and other factors.

Factors Influencing the Increase in Divorces of Young Families During the 2021 Covid-19 Pandemic in the Binjai Religious Courts

Divorce is a condition that is very undesirable in a family. However, based on data from the Binjai City Religious Court, divorce cases continue to increase from year to year. This increase in divorce cases mainly occurs in the young family group aged 20-30 years. This certainly indicates the social and personal disturbances faced by young couples (Tristanto, 2020).

Divorce is a social phenomenon that deserves attention because it has implications for the survival of the family as the smallest social unit in society. According to Law Number 1 of 1974 concerning Marriage, family is a noble ideal for every married couple (Marriage Law, 2019). However, in reality, the divorce rate continues to increase from time to time (Sari, 2020).

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During the Covid-19 pandemic which has hit the whole world since 2020, various aspects of life have changed, including people's lifestyles and social interactions. This condition certainly has a big impact on the survival of households and families, especially in the young age group. Based on preliminary analysis, 2021 recorded a significant increase in the number of divorce requests submitted to the Binjai City Religious Court compared to the previous year. This indicates that there are causal factors that are closely related to the Covid-19 pandemic situation (Putri et al., 2021).

Divorce that occurs in young families is a quite serious social problem (BPS, 2020). Generally, young families who experience divorce are those who have only been married for less than 5 years, with an age range of 20-35 years, and do not have or only have one child. Some characteristics of young families that are at risk of divorce include (Fauziah & Mila, 2019):

- 1. Psychologically, he is still not fully mature and unstable in controlling his emotions.

 They do not yet have full awareness of household responsibilities.
- 2. From an economic perspective, income and financial management are not yet mature considering that in general, the employment status is still in the early career phase.
- 3. Parenting patterns and interactions when growing up do not support the formation of strong character.
- 4. The demands of studying/ working and meeting the expectations of self and parents, create excessive internal psychological pressure.
- 5. The influence of communal lifestyles and peer groups that do not support household stability.
- 6. Unbalanced understanding of gender roles and couple communication.
- 7. Affective commitment and self-adaptation as a new couple have not yet been formed (Dewi & Hamid, 2023).

The occurrence of divorce among young families in Binjai City can be attributed to several factors, including:

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1. Narcotics Factor

The increased stress and uncertainty during the pandemic have led to a rise in narcotics use among some young individuals. This exacerbates household conflicts and contributes to the high rate of divorce filings among younger age groups, particularly amidst emotional and social instability.

2. Disharmony Factors

- a. The pressure of poor communication in the COVID-19 pandemic increases stress and anxiety, especially triggered by drug use. This pressure can interfere with communication and emotional management in relationships, exacerbating conflict and disharmony in the household.
- b. Changes in patterns of family life Social restrictions and quarantine have led many couples to spend more time together at home. These changes can highlight previously unseen problems, increasing tension and conflict in the relationship, which can lead to an increase in divorce cases.

3. Economic Factors

- a. The large number of layoffs and wage reductions due to the economic recession have led to a decrease in family income (Statistics, 2021). This has led to conflicts due to difficulties in meeting daily needs.
- b. Young families who work as traditional market traders and SMEs experience a drastic drop in income during restrictions on community activities.

4. Psychological Factors

- a. Stress due to a prolonged pandemic causes symptoms of anxiety, depression, and a decrease in the psychological endurance of young couples (Health, 2021). They are easily emotional and often quarrel.
- b. Problematic parenting causes young couples to be less able to regulate emotions when facing pressure during the pandemic (Suryani, 2020).

Based on the factors above, the author identifies several factors that have the potential to influence the increase in divorce rates in young families during the COVID-19 pandemic. Namely, economically, decreasing income due to layoffs and restrictions on economic activities can trigger household conflict. From a psychological perspective,

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prolonged mental stress during the pandemic risks reducing the mental resilience of young couples.

From a social aspect, limited social interaction and communication with other people has the potential to cause loneliness and build up stress. According to the author's analysis, these three factors can influence the emotional stability and core relationships of young couples. If not mitigated properly, this has the potential to give rise to early symptoms of a household crisis (Fitria et al., 2021).

As part of family law, the government needs to respond to these conditions with preventive policies. Among other things, by increasing the scope of social assistance for families of layoff victims, encouraging virtual family counseling programs, and requiring peace/mediation efforts before the divorce process. This is to provide an opportunity to resolve problems in a conducive manner following the mandate of marriage law. In this way, it is hoped that the divorce rate can be controlled during the pandemic (Lubis & Nasution, 2024).

Divorce often occurs in young families due to various challenges in building a household. The COVID-19 pandemic has worsened conditions because it has caused social, economic, and psychological pressure. Based on this data, it is necessary to find solutions to strengthen the resilience of young families. One effort that can be made is to increase knowledge of marital responsibilities. Young families need to be educated about the meaning of commitment, teamwork, healthy communication, and assertive conflict-resolution techniques (Hamidah, 2017). With mature understanding, it is hoped that it will be able to prevent premature divisions.

Apart from the understanding aspect, it is also very important to empower young families economically. This can take the form of skills training, business guidance, and compensation assistance to reduce the financial burden caused by the pandemic. This will support household stability. Interventions to foster family resilience also need to be carried out. Early guidance services can help young couples identify problems, improve communication, and resolve conflicts safely (Fachruddin, 2021). With expert support, it is hoped that the divorce rate can be reduced.

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Likewise, it is necessary to improve the quality of regional family apparatus. They are tasked with disseminating family management programs, preventing conflict from escalating, and monitoring cases of vulnerable families in the community. This will ensure the achievement of protection efforts for young families. With these various indicators, it is hoped that it will be able to increase resilience and solve the challenges faced by young families today, as well as reduce the divorce rate due to the impact of the pandemic.

Several efforts can be made to prevent divorce in young families during the COVID-19 pandemic, namely as follows:

1. Socialization of the importance of post-conflict reconciliation

Many young couples immediately choose legal action when they have a dispute. However, small problems can still be resolved well. The pandemic causes stress that can trigger conflict. Therefore, it is necessary to socialize the importance of making peace when there are problems or post-conflict reconciliation so that marital relationships can be saved. Through socialization, it is hoped that couples will try to make amends rather than choosing the legal route first.

2. Optimizing online mediation as a peaceful effort

Mediation is the first effort before the legal process takes place. However, conventional mediation has been hampered by the pandemic. Online mediation can be a safe and practical alternative. The court may assign trained personnel to conduct online mediation. Litigating parties are invited to communicate well to find common ground, not blame their partner. This effort is lighter than the legal process (Mauliddina et al., 2021).

Apart from the efforts above, several other efforts can be made to reduce the divorce rate for young families during the COVID-19 pandemic, as follows:

- 1. Socialize the importance of healthy communication in the household and prohibition of rude behavior.
- 2. Optimizing online mediation to resolve disputes through deliberation as per Islamic teachings.

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- Providing special training for young families regarding stress management, emotional management, and responsibilities of husband and wife according to the sunnah of the Prophet Muhammad.
- 4. Intensive monitoring by family cadres or *ustadz* for families prone to conflict and gentle guidance on solutions based on the Qur'an and al-Hadith.
- 5. An informal (non-litigation) dispute resolution approach, namely forming a conciliation team of ulama to mediate solemnly and preach religious wisdom to reconcile couples (Syaifudin, 2012).

The efforts above aim to prevent conflict and divorce among young families during the COVID-19 pandemic. It is hoped that socializing the importance of healthy communication in the family and prohibiting rude behavior can encourage young families to communicate with each other well and avoid attitudes that can trigger arguments. Optimizing online mediation is proposed to provide an alternative conflict resolution safely and without spreading the virus.

Providing special training on emotional management and marital responsibilities for young people aims to help them better deal with the stress caused by the pandemic so they can maintain the integrity of their household. It is hoped that intensive supervision and guidance from the family or community can prevent the conflict from becoming bigger. Finally, the formation of a clerical conciliation team is proposed to help reconcile couples who are at odds so that the divorce process can be prevented (Matondang, 2014).

From the perspective of family law theory, efforts to socialize the importance of healthy communication in the household and the prohibition of rude behavior, optimizing online mediation to resolve disputes, providing special training for young families regarding stress management, emotional management and the responsibilities of husband and wife, intensive monitoring by cadres family or *ustadz* for families prone to conflict and guidance on solutions, as well as the formation of a conciliation team of ulama to mediate solemnly, in line with the principles of peaceful resolution and deliberation (Sudrajat & Amanita, 2020).

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Several factors were identified as causing this negative trend. First, economic pressure due to layoffs, reduced income, and increased poverty during the pandemic has the potential to cause household tension. Second, the social isolation that society adheres to prevent the spread of the virus has increased conflict within the family. Third, young families receive less support from parents or other relatives due to restrictions on mobilization (Alghifari et al., 2020).

To prevent negative trends, the government needs to assist those experiencing economic difficulties. Social institutions can guide them to resolve conflicts safely. The community is also invited to care about others, especially young neighbors who are experiencing difficulties. With various joint efforts, it is hoped that the divorce rate can be reduced. In this way, it is hoped that a prosperous family can be created even in difficult times like today.

CONCLUSION

The significant increase of 15% in young family divorce cases at the Binjai Religious Court in 2021 has a close correlation with the conditions of the COVID-19 pandemic. This increase rate is much higher compared to 2020 which only experienced an increase of 10%. The various pressures and conflicts faced by young families due to the impact of the pandemic are difficult to handle independently without social support. With limited resources, many young couples ultimately choose divorce as a solution. Therefore, the COVID-19 pandemic played a major role in increasing the negative trend of divorce by 15% among young families in 2021 at the Binjai Religious Court.

Several important factors played a role in the increasing divorce rate among young families at the Binjai Religious Court in 2021. Economic factors such as layoffs and declining incomes also trigger household conflict. Psychologically, the pandemic causes prolonged stress which affects the emotional stability of young couples. From a social perspective, limited social interaction and communication with extended family creates a psychological burden. Culturally, a virtual lifestyle has the potential to weaken marital values. Legally, there needs to be legal protection and policies that support preventive

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divorce efforts, such as mediation and marriage counseling. Therefore, it is very important to address these factors to reduce the divorce rate during this pandemic.

In this case, the Binjai City Religious Court must carry out outreach about fostering family building and optimizing online mediation to minimize the rate of divorce cases which continues to soar during the Covid-19 pandemic.

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