

# **Divorce Among Female Muslim Civil Servants: Legal Perspectives in Indonesia**

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Divorce among Muslim female civil servants in Indonesia carries complex social, emotional, and legal implications. This study examines the underlying causes of divorce and analyzes its impact on women from the perspective of Islamic family law and gender justice. Employing a qualitative socio-legal approach, data were gathered through semi-structured interviews with religious court judges and divorced female civil servants, alongside document analysis and field observations in four jurisdictions with high divorce rates. The findings indicate that marital breakdown is primarily driven by the absence of financial support, unequal gender roles, and dysfunctional communication within the household. Although patriarchal cultural norms were found to weaken women's roles

in household decision-making, they were not the sole determining factor. The study highlights the importance of reinterpreting Islamic legal concepts such as *fasakh* (annulment of marriage) and *nafaqah* (alimony) in light of contemporary social realities to ensure fair treatment of women. This research contributes to the academic discourse on Islamic family law by offering a contextual, experience-based understanding of divorce, particularly among working Muslim women, and advocates for a transformative legal framework that integrates gender-sensitive interpretations into both Islamic jurisprudence and state law to address divorce dynamics among Muslim female civil servants.

Fenomena perceraian di kalangan perempuan pegawai negeri sipil (PNS) Muslim di Indonesia menimbulkan dampak sosial, emosional, dan hukum yang kompleks. Penelitian ini bertujuan untuk mengidentifikasi faktor-faktor penyebab perceraian serta menganalisis dampaknya terhadap perempuan dalam perspektif hukum keluarga Islam dan keadilan gender. Dengan menggunakan pendekatan kualitatif sosio-yuridis, data dikumpulkan melalui wawancara semi-terstruktur dengan hakim pengadilan agama dan perempuan PNS yang telah bercerai, disertai analisis dokumen dan observasi di empat wilayah yurisdiksi yang memiliki tingkat perceraian tinggi. Hasil penelitian menunjukkan bahwa penyebab utama perceraian meliputi tidak adanya pemberian nafkah, ketimpangan peran gender, serta disfungsi komunikasi dalam rumah tangga. Budaya patriarki teridentifikasi sebagai faktor yang turut memperlemah posisi perempuan dalam pengambilan keputusan domestik, meskipun bukan menjadi penyebab tunggal dari perceraian. Studi ini menegaskan pentingnya penafsiran ulang terhadap konsep hukum Islam seperti *fasakh* (pembatalan perkawinan) dan *nafaqah* (nafkah) agar lebih kontekstual dengan realitas sosial perempuan pekerja. Kontribusi akademik penelitian ini terletak pada upaya memperkaya wacana hukum keluarga Islam berbasis pengalaman perempuan dan menawarkan kerangka hukum yang lebih transformatif dan berkeadilan gender dalam menghadapi dinamika perceraian di kalangan pegawai perempuan Muslim.

**Keywords:** *divorce; female civil servants; gender justice; Islamic family law; Indonesian civil servants.*

## **Introduction**

The phenomenon of divorce among civil servants, particularly Muslim women in Indonesia, has shown a concerning trend in recent years (Ikhsanudin, 2023). Data from the Religious Courts of Gorontalo and Manado (Indonesia) from 2023 to early 2024 recorded over 200 divorce lawsuits filed by female civil servants, with most cases originating from the education and healthcare sectors (Gorontalo Religious Court, 2023; Limboto Religious Court, 2023; Manado Religious Court, 2023). Similar cases were also observed at the Cilacap Religious Court, Central Java, Indonesia (Cilacap Religious Court, 2023). Divorce cases involving female civil servants surged significantly, especially post-COVID-19 pandemic (Rais, 2021)

the media reported the increasing rate of divorce. Some authorities and researchers have taken this information for granted; therefore, their responses can be misleading. This socio-legal study confronts the media reports with the statistical data on divorce case numbers received by the Religious (Islamic). This spike indicates new dynamics in family relations among civil servants, warranting analysis from the perspective of Indonesian law.

Under Indonesia's positive legal system, divorce proceedings initiated by civil servant members, including Muslim female civil servants, are regulated by Government Regulation Number 45 of 1990, which mandates written permission from superiors before a divorce case can be filed in court. This provision restricts the autonomy of female civil servants in accessing their civil rights to divorce, as they are subject to hierarchical and masculine bureaucratic structures (Saputera, 2018; Sobhan et al., 2022). On the other hand, within Islamic legal frameworks, divorce can be pursued through the *ṭalāq* mechanism by the husband or *fasakh* by the court at the wife's request, as outlined in *Quran Surah At-Ṭalāq verse 1–2*, which emphasizes justice, propriety, and moral considerations. However, in practice, access to these mechanisms is often hindered by conservative legal interpretations and gender biases (Puspita, Rostikawati and Dharma, 2020; Bukido and Aminah, 2024; Susilawati et al., 2023). The combination of administrative restrictions and structural challenges in religious courts creates a tangible legal dilemma for Muslim female civil servant members seeking to lawfully dissolve their marriages.

This study specifically examines Muslim female civil servants in Indonesia for two key reasons. *First*, statistically, female civil servants are the most frequent initiators of divorce within state bureaucratic environments, reflecting a shift in power dynamics within bureaucratic households—from patriarchal structures to greater autonomy (Stevenson and Wolfers, 2007; Killewald, 2016; Dildar, 2025). *Second*, structurally, female civil servants occupy a complex dual position: as state servants bound by administrative mechanisms and as wives/mothers constrained by conservative cultural norms (Mas'udah, 2023; Hamidi, Widianingsih and Nurasa, 2025). When seeking divorce, they must navigate not only civil legal procedures but also obtain permission from their superiors, as stipulated in Government Regulation No. 45 of 1990 (Grijns and Horii, 2018; Ipandang, 2021; Mariam, 2025). This requirement directly limits women's autonomy in accessing their right to divorce.

Within Islamic law, women possess divorce rights through two mechanisms: *first, khul'*, where the wife initiates divorce by providing compensation to the husband (Fakhyadi et al., 2025); and *second, fasakh*, the annulment of marriage by a court due to the husband's neglect of obligations such as financial support, fair treatment, or fidelity (Nisa, 2021; Anggraeni et al., 2022). However, in practice, these rights are often difficult to access due to structural domination, gender-biased legal interpretations, and strong patriarchal norms within religious courts (Parker, Riyani and Nolan, 2016). Therefore, it is important to critically and deeply examine the legal standing of female civil servants within the national legal system and Islamic law, in order to develop a more just and socially responsive approach for working Muslim women in Indonesia.

Previous studies have explored the causes of divorce among civil servants in Indonesia. For example, research by Ikhsan (2022) identified several contributing factors to divorce, notably poor household economic conditions, long-distance relationships, and domestic violence (both physical and psychological). Rahmawati (2021) added poor communication as a contributing factor, while Pangkey & Pratikno (2021) noted emotional immaturity as a common issue in marital relationships. These factors often drive civil servants to seek divorce as a shortcut by filing in court. The consequences of divorce for civil servants have also been addressed by Salendu (2016) who explained that divorce could reduce a civil servant's salary due to potential demotions, which can negatively affect their children's lives. This aligns with the findings of Andiko & Fauzan (2019), who noted that divorce can impact the professional performance of civil servants. The harmony of one's domestic life often affects their work performance (BKKPD, 2021).

Cultural factors, particularly patriarchal social structures (Zainal et al., 2025) that reinforce male dominance, also influence divorce dynamics (Pierik, 2022; Turnip et al., 2024). In such contexts, women often face restrictions in both domestic and public decision-making, which can exacerbate household conflict (Ahmed, 2021; Mahlangu et al., 2022; Wardatun, Haeri and Nurjanah, 2023). However, patriarchy should not be oversimplified as the sole cause of divorce; rather, it creates power imbalances that contribute to marital tensions under specific conditions (Pierik, 2022; Letiecq, 2024). In Islamic law, such inequality must be addressed through the principles of *maṣlaḥah* (public benefit) and justice, as emphasized

in Quran Surah Al-Baqarah: 231, which prohibits *darar* (harm) toward wives. A study by Qamar dan Faizan (2021) in Pakistan showed that structural pressure from husbands and families is a key reason women file for divorce. Similarly, in intercultural marriages in Singapore, gender inequality often leads women to seek legal avenues to protect their rights and dignity (Ahmad, Zamri and Omarali, 2024).

Most previous studies only discussed the general causes of divorce without specifically distinguishing the characteristics of women who are civil servants. Moreover, previous research on the impacts of divorce has mostly focused on its effects on children, without thoroughly examining how divorce affects the social, psychological, and legal position of working women themselves. In contrast to those studies, this research provides a holistic analysis of divorce patterns among Muslim female civil servants by examining both the causes and the socio-legal impacts they experience, through a sociological and Islamic family law perspective. The main focus is on the dynamics of gender inequality in household relationships and how state law and sharia provisions respond to divorce situations faced by women in structurally subordinate positions.

As individuals fulfilling dual roles as state officials and household managers, Muslim female civil servants are in a vulnerable position when divorce occurs—socially, administratively, and legally. Therefore, this study is expected to offer a conceptual contribution to the formulation of gender-responsive legal and policy frameworks, in line with Fraser's (2020) emphasis on redistributive justice and recognition of gendered inequities in public policy. Indicators of gender-responsive policies include fair legal protections post-divorce, equitable access to legal processes, and acknowledgment of structural burdens women face in legal decision-making. Furthermore, the study enriches Islamic family law discourse by centering women lived experiences as active legal subjects, rather than passive objects within patriarchal systems.

## Method

This study employs a qualitative approach with two primary analytical frameworks: a sociological approach and a normative legal approach (Hammarberg, Kirkman and de Lacey, 2016; Huda, 2022). The sociological approach is used to understand the empirical experiences of Muslim female Civil Servants who file for divorce, while the normative

legal approach is applied to examine national regulations (e.g., Government Regulation No. 45 of 1990 and Law No. 1 of 1974) and relevant Islamic legal norms, including the concepts of *fasakh*, *khul'*, and *nafaqah*. This framework positions legal texts as analytical objects linked to the social realities of female workers.

Data collection was conducted in four Religious Court jurisdictions with high divorce rates among female civil servants: Gorontalo, Limboto, Cilacap, and Manado. Techniques included legal and administrative document studies, courtroom observations, and semi-structured interviews with judges, former civil servant wives, personnel officials, and community leaders. Interviews were designed to capture in-depth and reflective legal and social dimensions (Rutakumwa et al., 2020; Deterding and Waters, 2021). Data were analyzed using Miles dan Huberman (2018) interactive model, which involves data reduction, data presentation, and verification through conclusion-drawing.

The study is grounded in Nancy Fraser's (2020) theory of gender justice, which encompasses three core dimensions: redistribution, recognition, and representation. This theory evaluates the extent to which positive legal norms and Islamic law address the structural inequalities experienced by female civil servants' post-divorce. Emphasizing the principle of substantive justice, the study positions law not merely as a normative framework but as an instrument to correct gender-based social inequalities within the institutional contexts of the state and religion.

### **Divorce patterns among female civil servants**

Divorce patterns among female civil servants reveal a complex interplay between internal household pressures and the institutional social structures of their workplaces. Findings indicate that female civil servants face multifaceted challenges in sustaining their marriages, including spousal infidelity, lack of financial support, and poor communication or emotional absence from husbands. In this context, female civil servants must balance their roles as state employees with societal expectations to uphold household integrity, a dual burden exacerbated by unsupportive environments (Saputera, 2018).

Data from legal registries across four Religious Courts reinforce these findings. Most recorded cases involve *cerai gugat* (divorce petitions filed by wives).

**Table 1.** Divorce Cases Involving Civil Servants

	2018		2019		2020		2021		2022	
	CT	CG	CT	CG	CT	CG	CT	CG	CT	CG
Gorontalo Religious Court	26	48	16	34	36	40	31	39	18	60
Limboto Religious Court	13	31	11	27	5	31	8	31	6	30
Cilacap Religious Court	-	-	-	-	46		44		29	
Manado Religious Court	16	32	8	30	13	27	15	35	14	33

Source: Legal case documents from the Registries of Religious Courts of Gorontalo, Limboto, Cilacap, and Manado, 2023.

From the table, it is evident that the majority of divorce cases involving civil servants are filed as *cerai gugat*, meaning petitions initiated by the wife. This indicates a shift in marital dynamics among civil servants, where women are no longer passive in addressing household conflicts but actively use legal avenues to end marriages deemed detrimental or unfair. For example, in Gorontalo Religious Court in 2022, there were 60 *cerai gugat* cases compared to 18 *cerai talaq* (divorce pronounced by the husband), while Manado Religious Court recorded 33 *cerai gugat* and 14 *cerai talaq*. This pattern is consistent year-to-year and not limited to a single region, emerging across diverse social contexts. This fact suggests that female civil servants are no longer passive subjects in marital conflicts but are increasingly using legal mechanisms as tools to seek justice and free themselves from relationships perceived as emotionally, socially, and psychologically burdensome (O'Connor and Shahwan, 2024; Yesilkagit et al., 2024).

One dominant cause of divorce among female civil servants is spousal infidelity. Although adultery (*zina*) is a valid ground for *talāq* under Islamic law (Quran Surah An-Nur verse 2) (Makka & Ratundelang, 2022), it is legally difficult to prove due to the requirement of four witnesses (Vitiello, 2017; Hafidzi, Khalid and Septiani, 2020). In practice, most female civil servants avoid explicitly citing infidelity in their petitions and instead emphasize *darar* (harm), making marriage annulment a more relevant legal mechanism (Anggraeni et al., 2022). Additionally, the failure to provide financial support is a significant motive (Bukido and Aminah, 2024; Hartini, Ilhami, and Yusoff, 2024). Many husbands stop providing support (Mansur et al., 2025) when their wives have incomes, even though under

both Islamic jurisprudence and national law (Article 34 of Law No. 1 of 1974; Article 80 of Compilation of Islamic Laws), alimony remains an obligation proportional to one's ability (Quran Surah At-Talaq verse 7) (Kasim and Semiaji, 2022; Napitu, Yuspendi and Manurung, 2023). The lack of administrative sanctions weakens protections for this right. Poor communication also contributes to divorce, particularly due to long-distance postings or heavy workloads (Jayasingam, Lee and Zain, 2023). In Islamic law, this constitutes *ḍarar ma'nawī* (emotional harm) (Alfitri, 2020), while under national law, it falls under continuous conflict (Article 19 of the Marriage Law; Article 116 of the Compilation of Islamic Laws) (Anggraeni et al., 2022).

Thus, infidelity, husbands' failure to fulfill financial obligations, and communication breakdowns are not merely relational issues but reflect systemic institutional weaknesses in protecting the rights of working women. The lack of legal mechanisms to hold neglectful husbands accountable, combined with bureaucratic barriers limiting women's autonomy in accessing divorce processes, represents tangible structural obstacles. These findings underscore the urgency of reforming Islamic family law to better respond to the social realities of modern women, including strengthening protections for alimony rights, recognizing *ḍarar ma'nawī*, and ensuring equitable legal access to *fasakh* and *khul'*.

### **Infidelity and unfaithfulness**

One of the dominant motives in divorce petitions filed by female civil servants is the husband's infidelity. This pattern was found in all areas of the study, including Gorontalo, Manado, and Cilacap. In interviews with F and S, female civil servants from Gorontalo, one respondent stated:

“My husband secretly had an affair with a female colleague at his office. At first, I tried to endure it for the sake of our child, but after discovering they frequently travelled together for work, I couldn't bear it anymore. I chose to end the marriage.” (Fera, 2023; Santi, 2023).

This statement reflects systematic and repeated spousal disloyalty and highlights the emotional dilemmas faced by wives. Initially, the informants attempted to preserve the marriage for their children's sake, but the intensity and openness of the infidelity ultimately pushed them toward divorce. This phenomenon shows that, in many cases, women's decisions



to file divorce petitions are not impulsive reactions but acts of resistance against situations that exceed moral and emotional tolerance (Puspita, Rostikawati and Dharma, 2020). In Islamic law, such conditions can be categorized as *darar ma'navi*, which legally grounds marriage annulment through *fasakh* mechanisms (Kasim et al., 2022; Ahmad, Zamri and Omarali, 2024). Socially, this also illustrates how bureaucratic work environments with minimal ethical oversight may foster unhealthy relationships that undermine the institution of the family (Al-Ahmadi, 2011). A judge at the Cilacap Religious Court confirmed this trend:

“Many *ceraai gugat* petitions from female civil servants do not explicitly cite *zina* (adultery), but deeper inquiries reveal infidelity as the underlying issue. The problem is that it's difficult to prove legally.” (Muslim, 2023).

These accounts show that while infidelity often underpins divorce cases, it is rarely explicitly cited in legal documents due to evidentiary hurdles under both national and Islamic law. In Islamic law, adultery accusations require four eyewitnesses (Quran 24:4), a standard nearly impossible to meet in practice (Hafidzi, Khalid and Septiani, 2020; Purna Nisa, 2021). Consequently, many women opt to frame their petitions around *darar ma'navi* as grounds for *fasakh* or *khul'*, which are legally more accessible (Haneef, 2012; Alfitri, 2020).

Fraser's (2020) theory of gender justice explains this imbalance as a form of representational injustice, where women are unable to legally voice their traumatic experiences because the legal system is built upon patriarchal evidentiary standards. In this context, the law is not only procedurally neutral, but also structurally marginalizes women's voices due to their difficulty in accessing substantive justice.

Structurally, infidelity within civil service environments cannot be separated from the bureaucratic organizational culture that is still dominated by masculine power dynamics. The term “structural” here refers to the institutional distribution of roles, access, and authority that tends to favor men, through assignment systems, promotion policies, or informal norms in the workplace (Solsona et al., 2020; Hamidi, Widianingsih and Nurasa, 2025). Though male and female civil servants hold equal formal status, men often enjoy broader social access and mobility—such as ease in building inter-agency networks, fieldwork assignments, and frequent official travel—which create informal social spaces

beyond institutional oversight (Killewald, 2016; O'Connor and Shahwan, 2024). These conditions foster interactional gaps and opportunities that indirectly enable unethical extramarital relationships.

Saeed (2021) refers to this phenomenon as symbolic domination, a form of invisible power that effectively generates social compliance. For civil servants, this domination culturally tolerates husbands' infidelity while framing wives who question it as destabilizing the household (Mas'udah, 2023). As a result, female civil servants who file for divorce face dual burdens: psychological trauma from betrayal and social stigma for being perceived as too demanding or failing to maintain family harmony (Humphrey, Ashforth and Diefendorff, 2015; Parker, Riyani and Nolan, 2016). It is crucial to emphasize that patriarchal culture is not the sole cause of infidelity. Rather, it amplifies power imbalances and control within relationships, creating the sociological backdrop for betrayal. According to Mensah (2023), the context of the relationship and the woman's lived experience must be central to interpreting this pattern, rather than drawing generalized conclusions.

In Islamic law, *zina* (extramarital sex) is a grave offense punishable under *hudud* (fixed penalties). Quran 24:2 provides the scriptural basis (Razif, 2020). However, in order for a person to be punished for *zina*, four just witnesses must testify to the act (Alfitri, 2020). This requirement indicates that *zina* is a private transgression that cannot be legally prosecuted unless supported by clear and strong evidence (Vitiello, 2017). This makes it very difficult for women to pursue divorce on grounds of *zina*, as it is unlikely they can provide the evidence required by either Islamic or positive law.

The *fasakh* mechanism in Islamic jurisprudence (Fiqh) is more relevant for addressing this issue. *Fasakh* refers to the annulment of a marriage due to harm (*maḍarrah*) inflicted by the husband or failure to fulfill marital obligations (Anggraeni et al., 2022). Under the Shafi'i school, wives can seek a *fasakh* for intolerable marital hardships, including betrayal (Adhha, 2019; Devy, Amrullah and Zulfiana, 2023). According to Haneef (2012) dan Mohd. Razif (2020) *Fasakh* provides Islamic legal protection for wronged women without requiring textual proof of adultery. For female civil servants, this is critical, as power imbalances often deter them from openly confronting their husbands.

In Indonesia, Article 19 of Marriage Law No. 1/1974 and Article 116 of the Compilation

of Islamic Laws (KHI) recognize adultery as valid grounds for divorce. However, evidentiary standards remain stringent (Prameswari and Agustin, 2018). As Vitiello (2017) explains, courts generally cannot accept suspicion or indirect evidence as sufficient grounds for a zina-based divorce ruling. As a result, many plaintiffs instead cite “continuous quarrelling” as their legal basis, which is easier to substantiate and more flexible within juridical construction (Erni, 2023; Santi, 2023). This strategy is used to ensure their petition is accepted by the court, even when infidelity is the real issue. In this context, women are forced to adapt their formal legal arguments because the evidentiary system fails to substantively support their lived experiences (Fera, 2023; Nenden, 2023; Santi, 2023). This situation reveals a gap in legal protection for victims of infidelity and underscores the need to reinterpret Islamic and positive legal norms to better accommodate the evidentiary complexity of marital cases.

The pattern of divorce due to infidelity among female civil servants represents not only a household crisis but also a growing legal consciousness among working women. They are no longer passively enduring unequal relationships but are actively using both positive law and Islamic law to assert their rights and dignity (Adhha, 2019; Bukido and Aminah, 2024). Their choice to file divorce petitions over infidelity represents resistance to symbolic domination and patriarchal structures, demonstrating how law, both state and Islamic, can become a tool of emancipation when accessed strategically.

### **Economic issues and financial independence**

The realities faced by female civil servants in their households are tested not only by emotional dynamics and dual roles in work and domestic spheres but also by persistent economic imbalances. Although many female civil servants have achieved financial independence, this does not automatically guarantee equality in household responsibilities, particularly regarding financial support (Hafidzi, Khalid and Septiani, 2020).

Based on interviews conducted at the Manado Religious Court and the Civil Service Agency Office in Gorontalo, many female civil servants chose to file for divorce because their husbands no longer fulfilled their financial obligations once the wives had a stable income (Lia, 2023; Santi, 2023). A female civil servant in Manado, Erni (2023) stated that

her husband stopped providing financial support on the grounds that she “already had her own income.” Similar patterns emerged in interviews with civil service officials and religious court judges, who noted that husbands often justify abandoning economic responsibilities by claiming their wives “are now salaried.”

“I have a salary, but that doesn’t mean he’s free from providing for me. Over time, it felt less like a marriage and more like two people coexisting without care.” (Erni, 2023; Sastra, 2023).

This narrative reflects a disregard for the Islamic legal principle of *nafaqah*, where a husband’s obligation to provide alimony is not voided by the wife’s income. Quran 65:7 emphasizes that husbands must provide alimony “according to their means,” irrespective of the wife’s financial status. This is reinforced in Article 80 of the Compilation of Islamic Laws and Article 34 of Law No. 1/1974 (Bukido and Aminah, 2024; Idris, Khusaini and Al-Mansyuri, 2024). Sociologically, Erni’s statement indicates a transformation of marital relationships—from partnerships into emotionally and economically disconnected cohabitation. From the perspective of gender justice theory, such an imbalance constitutes structural injustice, where women are forced to carry a double burden while their rights are dismissed under the pretext of financial autonomy (Fraser, 2020). In this case, filing for divorce is not only an escape from an unequal relationship but also a legal strategy for securing economic justice within the framework of Islamic law.

When a woman’s financial independence is misinterpreted by her partner, a relational imbalance emerges: the wife continues to fulfill her roles as both homemaker and state employee, while the husband becomes passive and withdraws from his responsibility as the primary provider (Nenden, 2023). This creates a shift in roles that is not mutually agreed upon, but instead imposed by structural forces and unilateral perceptions by the husband (G. P., Unnithan and Belk, 2023; Bukido and Aminah, 2024).

Islamic law stipulates that a husband’s obligation to provide for his wife remains intact even if the wife has an income (Ahmed, 2021). Scholars like ibn Muhammad Qudamah (1981), as cited in al-Mughni, affirm that alimony is a right of the wife that must be fulfilled by the husband for as long as the marriage lasts. This is reinforced in Quran Surah At-Talaq verse 7, which mandates alimony based on the husband’s capacity, regardless of the wife’s

financial situation (Hanapi et al., 2024; Sar'an et al., 2024).

This obligation is also embedded in Indonesian law. Article 34 of Law No. 16 of 2019 and Article 80 of the Compilation of Islamic Law both affirm the husband's duty to provide for his wife and family (Bukido and Aminah, 2024; Idris, Khusaini and Al-Mansyuri, 2024; Sar'an et al., 2024). However, in practice, the legal system is not strong enough to enforce this responsibility unless the wife formally files a claim. Unfortunately, not all female civil servants choose legal avenues to demand support, either because they do not want to prolong marital tension or because they feel capable of bearing the financial burden themselves (Muslim, 2023; Sastra, 2023). This is where the irony lies: when a woman works, she may lose her legitimacy to demand justice within her marriage. Rather than being appreciated for her contribution, she is abandoned by a partner who assumes his responsibility has diminished. This constitutes a harmful inversion of roles, both psychologically and socially (Liu, 2022).

This inequity contradicts Islamic principles of *'adl* (justice) and *mas'uliyah* (moral accountability) (Alfitri, 2020; Bukido and Aminah, 2024). Likewise, under Indonesian law, the failure to fulfill *nafaqah* can serve as a legitimate reason for divorce (Blackburn and Bessell, 1997; Lakoni, Ardiansyah and Juwita, 2023; Idris, Khusaini and Al-Mansyuri, 2024). Thus, when female civil servants choose divorce, it is not solely due to economic hardship but a rejection of unequal responsibilities in a relationship meant to be mutually supportive.

This phenomenon illustrates how women's financial independence, instead of strengthening marital harmony, can become a source of conflict when husbands fail to interpret it as a partnership. Some men see their wives' financial independence as a justification to stop providing *nafaqah* (Engin and Treleaven, 2019; Fera, 2023), without realizing that in both Islamic law and national law, financial obligation is absolute and not conditional on the wife's income. In this context, filing for divorce becomes a form of resistance to patriarchal interpretations of family roles. Female civil servants who choose to separate are not doing so because they are financially incapable, but because they refuse to remain in an unequal and unjust relationship. Both progressive Islamic law and Indonesian positive law recognize a woman's right to a dignified and financially secure life. In this light,

divorce asserts a woman's right to live equally, with dignity, and free from injustice, both under state law and Islamic principles.

### **Poor communication and emotional distance**

Dysfunctional communication is a key pattern identified in divorces among female civil servants. When communication between husband and wife breaks down—whether due to time constraints, emotional disconnect, or physical absence—an emotional erosion occurs that gradually weakens the marital bond. In the context of civil servants, heavy workloads, administrative demands, and frequent out-of-town assignments further exacerbate communication gaps between partners.

Interviews with several female civil servants revealed that their marriages had evolved into formal relationships lacking emotional intimacy. A respondent from Manado shared:

“We were both busy, rarely home. But he never initiated conversations about our relationship. Over time, I felt like a stranger to my own husband.” (Erni, 2023; Lia, 2023; Nenden, 2023)

This condition indicates that marriages within the civil servants environment often experience both physical and psychological distance. When marriage loses its dimension of dialogue and empathy, every difference becomes a potential conflict rather than a space for compromise. Al Gharaibeh & Islam (2024) refer to this as “emotional divorce,” an emotional disconnection that occurs long before a formal court decision is issued.

Sociologically, this pattern can be interpreted through the theory of family communication dysfunction. Alfitri (2020) dan Deylami et al. (2021) explain that couples' inability to articulate feelings, expectations, or grievances becomes the root of unresolved conflict. Among civil servant couples, this situation is worsened by work-related pressures and institutional cultures that offer no space for reflection or relationship healing. Islamic law emphasizes that healthy communication is a pillar of marriage. Quran Surah Ar-Rum verse 21 states that God created spouses to bring tranquility and love to one another, which cannot flourish without effective communication. When communication ceases, emotional rights within marriage are neglected (Fauzan and Amroni, 2020). In *fiqh*, this condition may fall under *al-darar al-nafsiyy* (emotional harm), which is a valid basis for divorce through

*fasakh* (Anggraeni et al., 2022).

Under Indonesian law, constant disputes caused by miscommunication are recognized as legal grounds for divorce. Article 19 (f) of Law No. 1 of 1974 and Article 116 (f) of the Compilation of Islamic Law state that “continuous quarrels and disputes” may serve as legitimate grounds for a court to grant a divorce petition. In practice, this is often used by female civil servants as a legal strategy, even though the root of the problem runs deeper than mere disagreements.

Thus, divorce arising from poor communication is not merely a technical issue of relational failure but reflects the erosion of moral foundations in household life. Female civil servants experiencing this do not only bear personal burdens, but also face social, psychological, and professional consequences. Therefore, there is a need for attention from government institutions, civil servant agencies, and religious bodies to develop marriage counseling mechanisms that are responsive to the specific needs of female employees.

### **The impact of divorce on female civil servants**

Divorce for female civil servants not only affects their personal relationships but also brings complex psychological, social, and institutional consequences (Djawas et al., 2023). As individuals carrying dual roles—both as mothers and as state employees—female civil servants face multiple layers of pressure during the post-divorce phase (Cartwright and Cooper, 1997). On one hand, they must navigate a drastically altered personal life, including child-rearing burdens and shrinking social circles. On the other hand, they are still expected to maintain a professional image in work environments that often judge marital status as a reflection of moral stability and job performance. Interviews in Gorontalo and Manado showed that divorced female civil servants often experience emotional pressure, loneliness, and a lack of social support—even in workplace environments that are supposed to be neutral (Nenden, 2023; Sastra, 2023).

Psychologically, divorce becomes an emotionally pivotal moment. Respondents at the Manado Religious Court described the post-divorce period as a phase of “emotional limbo,” having to hide their grief while maintaining a strong public persona (Lia, 2023). From the perspective of Islamic law, divorce is indeed permissible, but only as a last

resort when tranquility (*sakīnah*) and mercy (*rahmah*) are no longer present in the marriage (Nafi'ah, Fahmi and Tarantang, 2024). Quran 2:231 emphasizes that divorce should not be conducted in a manner that harms or oppresses the spouse, including through post-divorce psychological pressure (Hanapi et al., 2024). However, in bureaucratic practice, there are still no specific mechanisms for psychosocial support or legal protection for divorced female civil servants (Waseem et al., 2020). This indicates that neither Islamic legal systems nor state institutions have prioritized inner emotional protection as a core focus.

Structurally, divorced female civil servants often face indirect career barriers. Several respondents stated that after divorce, they felt more closely monitored, received fewer promotions, or were transferred without clear justification (Muslim, 2023; Risman, 2023; Sastra, 2023). While there are no formal rules that discriminate against divorced female civil servants, internal moral perceptions and social norms within the bureaucracy leave them in a vulnerable position (Devy, Amrullah and Zulfiana, 2023; Djawas et al., 2023). This reflects what Fraser (1997) calls structural injustice, particularly in terms of representational and recognition disparities, where women's lived experiences are insufficiently reflected in bureaucratic policy. Thus, the impact of divorce is not limited to the personal sphere, but also reveals a systemic failure to ensure substantive justice for working women, both in terms of the Islamic principle of '*adl*' (justice) and the non-discrimination principles in state administrative law.

### **Psychological and emotional impact**

Divorce inevitably carries emotional consequences for anyone who experiences it (Muzainah, Faridh and Hasan, 2023; Nafi'ah, Fahmi and Tarantang, 2024). However, for female civil servants, this psychological burden manifests in more complex forms. They not only endure the loss of a partner and the dissolution of their household but also face heightened social pressure due to their status as state employees. As part of an institution that idealizes the image of a "harmonious family" and moral exemplarity, divorced female civil servants often experience dual pressures—personal and institutional (Lakoni, Ardiansyah and Juwita, 2023). Their identity as women who "failed to maintain their marriage" becomes a whispered label in office corridors, subtly reinforced in workplace interactions, or even



implied by colleagues and superiors. This stigma compounds the unhealed wounds from the divorce process itself (Rhodes et al., 2003).

According to interviews conducted at the Religious Court in Manado, a respondent shared that she felt emotionally adrift after her divorce was finalized. She stated:

“I cried almost every night after the final court session. Not out of regret, but disappointment. I thought divorce would free me, but instead, I felt lost. My children kept asking questions, my parents were upset, and I didn’t know what to do.” (Nenden, 2023).

In another case at the Cilacap Religious Court, a female civil servant said that she felt as if she were homeless, even though she still had a house in the literal sense (Lia, 2023). This statement reflects the emotional emptiness that arises after emotional ties and social support collapse without any moral reinforcement from those around her. This phenomenon shows that divorce is not the end of conflict but the beginning of a long journey of emotional recovery (Napitu, Yuspendi and Manurung, 2023). Divorced female civil servants must continue living their professional and social lives with a façade of strength and stability, despite dealing with feelings of disappointment, loneliness, or even trauma. In this context, the theory of emotional labor developed by Humphrey et al., (2015) becomes relevant. It explains how individuals in professional roles are often forced to suppress their emotions to maintain their public image and work functionality.

Post-divorce female civil servants perform this role intensely, having to fulfill official duties and public service obligations while carrying emotional pain that cannot be openly expressed. When emotions are suppressed and left unhealed, psychological burdens can evolve into ongoing mental health disorders such as anxiety, mild depression, or even post-traumatic stress disorder (Kale and Gedik, 2020). From the standpoint of Islamic law, the psychological dimension of marriage is not overlooked. The Qur’an emphasizes not only material rights and obligations but also spiritual and emotional ones. Quran Surah Al-Baqarah verse 231 states that if one divorces their spouse, they must not do so in a harmful way (*li yudarrūha*), indicating that emotional distress is recognized as a form of injustice (Kasim and Semiaji, 2022). In Fiqh, scholars from various schools of thought acknowledge *ḍarar ma‘nawī*, including emotional harm, psychological pressure, or humiliation of the wife,

as a valid basis for annulment of marriage (Alfitri, 2020; Anggraeni et al., 2022; Aslati et al., 2024). Unfortunately, this dimension has not been sufficiently developed in Indonesia's family law discourse, which tends to emphasize procedural and formalistic aspects.

On the other hand, in positive law, there are few mechanisms to protect against the psychological impacts of divorce. There are no official institutions that provide dedicated counseling or mental support for divorced female civil servants. If such support exists, it is voluntary and unsystematic. However, as a state institution that emphasizes professionalism and employee welfare, the government should offer recovery space for civil servants who experience mental strain due to divorce. The absence of a structured support system forces female civil servants to confront their trauma and inner wounds alone while continuing to carry out their job responsibilities (Kasim and Semiaji, 2022; Risman, 2023; Santi, 2023).

Therefore, the psychological impact of divorce on female civil servants is not a mere side effect but an integral part of their experience, requiring urgent attention. Their grief, social stigma, and emotional isolation reflect persistent gender inequities in both familial and state structures. When laws fail to protect women's emotional well-being, justice remains incomplete. Post-divorce protections under Islamic law and bureaucratic systems must expand beyond formal rights to include empathetic, dignity-centered psychological recovery frameworks.

### **Impact on career and work performance**

Divorce affects not only the psychological well-being of female civil servants but also directly impacts their professional performance and career trajectories. For most interviewees, the divorce process and post-court phase drained energy, disrupted focus, and created high-pressure work environments (Alfitri, 2020). One respondent from the Limboto Religious Court admitted to experiencing a decline in work motivation for nearly a year after her divorce:

*"I dreaded going to the office; tasks felt overwhelming. Sometimes I just sat at my desk, unable to focus,"*  
(Sastra, 2023).

This was reinforced by another civil servants in Gorontalo, who stated that the mental burden from family pressure, public opinion, and coworkers' attitudes was more

painful than the court proceedings themselves (Santi, 2023). This suggests that divorce is not confined to the private sphere but also extends to the public space where female civil servants work (Kasim and Semiaji, 2022). In a bureaucratic system that emphasizes performance, discipline, and integrity, women dealing with household issues often face additional pressure for supposedly “bringing personal problems into the institution” (Nwoko and Igbokwe, 2023). Many of them work hard to hide their emotional pain to maintain professionalism in front of their superiors. However, these efforts are often insufficient to avoid negative judgments or even unwritten moral sanctions (Lia, 2023). This represents a new form of structural discrimination, not formally codified but evident in everyday workplace dynamics.

From the perspective of Indonesian law, there is no provision in the Civil Servant Law explicitly stating that divorce affects one’s career. However, in staffing practices, especially at the regional level, local cultural values and moral perceptions of superiors regarding the “model behavior” of divorced female civil servants can influence transfers, promotions, or special assignments (Muslim, 2023; Sastra, 2023). Notably, Government Regulation No. 45 of 1990 states that civil servants intending to divorce must obtain written permission from their supervisory authority (Lakoni, Ardiansyah and Juwita, 2023). Although administrative in nature, this requirement opens the door for structural control over civil servants’ personal lives. If not applied with a justice-oriented perspective, it can become an additional burden for women.

This highlights the structural inequality experienced by divorced female civil servants. They lose not only emotional and financial support but may also have to risk the careers they built through hard work. This situation reveals flaws in a bureaucratic system that has not fully embraced gender-experiential justice. According to the theory of structural discrimination, female civil servants occupy vulnerable positions as they must constantly prove their moral and professional worth post-divorce, a burden rarely placed on male civil servants in the same situation (Krause, Lewis and Douglas, 2006).

In Islamic law, there is no concept that a divorced woman loses her right to work or participate in the public sphere. On the contrary, Islamic history records many influential women, widows and independent women alike, who played vital roles in economics,

education, and leadership (Ahmed, 2021; Koburtay, Abuhussein and Sidani, 2023). Thus, divorce should not be a reason to hinder women's career progress or diminish their dignity. The principles of *al-maṣlaḥah* (public benefit) (Azni *et al.*, 2025) and *al-'adl* (justice) must serve as the foundation for ensuring that women who have undergone divorce retain equal standing in both social and professional structures (Djawas *et al.*, 2023).

Therefore, the impact of divorce on female civil servants' careers is not a natural consequence but the result of a social system that has yet to fully uphold women's rights. Policy reform in human resources is urgently needed to prioritize non-discrimination and structured psychosocial support. Additionally, there must be a strengthening of Islamic legal interpretations that empower women as agents of change, not as structural victims of a system that hinders their recovery. Only with such an approach can the law and the state truly function as protectors, not obstacles, for women striving for a better life after divorce.

### **Gender burden and parenting responsibility**

One of the most tangible impacts of divorce on female civil servants is the increased gender burden, particularly in child-rearing responsibilities. After divorce, domestic duties that were ideally shared between partners almost entirely shift to the woman. After divorce, domestic responsibilities previously shared with a partner almost entirely shift to the woman (Lia, 2023). In many cases, female civil servants become not only the primary caregivers but also the financial and emotional anchors of the family (Kasim and Semiaji, 2022; Mariam, 2025). This reinforces the construction of a double burden, often leading to additional physical and psychological strain. A respondent from the Cilacap Religious Court described the situation simply but sharply:

“I work from morning to evening, come home and still have to take care of the kids, help them study, and think about school fees. I used to have help; now it's all on me.” (Risman, 2023).

This caregiving burden is not merely about managing household routines or providing for the children's basic needs. More than that, it encompasses dimensions of social identity and moral pressure, where women are still expected to fulfill the role of the “ideal mother” even after the formal family structure collapses (Muzainah, Faridh and Hasan, 2023). In

Indonesia's socio-bureaucratic context, divorced female civil servants are often positioned as the primary parties responsible for child welfare, with limited space for emotional recovery and without consistent financial support from their ex-husbands (Napitu, Yuspendi and Manurung, 2023). Meanwhile, many former husbands neglect their responsibilities for *ḥaḍānah* (custody) and child support, as revealed in interviews with court officials in Limboto:

“Ex-husbands often feel released from responsibility after divorce, even though children still need food and education.” (Sastra, 2023).

Under Islamic law, the *ḥaḍānah* generally falls to the mother, especially when the child is still young. This is based on principles of compassion and emotional closeness, as established in many Fiqh references (Idris, Khusaini and Al-Mansyuri, 2024; Mursyid, Bilalu and Subeitan, 2024). However, this caregiving authority does not absolve the father of his financial responsibilities (Musaddad et al., 2025). Moreover, according to *jumhur ulama* (the majority of scholars), the father remains obligated to cover all child-rearing expenses, regardless of who holds custody. Unfortunately, in religious court practice, *ḥaḍānah* rulings are often not accompanied by strong enforcement of financial obligations (Adhha, 2019; Setiyawan, Tuasikal and Karana, 2024). Many female civil servants choose not to pursue legal action against ex-husbands due to exhaustion with lengthy, complex processes that offer no guaranteed outcomes.

Meanwhile, Indonesian law also stipulates that mothers have the right to custody of *non-mumayyiz* (pre-pubescent) children, with fathers obligated to provide for their children (Article 156 of the Compilation of Islamic Laws and Law No. 1/1974). However, the lack of strong enforcement mechanisms often leaves these rulings unexecuted (Mursyid, Bilalu and Subeitan, 2024). In many cases, female civil servants are ultimately left to carry out the entire *ḥaḍānah* function, including caregiving, education, and financing, without sufficient structural support (Makka et al., 2021; Sururie, Athoillah and Ulhaq, 2023). This leads to a new form of imbalance that makes it difficult for women to balance work and domestic responsibilities and affects their physical and psychological well-being in the long term (Liu, 2022; Muzainah, Faridh and Hasan, 2023; Fadil, Mazidah and Mahmudi, 2024).

This reality reveals that legal and bureaucratic systems have failed to uphold substantive justice for post-divorce women (Nelli et al., 2023). When childcare and financial burdens are

unilaterally imposed on mothers, the state and law have effectively failed to protect children's rights and enforce equitable family principles (Ipandang, 2021; Lakoni, Ardiansyah and Juwita, 2023). Moving forward, post-divorce protection policies for women and children must be redesigned, both through contextual reinterpretations of Islamic family law and institutional reforms responsive to the social realities of working women.

The experience of divorced female civil servants in facing parenting responsibilities reveals a double-edged injustice. On one hand, they are praised as pillars of the state; on the other, they are left to shoulder household responsibilities alone, without sufficient legal and social protection. This inequity demands a critical re-evaluation of existing legal norms and bold institutional reforms to establish fairer, gender-sensitive civil service and family protection systems.

## **Conclusion**

This study finds that divorces among Muslim female civil servants in Indonesia are driven not only by relational conflicts, such as infidelity, financial neglect, and dysfunctional communication, but also by patriarchal legal and cultural structures that restrict women's access to justice. The combination of administrative pressure, biased interpretations of Islamic law, and social stigma renders divorce not merely a personal matter but a structural issue that requires critical re-evaluation.

Substantively, this research answers the main question posed in the introduction, confirming that Muslim female civil servants face inequality in accessing legal rights after divorce. Neither state nor Islamic law has yet provided complete protection, particularly in aspects such as *fasakh*, *nafaqah*, and *ḥaḍānah*. Therefore, reforms in the Islamic family legal system and bureaucratic policies are necessary to be more responsive to working women's social realities and deliver justice rooted in lived experience.

The limitation of this study lies in its geographical scope, which is confined to four jurisdictions, and in its qualitative approach, which does not allow for generalization. Future research is recommended to adopt quantitative and cross-professional comparative approaches and expand interdisciplinary studies between Islamic law, psychology, and

public policy to strengthen the gender justice framework in Indonesia's family law system.

## Bibliography

- Adhha, N. (2019) 'Analysis of causes of divorce in the perspective of islamic law: a case study in the class 1 a religious court of padang', *AL'Adalah*, 16(1), pp. 89–114. doi: 10.24042/adalah.v16i1.2305.
- Ahmad, N., Zamri, Z. H. and Omarali, N. S. (2024) 'Islamic Nations' Approaches to Combating Gender Discrimination against Women: An Examination of the Southeast Asia Region', *De Jure: Jurnal Hukum dan Syar'iah*, 16(2), pp. 501–530. doi: 10.18860/j-fsh.v16i2.29965.
- Ahmed, L. (2021) *Women and gender in Islam: Historical roots of a modern debate*. Veritas Paperbacks.
- Al-Ahmadi, H. (2011) 'Challenges facing women leaders in Saudi Arabia', *Human Resource Development International*, 14(2), pp. 149–166. doi: 10.1080/13678868.2011.558311.
- Alfitri, A. (2020) 'Protecting Women from Domestic Violence: Islam, Family Law, and the State in Indonesia', *Studia Islamika*, 27(2), pp. 273–307. doi: 10.36712/sdi.v27i2.9408.
- Andiko, T. and Fauzan, F. (2019) 'Dilema Perceraian Suami Muslim Pegawai Negeri Sipil di Propinsi Bengkulu', *Al-Ulum*, 19(1), pp. 103–128. doi: 10.30603/au.v19i1.747.
- Anggraeni, R. D. *et al.* (2022) 'Legality of Khulu' Lawsuit for Wives in the Provisions of Legislation in Indonesia', *Jurnal Ilmiah Al-Syir'ah*, 20(1), pp. 34–52. doi: 10.30984/jis.v20i1.1817.
- Aslati *et al.* (2024) 'Utilizing Science and Maqāṣid al-Sharī'ah in Resolving Contemporary Issues of Islamic Family Law', *Al-Manabij: Jurnal Kajian Hukum Islam*, 18(1), pp. 17–36. doi: 10.24090/mnh.v18i1.10571.
- Azni, A. *et al.* (2025) 'Pseudo-Ma la ah and Epistemological Failure in Marriage Dispensation at Indonesian Religious Courts', *Jurnal Ilmiah Peuradeun*, 13(2).
- BKKPD (2021) *Pernikahan dan Perceraian PNS*, BKPPD Cilacap.
- Blackburn, S. and Bessell, S. (1997) 'Marriageable Age: Political Debates on Early Marriage in Twentieth-Century Indonesia', *Indonesia*, 63, p. 107. doi: 10.2307/3351513.
- Bukido, R. and Aminah, S. (2024) 'Is Islamic Family Law Fair for Women Not Working

- After Divorce?', *Antmind Review: Journal of Sharia and Legal Ethics*, 1(2), pp. 51–59.
- Cartwright, S. and Cooper, C. L. (1997) *Managing workplace stress*. Sage.
- Cilacap Religious Court (2023) *Activity Implementation Report for the Years 2018-2022*.
- Deterding, N. M. and Waters, M. C. (2021) 'Flexible Coding of In-depth Interviews: A Twenty-first-century Approach', *Sociological Methods & Research*, 50(2), pp. 708–739. doi: 10.1177/0049124118799377.
- Devy, S., Amrullah, A. and Zulfiana, U. (2023) 'Divorce Petition Against Drug User Husband: Case Study of Kuala Simpang Syar'iyah Court Decision, Aceh Tamiang', *El-Usrah: Jurnal Hukum Keluarga*, 6(2), pp. 281–297. doi: 10.22373/ujhk.v6i2.12062.
- Deylami, N. *et al.* (2021) 'Evaluation of an Online Gottman's Psychoeducational Intervention to Improve Marital Communication among Iranian Couples', *International Journal of Environmental Research and Public Health*, 18(17), p. 8945. doi: 10.3390/ijerph18178945.
- Dildar, Y. (2025) 'Examining the Rise in Marriage Dissolution in Turkey: Demographic Shifts and Gender Dynamics', *Social Politics: International Studies in Gender, State & Society*. Oxford University Press, p. jxaf010. doi: 10.1093/sp/jxaf010/8085124.
- Djawas, M. *et al.* (2023) 'The Alimony Obligation of a Civil Servant and Non-Civil Servant Father towards Children Post-Divorce (The Study on Aceh Syar'iyah Court Decision Study of 2019)', *El-Usrah: Jurnal Hukum Keluarga*, 6(1), p. 91. doi: 10.22373/ujhk.v6i1.9493.
- Engin, Z. and Treleaven, P. (2019) 'Algorithmic Government: Automating Public Services and Supporting Civil Servants in using Data Science Technologies', *The Computer Journal*, 62(3), pp. 448–460. doi: 10.1093/comjnl/bxy082.
- Erni. (2023), Personal Interview in Manado, 8 Maret.
- Fadil, F., Mazidah, Z. and Mahmudi, Z. (2024) 'Fulfillment of Women's Rights After Divorce: Dynamics and Transformation in the Legal Journey', *De Jure: Jurnal Hukum dan Syar'iah*, 16(1), pp. 1–20. doi: 10.18860/j-fsh.v16i1.25713.
- Fakhyadi, D. *et al.* (2025) 'Reconstructing Gender Relations for Family Resilience in Minangkabau: Integrating Islamic Law and Customary Law', *Al-Ahkam*, 35(1), pp. 1–30. doi: 10.21580/ahkam.2025.35.1.22906.
- Fauzan, A. and Amroni, H. (2020) 'The Concept of Sakinah Family in The Contemporary



- Muslim Generation', *AL-'ADALAH*, 17(1), pp. 51–70. doi: 10.24042/adalah.v17i1.6458.
- Fera. (2023), Personal Interview in Gorontalo, 11 Maret.
- Fraser, N. (2020) 'From Redistribution to Recognition?', in *The New Social Theory Reader*. Routledge, pp. 188–196. doi: 10.4324/9781003060963-30.
- G. P., R., Unnithan, A. B. and Belk, R. W. (2023) 'Consumption to compensate for the feeling of "loss of ownership of self" Women's journeys through the liminal transitions of marriage', *International Journal of Consumer Studies*, 47(1), pp. 350–372. doi: 10.1111/ijcs.12766.
- Gorontalo Religious Court (2023) *Activity Implementation Report for the Years 2018-2022*. Gorontalo.
- Al Gharaibeh, F. and Islam, M. R. (2024) 'Divorce in the Families of the UAE: A Comprehensive Review of Trends, Determinants, and Consequences', *Marriage & Family Review*, 60(4), pp. 187–209. doi: 10.1080/01494929.2024.2332696.
- Grijns, M. and Horii, H. (2018) 'Child Marriage in a Village in West Java (Indonesia): Compromises between Legal Obligations and Religious Concerns', *Asian Journal of Law and Society*. doi: 10.1017/als.2018.9.
- Hafidzi, A., Khalid, N. and Septiani, R. (2020) 'The Biological Fathers Have Civil Rights With Evidence and Conviction of Their Children', *Jurnal Ilmiah Al-Syir'ah*, 18(2), p. 127. doi: 10.30984/jis.v18i2.1127.
- Hamidi, A. B., Widianingsih, I. and Nurasa, H. (2025) 'Two decades of women's underrepresentation in public service leadership: the Islamic Republic of Afghanistan', *Central Asian Survey*, 44(1), pp. 20–41. doi: 10.1080/02634937.2024.2391514.
- Hammarberg, K., Kirkman, M. and de Lacey, S. (2016) 'Qualitative research methods: when to use them and how to judge them', *Human Reproduction*, 31(3), pp. 498–501. doi: 10.1093/humrep/dev334.
- Hanapi, A. et al. (2024) 'The Practice of Triple Talaq and Women's Protection in Aceh: A Maslahat Perspective', *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 8(2), pp. 1142–1164. doi: 10.22373/sjhh.v8i2.15865.
- Haneef, S. S. (2012) 'Treatment of Recalcitrant Wife in Islamic Law: The Need for a

- Purposive Juridical Construct', *Global Jurist*, 12(2). doi: 10.1515/1934-2640.1399.
- Hartini, H., Ilhami, H. and Yusoff, R. M. (2024) 'Sole Custody and The Implication of Fault-based Divorce Under the Indonesian Legal System', *Journal of Indonesian Legal Studies*, 9(1), pp. 249–278. doi: 10.15294/jils.vol9i1.4576.
- Huda, M. C. (2022) *Metode Penelitian Hukum (Pendekatan Yuridis Sosiologis)*. Salatiga: IAIN Salatiga.
- Humphrey, R. H., Ashforth, B. E. and Diefendorff, J. M. (2015) 'The bright side of emotional labor', *Journal of Organizational Behavior*, 36(6), pp. 749–769. doi: 10.1002/job.2019.
- ibn Muhammad Qudamah, A. (1981) *al-Mughni li Ibn Qudamah*. XVI. Riyadh: al-hadîtsah.
- Idris, A. R., Khusaini, M. and Al-Mansyuri, S. A. (2024) 'Contemporary Islamic Law in Indonesia: the Fulfillment of Child Custody Rights in Divorce Cases Caused by Early Marriage', *MILRev : Metro Islamic Law Review*, 3(1), pp. 1–21. doi: 10.32332/milrev.v3i1.8907.
- Ikhsan, M. N. F. (2022) *Faktor Penyebab Tingginya Angka Perceraian Pada Kalangan Aparatur Sipil Negara (ASN) Di Pengadilan Agama Pemalang Tahun 2021*. Universitas Islam Indonesia.
- Ikhsanudin, A. (2023) *KASN Ungkap Tren Perceraian ASN Meningkat, Ingatkan Harus Izin*, *Detik News*.
- Ipandang, I. (2021) 'The Phenomenon Of Polygamy Of Civil Servants In Al Maqashid Al Sharia Perspective: Analysis Study Of Government Regulation No 45 Of 1990 In Konawe Southeast Sulawesi', *AKADEMIKA: Jurnal Pemikiran Islam*, 26(1), p. 75. doi: 10.32332/akademika.v26i1.3203.
- Jayasingam, S., Lee, S. T. and Mohd Zain, K. N. (2023) 'Demystifying the life domain in work-life balance: A Malaysian perspective', *Current Psychology*, 42(1), pp. 1–12. doi: 10.1007/s12144-021-01403-5.
- Kale, A. and Gedik, Z. (2020) 'Quality of Life in Riot Police: Links to Anger, Emotion Regulation, Depression, and Anxiety', *Applied Research in Quality of Life*, 15(1), pp. 107–125. doi: 10.1007/s11482-018-9667-3.
- Kasim, F. M. *et al.* (2022) 'The Protection of Women and Children Post-Divorce in Sharia Courts in Aceh: A Sociological Perspective', *Abkam: Jurnal Ilmu Syariah*, 22(2), pp.

411–432. doi: 10.15408/ajis.v22i2.28747.

- Kasim, N. M. and Semiaji, T. (2022) 'Divorce Cases in Members of Indonesian Police Force: A Positive Law Perspective', *Jurnal Ilmiah Al-Syir'ah*, 20(1), pp. 91–104. doi: 10.30984/jis.v20i1.1793.
- Killewald, A. (2016) 'Money, Work, and Marital Stability', *American Sociological Review*, 81(4), pp. 696–719. doi: 10.1177/0003122416655340.
- Koburtay, T., Abuhussein, T. and Sidani, Y. M. (2023) 'Women Leadership, Culture, and Islam: Female Voices from Jordan', *Journal of Business Ethics*, 183(2), pp. 347–363. doi: 10.1007/s10551-022-05041-0.
- Krause, G. A., Lewis, D. E. and Douglas, J. W. (2006) 'Political Appointments, Civil Service Systems, and Bureaucratic Competence: Organizational Balancing and Executive Branch Revenue Forecasts in the American States', *American Journal of Political Science*, 50(3), pp. 770–787. doi: 10.1111/j.1540-5907.2006.00215.x.
- Lakoni, L., Ardiansyah, M. and Juwita, M. N. (2023) 'Reconstruction of Marriage and Divorce Law for Civil Servants', *SMART: Journal of Sharia, Tradition, and Modernity*, 3(1), p. 55. doi: 10.24042/smart.v3i1.16979.
- Letiecq, B. L. (2024) 'Theorizing White heteropatriarchal supremacy, marriage fundamentalism, and the mechanisms that maintain family inequality', *Journal of Marriage and Family*, 86(5), pp. 1184–1204. doi: 10.1111/jomf.12971.
- Lia. (2023), Personal Interview in Manado, 7 Maret.
- Limboto Religious Court (2023) *Activity Implementation Report for the Years 2018-2022*. Limboto.
- Liu, C.-W. (2022) 'Online banking and women's increasing bargaining power in marriage: A case study in a "Taobao village" of southern Fujian', *Women's Studies International Forum*, 92, p. 102597. doi: 10.1016/j.wsif.2022.102597.
- Mahlangu, P. et al. (2022) 'Impact of COVID-19 lockdown and link to women and children's experiences of violence in the home in South Africa', *BMC Public Health*, 22(1), p. 1029. doi: 10.1186/s12889-022-13422-3.
- Makka, M. M. et al. (2021) 'The Conversion of the Adopted Children's Clan in the Village of Tumbak from the Islamic Law Point of View', *Kawanua International Journal of*

- Multicultural Studies*, 2(1), pp. 10–17. doi: 10.30984/kijms.v2i1.16.
- Makka, M. M. and Ratundelang, T. F. (2022) 'Poligami tanpa Izin Istri Pertama dan Dampaknya terhadap Keluarga', *Al-Mujtabid: Journal of Islamic Family Law*, 2(1), pp. 34–51. doi: 10.30984/ajifl.v2i1.1937.
- Manado Religious Court (2023) *Activity Implementation Report for the Years 2018-2022*. Manado.
- Mansur, T. M. *et al.* (2025) 'Mediating Tradition: The Role of Law Enforcement in Customary Law Disputes', *Jurnal Ilmiah Peuradeun*, 13(2). doi: <https://doi.org/10.26811/peuradeun.v13i2.1921>.
- Mariam, S. (2025) 'Role of Public Justification in pledge to policy linkage: Evidence from India's Uniform Civil Code', *International Journal for the Semiotics of Law - Revue internationale de Sémiotique juridique*. doi: 10.1007/s11196-025-10257-0.
- Mas'udah, S. (2023) 'Power Relations of Husbands and Wives Experiencing Domestic Violence in Dual-Career Families in Indonesia', *Millennial Asia*, 14(1), pp. 5–27. doi: 10.1177/09763996211039730.
- Mensah, E. O. (2023) 'The Guy Was a Toxic Player: The Discourse of Heterosexual Non-Marital-Relationship Breakups among Female Youth in Nigeria', *Sociological Focus*, 56(2), pp. 192–208. doi: 10.1080/00380237.2023.2178046.
- Miles, M. B., Huberman, A. M. and Saldaña, J. (2018) *Qualitative data analysis: A methods sourcebook*. Sage publications.
- Mohd. Razif, N. H. (2020) 'Intimacy Under Surveillance: Illicit Sexuality, Moral Policing, and the State in Contemporary Malaysia', *Hanna*, 18(2–3), pp. 325–356. doi: 10.1163/15692086-12341381.
- Mursyid, S., Bilalu, N. and Subeitan, S. M. (2024) 'Navigating Custody: The Impact of Religious Court Judges on Interfaith Family Dynamics', *Al-Mujtabid: Journal of Islamic Family Law*, 4(1), pp. 34–45. doi: 10.30984/ajifl.v4i1.3039.
- Musaddad, E. *et al.* (2025) 'Guaranteeing the Rights of Children and Women Post-Divorce: A Comparative Study Between Indonesia and Malaysia', *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi*, 8(1), pp. 1–14. doi: 10.24090/volksgeist.v8i1.12214.
- Muslim. (2023), Personal Interview in Gorontalo, 12 Maret.
- Muzainah, G., Faridh, M. and Hasan, A. (2023) 'Divorce Contribution During the Covid-19

- Pandemic in Banjarmasin City', *Kawanua International Journal of Multicultural Studies*, 4(1), pp. 41–51. doi: 10.30984/kijms.v4i1.554.
- Nafi'ah, H. A., Fahmi, C. and Tarantang, J.(2024) 'Exploring the Social and Economic Implications of Talaq in Islamic Law', *Antmind Review: Journal of Sharia and Legal Ethics*, 1(1), pp. 23–30.
- Napitu, R. J., Yuspendi, Y. and Manurung, R. T. (2023) 'Marriage Satisfaction among Civil Servants in Provincial Government: The Role of Adult Attachment and Religiosity', *Bulletin of Counseling and Psychotherapy*, 5(1), pp. 69–80. doi: 10.51214/bocp.v5i1.490.
- Nelli, J. *et al.* (2023) 'The Immorality of a Husband as the Cause of a Working Wife to File for Divorce Lawsuit in Indonesia', *JURIS (Jurnal Ilmiah Syariah)*. Institut Agama Islam Negeri Batusangkar, 22(1), p. 119. doi: 10.31958/juris.v22i1.7392.
- Nenden. (2023), Personal Interview in Manado, 8 Maret.
- Nwoko, M. N. and Igbokwe, C. C. (2023) 'Biblical gender equality and women's participation in leadership', *IJoReSH: Indonesian Journal of Religion, Spirituality, and Humanity*, 2(2), pp. 210–232. doi: 10.18326/ijoresh.v2i2.210-232.
- O'Connor, K. and Shahwan, U. (2024) 'Governing the West Bank: What Role Do Elite Level Civil Servants Actively Represent?', *Review of Public Personnel Administration*. doi: 10.1177/0734371X241242436.
- Pangkey, J. M. and Pratiknjo, M. H. (2021) 'Fenomena Sosial Perceraian Dan Dampak Agrososioekonomi Perceraian Pegawai Negeri Sipil Di Kecamatan Malalayang Kota Manado', *Agri-Sosioekonomi*, 17(2), pp. 667–678. doi: 10.35791/agrsossek.17.2 MDK.2021.35435.
- Parker, L., Riyani, I. and Nolan, B. (2016) 'The stigmatisation of widows and divorcees ( janda ) in Indonesia, and the possibilities for agency', *Indonesia and the Malay World*, 44(128), pp. 27–46. doi: 10.1080/13639811.2016.1111677.
- Pierik, B. (2022) 'Patriarchal power as a conceptual tool for gender history', *Rethinking History*, 26(1), pp. 71–92. doi: 10.1080/13642529.2022.2037864.
- Prameswari, Z. W. A. W. and Agustin, E. (2018) 'Indonesian Marriage Law Reform: The Way To Strengthen The Protection of Children's Rights Against Child Marriage', *Journal of Southeast Asian Human Rights*, 2(1), p. 286. doi: 10.19184/jseahr.v2i1.5353.

- Purna Nisa, M. (2021) 'Critical Review of Domestic Violence as Reason for Divorce (Comparison of Divorce Laws in Indonesia, Malaysia and the Maldives)', *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 16(1), pp. 1–26. doi: 10.19105/al-lhkam.v16i1.4292.
- Puspita, D. R., Rostikawati, R. and Dharma, P. (2020) 'Divorce Among State Civil Apparatus in Cilacap Regency', in *Proceedings of the Third International Conference on Social Transformation, Community and Sustainable Development (ICSTCSD 2019)*. Paris, France: Atlantis Press. doi: 10.2991/icstcsd-19.2020.8.
- Qamar, A. H. and Faizan, H. F. (2021) 'Reasons, Impact, and Post-divorce Adjustment: Lived Experience of Divorced Women in Pakistan', *Journal of Divorce & Remarriage*. Taylor & Francis, 62(5), pp. 349–373. doi: 10.1080/10502556.2021.1871840.
- Rahmawati, F. D. (2021) *Faktor Penyebab Perceraian di Kalangan PNS*. Universitas Muhammadiyah Surakarta.
- Rais, I. (2021) 'The impact of COVID-19 pandemic on divorce rates among Indonesian Muslim societies', *Indonesian Journal of Islam and Muslim Societies*, 11(2), pp. 271–297. doi: 10.18326/ijims.v11i2.271-297.
- Rhodes, R. A. W. *et al.* (2003) *Decentralizing the civil service*. McGraw-Hill Education (UK).
- Risman. (2023), Personal Interview in Cilacap, 7 Maret.
- Rutakumwa, R. *et al.* (2020) 'Conducting in-depth interviews with and without voice recorders: a comparative analysis', *Qualitative Research*, 20(5), pp. 565–581. doi: 10.1177/1468794119884806.
- Saeed, S. (2021) 'Religion, classification struggles, and the state's exercise of symbolic power', *Theory and Society*, 50(2), pp. 255–281. doi: 10.1007/s11186-020-09415-z.
- Salendu, A. L. M. (2016) 'Tinjauan Hukum Terhadap Izin Perceraian Pegawai Negeri Sipil Menurut Peraturan Pemerintah No. 45 Tahun 1990', *Lex Privatum*, 4(4).
- Santi. (2023), Personal Interview in Gorontalo, 11 Maret.
- Saputera, A. rahman A. (2018) 'Konsep Keadilan Pada Kasus Cerai Bagi Pegawai Negeri Sipil', *Istinbath : Jurnal Hukum*, 15(2), p. 247. doi: 10.32332/istinbath.v15i2.1245.
- Sar'an, M. *et al.* (2024) 'Implementation of Harmonious Family in the Concept of Proportionality of Obligations and Rights of Husband and Wife Relations: A

- Perspective on the Compilation of Islamic Law', *El-Ushrah: Jurnal Hukum Keluarga*, 7(2), pp. 695–712. doi: 10.22373/ujhk.v7i2.24662.
- Sastra, F. (2023), Personal Interview in Gorontalo, 12 Maret.
- Setiyawan, D., Tuasikal, H. and Karana, H. A. (2024) 'The Phenomenon of Divorce during the Election Period in the Perspective of Islamic Law', *Jurnal Media Hukum*, 31(1), pp. 150–166. doi: 10.18196/jmh.v31i1.21868.
- Sobhan, S. *et al.* (2022) 'Analisis Hukum Kewajiban Menafkahi Mantan Istri oleh PNS Dalam PP Nomor 45 Tahun 1990 Ditinjau dari Hukum Islam', *AL-MANHAJ: Jurnal Hukum dan Pranata Sosial Islam*, 4(2), pp. 153–164. doi: 10.37680/almanhaj.v4i2.1599.
- Solsona, M. *et al.* (2020) 'Divorce and Gendered Family (Re)Configurations in a Sample of Employed and Higher Educated Mothers and Fathers', *Journal of Divorce & Remarriage*, 61(7), pp. 463–486. doi: 10.1080/10502556.2020.1768492.
- Stevenson, B. and Wolfers, J. (2007) 'Marriage and Divorce: Changes and their Driving Forces', *Journal of Economic Perspectives*, 21(2), pp. 27–52. doi: 10.1257/jep.21.2.27.
- Sururie, R. W., Athoillah, M. and Ulhaq, M. I. Z. (2023) 'Strategies to Prevent Increasing Divorce Rates for Muslim Families in Indonesia', *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 7(2), pp. 734–759. doi: 10.22373/sjhk.v7i2.14819.
- Susilawati, S. *et al.* (2023) 'Manifestations of Gender Injustice in Divorced Marriages: The Kabalutan Tradition', *Jambura Law Review*. State University of Gorontalo, 5(1), pp. 136–155. doi: 10.33756/JLR.V5I1.17722.
- Turnip, I. R. S. *et al.* (2024) 'Implementing the Concept of Co-Parenting in Divorce Cases: An Analysis Using the Maslahah Approach', *Al-Istinbath: Jurnal Hukum Islam*, 9(2), pp. 463–484. doi: 10.29240/jhi.v9i2.10117.
- Vitiello, M. (2017) 'Rethinking Adultery', *Criminal Justice Ethics*, 36(3), pp. 314–326. doi: 10.1080/0731129X.2018.1424758.
- Wardatun, A., Haeri, S. and Nurjanah, S. (2023) 'FEMALE LEADERS CREATING STEPPING LADDERS: Exercising Strategic Agency in Religiously Affiliated Universities of Indonesia and the USA', *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 16(2), pp. 232–258. doi: 10.14421/ahwal.2023.16203.
- Waseem, J. *et al.* (2020) 'Psychosocial determinants of divorce and their effects on women

in Pakistan: a national review', *International Journal of Human Rights in Healthcare*, 13(4), pp. 299–315. doi: 10.1108/IJHRH-09-2018-0059.

Yesilkagit, K. *et al.* (2024) 'The Guardian State: Strengthening the public service against democratic backsliding', *Public Administration Review*, 84(3), pp. 414–425. doi: 10.1111/puar.13808.

Zainal, A. *et al.* (2025) 'Navigating Politics: How Non-Elite Women in Eastern Indonesia Counteract Dynastic Power', *Jurnal Ilmiah Peuradeun*, 13(2). doi: <https://doi.org/10.26811/peuradeun.v13i2.2088>.