

Disharmony of the Principle of Marital Integrity in Divorce Application Decision Number 3701/Pdt.G/2024/PA.JS. Analysis of Legal Formality and Sociological Reality

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ABSTRACT

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This study analyzes the disharmony between the principle of marital integrity as a legal norm and the sociological reality reflected in Divorce Petition Number 3701/Pdt.G/2024/PA.JS, particularly regarding the emergence of polyandry in the parties' marital conflict. In Islamic family law and Indonesian positive law, the principle of marital integrity places divorce as a last resort to preserve family stability; however, judicial practice demonstrates that when the substantive objectives of marriage are no longer achieved, maintaining a formal marital relationship may instead create injustice. This research employs a normative legal method using statutory, conceptual, and case approaches, supported by qualitative analysis through legal and socio-legal interpretation of the judge's considerations. The findings show that the judge interpreted the principle of marital integrity not textually but functionally, as an evaluative instrument to assess the sustainability of the marriage's objectives. In this case, polyandry was viewed not only as a violation of legal norms but also as evidence of the breakdown of marital relations caused by prolonged conflict. The judge's reasoning reflects a shift in ratio decidendi from a legalistic approach toward a socio-juridical perspective that considers psychological, social, and welfare aspects of the parties. Accordingly, the divorce decision was understood as a means of protecting individual dignity and well-being in line with the principle of legal benefit and the paradigm of maqāṣid al-sharī'ah. The novelty of this study lies in reconstructing the principle of marital integrity as a relational and conditional principle rather than an absolute one, thereby demonstrating that the tension between legal formality and sociological reality provides interpretative space for judges to balance legal certainty, substantive justice, and social benefit within the development of Islamic family law in Indonesia.



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Introduction

Marriage is a legal institution that occupies a central position in human life because it contains social, spiritual dimensions, as well as norms that are interrelated to family life. From the perspective of the Compilation of Islamic Law (KHI), marriage is not only understood as a civil legal relationship, but as a sacred bond that is strong (*mitsaqan ghalidhan*) which is based on obedience to the commands of Allah SWT. Therefore, the existence of marriage is seen as a manifestation of worship values that reflect the principle of sacredness and the orientation of family integrity in Islamic family law (Dewi, 2024). The principle of marital integrity essentially positions divorce as a last resort, only pursued when the goal of

establishing a harmonious family can no longer be achieved. This perspective demonstrates that Islamic family law seeks to maintain the continuity of marital relations through peace and reconciliation mechanisms before divorce becomes a legal option. (Rahim, 2025) However, the practice of religious courts demonstrates a complex dynamic, as the application of this principle often confronts the social reality of ongoing and difficult-to-resolve domestic conflict (Halim, 2025). Empirical reality in the practice of religious justice shows that domestic conflicts often develop into structural and prolonged disputes, so that normatively prioritized peace efforts often do not achieve effective results. Various studies indicate that the most dominant reasons for divorce are related to continuous quarrels, disharmony in relationships, and the breakdown of healthy communication between husband and wife. This phenomenon indicates a tension between the ideal construction of Islamic law that places the integrity of marriage as the primary goal and social reality that actually shows an increasing tendency to resolve conflicts through divorce (Samsudin, 2025). In this context, religious court judges are in a dilemma, having to fulfill two functions simultaneously: maintaining the integrity of legal norms and responding to the parties' need for substantive justice. On the one hand, the principle of marital integrity requires judges to prioritize efforts to preserve the household, as a normative value of Islamic family law. (Manan, 2017) However, on the other hand, court proceedings often reveal marital relationships that have sociologically lost their foundation of harmony, thus maintaining the marriage has the potential to create new injustices.

This tension makes the judge's assessment process not merely legal-formal, but also full of social considerations and public welfare. As a result, judicial practice shows a variety of approaches in divorce decisions. Some judges tend to use a formalistic approach by emphasizing strict legal evidence, while other judges are more progressive by considering the reality of conflict as an indicator of the damaged purpose of marriage. These differences in orientation show that the principle (Rahim, 2025) of the integrity of marriage has not always been interpreted consistently in adjudication practice, thus opening up space for debate regarding the standard application of this principle in religious court procedural law. (Aminah, 2024). Although many studies on divorce have been conducted, most of the research still focuses on the factors causing divorce or the procedural aspects of case resolution. Studies that critically examine how the principle of marital integrity is considered in the construction of judges' arguments are still relatively limited. (Samsudin, 2025) Therefore, this study seeks to fill this gap by analyzing the disharmony between the normative ideals of Islamic family law and the sociological realities faced in divorce cases, one of the causes of which is the practice of polyandry carried out in the case of the Religious Court Decision for Divorce Petition Number 3701/Pdt.G/2024/PA.JS. This analysis is expected to not only provide theoretical contributions, but also offer critical reflections on the direction of development of religious court practices in balancing legal certainty, substantive justice, and the benefit of the parties (Asep Saepudin Jahar, 2013).

Based on this description, this study attempts to critically examine how the principle of marital integrity is applied and interpreted in religious court practice, particularly through an analysis of Decision Number 3701/Pdt.G/2024/PA.JS. This study focuses on the normative position of the principle of marital integrity, the construction of judges' considerations in assessing ongoing disputes as grounds for divorce, and the form of disharmony that arises between legal formalities and the sociological realities of the parties. Through a normative legal approach with an analysis of laws and regulations, legal doctrine, and the arguments of judges' decisions, this study aims to uncover the dynamics of reinterpretation of the principle of marital integrity in adjudication practices. This research is crucial given the growing need for an interpretive framework capable of bridging the demands for legal certainty with substantive justice in divorce cases. Thus, this research is expected to contribute not only to the theoretical development of Islamic family law studies but also to offer a critical reflection on the practice of judges' judicial discretion in balancing the values of marital integrity, public welfare, and the protection of the parties' rights in religious courts.

Method

The research used normative-empirical legal research (*socio-legal research*), namely research that examines law not only as written norms (*law in books*), but also as practices that live in social reality (*law in action*). This approach places law as a social phenomenon that works through judicial institutions and the interactions of the parties therein. (Soekanto, 2014) Socio-legal research allows analysis of the relationship between the normative construction of the principle of marital integrity with the sociological reality of

household conflicts that arise in religious court practices ((eds.), 2013). Therefore, this research is directed to examine the disharmony between the ideal norms of marital integrity and their application in Decision Number 3701 / Pdt.G / 2024 / PA.JS. (Rahardjo, Ilmu Hukum, 2014). The approach in this research is a statute *approach*, used to examine the legal norms governing divorce and the principle of (Marzuki, 2017) marital integrity, particularly Law Number 1 of 1974 concerning Marriage as amended by Law Number 16 of 2019, the Compilation of Islamic Law, and procedural provisions in religious courts. This approach aims to understand the normative structure that forms the basis of judges' considerations.

While secondary data consists of: Primary legal materials, including: Decision of the South Jakarta Religious Court Number 3701/Pdt.G/2024/PA.JS.; Law Number 1 of 1974 in conjunction with Law Number 16 of 2019 concerning Marriage, Compilation of Islamic Law, Supreme Court Regulations regarding mediation procedures in court. Secondary legal materials, in the form of books and journal articles that discuss legal research methodology, the principles of marital integrity, household conflicts, and divorce practices in religious courts. (Asikin, 2016) and Tertiary legal materials, including legal dictionaries, encyclopedias, and other supporting sources that help explain legal concepts and terminology. (Bungin, 2015)

The data analysis of this research was carried out qualitatively through the stages of reduction, classification, interpretation, and drawing conclusions. Data reduction was carried out by selecting legal materials and empirical data relevant to the judge's considerations in Decision Number 3701/Pdt.G/2024/PA.JS. The data were then classified into normative and sociological aspects, including the provisions of marriage law and the facts of the parties' household disputes. The occurrence of polyandrous marriage practices carried out in this Religious Court Decision case. Next, an interpretive analysis was carried out using a conceptual approach and a case approach to assess the suitability between the principle of the integrity of marriage and the social reality in the practice of religious courts. The final stage was drawing prescriptive-argumentative conclusions to explain the form of disharmony between legal formalities and sociological reality.

Results and Discussion

The Principle of Marital Integrity Between Legal Formality and Sociological Reality

The principle of marital integrity is the main foundation of a marriage which places divorce as a last resort. This principle is reflected in Law Number 1 of 1974 concerning Marriage as amended by Law Number 16 of 2019 and clarified in the Compilation of Islamic Law (KHI), which emphasizes the purpose of marriage to form a family that is *sakinah, mawaddah, and rahmah*. In this normative framework, the state strives to maintain the continuity of the household through restrictions on divorce and the obligation of judges to first seek reconciliation between the parties. In this normative context, the state plays an active role in maintaining the continuity of the household by setting restrictions on divorce, (Arto, 2017) and requiring religious court judges not only to function as enforcers of legal norms, but also as social mediators who must assess the level of rift in the husband and wife relationship based on trial facts as a form of protection for the integrity of the household. Family integrity is a condition in which all family members experience a harmonious, safe, and comfortable home atmosphere. This includes the length of marriage as a primary indicator of household stability and integrity. (Kurdi, 2022) Family integrity is not only about the official status of the marriage, but also about the quality of relationships between family members and a supportive home environment (Sa'adati, 2020). In line with the previous opinion, household integrity indicates a state in which each family member, especially the husband and wife, cooperates in maintaining, nurturing, and fulfilling the commitments made at the time of marriage.

This includes consistency in implementing mutually agreed-upon principles, norms, and goals (Ridha, 2020). Conversely, domestic conflict is any action that causes hurt or disappointment to one or both partners, whether perpetrated by the couple themselves or by a third party. This conflict has the potential to cause rifts in the marriage. The state, through religious courts, has a dual role: upholding legal norms and protecting the continuity of the household. Judges are expected to function as social mediators, assessing the level of rift in marital relationships based on trial facts, and preventing unnecessary divorces. However, empirical reality shows that domestic conflicts are often structural and prolonged, so that formalistic mediation is not always effective. Various studies show that continuous quarrels, disharmony in relationships, and the loss of effective communication are the most dominant reasons for divorce. This

tension creates disharmony between the normative ideals of law and sociological reality. The Supreme Court, through Circular Letter Number 3 of 2023, established official guidelines for all judicial bodies under its jurisdiction, by applying the results of the 2023 Chamber Plenary Meeting as a reference in deciding cases. This circular covers various areas of law, including marriage, guardianship, inheritance, Islamic economics, and criminal law. Specifically in marriage law, this provision refines the Religious Chamber's formulation regarding grounds for divorce due to persistent disputes and quarrels. Divorce can only be granted if a protracted conflict is proven, there is no hope of reconciliation, and the parties have lived apart for at least six months. Exceptions are made in cases of domestic violence (KDRT), whether perpetrated by the plaintiff or defendant, emphasizing the principle that divorce is the ultimum remedium, the last resort after efforts to maintain the integrity of the household are not possible. (Rohmah, 2021). Religious court practices demonstrate the tension between legal ideals and social reality. Mukti Arto emphasized that judges not only enforce legal norms, but also act as social mediators who assess the level of rift in husband-wife relationships based on trial facts (Arto M., 2019.).

A. Qodri Azizy's research found that modern domestic disputes are often influenced by economic factors, family communication, and changes in social values, making reconciliation difficult to achieve even though the law continues to emphasize the integrity of marriage. (Azizy, 2021) The socio-legal perspective emphasizes that law is a dynamic social practice; judges' decisions are the result of a dialogue between legal norms and societal realities. (Rahardjo, 2018) In cases of prolonged conflict, formal mediation is often ineffective because the parties have experienced an emotional breakdown, so that peace efforts tend to become formal procedures rather than means of substantive reconciliation. (Nurhadi, 2020) Supreme Court regulations and religious court practices reflect the need for a flexible and contextual legal approach. Divorce is not merely a legal issue, but also concerns the social and psychological well-being of families. Upholding the principle of marital integrity must be balanced with complex empirical realities, so that judges' decisions not only comply with the legal text but also maintain the continuity of family life and minimize negative socio-psychological impacts. This approach emphasizes that marriage law in Indonesia is both normative and pragmatic, combining legal ideals with real social practices.

From an Islamic legal perspective, the *maqāṣid al-syarī'ah* approach places benefit as the primary objective of family law. Wahbah al-Zuhaili explained that divorce is permissible when the marriage no longer achieves the goal of tranquility and instead causes harm to the parties. (al-Zuhaili, 2008) Thus, maintaining a formal marriage without the substance of harmony may conflict with the principle of protecting human life and dignity. Indonesian religious courts tend to adopt a pragmatic-protective approach, in which judges still refer to formal legal norms, but emphasize the facts of prolonged disputes, the impossibility of reconciliation, and the social impact on spouses and children. This finding indicates a tension between the principle of marital integrity as an ideal norm and sociological reality, where not all marriages can be substantially maintained. Previous studies have also highlighted the limitations of studies that specifically explore how the tension between legal formalities and social realities is reflected in the judges' considerations. (Douglas, 2019) Analysis of Decision Number 3701/Pdt.G/2024/PA.JS is relevant to understanding how the principle of marital integrity is interpreted, negotiated, and applied in contemporary religious court practice. International literature shows a similar pattern. (Leach, 2022) found that judges in divorce cases often balance between adherence to formal law and protection of child welfare and social impact, (Kelly, 2021) confirming that courts face a dilemma between normative ideals and empirical reality, so that pragmatic decisions become a strategy to minimize psychosocial consequences for the parties involved. (Garrison, 2018) These international findings are in line with practice in Indonesia, emphasizing that judges' considerations are responsive to the social and psychological complexities of the family, not merely legalistic. Then, if the data translation requires a table or chart, it can be included in this sub-discussion with an example as follows:

Normative Construction of the Principle of the Integrity of Marriage in Divorce Cases in Islamic Law and National Law

The basic foundation of marriage is not merely an agreement between husband and wife, but rather a form of sacred covenant (*mitsāqan ghalīẓan*), namely a very strong agreement. According to Imam Nawawi, as quoted by Ma'ruf Amin, When a groom accepts the marriage of the bride from her guardian, he has actually transferred responsibility from a father, making it permissible from what was previously forbidden.

The agreement is not actually towards the wife, but rather a husband's agreement with Allah with the consequences and burden of his responsibilities in the world and the hereafter (Setwapres, 2024). Therefore, the agreement in question is a strong commitment, full of sincerity and sincerity not to play around and be arbitrary (al-Busrawi, 1999). Thus, marriage is a strong covenant between husband and wife as mentioned in QS al-Nisā [4]: 21, as a form of moral and juridical dimensions.

وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ وَأَخَذْتُمْ مِنْكُمْ مِيثَاقًا غَلِيظًا ﴿٢١﴾

“How will you take it back, when you have had intercourse with one another (as husband and wife) and they (your wives) have made a strong covenant (marriage bond) with you?”

The above normative construction is reinforced by the goal of creating a couple, as stated in QS al-Nūr [30]:21, to achieve *sakinah*, *mawaddah*, and *rahmah*. It can be understood that this verse legitimizes the teleological dimension of marriage, with the birth of peace and continuous affection (*mušābarah*). From the perspective of the exegete, this goal can be achieved in a balanced and sustainable relationship, not a temporary and fragile relationship (al-Ṭabarī, 2001). In juridical-jurisprudence, the permanence of marriage is depicted, that divorce is an act that is greatly hated by the Creator, even though it is permitted "abghadu al-ḥalālī 'inda Allah al-ṭalāq" (as-Sijistani, 2009). The hadith, although considered weak in terms of sanad, substantively provides moral restrictions on the occurrence of divorce (al-Shāfi'ī, 1991). Therefore, in the relationship between husband and wife regarding various problems that arise, divorce is not the only or final solution, but only one alternative (*ultimum remedium*) after seeking peace (*iṣlāh*). In the Indonesian context, *ulil amri ijthad*, that divorce is valid if only carried out in a Religious Court trial, as stated in the Compilation of Islamic Law (KHI: Article 115). The basis of the *ijthad* in question was carried out by hundreds of Islamic scholars and legal experts from various higher education institutions, Islamic boarding schools with sources of dozens of classical *fiqh* books, such as *Kitab al-Umm*, *al-Muwāṭa'*, *Majmū' Fatāwā*, *Fiqh Sunnah*, *al-Fiqh al-Islāmī wa Adillatuhu*, and so on (Rajo, 2025).

Marriage is the most legitimate instrument for the continuation of kinship (*nasab*) and social stability. Protecting kinship (*ḥifz al-nasal*) is one of the five main objectives of *sharia* (al-Shāṭibī, 1997). The impact of this protection is that divorce without valid grounds will damage the family structure and disrupt the interests of children. Therefore, in Islamic jurisprudence, restrictions on divorce (*talaq*) are placed on divorce, such as prohibiting it during menstruation and requiring witnesses, demonstrating a protective orientation toward the continuity and integrity of the family. The normative construction of the principle of wholeness is also reflected in the process of resolving household conflicts using the *ḥakam* (mediation) mechanism which is contained in QS al-Nisā' [4]: 35.

وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا ﴿٣٥﴾

"If you (the guardians) fear a dispute between them, send a peacemaker from the man's family and a peacemaker from the woman's family. If they both intend to reconcile, Allah will surely grant them success. Indeed, Allah is All-Knowing, All-Aware."

The concept of the above verse is a command to bring in a mediator to act as a peacemaker for both parties in cases of dispute or disagreement. This norm demonstrates that Islam prioritizes mediation and reconciliation before issuing a divorce (al-Qurṭubī, 2006). This principle has subsequently developed in modern religious court practice through the obligation to mediate before proceeding with a divorce case. In the portrait of the principles of Islamic jurisprudence (*uṣūl al-fiqh*), the continuity of a household until death separates them is a form of implementation of the principle of *sadd al-dhar'ah*. Essentially, this principle blocks the path that leads to destruction. That is, the ease of divorce cases and the absence of control or judicial process has the potential to open social rifts and injustice, especially for the wife and children. Thus, normative restrictions on divorce are not a restriction of rights, but rather a form of regulation for the sake of creating public welfare (Kamali, 2003). It is understandable that the principle of the continuity of the integrity of the household is not merely a moral norm, but has a strong methodological basis in Islamic legal theory. Such normative structures are closely linked to contemporary Islamic family law, and in the Indonesian context, with the enactment of Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage, which strongly affirms that divorce can occur, provided only in court. This regulation aligns with the spirit of Islamic jurisprudence by limiting divorce proceedings, preventing them from being handled haphazardly and arbitrarily. Thus, positive law affirms the *sharia* principle regarding

the importance of maintaining household stability (Hooker, 2008). The ethical dimension of the principle of marital integrity is also reflected in the concept of the husband's responsibility (*mas'ūliyyah*) as *qanwām* (QS al-Nisā' [4]: 34). Leadership in the household is interpreted as an obligation to care for, protect, and provide for the family, not as a legitimization of domination. This interpretation shows that marital integrity is built on a relationship of reciprocal responsibility and justice, as emphasized by modern Islamic family law scholars (Esposito, 2001). *a result, the normative structure of the principle of marital integrity from an Islamic legal perspective is constructed on three levels of legitimacy: first, textual legitimacy in the Qur'an and Sunnah; second, methodological legitimacy through the maqāṣid al-syari'ah and the principles of usul fiqh; and third, institutional legitimacy in positive legal regulations in Muslim countries.* These three form a normative system that positions divorce as a last resort, while also confirming marriage as a permanent institution aimed at realizing the welfare of the family and society.

The Sociological Reality of the Household Conflict of the Parties to the Divorce Application Number 3701/Pdt.G/2024/PA.JS, the Practice of Polyandrous Marriage in the Judge's Consideration between Norms and Reality. The sociological reality of domestic conflict in Divorce Petition Number 3701/Pdt.G/2024/PA.JS shows that divorce does not always arise suddenly, but rather is an accumulation of ongoing conflicts. Continuous disputes cause a loss of communication, trust, and relational function within the family, making the goals of marriage as formulated in marriage law difficult to achieve. (Rofiq, 2015) From a legal sociology perspective, this condition indicates a shift from normative marital relations to dysfunctional social relations. Prolonged domestic conflict ultimately gives rise to violations of the obligation of marital fidelity, which in this case is reflected in the practice of polyandry. Normatively, polyandry contradicts the basic principles of Islamic law and the national marriage law system, which places the exclusivity of the husband-wife relationship as the foundation of family unity. Therefore, the existence of another marital relationship while the legal bond is still in effect is seen as a serious violation of the legal and moral norms of marriage. (Syarifuddin, 2014).

In this study, the practice of polyandry is not positioned solely as a normative violation, but is also examined within the social context that underlies it. The judge concluded that the long-standing conflict had caused the parties' relationship to lose its marital substance, thus interpreting the act as a consequence of the pre-existing rift in family relationships. This approach demonstrates that the judge not only applies the law textually but also considers the social dynamics of the parties. (Rahardjo, Hukum Progresif, 2009). This creates a tension between norms and reality when the principle of marital integrity, which ideally demands efforts to maintain the household, is confronted with the fact that the parties' shared life can no longer be restored. Judges face a dilemma between upholding ideal legal norms and providing legal solutions to real social conditions. These considerations demonstrate that the application of family law cannot be separated from the social context of the community in which the law operates. (Ali, 2013) Therefore, divorce is seen as a way to end conflict and provide certainty of legal status, while also reflecting a welfare approach in the practice of religious justice. (Rofiq M. N., 2020). The disharmony between legal formalities and sociological realities is apparent when legal norms demand protection of the integrity of the institution of marriage, while the facts of the trial indicate that the fundamental purpose of marriage has no longer been achieved, so that maintaining a formal relationship has the potential to cause substantive injustice for the parties (Fauzi, 2023). In such conditions, judges reinterpret the principle of the integrity of marriage through a legal expediency approach by positioning divorce as a more rational and just solution. (Mulia, 2022).

The progressive legal perspective shows that judges are not merely mouthpieces of the law, but play an active role in finding living laws in society by making social reality a legitimate part of legal considerations, so that family law is understood as a dynamic and adaptive system to social change. (Suma, 2022) Furthermore, these considerations are also in line with the maqāṣid al-syari'ah framework, especially the protection of life (*ḥifz al-nafs*) and dignity (*ḥifz al-'ird*), where when marital relations give rise to prolonged conflict and undermine family honor (Auda, 2008), divorce is seen as a more beneficial option; in this context, the practice of polyandry is not only a violation of legal and religious norms, but also becomes the basis for ending greater harm. (al, 2023). From a law-in-action perspective, this ruling demonstrates that the law does not operate mechanically, but rather through an interpretive process that considers social values and factual conditions. The judge balanced the certainty of norms with the need for realistic conflict resolution. Thus, the practice of polyandry in this case demonstrates how legal norms

undergo a process of adaptation when faced with complex social realities. (Friedman, 1984). Ultimately, the judge's reasoning in this case demonstrates a disharmony between legal formality and sociological reality. The principle of marital integrity remains recognized as a fundamental principle, but its application becomes flexible when the purpose of marriage has failed to be realized. The ruling emphasizes that protecting the well-being of the parties is the primary consideration, so that divorce is no longer understood as a legal failure but rather as a conflict resolution mechanism within the Islamic family law system. (Sari, 2023)

Findings of disharmony between the Principle of the Integrity of Marriage in Divorce Application Decision Number 3701/Pdt.G/2024/PA.JS

The findings of this study indicate that the application of the principle of marital integrity in Divorce Petition Number 3701/Pdt.G/2024/PA.JS is no longer interpreted textually as an obligation to maintain the marriage under all circumstances. Instead, judges use this principle as an evaluative tool to assess whether the substance of the marriage can still be maintained. Thus, the principle of marital integrity has shifted from a conservative principle to a functional principle oriented toward the continuation of the marriage's purpose. (Syarifuddin, 2014). The first demonstrates that the practice of polyandry in this case is not positioned solely as a violation of formal law, but rather as a sociological indicator of the breakdown of family relations (Fauzi, 2023). The judge concluded that the breach of fidelity arose after a long period of marital conflict, thus understanding polyandry as a consequence of marital dysfunction, not the sole cause of divorce. This perspective demonstrates a contextual approach to interpreting legal facts. (Zubaidi, 2023) Second, it demonstrates a transformation of the judge's ratio decidendi from a legalistic approach to a socio-judicial one (Nurlaelawati, 2022). Judges not only assess whether the elements of a norm violation have been fulfilled but also consider the psychological, social, and relational realities of the parties. This confirms that divorce decisions are the result of an assessment of the balance between legal norms and the actual conditions of married life.

Third, it reveals that the disharmony between legal formalities and sociological realities is not a contradiction, but rather a mechanism for adapting family law to social dynamics. The principle of marital integrity remains normatively recognized, but its application is flexible when the legal goal of family peace and well-being is no longer achieved. This shows that judges implicitly apply the principle of benefit as the basis for consideration. (Sulistiani, 2023) Divorce is chosen not to legitimize violations, but to prevent prolonged conflict that has the potential to cause greater harm. This approach is in line with the maqāṣid al-syarī'ah paradigm, which places the protection of individual dignity and well-being as the goal of law.

Fourth, there is a shift in the orientation of legal protection in divorce cases. While previously the law was oriented toward preserving the institution of marriage, in practice, this ruling shifts its orientation to protecting the individuals within that institution (Farkhani, 2024). In other words, human survival is prioritized over mere legal status. Fifth, it emphasizes that the practice of polyandry serves as a test of the effectiveness of the principle of marital integrity. When the norm of fidelity has been violated and harmony is no longer achieved, judges consider maintaining the marriage contrary to the purpose of the law itself. Therefore, divorce is understood as a form of correction for the failure of social relations within marriage. Sixth, it produces a new construction that the principle of marital integrity in religious court practice is relational and conditional, not absolute. (Kurniawan, 2025) This principle serves as a standard for assessing the feasibility of continuing a marriage based on concrete social reality, not simply as a stand-alone ideal norm. Based on these findings, this study formulates a conceptual model that demonstrates that the disharmony between legal formalities and sociological realities constitutes a space for judges' interpretation in balancing legal certainty, substantive justice, and social benefit. (Fadhli, 2024) This model demonstrates that Islamic family law in Indonesia develops through judicial practices that are responsive to social changes. The main novelty of this study lies in the reconstruction of the meaning of the principle of marital integrity through an analysis of the practice of polyandry as an indicator of the collapse of family relations. Divorce decisions are no longer understood as a failure to maintain a marriage, but as a form of legal actualization aimed at maintaining the welfare when the purpose of marriage has lost its social substance.

Conclusion

The normative construction of the principle of marital integrity in Islamic law and national law positions marriage as a sacred bond (*mitsāqan ghalīẓan*) that has theological, moral, and juridical dimensions at the same time, so that divorce is in principle positioned as a last resort (*ultimum remedium*) after all efforts for reconciliation have been exhausted. This normative basis is strengthened by the teachings of the Qur'an, hadith, *maqāṣid al-shari'ah*, and Indonesian positive legal regulations that emphasize the importance of maintaining family stability, protecting lineage, and the continuity of social relations. Thus, the principle of marital integrity conceptually is not merely a moral norm, but a legal principle that aims to maintain the welfare of the family and society through strict and measured restrictions on divorce.

However, the sociological reality revealed in Divorce Petition Number 3701/Pdt.G/2024/PA.JS shows that the continuation of marriage does not always align with this normative construct. Prolonged domestic conflict, leading to the emergence of polyandry, demonstrates the dysfunction of family relations, causing the goals of marriage—*sakinah*, *mawaddah*, and *rahmah*—to no longer be achieved. In such situations, judges face a tension between upholding the ideal norms of marital integrity and providing legal solutions to social realities that can no longer be restored. The judge's considerations demonstrate that the law is not applied mechanically, but rather through a socio-judicial approach that considers the psychological, social, and relational conditions of the parties.

The findings of this study confirm a shift in the meaning of the principle of marital integrity from a conservative principle to a functional and contextual one. The practice of polyandry in this case is not only understood as a normative violation, but also as an indicator of the collapse of the substance of the marital relationship, so that divorce is seen as a corrective mechanism to prevent greater harm. The judge implicitly applies the principle of benefit and the *maqāṣid al-shari'ah* paradigm by prioritizing the protection of the dignity, psychological safety, and welfare of the parties as primary considerations. This demonstrates a transformation of the ratio decidendi from a legalistic approach to one that is more responsive to social realities.

Ultimately, this study concludes that the disharmony between legal formalities and sociological realities is not a legal contradiction, but rather an interpretive space that allows judges to balance legal certainty, substantive justice, and social benefit. The principle of marital integrity in religious court practice is proven to be relational and conditional, not absolute, because its application depends on whether or not the substantive goals of marriage are achieved. The main novelty of this study lies in the reconstruction of the meaning of the principle of marital integrity through an analysis of the practice of polyandry as a test point for the effectiveness of norms, where divorce is no longer understood as a failure to maintain the institution of marriage, but rather as a form of actualization of adaptive and welfare-oriented Islamic family law when the social substance of marriage has lost its meaning.

Author Contributions Statement

NS conceived the research idea, developed the main arguments, prepared the substantive content of the article, and served as the corresponding author. AS contributed to the Islamic law analysis and enrichment of the discussion related to Islamic legal perspectives. SR contributed to the writing process and discussions concerning positive law aspects. All authors approved the final version of the manuscript.

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