

THE ROLE OF THE ADVISORY BODY FOR THE DEVELOPMENT AND PRESERVATION OF MARRIAGE (BP 4) IN REDUCING THE HIGH DIVORCE RATE IN CIREBON DISTRICT

Marifa Hasyanah, Nabilah Destini Sukmawati, Andieni Maudi Lestari, Moh Sigit Gunawan, Agus Dimiyati

Universitas Swadaya Gunung Jati, Indonesia

Email: marifahasyanah@gmail.com, nabilahskmwt09@gmail.com, adnml12pmg@gmail.com, sigit.gunawan@ugj.ac.id, agus.dimiyati@ugj.ac.id

Abstract

The Advisory Board for Marriage Development and Preservation (BP4) is a community institution that seeks to reduce the divorce rate and improve the quality of marriage through various programs and activities aimed at maintaining and strengthening marriage bonds. This study aims to discuss the role of BP4 in implementing Article 1 of Law No. 1 of 1974 on the high divorce rate in Indonesia and the obstacles faced by BP4. The research method used in this study is an analytical descriptive approach with a normative juridical approach. The research contributes by analyzing the role and the challenges faced by this institution in enforcing this law, providing insights into the effectiveness of current efforts and suggesting potential improvements to better manage and reduce divorce rates.

Keywords: Implementation; Role; BP4; Divorce

INTRODUCTION

Marriage is a legal bond between a man and a woman as husband and wife based on applicable law. In Indonesia, the law that regulates marriage is Law Number 1 of 1974 concerning Marriage, which then underwent several changes and adjustments through its derivative regulations. This law regulates the conditions for the validity of marriage, the procedure for registering marriage, as well as the rights and obligations arising from marriage for both parties (Faizal, 2016; Sanger, 2015; Waluyo, 2020).

However, in marriage bonds, sometimes there are many factors that trigger divorce. According to data from the Cirebon Regency Source Religious Court, in 2022, there were 7,743 divorce filings. Of these, 7,571 couples are officially divorced. This figure is almost the same as in 2021, where there were 7,733 divorce filings, and slightly higher than 2020 which recorded 7,328 divorce cases (ASHRI, 2023).

The high divorce rate in Cirebon Regency can be caused by various interrelated social, economic, and cultural factors. One of the significant social factors is the change in gender roles in society, where women are increasingly independent and have equality with men, so they are more daring to make the decision to divorce if they feel unhappy in marriage. Economic pressure also plays a big role, especially when couples face financial difficulties that can trigger conflict and stress in the household.

In addition, mismatches in relationships, such as differences in values, outlook on life, or lack of effective communication, are also often the cause of divorce. Cultural factors, including extended family expectations and social norms, can exacerbate the situation if the couple feels pressured to meet unrealistic expectations. The combination of these factors creates an environment that is vulnerable to divorce, emphasizing the importance of the role of institutions like BP4 in providing guidance and solutions to address the problem.

The Advisory Board for Marriage Development and Preservation (BP4) plays an important role in efforts to overcome divorce problems through various programs and activities aimed at maintaining and strengthening marriage bonds. One of BP4's main programs is marriage counseling, where couples facing problems in marriage can get guidance from experienced counselors. This counseling not only helps couples in overcoming conflicts, but also provides education on effective communication, emotional management, and problem-solving strategies (Agustina, 2018; Lubis & Muktarruddin, 2023; Na'im, 2019).

In addition to counseling and education programs, BP4 is also active in public awareness campaigns about the importance of marriage institutions and the negative impact of divorce. BP4 organizes socialization activities in the community. BP4 also collaborates with related institutions, such as Religious Courts and government agencies, to provide mediation services for couples planning to divorce. The service aims to give couples the opportunity to reflect on their decisions and find the best solution for their families (ILHAM, 2022; Yuniarti, 2019).

Based on the background of the problems expressed above, the research aims to discuss the role of BP4 in implementing article 1 of Law No. 1 of 1974 on the high divorce rate and the obstacles faced by BP4 in implementing article 1 of Law No. 1 of 1974 against the high divorce rate. The research contributes by analyzing the role of BP4 (*Badan Penasihat Pembinaan dan Pelestarian Perkawinan*) in implementing Article 1 of Law No. 1 of 1974, particularly in addressing the high divorce rate in Indonesia. It also examines the obstacles faced by BP4 in enforcing this law, providing insights into the effectiveness of current efforts and suggesting potential improvements to better manage and reduce divorce rates. This study could inform policymakers and practitioners on how to enhance the implementation of marriage laws and support systems to strengthen marital stability.

RESEARCH METHOD

The research method used in this study is a normative juridical method with an analytical descriptive approach. This study will examine the role of BP4 based on applicable laws and regulations, namely Law Number 1 of 1974 concerning Marriage and other related regulations. Data were collected through literature studies, including analysis of legal, regulatory, and policy documents governing BP4 as well as official reports from BP4 and Religious Courts. A descriptive analytical approach will be used to describe and analyze in detail how the regulation is implemented by BP4 in its programs to reduce divorce rates. Thus, this study will provide a comprehensive overview of the effectiveness of BP4 in carrying out its role in accordance with the existing legal framework.

RESULT AND DISCUSSION

The Role of BP4 in Implementing Article 1 of Law No. 1 of 1974 Against the High Divorce Rate

The high divorce rate reflects disharmony in families in Indonesia. The increasing phenomenon of divorce has become a concern for many parties because it hinders the achievement of a prosperous family and has a negative impact on the quality of future generations. BP4 was formed with the aim of providing guidance, advice, and coaching to married couples in order to overcome various problems in their marriage. Through the counseling, education, and mediation programs offered, BP4 strives to improve the quality and stability of Muslim marriages in Indonesia.

Regarding the high divorce rate, the author can give an example in Cirebon Regency in the last two years as follows:

Table 1. Number of Divorces in Cirebon Regency

No	Year	Total
1	2022	8484 Divorce
2	2023	8245 Divorce

Data Source: Religious Courts Source 2024

From the data above, the highest cause of divorce is caused by economic factors, the second cause factor is continuous disputes and quarrels, and the factor because leaving one of the parties is abandoned.

Divorce is expected to be the last option taken when there are no benefits or benefits anymore in a marriage, and the main goal of marriage is not achieved (Abror & Mh, 2020; Mizwar, 2022; Widyanto, 2023). The purpose of marriage is to form a harmonious, happy, and prosperous family, as well as to provide an environment conducive to the development of family members. However, when a marriage is filled with conflicts, unresolved incompatibility, or situations that are detrimental to one or both parties, divorce may be a necessary step. However, various efforts such as counseling, mediation, and guidance from institutions such as BP4 must be made first to try to save marriage.

The existence of BP4 in the Office of Religious Affairs, although still under the auspices of the Islamic Community Guidance (Bimis) of the Ministry of Religious Affairs, is often ineffective in exerting a significant influence in the community. One of the main reasons is the lack of a broad understanding of the role of BP4 among the general public. Many people do not fully understand the function and usefulness of BP4 in maintaining family integrity and in efforts to prevent divorce. As a result, awareness of the importance of counseling household issues to BP4 is still low, resulting in a lack of utilization of the services provided by this institution.

On the other hand, BP4 is more beneficial for people who have a profession as Civil Servants (PNS). This is because for civil servants, getting a minutes from BP4 is a necessary requirement before they can file for divorce at the Religious Court. Although BP4 provides this service, there are still challenges in achieving optimal effectiveness due to the lack of socialization and publication regarding the role of BP4 among the community at large. Therefore, further efforts are needed to increase public understanding and awareness of BP4's participation in maintaining and fostering family harmony.

On the other hand, non-civil servants are not required to consult divorce issues with BP4 before submitting an application to the Religious Court. The Decree of the Minister of Religion No. 30 of 1977 stipulates BP4 as the only body that focuses on marriage counseling and efforts to reduce divorce in order to support the agenda of the Ministry of Religion. Although BP4 plays the role of a community institution that seeks to reduce the divorce rate and improve the quality of marriage by providing advice to couples experiencing a crisis, unfortunately BP4 still faces obstacles in obtaining adequate budget support.

The explanation above illustrates that the implementation of BP4's role in efforts to improve the quality of marriage and reduce the divorce rate still faces various uncertainties. The role of BP4 is often not widely known in the community, and sometimes the duties of BP4 overlap with the programs run by the Office of Religious Affairs. Legally, BP4 is recognized as a professional organization in the social and religious fields that works with the Ministry of Religion and various government and non-government agencies to achieve marriage-related goals. BP4's funding sources include assistance from the government, domestic and foreign institutions, infaq shadaqah, and other non-binding voluntary donations, but the main challenges faced are still related to the limitations of adequate budget support.

Basically, the high and low divorce rate is influenced by Law Number 1 of 1974 as an instrument to support the purpose of marriage. This law aims to inhibit the occurrence of

divorce by requiring divorce to be resolved through a court hearing (Tambunan, 2018; Wahyudi, 2019; Widyanto, 2023).

As a support for this principle related to the divorce process in Islamic law in Indonesia, there is a regulation that stipulates that a husband who wants to divorce his wife legally according to Islam must submit a notice letter to the court at the wife's place of residence. The letter must contain the intent of the divorce and its reasons, and request that a court hearing be held to decide the matter. With this mechanism, all events, including divorce, can be monitored technically through the existing system, as stipulated in Law Number 1 of 1974 which establishes the Advisory Board for Marriage Development and Preservation (BP4). BP4 aims to provide advice and guidance to maintain marriage and reduce divorce rates.

This agency is expected to have a wide scope, covering all stages from before marriage to after divorce, with various forms of counseling such as individual counseling, mobile counseling, counseling through print media and mass media. This is reflected in various consultation services, such as consultations through mass media rubrics, individual counseling sessions, and question and answer sessions at central and regional RRI stations.

The high divorce rate is a common phenomenon in people's lives. Economic factors are often the main cause of divorce among the lower middle class, where financial difficulties trigger conflicts and divisions in the household. However, nowadays, the trend of divorce has shifted and also occurs a lot among the middle and upper middle class who are actually economically and socially stable. This means that even though they do not experience financial difficulties, there are still other factors that cause divorce in this group of people, such as communication problems, differences of views, or other personal incompatibility (Khaerani, 2019; Maulida et al., 2014; Octaviani & Nurwati, 2020). In practice, there are often violations of the rules that have been set, one of which is the practice of underage marriage and serial marriage still often occur in today's society (Judiasih, 2023; Rusdi, 2016).

Even some women are aware of the potential disadvantages if they choose to marry secretly or marry in series, but there are still many who choose to do so for various reasons. In this context, the importance of BP4's role in providing marriage counseling, coaching, and preservation services is becoming more and more real. BP4 has a strategic role in handling cases like these, helping individuals and couples facing challenges related to their marriage.

Marriage is characterized by a relationship that involves a bond both physical and emotional between a man and a woman as husband and wife. Physical bonds are clearly visible relationships, in accordance with applicable regulations. Meanwhile, emotional bonding is a psychological relationship that is not directly visible, where husband and wife are expected to love each other, share feelings, and enjoy happiness together.

An excellent goal if it is based on the desire to provide the best for the partner can be a strong foundation for building a harmonious family life. In marriage, there is closer and more intimate communication between husband and wife.

Marriage is the union of a man and a woman as husband and wife to form a household. Generally, each individual has a personality that has already been formed, so bringing them together requires adjustment, sacrifice, and mutual understanding. Both parties, namely husband and wife, need to realize this seriously.

In this context, the importance of the role of communication in the household cannot be ignored. Husbands and wives must communicate effectively to understand each other, so as to avoid misunderstandings. Through open communication, couples can build mutual understanding, maintain and develop good things, and avoid unwanted things. Thus, an attitude of openness, mutual support, and mutual understanding can be formed, and misunderstandings can be avoided.

BP4's Obstacles in Implementing Article 1 of Law No. 1 of 1974 Against the High Divorce Rate

According to the author's research through documentation data and interview results, there are several types of obstacles that still exist, including:

- 1) Very significant funding limitations.
- 2) Lack of professional consultants from various fields such as economics, social, psychology, and sexology, with the majority of experts coming from religious backgrounds.
- 3) Limited time for expert consultants at the sub-district level, which is more used to train other consultants than to serve clients directly.
- 4) The difficulty of BP4 at the sub-district level in finding a truly professional consultant, which is caused mainly by limited funds to provide honorarium.
- 5) Semi-government management of BP4 causes administrators not to fully focus on BP4 management, as it is often considered an additional task outside of their main duties, with no material rewards or support for careers and professions. This is also influenced by the lack of clarity in the laws and regulations governing BP4 and its implementation in the Religious Court.
- 6) Clients often come to BP4 only after their family problems are very complex, not to look for a solution in the first place. The publication of BP4 to urban villages, especially in suburban areas, is still considered ineffective, so many people do not understand the function and role of BP4, with most of them only knowing the KUA and the Religious Court.

The implementation of BP4 counseling is carried out at KUA not only involving extension workers, but also involving the functional head of the head coordinated by the Head of the local KUA. In addition to KUA, these activities are sometimes also held at the Ministry of Religion office known as Bimwin (Marriage Guidance). At the City Ministry of Religion office, the coordination of this activity was carried out by the Islamic Guidance Section, with the majority of speakers coming from Islamic religious extension workers who have undergone training on Bimwin or Technical Guidance for Prospective Bimwin Facilitators.

This is a frequent problem but reflects the traditional view of roles in marriage, where the husband is considered responsible for the external maintenance while the wife is expected to meet the husband's inner needs (including in the context of sexuality). The Head of KUA, in the implementation of Suscatin, stated that BP4 extension workers instilled awareness of the importance of family resilience to face today's challenges, as well as the importance of strengthening the foundations of religion in the family.

Rahmawati (BP4 extension worker) uses various methods in the *sakinah* family development program, including lectures, discussions, question and answer sessions, and direct dialogue with brides-to-be. Sometimes the role play method is also used, where participants are invited to develop their imagination and understand the subject matter more deeply.

Other methods used in providing counseling include individual guidance for individual consultation and group guidance for joint consultation. In addition, if there are prospective brides who have not mastered reading the Quran, BP4 extension agents also provide reciting practices or a quick course on reading and writing the Quran.

The latest Bimwin system emphasizes three main aspects: first, strengthening the spiritual dimension in marriage; second, ensuring fairness and mutual respect; Third, improve the skills of the bride-to-be to establish a relationship as a life partner. When facing difficulties in implementing Suscatin, Bimwin, or counseling, the extension workers work together to communicate well between fellow extension workers, headmen, and the head of

KUA. Often, consultation and coordination are carried out between the head of KUA, the headman, and religious extension workers in the sub-district.

Individually, when a BP4 extension worker faces challenges in organizing guidance, he or she must find new strategies to overcome these difficulties. One approach is to find the root of the problem when facing difficulties in providing guidance, then involve all relevant parties to discuss and find the best solution. If the problem is personal to the couple, then the bride-to-be or husband and wife can be called specifically to get guidance and direction related to marriage and household problems. If any bride-to-be is absent after being contacted to take a prenuptial course, then the submission of their marriage certificate will be suspended until they attend the course.

BP4 Extension Officers have implemented various programs and initiatives in collaboration with the head of KUA, the headman, and the Islamic Guidance Section of the Ministry of Religion of the City to reduce the divorce rate. However, the results of these efforts have not resulted in a significant decrease in the divorce rate which continues to increase every year in Cirebon Regency.

Internal obstacles include the need to improve the insight and competence of BP4 extension workers at the District KUA office. As extension agents, they need to have a deeper understanding of the characteristics of prospective married couples and provide adequate guidance regarding the family dynamics they will foster. So far, the Suscatin, Bimwin, and counseling processes carried out by extension workers only reflect the importance of coaching to create a harmonious family.

Many brides-to-be still think that taking a prenuptial course is not so important. In Suscatin activities, often the attendance is not at the same time, so not all the material can be followed completely. In many cases, only one couple is present, usually the groom-to-be who is from outside the area. The short time and dense implementation made it difficult for the bride-to-be to follow all the guidance materials, because the activity was carried out continuously for two days.

The difficulty that often arises in counseling is the difficulty of arranging a schedule between the partner and the extension worker. For example, due to scheduled activities at the Cirebon Regency Ministry of Religion office, not all brides-to-be can get guidance. Post-marriage counseling also faces challenges in terms of awareness and seriousness of young couples to come and get additional information and guidance.

One of the obstacles in building a harmonious family is the low level of education and the lack of public awareness about how to deal with household conditions and problems. This low level of education and awareness causes many people to be uninterested in seeking counseling or guidance both before and after marriage. To overcome these obstacles, BP4 and the Ministry of Religious Affairs (Kemenag) need to evaluate their approach and find more creative and innovative ways to convey information. The goal is to increase the awareness of young couples about the importance of fostering *sakinah* families, so that they are more motivated to participate in the coaching program.

Public knowledge about the existence and function of BP4 is still limited. This is due to the lack of effective socialization and publication, so that the consultative role of BP4 extension workers at the sub-district level has not been optimal. When facing problems in the household, many couples go directly to the Religious Court (PA) to take care of the divorce, without taking advantage of the advisory services of BP4 at the sub-district level or KUA who should provide advice first. There is also a tendency for couples who want to divorce to complete the divorce process quickly, so they no longer consult BP4 or KUA for advice. Another obstacle is the lack of mediators from family or friends who can help solve household problems.

As a result after the counseling session, there is no follow-up or supervision expected from family or friends. Until now, BP4 extension workers are still only waiting for requests for help if anyone comes. They have not conducted supervision or follow-up after consultation. The BP4 socialization efforts that want to be carried out are constrained by a very limited budget, especially for publication through print or electronic media. Another obstacle is the lack of cross-sectoral cooperation, such as the lack of involvement of government agencies in supporting the sakinah family development program and the reduction of divorce rates. Cross-sectoral cooperation with institutions such as BKKBN or Religious Courts has never been realized until now.

Based on these challenges, BP4 extension workers propose to improve training programs to improve their capacity and competence. Thus, the problem of inability to present experts due to budget limitations can be overcome by improving the qualifications of BP4 extension workers themselves. The importance of increasing the budget also needs to be considered so that all brides-to-be can participate in the Bimwin activities held by Bimas Islam at the Cirebon Regency Ministry of Religion office. In addition, cross-sectoral cooperation with the Religious Court is needed, for example through regulations that regulate the divorce system or mechanism. This will ensure that those who want to divorce must first get guidance from BP4 extension workers at the sub-district level.

CONCLUSION

The analysis concludes that the role of BP4 in controlling the divorce rate in Talun District is still not optimal due to various obstacles, including limited funding, insufficient attention from BP4 management due to its side-task nature, a shortage of qualified consultants, and regulations allowing direct access to the Religious Court for divorce issues. To improve its effectiveness, BP4 should enhance coordination with Village Administrative Teams (VAT) to ensure data accuracy in the KUA and provide guidance and training to VAT, as they are crucial to BP4's success at the village level. Additionally, BP4 should strengthen cooperation with community leaders, clerics, NGOs, and government partners. The community in Talun District is encouraged to seek consultation for family problems early to prevent escalation and to increase their understanding of the importance of maintaining family integrity.

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Gunawan, Agus Dimiyati (2024)**

First publication right:

Injurity - Interdisciplinary Journal and Humanity



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