THE OCCURRENCE OF DIVORCE AND ITS IMPACT ON FAMILIES IN THE VILLAGE TANJUNG MORAWA-B

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Abstract: This research aims to analyze the factors that cause divorce and the impact it has on families in Tanjung Morawa B. Divorce is an increasing social problem, and has a significant impact on family structure and dynamics, especially for children and divorced couples. In this research, a qualitative approach was used with in-depth interview methods with several couples who experienced divorce and local community leaders. The research results show that economic factors, personal incompatibility, and extended family interference are the main causes of divorce in this region. The impacts include psychological disorders in children, financial instability, and changes in roles and responsibilities in the family. This research recommends more effective mediation and assistance programs for families who are vulnerable to divorce as an effort to minimize the negative impact of divorce.

INTRODUCTION

Divorce is a social phenomenon that increasingly occurs in modern society, both in urban and rural areas. Although in traditional culture divorce is often considered a taboo subject and should be avoided as much as possible, in reality, changing times and the dynamics of life are increasingly influencing the values held by society. One of the villages that shows an increase in divorce cases is Tanjung Morawa-B Village, a village located in the Deli Serdang Regency area, North Sumatra. In general, marriage in the context of Indonesian society is seen as a sacred bond and is based on religious values, customs and social norms. However, it cannot be denied that social, economic and cultural changes have influenced the stability of the institution of marriage. In Tanjung Morawa-B Village, various factors causing divorce ranging from character incompatibility, economic problems, to domestic violence are the main reasons for divorce. Apart from that, developments in technology and social media also play a role in influencing communication and relationships between married couples, which

sometimes actually worsens their relationship.

This divorce phenomenon not only affects the lives of individual couples who divorce, but also has a significant impact on the family as a whole, especially children. Children raised in families experiencing divorce are often faced with drastic changes in family structure, which have the potential to impact their emotional and psychological development. Some children may experience confusion, sadness, and even trauma due to their parents' separation. In addition, they also have to adapt to economic conditions that often worsen after divorce, especially if one parent, usually the mother, has to be the sole head of the family.

The psychological impact of divorce on children is often seen in various forms, ranging from decreased academic achievement, aggressive behavior, to difficulties in building healthy social relationships. As the next generation, these children are particularly vulnerable to the long-term effects of divorce, including an increased risk of experiencing problems in their own future married lives. Therefore, it is important to research further how divorce affects children in Tanjung Morawa-B Village and the steps that can be taken to reduce this negative impact.

Apart from the impact on children, divorce also has a big impact on the family's economic condition. In many cases, divorce causes one of the parties, especially women, to experience a decline in economic well-being. Mothers who are single parents often have to struggle alone to provide for their children. This not only affects their daily lives but also affects children's access to proper education and health. In Tanjung Morawa-B Village, where the livelihoods of most of the population depend on the agricultural sector and small businesses, divorce often traps families in a cycle of poverty that is difficult to overcome. When the marriage bond is no longer able to be maintained, the household they build no longer feels peaceful for the husband and wife, then Islam regulates procedures for resolving such a situation which is called talak or divorce. (Sakban Lubis, 2023: 181) . Divorce provisions are based on the Koran and Al-Hadith, in the Koran in Surah al-Nisa' verse 130:

وَاِنْ يَّتَفَرَّقَا يُغْنِ اللّٰهُ كُلًّا مِّنْ سَعَتِهٖۗ وَكَانَ اللّٰهُ وَاسِعًا حَكِيْمًا

Meaning: If the two divorce, Allah will give each of them sufficiency from His vastness (gifts). Allah is Most Extensive (His bounty) and Most Wise.

The verse above explains that if divorce must be taken as an alternative or last resort, then Allah will provide enough of His grace to each husband and wife. The legal basis for divorce is in the form of a hadith, one of the most famous hadiths by Imam Abu Dawud:

حد ثنأ كثير بن عبيدحدثنا محمد بن خالد عن معرف بن وا صل عن محارب بن دثار عن ابن عمر عن النبي صلى الله علي وسلم قال ابغض الحلال عند الله تعالى الطلاق. رواه ابو داود.

Meaning: We (Abu Daud) got the story from Katsir bin Ubaid: Katsir bin Ubaid was told by Muhammad bin Khalid from Muhammad bin Khalid from Mu'arraf in Washit from Muharib bin Ditsar, from Ibn Umar from the Prophet SAW who said: The most halal thing hated by Allah is Divorce.

Village communities also cannot escape the social impact of divorce. Divorce often affects relationships between extended family and neighbors. Divorcing couples may face social stigma from the community, especially if the divorce involves sensitive issues such as infidelity or domestic violence. These social pressures often make the divorce process more difficult for couples, ultimately exacerbating the psychological impact on them and their children. The increasing divorce phenomenon in Tanjung Morawa-B Village requires serious attention from various parties, including the government, community leaders and religious institutions. Efforts to prevent divorce and minimize its impact need not only be done through counseling and mediation programs for couples in trouble, but also through ongoing education regarding the importance of good communication in the household and conflict management. Apart from that, social and economic support for families after divorce must also be increased, so that the negative impact of divorce, especially on children, can be minimized.

Through this research, it is hoped that the dominant factors causing divorce in Tanjung Morawa-B Village can be found and their impact on families, especially children and the family's economic conditions. With a better understanding of this problem, it is hoped that there will be effective solutions to help families in this village face the challenges posed by divorce, as well as reduce its negative impacts in the future.

RESEARCH METHODS

The type of research used in this research is qualitative research. Where qualitative research is based on reality or phenomena that occur in the field or events that take place in the field. What is faced in research is everyday social life. Research seeks to look at what is happening in the world and place the findings obtained within it. Therefore. What researchers do while in the field is included in a case-based position. which directs attention to the specifics of particular cases.

The approach taken in this research is in the form of a sociological legal approach or empirical legal research. namely research based on evidence of reality in the field or social reality. This research method is to use a qualitative analysis approach, namely an approach intended to examine the results of in-depth interviews. then analyze the results of the data obtained to obtain research conclusions. This research method is to use a qualitative analysis approach, namely an approach intended to examine the results of in-depth interviews. then analyze the results of the data obtained to obtain research conclusions (Burhan, 2021: 82).

The data source in this research is the origin of the information used for analysis, research or decision making purposes. This data can be divided into categories based on how it was collected. First, primary data sources come directly from the field, namely from direct observation, interviews, questionnaires, or experiments conducted by researchers. This is data that has never been processed or interpreted before, so it is considered more accurate and relevant for certain purposes. Second, secondary data sources are data that has been collected and published by other parties, such as government reports, scientific articles, books and statistical databases. Even though they are not the result of direct collection, these secondary sources are very useful because they provide information that has been structured and analyzed. Finally, tertiary data sources are summaries or compilations of primary and secondary data, such as encyclopedias, textbooks, or online databases. This source is usually used to get a general overview of a topic or facilitate access to more in-depth information.

RESULTS AND DISCUSSION

Divorce and its Impact on Families in Tanjung Morawa Village-B

A. Problems in Divorce

1. Definition of Divorce

To obtain accurate data related to the theme of this research, the researcher conducted personal interviews with the people of Tanjung Mawara B village as follows: According to the language definition, talak comes from اإلرسال or األطلالق which means to let go, leave or let go of the marriage bond. Actually there are the words طالق , يطلق , يطلقة, (طلق ْ مرأة ْ من زوجة ْطلقة) ْ namely a woman who is divorced by her husband. (Wahbah Zuhaili, 2001:579).

There are various understandings regarding talak that have been given by the Fuqaha', including:

1. Imam Syafi'e understands: Talak in sharia' is to renounce the marriage bond by using the word Talak and the like.
2. Imam Hanafi understands: Talak according to the syara' is breaking the marriage bond immediately (with Talak ba'in) or at one time (with talak raj'i) by using certain pronouncements.
3. Imam Maliki understands: Talak padasyara' is breaking the legal ties in marriage.
4. Imam Hambali understands: According to Sharia, divorce is the renunciation of the marriage bond.

In the Compilation of Islamic Law (KHI) article 117 talak is defined as a husband's vow before a Religious Court session which is one of the reasons for the severing of a marriage bond, in the manner referred to in articles 129, 130 and 131. The word itlaq (let go) is used to dissolve the marriage bond or dissolve the marriage contract with the word talak and so on, namely renovating the marriage bond in the immediate future with special words. (Wahbah Zuhaili, 2001: 579). Divorce is an Indonesian word that is commonly used in the same sense as talak in Fiqh terms which means the dissolution of a marriage. Therefore, the spirit of regulations regarding divorce in Islamic law always contains education, namely education not to make divorce easier. Islamic morals require marriage to be something that is eternal and eternal for life. Death alone should be the only reason for the separation of men and women who have become one unit as husband and wife (Harjono, 1987: 234).

Thus divorce cannot but be considered a disaster. But at times, it is a necessary disaster. With that, he gives complete freedom to both parties to consider everything as

carefully as possible within responsible limits. Because apart from the many disasters that can be imagined from a divorce that concerns the lives of both parties and especially those that involve their children, you can also imagine how tormented a person, especially a woman, is whose domestic peace can no longer be maintained, but divorce not opened. From these several definitions it can be concluded that divorce or talak is the end of the husband and wife relationship with certain words which mean severing the marriage bond and have consequences for the husband and wife.

2. Divorce Law

Regarding divorce law, fiqh experts have different opinions in determining divorce law. The most correct opinion is the opinion which states that divorce is prohibited. Those who hold this opinion are the Hanafi and Hambali groups. Divorce is prohibited, because divorce is a form of disbelief in the blessings of Allah SWT, namely marriage. Kufr against the blessings given by Allah is haram, except for emergencies. The emergency category that allows divorce is if the husband doubts the cleanliness of the wife's behavior or because they no longer love each other. In the view of the scholars, divorce has several kinds of laws according to the circumstances and problems faced by the family, sometimes it is obligatory, permissible, makruh, and haram. (Harjono, 1987: 234). As happened during the time of the Companions, the Prophet said:

عَنْ ابْنِ عَبَّاسٍ قَالَ كَانَ الطَّلَاقُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَبِي بَكْرٍ وَسَنَتَيْنِ مِنْ خِلَافَةِ عُمَرَ طَلَاقُ الثَّلَاثِ وَاحِدَةً فَقَالَ عُمَرُ بْنُ الْخَطَّابِ إِنَّ النَّاسَ قَدْ اسْتَعْجَلُوا فِي أَمْرٍ قَدْ كَانَتْ لَهُمْ فِيهِ أَنَاةٌ فَلَوْ أَمْضَيْنَاهُ عَلَيْهِمْ فَأَمْضَاهُ عَلَيْهِمْ

Meaning: Narrated from Ibn Abbas RA, he said, "Thalak during the time of Rasulullah SAW and the time of Abu Bakr and two years during the reign of Umar RA was that three thalak uttered at once counted as one. Then Umar said, 'These people want to hasten "It's a matter that they should have the right to slow down. We'd better just decide for them." Then Umar made the decision that the three talaks that were said at once were really valid. (Muslim Imam: t.t: 243).

If approached from the perspective of Islamic law, actually talak can be obligatory, but sometimes it can also be haram, or it can also be permissible and it can

also be sunnah. It all depends on the circumstances and situations that a person and their partner are experiencing.

a. Wajib

Divorce is obligatory according to Syafi'iiyah Fiqh if a husband has vowed not to have wata' (sexual intercourse) for a period of one year or more than 4 (four) months, then if four months have passed if the wife demands that he have intercourse then if he is reluctant to For the husband to do so, it is obligatory for the husband to punish his wife. (Abu Bakar, t.t: 3).

b. Haram

Divorce is haram according to Figh Syafi'yah, namely divorce carried out by a husband against a wife who has had Dukhul (coitus) during her menstrual period. Or divorce carried out by the husband against a wife whose rights have not been perfected in turn, (in the case of a husband who has many wives).

c. Makruh

Divorce carried out by the husband against a prosperous wife rather than that. The meaning of divorce which is classified as makruh is that if the process of determining the divorce does not include divorce which is obligatory, is not included in divorce which is sunnah, is not included in divorce which is haram, then if the divorce is after being reviewed the law is not included in divorce which is the law is obligatory, it is not included in divorce which is sunnah, it is not included in divorce which is haram, so the law of divorce is makruh (Muhammad, 2009:335).

d. Mubah

Divorce is permissible (mubah) if it is to avoid danger that threatens one of the parties, be it the husband or the wife. 24 Mubah is a divorce that is carried out because there is a need, for example because of the wife's bad morals and poor social relations which only bring harm and distance them from the purpose of marriage.(Safrizal, 2020: 276).

3. Divorce Factors in Islamic Law

In marriage law, to carry out a divorce there must be sufficient reasons, that the husband and wife will no longer live in harmony as husband and wife. (Ahmad Rofiq, 2002:76). Marriage Law no. 1 of 1974 article 39, which states that to carry out a divorce there must be sufficient reasons, that the husband and wife can no longer live in harmony as husband and wife. Regarding the provisions contained in the article

above, especially paragraph 2 of the Marriage Law no. 1 of 1974 and article 19 PP no. 9 of 1975 concerning Implementation of Marriage Law no. 1 of 1974 states that divorce can occur for reasons or reasons:

a. One of the parties commits adultery or becomes a drunkard, addict, gambler, etc. which is difficult to cure.
b. One party leaves the other party for 2 consecutive years without the other party's permission and without valid reasons or for other reasons beyond their capabilities.
c. One of the parties receives a prison sentence of 5 years or a heavier sentence after the marriage takes place.
d. One party commits serious cruelty or abuse that endangers the other party.
e. One of the parties suffers from a physical disability or illness as a result of being unable to carry out their obligations as husband or wife.
f. Between husband and wife there are continuous disputes and quarrels and there is no hope of living in harmony again in the household. (Soedarsono Soimin, 2000:71).

Compilation of Islamic Law, article 116, adds 2 more reasons besides those mentioned above: a) Husband violates ta'liq talaq; b) Change of religion or apostasy which causes disharmony in the household. (KHI, Article 116).

4. Consequences of Divorce

Even though husband and wife have entered into a sacred agreement, it does not rule out the possibility for husband and wife to experience disputes that lead to divorce in a household. The relationship between husband and wife is terminated if the marital relationship breaks down, including:

1. Legal consequences for the position, rights and obligations of husband and wife;

The legal2. consequences of divorce on the position, rights and obligations of the ex-husband/wife according to Article 41 of Law no. 1 of 1974 concerning Divorce means that the court can oblige the ex-husband to provide living expenses and/or determine obligations for the ex-wife. (M. Syaifuddin, 2013: 400). Normative provisions in Article 41 letter c of Law no. 1 of 1974 is related to Article 11 of Law no. 1 of 1974 which contains normative provisions that a waiting period applies to a woman whose marriage decision applies. Furthermore, according to Article 39 PP no. 9 of 1975 there is no waiting period for widows who end their marriage due to divorce,

while the widow and her ex-husband have not had sexual relations. For marriages that are broken up due to divorce, the waiting time is calculated from the time the court decision is made which has permanent legal force.

The legal consequences of divorce on the position, rights and obligations of the ex-husband/wife according to Article 41 of Law no. 1 of 1974 is in line with Islamic law. According to Mahmud Yunus' explanation, if there is a divorce between a husband and wife according to Islamic law, the legal consequence is that the ex-husband is obliged to impose an obligation on his ex-wife to provide appropriate mut'ah in the form of money or goods and provide living expenses, clothing and a place to live for the ex-wife. during the iddah period as well as paying off the dowry, ta'lik talak agreement and other agreements. (M. Yunus, 2008: 125).

2. Legal Consequences of Divorce on Children

According to Article letter a 41 of Law no. 1 of 1974 states that both fathers and mothers still have the obligation to care for and educate their children, based solely on the interests of the children. If there is a dispute regarding control of the children, the court will give its decision. The legal consequences of divorce on children of course only apply to husbands and wives who have children in their marriage, but do not apply to husbands and wives who do not have children in their marriage. (Octavianus Immanuel Nelwan, 20019: 106).

3. Regarding Joint Assets

Article 1 point f of the Compilation of Islamic Law explains that what is meant by assets in marriage or syirkah are assets acquired either individually or jointly by husband and wife during the marriage and are hereinafter referred to as joint assets, regardless of whether they are registered in anyone's name. The husband is responsible for looking after joint assets, his wife's assets, and his own assets. (Nunung Rodhiah, 2014: 128).

B. Divorce and its Impact on the Family in Tanjung Morawa Village-B

To obtain accurate data about divorce and its consequences in Tanjung Marawa-B village, researchers conducted direct interviews with the community by referring to

individuals, the results of the interviews were as follows:

Researcher: We want to discuss divorce and its impact on families, especially in Tanjung Morawa-B Village. Can you tell us a little about your experience or views regarding the divorce problem in this village?

Siti Aisyah: Good afternoon too. Thank you for coming. Yes, in this village, divorce is starting to happen frequently. I see several families who divorce, and usually the impact is very big, especially on the children.

Researcher: How do you see the impact of divorce on children in this village?

Ibu Ningsih: Children whose parents divorce usually become more closed. They lose attention from one of their parents, and sometimes they feel shy or uncomfortable in social settings. I see some children find it more difficult to get along with their friends. There are also those whose performance at school declines.

Researcher: We want to discuss divorce and its impact on families in Tanjung Morawa-B Village. Can you share some views on this?

Mrs. Ani Hidayah, Divorce is becoming increasingly common in this village. In the past, divorce rarely happened because society prioritized family integrity, but now there have been several prominent cases. The impact is clearly big, not only for married couples, but also especially for children and extended families.

Researcher: Can you explain further about the impact of divorce on children, Mother?

Abdul Hadi, Children are usually the victims most affected. I see children from divorced families become quieter and more gloomy. They lose their sense of security because the family they were supposed to take refuge in is divided. Not a few of them become more closed and withdraw from friends. There are also cases where these children have difficulty concentrating at school, so their performance decreases. Children often feel confused because they have to choose to live with one parent. This creates a deep sense of loss for them. In fact, I have heard of children who felt that they were the cause of their parents' divorce. It makes them feel guilty, even though this is actually a problem between the parents.

Researcher: Are there changes in behavior among children whose parents divorce?

Mr Anto, there has been a significant change in behavior. Apart from being more closed, I also saw some of them becoming more emotional. They get angry easily, or on the other hand, become very passive. These children often have difficulty expressing their feelings because they may not really understand what is happening between their parents. As a result, they express their pain and confusion in ways that are difficult for adults to understand.

Researcher: What about the impact of divorce on couples who divorce themselves, Mother?

Mr Rahman, For couples who divorce, the impact is also heavy, especially for mothers. I see many mothers who have to struggle alone to raise their children without the support of their husbands. They must be the backbone of the family, earning a living while taking care of the household and children. This is not a light burden, especially if they have no skills or permanent work before. For fathers, some of them remain responsible, but there are also those who choose to let their hands go. This adds a psychological burden to the ex-wife, and of course it also has a bad financial impact. Divorced mothers often rely on the extended family or community for support, both moral and material

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Researcher: How does the social environment in this village respond to divorce?

Mr Suheri: divorce is still considered a shameful thing. Even though divorce cases are starting to increase, most people still see divorce as a failure, especially for women. There is a stigma attached to divorced women, and they are often shunned or looked down upon by neighbors or even their own extended family. Apart from that, the social environment in this village tends to provide less support for divorced families. There is a kind of opinion that divorce is a private matter that other people should not interfere with. In fact, divorcing families often need support, both emotional and practical.

Researcher: What is the role of the extended family in dealing with this divorce situation?

Mr Seherman: The extended family usually plays a very important role. They are often a refuge for a divorcing wife or husband, especially in terms of financial and emotional support. I see many mothers who move back in with their parents or siblings after a divorce because they have nowhere else to go. However, on the other hand, there is also pressure from the extended family for couples to stay together, even though the situation is no longer healthy, for fear of society's views.

Researcher: According to you, what can be done to reduce the negative impact of divorce?

Mrs. Fatimah: I think public education and understanding about divorce needs to be improved. Divorce does not always mean failure; sometimes it is the best solution to avoid a bigger conflict. Most importantly, parents must prioritize the well-being of their children. There may need to be more support from social institutions or village government to provide assistance to divorcing families, both psychologically and financially.

Researcher: What is the main cause of divorce which often occurs in Tanjung Morawa-B Village?

Mr. Munawir: The main causes of divorce in Tanjung Morawa-B Village are economic problems, such as unemployment or irresponsible husbands, as well as infidelity. Apart from that, the inability to resolve domestic conflicts is also a factor

that encourages divorce.

Researcher: What is the impact of divorce on children in Tanjung Morawa-B Village?

Mr Usman: Divorce has a significant impact on children, especially psychologically. Many children become withdrawn, lose enthusiasm for learning, or even experience changes in behavior to become aggressive. They also often feel depressed because they have lost a parental figure and feel stigmatized by the surrounding community.

Researcher: What challenges do housewives face after divorce?

Mrs. Hayani: Divorced housewives usually face serious economic challenges, because they have to bear the costs of living and the needs of their children alone. Apart from that, they also have to face stigma from the social environment, where divorce is often considered a disgrace. They also struggle to provide emotional attention and maintain their children's psychological stability.

Researcher: What is the impact of divorce on large families in Tanjung Morawa-B Village?

Mr. Mulia Nasution: Divorce not only affects the nuclear family, but also the extended family. Extended families are often burdened emotionally and financially. Sometimes, divorce also triggers conflict between extended families, especially regarding the division of property or child custody, causing divisions between them.

CONCLUSION

Divorce in Tanjung Morawa-B Village has become a social phenomenon that has occurred quite frequently in recent years, and its impact has been felt at various levels of family and society. Based on the results of interviews and observations, several main conclusions that can be drawn from this problem are as follows:

1. Various causes of divorce: Economic problems are the main cause of divorce in Tanjung Morawa-B Village. Financial difficulties, unemployment, and the husband's inability to support the family cause great stress in the household. Apart from that, infidelity and inability to manage domestic conflict are also the main reasons for

divorce.

2. Psychological Impact on Children: Children are the parties most affected by divorce. Losing a parental figure, both physically and emotionally, makes children feel neglected and do not receive full support. They often experience psychological distress, such as anxiety, confusion, and changes in behavior. At school, many children from divorced families show decreased academic performance, withdrawn attitudes, or even aggressive behavior
3. Challenges for Single Parents: Divorce brings a huge burden to single parents, especially mothers, who often have to struggle to meet the family's economic needs. In addition to financial pressures, they also have to provide emotional care for their children and manage the balance between work and childcare. Divorced housewives usually experience a decline in economic conditions due to the loss of income from their partners. 1.
4. Social Stigma in Society: Divorce in Tanjung Morawa-B Village is still considered a shame or disgrace by most people. In a society that still highly values family values and customs, divorced families often come under social pressure. This worsens the emotional impact on the divorcing parties, especially on the mother and children. This stigma also makes divorced families feel isolated and find it difficult to get support from the environment.
5. Impact on the Extended Family: Divorce not only affects the nuclear family, but also the extended family. The extended family is often involved in the divorce process, whether in terms of providing advice, emotional support, or financial assistance. However, divorce can also trigger conflicts between extended families, especially regarding child custody, division of assets, or other issues. This often causes a breakdown in relationships between families.
6. Fundamental Economic Consequences: Divorce almost always has a negative impact on the family's economic condition. The loss of a source of income means that one party, especially the mother, has to work harder to support herself and her children. In rural areas, where economic opportunities are limited, this often leads to problems of poverty and adds to the burden of life for divorced families.

7. Solutions and Efforts to Reduce the Impact: To reduce the impact of divorce, collective

efforts are needed from various parties. Schools can offer counseling for children affected by divorce, while community leaders can play a more active role in mediation to prevent divorce. Additionally, it is important to maintain good communication between divorcing couples for the welfare of the children. Support from the extended family and community is also very important to help divorced families feel accepted and not isolated

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