SMART: Journal of Sharia, Tradition, and Modernity

Volume I, No. 2, (2021)

ISSN: - (Print) - ISSN: 2807-8268 (Online)

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PREVENTION OF DIVORCE THROUGH THE MOVEMENT OF THE MASTURAH PROGRAM AND ITS CONTRIBUTION TO RENEWAL OF FAMILY LAW IN INDONESIA

(Case Study of the Tabligh Congregation in Lampung Province)

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ABSTRACT

Islam as a perfect religion has regulated the entire order of human life both concerning the life of the world and the hereafter, one of which is the sustainability of human descendants through a legitimate way, through marriage, where one of the goals is to form a sakinah family, but to make it happen is not as easy as turning the hand. It takes a process and cooperation between husband and wife and family members to make it happen, and it is not uncommon for households to contain various disputes with the end of divorce, especially during the current covid-19 pandemic, and to minimize this, the Tabligh congregation of Lampung Province carries out the Masturah Program movement to prevent the increase in divorce cases in Lampung. This research is a qualitative research using an empirical juridical approach and is descriptive analytic, data analysis using inductive and deductive thinking frameworks. This study found the fact that the masturah program is very effectively used as a contemporary method to make it easier to create a sakinah family and as a renewable method as a means of mediation by the mediator so that religious courts and scholars are able to reduce divorce rates in Lampung province, especially among the Tabligh congregation community.

Keywords: Divorce Prevention, Masturah Program, Tabligh Congregation.

A. INTRODUCTION

The Tabligh congregation is an Islamic da'wah movement with the aim of returning to the teachings of Islam that are *kaffah* or comprehensive (Zulaiha, 2016), by way of huruj *fii sabilillah* for male pilgrims and the masturah program for the husband and wife program. Tabligh congregation appears in the purification movement of da'wah with the aim of awakening the spiritual soul in the self and life of every Muslim (Mufid, 2011). In the Tabligh congregation, there are families who tend to be harmonious because they prioritize the spirit of worship because of Allah SWT. So that their families are more harmonious, religious and

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farthest from divorce. They have a special way of maintaining harmony and household ties by following the masturah program. The way to realize this is to take *Khuruj*. *Khuruj* is taking the time to go out in total preaching together between husband and wife (Abdillah, 2018; Marzaki & Anwar, 2020; Samsidar, 2020). *Khuruj* is also often referred to as '*jauhlah*' which means to visit. Meanwhile, a special program for married couples is called the masturah program so that in the course of da'wah a few days that have been set by husband and wife, awareness will grow between rights and obligations as well as affection between husband and wife and their families so that they love and are farthest from divorce. Every member of the tabligh congregation must at least follow *khuruj* to the community to invite other Muslims and the follow-up program for married couples is the masturah program so that the congregation is maximally carrying out His orders and avoiding His prohibitions (Siam & Prastiyo, 2020).

The Tabligh congregation came to an area or place that they thought lacked public awareness of the importance of worshiping Islam. They usually stay at mosques, enliven it, invite local residents to love da'wah, invite congregational prayers in mosques, and so on (Ilyas, 2018). The *Khuruj* da'wah method is carried out to train mentally and foster a strong Muslim soul, while the time to leave *Khuruj* is 3 days, 40 days, 4 months (Rofi'ah, 2015; Siam & Prastiyo, 2020; Thalib, 2016).

There are obstacles in this path of da'wah. Family problems such as wife, children, inlaws, and others can be an obstacle. The problem faced in general is how it is possible for them to leave their family long enough, while they have to provide living for their family. Then the rumors circulated that some families of the Tabligh congregation felt neglected because their husbands were often left behind by their husbands. Their economic needs are not met and their role in educating the family is not optimal (Siam & Prastiyo, 2020). There are family households that have to separate from the head of the family (husband and wife), due to the unpreparedness of the wife to accept her husband who has to always leave his family. Since there was a change in the husband who rarely worshiped, he gradually became obedient to worship. However, as time changes, worldly interests are no longer considered, earning a living is ignored, and even quarrels until finally ending in divorce (Samsidar, 2020).

On the other hand, there are wives who initially do not accept the treatment of their husbands who always leave. However, giving understanding was also not accepted, so he invited his wife to participate in witnessing what was being practiced out there. Da'wah is slowly understood and accepted, without neglecting the fulfillment of family needs, both clothing, food and shelter (Samsidar, 2020).

Samsidar (2020) stated that there are three forms of the attitude of the family of the Tabligh Congregation, including: first: The family or wife does not accept, if her husband has to leave with khuruj activities; Second: The family (wife) does not fully accept; Third: Accept completely. The first family does not accept it means that they are really not willing if they have to be left behind by the head of their family or their husband, which in fact this family ends in divorce. Meanwhile, the family who did not accept it completely, when left behind, ripples of strife arose in the family, as well as when the head of the family returned home, they accepted but were forced to live in ambiguity, two choices to survive by always causing quarrels in the family. While the family fully accepts this, the mere affairs of the world are no longer important but the life of the world is a temporary stopover. Therefore, for the Tabligh congregation who fully accept the view that it is obligatory to give encouragement to the da'wah efforts carried out by her husband, even the wife gets a reward if she supports her husband and the wife is provided with provisions by her husband, namely the foundation on the virtue of preaching and the wife's right to encourage her husband to perform khuruj (Samsidar, 2020).

The participation of the congregation in the Tabligh congregation organization has different times, some have only joined for two, three, four, six, seven, nine, and the longest is seventeen years. They all know and understand about the existence of the Masturah program in the Tabligh congregation organization. Even when asked about the Masturah program, their answers were not uniform. For example: some of them answered that Masturah is a program to create a *sakinah* family, others answered that it is to create an obedient wife according to religious guidance, a program to form a household that is blessed by Allah SWT, and so on. In general they know about the Masturah program. This is reinforced by the fact that all of them have participated in the program.

The informants involved in this research started to join the Masturah program in different areas. Some of them took part in Masturah for the first time in various different places in Bandar Lampung, such as Gedung Meneng, Tanjung Karang Timur, Sukabumi, and others. In several areas in South Lampung district such as: Tanjungan and Branti. There are also those who said that they participated in the Masturah program in Lampung, but the informant did not explain the area specifically. There are also those who take part in the Masturah program for the first time outside the province of Lampung, such as: Kebon Jeruk Jakarta.

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Based on information data from informants, it was obtained that before leaving the

Masturah program, the children were entrusted with a living (cost) in the form of food, school

supplies, and other necessities needed during the Masturah program. The Masturah program

which was participated by both parents in principle did not neglect the children's lives,

education, and of course their future. As for carrying out the Masturah program, the members

of the Tabligh congregation do it independently. Each of them prepares their own needs while

participating in the Masturah program, but if there is a shortage of funds in the group, usually

the members will handle it jointly.

The Masturah Tablighi Jamaat Program in Lampung Province was launched with the

aim of preventing divorce. This is because based on interview data, the Religious Courts feel

overwhelmed by the high number of divorce claims filed by married couples. This figure

continues to increase, especially during the Covid-I9 pandemic, although mediation measures

have been carried out, the success rate is very low. As a real example at the West Tulang Bawang

Religious Court in 2020, there were a number of divorce requests consisting of 22 cases of

litigation and I4 divorce cases, so there were 36 cases of request, of which only 8 cases were

successfully mediated and there were 28 cases that were unsuccessful in mediation and ended in

divorce (Interview ALF & ER, 2021).

Through this Masturah program, the households of the Tabligh congregation members

become harmonious. Although when asked about the divorce that occurred among them, there

were several answers that emerged, namely that there was no or never knew of divorce among

the Tabligh congregation. Therefore, through this research, the author wants to reveal further

about the Masturah Tabligh congregation program in Lampung Province in preventing divorce

among the congregation themselves.

B. METHOD

This research is a qualitative research using an empirical juridical approach, a study of

applicable legal research and in accordance with what is happening in reality in the community.

(Faisal et al., 2021), while the nature of this research is descriptive analytic (Kuantur, 2004),

research that aims to describe and elaborate clearly and in detail the review of Islamic law on the

household life of members of the Tabligh Congregation in Lampung Province who have

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participated in the Masturah program in relation to household harmony and reducing divorce rates.

Sources of data in this study are primary data and secondary data. Primary data were obtained from the Tabligh Congregation in Lampung Province, amounting to 9116, while secondary data were obtained from primary legal materials, secondary legal materials and tertiary legal materials. The data will be used as a theoretical basis for thinking so that it is expected to produce an accurate analysis and can be accounted for based on scientific principles. At the end of the study, inductive and deductive thinking frameworks will be used in making conclusions (Hanif & Susanto, 2020).

C. DISCUSSION

The word of Sakinah in the Arabic dictionary means al-waqaar, ath-thuma'ninah (Munawwir, 1997), and al-mahabbah (peace of mind, serenity and comfort) (Febrian et al., 2020; Kholik, 2019; Purba, 2018). Imam Ar-Razi in his interpretation al-Kabir explained that sakana ilaihi means feeling inner peace, while sakana indahu means feeling physical calm (Mushthofa et al., 2020; Puji, 2021; Taman & Farida, 2007). Allah SWT has said, Meaning: "It is He Who sent down tranquillity into the hearts of the Believers, that they may add faith to their faith;- for to Allah belong the Forces of the heavens and the earth; and Allah is Full of Knowledge and Wisdom" (QS. al-Fath: 4)

The sakinah family as human nature and religion is the realization of a family atmosphere with one goal, always getting together well, intimately and in harmony in everyday life (Puji, 2021). With that atmosphere, a feeling that is equally happy and more able to reduce negative emotions can be created so that family life brings goodness to all family members which has an impact on tranquility for the environment. Finally, a prosperous, safe and peaceful atmosphere can be realized in the community.

The word of *sakinah* according to language also means calm or peaceful (Abdurrohim & Sakina, 2020; Kholik, 2017; Kumala & Tresnawati, 2017). Married because of Allah SWT will get easiness from Allah SWT. A happy family is living affecting and loving each other, physically and mentally prosperous, where the husband can make his wife happy, and the wife can also make her husband happy (Jalil, 2021; Nurkholis et al., 2020; Sadiran, 2018). Both are able to educate their children to be pious children, children who are devoted to their parents, religion, society and country (Fidayani, 2016). In addition, the Sakinah family is also able to

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establish a harmonious brotherhood with relatives, live in harmony with neighbors, and become a state (Aziz, 2017; Hidayah, 2016; Qoharuddin, 2020).

The word of sakinah means peace and tranquility of the soul (Sugitanata, 2020). The term of sakinah family is two words that complement each other; the word of sakinah as an adjective is to characterize or explain the word family (Fathoni, 2018). The sakinah family is used with the meaning of a calm, peaceful, happy and prosperous family (Haerul & HL, 2021; Subhan, 2004). In Indonesian Dictionary, it is the father, mother, and their children or a very basic kinship unit in society (Depdikbud, 2007). The definition of a sakinah family according to the terms of figh is called *israh* or *qirabah* which has also become Indonesian, relatives (Dirjen Pembinaan Kelembagaan Agama Islam Departemen Agama, 1984).

According to M. Quraish Shihab, the word of sakinah in Arabic consists of the letters sin, kaf, and nun which means calm or the antonym of shock and movement (Ismatulloh, 2015; Muhaini, 2021; Shihab, 2006). The sakinah family does not just come, but there are conditions that must be fought for and prepare the heart. Sakinah, mawaddah, and rahmah originate from the heart and then come outward in the form of activity. This opinion shows that the Sakinah family has indicators: being faithful to a life partner, being able to maintain a good name and mutual understanding, keeping promises, and adhering to religious teachings (Shihab, 2006). Yunasril Ali (2002) states that what is meant by a sakinah family in the perspective of the Qur'an and Hadith is a family that has mahabbah, mawaddah, rahmah, and amanah. The Messenger of Allah said:

Meaning: "From Abu Hurairah ra. that the Prophet (saw) said, "Women are married for four reasons: their wealth, their offspring, their beauty and their religion." Therefore, look for a woman who is devout in religion, then you will be happy." (Mutafaq'alaih with the other seven imams) (al-Ashqalany, tt.).

According to the words of the Messenger of Allah, which was received by Abu Hurairah's friend, it was stated that in reality a woman is married to a man because of the social status she bears, because of the beauty of her face, because of her moral behavior that stems from her obedience to religion (Syuhud, 2013; Widiatmoko, 2014). A man whose chest is

filled with piety and complete faith in Allah SWT and His Messenger will certainly perfect his religion to foster married life with Muslim woman who has commendable character that comes from obedience to Allah SWT and His Messenger.

The establishment of a sakinah family is a program launched by the Tabligh congregation of Lampung Province. The purpose of the Masturah program is to form religious understanding in a person, because every day women are always busy with household matters so that the dominance of thoughts and their days is only world affairs. Therefore, by going out to religious paths, it is hoped that after returning home, they can bring an understanding of religion to prepare them to face Allah SWT, so that they will make the woman an *asbab hidayah* for her family. This is implemented with several practices that need to be in the house:

- I. Become 'Alimah (teacher): women who are knowledgeable by keeping ta`lim istiqamah. Ta`lim is the command of Allah SWT and one of the sunnah of the Prophet Muhammad, ta`lim is the spirit of religion, and ta`lim is one of the gates for entering religion into the house..
- 2. Zahidah: live modestly. Modest life is one of the sunnah way of life of the Prophet Muhammad. With a simple life, reckoning will be easy and light. Simple clothes, food, housing, furniture, appearance and so on.
- 3. 'Abidah: Worship experts, keep prayer at the beginning of time, dhikr in the morning and evening, all housechore is always accompanied by dhikr, istiqamah reading the Qur'an and trying to always finish it, performing sunnah prayers, obligatory fasting and sunnah fasting and likes to give charity.
- 4. *Murabbiyah*: Sas a teacher who educates children in Islam in accordance with what has been exemplified by the Prophet Muhammad; because children are a mandate from Allah SWT. *Tarbiyatul adab*: keep the manners, *tarbiyatul jasad*: body, clothes and food, *tarbiyatul wiladah*: after giving birth, *tarbiyatul Diin*: Religion, introduce religion since children are small, train to always fear only Allah SWT, instill in children love Allah SWT and His Messenger, love brothers and so on.
- 5. *Khaddimah*: Always be devoted to your husband and children in fulfilling the necessity and needs of your husband and children as well as every guest who comes to the house sincerely because of Allah SWT.
- 6. Da'iyah: Inviting people to always obey Allah SWT and the Prophet Muhammad by instilling faith in the village of the hereafter, and so on (Muhammad, 2010).

Tabligh Congregation is a group that often khuruj (preaching to various places or regions). Of the twenty informants involved in this research, they started participating in the Masturah program in different areas. There were those who took part in Masturah for the first time in various different places in Bandar Lampung, such as Gedung Meneng, Tanjung Karang Timur, Sukabumi, and so on. In several areas in South Lampung district such as: Tanjungan and Branti. There are also those who said that they participated in the Masturah program in

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Lampung, but the informant did not explain the area specifically, only mentioned in Lampung.

There are also those who took part in the Masturah program for the first time outside

Lampung Province such as: Kebon Jeruk Jakarta (Interview Results, 2021).

The Tabligh Congregation participates in this Masturah program based on suggestions

and recommendations from fellow Tabligh Congregation. This is part of the da'wah that gives

advice to each other. There were six people who joined the Masturah program at the suggestion

of their teacher and the headquarters of their da'wah organization. The last group of three

people is those who join this Masturah program out of their desire and awareness of their own

needs.

Each implementation of the Masturah program is usually attended by five or six

married couples. This group was led by a person called Amir. Apart from being the leader of

the group, Amir is also a teacher who will guide the implementation of the Masturah. In the

group there is also an Amir for female pilgrims. The male will be guided by a male Amir and

the female will be guided by a female Amir. Usually the female Amir is the wife of the male

Amir who leads the group; Amir who is in charge of implementing the Masturah program.

An Amir must be wiser and deeper in knowledge than the group he leads. He must

have experience following the Masturah program beyond the level or level of the members of

his entourage. Amir's description is: Three-day Masturah Program: Amir must be an alumni of

the twelve-day Masturah; Twelve-day Masturah Program: Amir must be an alumni of the forty-

day Masturah; Forty-day Masturah Program at home: Amir must be an alumni of forty-day

Masturah abroad; Forty days Masturah program abroad: Amir must be a more senior teacher.

The impact of the Masturah program on the wife's obedience in domestic life is felt by

the husband. According to the information obtained, twelve informants answered that before

joining the Masturah program, their wives were wives who were less or disobedient to their

husbands and in worship. Three people answered that their wives were ordinary wives (just like

wives in general). Four people answered that basically their wives are women who are obedient

in worship. This condition then changed very significantly after they joined the Masturah

program. Nineteen informants stated that their wives became more obedient to their husbands

and in their worship. Only one informant stated that there was no change in his wife. The

Masturah program has the same implementation time as the Khuruj program. Namely three

days per three months, twelve days per year, and or forty days per three years. When a wife

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joins the Masturah program for the first time with her husband, it means that she will participate in a religious guidance program for three full days. That means three times twenty-four hours. Long enough time to understand the religious topics that are being taught and discussed. So that it makes an impression on the understanding of the participants.

This Masturah program makes the participants understand and comprehend the knowledge about fostering domestic life as taught by the Shari'ah so that the sakinah family is established. How important science and knowledge is in the construction of domestic life. It is a provision in solving problems in married life in particular and this life in general. The informants of this research generally have high school education (SLTA) but there are also scholars. Thus, in addition to receiving education in formal education through school, they also learn through the *khuruj fi sabilillah* program for men and the Masturah program for married couples. This Masturah program makes the households of the members of the Tabligh Congregation harmonious so that a sakinah family is formed.

Based on the decision of the Director General of Islamic Community Guidance and Hajj Affairs Number: D/7/1999 concerning Instructions for Implementing the Guidance of the Sakinah Family Movement Chapter III Article 3 states that the Sakinah family is a family formed by a legal marriage, capable of fulfilling spiritual and material needs properly and balanced, filled with an atmosphere of affection between family members and their environment in harmony, conformable, and being able to live, practice, and deepen the values of faith, piety and noble character (Depag RI., 2001). In some of the definitions above, the author can conclude that the sakinah family is the smallest family unit of society consisting of a father, mother and their children living in harmony, filled with love, material and spiritual fulfillment in which there is peace, tranquility, practice religious teachings and realize noble character.

Sakinah family according to the Ministry of Religion of the Republic of Indonesia is a family that is formed based on a legal marriage, able to fulfill proper spiritual and material needs, as well as create an atmosphere of affection (*mawaddah warahmah*) that is harmonious, conformable, balanced and able to instill and carry out the values of faith, piety, charity, pious and *akhlakul karimah* in an Islamic family environment.

In order to measure the success of the sakinah family program, benchmarks for each level are determined. This benchmark can also be developed according to the surrounding situation and conditions. The general benchmarks are: First: Sakinah I Family, including: Not deviating from the applicable Shari'a regulations and laws; Fulfillment of basic food needs; The

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family has proof of a marriage certificate and prayer equipment; The family has the Koran, religious books and an elementary school diploma (SD); Availability of housing even though renting the house (boarding house); and Have 2 (two) wearable sets of clothes. Second: Prosperous Family II, including: Decreasing divorce rates in the family; Have a junior high school diploma (SLTP); Increased family income beyond basic needs; Many families have their own house, even if it is simple; Many families participate in social and religious activities; and can fulfill 4 healthy 5 perfect food.

Sakinah III family, including: An increase in religious activities and passion in the mosque or in the family; The family is active in the management of religious and social organization activities; Whole family not divorced; Improving public health; Have a high school diploma (SLTA); and Increased desire for charity, qurban, and infaq. Then the Sakinah III Plus Family, including: Many family members who have performed the pilgrimage; Increasing number of religious leaders and organizations in the family; Many family members have bachelor's degrees; Increasing the number of wakif and the ability of the community to understand and develop Islamic teachings; People who have good character; and the growth and development of love and affection within family members and society (Depag RI., 2007).

The National Family Planning Coordinating Board (BKKBN) calls the sakinah family as prosperous. In this case, the BKKBN classifies prosperous families (sakinah) into several levels:

- a. Pre-Prosperous Families (Pra KS), households that have not been able to meet their basic needs at a minimum, such as clothing, food, shelter, spiritual and health needs.
- b. Prosperous Family I (KS I), households that have been able to meet their basic needs at a minimum, but have not been able to meet their socio-psychological needs, such as educational needs, interaction within the family, interaction with the surrounding community, family planning, and transportation.
- c. Prosperous Family II (KS II), which is a household that in addition has fulfilled its socio-psychological needs, but has not been able to meet its development needs such as the need to obtain information and save.
- d. Prosperous Family III (KS III), households that have been able to meet basic, sociopsychological needs, and family development, but have not been able to make regular contributions to the community such as material donations, and play an active role in community activities.
- e. Prosperous Family III Plus (KS III Plus), households that have been able to meet all subsistence, social, psychological and development needs and have been able to play an

active role in community activities, and make regular contributions to the community (Mustofa, 2008; Susanto et al., 2019).

According to Aziz Mushoffa, a family can be called a sakinah family if it meets the following criteria:

- In terms of family religiosity; obedience to the teachings of Allah and His Messenger, love for the Messenger of Allah by carrying out the mission he carries, believe in Allah's books, read and explore the meaning of the Qur'an, believe in the Day of Judgment and Qadla and Qadr, and believe in the unseen. So trying to achieve the best, tawakkal and patiently accept Allah's qadar, in terms of worship being able to carry out worship properly, obligatory worship and sunnah worship.
- 2. In terms of religious knowledge, have the spirit to understand, study, and deepen the teachings of Islam. Obedient to carry out religious guidance and an Islamic home atmosphere. As explained by the Prophet in a hadith: Artinya: "There are four things that are bestowed on a person, then he has been awarded the goodness of the world and the hereafter, namely a tongue that remembers, a heart that is grateful, a body that is patient with trials, and a pious wife who does not wish to betray her husband, either against herself or her husband's property" (HR. Tabrani). (At-Tabrani, 1995).
- 3. In terms of education in the household, in this case the participation of parents is needed in motivating formal and informal education for each member of the family.
- 4. In terms of family health, the condition of the house and environment meets the criteria for a healthy home, family members like sports so they don't get sick easily, if a family member is sick, immediately use the services of a health center or doctor.
- 5. In terms of family economy, husband and wife have sufficient income to meet basic needs. Expenditures do not exceed income, the basic needs that must be met are daily food needs, clothing, housing, education, health and so on. As explained by the Prophet in a hadith: Meaning: "From Aisyah ra, that Hindun said: O Messenger of Allah, indeed Abu Sufyan was a miserly man, he did not give me anything sufficient for my children except what I took from him and he did not know, so the Messenger of Allah said: Take a sufficient living for you and your children in a reasonable way" (H.R. Bukhari). (al-Ahdi, 1992).
- 6. Relationship aspect; have a harmonious family social relationship, a husband and wife relationship that loves each other, loves, helps each other, trusts, respects, is open to each other and consults when encountering problems in the family and has a forgiving spirit. Likewise, the relationship between parents and children, parents are able to show love and affection, give attention, are able to create an open atmosphere, be fair, so that children feel free to express their problems. Children are obliged to obey, respect, and show love and affection towards their parents and always pray for them. While relations with neighbors, strive to maintain harmony by helping each other, trusting and being able to share happiness with the happiness of their neighbors,

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respecting, not being hostile to each other and being able to forgive each other.

(Musthofa, 2003).

A sakinah family will be created if family members can fulfill their obligations to Allah,

to themselves, to their families, to society and to their environment, according to the teachings

of the Qur'an and the Sunnah of the Prophet (Basyir & Rahman, 1994). The achievement of

becoming a sakinah family is the dream of everyone in building a happy household. This noble

desire has long been planned before two people of the opposite sex vow in a marriage.

Therefore, all power and effort was made to achieve this desire. Every family is expected to be

able to build their household into a family that gets peace of life, full of love and affection as

the main goal of marriage. A family can be called harmonious if it has indications, the

strengthening of good communication relations between fellow family members and the

fulfillment of material and spiritual needs standards and the application of moral and religious

values in the family. This is a family known as the sakinah family.

D. CONCLUSION

This study concludes that the masturah program is a very effective program in realizing

household harmony so that it is expected to help the peace process when husband and wife

experience conflict even when they plan to divorce in a religious court. This can greatly assist

the mediator in reconciling it and as a result the divorce rate can be reduced. The purpose of

marriage, forming a syakinah, mawaddah, warrahmah family can be achieved and the divorce

rate can be suppressed very effectively.

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Prevention Of Divorce Through The Movement Of The Masturah Program And Its Contribution To Renewal Of Family Law In Indonesia

(Case Study of the Tabligh Congregation in Lampung Province)

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