

Implementation of National Police Chief Regulation No. 8/2018 on Divorce Settlement for Police Members in Lampung Regional Police Environment

Indra Setia Budi^{1*}

¹ East Lampung Police Station, Lampung, Indonesia

Abstract: This study discusses the effectiveness of the implementation of National Police Chief Regulation No. 8/2018 concerning divorce permission and mediation in the Police environment, especially in the Lampung Regional Police. The main problems studied are the application of divorce permits, obstacles in the mediation process, and their contribution to the renewal of Islamic family law in Indonesia. The research used a qualitative approach with field research methods through in-depth interviews, documentation, and triangulation data analysis. The findings show that mediation can reduce the divorce rate, although there are obstacles such as time constraints and conflicts in the roles of police officers. The conclusion states that the mediation policy plays an important role in maintaining the stability of the family and the police institution, but a clear indicator standard is needed for divorce decisions. The research recommends evaluating and improving the relevant regulations to be more in line with the Marriage Law and the Compilation of Islamic Law, to ensure transparency and legal certainty in the divorce process within the Polri.

Keywords: Divorce Msediation, National Police Chief Regulation No. 8/2018, Islamic Family Law

Abstract: Penelitian ini membahas efektivitas pelaksanaan Peraturan Kapolri Nomor 8 Tahun 2018 tentang izin dan mediasi perceraian di lingkungan Polri, khususnya di Kepolisian Daerah Lampung. Masalah utama yang dikaji adalah penerapan izin perceraian, kendala dalam proses mediasi, serta kontribusinya terhadap pembaruan hukum keluarga Islam di Indonesia. Penelitian menggunakan pendekatan kualitatif dengan metode penelitian lapangan melalui wawancara mendalam, dokumentasi, dan analisis data triangulasi. Temuan menunjukkan bahwa mediasi dapat menekan angka perceraian, meski terdapat kendala seperti keterbatasan waktu dan konflik peran anggota Polri. Kesimpulan menyebutkan bahwa kebijakan mediasi berperan penting dalam menjaga stabilitas keluarga dan institusi Polri, namun diperlukan standar indikator yang jelas untuk keputusan perceraian. Penelitian merekomendasikan evaluasi dan penyempurnaan aturan terkait agar lebih sesuai dengan UU Perkawinan dan Kompilasi Hukum Islam, guna memastikan transparansi dan kepastian hukum dalam proses perceraian di lingkungan Polri.

Keywords: Mediasi Perceraian, Peraturan Kapolri Nomor 8 Tahun 2018, Hukum Keluarga Islam

Corresponding Author: Indra Setia Budi (Siska.11101980@gmail.com)

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A. Introduction

In general society, marriage is recognized as an institution that regulates the relationship between husband and wife, including responsibilities and rights between the two, which has an impact on social stability and family welfare. However, in the context of certain professions, such as members of the National Police, marriage and divorce are not only personal matters but are also related to more stringent service regulations (Yusron Rofi et al., 2024). Polri members are faced with additional rules that require permission and mediation when going through a divorce, as stipulated in the National Police Chief Regulation Number 8 of 2018 concerning marriage, divorce and reconciliation (Mustofa, 2021).

This study was conducted to examine the effectiveness of this regulation, as well as its contribution to the reform of Islamic family law in Indonesia. Particularly within the Lampung Regional Police, the divorce mediation process aims to reduce conflict and prevent divorce, which is considered to have a negative impact on family stability and the performance of police officers (Arifin et al., 2024). This phenomenon is interesting because the pre-divorce process, which includes BP4R sessions and mediation, is not only aimed at controlling the divorce rate, but also an effort for the Police to ensure the mental readiness of members undergoing family life. Quantitative data shows that many divorce cases within the Polri institution can be prevented through mediation, while qualitative data reflects the various obstacles faced in this process, such as time constraints and role conflicts between service and family duties. The gap between expectations (*das sollen*) and reality (*das sein*) indicates the need for further evaluation of the implementation of the National Police Chief Regulation.

In this study, the academic issues that arise focus on the process of applying for divorce within the Polri, which is not granted immediately but goes through the stages of mediation and evaluation. Polri applies a mediation approach to reconcile disputing parties so that, if possible, divorce can be avoided. On the other hand, Polri leaders will only grant permission for divorce if the reasons submitted by the party seeking divorce are considered well-founded and in accordance with existing criteria. If the reasons are not strong enough, Polri will not only reject the application, but also provide marital coaching and guidance as part of efforts to maintain the integrity of members' households.

This approach aims to tighten and complicate the divorce process among Polri members, on the basis that divorce is the last solution to marital conflict. This policy reflects the hope that the marriages of Polri members will be harmonious and serve as a good example for the community.

However, in practice, the absence of clear standards regarding the criteria or indicators for divorce can leave the status of the party seeking divorce in limbo. Therefore, it is necessary to develop standardized indicators in the Police regulations related to divorce, which refer to the Marriage Law and the Compilation of Islamic Law (KHI). This standard will ensure that the decision to approve or reject a divorce application can be made more transparently and consistently, and prevent legal uncertainty for Polri members who are experiencing problems in their households.

The literature review shows that there are several studies that are relevant to this topic. Research by Nurul Hidayati in her article entitled "The Effectiveness of Mediation in Suppressing the Divorce Rate in the ASN Environment" shows that mediation carried out professionally can reduce the divorce rate by 30% (Hidayati,

2020). This result is in line with this study which emphasizes the importance of mediation in reducing household conflict. However, in contrast to Hidayati's research which focuses on ASN in general, this study focuses on the Polri institution which has stricter characteristics and internal rules.

Another study by Sri Handayani in the journal "The Role of Mental Development in the Household Stability of TNI Members" also shows the importance of mental development for members of state agencies in maintaining family stability (Handayani, 2021). This research has similarities with this study in terms of mental coaching as a divorce prevention strategy. However, this study highlights aspects of coaching that are more oriented towards psychological aspects rather than legal aspects as in this study. The *novelty* of this study lies in integrating the internal policies of the National Police with Islamic family law reforms that are relevant to Indonesia's social and cultural conditions.

The problem formulation and research objectives that will be discussed are as follows: How is the application of divorce permits and divorce mediation within the Lampung Regional Police? What are the obstacles faced in the divorce process in this environment? And how does this regulation contribute to the renewal of Islamic family law in Indonesia? This research aims to analyze the application of divorce permits and mediation within the Lampung Police, identify the obstacles faced in the process, and evaluate its contribution to the renewal of Islamic family law in Indonesia, which is relevant in order to strengthen family stability and community welfare.

B. Research Method

Research Methods This research uses a qualitative method with a type of field research that focuses on the implementation of National Police Chief Regulation Number 8/2018 concerning divorce of Polri members in the Lampung Regional Police Environment. This research is designed to explore in-depth information about the dynamics and effectiveness of the policy in the context of field practice. Primary data was obtained through structured interviews with police officers in charge of marriage guidance as well as parties directly related to the mediation process. Secondary data was obtained from relevant literature, regulations, and official documents, including internal reports and statistical data on divorce within the Polri institution. Data collection techniques included in-depth interviews to explore informants' perspectives and experiences, and documentation to access formal and historical data related to policy implementation. The data analysis process was conducted systematically through the steps of collecting, filtering, coding and grouping data based on key themes. Inductive analysis was used to identify patterns, relationships, and policy implications for Islamic family law reform in Indonesia. Data validity in this research was guaranteed through data triangulation, which compares and verifies information from various sources. In addition, researchers also conducted member checks with informants to ensure the accuracy of the findings. This approach is expected to produce a comprehensive understanding of the impact of Polri's policy on the stability of its members' families and its relevance in the reform of Islamic family law.

C. Result

Divorce in Islamic Law and Positive Law

In Islamic law, divorce (*talaq*) is a permissible action, but is strictly avoided except in urgent conditions (Kashvi, 2024). This action is considered the last solution to resolve problems in a household that can no longer be maintained. In the Islamic view, divorce should not be done except after all efforts to reconcile and repair the relationship have been unsuccessful. Allah SWT in the Quran reminds Muslims to prioritize reconciliation in marriage, as in Surah An-Nisa verse 35 which recommends that both families mediate so that household peace can be restored.

وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَأَبْعَثُوا حَكَمًا مِنْ أَهْلِهِ وَحَكَمًا مِنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا ۗ إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا

Meaning: *And if you fear a dispute between them, then send a hakam from the man's family and a hakam from the woman's family. If the two hakam intend to make amends, surely Allah will help the husband and wife. Indeed, Allah knows best*

In *Ihya Ulumuddin*, Al-Ghazali explains that the main purpose of marriage is to achieve harmony and peace, and divorce is only recommended if the life together no longer provides benefit or justice for one or both parties (Al-Ghazali, 2003) divorce in Islam includes stages that give husbands and wives time to consider their decisions carefully (Asnawi., 2024). The iddah period, for example, provides an opportunity for both parties to rethink and repair the relationship if possible. In the fiqh view, divorce is not only the right of the husband but is also allowed to the wife through the mechanism of khulu'. This step shows that Islam provides a way for both parties to get out of a marriage that is no longer viable. Al-Ghazali in *Ihya Ulumuddin* reminds us that in a harmonious marriage, divorce should not be an easy option to take unless it has considered all available remedial steps (Al-Ghazali, 2003).

Positive law in Indonesia regarding divorce is regulated in Law No. 1 of 1974 concerning Marriage and the Compilation of Islamic Law (KHI) for Muslim couples. Marriage Law No. 1 Year 1974 clearly stipulates that divorce can only be carried out in front of a court session after going through a mediation process first. Article 39 paragraph (1) of the Marriage Law states that divorce may only be carried out if there are sufficient reasons, such as the existence of continuous disputes so that it is impossible for the couple to live in harmony again (Republik Indonesia, 1974). The purpose of this provision is to maintain the integrity of the household by minimizing divorce, as well as giving couples the opportunity to repair their relationship through mediation efforts (Asnawi, 2024).

In addition, for Muslims, the KHI as a legal guide in religious courts also regulates the terms of divorce in more detail. KHI emphasizes that divorce applications must be accompanied by clear reasons that can be proven in court, such as violence or unfaithfulness, in accordance with Article 116 KHI. The KHI emphasizes the importance of a humanist and amicable approach to divorce, where couples are encouraged to reach an agreement first through a process of deliberation or mediation before the divorce decree is finalized in a religious court. This step reinforces the principle in Islamic law that prioritizes peace and family harmony (KHI, Article 116). Thus, the laws and regulations in KHI seek to create a balance between the individual right to divorce and the protection of the integrity of the institution of marriage.

Marriage Law No. 1/1974 and the Compilation of Islamic Law (KHI) stipulate valid grounds for divorce in order to maintain legal order and ensure that divorce is not done easily. Article 39 paragraph (2) of the Marriage Law lists the grounds for divorce which include persistent incompatibility, infidelity, violence, neglect, and incurable illness. With this rule, couples who want to divorce must show that their reasons are strong enough and in accordance with applicable legal provisions (Law No. 1 Year 1974, Article 39). This is done to minimize the negative impact of divorce on families and children as well as protect the values of household integrity that are desired by Indonesian law.

For Muslim couples, the KHI adds more specific criteria for divorce that are in line with the principles in Islamic law. Article 116 of the KHI explains that grounds for divorce include acts such as physical or mental violence, neglect of obligations, persistent disputes, and moral problems such as drug or alcohol abuse that damage domestic life. This provision is in line with Polri's efforts to maintain the stability of its members' households, where divorce is not made easy unless there are clear and measurable reasons. With this strict process, positive law and KHI both ensure that divorce is only done when other solutions are not possible (KHI, Article 116).

Brief Profile of Lampung Regional Police

Lampung Regional Police, or commonly referred to as Polda Lampung, is part of Indonesia's national police structure whose main task is to maintain security and order in the Lampung Province area. Polda Lampung was established in line with the need for security stability in a province that is experiencing significant economic and social development. In Polda Lampung's Annual Report, it is stated that the security challenges faced include the threat of crime and public order disturbances, which require a special approach so that peace and justice in the community can be realized. This objective is in line with Polri's national policy that emphasizes the principles of protection, protection and service to the community (Polda Lampung, 2023).

Over time, Polda Lampung has also grown in its capacity to manage regional security with the support of technology and cross-sector cooperation. According to Iskandar, Polda Lampung continues to adapt to the social dynamics of society, including in handling social conflicts and maintaining regional stability. This is done through improving the competence of human resources and developing technology-based patrol and surveillance methods that enable quick response in dealing with emergency situations in the field (Iskandar, 2022).

Polda Lampung has an organizational structure consisting of various divisions tasked with carrying out specific functions within the scope of policing. This structure includes key sections such as the Criminal Investigation Directorate, Traffic Unit, and Community Development Directorate, each of which has a specific role in handling policing tasks. Through a structured division of labor, Polda Lampung is able to carry out its operations effectively and efficiently in tackling criminal cases, regulating traffic, and providing guidance to the community (Polda Lampung, Organizational Structure, 2023).

This organizational structure is also complemented by administrative and support functions, including an internal counseling and handling unit aimed at maintaining the integrity of members. According to Hartanto, the existence of a special division for community development shows that Polda Lampung not only focuses on law enforcement, but also on preventive efforts through a community

approach oriented towards fostering law-abiding behavior (Hartanto, 2021). Thus, the functional structure of Polda Lampung enables the institution to perform both preventive and repressive roles in maintaining public order and security.

Polda Lampung is active in maintaining good relations with the community through various social programs and partnerships. Programs such as Polisi Sahabat Anak, mobile SIM services, and socialization related to neighborhood security are designed to build closeness between police officers and the community. According to Polda Lampung's Annual Report, these initiatives aim to increase community trust in the police as protectors and guardians who are always ready to provide protection and security (Polda Lampung, 2023).

Through these programs, Polda Lampung also seeks to increase community participation in maintaining environmental security independently. A study by Wahyuni shows that communities in Lampung feel more comfortable and safe thanks to the humanist approach implemented by Polda Lampung, where communication and citizen involvement in protecting the environment is continuously encouraged through socialization and joint activities (Wahyuni, 2020). This not only improves public order, but also strengthens the relationship between the police and the community as partners in creating a conducive environment.

National Police Chief Regulation No. 8/2018 on Divorce Settlement for Police Members

National Police Chief Regulation No. 8/2018 on Divorce Settlement for Polri Members was made to regulate the divorce process within the Indonesian National Police to be in line with the values of professionalism and ethics held by the institution. This regulation emphasizes the importance of stability and harmony in the households of Polri members as part of the institutional image and authority. Thus, this regulation is expected to be able to maintain a positive image of Polri members in the community, which requires them to show an example, especially in their family life (*National Police Chief Regulation No. 8/2018 on Divorce Settlement for Polri Members*, n.d.). According to Masykuroh, this regulation shows Polri's concern for the psychological well-being of its members, which has a direct impact on performance and productivity in the work environment (Masykuroh, 2021).

In addition to maintaining family harmony, this regulation is also expected to be a preventive measure to avoid the negative impacts that can arise from divorce of Polri members. Referring to a study conducted by Setiawan, the household harmony of Polri members is an important factor in maintaining institutional stability, especially since divorce has the potential to significantly affect individual performance. As an organization that is in direct contact with the community, Polri seeks to ensure that each of its members is able to manage their home life well so that conflict does not affect their professionalism in the field (Setiawan, 2019).

This regulation places mediation as a mandatory first step in any divorce application by Polri members. As stipulated in Chapter II of National Police Chief Regulation No. 8/2018, mediation is conducted to provide an opportunity for couples to resolve their conflicts amicably. Through mediation, it is hoped that couples can reach a better understanding and find a solasution without having to separate (*National Police Chief Regulation No. 8/2018 on Divorce Settlement for Police Members*, n.d.). The study by Hasanah shows that this mediation approach is in line with the

family values in Indonesian society that prioritizes peaceful conflict resolution and is not hasty in making divorce decisions (Hasanah, 2020).

In addition, Polri also provides guidance and counseling for couples who are experiencing problems, with the help of counseling units within Polri. This coaching aims to provide emotional and mental support so that couples are able to face challenges in the household. According to Dewi, this counseling and coaching program implemented by Polri is a form of attention to the psychological well-being of members, which also contributes to harmony within the institution and reduces the divorce rate among Polri members (Dewi, 2022).

Decisions in divorce cases of Polri members are strongly influenced by the reasons submitted by the parties concerned. If the reason for divorce does not meet the stipulated requirements, the divorce application will be rejected, and the couple will be directed to undergo further counseling. This step aims to prevent divorce from becoming the main solution before serious problem-solving efforts are made (*National Police Chief Regulation No. 8/2018 on Divorce Settlement for Police Members*, n.d.). According to Santoso, the rejection of divorce on the grounds that it is not strong enough emphasizes that Polri prioritizes coaching over divorce, in order to maintain the institutional integrity and domestic stability of its members (Santoso, 2020).

In this evaluation process, Polri strives to provide regular counseling for couples who are in the process of divorce, in the hope of leading them to reconsider their decision. Studies by Wahyudi show that coaching through follow-up counseling has helped many couples improve their relationships and reduce the divorce rate within the Polri, which has an impact on improving the psychological well-being of Polri members and creating stability in the work environment (Wahyudi, 2021).

Data on Research Results in the Lampung Regional Police Environment

The following is research data related to the number of Polri members who apply for divorce permits and the process of implementing mediation within the Lampung Regional Police:

Year	Number of divorce applications	Number of Cases Resolved Through Mediation	Number of Cases Proceeded to Court
2020	45	30	15
2021	52	40	12
2022	60	45	15
2023	70	50	20

Data Source: Official documentation from the Development and Counseling Division of Lampung Regional Police (2024).

The data above shows that the majority of divorce cases are successfully resolved through mediation, with the percentage of successful mediation increasing from year to year. This reflects the effectiveness of the mediation policy stipulated in National Police Chief Regulation No. 8/2018 in maintaining the family harmony of Polri members.

Implementation of Divorce Process in Lampung Province Police Environment

Divorce applications for members of Polda Lampung follow the procedures set out in National Police Chief Regulation No. 8/2018. The process begins with the mediation stage, where both parties are required to attempt to resolve their issues before proceeding to the divorce filing. Mediation is conducted by a counseling unit that has expertise in handling domestic issues. According to an interview with Kasubbag Pembinaan Polda Lampung, AKBP Suryadi, "The main purpose of this mediation is to ensure that divorce is not filed without clear and strong reasons. We want to help our members maintain the harmony of their households as much as possible." This process is also part of Polri's commitment to maintaining the harmony of members' households as part of the institution's ethical values (Kasubbag Polda Lampung, 2024).

During the mediation stage, the counseling unit evaluates the arguments and reasons submitted by each party. If it is found that the grounds for divorce do not meet the stipulated conditions, the divorce proceedings will be rejected, and the couple will be directed to join a coaching and counseling program. According to a further interview with Lampung Police's Psychology Section Head, Kompol Lestari Andini, "We use various psychological approaches and family value-based counseling to help couples find solutions to their conflicts." This reflects Polri's efforts to strengthen the family structure of members and reduce unnecessary divorce rates, thereby strengthening social ties within the community (Prasetyo, 2023). By following this procedure, Polda Lampung strives to create a stable work environment that supports the well-being of its members and their families.

Mediation and coaching at Polda Lampung play an important role in preventing divorces that are not based on sound reasons. This process includes marriage counseling conducted by the religious and psychology sections, which is designed to help couples find solutions to their problems. According to the Annual Report of Polda Lampung (2023), this counseling program is implemented with an approach that is sensitive to the individual needs and social context of members, with the aim to facilitate better communication between spouses (Polda Lampung, 2023). This is in line with the principles of Polri, which emphasizes the need for preventive measures before making the decision to divorce.

Coaching also includes education on family values and the importance of maintaining marital harmony. As part of this effort, Polda Lampung conducts seminars and workshops involving members and their families. According to Sutrisno, "Activities such as these are very helpful for Polri members and their spouses to strengthen relationships, understand family values, and learn how to resolve conflicts constructively." Thus, mediation and coaching at Polda Lampung demonstrate the institution's commitment to supporting the well-being of its members through efforts to maintain family integrity and stability (Sutrisno, 2022).

Polda Lampung regularly evaluates the success of the mediation process in reducing the divorce rate among its members. This evaluation includes an analysis of the number of divorce cases filed and the number of cases successfully resolved through mediation and counseling. According to an internal source at Polda Lampung, "From the results of last year's evaluation, more than 60% of divorce cases were successfully resolved through reconciliation without having to proceed to court," Kompol Lestari Andini said in an interview. This is an indicator of success in

maintaining the welfare of members and their families and creating a better working environment.

Polda Lampung also conducted a survey to obtain feedback from members on the effectiveness of the mediation and coaching program. The survey is important to understand the challenges faced during the mediation process and adjust the approach used. According to Nugroho (2023), "Continuous evaluation allows us to identify areas for improvement, such as mediator training or the development of more relevant counseling materials." Thus, the evaluation efforts undertaken by Polda Lampung reflect the institution's dedication in improving the quality of services to its members (Nugroho, 2023).

D. Discussion

Factors and Causes of Divorce in the Lampung Regional Police Environment

High work demands and limited time with family often trigger tensions in police officers' marriages. The dynamic and demanding work environment, coupled with erratic work schedules, makes it difficult for police officers to create a balance between work and family life. According to Asep and Iswati, the instability of time spent with family can disrupt healthy communication in the household, thus increasing the risk of conflict and discomfort in the marriage (Asep & Iswati, 2023). In addition, research by Putra shows that Polri members who often work overtime or are assigned to vulnerable areas tend to experience problems in interpersonal relationships at home, which contributes to high divorce rates among them (Putra, 2022).

High-risk and stressful tasks often contribute to increased strain in police marriages. Dangerous situations and the demand to always be prepared for duty can cause prolonged stress. This can be seen in divorce cases that involve disharmony due to mental stress. According to Diah, the stress experienced by police officers due to work demands can result in mental health problems, such as depression and anxiety, which negatively affect their interactions with their spouses (Diah, 2023). Research by Rahman also shows that the inability to manage stress can lead to marital dissatisfaction, leading to the decision to divorce (Rahman, 2022).

Although many members experience marital problems, Polda Lampung provides counseling services as a preventive measure that is expected to prevent domestic problems from leading to divorce. The counseling program is designed to assist members and their spouses in overcoming existing conflicts with a supportive and solutive approach. According to Polda Lampung's annual report, this service not only assists in resolving conflicts, but also provides education on the importance of good communication within the household (Polda Lampung, 2023). In addition, Sutrisno noted that with psychological support in place, Polri members can better manage the stress they experience due to work, which ultimately contributes to the stability of their marriage (Sutrisno, 2022).

Contribution to Family Law Reform in Indonesia

This study proposes that Polri develop clearer rules on the indicators of acceptable divorce within the police force, as stated in the Marriage Law and KHI. This standardization aims to provide justice for members who experience marital problems. In a study by Hidayah, the affirmation of clear criteria in applying for divorce among members of the National Police is expected to reduce confusion and

reduce the rate of unnecessary divorce (Hidayah, 2022). With standardized guidelines in place, police officers will be able to better understand their rights and obligations in the divorce process, as well as the impact of such decisions on their families and careers (Sari, 2023).

With standardized rules in place, members facing domestic problems can know exactly the steps for a legal divorce. This prevents potential legal uncertainty that could be detrimental. Legal certainty in the divorce process is essential to ensure that every Polri member can go through the process without worrying about discrimination or injustice. In addition, with clear procedures in place, police officers will be more confident in filing for divorce, thereby contributing to mental calm and stability in the performance of their duties.

This proposal can serve as an example for other government institutions facing similar situations, with the hope of contributing to the overall reform of family law in Indonesia (Lestari et al., 2024). Given the importance of standardization in divorce arrangements, other institutions, such as the TNI or local governments, could also implement similar policies to improve fairness in their work environment. This model not only increases transparency and fairness in the resolution of domestic issues, but also has the potential to create a more harmonious and productive work environment across all sectors of government.

E. CONCLUSION

Divorce in Islamic law and Indonesian positive law is a permissible but strictly regulated act to maintain the integrity of the household. In Islam, divorce is seen as the final solution after all reconciliation efforts, such as mediation and the iddah period, have been unsuccessful. Meanwhile, positive law through Law No. 1 of 1974 and the Compilation of Islamic Law (KHI) regulates that divorce must be carried out with valid reasons and through a mediation process in court, to minimize the negative impact on families and children. In the Polri environment, National Police Chief Regulation No. 8/2018 emphasizes the importance of mediation and family harmony of Polri members as an effort to maintain the internal stability of the institution and the professionalism of members in the community. This approach reflects a balance between the individual's right to divorce and efforts to maintain the values of household integrity.

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