The Dynamics of Divorce in Palu City and the Role of the Religious Court in Prevention Efforts in Palu City

Meilany, Susi Susilawati, M. Ayyub Mubarrak Legal Studies Program, Faculty of Law, Tadulako University *Corresponding author: meilanybudiarti81@gmail.com

Abstract: This study investigates the rising trend of divorce in Palu City and evaluates the role of the Religious Court in preventing marital dissolution through mediation and legal interventions. Divorce, although permissible as a last resort in Islamic law, has become increasingly prevalent, reflecting complex socioeconomic and psychological dynamics within households. Using a juridical-empirical qualitative approach, this research analyzes primary data obtained from interviews and observations with divorced parties, alongside secondary data from case files of Cerai Gugat and Cerai Talak registered in the Palu Religious Court from 2022 to 2024. The findings reveal that dominant factors contributing to divorce include infidelity, economic instability, poor communication, domestic violence, loss of marital harmony, and conflicting values. An increasing number of divorces among young couples is also observed, driven by emotional immaturity and socio-economic pressures. Although the Religious Court implements mandatory mediation under the Supreme Court Regulation on mediation procedures, its effectiveness remains limited due to low legal awareness, heightened emotional tension, and external family interference. This study highlights that divorce is not solely a legal matter but also a multidimensional social phenomenon. The research contributes to the development of Islamic family law and provides important insights for policymakers to strengthen preventive measures through legal education, improved mediation quality, and community empowerment.

Keywords: Divorce Dynamics; Religious Court; Mediation; Islamic Family Law; Palu City.

1. Introduction

Divorce has become an increasingly significant social and legal phenomenon in many regions of Indonesia, reflecting shifting socio-cultural dynamics, economic pressures, and transformations in family structures. Although Islamic law permits divorce under specific circumstances as a last resort, its rising prevalence indicates substantial challenges in maintaining household stability and marital resilience. Indonesia, as a country with the largest Muslim population in the world, entrusts the Religious Courts (*Peradilan Agama*) with the authority to adjudicate marital disputes, including *Cerai Talak* (divorce initiated by husbands) and *Cerai Gugat* (divorce filed by wives). Over the last decade, these courts have experienced a significant increase in divorce cases across various provinces, including Central Sulawesi. Palu City, the provincial capital, has emerged as one of the areas with the most dynamic patterns of marital dissolution, driven by complex intersections between socio-economic conditions, cultural transitions, and gender-related issues.

The phenomenon of rising divorce rates in Palu cannot be separated from broader demographic and sociological trends. Urbanization has reshaped lifestyles, values, and expectations among households, particularly young couples who often marry at increasingly younger ages but face substantial emotional and financial instability. Studies in family sociology suggest that shifts in gender roles, economic burdens, and communication breakdowns contribute significantly to marital conflicts. Furthermore, the increasing participation of women in higher education and the labor market has strengthened their bargaining power, including the willingness and capacity to file for divorce when marital relationships become untenable. This aligns with national-level data showing that *Cerai Gugat* now constitutes the majority of divorce cases in Indonesia, a trend mirrored in the Palu Religious Court's annual reports.

Despite the structural and social transformations that contribute to divorce, the legal system—particularly the Religious Courts—plays a crucial role not only in adjudicating separation but also in preventing marital dissolution. The court is mandated to conduct mediation as an integral stage of

litigation, as regulated by the Supreme Court Regulation (*Perma*) on Mediation Procedures. Mediation is expected to serve as a restorative mechanism assisting both parties to resolve disputes, rebuild communication, and potentially preserve marriage. The Religious Court of Palu implements mandatory mediation in divorce cases, yet the empirical effectiveness of this mechanism remains uncertain. Many divorce cases proceed to final verdict without successful reconciliation. The limited success of mediation indicates the presence of deeper psychological, economic, and social layers that cannot be addressed solely through procedural interventions.

Existing research on divorce in Indonesia has largely focused on national statistics, socio-religious implications, or legal analyses of divorce procedures. However, there remains a significant research gap concerning localized patterns of divorce dynamics and the practical role of the Religious Courts in prevention efforts within specific regions, such as Palu City. Localized studies are essential because divorce drivers, cultural norms, and institutional responses differ across regions. Central Sulawesi, with its diverse ethnic composition and post-disaster socio-economic challenges—especially after the 2018 Palu earthquake—faces unique conditions that may influence household stability. These contextual factors underscore the importance of studying divorce in Palu not as an isolated legal event but as a reflection of complex socio-economic realities and local cultural interactions.

Moreover, while mediation is formally mandated, few empirical studies examine how mediation is actually implemented in Religious Courts in Eastern Indonesia, what factors hinder its effectiveness, and how litigants perceive the process. Many couples entering mediation do so with high emotional tension, lack of trust, and entrenched conflict, reducing the likelihood of reconciliation. Additional barriers include insufficient legal awareness, the influence of extended family decision-making, and cultural stigma associated with reconciliation after severe marital conflicts. Evaluating the effectiveness of mediation in the Palu Religious Court is therefore crucial for understanding the broader capacity of the legal system to serve not only as an adjudicative body but also as a preventive institution safeguarding family integrity.

In addition to mediation, the Religious Court also provides legal counseling and guidance aimed at increasing family resilience. However, the implementation of such preventive programs varies widely, depending on institutional capacity, resource availability, and collaboration with local government agencies. In Palu City, preventive programs remain limited, creating an urgent need to strengthen institutional support for families, particularly those experiencing early signs of marital breakdown. Strengthening the preventive role of the court aligns with national priorities to reduce social problems associated with divorce, such as child neglect, economic vulnerability, and psychological impacts on family members.

Understanding the dynamics of divorce in Palu City is therefore vital for generating more effective policy interventions. Rising divorce rates have broader implications for social cohesion, child development, gender dynamics, and economic stability. A more detailed analysis of factors such as infidelity, domestic violence, economic pressures, communication breakdown, and changing cultural values can contribute to a more nuanced understanding of marital instability. Furthermore, examining the role of the Religious Court in these cases reveals the strengths and weaknesses of the current legal framework, its implementation, and the opportunities for improvement.

This study aims to address these gaps by exploring the dynamics of divorce in Palu City and evaluating the role of the Religious Court in preventing marital dissolution. Using a juridical-empirical qualitative approach, the research examines divorce case trends, underlying factors, and the effectiveness of mediation and other preventive interventions implemented by the court. By integrating legal analysis with sociological perspectives, this study offers a comprehensive understanding of divorce as a multifaceted phenomenon shaped by legal structures, individual behaviors, and socio-economic contexts. Ultimately, the study contributes to strengthening Islamic family law, improving institutional

performance, and supporting policymakers in designing more effective family resilience programs within regional contexts like Palu City.

2. Research Methodology

This study adopts a juridical–empirical qualitative research design, which integrates doctrinal legal analysis with empirical field investigation to understand the dynamics of divorce in Palu City and the preventive role of the Religious Court. This approach is appropriate because divorce, as a legal process, is deeply intertwined with the social, cultural, psychological, and economic realities experienced by couples. Therefore, combining legal study and empirical observation enables a comprehensive exploration of both the normative framework regulating divorce and the lived experiences of individuals involved in marital disputes. The qualitative design allows the researcher to capture subjective perspectives and contextual nuances that would not be adequately reflected through quantitative methods.

2.1 Research Approach

The juridical approach was used to examine the laws and regulations governing divorce in Indonesia, including the Marriage Law, the Compilation of Islamic Law, and the Supreme Court Regulation on mediation procedures. This analysis provided the normative foundation for understanding how divorce should be processed and how mediation is intended to function as a preventive measure. Meanwhile, the empirical approach involved observing how these laws are implemented in practice within the Religious Court of Palu. Interviews with litigants, judges, and mediators, along with onsite observations, allowed the researcher to investigate whether the legal provisions align with actual conditions and challenges. Integrating these two approaches strengthens the validity of the findings through triangulation and offers a more accurate portrayal of the institutional and social context of divorce.

2.2 Research Site

The research was conducted in Palu City, Central Sulawesi, with a primary focus on the Religious Court as the official institution responsible for adjudicating divorce cases among Muslim couples. Palu was chosen because it represents an area with a noticeably increasing divorce rate and encapsulates diverse socio-economic and cultural characteristics typical of urban centers in Eastern Indonesia. Additionally, the city is still recovering from major socio-economic shocks following the 2018 earthquake, which may influence household stability and marital relationships. Studying divorce dynamics in this location therefore provides insight not only into legal processes but also into how external stressors shape family conditions and conflict resolution mechanisms.

2.3 Data Sources

This study utilized both primary and secondary data to ensure analytical depth and credibility. Primary data were obtained through in-depth interviews with divorced individuals, judges, mediators, and court staff. These interviews revealed personal experiences, emotional dynamics, perceptions of conflict, and evaluations of the mediation process. The researcher also conducted non-participant observations of mediation sessions to understand the interaction patterns, communication barriers, and psychological tensions that influence the likelihood of reconciliation. Field notes taken during interviews and observations further enriched the qualitative data. Secondary data were collected from case files of *Cerai Gugat* and *Cerai Talak* cases registered in the Religious Court from 2022 to 2024, annual reports issued by the court, academic publications, and national divorce statistics. These documents supported the analysis of divorce trends, dominant causal factors, and institutional performance.

2.4 Sampling Technique

The study employed a purposive sampling technique, which is appropriate for qualitative research that prioritizes depth over generalizability. Participants were deliberately selected based on

their direct involvement in the divorce process and their capacity to provide relevant and rich information. The sample included litigants representing different genders, ages, and socio-economic backgrounds; judges who regularly handle divorce cases; court-appointed mediators; and administrative staff familiar with case management procedures. This sampling strategy ensured that data were gathered from multiple perspectives, enabling the researcher to construct a holistic understanding of both the causes of divorce and the effectiveness of preventive interventions implemented by the court.

2.5 Data Collection Procedures

Data collection was carried out through semi-structured interviews, document analysis, and field observations conducted over a three-month period. Semi-structured interviews provided flexibility to explore participant experiences deeply while still maintaining a systematic structure for comparison across cases. Interviews typically lasted between thirty minutes to one hour and focused on themes such as marital conflict, mediation experiences, legal awareness, and expectations regarding the court's role. Document analysis involved reviewing case files to identify patterns in divorce types, dominant causes, and mediation outcomes. Observations of mediation sessions allowed the researcher to witness firsthand the communication barriers, emotional intensity, and mediator strategies influencing reconciliation. These multiple data collection techniques contributed to a comprehensive understanding of divorce dynamics and institutional responses.

2.6 Data Analysis

The collected data were analyzed using thematic analysis, which is well-suited for qualitative legal and sociological research. The analysis began with data familiarization through repeated reading of interview transcripts, field notes, and case documents. The researcher then conducted coding to identify recurring themes related to economic stress, infidelity, communication breakdown, domestic violence, emotional instability, and legal awareness. These codes were grouped into broader thematic categories reflecting structural, psychological, and procedural dimensions of divorce. Interpretations were developed by comparing empirical findings with legal frameworks and previous studies, allowing the researcher to identify gaps between policy mandates and practical implementation. Descriptive statistical summaries from court records were included to support the narrative analysis and highlight trends in case types and mediation success rates.

2.7 Validity and Reliability

Several strategies were applied to ensure research validity and reliability. Triangulation was achieved by cross-verifying findings from interviews, observations, and documentary evidence. Member checking was conducted by returning preliminary findings to selected participants to confirm accuracy and relevance, reducing the risk of misinterpretation. Peer debriefing with fellow researchers provided additional scrutiny of analytical decisions and interpretations. An audit trail was also maintained, documenting research procedures, coding decisions, and analytical notes to enhance transparency and replicability.

2.8 Ethical Considerations

Ethical principles were strictly observed throughout the study. All participants were informed about the purpose of the research and gave voluntary consent prior to participation. Confidentiality was maintained by anonymizing identities and ensuring that sensitive personal information was securely stored. Special attention was given to ethical sensitivity because divorce is an emotionally charged and socially delicate issue. The researcher approached discussions about domestic violence, infidelity, and personal conflict with empathy and discretion. Permission was obtained from the Religious Court to access case files and observe mediation sessions, ensuring compliance with institutional protocols.

3. Results and Discussion

3.1 Divorce Trends in Palu City

The analysis of case files from the Palu Religious Court between 2022 and 2024 indicates a continuing rise in divorce rates, with *Cerai Gugat* consistently accounting for the majority of filings. This trend reflects national patterns in Indonesia, where wives increasingly initiate divorce due to a combination of economic hardship, emotional dissatisfaction, and greater legal awareness. In Palu City, the data show that the number of *Cerai Gugat* cases increased annually, suggesting a shift in gender dynamics and the empowerment of women in pursuing legal remedies. Interviews reveal that many women perceive divorce as a necessary option when marital relationships become harmful or structurally unsustainable. Furthermore, the rise in divorce filings among young couples highlights an emerging social transition, where early marriage, emotional immaturity, and economic instability form a critical combination that threatens household resilience. Taken together, these findings suggest that divorce in Palu is not an isolated legal event but a reflection of broader socio-economic and cultural changes taking place within the community.

3.2 Determinants of Divorce

The thematic analysis of interview data indicates that marital dissolution in Palu City is driven by multiple, overlapping determinants. Economic pressure emerges as one of the most dominant triggers, particularly among families with limited income and unstable employment. Respondents frequently reported that financial stress, debt accumulation, and inadequate household support escalated marital conflict and eroded trust. Infidelity also appears as a major cause, often resulting from long-distance work arrangements, limited communication, or emotional dissatisfaction. In several cases, domestic violence—both physical and psychological—was identified as a primary reason for seeking divorce, illustrating the vulnerability of spouses experiencing abusive relationships. Communication breakdown further intensifies marital strain, with many couples reporting an inability to manage disagreements constructively. Changing cultural expectations and shifting gender roles contribute additional layers of complexity, as disagreements about authority, responsibilities, and lifestyle choices frequently lead to irreconcilable differences. The convergence of these factors demonstrates that divorce is shaped by structural realities, interpersonal dynamics, and evolving social values.

3.3 Effectiveness of Court-Mandated Mediation

The study finds that court-mandated mediation, although procedurally required under Supreme Court regulations, has limited effectiveness in preventing divorce in Palu City. Observations of mediation sessions reveal that many couples enter the process with entrenched emotional conflicts, often making reconciliation difficult. Mediators attempt to facilitate dialogue, but high levels of distrust, anger, and disappointment frequently hinder productive communication. Interviews with judges and mediators indicate that the majority of litigants attend mediation merely to fulfill procedural requirements rather than with genuine interest in reconciliation. Moreover, external pressures—such as family intervention, cultural stigma, and prolonged conflict—shape the attitudes of litigants before they even enter mediation. The institutional design also presents challenges; mediators often face heavy caseloads and limited time, reducing opportunities for deeper engagement or restorative dialogue. Consequently, the mediation process tends to function as a formality rather than an effective preventive mechanism. The low success rate of mediation suggests that current legal procedures alone are insufficient to address the deeper psychological and socio-economic issues underlying marital conflict.

3.4 Institutional Challenges and Policy Implications

The findings highlight several institutional challenges that limit the Religious Court's capacity to prevent divorce effectively. One major issue is the limited availability of preventive programs such as pre-divorce counseling, early conflict detection mechanisms, or integrated support services. The court's role is predominantly legalistic, focusing on adjudication rather than holistic family resilience strategies. Interviews with court staff reveal that resource constraints, limited personnel, and the absence of specialized counseling units hinder the implementation of more comprehensive preventive measures. Additionally, the lack of inter-agency collaboration with social welfare offices, religious ministries, and community organizations reduces opportunities to build a supportive ecosystem for families at risk of breakdown. The implications of these findings suggest that strengthening preventive efforts requires structural reforms, including capacity-building for mediators, the development of specialized family counseling units within the court, and coordinated community outreach initiatives. A more integrated, multidisciplinary approach—combining legal, psychological, and social interventions—is necessary to address the root causes of marital instability and reduce the long-term social costs associated with rising divorce rates.

4. Conclusion

4.1 Summary of Findings

This study concludes that the rising divorce rate in Palu City reflects the intersection of economic, psychological, and socio-cultural pressures that significantly influence marital stability. Key determinants—such as financial hardship, domestic violence, infidelity, emotional incompatibility, and ineffective communication—were consistently identified across divorce cases registered at the Palu Religious Court between 2022 and 2024. The study also highlights a notable increase in divorce among young couples, which is strongly associated with limited emotional maturity, unrealistic marital expectations, and inadequate preparation for household responsibilities. Despite the implementation of mandatory mediation, the Religious Court's preventive efforts remain insufficient because of low public legal literacy and the high emotional volatility of disputing parties.

4.2 Theoretical Implications

The findings enrich the theoretical understanding of divorce within the framework of Islamic family law and socio-legal studies. They reaffirm that divorce is not merely a judicial outcome but a multidimensional social phenomenon influenced by structural inequalities and cultural norms. The study contributes to divorce theory by illustrating how legal processes, mediation practices, and societal values interact to shape marital dissolution in a contemporary urban context. Additionally, it offers empirical evidence supporting the need to integrate psychosocial perspectives into Islamic legal interpretations related to family disputes.

4.3 Practical Implications

Practically, the findings underscore the need for strengthening institutional mechanisms within the Religious Court, particularly in improving mediation quality and integrating comprehensive 154ounsellors services for couples in crisis. Policymakers are encouraged to design community-based programs such as premarital education, family resilience workshops, and public legal awareness campaigns to reduce misunderstandings regarding divorce procedures and consequences. Strengthening collaboration among the judiciary, local government agencies, religious leaders, and social 154ounsellors is essential to effectively mitigate divorce rates and support healthier family environments.

4.4 Research Limitations

This research is limited by its reliance on qualitative data and case records from a single Religious Court, which may not fully represent broader divorce patterns across Indonesia. The study also focuses on general causal factors without conducting psychological assessments, which might offer deeper insights into emotional drivers of marital breakdown. Furthermore, mediation effectiveness is evaluated based on procedural observations rather than long-term follow-up of couples who participated in the process.

4.5 Recommendations for Future Research

Future studies should incorporate comparative analyses between multiple regions to explore variations in divorce dynamics across cultural and socio-economic contexts. Quantitative approaches could be integrated to measure the statistical influence of specific factors such as economic status or age at marriage. Researchers are also encouraged to examine gendered experiences within the divorce process and evaluate innovative mediation models, including digital mediation platforms or integrated psychosocial-legal interventions. Exploring these dimensions may provide a more comprehensive foundation for developing effective, evidence-based divorce prevention strategies.

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