

# SAKINA: Journal of Family Studies

Volume 5 Issue 1 2021

ISSN (Online): 2580-9865

Available online at: <http://urj.uin-malang.ac.id/index.php/jfs>

## The Role of Sakinah Family Service Center (Pusaka Sakinah) to a Harmony Inside of Family During Pandemic Period on The Perspective of *Maslahah Mursalah*

**Farhanah Az Zahrowani Nabila**

State Islamic University Maulana Malik Ibrahim Malang  
[farhananabila73@gmail.com](mailto:farhananabila73@gmail.com)

### **Abstract:**

Pusaka Sakinah is a new program created by the Ministry of Religion to answer the problems of society related to marriage. The increasing problems caused by *Covid-19* Pandemic indirectly affects the internal condition of harmony inside of family. The importance of assistance and counseling during pandemic is important to prevent conflicts in family. The Religious Affairs Office has a function to provide guidance services for sakinhah families, so it can contribute greatly to solve the problems through Pusaka Sakinah. The objective of research was the description of Pusaka Sakinah's implementation during pandemic in the Religious Affairs Office of Kedungkandang and the analysis of its role to harmony inside of family with the perspective of *maslahah mursalah*. This research is an empirical research with qualitative approach. The results of this study are: (1) The implementation of Pusaka Sakinah during pandemic is focused on solving cases of family disputes through one of the Pusaka Sakinah programs, namely the KOMPAK program; (2) The role of Pusaka Sakinah in the Religious Affairs Office of Kedungkandang is very important. Reviewed from the perspective of *maslahah mursalah* this program will provide great benefits for society in solving family problems that arise, especially during pandemic period.

**Keywords:** Pusaka Sakinah; Pandemic; *Maslahah Mursalah*.

### **Introduction**

The Sakinah Family Service Center or called Pusaka Sakinah is a responsive program issued by the Ministry of Religion to answer the problems and the needs of today's society by giving services about marriage. The function of the Religious Affairs Office, formally is not only to handle problems related to marriage registration, but also give a contribution in creating a happy family (sakinah family).<sup>1</sup> On 12 September, 2019, The Directorate General of Islamic Community Guidance of The Ministry of Religious Affairs launched Pusaka Sakinah as a performance transformation of the Religious Affairs Office for a better quality works, with synergizing the task of the

---

<sup>1</sup> Novita Intan, " Rawat Keluarga Indonesia, Kemenag Gagas Pusaka Sakinah", *Republika.Com*, January 18, 2019, accessed on July 7, 2020, <https://www.republika.co.id/berita/dunia-islam/islam-nusantara/19/01/18/plili5320-rawat-keluarga-indonesia-kemenag-gagas-pusaka-sakinah>

headman and religion's instructor to realize the purpose of marriage which is to create a happy and eternal family based on the Supreme of Lordship.<sup>2</sup>

The existence of conflict in a household is an inevitability. But if this conflict is not resolved properly, it will continue to grow and have a bad impact on harmony in the family. Especially when the pandemic started to spread in Indonesia, there are also various problems that arised. Because of that condition, on the third of April 2020 the government (the Ministry of Health) created a Regulation of the Minister of Health of the Republic of Indonesia number 9 Year 2020 concerning guidelines for large-scale social restrictions to accelerating the handling of *Corona Virus Disease 2019 (Covid-19)*. By this regulation, then people are encouraged to limit their activities, such as activities outside their houses or activities in public places. The implementation of large-scale social restrictions will continue during the longest incubation period and can be extended if there is still an evidence of spread.<sup>3</sup> Because of the impact of these activity restrictions, it will indirectly affect the economic factors of Indonesian society, especially for non civil servants.

The existence of the *Covid 19* pandemic not only has an impact on economic problems, but also has an impact on a harmony inside of the household. Based on data from the divorce report that occurred at the Religious Court of Malang City, it was stated that from the period of April to August 2020, there were 803 divorce cases that occurred in Malang City. The biggest factor causing divorce is due to continuous disputes and fights or conflicts in the family with a total of 387 divorce cases. While the second biggest contributing factor is due to economic factors, with 246 cases of divorce.<sup>4</sup>

From several cases of conflicts above that occurred during pandemic, the importance of assistance and counseling during the pandemic is a necessary, especially to prevent conflicts in the household. One of the tasks of the Religious Affairs Office is giving services and guidance of the Islamic community in their working area. So clearly, it has a function to provide guidance services for sakinah families.<sup>5</sup> Then the Religious Affairs Office can contribute greatly to decrease or prevent the conflict in family.

The previous research that explain about the role of the Religious Affairs Office to create Sakinah family were: Fitriani Ulma from the Islamic State University (UIN) of Alauddin Makassar, 2016, with a thesis title "*Eksistensi KUA Dalam Pembinaan Keluarga Sakinah Di Kecamatan Bontomarannu Kabupaten Gowa*".<sup>6</sup> This type of research is an empirical research using a qualitative approach. From this research can be known that the existence of the Religious Affairs Office is to guide a sakinah family with focusing on the marriage guidance program (*Bimbingan Perkawinan*) at Religious Affairs Office as a form of guidance in realizing a sakinah family. Meanwhile

---

<sup>2</sup> Article 1, Law Number 1 Year 1974 About Marriage

<sup>3</sup> Article 13 Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating Handling of *Corona Virus Disease 2019 (Covid-19)*

<sup>4</sup> Religious Court of Malang City, *Laporan Terjadinya Perceraian Yang Terjadi Di Pengadilan Agama Kota Malang Bulan Juli 2020*, accessed September 6, 2020, [https://www.pamalangkota.go.id/arsip/images/Laporan/Faktor\\_Cerai/faktor\\_per\\_juli\\_2020.jpg](https://www.pamalangkota.go.id/arsip/images/Laporan/Faktor_Cerai/faktor_per_juli_2020.jpg)

<sup>5</sup> Article 3 of Regulation of the Minister of Religion of the Republic of Indonesia No. 34 of 2016 concerning the Organization and Administration of the Religious Affairs Office.

<sup>6</sup>Fitriani Ulma, "Eksistensi KUA Dalam Pembinaan Keluarga Sakinah Di Kecamatan Bontomarannu Kabupaten Gowa" (Undergraduate thesis, Universitas Islam Negeri Alauddin Makassar, 2016), <http://repository.uin-alauddin.ac.id/1219/>

the deficiency of this research is the existence of the Religious Affairs Office on Botomaru is still assumed by some people as an only place to register a marriage, so the other functions of Religious Affairs Office such as providing guidance to the community have not been implemented optimally.

The second previous research is Mahmudiyanto, from the Islamic State Institute (IAIN) Surakarta, 2018, with his thesis "*Peran Kantor Urusan Agama Dalam Pembinaan Keluarga Sakinah di Kecamatan Cepogo Kabupaten Boyolali*".<sup>7</sup> This type of research is an empirical research using a qualitative approach. In this study shows that the Religious Affairs Office of Cepogo does not have a specific program in guiding the sakinah family. The guidance of the sakinah family that has been carried out, so far is just a guidance through advising prospective brides, pre-marriage courses, through Islamic religious counselors and optimizing the administrative sector. Then the deficiency of this research is the lack of understanding of the community about family counseling, and the low participation of society to attending the guidance for sakinah families. The similarity seen from this research is the role of the Religious Affairs Office in the implementation of family guidance to realizing a sakinah family.

The third previous research is Rifa'ul Thufailah from the Islamic State University (UIN) of Sunan Ampel Surabaya, 2020, with the title of thesis "*Tinjauan Hukum Islam Terhadap Pelaksanaan Program Pusaka Sakinah Di KUA Sawahan*".<sup>8</sup> This type of research is an empirical or field research using a qualitative approach. In analyzing the data of research, the researcher used a descriptive analysis method. This research shows that after getting married, then there is a guidance of Pusaka Sakinah for the bride and groom which is held for 2 days. The guidance is focused on learning the secrets of marriage, called Berkah (*Belajar Rahasia Nikah*) in building harmonious relationships. Meanwhile, the results of the implementation of the Pusaka Sakinah in the Religious Affairs Office of Sawahan is viewed from Islamic law, and it shows that this program aims to create a sakinah family as it is in Islamic law. The similarity that known from this study is the discussion of the implementation of Pusaka Sakinah program. Meanwhile, the difference between the author's research and Rifa'ul is the object of the research, where previous researcher focused only on one of Pusaka Sakinah programs, namely Learning the Secret of Marriage (*Belajar Rahasia Nikah* or Berkah).

From several previous research above, it can be known that it has the same theme that focus on the role of the Religious Affairs Office to realize the marriage purposes that is creating a sakinah family. In addition, the Religious Affairs Office itself also has a function to provide guidance services for sakinah families.<sup>9</sup> Then the Religious Affairs Office can contribute greatly to decrease or prevent the conflict in family through Pusaka Sakinah program.

In Malang City, one of several Religious Affairs Offices that has a Pusaka Sakinah program is only the Religious Affairs Office of Kedungakandang. Looking the various conflicts in family that existed on pandemic period, so the implementation and

---

<sup>7</sup> Mahmudiyanto, "Peran Kantor Urusan Agama Dalam Pembinaan Keluarga Sakinah Di Kecamatan Cepogo Kabupaten Boyolali" (Undergraduate thesis, Institute Agama Islam Negeri Surakarta, 2018), <http://eprints.iain-surakarta.ac.id/3727/>

<sup>8</sup> Rifa'ul Thufailah, "Tinjauan Hukum Islam Terhadap Pelaksanaan Program Pusaka Sakinah Di KUA Sawahan", (Undergraduate thesis, Universitas Islam Negeri Sunan Ampel Surabaya, 2020), <http://digilib.uinsby.ac.id/43061/>

<sup>9</sup> Article 3 of Regulation of the Minister of Religion of the Republic of Indonesia No. 34 of 2016 concerning the Organization and Administration of the Religious Affairs Office.

the role of the Pusaka Sakinah program towards harmony inside of family needs to be reviewed back. Whether or not that program contributes to maintaining the integrity of households as it has been mandated in Law of Marriage. Knowing the Pusaka Sakinah's purpose when it is launched, the researcher wanted to know how the implementation of Pusaka Sakinah in the Religious Affairs Office of Kedungkandang and how big its role to the harmony inside of family during the pandemic *Covid-19* period, reviewed from the perspective of *maslahah mursalah*.

## Method

This research is an empirical research using a qualitative approach. The subject of this research is located in the Religious Affairs Office of Kedungkandang because in Malang City the only one of Religious Affairs Office that has Pusaka Sakinah program is only the Religious Affairs Office of Kedungkandang. Sources of data used are primary and secondary data with data collection methods through interviews, questionnaires, and documentation. The primary data source that are needed in this study such as interviews directly to the Head of the Religious Affairs Office of Kedungkandang, and the religious counsellor, as the operators of the program Pusaka Sakinah in the Religious Affairs Office of Kedungkandang. The secondary data sources that will be used as reference are literature relating to the topic of role of Pusaka Sakinah to the harmony inside of family in *maslahah mursalah* perspective, some previous research such as questionnaire, thesis and journals, the regulation such as the law of marriage and Islamic compilation law, ect. While the data processing methods used in this research are editing, classifying, analyzing and concluding.

## **The Implementation of Pusaka Sakinah to a Harmony Inside of Family During Pandemic Period in The Religious Affairs Office of Kedungkandang**

The function of the Religious Affairs Office is not only to formally handle problems related to marriage registration, but also to have a role in creating a sakinah family. The existence of the Sakinah Family Service Center or Pusaka Sakinah is a form of responsive program issued by the Ministry of Religion to answer the problems and needs of the community related to the issue of marriage. On 12 September, 2019, Directorate General of Islamic Community Guidance of The Ministry of Religious Affairs launched Pusaka Sakinah as a performance transformation of the Religious Affairs Office for a better quality works, with synergizing the task of the headman and religion's instructor to realize the purpose of marriage which is to create a happy and eternal family based on the Supreme Lordship.<sup>10</sup> Not all the Religious Affairs Office throughout Indonesia implemented Pusaka Sakinah, because there are only a few of the Religious Affairs Office that have been selected as pilot projects by the Ministry of Religion of the Republic of Indonesia as executors of Pusaka sakinah. The selection of this pilot project is based on the provisions in chapter III of the Decree of the Director General of Islamic Community Guidance Number 783 of 2019 concerning the Implementation Guidelines for the Sakinah Family Service Center, it is stated that The Religious Affairs Office which is designated as implementing the Pusaka Sakinah at least the following criteria:<sup>11</sup> (1) The number of Marriage and family problems are high; (2) The human resources are more

---

<sup>10</sup> Article 1, Law Number 1 Year 1974 About Marriage

<sup>11</sup> Chapter III, Decree of the Director-General of Islamic Community Guidance Number 783 of 2019 concerning Guidelines for the Implementation of the Sakinah Family Service Center

than 6 people; (3) The availability of service rooms for marriage or family guidance and consultation; (4) Domiciled in the city / regency.

The Religious Affairs Office with type A typology is Religious Affairs Office that has marriage number more than 100 events per month on average.<sup>12</sup> With this large number of marriages, the number of problems in the family may also have a large number. Based on data obtained from the Religious Affairs Office of Kedungkandang, the number of marriages recorded at the Religious Affairs Office of Kedungkandang in 2019 was 1523 marriages. With this large number of marriages, it is sufficient for the Religious Affairs Office of Kedungkandang to be included in the Religious Affairs Office of Kedungkandang with type A typology. Other criteria as executors of Pusaka Sakinah also have been fulfilled by the Religious Affairs Office of Kedungkandang, then the number of human resources totaling 7 people, and there are guidance and consultation room facilities located next to the wedding hall or hall. So, it can be concluded that the provisions of the Religious Affairs Office of Kedungkandang requirements for Pusaka Sakinah services have been fulfilled both in terms of human resources or in facilities and infrastructure.

The Pusaka Sakinah at the Religious Affairs Office of Kedungkandang has several programs such as: 1) BERKAH (Learning the Secret of Marriage), this program is implemented in the form of services providing Marriage Guidance (*Bimbingan Perkawinan*), Harmonious Relationship guidance, Family financial guidance; 2) KOMPAK (Counseling, Mediation, Mentoring, Advocacy, and Consultation), this program is implemented in the form of providing counseling services to the community regarding family disputes, divorce, domestic violence, child marriage, etc.; 3) LESTARI (Indonesian Family Resilience Service), this program is implemented in the form of providing guidance regarding child marriage prevention, reproductive health, family nutrition etc.

### **The Function of Pusaka Sakinah**

In the Regulation of the Minister of Religion of the Republic of Indonesia Number 34 of 2016 concerning the organization and administration of the Religious Affairs Office, the Religious Affairs Office has the task of carrying out services and guidance for the Islamic community on their working area, one of which is the guidance service for sakinah families. One form of this service is manifested by the existence of the Pusaka Sakinah at the Religious Affairs Office of Kedungkandang. Pusaka Sakinah itself is a form of renewal of the Agency for Counseling, Fostering and Perpetuation of Marriage (BP4) program that was once in Religious Affairs Office but now has been deleted. This renewal is more complex, where the task of Religious Affairs Office in realizing sakinah families is not only by providing advisory services as previously carried out by BP4. The main goals of the Pusaka Sakinah program is not only to create the Sakinah family, but also to strengthen the family's resilience in facing various problems that exist in their life.

The implementation of KOMPAK program based on the procedure stated in The Decree of the general Islamic community guidance number 783 of 2019 regarding instructions for implementing the Sakinah family service center (Pusaka Sakinah) explains the procedures for implementing counseling, mediation, and consultation at the

---

<sup>12</sup> Regulation of the Director-General of Islamic Community Guidance Number DJ.II / 410 of 2013 concerning Determination of Typology, Building Standards and Dress Standards for Marriage Registration Employees (*Penghulu*) at the Religious Affairs Office

Religious Affairs Office. The first procedure is the Head of the Religious Affairs Office assigns an administrative officer to receive couples who will be counseling, then the administration will receive registration, verify, then forward it to the head of the Religious Affairs Office. The head of the Religious Affairs Office then checks the registration, if it is complete assign officers. If it is not complete, it is returned to the administrative officer to be completed. The next step is for the administrative officer to tell the service officer (religious counsellor) to then prepare the facilities and infrastructure needed in the counseling process. Once ready, the service recipient will be notified then counseling, mediation, or consultation services will be given by the counselor. The process of this activity is approximately 90 minutes. Then, if needed, counselors can prepare follow-up suggestions or references related to problems raised by the community. After this activity is done, the counselor prepares a mediation or consultation counseling report which is given to the Head of the Religious Affairs Office. If it has been approved, it will be forwarded to the administrative officer for documentation.

While the implementer of the KOMPAK program is the Head of the Religious Affairs Office of Kedungkandang and the Religious Counsellor. Services are carried out during working hours. However, if the society is unable to visit the Religious Affairs Office, they can do consultation or counseling related to the problem by contacting the Head of Religious Affairs Office Kedungkandang or the religious counselor with online chat.

According to the Decree of the Director-General of Islamic Community Guidance Number 783 of 2019 regarding the implementation instructions for the Sakinah Family Service Center, in chapter 2 it is stated that one form of implementation of the Pusaka Sakinah is consultation and assistance services for family problems and youth problems. These types of services such as: consultation and counseling, mediation, mentoring, and advocacy.

### **Consultation and Counseling**

Counseling inside of the family is needed in order to increase the functioning of the system in the family more effectively. Family counseling specifically aims to make family members aware of patterns of relationships that are not functioning well and to create new ways of solving the problems by asking for counseling help from the counselor.<sup>13</sup> The implementation of counselling in Religious Affairs Office of Kedungkandang also can be interpreted as consultation related to family problems. The problems such as economic problems, conflicts in the family, etc. The purpose of the community to do consultation or counseling at the Religious Affairs Office of Kedungkandang is for sharing problems or asking for advice. In serving the community who come for consultation or counseling, the religious counselor at the Religious Affairs Office of Kedungkandang also has a way or method of solving the problems which is uses a method of family-approach. While the important points that must be maintained by officers in ethics when doing consultations or counseling are as follows: Welcoming clients well, In speaking, must be polite and use good language, Placing clients as human beings who have their respective rights and responsibilities, Counseling should be neutral and have to receive information from two directions, Should not be constantly lecturing or giving advice, rather position yourself as a good listener, and Providing understanding or suggestions regarding the problems experienced by these clients through approaches in the rules of culture and in Islam.

---

<sup>13</sup> Nurhayati Eti, *Bimbingan Konseling dan Psikoterapi Inovatif*, (Yogyakarta: Pustaka Pelajar, 2011), 175.



## **Mediation**

According to the Indonesian Dictionary, the meaning of Mediation is the process of involving a third party in resolving a dispute as an advisor.<sup>14</sup> So, mediation is the involvement of the third party between two or more parties to resolve a case or dispute. The existence of a third party here as a mediator between the disputing parties. Mediation is also known as the process of resolving cases to reach an agreement or reconciliation together with the presence of a third party. According to Suyud Margono, there are several principles of mediation as follows:<sup>15</sup> (1) The principle of confidentiality is the principle that everything occurs in a meeting organized by the mediator and the disputing parties may not be shared with the public or the press by each party or by the mediator; (2) The principle of voluntary (volunteer) is the principle that each conflicting party comes to mediation on their own will and there is no pressure from other parties; (3) The principle of empowerment, is the principle based on the assumption that people who want to come to mediation actually have the willingness to negotiate their own problems and can reach the agreement of what they want; (4) The principle of neutrality is the principle that the role of a mediator is the facilitator of the mediation process, while the content of agreement belongs to the disputing parties. The mediator is only authorized to control the mediation process; (5) The principle of a unique solution is the principle that the solution resulting from the mediation process does not have to appropriate with legal standards, but can be reached from a creative process.

Beside the implementation of mediation at the Religious Affairs Office of Kedungkandang also has several rules in its implementation that might contain the principles of mediation, such as: (1) Mediation is doing on the client's will or willingness to resolve the problem; (2) Mediation is the united of the parties involved in the problem; (3) Mediation is a form of follow-up to the counseling process; (4) The role of the mediator is only as an advice provider; (5) The mediator acts as an intermediary who is neutral and have not to interfere with either party.

## **Mentoring**

The main point of the implementation of mentoring services at the Religious Affairs Office of Kedungkandang, are consists of services such as: (1) The mentoring services are held without being asked, (2) The mentoring services are started from pre-marriage or if there is a report from the society, (3) The mentoring services are implemented as guidance of the Sakinah family (example: consultation or counseling about marriage problem) in mentoring village, (4) The mentoring services of "KUA Goes To School" which contains socialization related to adolescent reproduction or understanding the impact of early marriage.

---

<sup>14</sup> Indonesian Online Dictionary, accessed on November 11, 2020, <http://kbbi.web.id/mediasi>

<sup>15</sup> Suyud Margono, *ADR & Arbitrase Proses Pelembagaan dan Aspek Hukum*, (Bogor Selatan: Ghalia Indonesia, 2004), 59.

## **Advocacy**

The implementation of advocacy in the KOMPAK program is not the advocacy such as the advocate's duties in the Religious Courts, but rather provides an understanding of the rules of law both in Indonesian regulation and Islamic law. The Services of KOMPAK Program during the pandemic period from April to August, that recorded in the registration book were 11 cases with types of problems mostly due to unregistered marriages and conflicts inside of family. While the implementation of consultations or counseling are used by online chat while not in working hours so that it is not recorded in the administration book.

## **The Obstacle of KOMPAK Program**

The existence of the Covid 19 pandemic indirectly affects the services provided at the Religious Affairs Office. the services have to be limited or it can be given with using he health protocols. In addition, the impact of this pandemic also affected to the condition of family harmony. There is an increasing number of people conducting counselling but the number was not much. This is also related to the stigma of society when they come to the Religious Affairs Office to do counseling, it is the same way of telling their privacy to others. Some of them are more comfortable to consult directly with the religious counselor by online chating or sometimes they are represented by their relatives to ask about their family problems. During a pandemic, the society came to consultations was not only on economic problems. It could be a variety of family problems, but it cannot be denied that the economy was affected by a pandemic, which affects family harmony. The other obstacles of the implementation of Pusaka Sakinah, especially in pandemic period are caused by some programs that have been planned before, it has to be postponed due to the pandemic, such as KUA Goes to School program.

## **The Role of The Pusaka Sakinah in The Religious Affairs Office of Kedungkandang**

The existence of conflict in a household is a necessity. If this conflict is not resolved properly, it will continue to grow and have a bad impact on harmony inside of the family. Especially with the pandemic that hit Indonesia, there are also various problems that arise. So that on April 3, 2020, as a form of Government responsiveness to the *Covid-19* case that occurred in Indonesia, the Ministry of Health issued Regulation of the Minister of Health of the Republic of Indonesia number 9 of 2020 concerning guidelines for large-scale social restrictions in order to accelerate the handling of *Corona Virus Disease 2019 (Covid- 19)*. With this regulation, people are encouraged to limit their activities, such as activities in public places or facilities. The implementation of Large-Scale Social Restrictions will continue during the longest incubation period and can be extended if there is evidence of spread.<sup>16</sup> With the impact of these activity restrictions, it will indirectly affect the economic factors of Indonesian society, especially for non-civil servant workers.

---

<sup>16</sup> Article 13 Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating the Management of Corona Virus Disease 2019 (Covid-19)

The existence of the *Covid 19* pandemic not only has an impact on economic problems, but also has an impact on a harmony inside of the household. Based on data from the divorce report that occurred at the Malang City Religious Court, it was stated that from the period of April to August 2020, there were 803 divorce cases that occurred in Malang City. The biggest factor causing divorce is due to continuous disputes and fights or conflicts in the family with a total of 387 divorce cases. While the second biggest contributing factor is due to economic factors, with 246 cases of divorce.<sup>17</sup>

**Table 1.** The Report of Divorce Factors in The Religious Court of Malang City

| LAPORAN PENYEBAB TERJADINYA PERCERAIAN<br>PENGADILAN AGAMA KOTA MADYA MALANG<br>BULAN AGUSTUS 2020 |                                |          |          |          |                               |                 |          |           |             |                                            |             |          |            |             |
|----------------------------------------------------------------------------------------------------|--------------------------------|----------|----------|----------|-------------------------------|-----------------|----------|-----------|-------------|--------------------------------------------|-------------|----------|------------|-------------|
| Bulan                                                                                              | PENYEBAB TERJADINYA PERCERAIAN |          |          |          |                               |                 |          |           |             |                                            |             |          |            |             |
|                                                                                                    | ZINA                           | MABUK    | MADAT    | JUDI     | MENINGGALKAN SALAH SATU PIHAK | DIHUKUM PENJARA | POLIGAMI | KDRT      | CACAT BADAN | PESELISIHAN DAN PERTENGKARAN TERUS MENERUS | KAWIN PAKSA | MURTAD   | EKONOMI    | JUMLAH      |
| <b>1</b>                                                                                           | 2                              | 3        | 4        | 5        | 6                             | 7               | 8        | 9         | 10          | 11                                         | 12          | 13       | 14         | 15          |
| Januari                                                                                            | 0                              | 3        | 0        | 3        | 33                            | 1               | 0        | 6         | 0           | 121                                        | 0           | 4        | 82         | 253         |
| Februari                                                                                           | 0                              | 1        | 1        | 0        | 20                            | 1               | 0        | 3         | 1           | 117                                        | 0           | 1        | 66         | 211         |
| Maret                                                                                              | 2                              | 1        | 0        | 1        | 11                            | 0               | 0        | 4         | 1           | 78                                         | 0           | 0        | 52         | 150         |
| April                                                                                              | 1                              | 1        | 0        | 0        | 10                            | 1               | 0        | 3         | 0           | 48                                         | 0           | 0        | 40         | 104         |
| Mei                                                                                                | 1                              | 0        | 0        | 0        | 18                            | 0               | 0        | 7         | 0           | 30                                         | 0           | 0        | 25         | 81          |
| Juni                                                                                               | 2                              | 1        | 0        | 1        | 36                            | 0               | 0        | 5         | 0           | 67                                         | 1           | 1        | 60         | 174         |
| Juli                                                                                               | 1                              | 0        | 1        | 0        | 45                            | 1               | 0        | 2         | 0           | 104                                        | 0           | 0        | 52         | 206         |
| Agustus                                                                                            | 1                              | 0        | 0        | 0        | 28                            | 0               | 0        | 5         | 0           | 133                                        | 0           | 2        | 69         | 238         |
|                                                                                                    |                                |          |          |          |                               |                 |          |           |             |                                            |             |          |            |             |
|                                                                                                    |                                |          |          |          |                               |                 |          |           |             |                                            |             |          |            |             |
|                                                                                                    |                                |          |          |          |                               |                 |          |           |             |                                            |             |          |            |             |
| <b>JML</b>                                                                                         | <b>8</b>                       | <b>7</b> | <b>2</b> | <b>5</b> | <b>201</b>                    | <b>4</b>        | <b>0</b> | <b>35</b> | <b>2</b>    | <b>698</b>                                 | <b>1</b>    | <b>8</b> | <b>446</b> | <b>1417</b> |

**Resource:** The Religious Court of Malang City

The divorce phenomenon in Malang city is quite concerned. Kasdullah, as a Clerk of a court at the Religious Court of Malang City stated that there are two biggest factors that trigger divorce, firstly it caused by the never-ending dispute and the economy factor. The cause of the disput are caused of one party (man/woman) is cheating, asking for the second marriage (polygamy), and so on. Meanwhile, according to Dr Mustopha as Head of the Religious Court of Malang City said that cases of quarrels or dispute that lead to divorce are usually due to complications from previous problems. This can be due to jealousy, infidelity, polygamy, to imprisonment.<sup>18</sup>

On the agenda of facilitation program for sakinah family coaching for pre-marital age in Malang City, Sutiaji as the Mayor of Malang City said that because of many factors can influence the increase of the divorce rates in Malang City, pre-marriage guidance,

<sup>17</sup> Religious Court of Malang City, “Laporan Terjadinya Perceraian Yang Terjadi Di Pengadilan Agama Kota Malang Bulan Juli 2020”, accessed on September 6, 2020, [https://www.pamalangkota.go.id/arsip/images/Laporan/Faktor\\_Cerai/faktor\\_per\\_juli\\_2020.jpg](https://www.pamalangkota.go.id/arsip/images/Laporan/Faktor_Cerai/faktor_per_juli_2020.jpg)

<sup>18</sup> Sandra, dkk, “Selama Pandemi, Ribuan Janda dan Duda “Lahir” di Malang Raya” *Radar Malang*, 16 October 2020, accessed on November 9, 2020, <https://radarmalang.jawapos.com/malang-raya/16/10/2020/selama-pandemi-ribuan-janda-dan-duda-lahir-di-malang-raya/>

religious psychology guidance for the community is considered important as an effort to reduce the divorce rate and to create peace and Sakinah family.<sup>19</sup>

From several explanations of the examples of conflicts that occurred during the pandemic, the importance of assistance or guidance and counseling during the pandemic is very important, especially to prevent conflicts in the household. On the implementation of the service and guidance of the Islamic community in their working area, the Religious Affairs Office has a function to provide guidance services for sakinah families. Then the Religious Affairs Office as the unit that provides these services can contribute to decreasing conflicts inside of the family through the Pusaka Sakinah program. One of Pusaka Sakinah programs that is relevant to solve this problem is the KOMPAK program (Counseling, Mediation, Mentoring, Advocacy, and Consultation).

The role of implementing the Pusaka Sakinah in Kedungkandang based on the implementer of Pusaka Sakinah is important because of the condition of the community that require a guidance and the understanding of how to realize the Sakinah family. In addition, in order to realize these purposes, the Religious Affairs Office of Kedungkandang in its implementation process also supported by several parties, either from the government or from local organizations or community leaders. This is as mentioned on the Decree of the Director-General of Islamic Community Guidance Number 783 of 2019 that stated in the implementation of Pusaka Sakinah program there is a management of local networks and coordination across institutions to realize a family resilience in the sub-district scope.

While the role of implementing the Pusaka Sakinah in Kedungkandang based on the answer of society, it can be known that the program has a good and beneficial impact on society in helping to maintain their household so that it becomes a sakinah mawaddah wa rahmah family. Although the implementation is still not maximal and needs to be optimized again.

After analyzing the role of Pusaka Sakinah program in The Religious Affairs Office of Kedungkandang with the perspective of *mashlahah mursalah* theory, it can be known that the implementation of the Pusaka Sakinah especially the KOMPAK program is included in the type of *maslahah hajiyah*. *Maslahah hajiyah* is a *maslahah* (benefit) which by its existence can provide convenience and eliminate something that can cause difficulties in life. The form of *maslahah hajiyah* in the implementation of this program can be seen from the existence of counseling, mediation, mentoring and advocacy services related to family problems. Maybe if the Ministry of Religion did not launch this program, the community would be quite confused in getting guidance and assistance in solving family problems. Especially during the pandemic, where many problems arise from economic problems to the problems in the family. So, the existence of Pusaka sakinah is important to prevent the conflict that might occur in the family, such as the continual dispute that has might have the potential to divorce or even domestic violence in the household.

In another side, the researcher concluded that this program also has fulfill the *mashlahah mursalah* requirements. This benefit (*maslahah*) can be obtained with the aim of the launch of this program, especially the KOMPAK program, which has a good impact on society who need counseling and guidance related to their family problems especially during this pandemic period. Some of the requirements of *maslahah mursalah*

---

<sup>19</sup> Arifina Cahyati Firdausi , "Angka Perceraian di Kota Malang Tinggi, Apa Faktornya?", *Jatim Times*, accessed on October 15, 2020, <https://jatimtimes.com/baca/226286/20201015/134900/angka-perceraian-di-kota-malang-tinggi-apa-faktornya>

are *maslahah mursalah* must be a real *maslahah* and not just a doubt or conjecture, *maslahah* must be general, and the determination of the law for the benefit (*maslahah*) do not contrary to the argument of the texts that exist (*Al Quran, Hadist, Ijma, Qiyas*).<sup>20</sup>

*Maslahah Mursalah* must be a real *maslahah* and not just a doubt or conjecture. The formation of *maslahah* is based on actions that have actually caused *maslahah* (benefit/advantage) to humans. related to the role of Pusaka Sakinah on its implementation, it has provided benefits to the society, especially in providing services such as counseling, consultation, or mediation to help solve family problems that occur in the community. In addition, the Religious Affairs Office of Kedungkandang also takes a part in realizing a sakinah family as it has become the purpose of a marriage that is mandated either in the regulation or in Islam. The implementation of the Pusaka sakinah also avoids the existing *madharat*. For example, youth mentoring or pre-marital guidance to prevent free sex or pregnancy before marriage.

*Maslahah* must be general. In this case, *maslahah* does not intend for some individuals but must cover the interests or the needs of society in general, not only provide *maslahah* for certain parties. The Pusaka Sakinah has the main purpose that is to create good family resilience as well as to create a sakinah family. Started from a good family or a sakinah family, it will grow up to be a good society will be formed (khaira ummah), from a good society it will be a good state (*baldatun thayyibatun wa rabbun ghafur*). So, it can be concluded that the impact of the Pusaka Sakinah brings *maslahah* in general to all levels of society.

Furthermore, the main purpose of the existence of the Pusaka sakinah is to realize a sakinah family and create a good family resilience, this is as mentioned in the Qur'an surah ar-Rum verse 21:

وَمِنْ أَيَّاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً  
إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

"And among His (great) signs is He created pairs for you of your own kind, so that you may be inclined and at ease with them, and He makes among you a sense of love and affection. Indeed, in that there are really signs (the greatness of Allah) for the people who think"<sup>21</sup>

In addition, article 1 of the Marriage Law states that marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on The Almighty God. A happy family is a family that has happiness on their physically or mentally, this family also can direct their household as well as possible as the taught of Islam.

The implementation of the existence of the Pusaka Sakinah does not contradict the texts in either the Quran or the hadits, but instead supports what has been said in Islam regarding how to create a sakinah family. Moreover, the KOMPAK program also aims to prevent conflicts or also resolve conflicts that can arise in marriage. This is as explained in Quran surah An-Nisa verse 35:

<sup>20</sup> Abdul Wahhab Khallaf, *Ilmu Ushul al-Fiqh*, alih bahasa Masdar Helmy, (Bandung: Gema Risalah Press, 1997) 145-146

<sup>21</sup> Departemen Agama Republik Indonesia, *Al-Qur'an dan Tafsirnya (edisi yang disempurnakan)*, (Jakarta: Departemen Agama RI, 2009), 477

وَإِنْ خَفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِنْ أَهْلِهِ وَحَكَمًا مِنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَحًا يُؤْفِقُ  
الْهُنَّاءَ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا حَبِيرًا

*"And if you fear dissension between the two, send an arbitrator from his people and an arbitrator from her people. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Acquainted [with all things]."*<sup>22</sup>

The above verse tells directly for reconciliation or peace, wherein a way of resolving conflicts in the family must be solved in a good way. So, the family becomes a place where all members can feel peace. Based on the *Maslahah Mursalah* requirements mentioned by Abdul Wahhab Kholaf, it can be concluded that the implementation of the Pusaka Sakinah has fulfilled these three requirements because of the existence of the Pusaka Sakinah can bring benefits to all elements of society in helping to create a sakinhah family.

## Conclusion

Based on the result of data in the field that have been described and analyzed by the researcher, the following conclusions can be obtained are as follows: (1) The implementation of Pusaka Sakinah in the Religious Affairs Office of Kedungkandang has 3 main programs, namely BERKAH (Learning the Secret of Marriage) which are services in providing marriage guidance, harmonious relationship guidance, family financial guidance. Then secondly is KOMPAK (Counseling, Mediation, Mentoring, Advocacy, and Consultation) provides counseling to the community regarding family disputes, divorce, domestic violence, child marriage, etc. The third is LESTARI (Indonesian Family Resilience Service) provides the prevention of child marriage, reproductive health, family nutrition, etc. In its implementation, Pusaka Sakinah collaborates with various parties from government and community leaders in order to create the Sakinah family; (2) During a pandemic, people who do consultations through KOMPAK program are not only on economic issues but also other family problems. Actually, it cannot be denied that the economy is also affected by the pandemic and it can affect family harmony. This happens because the husband, who does not have a job, then being unemployed at home, then occurs a conflict due to unstable economic conditions; (3) Based on the answers from the society regarding Pusaka Sakinah services, it can be seen that the implementation of Pusaka Sakinah, especially the KOMPAK program, plays an important role in helping resolve conflicts within their families. So, it can be concluded that as a whole this program can give benefits (*maslahah*) for the community in general.

## References

Eti, Nurhayati *Bimbingan Konseling dan Psikoterapi Inovatif*, Yogyakarta: Pustaka Pelajar, 2011.

Departemen Agama Republik Indonesia, *Al-Qur'an dan Tafsirnya (edisi yang disempurnakan)*, Jakarta: Departemen Agama RI, 2009.

Firdausi, Arifina Cahyati, Angka Perceraian di Kota Malang Tinggi, Apa Faktornya?", *Jatim Times*, Accessed on October 15, 2020, <https://jatimtimes.com/baca/226286/20201015/134900/angka-perceraian-di-kota-malang-tinggi-apa-faktornya>

<sup>22</sup> Tafsir Quran Surat An-Nisa Ayat 35, accessed on November 13 2020, <https://tafsirweb.com/1567-quran-surat-an-nisa-ayat-35.html>

Indonesian Online Dictionary, [Pencarian - KBBI Daring \(kemdikbud.go.id\)](http://kemdikbud.go.id), accessed October 15, 2020

Intan, Novita. "Rawat Keluarga Indonesia, Kemenag Gagas Pusaka Sakinah" *Republika*, January 18, 2019, accessed on July 7, 2020 <https://www.republika.co.id/berita/dunia-islam/islam-nusantara/19/01/18/plili5320-rawat-keluarga-indonesia-kemenag-gagas-pusaka-sakinah>

Khallaf, Abdul Wahhab, *Ilmu Ushul al-Fiqh*. alih bahasa Masdar Helmy, Bandung: Gema Risalah Press, 1997.

Law of the Republic of Indonesia Number 1 Year 1974 About Marriage

Mahmudiyanto. "Peran Kantor Urusan Agama Dalam Pembinaan Keluarga Sakinah Di Kecamatan Cepogo Kabupaten Boyolali", Undergraduate thesis, Institute Agama Islam Negeri Surakarta, 2018. <http://eprints.iain-surakarta.ac.id/3727/1/pdfjoiner.pdf>

Margono, Suyud, *ADR & Arbitrase Proses Pelembagaan dan Aspek Hukum*. Bogor Selatan: Ghalia Indonesia, 2004.

Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating Handling of *Corona Virus* Disease 2019 (*Covid-19*)

Religious Court of Malang City, "Laporan terjadinya perceraian yang terjadi di Pengadilan Agama Kota Malang Bulan Agustus 2020", accessed September 6, 2020, [https://www.pamalangkota.go.id/arsip/images/Laporan/Faktor\\_Cerai/faktor\\_per\\_juli\\_2020.jpg](https://www.pamalangkota.go.id/arsip/images/Laporan/Faktor_Cerai/faktor_per_juli_2020.jpg)

Regulation of the Minister of Religion of the Republic of Indonesia Number 34 of 2016 concerning the Organization and Administration of the Religious Affairs Office.

Regulation of the Director-General of Islamic Community Guidance Number DJ.II / 410 of 2013 concerning Determination of Typology, Building Standards and Dress Standards for Marriage Registration Employees (Penghulu) at the Religious Affairs Office Sub-District

Sandra dkk., "Selama Pandemi, Ribuan Janda dan Duda "Lahir" di Malang Raya" *Radarmalang.Jawapos.com*, 16 October 2020, accessed on November 9, 2020 <https://radarmalang.jawapos.com/malang-raya/16/10/2020/selama-pandemi-ribuan-janda-dan-duda-lahir-di-malang-raya/>

Tafsir Quran Surat An-Nisa Ayat 35, accessed on November 13, 2020 <https://tafsirweb.com/1567-quran-surat-an-nisa-ayat-35.html>

The Decree of the Director-General of Islamic Community Guidance Number 783 of 2019 concerning Guidelines for the Implementation of the Sakinah Family Service Center

Thufailah, Rifa'ul. "Tinjauan Hukum Islam Terhadap Pelaksanaan Program Pusaka Sakinah Di Kua Sawahan", (Undergraduate thesis, Universitas Islam Negeri Sunan Ampel Surabaya, 2020). <http://digilib.uinsby.ac.id/43061/>

Ulma, Fitriani. "Eksistensi KUA Dalam Pembinaan Keluarga Sakinah Di Kecamatan Bontomarannu Kabupaten Gowa" (Undergraduate thesis, Universitas Islam Negeri Alauddin Makassar, 2016), <http://repository.uin-alauddin.ac.id/1219/>