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The Divorcement Family Career in the Religious Court in the Region of the Bandung High Court of Religion with its Relationship Articles 33-34 in Law of the Republic of Indonesia Number 1 of 1974 Marriage.

Muhammad Sopiyan¹, Tajul Arifin², Muhammad Saran³.

¹Universitas Islam Negeri Sunan Gunung Djati, Bandung, Indonesia, Sopiyanmuhammad@gmail.com.

²Universitas Islam Negeri Sunan Gunung Djati, Bandung, Indonesia.

³Universitas Islam Negeri Sunan Gunung Djati, Bandung Indonesia.

Corresponding Author: Sopiyanmuhammad@gmail.com¹

Abstract: Articles 33-34 of Law Number 1 of 1974 concerning Marriage state that the husband is obliged to provide for the family while the wife must help with household affairs. However, many wives have careers outside the home, so the intended article is not implemented properly, eventually leading to marital disputes that end in divorce. Against the background of this problem, four questions were asked, namely (1) what are the factors that cause divorce in career families in the decision of the Religious Court in the Bandung Religious High Court; (2) how does the panel of judges consider in deciding a career family divorce in the religious court of the Bandung PTA area; (3) how to implement Articles 33-34 of the Marriage Law based on the Decision of the Religious Court in the Bandung PTA Region among career families; and (4) how is the development of the concept of a harmonious family in the career family related to the implementation of articles 33-34 in Law Number 1 of 1974 on Marriage? The usefulness of this research is academically to develop family law studies, while practically adding new insights and findings in divorce issues that are useful for society educational.

Keyword: Divorce, Family Career, Marriage.

INTRODUCTION

According to the Central Bureau of Statistics of West Java Province, cited in the document West Java Province in Figures 2023, the total population in West Java in 2023 was 49,405,810 people. The number of household heads in 2023 is 13,273,294 while the Gender Empowerment Index (IDG) by Regency / City in 2023 reached 71.22 thousand, and the involvement of women in parliament reached 21.85 thousand, women as professionals amounted to 42.91 thousand, so that women's income contribution in 2023 in West Java reached the amount of 30 thousand. The data illustrates that there are quite a lot of housewives who have careers so that this phenomenon is interesting to study in terms of the implementation of the Marriage Law which stipulates that the wife is a housewife, but with this reality, of course juridically normative

legislation is not an obstacle let alone being invalid, but returning to the main goal of building a *sakinah mawaddah warahmah* family or a harmonious family based on a holy contract as *mitsaqan ghalidhan*, this strong and holy bond must be maintained so that the conditions experienced by every household life run in accordance with the purpose of marriage.

The career household today is not something strange or seen as behavior that deviates from Islamic religious norms and applicable laws and regulations, but household management with various dynamics that occur can be studied from various Religious Court decisions regarding divorce that occurred in the Bandung PTA area, West Java so that it is possible that the reasons for divorce experienced by husband and wife households are caused by career wives. To know that this issue is worthy of research, it is necessary to include data on the various reasons for divorce. So that it is known that the main cause of divorce cases in West Java has increased until the beginning of 2023. The increasing number of divorces according to the Public Relations of the West Java Religious High Court begins with the emergence of a dispute between husband and wife.

For example, based on information from the Bandung High Religious Court, West Java, that of the complaints received by it in early 2023, from the data archived by the Religious Court, the majority of complainants are women who sue their husbands. . Based on the cumulative reports of divorce lawsuits that entered throughout 2022, the Religious Courts recorded 5,921 cases for filing for divorce. Of the 5,921 plaintiffs, 3,000 of them filed for divorce by the wife and the rest by the husband. This figure then increased by 13.5 percent when compared to the previous year.

Based on several Religious Court Decisions in the Bandung PTA area regarding divorce, to find out the symptoms of divorce in relation to the reasons for divorce in career households, including Decision Number 0943/Pdt.G/2023/PA.Bks. In the case of the decision, it was described that since the respondent worked as a State Civil Servant, while her husband worked as a private employee, the respondent did not take care of her household properly and often neglected her children, even at the peak the petitioner found out that his wife was having an affair. The applicant stated that the household was no longer harmonious and it was difficult to achieve the goal of a harmonious marriage, hence the divorce. Decision No. 0789/Pdt.G/2023/PA.Ciamis, that the decision described the case which was the main reason for the petitioner to file for divorce, namely that the respondent often resisted the petitioner and could no longer be nurtured or directed by the respondent, so that the respondent experienced quite severe mental pressure, moreover the petitioner did not have sufficient economic capacity to fulfill the petitioner's requests in material terms. The respondent, who was also a working wife with a certain position in the Regional Government, had an income from her work as if she wanted a divorce because the respondent could not fulfill the economic needs of her household. That is why the divorce took place through divorce. Decision Number 0098/Pdt.G/2022/PA.Cianjur. In the Cianjur PA decision, the reason for the divorce was that the respondent (husband) did not carry out his obligations as mandated by Law No. 1 of 1974. The defendant did not provide maintenance for the needs of the household, while the plaintiff (wife) worked as a trader and her income was mostly used for household needs. Decision Number 0100/Pdt.G/2014/PA.Tasik Malaya. The Tasik Malaya PA decision regarding divorce was based on the grounds that the plaintiff and defendant's household had become disharmonious due to disputes and arguments. The peak of the disputes and quarrels continued continuously until finally since April 2021 until finally the defendant. The divorce was triggered by the husband not being able to fulfill the needs of the family, while the wife worked as a school principal and financed the needs of her family more than the income of her husband who was a private employee. Decision Number 0980/Pdt.G/2023/PA.Sumedang, the main reason for sitting the case was that the wife was not satisfied with her husband's income which could not meet the needs of the household so that the wife's income who worked as a village

official was spent more on her household needs. Decision Number 0839/Pdt.G/2023/PA.Subang, the case that was considered by the panel of judges of the Religious Court was that the husband as the applicant filed a divorce for his wife as the respondent on the grounds that his wife did not carry out her obligations as a good housewife, did not take care of her household affairs as mandated in the Marriage Law, this was because the respondent often came home late at night as a result of her activities in political parties. This no longer ensured the integrity of the household because the respondent continued with her stance. Decision Number 0788/Pdt.G/2023/PA.Cirebon.

The reason for the divorce was that the husband, as the applicant, claimed that the respondent (wife) had left the house after working as a staff member at a sub-district government institution without the knowledge of the respondent, and was known to have had an affair with another man. Despite mediation to rebuild the household as best as possible, the respondent asked for a divorce. Decision Number 0686/Pdt.G/2023/PA.Indramayu. The decision described the case of the plaintiff (wife) suing the defendant (husband) for divorce, that for three years the defendant had not worked and relied on the income of the plaintiff who worked as an elementary school teacher (PPPK) and often spent the plaintiff's money on gambling and drunkenness, therefore the plaintiff filed for a divorce from the defendant for the continuity of the household. Decision Number 0687/Pdt.G/2023/PA.Pelabuhan Ratu. The plaintiff (wife) sued her husband for divorce because her husband as the defendant was not willing to carry out his obligations as a husband, was not willing to provide economically for the needs of his children, so the plaintiff had to continue working day and night as a trader. Therefore, their household often experienced quarrels and disputes, and sometimes the defendant committed domestic violence. Decision Number 0742/Pdt.G/2023/PA. Bandung, in this decision the applicant (husband) explained the case so that he filed for divorce from the respondent, that since the respondent got a job with a higher position at the Bandung City Health Office, which earned more than her husband who was an honorary at an educational institution, the respondent became irritable, easily offended, and often said things that hurt the applicant such as "the respondent is an incapable man, poor, and so on." This situation culminated in continuous disputes and eventually the respondent asked for a divorce, so the applicant (husband) filed a divorce petition with the religious court and was granted a divorce. Decision Number 0758/Pdt.G/2023/PA.Soreang, in the decision it is described that the plaintiff (wife) sued the husband (defendant) because after the Covid-19 period was dismissed from his job the defendant did not work again until now, while the wife had to bear all the needs of the household, the husband had no desire and effort to find work, while the wife worked as a factory employee, so the plaintiff filed for divorce against her husband. Decision Number 0575/Pdt.G/2023/PA. Ngamrah, as well as in this decision have similar cases, that the plaintiff (wife) works in a textile factory but her husband is unemployed so that he only relies on his wife's income.

By presenting several decisions of the Religious Court, the academic problem that *das sollen* is based on expectations regarding the purpose of marriage in the family, namely to create a harmonious family that is strengthened by the provisions of the Qur'an, al-Sunnah (as *mitsaqan ghalidhan*), and the provisions of the applicable laws and regulations, in reality *das sein*, to realize a harmonious family is not something easy, it is proven that married couples who have a career are actually one of the causes of divorce.

Based on Chapter VI Article 30 of Law RI. Number 1 of 1974 concerning Marriage regarding the rights and obligations of husband and wife, it is stated that "Husbands and wives have a noble obligation to uphold the household which is the basic foundation of society. Article 34 paragraph 2 states that the wife is obliged to manage household affairs as well as possible, and paragraph 3 states that if the husband or wife neglects their obligations, each of them can file a lawsuit with the Court.

With the husband's obligations stipulated by the Marriage Law and the Compilation of Islamic Law, the husband's obligation is to provide maintenance, *kiswah* and shelter for the wife, to bear household expenses, care and medical expenses for the wife and children, and education expenses for the children as long as the wife does not act *nusyuz*. The main obligation for a wife is to be devoted physically and mentally to her husband within the limits allowed by Islamic law, and the wife organizes and manages the daily household needs as well as possible. If these obligations are violated by the wife according to Article 84 paragraph (1) the wife can be considered *nusyuz* if she does not want to carry out her obligations. *Nusyuz* of the wife must be proven legally before the court.

Taking into account the articles in the Marriage Law, the position of the husband juridically normative must occupy the highest and main rank in building a household, as the husband is obliged to provide religious education to his wife and provide opportunities to learn knowledge that is useful and beneficial for religion, country and nation. Of course, it is understood that the husband is required by law to have higher knowledge than his wife as his life partner.

As has been pointed out, Article 34 states that the husband is obliged to protect his wife and provide all the necessities of household life according to his ability and the wife is obliged to manage household affairs as well as possible. This also means that the wife as her husband's life partner bears the burden of different obligations. A wife is required by law to carry out her duties and functions as contained in the applicable laws and regulations without any other clauses relating to career and non-career families. Efforts to create a harmonious family are in harmony with the purpose of marriage and the rights and obligations of husband and wife in building their household. For married couples who work or have a career outside the home, they will face greater challenges in realizing a harmonious family. Based on Article 34, the wife is obliged to take care of her household affairs as well as possible. The wife's obligation is not to be the breadwinner of the family, but many wives have careers while working wives can leave their obligations as housewives which have been regulated by the Marriage Law. With this reality, theoretically all families want household harmony, but by leaving their obligations as housewives, namely working, of course the challenge of achieving harmony will be more difficult.

METHOD

Research that discusses the divorce of Muslim families is quite a lot, including Fathul Mu'in's research entitled "Islamic Family Law Reform in Indonesia in Improving the Status of Women". Research by Hijriah Mahrani Anwar et al. Entitled "The Phenomenon of Divorce Among Career Women." The main problem in this study is the phenomenon of divorce among career women in 2020-2021 from the perspective of Islamic law (Study at the Sungguminasa Religious Court). From the main problem, three sub-problems were formulated, namely 1. How is the Divorce Rate among Career Women in the Sungguminasa Religious Court? 2. What is the Impact of Divorce among Career Women in the Sungguminasa Religious Court? 3. What are the Provisions of Islamic Law on Divorce among Career Women? The type of research used in this research is Case and Field Research. The results of this study indicate that the divorce rate of career women in the Sungguminasa Religious Court has increased every year but with an insignificant increase. The highest increase rate occurred in 2021 and the dominant career women who sued came from among civil servants (PNS). The impact felt by divorced career women consists of positive and negative impacts. The positive impact felt is more dominant than the negative. The positive impact experienced by career women is free from heartache due to husbands who commit violence, do not provide maintenance, and the existence of a third person from the relationship. Career women will also not feel difficulties in life because they already have a job and are more able to improve their careers. The negative impact found from career women is economic difficulties in supporting children. Career

women who want to divorce their husbands can file a lawsuit with the Religious Court if the wife can no longer accept the husband's behavior and the wife is in a condition where she can no longer survive with her husband, so both of them can agree to end their relationship. The divorce rate of career women in the Sungguminasa Religious Court has increased every year, but the increase that occurs is not significant, which is only around 1% each year. Career women who file for divorce at the Sungguminasa Religious Court are also dominated by civil servants (PNS) and the rest come from the self-employed. The divorce rate for career women at the Sungguminasa Religious Court occurred in 2021. The impact of divorce experienced by career women in the Sungguminasa Religious Court consists of positive and negative impacts. The results showed that divorced career women felt more positive impacts than negative impacts. The positive impact experienced by career women is that they are free from heartache due to household problems caused by husbands who commit violence, do not provide alimony, and there is a third person in the relationship. Career women also do not feel difficulties in their lives because they already have a job and are more able to improve their careers. Divorce also provides freedom and independence, especially in terms of the principle of organizing future life. In addition to the positive impacts, there are also negative impacts that are felt. The negative impact found from career women is economic difficulties due to the responsibility of supporting children. It is inversely proportional to life before divorce and after divorce.

Syukron Arifin and Habibi Al Amin, entitled, "Divorce Suit for Career Women in the View of Ibn Hazm." Wives who can meet their needs without depending on the maintenance provided by their husbands are certainly easier to take steps to sue their husbands if there is a dispute in their household than wives who have no income at all. This type of research is library research, analyzing divorce lawsuits in career women using Ibn Hazm's perspective. The results of this study indicate that a wife may not ask for divorce from her husband by way of *khulu'* unless based on one of the reasons. the first reason is because the wife is worried that she cannot fulfill her husband's rights or vice versa the husband cannot fulfill his rights. If *khulu'* is done not based on both reasons then the *khulu'* is considered invalid by Ibn Hazm.

The results of previous studies have similar material about career housewives, only the focus of the research focuses on the implications for divorce. As for other research, the analysis of Articles 33-34 concerning the Rights and Obligations of Husband and Wife is not discussed, therefore this proposed research is different from the academic problem and the focus studied is more on the factors that cause career families to divorce, the reasons for the judge's consideration, and the legal development, which indicates that this research has not been discussed in depth by previous researchers.

This research belongs to qualitative research that uses descriptive research methods, namely describing and explaining the facts obtained by researchers related to the object of research. This research seeks to describe the object of research objectively and as it is. To obtain a clear description of the object of research, this research seeks to describe the material content of the Religious Court Decision and find the essence of the case which is the reason for divorce. Therefore, the researcher not only provides a description of the phenomena, but also explains the relationship between the career family and the divorce of the parties, the author uses descriptive qualitative research. The research describes and explains the facts obtained by researchers related to the object of research in the form of divorced career families in the Bandung Religious High Court area.

The approach used is an empirical juridical approach, research that has an object of study regarding community behavior related to applicable legal norms. The community behavior studied is the behavior that arises as a result of interacting with the existing norm system. The interaction arises as a form of community reaction to the implementation of a positive legislative provision and can also be seen from community behavior as a form of action in influencing the formation of a positive legal provision.⁵ Research conducted on the actual

situation or the real situation that occurs in society with the intention of knowing and finding the facts and data needed, after the required data is collected then go to problem identification which ultimately leads to problem solving.

This research is a combination of normative legal research and empirical legal research, namely testing and examining the material content of Religious Court Decisions in the Religious High Court area regarding divorce among career families. The empirical element comes from data collected by documentary researchers and as supporting data to find out and analyze it scientifically. The source of research data is determined based on the researcher's assumption of people who can provide accurate information about the object of research. After the researcher determines the research location then determines the source of information to be studied. The purpose of determining the source of information is to select documentation data in the form of Religious Court Decisions.

The primary data sources are (1) Law Number 3 of 2006 and Law Number 50 of 2009 concerning the first and second amendments to Law Number 7 of 1989 concerning Religious Courts; (2) Indonesian Law Number 1 of 1974 Jo Indonesian Law Number 16 of 2016 concerning Marriage; (3) Indonesian Government Regulation Number 9 of 1975 concerning the Implementation of Indonesian Law Number 1 of 1974 Compilation of Islamic Law; and (4) Copies of Religious Court Decisions in the West Java PTA region regarding divorce both career and non-career families, complemented by interviewees.

Secondary data sources, namely secondary legal materials are legal materials that assist or support primary legal materials in research that will strengthen the explanation therein. Among the secondary legal materials in this research are books, theses, journals and documents that review divorce, which will later be used as an analysis in this study. Tertiary data sources, namely tertiary legal materials which are legal materials that provide guidance or explanation of primary and secondary legal materials such as legal dictionaries, encyclopedias, and others. All of them are data that will be used as an analysis step with the approach that has been stated, namely the empirical juridical approach related to divorce in career families relying on Religious Court Decisions in the West Java Religious High Court area.

The technique of data collection in research is tailored to the needs. To dig up information, various data collection techniques are carried out, namely interviews, observations, and documentation studies. Interviews were conducted by direct dialogue between researchers and informants, which could be conducted individually or collectively. Interviews were conducted with legal counsel, defendants, plaintiffs (parties), and court clerks, as they are the people who play a key role in the court process. Interviews were conducted with very representative respondents, especially those who know the intricacies of the object of research, so that the data obtained is accurate and valid. Thus, these interviews were conducted with the research participants, namely the divorced parties, both career and non-career families according to the data of the Religious Court Decision documents, the attorneys, and lawyers. Meanwhile, documentation studies were conducted to complement the data that had been obtained through other techniques, such as observation, interviews, and documentation. In addition to the data being invariable, this method makes it easier for researchers to do so, because the data source is inanimate, so it does not require special treatment as if the data source is human. The main documents in this research are Divorce Decisions from Religious Courts in the Bandung Religious High Court area.

In qualitative research, the data analysis process is carried out from the orientation stage to the stage of reporting the research results. The analysis process is carried out while in the research field and after returning home, as well as analyzing the content of religious court decision material with juridical, sociological and philosophical understanding. Data analysis was carried out by collecting data, classifying data, interpreting data using the content analysis method; and drawing conclusions from the research results..

RESULTS AND DISCUSSION

Considerations of the Panel of Judges Deciding on Career Family Divorce at the Bandung Religious High Court

Consideration of Religious Court judges in the Bandung PTA in deciding divorce in several cases that have been decided and determined by the panel of religious court judges, starting from the consideration contained and written in a religious court decision that has permanent legal force. The Religious Court studies the case file, hears the testimony of the Plaintiff and the Defendant, has examined the written evidence of the parties, and has heard the testimony of witnesses from both sides of the litigation. As for the Sitting of the Case, it is considered that the Plaintiff and the defendant have always been in dispute, continuous quarrels that are difficult to reconcile, the root cause of which is that the defendant has not provided adequate maintenance for two years even though the defendant's income as a trader has exceeded the request of the defendant. However, the respondent did not provide sufficient maintenance for a variety of reasons which seemed to be spent on capital, while the plaintiff worked hard as a housewife and as a civil servant or ASN, so that the husband's obligation to provide manuscripts was borne more by the wife, thus the husband was considered less responsible in providing for the family. As long as the wife works as an ASN at the health department, almost all family needs are handled by the wife, so that with this situation the two of them often disagree and increasingly culminate which causes the household to no longer be in accordance with the purpose of a *sakinah, mawaddah warahmah* marriage. The disputes even led to the destruction of the household. The wife left the house and returned to her parents' house. Various mediations have been carried out but have failed until finally the wife sues her husband for divorce. This situation illustrates that the wife as a career housewife took the step to divorce rather than having to bear a lot of the economic needs of her family.

The main reason was that the husband was unable to meet the needs of his family while the wife had to work hard. For the sake of her career, the wife sued her husband for divorce because if her income continued to be spent on the needs of her family, the wife felt neglected by the respondent. This was also driven by the husband's inability to help her, resulting in quarrels that were difficult to reconcile and eventually divorce.

The cases that led to divorce among career families are: (1) The wife objected to the husband's income which was lower than her income so that the wife looked down on the husband; (2) The husband felt humiliated by the wife which led to a dispute; (3) The husband had an affair because he was busy working outside the city while the wife was only a housewife; (4) The wife is a career person with a large income and often leaves the house, but also has an affair with another man known by the husband; (5) The wife who has a career always provokes fuss and quarrels with her husband so that the household cannot return to peace and tranquility.

Factors Causing Divorce in Career Families in Religious Courts in the Bandung High Religious Court Region

The reason for divorce did not include the fact that the housewife played a dual role, as a career woman or because she was busy working outside the home. However, the reason for the divorce was due to the circumstances of the career family which resulted in one of the husband and wife being unable to carry out their obligations as housewives. Thus, career and non-career families will be the same if one party does not carry out their obligations. Only, in the case of divorce between husband and wife on the grounds of a career family, namely a housewife who has a career as a result of causing disputes and quarrels between the two parties, as for the things that are the root of the problem are: (1) The wife undermines the husband whose income is lower than the wife's; (2) The wife objects if the income from her work is used up for her family's needs while the husband does not have sufficient economic capacity; (3) The wife

understands that the husband is obliged to fulfill the needs of his household, so she refuses to help fully with the costs of his household needs; (4) The wife leaves her obligation to take care of her household affairs or carries out household affairs poorly because she is consumed by her career in her work; (5) The husband spends the wife's income on things that violate the Shari'ah, for example, drunkenness, gambling, hura hura with his friends when he was not married; (6) The wife makes many material demands on the husband, always never feeling that she has enough; (7) The husband always commits domestic violence when they have disagreements; (8) The wife does not take care of and guide the children properly; (9) The husband has a business bankruptcy; and (10) The wife is transferred out of the area so that the family is neglected and the husband accuses the wife of having an affair.

These ten reasons became the sitting case that caused the two sides to quarrel and disagree so that the household could no longer be maintained. Therefore, husband and wife communication is very important in building mutual understanding and expressing various problems that occur in the household, with good communication, all problems can be discussed and discussed to find a solution. So it is natural that the destruction of the household is caused by disconnected husband and wife communication. The breakdown of communication between husband and wife can be caused by various factors, maybe both of them work outside the home so that their meetings are very limited. Being too tired after work can cause no time to communicate. Therefore, arguments arise as if both parties feel innocent of everything that happens in their household. Therefore, communication needs to be fostered between husband and wife to build a household that is *sakinah, mawaddah warahmah*. Of course, quarrels do not disappear completely, only husbands and wives who always communicate well will be able to reduce and return their household to peace .

Under these circumstances, divorce caused by irreconcilable quarrels is the result of various factors, thus what must be sought carefully is the cause of the quarrel, so that by knowing the cause, the answer does not need to invite external parties, it is enough to be resolved by the internal parties of the husband and wife concerned, so that the disgrace of the household is not known to others, especially if the two parties have openly demonized each other. Among the roots of the problem is that career families, especially career housewives who spend a lot of time working outside the home and whose positions and income are greater than their husbands, often undermine their dignity, resulting in disputes.

The wife of a career family is quite knowledgeable about the procedure for filing a divorce, so with her large income she can use the services of a lawyer to file for a divorce, because according to the Marriage Law and its implementing regulations, every divorce can only be done in front of a court session. A husband who wants to divorce his wife based on an Islamic marriage submits a letter of notification of his desire to divorce his wife to the court in accordance with his place of residence. The letter must be accompanied by reasons for divorce, as contained in Article 14 of Government Regulation Number 9 of 1975 concerning the Implementation of Indonesian Law Number 1 of 1974 concerning Marriage. In the Procedural Law of the Religious Courts, the wife submits her lawsuit to the court in the jurisdiction of the defendant's residence, which is called a *cerai gugat*. If the residence of the defendant is unclear or does not have a permanent residence, then the lawsuit is filed at the plaintiff's residence. If the defendant is abroad, then the lawsuit is filed at the court where the defendant is located, and by the court that receives the lawsuit it is conveyed to the defendant through the local representative of the Republic of Indonesia (Article 20 PP 9/1975).

Basically, divorce in the view of Islamic law is an inevitable inevitability, because the dynamics of human households are impermanent, even though the purpose of marriage is to build an eternal and happy household. Therefore, *fiqh munakahat* regulates in great detail the procedure for divorce, even husbands who want to divorce their wives must know the correct ethics. Islamic Shari'ah allows divorce, but the right divorce is done in the right way. The reasons for

divorce in the perspective of Islamic law, are the most basic reasons, namely if divorce is not carried out, then the life of husband and wife will bring more harm than benefit. Thus divorce is the only way that must be carried out. The wife who has been divorced must be given 'iddah maintenance until the end of her period, and it is even recommended for the husband to pay mut'ah as long as he has the ability. During the 'iddah period, the husband must provide housing for his wife in order to maintain her honor and dignity. Such matters show that Islamic Shari'ah not only upholds human rights, but also protects people from losing their dignity and self-respect.

Divorce in career families as a case sitting in a Religious Court Decision within the Bandung Religious High Court can be analyzed that: (1) Wives who cannot carry out their obligations as wives because they are busy working outside the home or having a career, or husbands who cannot carry out their obligations because they are busy working outside the home and only prioritize money without caring about their families will have the same result, namely not carrying out their obligations in the household; (2) For career and non-career families, as the husband cannot carry out his obligations as a husband or wife, this can be a reason for divorce; (3) If the situation does not cause disputes and both parties do not care about the state of the household, it cannot be a reason for divorce; (4) If the husband does not impose a divorce, no divorce occurs; and (5) If the wife does not file a lawsuit for divorce with the Religious Court, no divorce occurs.

Textually, Law N0. 1/1974 provides a fundamental understanding of the position of the husband who is the head of the family, because one of the goals of marriage is the husband's leadership journey which is obeyed by the wife. The relationship of leadership in the household between husband and wife is a demand of religion and law, because without it there would be no relationship between the leader and the led. And if a wife cannot fulfill her obligations as a wife, it means that she is no longer worthy of her position as a wife, or not a wife anymore. In that case, of course, the husband needs an alternative or the right solution, so that his position is truly the head of the family and there is a clear division of labor with his own wife who is legally married according to religious teachings and applicable laws.

When the wife is unable to fulfill her obligations, as explained in Article 4 Paragraph 2 letter (a), the husband is allowed to file a divorce petition to the court. The position of the wife who is unable to carry out her obligations, because she has a career and leaves her obligations or for other reasons, such as having an affair. Another reason for divorce is because the husband does not fulfill his obligation to provide for his wife physically and mentally. The obligation to provide physically is to fulfill all the economic needs of his household, namely the need for basic necessities, education, health, housing, and others in the matter of household living expenses. The husband is obliged to carry it out as in al-Qur'an surat al-Nisa verse 34-35 which means:

“men are the leaders of women, because Allah has preferred some of them (men) over others (women), and because they have spent some of their wealth. Therefore, the righteous women are those who obey Allah and keep themselves behind the backs of their husbands (when the husband is not at home), so that Allah may keep them. Those women of whom you are concerned about nusyuz, then admonish them and separate from their beds, and beat them. Then if they obey you, then do not look for ways to distress them. Indeed, Allah is the Most High and the Most Great.”

The reason for disputes and quarrels between husbands and their wives can be caused by their time-consuming work, so that their household life is no longer harmonious. Of course, divorce, whether the husband is too busy working so that he neglects his obligations as a husband in fostering his household or the wife is busy working so that she neglects her obligations.

Article 34 paragraph 2 of the Marriage Law which states that wives must take care of household affairs requires an explanation to protect the rights of wives who have a career, because the

times have demanded gender equality, namely equality of roles between men and women, thus normatively an article must be added regarding wives who have a career or other more progressive provisions and regulations for the sake of family law reform.

CONCLUSION

Based on the description of this research, it can be concluded that (1) The factors causing divorce in career families in the Religious Courts in the Bandung Religious High Court Region are symptoms of a shift in the wife's role as a housewife who also bears the economic burden of her family but there is no understanding with her husband so that divorce occurs. The most important reason for the divorce has similarities with non-career families, both career and non-career families are caused by problems that cause continuous disputes that are difficult to reconcile. Other factors causing divorce are: (1) the wife who has a career or works outside the home is not sincere about having to bear the economic burden of the family which should be the obligation of the husband; (2) the wife has an affair outside the home; (3) the wife degrades the dignity of the husband; (4) the husband divorces the wife on the grounds that the wife does not carry out her obligations as a housewife; (5) the husband has an affair when the wife is working outside the home; (2) The consideration of the panel of judges of the Religious Courts in the area of the Bandung Religious High Court, West Java, deciding divorce among career families is a career that causes continuous irreconcilable disputes; (2) Relational implementation of Articles 33-34 in the Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage against career family divorce in the Religious Courts in the Bandung Religious High Court Region, consisting of: (1) Vertical relationship between Law Number 1 of 1974 Jo Law Number 16 of 2019 with Law Number 50 of 2009 concerning Religious Courts, and the Compilation of Islamic Law. This relationship is also called the formal and material juridical relationship; (2) Horizontal relationship, namely the relationship between the applicable laws and regulations on divorce and the behavior of the community (the parties) who litigate in the Religious Court in cases of divorce or divorce; (3) Rational relationship between legal norms and community behavior with the parties' understanding of the contextual meaning of the rights and obligations of husband and wife; (3) The development of the concept of a harmonious family in a career family in relation to the implementation of Articles 33-34 in Law Number 1 of 1974 Marriage can be added a new article or explanation to the article regarding the rights and obligations of husband and wife, namely; (1) For the new article, a paragraph can be added which states: "husband and wife can help each other with the needs of their family economically as long as both agree with each other by carrying it out as well as possible and not neglecting the main obligations as a housewife and head of the family (husband); (2) For the addition of explanations to articles 33 and 34 are as follows: what is meant by the position of husband and wife is balanced and mutually helpful in building their household is that to help the family economy the husband and wife can mutually agree to work for a living, so that the wife can help ease the family's economic burden as long as her husband allows it and aims for the benefit and realization of a harmonious family"

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