LEGAL AND POLICY MECHANISMS TO REDUCE THE NUMBER OF DIVORCE AND MARITAL CONFLICTS AMONG MUSLIM COMMUNITIES IN SOUTHEAST ASIA

Mochammad Zikni Amiruddin¹, Erfaniah zuhriah²
UIN Maulana Malik Ibrahim Malang Jawa Timur, Indonesia
Email: zikniamiruddin155@gmail.com¹, erfa@syariah.uin-malang.ac.id²

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ABSTRACT
Discussions about Islam in Southeast Asia can be considered interesting just because of a simple problem: The number of Muslim residents in this country is quite large. There are around 1.3 billion Muslim people throughout the world, 60 percent or around 780 million of whom are in Asia, and 250 million live in Southeast Asia. Research method, normative juridical research type, case approach, or case approach. The technique for collecting legal materials in this research is the documentation method, namely a method that collects data or legal materials and various other information based on books, documents, ts, and notes. Results of research on the Malaysian Marriage Law, if a husband and wife violate the regulations regarding divorce matters. In certain cases, such as an out-of-court divorce without court approval or recognition, or making a false confession, it is punishable by a fine of RM1,000 or imprisonment of up to six months, or both. AMLA is the establishment of the Singapore Islamic Religious Council. This parliament has a Law Committee whose members are Singaporean Muftis, namely: two members of Parliament and two non-Parliamentary members. The Legal Council functions to issue fatwas relating to Islamic law. The judge (court) will first appoint a peacemaker to try to mediate. The State of Brunei Darussalam in Divorce can also be done through divorce. Article 145 determines that a husband and wife are divorced if they divorce without the husband's consent or a divorce agreement. The country of Thailand in the Compilation is about divorce procedures. In the Compilation, articles 82 to 112 regulate divorce. In simple terms, this compilation distinguishes four divorce procedures, nametalklak, khulu'talkak withtalaaq, and fish. The Philippine state in divorce is the official dissolution of the marriage bond by this Code which will be granted only after the exhaustion of all possible means of reconciliation between husband and wife. In Laos there are two types of divorce, namely: 1. Intedivorce; 2. Divorce by court decision. Review of Islamic law regarding mediation in reducing the divorce rate because in Islamic law there is a hakam as a representative for the husband and wife if there is a dispute in the household to seek peace between the two.

INTRODUCTION
Discussions about Islam in Southeast Asia can be considered interesting just because of a simple problem: The number of Muslim residents in this country is quite large (Abdullahi, 2015). There are around 1.3 billion Muslim people throughout the world, 60 percent or around 780 million of whom are in Asia, and 250 million live in the Southeast Asia region. Meanwhile, Indonesia is the country with the largest Muslim population not only in Indonesia, Malaysia...
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...and Brunei Darussalam but also when compared with the number of Muslim populations in Muslim-populated countries throughout the world (Sadli, 2010).

Apart from numbers, the Muslim population in Indonesia, Malaysia and Brunei Darussalam also has a unique character, especially when linked to the Middle East, the region of origin of the Islamic religion (Lev, 1972). Indonesia, Malaysia and Brunei Darussalam Muslims are known to be very tolerant and adaptive to various local traditions, or pre-Islamic religious teachings. This is related to the pattern of spreading Islam in this area which was carried out peacefully, slowly, and entered into the heart of local community traditions (Ariff, 1988). Abdurrahman Wahid (Gus Dur) stated that at the beginning of its spread in this region, Islam was first taught in a limited way to certain aspects that were considered the most important or the core of Islamic teachings. Islam was not immediately spread legally and formally in the form of various rigid and strict rules and regulations for life (Sahetapy, 2009).

Some Western observers consider this type of religious model to be an impure practice of Islamic teachings and filled with heretical practices and khurafat. However, on the other hand, when compared to some Muslim populations in the Middle East, Southeast Asia Muslim residents are very devout believers, especially in carrying out the most important ritual in Islam, namely the obligation to pray five times a day. In subsequent developments, Muslims from Indonesia, Malaysia and Brunei Darussalam are also the most confident in showing their Islamic identity when abroad. A light example, look at how Muslim women from Indonesia, Malaysia and Brunei Darussalam do not remove their hijab or Islamic identity when traveling to America or Europe. Another interesting thing regarding Muslims in Indonesia, Malaysia and Brunei Darussalam is the political stability in this region, especially in Muslim-majority areas: Indonesia, Malaysia, and Brunei.

According to Azyumardi Azra, this political stability is a source of optimism in welcoming an "Islamic Renaissance" in the Indonesia, Malaysia and Brunei Darussalam region. This condition of stability will of course be very obvious when compared with Muslim countries in the Middle East, some of which were devastated by civil war and extremism triggered by various reasons, whether political or economic or intervention factors from foreign parties. However, please understand that the conditions of Muslims in Indonesia, Malaysia and Brunei Darussalam as mentioned above are certainly not uniform. This is related to the distribution of the Muslim population in this area. The majority Muslim community in several countries in Indonesia, Malaysia and Brunei Darussalam benefits more. However, however, certain points out this number does not guarantee a certain superiority compared to other communities in the same region or country (Ali & Puspita, 2023).

Meanwhile, other ASEAN countries have lower scores, indicating that there are equality criteria that have not been met. Meanwhile, Indonesia only got a score of 40 and is at the bottom of ASEAN, at the same level as Malaysia and Brunei Darussalam. Indonesia received a low score because it does not yet have a law that allows women to be heads of households. The relevant law currently in effect is Article 31 Paragraph (3) of Law Number 1 of 1974 concerning Marriage which reads: "The husband is the head of the family and the wife is the housewife." Indonesia also received a low score because its law has not yet equalized divorce
procedures, and has not equalized the rights to remarry for women and men who have been divorced. Differences in divorce procedures for men and women.

**METHOD RESEARCH**

Research method, normative juridical research type, case approach, or case approach (Soekanto, Soerjono, 2010). The technique for collecting legal materials in this research is the documentation method, namely a method that collects data or legal materials and various other information based on books, documents, and notes (Zainuddin Ali, 2009).

**RESULT AND DISCUSSION**

**Divorce occurs in Muslim communities in Indonesia, Malaysia and Brunei Darusaalam**

The application of Islamic law in the Indonesia, Malaysia and Brunei Darusaalam region is quite varied. In Malaysia, the implementation of Islamic law is divided into three periods: the Malay, British, and independence periods. At the time of independence, because there was not much written Islamic law, law was still dominated by English law. Although some issues are regulated by Islamic law in Malaysia, English law still applies to most legislation and jurisprudence. The Civil Law Act of 1956 states that if there is no written law in Malaysia, the Civil Court must follow English customary law or other appropriate rules. Thus, Islamic law only applies to limited areas, namely those related to family and religious violations.

In terms of family law provisions, civil courts still have jurisdiction, such as in cases of property rights, inheritance, and child maintenance. If there is a conflict between civil courts and sharia, then the authority of civil courts takes precedence (Sufiarina, 2015). Seeing this reality, the existence of Islamic law in Malaysia does not apply comprehensively to all residents of the country. This is because there is still the influence of the laws of the British colonies which once colonized Malaysia. Meanwhile, the arrival of Islam to Brunei was in line with the arrival of Islam to the archipelago in general, and at least occurred after Malacca fell to the Portuguese in 1511 AD.

Before the arrival of the British, the law implemented in Brunei was Islamic Law which had been promulgated with the Brunei Qanun Law which had been written during the reign of Sultan Hassan (1605-1619 AD) and was perfected by Jalilul Jabbar (1619-1652 AD). The granting of full authority in the field of law was only given to Brunei by the British after the signing of the 1888 agreement between the Sultanate of Brunei and all of Jaya British on 2 July 1986 where the petition contained two demands from both petitions, only problem number one was agreed to by the British and was not followed up by developing Sharia Court. Meanwhile, the second was rejected because its contents conflicted with the contents of the 1906 agreement.

Brunei's Sharia court is only permitted to implement Islamic laws relating to marriage, divorce, and (special) matters of worship. Meanwhile, issues relating to jinayah are left to English law which is based on English Common Law. Henceforth, regulations and legislation in Brunei are constantly changing. Meanwhile, it can be said that the development of Islam in Singapore has no obstacles, both from a political and bureaucratic perspective. Muslims in Singapore make up around 15% of the total population, or there are around ± 476,000 Muslims. As a center for Islamic activities, there are ± 80 mosques there. On July 1, 1968, the MUIS...
(Singapore Islamic Ulema Council) was formed which has responsibility for religious, health, educational, economic, social and Islamic cultural activities. Singapore adheres to a secular system, where the government implements neutrality towards all existing religions. Based on the results of the 2000 census, it is known that Singapore's population over 15 years old adheres to several religions, namely Buddhism, 42.5%. Islam 14.9%, Christianity 14.6%, Taoism 8.5%, Hinduism 4.0%, and others, her religions (Jews, Zoroastrians, etc. 0.6%). Apart from that, there are still around 14.8% who do not have or follow a particular religion. Islamic institutions in Singapore apart from the Singapore Islamic Ulema Council (MUIS), are the Singapore Islamic Da'wah Association (Jamiyah) and the Muslim Children's Education Council (Mendaki).

About MUIS, in August 1966, the Singapore parliament issued regulations for the implementation of Islamic law (administration of Islamic Law Act) Law Act on abbreviated as AMLA. Which ushered in a new stage in the history of Islamic legislation and administration in this country. MUIS, which is under this law, was formed in 1968. MUIS is a legal entity that handles matters relating to the Islamic religion in Singapore (Marzuki, 2005). Among other things, it focused on zakat collection, which was initially handled by local mosques, while also taking over the administration of waqf. Then, MUIS is also responsible for the fatwa committee and the Hajj committee. As mentioned at the beginning, in the initial phase, the Islam presented to the people of Indonesia, Malaysia and Brunei Darusalam was thicker with nuances of Sufism. Therefore, the spread of Islam in Singapore cannot be separated from this style of Sufism. The proof is that the teaching of Sufism was very popular with local ulama and Malay kings. The largest collection of Sufi orders in Singapore that still exists today is the Tariqah 'Alawiyyah located at the Ba'lawi Mosque. This order is led by Sayed Hasan Saidunnadh bin Salim al-Attas. Apart from this congregation, there is also the Al-Qadiriyyah wan Naqshabandiyyah congregation which is based on Geylang Road which is Manaandy the Pertapis organization (Islamic Study Park Association).

In other regions in Indonesia, Malaysia and Brunei Darusalam, systematic codification of sharia has begun since the forties to be implemented in Islamic communities in four southern provinces of Thailand which are inhabited by Muslim communities. Codification is now included in the Thai Civil Code relating to family and inheritance, where the sharia content is inclusive of adjudicating cases between Muslims. The entire system is directly related to the Shafi'i school of thought because the majority of Thai Muslims adhere to this school of thought. Conflicts between Muslims who adhere to different schools of thought cannot be resolved with the existing judicial system because only what has been legally codified is used. Until now, the existing sharia codification and its administration have never been reviewed. Perhaps because of this fact and other reasons as stated above, not many cases were then brought to Dato Yuttitham. Apart from that, the lack of qualifications of Islamic religious judges also creates an attitude of doubt and distrust among Muslims to resolve their cases through this authority.

Unfortunately, the Marriage Law in Indonesia does not strictly implement various sanctions for violations of statutory provisions. For example, the obligation to register marriages, limit the age of marriage, and prohibit games without a permit from the Religious Court is not accompanied by sanctions. This is different from the marriage law in Malaysia.
the state of Perlak there, are at least 21 sanctions for violators of various provisions regarding Islamic family law in this country. Polygamy without permission, for example, is punishable by six months in prison. When talking about the application of Muslim family law, Malaysia, a Muslim-majority country in Southeast Asia, is indeed the most dynamic in reviewing the provisions of their Muslim family law.

In contrast to Malaysia, which has established Islam as the official state religion, Indonesia, despite having a Muslim majority of more than 85 percent, discussing the draft law on Muslim marriage or family is always a very hot issue. This is related to the establishment of the State Foundation of Pancasila, which means accommodating all religions. Discussion of family law in one area is inseparable from the kinship system in that area that applies in that area. Moreover, as mentioned at the beginning of this article, Islam in Indonesia, Malaysia and Brunei Darusaalam is an Islam that is accommodating to the customs and traditions of local communities. There are three kinship systems in Indonesia, Malaysia and Brunei Darusaalam, namely patrilineal, matrilineal, and bila, trial. This bilateral (parental) kinship system is the most common (Jan Michiel, 2010). The status of women also depends greatly on the system in which they are located.

In Minangkabau traditions, for example, women have special privileges over longhouses (long communal dwellings), and most live there all their lives. They also own rice fields, orchards, and all other large properties. Although each clan administrator must be male. The Minangkabau people, with a population of around one million people, are generally devout Muslims, but they also strongly adhere to their traditions. The special position of women in Minangkabau is the same as in the Lakshadweep islands in India. It is said to be special when compared to Muslim communities in the Middle East or South Asia.

In the Lakshadweep archipelago, divorce and remarriage are practiced by women as often as by men, because women have a privileged position in economic and trade activities. The kinship system in Muslim societies in Indonesia, Malaysia and Brunei Darusaalam also influences relationship patterns between partners, rights to children, and choice of residence. So it can be said that family law in this region is very dependent on local customs which originate from the legacy of pre-Islamic traditions. This means that the tradition is considered not to conflict with the Islamic values and rules introduced by Islamic preachers in this region. The traditions referred to here are mainly related to various kinship systems in Indonesia, Malaysia and Brunei Darusaalam, even though the kinship system offered by Islam is a patrimonial system that is typical of Arab society.

Something is interesting in Maguindanao, Philippines. Marriage with a cousin is preferred. The reason is simple, because their parents are siblings, several issues can be simplified, especially regarding inheritance. The bride's wealth must be given to her family before the wedding takes place. And the newly married couple first lives with the bride's family. In rural areas in several countries in Indonesia, Malaysia and Brunei Darusaalam, early marriage is common. Parents also do not hesitate to marry off their children or allow young couples. The dowry is also usually small, and payments can be deferred. This is in sharp
contrast, at least when compared to the amount of dowry in Saudi Arabia, for example, which is exorbitant and makes it very difficult for many men there to get married.

Polygamy or marriage is generally permitted but rarely practiced in Indonesia, Malaysia and Brunei Darusaalam. This is because the requirements for practicing polygamy are tightened, especially regarding the wife's consent. In addition, few men have enough income to support two or more wives. After marriage, wives generally depend on their husbands for their livelihood. Meanwhile, wives who work and have an income will almost certainly not want to be polygamous. In Malaysia, the penalty for violating the provisions regarding polygamy is a fine of 1000 ringgit or 6 months in prison. Strict punishments like this are not enforced in other countries, including Indonesia.

In Thailand, polygamy is generally frowned upon by women. Legal provisions in Thailand also do not allow this practice so the second wife and her children do not receive civil rights from the state. However, Islamic family law in Thailand. The South's existence is recognized by the state, so that those who marry in the presence of an imam or dato yuttitim and have it recorded by the imam, are considered valid even though the marriage contract carried out is a polygamous marriage. Generally, divorce and remarriage do not carry a social stigma for women. Malay cultural values discredit people who hold their wives against their will. This means divorce is made easier. Indeed, the measure of a country's progress is often measured by the fulfillment of women's rights, including the right to file for divorce.

As a result, the number of divorces decided by the wife's "lawsuit for divorce" trial is quite large. In the Philippines, divorce among the Maguindanao people occurs among all groups, for various reasons; cases of incompatibility, adultery, infertility, gambling, and domestic violence. However, the family law system in the Philippines which is dominated by Catholic religious law provisions almost does not allow divorce. It is very difficult for Muslims in this country to get divorce legalization, even though for them divorce is done according to religion.

In the inheritance system, Indonesian customs tend to be more favorable to women than Islamic provisions in matters of distribution of inheritance. For example, the youngest daughters will inherit the land and house where their parents live and accompany them until they grow old. According to Klantant tradition, the inheritance of sons and daughters is 1:1; not 2:1 as in the Islamic inheritance system. Thailand, to date, does not have a religious court. The authority to adjudicate matters relating to family and inheritance is handed over to a religious judge called Dato Yutitham. This only applies to four Muslim provinces in Southern Thailand, namely Pattani, Yala, Naratiwat, and Satun. Dato Yuttitim is usually elected by the mosque imams, and directly controlled by the local general court. All decisions issued certainly have legal force, even though they are limited to that province. Meanwhile, Islamic law (regarding family and inheritance) only applies in the four southern provinces.

For Muslims in other provinces, because Sharia is not legally recognized, the only way is through state institutions if they want to be legally recognized. Meanwhile, the application of Islamic law in Singapore can be seen, among other things, in wedding ceremonies. AMLA stipulates that people who wish to marry must reach the age of 16 years. However, even so, if
there is a request for marriage by a person who has not yet reached the age of 16, the religious court in certain situations can grant the request if the person requesting is already an "adult". Apart from that, AMLA also requires husbands who wish to remarry or have more than one wife to make a special request stating the reasons and make a statement showing their ability to support two or more wives. Meanwhile, for administrative purposes, AMLA asks that every divorce that is handed down be reported within a week to be recorded. The husband and wife must also fill in the prescribed sheet.

Factors of Divorce Occurring in Muslim Communities in Indonesia, Malaysia and Brunei Darusalam

The reasons for divorce in Malaysian family law are the same as those in Kazakh. As stated in the Perak Law and the Pahang Law, five reasons cause divorce, including The inability or disability, Insanity, leprosy, vertigo, or the husband's genitals not agreeing to these conditions, the wife's (bride's) permission to marry is haram because coercion, forgetfulness, imperfect reasoning or other reasons in accordance wiby experienced a nervous breakdown at the time of marriage, Unfit for marriage, or other valid reasons determined by Sharia law. Meanwhile in Negeri Sembilan, Persekutuan Pulau Pinang, and Selangor, the same reasons were recorded as in Perak and Pahang, but there were several additional reasons, including Not knowing where the husband lived for a year, Husband not providing support for three months, Husband being imprisoned for three years or more, Husband does not provide moral support for a year, Wife was married off by her father before she was sixteen, refuses to marry, and does not have sexual intercourse with her husband, Husband abuses wife. As for the reasons for divorce in Islamic law in Malaysia, most of them stipulate four reasons and their respective procedures, namely: Talak talk or mental order, Ransom, Shiqaq, and Only Sarawak law including loan reasons. Meanwhile, laws in the states of Kelantan, Pahang, and Perak do not stipulate a minimum amount. In addition, the laws of Kelantan, Negeri Sembilan, Penang, Selangor, and Sarawak provide for forced marriage as a basis for divorce. In Kedah, the reasons for divorce are economic factors which cause husbands not to receive a living, and sexual harassment. From the description above, several things need to be considered. First, all laws recognize insanity as a basis for divorce, but Negeri Sembilan, Penang, Selangor, and Sarawak require at least two years of illness. Criminal provisions in the Malaysian Marriage Law, if husband and wife violate the regulations regarding divorce matters. In certain cases, such as an out-of-court divorce without court approval or recognition, or making a false confession, it is punishable by a fine of RM1,000 or imprisonment of up to six months, or both.

AMLA is the establishment of the Singapore Islamic Religious Council. This parliament has a Law Committee whose members are Singaporean Muftis, namely: two members of Parliament and two non-Parliamentary members. The Legal Council functions to issue fatwas relating to Islamic law. The AMLA is more substantial than previous laws. Under Article 32 of the Anti-Money Laundering Law, religious courts (Shariah courts) have the authority to hear and adjudicate cases arising between Muslims or marriages based on Sharia law, including 1) Marriages; 2) Divorce, including Divorce, talk divorce, fasakh and khaluk; 3) inclusion; 4) division of joint assets (living assets) upon divorce; 5) payment of dowry, allowances and
mut'ah. However, Article 52 explains the matters that fall under the authority of religious courts, namely: 1) payment of dowry; 2) mut'ah or divorce payments; 3) child maintenance, and 4) division of joint assets. The scope of regulations in the field of family law stated in the AMLA is that divorce registration and household registration are mandatory, and violations of registration will be punished. However, before the court decides the case, the judge (court) will first appoint a peacemaker to try to mediate.

Brunei Darussalam is one of the countries in Indonesia, Malaysia and Brunei Darusaalam that has implemented family law reforms. The majority of Brunei's population is Malay, with a small number of Chinese residents also present. Some of them are the Kiput, Kenyah, Iban, and Kedayan groups. The law allows a man to divorce his wife within one, two, or three steps. The husband must report the divorce to the court within seven days. Divorce can also be done through divorce. Article 145 determines that a husband and wife are divorced if they divorce without the husband's consent or a divorce agreement. With this redemption method, Cardi will decide how much to pay according to the capabilities of each party. Then you can register for divorce. A wife who wants to divorce has another option if she wants to sue her husband, through Ladakh. Through this fasakh, a divorced wife can file a mut'ah in court. Article 150 of the Brunei Law also states that wives can divorce with one, two, and three divorces, and the iddah period has not ended.

One example of Thai legal material in the compilation is about divorce procedures. In the Compilation, articles 82 to 112 regulate divorce. In simple terms, this compilation distinguishes four divorce procedures, namely talk, khulu', talk with ta'liq, and fish. First, divorce is the husband's absolute right. Only the husband has the right to impose a divorce and there is no need to ask for consent from the wife unless the divorce is due to be paid by the wife. This is what is called the khulu' procedure. The third procedure is fake. Fasakh is a way of canceling the marriage bond that must be carried out by the husband or wife to break off the marriage bond. According to the compilation, fasakh can be carried out if: 1. the husband or wife loses their mind or suffers from skin disease, or leprosy before or after marriage. 2. The husband's genitals are too big so the wife cannot accept sexual intercourse. 3. The husband who has reached puberty and has a normal mind has a defect in his genitals, such as impotence or brokenness so that he cannot be used for intercourse. 4. The wife's genitals have growing flesh or tumors or gynecological diseases so that she cannot have sexual intercourse. Apart from talk, khulu', and fasakh, marriages can also be terminated due to violations of sight talaq. Ta'liq is a promise made by the husband, usually at the end of the marriage contract process, which generally contains clauses to protect women from arbitrariness by husbands in fulfilling the rights that wives should receive.

The Philippine state in divorce is the official dissolution of the marriage bond by this Code which will be granted only after the exhaustion of all possible means of reconciliation between husband and wife. This can be influenced by the rejection of the wife by the husband (talaq), Vow of abstinence by the husband (ila), detrimental assimilation of the wife by the husband (Bihar), Act of curse (I'an), Atonement by the wife (klan'), an implementation by the wife from the delegated right to reject (tajwid) or (g) a court decision (flash). Divorce by
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divorce. Divorce can be done by a husband in one instance of refusing his wife during the non-menstrual period (tuhr) when he does not have sexual relations with her. Several denials made during one trial are only one denial and cannot be withdrawn after the end of the specified 'idea.

In the State of Laos in Article 171, Divorce is the dissolution of a marriage for any reason as regulated in Article 176, Whatever the circumstances, paying money for divorce or using force for divorce is not permitted. There are two types of divorce, namely: 1. Divorce due to intention; 2. Divorce by court decision. However, a man cannot ask for a divorce if his wife is pregnant, or the couple has children under the age of one. Meanwhile, couples who are divorced and want to remarry must register a new marriage.

Reasons for divorce are numerous and similar to other cultures and countries, but unique to Cambodia is marital unhappiness caused by mental health problems resulting from first and second-generation Khmer Rouge survivors, in addition to high incidences of domestic violence; gambling, alcohol and drug abuse; and desertion and bigamy. Although the legal grounds for divorce are limited, they are broadly formulated, providing many possibilities for filing for divorce if one of the spouses wishes to do so. Reasons include infidelity, desertion, separation (i.e. living apart) for more than one year, and relationship breakdown.

Islamic marriage, Nikah is under the authority of Islamic customs because it is recognized as a social contract in Myanmar. No special rites or officialdom are required to become a valid marriage. Traditionally, most weddings are performed as religious ceremonies at religious places by priests. Almost in every city or almost every Muslim community there is a mosque that has a marriage certificate recognized by the government. Every mosque must maintain its register book for the long term except for natural disasters. There are three types of marriage recognized in Myanmar. They are valid marriage, invalid marriage, and invalid or invalid marriage.

Weaknesses of Indonesia, Malaysia and Brunei Darussalam Countries' Current Laws and Policies in Reducing the Number of Divorces and Marital Conflicts Among Muslim Communities

Tensions in husband and wife interactions that lead to family conflict are:

a. Frustration is defined as a form of emotion experienced when desires are blocked or feelings of satisfaction are blocked. Frustration in a couple's life is mainly experienced by the party who is most stressed because of the situation. The case of the husband wanting sex while the wife refuses. The wife does not want sex based on physical fatigue or a preference for other activities, for example watching television (Murata et al., 1996). However, the husband instead responded as a rejection of his biological needs. If the husband does not change his perception regarding the reasons why his wife refuses to have sex, the husband will most likely experience frustration and misrespond to his wife's intentions. Not infrequently refusing to have sex is misinterpreted as 'not loving anymore'. Seeing this as small holes leading to divorce.

b. Rejection and Betrayal are often found in young families entering the difficult years of marriage. The romance of dating is slowly being replaced by busyness and concentration on earning a living for family and children. It is not surprising that there is a feeling of being
left out and forgotten by their partner. People who feel they have been rejected by their partner usually respond in the form of attitudes or words. Likewise with feelings of betrayal by one's partner. Emptiness and reduced communication trigger quarrels between husbands and wives. It is not uncommon for someone to decide to leave their partner (run away) as a form of attack due to the isolation they feel.

c. Decreased Trust When someone lives in a couple, their trust in their partner decreases, which generally leads to the destruction of the relationship. This is quite reasonable because trust involves awareness of building harmony with your partner in the form of increasing intimacy with each other. Decreased trust (lowered self-esteem) can be overcome with honest and open communication between both parties.

d. Displacement Saxton found a case in which the respondent had quarreled with his partner and did not speak to each other for two days for no apparent reason. Saxton calls it displacement, thought to be born from long-buried feelings that explode as a climax.

e. In making decisions, this psychological game pattern is very dangerous, because the decisions taken tend not to look at the problem being experienced, but rather at the extent to which the opponent in the argument admits defeat.

Current Indonesia, Malaysia and Brunei Darussalam Country Policies in Reducing the Rate of Divorce and Marital Conflict Among the Muslim Community

In preventing divorce, the hakam is entrusted with the task of reconciling the two husband and wife who are at odds by examining the problems experienced by both the husband and the wife. There is also the matter of reconciling husband and wife, the two judges carry out studies and research on the problems of the two parties. In carrying out its role, the hakam aims to maintain the continuity of the marriage so that the marriage remains intact. Apart from that, what the hakam does in maintaining peace between husband and wife is a noble goal, and is a form of implementing the objectives of Islamic law, namely minimizing the benefit for humans and eliminating danger.

The pattern of reconstruction of the family mediation process in Indonesia in this research uses a systems theory approach. This approach is an analytical theory in reconstructing Islamic law put forward by (Auda, 2015):

a. Cognitive (the nature of cognition) in the Islamic legal system regarding the family mediation process. The development of human cognition (knowledge) - of course in this case the interpretation of ulama, intellectuals, and scientists - in understanding the Shari’a has had various results. In this research problem, the research focus is on QS. Al Nisa [4]: 34, 35 and 128. Which is a perfect rule in family mediation matters and alternative family settlements.

b. Integrity (seeing the problem as a whole) in Islamic law regarding the family mediation process. In looking at family issues, Islam must as a whole pay attention to current developments, politics, economics, and global world conditions that require changes in legal interpretation, this does not mean that old laws are abolished with new laws because of new
conditions, but reasoning about verses by remembering The development of new conditions requires legal updates that do not violate the objectives of the law itself.

c. Openness (always open to various possibilities for improvement and perfection) in Islamic law regarding the family mediation process. The existing family law system must be open (openness) to be tested and developed based on developments in current conditions, such as the current regulations in PERMA Mediation and the Arbitration Law and APS which do not regulate preventive measures to return family conditions to ideal conditions as stated in QS. Al Nisa [4]: 34, the development of knowledge regarding family studies (sociology, psychology, ecology, counseling, and family law) is considered capable of solving the problems faced by families.

d. Interrelated hierarchies (interconnections between values) in Islamic law regarding the family mediation process. Family settlement methods such as Family Counselling, Family Conciliation, and Family Mediation are alternative methods for resolving family settlements that offer solutions to every family problem by maximizing the potential for scientific development. These methods have values that are interrelated with the methods taught according to Islamic law.

e. Multidimensionality (involving various dimensions) in Islamic law regarding the family mediation process. Involving various dimensions, what is meant here is maximizing the potential of family science scholars (sociology, psychology, counseling guidance, ecology, and family law) to be able to be directly and actively involved in utilizing the knowledge they have studied to help resolve family disputes that we see. Based on the reports in the previous discussion chapter, this is very worrying.

f. Purposefulness (prioritizing and prioritizing the main objectives) in Islamic law regarding the family mediation process. The aim of every alternative offer for resolving family disputes is of course peace, returning the family to the goal of family formation, namely making the family happy and prosperous. Therefore, the focus on the goal of family formation is to form a sakinah, mawaddah, and rahmah family and the goal of resolving family disputes is peace, everything related to this achievement as long as it does not conflict with the objectives of the Sharia is worthy of being used as a recommendation to the government to update the laws and regulations. invitations related to the family mediation process and alternative family dispute resolution.

In Malaysia, parties can voluntarily enter into mediation before initiating litigation. The Mediation Act 2012 was enacted to facilitate the use of mediation before civil trials. In the court system, mediation can only begin with the consent of all parties. Malaysia's strong voluntary court mediation program has contributed to gains in the civil justice system in terms of efficiency related to costs and time savings. Over the past five years, Malaysia has made progress in ranking its civil courts in terms of levels of efficiency, as measured by reduced delays; confidence, as measured by effective enforcement; and perceptions of fairness, as measured by their ratings of reduced discrimination.

Malaysia is a multi-religious and multi-ethnic society consisting mainly of Malays, Chinese, and Indians. Mediation in Malaysia finds its roots in the teachings of Islam,
Hinduism, Buddhism, Christianity, and the principles of Confucian harmony. Historical records also confirm early dispute-resolution practices among native Malays (Fiadjoe, 2013). Recently, Western legal traditions have influenced contemporary mediation practices in Malaysia. Family mediation in Malaysia is managed by the Malaysia Mediation Center (Pusat Mediasi Malaysia) MMC, MMC requires its mediators to practice as members of a Malaysian bar organization with at least seven years of experience, to have completed 40 hours of training under MMC and to have passed a practical assessment conducted by the coach. The mediator must have relevant qualifications, specialist knowledge, or experience in mediation through training or formal higher education. There is no limit to the number of mediators appointed to resolve disputes.

Article 9 paragraph (3) of the 2012 Mediation Act stipulates the mediator's duty to act independently and impartially. The voluntary mediation program in Malaysia can be examined in the larger context of its achievements in the areas of efficiency, trust, and perceptions of fairness. In terms of overall efficiency in the civil justice system, according to the Global Competitiveness Report 2016-2017, Malaysia ranks 19th out of 138 countries in the efficiency of its legal framework in resolving disputes. Confidence in the court mediation system can be examined about the overall ranking of the civil justice system and the ease of enforcement as well as the impartiality and effectiveness of ADR. The overall ranking for Malaysia's civil judiciary in the 2016 Rule of Law Index is 49th out of 113 countries.

Malaysia's strong voluntary court mediation program has been characterized in recent years by high settlement rates. This has contributed to gains in the civil justice system in terms of efficiency concerning costs and time savings. Over the past two years, Malaysia has made some progress in terms of civil justice rankings in terms of efficiency levels, as measured by reduced delays; confidence, as measured by effective enforcement; and perceptions of fairness, as measured by reduced discrimination.

<table>
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<tr>
<th>Divorce Factors</th>
<th>Prevention</th>
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<tr>
<td>Age at marriage</td>
<td>Maturation of marriage age</td>
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<tr>
<td>Premarital delivery</td>
<td>Pre-wedding seminar/cabin class</td>
</tr>
<tr>
<td>Premarital pregnancy</td>
<td>Strengthen the basic personality traits of adults who are ready to marry regarding the risks and prevention of disease</td>
</tr>
<tr>
<td>Live together before marriage</td>
<td>Try to find ways to prevent disharmony</td>
</tr>
<tr>
<td>Previous marital history</td>
<td>Rehabilitative assistance to minimize the negative impacts of divorce</td>
</tr>
</tbody>
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Legal And Policy Mechanisms To Reduce The Number Of Divorce And Marital Conflicts Among Muslim Communities In Southeast Asia

<table>
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<tr>
<th>Family background</th>
<th>Monitor the continuation of children's education</th>
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<td>Sexual incompatibility</td>
<td>Self-strengthening to build character and life motivation</td>
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<td>Lack of intimacy</td>
<td>Cross-sector collaboration with the Department of Education, Higher Education, Social Services, BKKBN and NGOs</td>
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<td>Lack of communication</td>
<td>Commit to working together in raising children even though they are divorced</td>
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<tr>
<td>Infidelity</td>
<td>Maturation of marriage age</td>
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<tr>
<td>Physical and psychological violence</td>
<td>Pre-wedding seminar/cabin class</td>
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<tr>
<td>Physical and psychological harassment</td>
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</tr>
</tbody>
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**Socio-Economics**
- Husband doesn't work
- Dual earner family
- The wife's income is greater than the husband's income

**Education**
- Educated women are more stable in marriage compared to those with less education

**Culture**
- Divorce is considered a sin
- Not blessed with children
- Not giving birth to a boy

**CONCLUSION**

Malaysian Marriage Law. If husband and wife violate the regulations regarding divorce matters. In certain cases, such as an out-of-court divorce without court approval or recognition, or making a false confession, it is punishable by a fine of RM1,000 or imprisonment of up to six months, or both. AMLA is the establishment of the Singapore Islamic Religious Council. This parliament has a Law Committee whose members are Singaporean Muftis, namely: two members of Parliament and two non-Parliamentary members. The Legal Council functions to issue fatwas relating to Islamic law. The judge (court) will first appoint a peacemaker to try to mediate. The State of Brunei Darussalam in Divorce can also be done through divorce. Article 145 determines that a husband and wife are divorced if they divorce without the husband's consent or a divorce agreement. The country of Thailand in the Compilation is about divorce procedures. In the Compilation, articles 82 to 112 regulate divorce. In simple terms, this compilation distinguishes four divorce procedures, namely talk, khulu', talk with ta'liq, and fish. The Philippine state in divorce is the official dissolution of the marriage bond by this Code which will be granted only after the exhaustion of all possible means of reconciliation between...
husband and wife. In Laos, there are two types of divorce: 1. Intentional divorce; 2. Divorce by court decision.

Reviewing Islamic law regarding mediation in reducing the divorce rate, it is clear that Islamic law requires peace if there is a dispute between husband and wife in the household. Because in Islamic law there is a hakam as a representative for the husband and wife if there is a dispute in the household to seek peace between the two. Mediation is the realization of Islamic law in carrying out efforts to reconcile disputes, as well as implementing government regulations, namely PERMA No. 1 of 2016 concerning mediation.

REFERENCES