



The Relationship Between Elements of Gender Injustice and Divorce in Makassar City's Religious Courts (Data from 2017 To September 2021)

Arfan M*; Mansur Radjab; Mardiana E Fachri

Gender and Development Programme, Postgraduate Universitas Hasanuddin, Indonesia.

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* Corresponding author;
arfanfate@gmail.com

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ABSTRACT

The purpose of this study is to gather background information on the growing number of divorce cases in the Religious Courts Class IA Makassar and to examine the causative elements that arise from the divorce case. The researchers employed a qualitative technique to accomplish this purpose. This study is place in Makassar's Religious Courts Class I.A (first level). Primary data sources (key informants) and secondary data sources (official documents such as case reports and/or divorce case files from 2017 to September 2021) were used in this study. In this study, data was gathered through interviews with Makassar Religious Court Judges and documents. The descriptive qualitative data analysis approach is used, and the resulting data is then processed using descriptive analysis. According to the study's findings, the Religious Courts classify the causes for divorce as follows: 1) Zina, 2) Drunk, 3) Madd 4), gambling, 5), abandoning one of the parties, 6) Sentenced to incarceration, 7) Polygamy, 8) Domestic Violence, 9) Body Disability, 10) Constant Discord, 11) Forcible Marriage, 12) Apostate, and 13) Economy.



INTRODUCTION

Every human person who lives in a marriage bond must wish for the family he nourishes to operate in peace and to be blessed by God Almighty at all times. Marriage is a physical and spiritual relationship formed legally between a husband and wife in order to build a happy and eternal family (home) in accordance with their respective religions and beliefs (Matondang 2014). In recent years, the growth of divorce has been a frequently debated issue. As has been extensively documented in the media, there has been a rise from year to year. Divorce can be caused by a variety of factors, including the economics or an issue with domestic discord. Table depicts the evolution of divorce in Makassar City Religious Court over the last five years based on the kind of case as follows:

No.	Year	Number of Jobs Completed	Divorce Talaq	Case Type		
				%	Divorce	%
1	2017	2,471	665	27%	1806	70%
2	2018	2,680	714	27%	1966	70%
3	2019	2.966	723	24%	2243	72%
4	2020	2,694	709	26%	1985	70%
5	Jan-Sep 2021	2.003	477	24%	1526	70%

Table demonstrates a rise in the number of divorces, either by talak divorce or sued divorce suggested by the woman. Where divorce appears to be considerably more common, this demonstrates that women (wives) have recognized their entitlement to better treatment in the home. Divorce can be caused by a variety of factors, one of which is a lack of hormonal interactions in the home, requiring both men, wives, and children to work together to establish family situations that are *sakinah*, *mawaddah*, and *warrahmah*. To establish such conditions, it is not only on the shoulders of the woman (as a housewife) or husband (as the head of the family) alone, but on both of them working together to continually develop and sustain the marriage's integrity.

The reality that shows the divorce rate is increasing can be triggered by social pressure in society that divorce is no longer a taboo or disgrace in society, divorce has become a common thing, despite the fact that divorce is defined by Subekti (1998:43) as "the abolition of marriage by a judge's decision, at the request of one of the parties to the marriage." According to Razak (2001: 34), divorce is "the dissolution of a marital partnership." The same point is made in Law No. 1 of 1974, which states that "marriage is an inner and outer relationship between a man and a woman as husband and wife with the goal of building a joyful and eternal family (home) based on the One Godhead."

Divorce concerns are governed by Law No. 1 of 1974, which is divided into the following articles: According to Article 38, a marriage can be ended owing to death, divorce, or a judicial ruling. Article 39, Divorce can only be carried out in front of the Court Session involved if the two parties have tried and failed to reconcile; In order to divorce, there must be a cause why the husband/wife cannot live in peace as husband and wife; Article 40, a divorce lawsuit is filed with the court; the procedure for filing the case in paragraph (1) of this Article is governed by a separate statute.

Divorce is also on the rise as a result of societal factors. People currently believe that marriage is no longer a holy institution. When there is discord in the household, which generates disputes in the family and leads to divorce, both husband and wife no longer seek marriage, which should be kept intact and lasting. Children who are the result of the marriage will bear the brunt of the consequences of divorce.



METHOD

The method used in this research is a qualitative research method (Siburian 2019). Data in the form of descriptions of words, views, attitudes, concepts, standards, or laws of the topic under investigation are features of qualitative research. In this study, qualitative data from interviews and other data sources relevant to the divorce procedure in Religious Courts were used (key informants). The study site is in Makassar, and the permanent site is the Makassar Class IA Religious Court, which is located at Jalan Perintis Kemerdekaan KM 14. This is a site where the author may easily access and acquire data from.

This research is divided into four stages: 1) planning, 2) preparation, 3) implementation, and 4) writing. In this essay, the primary data sources are informants, who are Religious Court Judges. While the secondary data sources employed include papers in the form of Religious Court reports, as well as various rulings with permanent legal power (Inkracht). These materials were collected between 2017 and September 2021. The data gathered from the study's findings were compiled and assessed qualitatively before being detailed descriptively to create a picture that can be readily understood and directed to address the concerns studied.

RESULTS AND DISCUSSION

Factors That Lead to Divorce

Marriage is essentially permanent, lasting until the death of one of the husband and wife. According to the Law of the Republic of Indonesia No. 1 of 1974 on Marriage, the objective of marriage is to create a happy family. Aside from that, the circumstances that lead to divorce are very individual and complicated, and each family has distinct challenges. For example, the elements that lead to divorce in the home are first economic considerations; in today's society, the degree of economic needs requires both couples to labor to satisfy the family's economic needs. The paradigm of family division of labor in society is that the husband is in the public sector due to his position as the family's primary breadwinner, while the wife is in the domestic sector, managing the household and children at home. Furthermore, a woman who is more active outside the house is typically regarded as undesirable or taboo. However, in fact, especially in low-income households, many housewives are involved in public activities as breadwinners. Unsupported economic level or poverty that causes women to labor under any conditions to fulfill their families' economic necessities (Kusumawati 2012). Aside from economic issues, the presence of a third party and a moral dilemma are also partners in conflict. This type of thing can lead to a series of squabbles that eventually end to divorce.

The Religious Courts have classified the causes for divorce in adjudicating cases, based on Article 19 of Government Regulation Number 9 of 1975, namely: 1). Zina, no. 2) 3). Drunk. Madd (4th). 5), Gambling, 6), Leaving one of the parties Sentenced to prison, 7). 8). Polygamy Domestic Violence (PDV), number 9). Disability of the Body (10). 11). Constant disagreement. 12 Forced Marriage). 13th Apostate). There's a financial issue. The following is a breakdown of divorces filed at the Makassar Religious Court in the last five years:

1. Divorce Rates at the Makassar Religious Court in 2017

According to statistics gathered from Religious Courts, the divorce rate is 1,866 cases. As shown in the chart below, the element of ongoing arguments and quarrels dominates divorce in the Makassar Religious Court, accounting for 1,486 instances or around 80% of all divorces.

Table 1. Factors Causing Divorce at the Makassar Religious Court in 2017

No.	Factors Causing Divorce	Angka Perceraian	%
1	Continuous Discord	1486	80%
2	Leaving One Party	206	11%
3	Economy	65	3%
4	PDV	63	3%
5	Drunk	17	1%
6	Polygamy	10	1%



7	Apostate	10	1%
8	Sentenced to Jail	3	0%
9	Adultery	2	0%
10	Forced Marriage	2	0%
11	Gambling	1	0%
12	Body Disability	1	0%
13	Opium	0	0%
Total Case		1.866	

2. Divorce Rates at the Makassar Religious Courts in 2018

According to statistics received from Religious Courts, the divorce rate in 2018 was 2,196 instances. The frequency of ongoing arguments and quarrels dominates the divorce factor, accounting for 1,733 instances or almost 79 percent, as shown in the table below:

Table 2. Number of Causes of Divorce in Religious Courts in 2018

No.	Factors Causing Divorce	Amount	%
1	Continuous Discord	1733	79%
2	Leaving One Party	296	13%
3	Economy	67	3%
4	PDV	59	3%
5	Polygamy	10	0%
6	Drunk	9	0%
7	Apostate	8	0%
8	Forced Marriage	6	0%
9	Sentenced to Jail	3	0%
10	Opium	2	0%
11	Gambling	2	0%
12	Body Disability	1	0%
13	Adultery	0	0%
Total Case		2196	

3. Divorce Rates at the Makassar Religious Court in 2019

According to data gathered from Religious Courts, the divorce rate in 2019 was 2,516 cases. The occurrence of continuous disputes and quarrels dominates the divorce factor, accounting for 1,823 cases, or approximately 79 percent. The issue we have to look at is when one of the variables in divorce is due to economic concerns. According to the data, economic causes driving divorce were just 67 instances, or roughly 3%, in 2018, but 201 cases, or 8%, in 2019. One of the major causes of conflict in household relationships during the pandemic is the worsening economic situation. In his investigation, Fauziah et al. (2020) stated that during the COVID-19 pandemic, the divorce rate in Indonesia increased by 5% owing to economic hardships. Many women are affected by this conflict as a result of the pandemic's increasing load on women, women's mental instability, and domestic violence (Hutabarat, et al, 2020; Bakhtiar, 2020).



Table 3. Number of Causes of Divorce in Religious Courts in 2019

No.	Factors Causing Divorce	Number of Cases	%
1	Continuous Discord	1823	72%
2	Leaving One Party	371	15%
3	Economy	201	8%
4	PDV	64	3%
5	Polygamy	17	1%
6	Drunk	13	1%
7	Apostasy	13	1%
8	Forced Marriage	7	0%
9	Sentenced to Jail	5	0%
10	Opium	1	0%
11	Gambling	1	0%
12	Body Disabled	0	0%
13	Adultery	0	0%
Total Case		2.516	

4. Divorce Rates at the Makassar Religious Court in 2020

According to Religious Court data, the divorce rate in 2020 was 2,171. The occurrence of continuous disputes and quarrels dominates the divorce factor, accounting for 1,714 cases or approximately 79 percent, as shown in the table below:

Table 4. Number of Causes of Divorce in Religious Courts in 2020

No.	Factors Causing Divorce	Year 2020	%
1	Continuous Discord	1.714	79%
2	Leaving One Party	303	14%
3	Economy	81	4%
4	PDV	44	2%
5	Drunk	9	0%
6	Apostate	7	0%
7	Forced Marriage	6	0%
8	Adultery	3	0%
9	Polygamy	2	0%
10	Sentenced to Jail	1	0%
11	Gambling	1	0%
12	Opium	0	0%
13	Body Disabled	0	0%
Total Case		2.171	



5. Divorce Rates at the Makassar Religious Court in January to September 2021

According to data obtained from Religious Courts, the divorce rate in 2021 was 1,705 cases. The occurrence of continuous disputes and quarrels dominates the divorce factor, accounting for 1,396 cases, or approximately 82 percent, as shown in the table below:

Table 5. Number of Causes of Divorce in Religious Courts in 2021

No.	Factors Causing Divorce	Number of Cases	%
1	Continuous Discord	1.396	82%
2	Leaving One Party	210	12%
3	Economy	48	3%
4	PDV	39	2%
5	Apostasy	7	0%
6	Drunk	2	0%
7	Body Disability	1	0%
8	Opium	1	0%
9	Forced Marriage	1	0%
10	Adultery	0	0%
11	Gambling	0	0%
12	Sentenced to Jail	0	0%
13	Polygamy	0	0%
Total Case		1.705	

Factors Dominating Divorce in Makassar City

As the data presented above, it is clear that there are 4 factors that dominate the causes of divorce in Makassar City as shown in the following table:

No.	Reason for Divorce	YEAR				
		2017	2018	2019	2020	Jan-Sep 2021
1	Continuous Discord	1.486	1.733	1823	1714	1.396
2	Leaving One Party	206	296	371	303	210
3	Economy	65	67	201	81	48
4	PDV	63	59	64	44	39

The causes of divorce from 2017 to September 2021 are shown in the table above, with Continuous Disputes over Reasons for Divorce ranking first, followed by Reasons for Divorce Leaving One of the Parties, Economic Problems, and PDV ranking second. Of the four reasons for divorce listed above, it is sometimes influenced by the main factors that cause disharmony in the household, such as when a moral crisis, economic problems, and/or third-party disturbances cause household conflicts, it is likely to result in domestic violence, do not respect your partner, and so on, resulting in continuous disputes in the household and even leaving your partner. During an interview, Drs. H. M. Alwi Thaha, S.H., M.H (Young Main Judge) of the Makassar Religious Court stated, "The main factors that are more dominant in causing divorce factors in the Makassar Religious Court are the Moral, Economic Crisis, and interference from third parties that can disrupt household harmony."



The Influence of Elements of Gender Injustice as a Cause of Divorce

Gender discourse first emerged in Indonesia in the 1980s. Gender has grown much faster and more productively in the last five years than any other issue, including equally important pluralist issues. Gender is not a problem unless it causes injustice, particularly for women (Sidiq and Erihadiana 2022). This movement was inspired by a desire for a more equitable representation of women in various aspects of life, as they had previously felt marginalized, weakened, and even "colonized" both structurally and culturally. So far, society's cultural understanding of gender and sex issues is flawed. They do not correctly distinguish the meaning, so both (gender and sex) are considered the same. As a result, the social structure unfairly pits women against men. Women are considered to be a part of men and must be subject to men's power, control, and protection (Afandi 2019). Society plays a role in shaping the behavioral patterns and physical characteristics that men and women are expected to have. This construction demonstrates how gender is constructed by culture and does not occur naturally (Intan 2020). Justice and equality are the fundamental ideas, main goals, and missions of human civilization in order to achieve prosperity, create harmonious social and state life, and create quality families. Gender equality and justice are marked by the absence of discrimination between men and women, allowing them equal access, participation, and control over development, as well as equal and fair benefits from development (Astina 2016).

Gender, according to the World Health Organization (WHO), refers to the socially constructed characteristics of men and women, whereas sex refers to biologically determined characteristics. People who are born female or male but learn to be female or male as they grow into female or male individuals. These learned behaviors shape gender identity and influence later gender roles. Gender creates differences between men and women in all aspects of human life, including social creations in which women hold a lower position than men (Dianita 2020). It is critical to emphasize the importance of understanding that gender roles are dynamic while also being aware of their boundaries (Sany and Rahardja 2016).

Gender relationships frequently develop based on the perception that femininity is the other, resulting in unequal treatment (Wardani and Geleuk 2020). Gender inequality manifests itself in a variety of ways, all of which influence one another dialectically. There is no more important or necessary manifestation of gender inequality than another. For example, economic marginalization of women occurs as a result of certain stereotypes of women, and it contributes to subordination and violence against women, which is eventually socialized in women's beliefs, ideologies, and visions (Bukido 2006). Injustice and gender discrimination manifest themselves in a variety of ways, including marginalization, subordination, stereotypes, violence, and workload. There have been numerous instances of injustice in society as a result of gender discrimination (Astuti, Mulawarman, and Rokhmansyah 2018).

1. Marginalization (the process of marginalization or impoverishment)

Gender marginalization is one of the forms of discrimination against men or women (Novianti et al. 2022). Marginalization is a process in which women are marginalized due to a lack of access to resources or impoverishment as a result of gender construction in society. Women, for example, are considered domestic beings; they are more directed in matters pertaining to housework, and thus the wife will be economically dependent on the economy. In her book, Murniati A. Nunuk (2004) defines marginalization as "the placement or shifting to the periphery." Marginalization is the process of ignoring the rights that marginalized parties should have. However, these rights are ignored for a variety of reasons.

According to some of the above opinions, the relationship between elements of gender inequality "Marginalization" is related to the divorce factor, where the cause of divorce is the presence of a third party (infidelity) that disrupts household harmony. This is due to the fact that infidelity can lead to the neglect of all rights of the husband/wife in terms of responsibilities, obligations, and economics, resulting in one party being marginalized in the household. Gender marginalization is caused by differences in gender roles, which in turn cause differences in gender roles. Gender role differentiation,



according to Fredinan Tonny Nasdian (2015), is defined as assessing and treating differently what is the responsibility and work of men and women. This gender difference is relative because it can vary between socio-cultural communities, socioeconomic groups, and age groups (Alamona, Zakarias, and Kawung 2017). We can see this in the table of the Makassar Religious Court Decisions relating to the following Marginalization:

Nomor Putusan	Tahun Putus	Jenis Perkara	Alasan Percecakan
2132/Pdt.G/2016/PA MKS	2017	Ceraai Gugat	1. Tengugat tidak bertanggungjawab atas pemenuhan nafkah / ekonomi Penggugat dan Tengugat tidak memberikan kepercayaan pada Penggugat untuk mengelola keuangan rumah tangga ; 2. Tengugat Sering menyakit badan Penggugat dengan jalan Memukul
2180/Pdt.G/2016/PA MKS	2017	Ceraai Gugat	Isar belakang dan penyebab terjadinya perselisihan dan perengkaran tersebut antara lain : Tengugat sama sekali tidak mau memperhatikan Penggugat beserta anaknya, yakni ia lebih memprioritaskan diri sendiri daripada kepentingan rumah tangga.

2. Subordinate

Men play a dominant role in society, while women have little influence or can be said to have no rights in general areas of society, including economic, social, political, and psychological issues, including the institution of marriage. As a result, women are placed in a subordinate or inferior position (Irma and A 2017). According to the Supreme Court of the Republic of Indonesia's (2018) Handbook on Judging Women's Cases Against the Law, subordination is a condition in which women are placed in a subordinate (lower) position than men, whether in private or public spaces. In a family, for example, women are rarely given the opportunity to participate in decision-making or to express their opinions. Examples of function and role distinctions include:

- a. The woman must be gentle, emotional, beautiful, patient, and compassionate while educating children, cooking, washing, going to the market, cleaning the house, and performing other household tasks.
- b. Husband/man must be strong, rational, authoritative, mighty (macho), breadwinner, head of the household, family priest, and so on. This gender disparity frequently leads to gender inequality.

According to another study, the high divorce rate is influenced by women's increasing education, open insight due to the influence of electronic media, and the wife's ability to increase the capacity of the economy for herself. This is what shifts the influence of patriarchal culture, which places women in a subordinate position, allowing them to make their own decisions. The authors drew a sample of court decisions as a result of subordination in the household, where this factor caused divorce, from the study's findings.



Table 6. Sample of Religious Court Decisions relating to Subordinates

Nomor Putusan	Tahun Putus	Jenis Perkara	Alasan Perceraian
1977/Pdt. G/PA.Mks/2017/PA.Mks	2018	Cerai Talak	<p>latar belakang dan penyebab terjadinya perselisihan dan pertengkaran tersebut, antara lain sebagai berikut:</p> <p>Termohon/Istri, Tidak mau/menolak untuk tinggal bersama Pemohon (suami) ditempat tinggal pemohon dengan berbagai alasan yang tidak benar</p>

The above-mentioned case of 1977/Pdt.G/PA.Mks/2017/PA.Mks is a talak divorce case in which the Petitioner is the respondent's legal husband who is a member of the Indonesian National Police who works in Palopo city, and the defendant/wife is a housewife who also works as a doctor in Makassar City. The element of Stereotype influences this case because the husband in the household is the leader and head of the household, and the respondent/wife must obey and submit to her husband. Meanwhile, the element of Subordination, in which the respondent/wife is subordinated by the husband's insistence, must come and live together as a member of the Indonesian National Police who lives in another city, while the respondent, who is a doctor by profession, must be maintained in Makassar.

3. Stereotypes

The differences between men and women, according to the nurture theory, are the result of socio-cultural construction. Stereotypes emerge as a result of the socio-cultural construction that places men in a dominant position over women, with men having greater authority than women (Ulhasanah 2020). Stereotypes, in general, are the labeling or marking of a specific group, which is often harmful and causes injustice. Gender differences contribute to one type of stereotype. For example, if a stereotype begins with the assumption that women dress up to attract the attention of the opposite sex, every case of violence or sexual harassment is always associated with that stereotype, giving rise to the negative assumption that what causes women to be sexually harassed is the woman's fault. Specific depictions of feminine gender stereotypes are also mentioned by Alan and Coltrane (1996). The feminine gender stereotypes are then seen to be women as followers, women as dependent, women as respectful, women as passive, and women as emotional (Minanlarat, Hadi, and Budiana 2018).

The following are some examples of stereotypes against women as mentioned in Article 5 of PERMA No. 3 of 2017: a. Women are physically weak; b. Women must be submissive and obedient to their husbands in all circumstances; c. A good woman is sexually pure; d. Good women are unlikely to be victims of abuse; e. Women are the only parties who must be responsible for children; f. Being alone at night or wearing certain clothes makes women responsible if they become victims of a crime; g. Women are emotional and frequently overreact and dramatize; h. Women, to varying degrees, contribute to the occurrence of harassment or rape and share in the enjoyment of rape; i. A woman who goes out at night is not a good woman. The case example is the same as case Number 1977/Pdt.G/PA.Mks/2017/PA.Mks.



4. Double Load

Multiple roles are two or more roles that run concurrently. The role in question in this case is that of a woman as a wife to her husband, a mother to her children, and a woman with a career outside the home. This dual role complements women's traditional roles as wives and mothers in the family, as well as husbands' partners in fostering the household, providing household needs, and nurturing and educating children (Suryadi, 2004). There are six aspects of dual role conflict, according to Kopelman and Burley (in Ghufron, 2013: 118).

a. Issues with parenting.

In general, they are concerned about their children's physical and spiritual health, and thus demand their attention, energy, and thought at home while they are at work.

b. Help with housework.

Women who play multiple roles require assistance from a variety of parties, including husbands, children, and household assistants, in order to participate in domestic affairs.

c. Interaction and communication with family.

Communication is a method of interacting with others.

d. Make time for your family.

Working women frequently feel a lack of time for their husbands, children, and even themselves.

e. Establishing priorities.

Priorities are assigned based on the individual's interests, so that there is no conflict between one interest and another.

f. Work and family responsibilities.

There will be numerous problems at work that require the worker to solve. Similarly, there will be a lot of homework that needs to be completed at home. These demands can be a source of stress for someone, resulting in a conflict within him.

Gender inequality results from the existence of a social construction that appears to be a divine decree and an obligation that men and women must obey. Gender inequality in society's culture, also known as the patriarchal system, is a system and structure built for the benefit of men. It is men who build the system that causes women to be dominated by men. Finally, women in the current system become victims (Permana and Maulana 2020). Inequality and injustice that women face in any industry should never have occurred if men and women were able to position themselves as trustworthy partners in completing their tasks. Partners who have a balanced, harmonious, and synergistic relationship, as opposed to a spirit of rivalry that conquers, dominates, and dominates each other (MA 2017).

5. Violence

Women, as the most vulnerable party to violence, are associated with marginalization, subordination, and stereotypes. The most common types of violence experienced by women are rape, sexual harassment, and robbery (Syafe'i 2015). Cases of violence against women are a relatively rare occurrence in our country, Indonesia. Data show that the number of incidents of violence against women rises year after year. According to the National Commission on Violence Against Women (2016 and 2018), cases of violence against women in Indonesia are on the rise. There were 119,107 cases in 2011, which increased to 279,688 cases in 2013, and then to 321,752 cases in 2015. According to the most recent data, there were 406,178 cases of violence against women in 2018 (Doko 2019). According to Law no. 23 of 2004, acts of violence against wives in the household are divided into 4 types:

a. Physical abuse, such as kicking, grabbing, slapping, hitting, biting, killing, denying access to health care, sleeping, eating, using drugs, burning with cigarettes, injuring with weapons, and so on. In most cases, the injuries or signs of violence appear as a blue face, bruises, broken teeth, and other scars.

b. Psychological and emotional violence (psychological and emotional), instilling fear through intimidation, threatening to hurt, kidnapping, detaining, damaging the relationship between parents



and children or siblings, discouraging, insulting, cursing, yelling, comments intended to demean and injure others' personality, self-esteem, and self-concept. As a result of this violence, not only is it impossible to act, but it is also impossible to avoid future persecution.

- c. Sexual abuse, which includes forcing sex without consent, abusing during sex, and insisting on sex after the abuse. Forced to work as a prostitute and have sex with other people. Isolating the wife from her inner needs is also part of this violence.
- d. Economic abuse, such as preventing independence and earning their own income by working inside or outside the home, controlling income and spending by limiting all expenditures.

For many women, the psychological effects of abuse are more severe than the physical effects. Long-term reactions to violence include fear, anxiety, fatigue, post-traumatic stress disorder, and eating and sleeping disorders (Ramadani and Yuliani 2015). Because PDV occurs in an enclosed space, it is frequently undetected by close neighbors, let alone the state. As a result, determining the actual number of PDV victims is difficult. However, as institutions that provide services to victims of PDV have grown and the legal framework protecting victims' rights has been legalized, victims of PDV have begun to seek and receive assistance (Rofiah 2017).

Based on the study's findings, the authors hypothesize that one of the factors causing divorce in Religious Courts is related to the element of gender injustice, with only domestic violence recorded in detail case data. Because this issue must be related to article 19 of Government Regulation No. 9 of 1975 relating to the implementation of Law No. 1 of 1974, where this regulation serves as the foundation for determining the factors that cause divorce. The following table shows the divorce rate due to domestic violence based on data from the Makassar City Religious Court:

Year	Number of PDV Cases
2017	63
2018	59
2019	64
2020	44
Jan-Sep 2021	39

From the results of research on decision documents at the Religious Courts on Violence, here are some samples of divorce decision documents on the grounds of divorce:

Table 7. Makassar City Religious Court Decisions with Types of Domestic Violence Cases

Nomor Putusan	Tahun Putus	Jenis Perkara	Alasan Perceraian
1727/Pdt.C/2018/PA. Mks	18 September 2018	Cerai Gugat	<p>latar belakang dan penyebab terjadinya pemutusan dan penghapusan ikatan, antara lain sebagai berikut:</p> <ol style="list-style-type: none"> 1. Tergugat sering marah-marah tanpa ada alasan yang jelas dan ketika marah sering mengucapkan kata-kata kasar yang tidak pantas di dengar; 2. Tergugat sering minum-minuman keras; 3. Tergugat sering melakukan tindakan kekerasan (pemukul) Tergugat lebih mementingkan dirinya sendiri (egois).
1748/Pdt.C/2017/PA. Mks	18 Januari 2018	Cerai Gugat	<p>Alasan Perceraian sebagai berikut:</p> <ol style="list-style-type: none"> 1. Bahwa Tersebutan bergesang temperamen/pemarah bahkan sampai melakukan pemukul; 2. Bahwa Tersebutan sangat menyalah keluarga pemohon terutama menghor, mengudat dan mengancam pemohon; 3. Bahwa Tergugat sangat peka masalah kasarian.



CONCLUSIONS

According to the findings of the above-mentioned study, the divorce rate data that occurs in the Makassar City Religious Court is dominated by divorce cases of approximately 70% and divorce cases of approximately 20%. We can conclude that women's awareness of injustice can erode the patriarchal culture that has been entrenched since ancient times. Divorce can be caused by a variety of factors, one of which is not hormonal relationships in the home. To create harmony in the household, it is not only on the shoulders of the wife (as a housewife) or husband (as the head of the household) alone, but on both of them working together to continuously build and maintain the household's integrity. As a result, gender differences are not a problem as long as they do not result in gender inequalities. This means that any aspect where there is a gender difference will always result in injustice, for both men and women.

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