

Optimizing the Role of Muslim Marriage Registrars (Penghulu) in Fostering Sakinah Families in Semarang Regency: An Islamic Family Law Perspective

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Abstract

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Marriage administration in Indonesia often emphasizes legal validity and registration, while marital stability depends on how legal norms are understood and practiced throughout family life. This gap raises a socio-legal problem concerning the capacity of the penghulu to connect Islamic family-law norms with the everyday realities of Muslim couples. This article examines the role of penghulu in fostering sakinah families in Semarang Regency and evaluates how that role can be institutionally strengthened. A qualitative socio-legal approach is employed by combining empirical materials on marriage guidance, counseling, consultation, and family practices with normative analysis of Islamic family law. The analysis shows that the penghulu performs administrative, educative, preventive, consultative, and exemplary functions, yet these roles remain constrained by limited time, facilities, human resources, professional capacity, and continuity of services after marriage. Effective family governance requires an integrated model linking premarital guidance, marriage administration, post-marital consultation, and professional referral. The article contributes to legal theory and socio-legal scholarship by conceptualizing the penghulu as a socio-legal actor who mediates between state regulation, Islamic normativity, and lived family realities. This model places legal effectiveness not only on formal compliance but also on institutional capacity to sustain legal consciousness, reciprocal responsibility, family protection, and *maslahah*.

Keywords

Penghulu; Sakinah Family; Islamic Family Law

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INTRODUCTION

Marriage occupies a central position in Islamic family law because it establishes not only a legally recognized union between two individuals but also a structure of rights, obligations, moral commitments, and social responsibilities. The Qur'anic characterization of marriage as *mitsāqan ghalīẓan*, a solemn covenant, indicates that marital legality cannot be separated from the responsibility to preserve the relationship.¹ Marriage is expected to secure tranquility, mutual

¹ Eva F Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018): 291–309, <https://doi.org/10.1017/jlr.2018.28>.

care, protection, and social welfare rather than merely satisfy formal requirements of legal validity.

This substantive understanding is closely associated with the concept of the *sakinah* family. *Sakinah* refers to tranquility and security in marital life, while *mawaddah* and *rahmah* emphasize affection and compassion between spouses. Qur'an 30:21 places these values at the foundation of marital relations. Their legal significance lies in the expectation that marriage should generate welfare for its members rather than operate merely as a valid contract. Mutual recognition (*ta'āruf*), mutual understanding (*tafāhum*), mutual assistance (*ta'āwun*), mutual protection (*takāful*), consultation, and shared responsibility further indicate that family stability rests upon reciprocity rather than unilateral authority.² Indonesian Islamic thought has developed related formulations through the concepts of *keluarga sakinah* and *keluarga maslahah*, both of which associate marital harmony with responsibility, religious commitment, mutual respect, and social benefit.

The normative promise of Islamic family law, however, does not automatically become social practice. A marriage may satisfy religious and statutory requirements while remaining vulnerable to poor communication, unequal responsibility, economic pressure, inadequate understanding of marital rights and obligations, or ineffective dispute management. This distinction is important to legal theory because it exposes the distance between law as a normative arrangement and law as a lived social practice.³ Family law cannot be assessed solely by asking whether a marriage has been validly concluded or formally registered. Its social effectiveness also depends on whether legal norms are understood, internalized, and translated into practices capable of sustaining family relationships.

The governance of Muslim marriage in Indonesia illustrates this tension. State regulation has progressively incorporated Muslim marriage into an administrative system linking religious validity with legal recognition. Existing scholarship has examined the bureaucratization of Muslim marriage, the authority of religious officials, marriage registration, and interactions between state institutions and local religious actors.⁴ These studies have demonstrated that marriage administration is not merely technical or clerical. It also reflects negotiations between state law, religious norms, bureaucratic authority, and social practices.

Another body of scholarship has focused on premarital guidance and marriage counseling. Such studies commonly evaluate the implementation, management, effectiveness, or educational content of marriage guidance programs for prospective spouses. A separate strand of research has examined the *sakinah* family as a normative ideal rooted in Islamic family law, *maqāṣid al-sharī'ah*, marital ethics, and Indonesian Muslim family discourse. These studies have

² Citra Sari, Elce Purwandari, and Depi Putri, "Digital Da'wah, SIMKAH, and Religious Bureaucracy in Indonesian Islamic Marriage Governance," *Anida (Aktualisasi Nuansa Ilmu Dakwah)* 26, no. 1 (2026): 205–32, <https://doi.org/10.15575/anida.v26i1.56014>.

³ Rena Latifa, "Contributing Factors of Family Resilience in Moslem Population," *Jurnal Indo-Islamika* 14, no. 2 (2024): 432–43, <https://doi.org/10.15408/jii.v14i2.42507>.

⁴ Abdullah, "The Impact of Theological Interpretations on Divorces within Muslim Families in Makassar City, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 1 (2024): 339–60, <https://doi.org/10.22373/sjhk.v8i1.20621>.

contributed significantly to understanding marriage governance, premarital preparation, and Islamic conceptions of family welfare.

Nevertheless, these strands of scholarship tend to develop separately. Studies concerning penghulu frequently emphasize marriage registration, administrative authority, bureaucratic relations, or the legal recognition of Muslim marriages. Research on marriage guidance commonly treats premarital counseling as a specific program whose implementation and effectiveness can be evaluated independently. Scholarship on sakinah families, meanwhile, often concentrates on normative ideals, marital ethics, or particular family practices.⁵ Less attention has been devoted to the relationship among these three dimensions: the institutional authority of the penghulu, the preventive and educative functions of Islamic family law, and the continuing formation of sakinah families after a legally valid marriage has been concluded.

This analytical separation leaves an important socio-legal question unresolved. If Islamic family law seeks not only to establish marital status but also to protect welfare, prevent harm, maintain reciprocal rights, and promote stable family relations, the role of the state religious official responsible for Muslim marriage cannot be understood exclusively through administrative functions. The issue is not simply whether penghulu should perform additional duties.⁶ The more fundamental question concerns how the institutional character of the office should be understood when formal legal responsibilities intersect with the social need for family education, early conflict prevention, counseling, and continuing marital assistance.

The penghulu occupies a distinctive position at this intersection. As a Muslim marriage registrar and religious official serving at the Kantor Urusan Agama, the penghulu directly encounters prospective spouses at a decisive stage of their transition into married life. The office combines formal administrative authority, knowledge of Islamic marriage law, religious legitimacy, and direct contact with the community. These characteristics create an institutional capacity that extends beyond verifying marriage requirements and recording marital status. The penghulu can potentially translate legal and religious norms into practical guidance that prospective and married couples can understand and apply.

This broader role is particularly relevant in Semarang Regency. Research data recorded 2,339 divorce cases in 2022 and 2,080 cases in 2023. Although the number declined, the continuing incidence of divorce indicates that marital resilience remains a significant social concern. Divorce statistics should not be interpreted simplistically as proof that marriage guidance has failed, since divorce may result from diverse circumstances and may constitute a lawful response to harmful marital relations.⁷ They nevertheless raise an institutional question concerning the availability and

⁵ Zezen Zainul Ali, "Marriage Administration Brokers: The Rational Action in the Practice of Delegating Marriage Administration in Central Lampung," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 17, no. 1 (2024): 1–20, <https://doi.org/10.14421/ahwal.2024.17101>.

⁶ Cindera Permata, "When State Regulates Husband's Idah: Pros and Cons among Penghulu in Yogyakarta," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 16, no. 2 (2023): 281–301, <https://doi.org/10.14421/ahwal.2023.16205>.

⁷ Muhammad Lutfi Hakim, "Implementasi, Kendala Dan Efektifitas Kursus Pranikah Di KUA Kecamatan Pontianak Tenggara," *Al-Istinbath: Jurnal Hukum Islam* 5, no. 2 (2020): 311–28, <https://doi.org/10.29240/jhi.v5i2.1817>.

effectiveness of preventive assistance before family conflicts become increasingly difficult to resolve.

Empirical findings from Semarang Regency show that penghulu already perform activities extending beyond marriage solemnization and registration. Their work includes premarital advice, marriage guidance, counseling, the distribution of sakinah family materials, direct consultation, online consultation, and adjustments to guidance materials according to community needs. Such practices indicate that the role has already developed educational, preventive, and consultative characteristics.⁸ The empirical reality therefore challenges a narrow conception of penghulu as officials whose responsibility ends once a marriage has been lawfully solemnized and registered.

The existence of these practices, however, does not automatically guarantee effective family guidance. Limited time, facilities, human resources, financial support, participant attendance, educational differences, and the varied characteristics of prospective spouses constrain the implementation of guidance programs. These limitations reveal that optimization cannot simply mean assigning additional responsibilities to individual penghulu. Expanding the role without adequate institutional support risks producing formal obligations that cannot be implemented consistently.⁹ The issue consequently concerns institutional capacity as much as individual competence.

A further weakness concerns the continuity of family guidance. Premarital education is important for introducing prospective spouses to marital rights, responsibilities, communication, conflict management, religious values, and family planning. Yet family problems continue to evolve after marriage. Changes in employment, finances, parenthood, interpersonal expectations, health, social relations, and household responsibilities may generate difficulties that cannot be fully anticipated before the wedding. A system concentrated primarily on premarital preparation risks treating marital readiness as a one-time intervention rather than a continuing process.

The normative ideal of the sakinah family requires a different approach. Tranquility, affection, reciprocity, consultation, and responsibility are not achieved once at the beginning of marriage; they must be maintained throughout family life. This creates a strong basis for connecting premarital preparation with accessible post-marital consultation and preventive assistance.¹⁰ Family guidance can therefore be understood as a continuum beginning before marriage and remaining available when couples encounter difficulties after the marriage has been concluded.

This study positions the penghulu as a frontline socio-legal actor situated between state regulation, Islamic normativity, and the lived realities of Muslim families. This formulation does

⁸ Fatum Abubakar, "Qadhi Legitimization: Shifting Roles of the Penghulu in Ternate and Tidore Sultanates, Indonesia," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 25, no. 1 (2025): 139–64, <https://doi.org/10.18326/ijtihad.v25i1.139-164>.

⁹ Maria Gayatri and Dian Kristiani Irawaty, "Family Resilience during COVID-19 Pandemic: A Literature Review," *The Family Journal* 30, no. 2 (2022): 132–38, <https://doi.org/10.1177/10664807211023875>.

¹⁰ Zeinab JavadiVala, "Improved Couple Satisfaction and Communication with Marriage and Relationship Programs: Are There Gender Differences? – A Systematic Review and Meta-Analysis," *Systematic Reviews* 10 (2021): 178, <https://doi.org/10.1186/s13643-021-01719-0>.

not diminish the administrative authority of the penghulu. Instead, it explains why that authority can provide an institutional entry point for legal education, family guidance, and preventive intervention. The role becomes significant not merely because the penghulu administers marriage law, but because the office can help translate legal norms into social practices affecting the quality and continuity of family relationships.

On this basis, the article distinguishes between two institutional orientations. The first is an event-based administrative model centered primarily on the legal moment of marriage through document verification, solemnization, and registration. The second is a continuity-based preventive model that links premarital preparation, marriage solemnization, legal education, consultation, and post-marital assistance.¹¹ The latter does not replace the administrative function. Rather, it extends the social meaning of marriage administration by connecting legal validity with the broader objectives of Islamic family law.

The research addresses a gap in existing scholarship by bringing together three areas that are often examined separately: the institutional authority of the penghulu, family guidance as a preventive legal mechanism, and the normative construction of the *sakinah* family. This integration allows the penghulu to be examined not merely as a marriage registrar or religious functionary, but as an actor through whom Islamic family law is communicated, negotiated, and practiced in everyday social life.

The article offers two principal contributions. First, it conceptually reframes the penghulu as a socio-legal actor whose function extends beyond the administration of marital legality toward the practical realization of *sakinah*, *mawaddah*, *rahmah*, reciprocity, consultation, responsibility, justice, and *maslahah*. Second, it proposes continuity between premarital and post-marital guidance as an institutional mechanism for narrowing the gap between the normative ideals of Islamic family law and the realities experienced by married couples. This approach shifts attention from family law as a set of rules activated primarily at marriage formation or marital dissolution toward family law as a preventive form of legal governance.

Accordingly, this study addresses two questions. First, how do penghulu in Semarang Regency perform their role in fostering *sakinah* families according to the principles of Islamic family law? Second, how can their role be institutionally optimized to provide more effective and sustainable family guidance? By answering these questions, the study seeks to clarify how Islamic family law can operate not only as a normative framework regulating marital status but also as an institutional mechanism for strengthening family welfare, preventing avoidable marital conflict, and supporting Muslim family resilience.

METHODS

This study employed qualitative legal research with a socio-legal orientation to examine the role of penghulu in fostering *sakinah* families in Semarang Regency, Central Java, Indonesia.

¹¹ Theresia Dyah Wirastri and Stijn Cornelis van Huis, "The State of Indonesia's Marriage Law: 50 Years of Statutory and Judicial Reforms," *AHKAM: Jurnal Ilmu Syariah* 24, no. 2 (2024): 215–32, <https://doi.org/10.15408/ajis.v24i2.38424>.

The study combined normative analysis of Islamic family law with an examination of empirical materials concerning the professional and family practices of penghulu.¹² This design was selected because the research problem concerns not only the formal authority attached to Muslim marriage administration but also the operation of legal and religious norms in everyday family guidance. Law was therefore treated both as a normative framework and as a social practice mediated through religious officials and public institutions.

Semarang Regency was selected as the research setting because the Office of Religious Affairs (Kantor Urusan Agama, KUA) maintains direct institutional contact with Muslim couples before and during marriage and provides several forms of family guidance. The research subjects were penghulu serving within KUA institutions in Semarang Regency whose professional practices and family experiences formed the empirical corpus of the study.¹³ The unit of analysis was not the personal life of individual officials as an isolated phenomenon, but the institutional role performed by penghulu in connecting marriage administration, legal education, family guidance, counseling, and the normative objectives of the *sakinah* family.

The study relied on both empirical and legal materials. The empirical materials covered the implementation of premarital advice, marriage guidance, family counseling, face-to-face and online consultation, the distribution of *sakinah* family guidance materials, adaptations of guidance methods, exemplary family practices, and institutional obstacles affecting service delivery.¹⁴ The empirical corpus also contained information concerning the efforts of penghulu to maintain the quality of their own family relationships through reciprocity, consistency, exemplary conduct, and consultation. These materials allowed the study to assess whether the social role of the penghulu had developed beyond the formal tasks of marriage solemnization and registration.

Legal materials consisted of Indonesian marriage legislation, regulations governing the Office of Religious Affairs and the duties of penghulu, official policies and guidance concerning marriage preparation and *sakinah* families, and relevant Islamic legal sources.¹⁵ Scholarly materials consisted of peer-reviewed studies on Islamic family law, Muslim marriage administration, marriage guidance, religious bureaucracy, family resilience, and socio-legal theory. Divorce data and institutional materials related to Semarang Regency were used to clarify the social setting in which family guidance is implemented. These sources were examined together rather than treated as independent bodies of information because the study sought to identify the relationship between formal norms, institutional practices, and family realities.

Data collection was conducted through a systematic compilation and examination of the empirical research materials and relevant documentary sources. The empirical material was

¹² Fachrizal Afandi, "Penelitian Hukum Interdisipliner Reza Banakar: Urgensi Dan Desain Penelitian Sosio-Legal," *Undang: Jurnal Hukum* 5, no. 1 (2022): 231–55, <https://doi.org/10.22437/ujh.5.1.231-255>.

¹³ Drishti Yadav, "Criteria for Good Qualitative Research: A Comprehensive Review," *The Asia-Pacific Education Researcher* 31, no. 6 (2022): 679–89, <https://doi.org/10.1007/s40299-021-00619-0>.

¹⁴ Aristo Marisi Adiputra Pangaribuan, "Metode Wawancara Dalam Penelitian Hukum Doktrinal Dan Sosio-Legal," *Undang: Jurnal Hukum* 6, no. 2 (2023): 351–83, <https://doi.org/10.22437/ujh.6.2.351-383>.

¹⁵ Kate Roberts, Anthony Dowell, and Jing-Bao Nie, "Attempting Rigour and Replicability in Thematic Analysis of Qualitative Research Data: A Case Study of Codebook Development," *BMC Medical Research Methodology* 19, no. 1 (2019): 66, <https://doi.org/10.1186/s12874-019-0707-y>.

organized according to the activities performed by penghulu, the family-guidance mechanisms available through KUA, the problems encountered during implementation, and the practices used by penghulu to sustain sakinah values in their own families. Documentary research covered legal instruments, institutional guidance materials, family-guidance documents, statistical information, and scholarly publications relevant to Muslim marriage governance and family welfare. The procedure enabled comparison between what Islamic family law normatively requires and what religious officials actually perform at the institutional level.

An analytical matrix was used to organize the materials into five dimensions of the penghulu role: administrative, educative, preventive, consultative, and exemplary. The administrative dimension concerned marriage solemnization, registration, and legal compliance. The educative dimension examined the transmission of knowledge concerning marital rights, obligations, communication, child education, and family responsibility. The preventive dimension addressed efforts designed to reduce potential marital conflict before it escalated. The consultative dimension concerned counseling and assistance provided to prospective or married couples. The exemplary dimension assessed the relevance of the personal family practices of penghulu to their authority as family advisers.

Each dimension was then evaluated through the normative principles of Islamic family law. The principal analytical categories were sakinah, mawaddah, rahmah, reciprocity, consultation (musyawarah), responsibility, justice, and maslahah. These concepts were not used merely as religious terminology. They functioned as evaluative criteria for determining whether institutional practices supported tranquility, reciprocal responsibility, protection of family members, fair decision-making, conflict management, and family welfare. This framework allowed the study to move beyond a descriptive inventory of KUA activities toward an assessment of their normative and socio-legal significance.

The data analysis proceeded through three stages. The first stage involved thematic classification of the empirical materials. Recurring findings were grouped under premarital preparation, marriage guidance, counseling, communication, reciprocity, exemplary conduct, technological adaptation, institutional capacity, public participation, and post-marital assistance. The second stage employed normative interpretation by comparing these themes with the principles and objectives of Islamic family law. The analysis examined both points of correspondence and areas where institutional practice remained insufficient to realize the substantive objectives of family guidance.

The third stage focused on institutional reconstruction. Existing practices were evaluated according to their ability to connect marriage administration with continuing family assistance. Particular attention was given to the gap between guidance concentrated before marriage and problems that emerge after couples begin married life. Institutional constraints, including limited time, facilities, human resources, financial support, participant attendance, educational differences, and varying levels of public understanding, were treated as factors affecting the practical operation of family law rather than merely as technical deficiencies. This stage produced the basis for formulating an optimization model linking premarital preparation, marriage solemnization, consultation, and post-marital family assistance.

Analytical credibility was maintained through source triangulation. Empirical findings concerning the practices and difficulties experienced by penghulu were compared with legal provisions, official family-guidance materials, statistical information, and relevant scholarly literature. Consistency between the identified themes and the normative principles of Islamic family law was also examined throughout the analysis. Divergent findings were retained rather than excluded when they revealed tension between formal institutional expectations and actual service conditions. This procedure was intended to prevent the analysis from reducing the empirical material to predetermined religious concepts.

The study does not seek statistical generalization about all KUA institutions or penghulu in Indonesia. Its geographical scope is limited to Semarang Regency, while its institutional focus is restricted to the role of penghulu in family guidance. The value of the case lies instead in its capacity to explain how Islamic family law is translated into institutional practice and to identify conditions that may strengthen the preventive and educative functions of marriage governance. The findings are consequently interpreted as a socio-legal account of the Semarang Regency case and as a basis for developing an institutional model that may be examined further in other regions.

RESULTS AND DISCUSSION

A. Reconstructing the Socio-Legal Role of Penghulu in Preventive Family Governance

The role of the penghulu in Semarang Regency extends beyond marriage solemnization and registration. Premarital guidance, counseling, face-to-face consultation, online assistance, and the distribution of sakinah family materials reveal a broader institutional function. These activities place the penghulu between state administration, Islamic legal norms, and the everyday realities of Muslim families.¹⁶ Legal authority is exercised not only through certification of marital status but also through the communication of duties, rights, and ethical expectations attached to marriage. This institutional position gives the penghulu a strategic capacity to influence legal awareness before marital disputes become severe. The office consequently operates as a socio-legal intermediary whose relevance reaches beyond procedural marriage administration.

A socio-legal reading of this role exposes the limits of formal legality. A valid marriage certificate provides legal certainty, yet it cannot guarantee mutual respect, effective communication, fair division of responsibility, or emotional security. The effectiveness of family law depends partly on whether couples understand legal norms and translate them into everyday conduct. Formal compliance may coexist with weak legal awareness, unequal power relations, or poor conflict management.¹⁷ The penghulu becomes relevant at this point because legal rules require social interpretation before they can guide marital behavior. Family governance therefore involves not only legal recognition but also the institutional production of legal understanding.

¹⁶ Mustar, Moh. Jalaludin, and Mahmudah, "Peran Kepala Kantor Urusan Agama Dalam Program Bimbingan Perkawinan Di Kantor Urusan Agama Batumarmar Pamekasan," *Syiar: Jurnal Komunikasi Dan Penyiaran Islam* 2, no. 2 (2022): 67–74, <https://doi.org/10.54150/syiar.v2i2.103>.

¹⁷ Muhammad Latif Fauzi, "Intermediaries and Illegal Gratification in the Indonesian Bureaucracy of Muslim Marriage," *Contemporary Islam* 18, no. 2 (2024): 337–54, <https://doi.org/10.1007/s11562-024-00558-9>.

Premarital guidance represents the clearest expression of this preventive function. The materials delivered by penghulu cover marital purposes, spousal rights and obligations, communication, conflict management, child education, religious life, and social responsibility. Such content moves marriage guidance beyond administrative preparation for the wedding ceremony. Prospective spouses are introduced to the practical consequences of legal status before they encounter actual marital pressures.¹⁸ This process contributes to legal consciousness because couples learn how legal and religious obligations may shape daily decisions after marriage. Preventive family governance begins when legal knowledge is presented as a practical resource rather than a formal requirement.

The preventive function also challenges a dispute-centered model of family law. Legal institutions often become visible after conflict has escalated into separation, litigation, or divorce. Premarital education offers an earlier point of intervention by strengthening knowledge, expectations, and decision-making capacity before a dispute emerges. This approach does not assume that every conflict can be avoided or that marital continuity is always the preferable outcome. Its value lies in improving the ability of couples to identify rights, responsibilities, and legitimate options for resolving disagreement. Preventive legal work should be measured by the quality of legal awareness and access to assistance, not merely by the preservation of marital status.

The consultative role of the penghulu strengthens this socio-legal function. Family disputes rarely arise because couples lack legal information alone. Distrust, emotional tension, financial pressure, unequal workloads, parenting disagreements, and conflicting expectations often operate together. Counseling allows legal and religious norms to be discussed alongside the social realities experienced by couples.¹⁹ Direct and online consultation also makes institutional assistance more accessible outside formal marriage procedures. The penghulu therefore becomes a point of legal orientation for families who may not yet require judicial intervention. This role strengthens the preventive character of family law by providing assistance before conflict develops into a formal legal dispute.

Greater accessibility also creates questions about professional boundaries. Not every family problem should be treated as a matter for religious advice or ordinary marital counseling. Domestic violence, psychological distress, child protection, severe financial crisis, and complex legal disputes require specialized intervention.²⁰ An expanded socio-legal role must be accompanied by the ability to identify cases that exceed the competence of the penghulu. Referral to psychologists, health professionals, social services, legal aid institutions, or judicial bodies may

¹⁸ Noorhaidi Hasan, "Adaptive Discretion in Child Marriage Prevention: Street-Level Bureaucracy in Indonesia's Islamic Marriage Administration," *Journal of Islamic Law* 7, no. 1 (2026): 142–67, <https://doi.org/10.24260/jil.v7i1.5265>.

¹⁹ Fathurrahman, Abdul Qodir Zaelani, and Iskandar Syukur, "The Role of Penghulu in Harmonising the Marriage Age Limit Perspective of Imam As-Syatibi's Theory," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 23, no. 2 (2023): 341–54, <https://doi.org/10.19109/nurani.v23i2.16817>.

²⁰ Alfiah Asa'diah and Muhsan Syarifuddin, "Peran Bimbingan Perkawinan Kantor Urusan Agama Dalam Mencegah Perceraian Dan Membangun Kebahagiaan Keluarga," *Islamic Counseling: Jurnal Bimbingan Konseling Islam* 9, no. 1 (2025): 1–22, <https://doi.org/10.29240/jbk.v9i1.12589>.

be necessary. Institutional strength is reflected not only in the ability to provide advice but also in the ability to recognize the limits of authority and direct families toward appropriate forms of assistance.

Variation among prospective spouses further complicates the delivery of family guidance. Age, education, economic conditions, family background, character, and religious understanding influence how legal information is received. A standardized program may satisfy bureaucratic requirements while failing to produce meaningful understanding among participants. Uniform delivery can create an appearance of equality while ignoring unequal capacities to comprehend complex legal and religious concepts.²¹ Adaptive communication is therefore part of legal effectiveness rather than a secondary teaching technique. Practical examples, simple language, dialogue, and case-based discussion can make the same normative principles more accessible without reducing their substance.

Reciprocity provides a substantive foundation for this adaptive model. Guidance practiced by penghulu emphasizes ta'aruf, tafāhum, ta'āwun, takāful, and musyawarah. These principles encourage mutual recognition, mutual understanding, mutual assistance, mutual protection, and shared decision-making. Such values resist a marital structure based solely on unilateral authority or rigid distribution of roles. Islamic family law may consequently be understood as a framework for continuing cooperation rather than a static list of rights and duties. The quality of marital relations depends on how spouses negotiate responsibility while preserving dignity and fairness. Reciprocity therefore becomes a practical measure of whether legal principles are actually reflected in family life.

This interpretation also sharpens the meaning of sakinah. Marital continuity alone cannot serve as evidence of family welfare. A relationship may remain legally intact while containing coercion, injustice, neglect, or serious harm. Sakinah gains substantive value when linked to tranquility, affection, reciprocity, protection, consultation, and maslahah. Family resilience should refer to the capacity to maintain a just and supportive relationship, not simply the ability to avoid divorce.²² Such a standard prevents preventive family governance from becoming an instrument that pressures individuals to remain in harmful marriages. Welfare, dignity, and protection must remain central to any assessment of marital stability.

The personal conduct of the penghulu adds another layer of social legitimacy. Families included in the research generally displayed positive indicators associated with sakinah, including reciprocity, religious commitment, consultation, consistency, and social participation. Such practices may strengthen public trust because advice is delivered by officials perceived as practicing similar values in their own family lives. Moral credibility can support communication and increase acceptance of family guidance. It should not, however, replace professional

²¹ Widiyawati, Mustaming, and Anita Marwing, "Revitalisasi Bimbingan Perkawinan Bagi Calon Pengantin Di Kantor Urusan Agama Kecamatan Suli," *Al-Mada: Jurnal Agama, Sosial, Dan Budaya* 7, no. 3 (2024): 751–64, <https://doi.org/10.31538/almada.v7i3.5305>.

²² Muhammad Ishom, "The Challenging Role of Penghulu and Marriage Administrators in Border Areas on Indonesia: Entikong and Sekayam, West Kalimantan," *AHKAM: Jurnal Ilmu Syariah* 19, no. 2 (2019): 391–410, <https://doi.org/10.15408/ajis.v19i2.13178>.

qualification. A harmonious private life cannot substitute for legal expertise, counseling skills, ethical standards, or institutional training. Personal example is better understood as supporting professional authority rather than constituting its primary basis.

The most serious challenge appears at the institutional level. Limited time, facilities, human resources, funding, attendance, and participant concentration constrain the capacity of penghulu to perform extensive family-guidance functions.²³ These conditions create a gap between normative expectations and the resources available for implementation. An official cannot realistically administer marriages, provide legal education, conduct counseling, adapt materials, maintain digital services, and respond to post-marital problems without adequate institutional support.²⁴ Assigning broader duties without structural reform risks creating symbolic responsibilities rather than effective services. The problem is institutional design and organizational capacity, not merely individual commitment.

The socio-legal significance of the penghulu lies in the relationship between norm, institution, and social practice. Islamic family law gains practical force when its principles are translated into accessible knowledge, responsible guidance, and appropriate institutional assistance. The penghulu can perform this mediating role because the office combines legal authority, religious legitimacy, and direct contact with Muslim communities. Effective preventive family governance requires professional competence, clear limits of authority, institutional resources, and referral networks. Without these elements, expanded duties may increase administrative burden without improving family welfare. Reconstructing the role of the penghulu requires institutional strengthening rather than simple enlargement of individual responsibility.

B. Institutionalizing Sakinah through Continuous Family Support

Family guidance in Semarang Regency still places strong emphasis on preparation before marriage, while many marital problems emerge only after couples begin living together. Financial pressure, parenting responsibilities, work demands, communication difficulties, and unequal household expectations often develop gradually. Premarital education can provide basic knowledge, but a single intervention cannot anticipate every problem that appears throughout married life.²⁵ The institutional structure of family guidance must respond to marriage as an ongoing social relationship rather than a single legal event. A sustainable support system requires services that remain accessible after marriage has been formally registered.

The legal administration of marriage is organized around identifiable procedures such as document verification, solemnization, registration, and issuance of legal evidence. Family life

²³ Nathan R Hardy, Candice A Maier, and Ty J Gregson, "Couple Teletherapy in the Era of COVID-19: Experiences and Recommendations," *Journal of Marital and Family Therapy* 47, no. 2 (2021): 225–43, <https://doi.org/10.1111/jmft.12501>.

²⁴ Mursyid Djawas, "Creating Family Resilience in Indonesia: A Study of 'Marriage Guidance' Program in Aceh and South Sumatera," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 17, no. 1 (2022): 299–324, <https://doi.org/10.19105/al-lhkam.v17i1.6150>.

²⁵ Muhammad Latif Fauzi, "Registering Muslim Marriages: Penghulu, Modin, and the Struggles for Influence," *Al-Jami'ah: Journal of Islamic Studies* 57, no. 2 (2019): 397–424, <https://doi.org/10.14421/ajis.2019.572.397-424>.

operates through a different rhythm because marital relations change as social and economic conditions change. A couple may understand their formal rights before marriage yet encounter difficulties when those rights must be negotiated through everyday responsibilities. Legal recognition alone cannot resolve disputes concerning communication, finances, parenting, or division of domestic roles.²⁶ Family guidance needs an institutional design capable of accompanying these changing realities. The central issue is continuity rather than the quantity of premarital information delivered.

Premarital guidance remains essential because it introduces prospective spouses to marital responsibilities before legal commitment begins. Its effectiveness depends on whether participants acquire practical skills rather than merely receive information. Knowledge concerning rights and obligations has limited value if couples cannot apply it when disagreement occurs.²⁷ Legal literacy should include communication, joint decision-making, conflict management, financial planning, and awareness of available support services. Case-based discussion and practical exercises can connect legal concepts with situations that couples are likely to experience. Such preparation strengthens the practical meaning of Islamic family law.

Post-marital consultation provides the institutional link missing in a model centered on premarital education. Couples often need assistance after marriage when expectations meet actual household conditions. Early consultation can address communication problems, financial disagreements, parenting issues, or unequal responsibilities before conflict becomes more severe. The role of the penghulu at this stage should focus on basic legal guidance, religious advice, and identification of appropriate support.²⁸ This approach allows KUA to remain relevant after marriage registration without turning the institution into a substitute for judicial or professional counseling services. Continuous access creates a preventive space between marriage formation and formal dispute resolution.

Such assistance must respect clear professional boundaries. Some family problems require expertise that exceeds the competence of the penghulu. Domestic violence, psychological disorders, child protection issues, severe economic crisis, or complex legal disputes require specialized handling. An effective family-support system must distinguish ordinary marital difficulties from cases involving serious risk. The penghulu should be able to recognize indicators that require referral and connect families with appropriate institutions. This model protects both the family and the integrity of the office by preventing excessive concentration of authority in a single religious official.

²⁶ Nurul Asiya Nadhifah, "Between Penghulu and Modin: Interdependent Authority in the Bureaucratization of Islamic Marriage Registration in Indonesia," *Journal of Islamic Law* 7, no. 1 (2026): 31–56, <https://doi.org/10.24260/jil.v7i1.4206>.

²⁷ Intan Juliani Hutasuhut and Ahmad Tamrin Sikumbang, "Management of Marriage Guidance Programs in Enhancing the Readiness of Prospective Brides and Grooms," *Jurnal Dakwah Dan Komunikasi* 11, no. 1 (2026): 220–30, <https://doi.org/10.29240/jdk.v11i1.16594>.

²⁸ Mukhammad Nur Hadi, Fahrudin Ali Sabri, and Ahmad Masum, "Between Conservatism and Progressivism: The Young Penghulu in East Java's Legal Paradigm Addresses Disability Issues in Marriage," *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 10, no. 2 (2023): 197–216, <https://doi.org/10.32505/qadha.v10i2.7352>.

The principle of *maslahah* provides a useful standard for evaluating continuous family support. The purpose of guidance should not be reduced to preserving marriage regardless of circumstances. A family can remain legally intact while experiencing coercion, injustice, neglect, or serious harm. Family welfare requires protection, dignity, fairness, reciprocal responsibility, and emotional security.²⁹ Assistance should support reconciliation when reconciliation protects those values, while recognizing lawful separation when continuation of marriage creates greater harm. Such a standard places substantive welfare above institutional pressure to maintain marital status.

Divorce statistics also require careful interpretation when assessing family-guidance programs. A declining number of divorces does not automatically prove that marital relations have improved, just as an increase does not necessarily indicate institutional failure. Divorce is influenced by economic conditions, legal awareness, social expectations, access to courts, and individual circumstances.³⁰ Evaluation should focus on indicators more closely connected to the actual purpose of family guidance. These indicators may include knowledge of marital rights, ability to manage conflict, access to counseling, understanding of referral services, and satisfaction with institutional support. Such measures provide a more reliable basis for assessing preventive legal effectiveness.

Digital services can strengthen continuity when they are integrated into a clear institutional structure. Online consultation, electronic guidance materials, and KUA communication platforms can reduce barriers related to distance, working hours, and limited availability. Their value lies in extending access after marriage rather than merely modernizing service delivery. Digital assistance must still follow standards concerning confidentiality, documentation, professional boundaries, and referral.³¹ Technology without service protocols may create faster communication but weaker accountability. Digital innovation should support institutional quality rather than replace it.

Professional capacity becomes increasingly important once family guidance extends beyond premarital instruction. Knowledge of marriage law remains necessary, yet preventive assistance also requires communication, basic counseling, mediation, risk identification, and referral skills. The objective is not to transform the *penghulu* into a psychologist or therapist. The office requires sufficient competence to provide initial guidance and determine whether a case needs specialized intervention. Training should therefore combine legal knowledge with practical skills relevant to family interaction. Professional development must match the expanding social expectations attached to the role.

²⁹ Nur Lailatul Musyafa'ah, "Efektivitas Pelaksanaan Bimbingan Perkawinan Di Kantor Urusan Agama Gedangan Sidoarjo," *Mahakim: Journal of Islamic Family Law* 5, no. 2 (2021): 83–99, <https://doi.org/10.30762/mahakim.v5i2.135>.

³⁰ Achmad Fathoni, "Family Resilience and Implementation of Islamic Family Jurisprudence on Millennial Muslim Families in Gresik, Indonesia," *Journal of Islamic Law* 2, no. 2 (2021): 247–67, <https://doi.org/10.24260/jil.v2i2.332>.

³¹ Asep Saepudin Jahar, "Bureaucratizing Sharia in Modern Indonesia: The Case of Zakat, Waqf and Family Law," *Studia Islamika* 26, no. 2 (2019): 207–45, <https://doi.org/10.15408/sdi.v26i2.7797>.

Institutional cooperation is equally necessary because family problems rarely belong to a single field. Economic hardship may require social assistance, psychological distress may require mental-health services, health problems may require medical intervention, and violence may require legal protection. KUA cannot address these issues effectively through religious guidance alone. Cooperation with health professionals, counselors, social services, legal aid providers, educational institutions, local government, and community organizations creates a more realistic support network.³² The penghulu can serve as an accessible entry point while specialized institutions handle matters according to their authority and competence.

Organizational capacity remains a major obstacle to sustainable family guidance. Limited time, facilities, human resources, and funding restrict the ability of penghulu to perform administrative, educational, consultative, and preventive functions at the same time. Expanding responsibilities without adjusting workload and resources may weaken service quality rather than strengthen it. Institutional reform should include dedicated consultation time, adequate facilities, professional training, digital-service standards, referral procedures, and coordination mechanisms. Optimization is not achieved by adding more duties to individual officials. It requires a service structure capable of supporting those duties consistently.

Continuous family support gives the concept of sakinah a concrete institutional form. Premarital education, legal marriage administration, post-marital consultation, and professional referral should operate as connected stages rather than isolated services. Such an arrangement allows Islamic family law to function as a living system of guidance rather than a set of norms activated only at marriage formation or marital breakdown. The penghulu occupies a strategic position in this structure because the office connects legal authority, religious legitimacy, and direct community access. Sustainable family governance depends on institutional continuity, clear professional limits, and adequate organizational support. This model strengthens the practical realization of sakinah without expanding the authority of the penghulu beyond reasonable institutional boundaries.

CONCLUSION

The penghulu in Semarang Regency performs a socio-legal role that extends beyond marriage registration and solemnization. Premarital guidance, counseling, consultation, and family education connect Islamic family-law norms with everyday marital realities. The main challenge lies in the gap between expanding preventive responsibilities and limited institutional capacity. Sustainable family guidance requires continuity between premarital preparation, marriage administration, post-marital consultation, and professional referral. This model strengthens legal consciousness, reciprocal responsibility, family protection, and the practical meaning of sakinah, mawaddah, rahmah, and maslahah. Effective implementation depends on professional competence, clear service boundaries, adequate institutional support, and cooperation with

³² Aja Munika, Mahdi, and Mira Fauziah, "Pelaksanaan Bimbingan Pranikah Dalam Mempersiapkan Calon Pengantin Di Kantor Urusan Agama (KUA) Kecamatan Sukamakmur," *At-Taujih: Bimbingan Dan Konseling Islam* 9, no. 1 (2026): 190–205, <https://doi.org/10.22373/taujih.v9i1.34994>.

relevant agencies.

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