

Implementation of Counseling through Islamic Religious Courts in Resolving Polygamy Household Disputes

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Abstract

The purpose of this study was to determine the implementation of counselees through Islamic religious courts in resolving polygamous household disputes (a case study at the Rantauprapat Islamic religious court, Labuhanbatu Regency in 2018-2021), especially about how it is planned, what are the steps, what are the inhibiting and supporting factors, and why the need for counselees at the Rantauprapat religious court. This study uses a qualitative method. This research takes place at the center of the Rantauprapat religious court. Data collection techniques using documentation, interviews and observations. The data analysis technique uses data collection, data reduction, data presentation and conclusions. The research informants here are the head of the religious court, judges, mediators, KUA and community leaders in Labuhanbatu. This research starts from the initial study from March to August 2021. The results showed that; 1) counselee planning at the religious court of Labuhan Batu Regency in reducing the number of polygamy disputes is carried out in two plans, namely based on service culture and based on transformative culture. 2) The counselee's steps at the Labuhan Batu Regency Religious Court in reducing the number of polygamy disputes are carried out in two steps, namely the Educational Step and the Consultative Step. 3) Inhibiting and supporting factors. The supporting factors are because of the facilities and infrastructure, the tools or instrumentals used, the understanding material about the importance of the sakinah family and the evaluation of technical implementation. Meanwhile, the inhibiting factors are the lack of awareness of some people to participate in the sakinah family program, less than optimal empowerment, less than optimal support from P3K, not yet optimal provision of constructive sakinah family development activities through the sakinah family festival.

Keywords

Implementation; religious courts; polygamy



I. Introduction

The state of Indonesia is a legal state where the majority of the population is Muslim in a social reality, because it is very relevant if Islamic law is used as a reference source in the formation of national laws. So the role of scholars and scientists who are concerned about Islam is very much needed

Departing from the understanding that Islam is a religion that is kaffah in all respects compared to other religions, this is where creativity is needed for its adherents to explore existing teachings to continue to be developed so that the existence of religion does not disappear or die. Reforms are carried out which certainly do not deviate from the objectives of sharia. Thus the development process does not violate the message to be conveyed by Islamic teachings. Also considering that in Islam there are not only divine teachings or theology, but there is also a legal dimension that improves the relationship between

individuals and society. Islam and law Islam is a series that always goes hand in hand and cannot be separated.⁵ The elements in religious courts consist of judges (qadhi), law, mahkum fihi, mahkum alaihi, mahkum lahu and sources of law (decisions) are elements that show that religious courts are adrift The constitution is based on Islamic teachings, but in its implementation aspect, the scholars highlight that this is not necessarily implemented as a proof of legislation in a pancasilais manner, but prioritizes aspects of Islamic teachings in a kaffah (universal) manner, starting from judges while making decisions all based on principles of the Qur'an and Al-Hadith.

The Prophet sallallaahu 'alaihi wa sallam ordered marriage and strictly forbade people who did not want to marry. Anas bin Malik radliyallahu 'anhu said: "The Messenger of Allah -peace and prayer of Allah be upon him- ordered us to marry and forbade us to be single with a strict prohibition." And he said:

"Meaning: Marry a woman who has many children and is merciful. Because I will be proud of the number of my people in front of the Prophets later on the Day of Resurrection." [Hadith narrated by Ahmad and authenticated by Ibn Hibban]

Once upon a time three friends came to ask their wives The Prophet sallallaahu 'alaihi wa sallam about his worship, then after being explained, each wanted to increase their worship. One of them said: As for me, I will fast forever without breaking. And another said: As for I will stay away from women, I will not marry forever When the Prophet sallallaahu 'alaihi wa sallam heard this, he came out saying:

"Meaning: Is it true that you have said such and such, indeed by Allah, indeed I am the most fearful and pious among you. But I fast and I break my fast, I pray and I sleep and I also marry women. So whoever does not likes my sunnah, then he does not belong to my group." [Hadith narrated by Bukhari and Muslim]. People who have reason and bashirah will not want to plunge themselves into the path of error by living celibate. Said Shaykh Hussain Muhammad Yusuf: "Single life is a dry and arid life, a life that has no meaning and purpose. A life that is devoid of various human virtues which are generally enforced on the basis of selfishness and selfishness and want to be free from all responsibilities. answer".

Humans who want to avoid or be alone are essentially humans who will not be able to stand on their own, only have a high level of lust,¹⁰ until this fitrah makes them feel bored and isolated. The human being in essence also inflames his loneliness against his nature as humans themselves, even though the values and essence of piety are reliable, but the nature and sense of the human being over time will continue to plunge him into weakness and narrowness in the spirit of obedience, health and can become slander. Therefore, a human who rejects fitrah The sacred rope tied in marriage (both human beings) both male and female, it is clear that he is a person who lives in misery (textually he is far from the fithrah religion itself). They are human beings who realize that they only enjoy their own life, both from the aspect of material and immaterial pleasures. Maybe they live in an elite life line, but live in a low spiritual line and are far from the blessings of Allah azza wajalla.

II. Review of Literature

2.1. Implementation

Implementation is a process of applying ideas, concepts, policies, or innovations in a practical action so that it has an impact, either in the form of changes in knowledge, skills and values, and attitudes.²³ In the Oxford Advance Learners Dictionary it is stated that implementation is "put something into effect" (the application of something that has an effect or impact).²⁴ Based on the definition of implementation, implementation can be defined as the process of applying ideas, concepts, and management policies (potential management) in

a learning activity, so that students master a certain set of competencies, as a result of interaction with the environment.

2.2. Advisory Board for the Development and Preservation of Marriage (BP4)

BP4 is an abbreviation of the Advisory Board for Development and Preservation Marriage is professional in nature as the duty bearer and partner of the Supreme Court of the Republic of Indonesia in creating a *sakinah mawaddah wa rahmah* family that is formed and assigned to the religious judiciary. The purpose of the establishment of BP4 is to enhance the quality of marriage and to create a *sakinah* family according to Islamic teachings to achieve an advanced, independent, materially and spiritually prosperous Indonesian society and nation.

2.3. Religious Court

The functionality of an *al-qadhi* or judge through the textuality and contextuality of Islamic teachings is a complexity rather than the implementation of Islamic teachings. Meanwhile, in his presentation of the judiciary that this is an obligation for the implementation of *fardhu kifayah* (meaning that a court is in obligation to behave fairly in every action and legal determination), it also means that what is in conditions (conditionality) is however and whatever and whenever. 26 In the State of Indonesia which is based on Pancasila and the 1945 Constitution, justice, truth, and legal certainty in the context of the legal administration system are the main things that are very important in creating a safe, peaceful, and orderly life atmosphere as mandated by the Guidelines State Policy (GBHN).

III. Research Method

This type of research is a qualitative research with an interactive descriptive approach. As the opinion of Bogdan and Taylor³², qualitative research is a research procedure that produces descriptive data in the form of written or spoken words from people and observable behavior. Descriptive qualitative research, where the researcher describes the object by recording the object of research and then entering it with data sources that exist in the object of research³³, it is hereby required to actively involve researchers in collecting research data.

IV. Result and Discussion

4.1. Counseling planning at the religious court of Labuhan Batu Regency in reduce the number of polygamous disputes

Counseling planning at the religious court of Labuhan Batu Regency in Reducing the number of polygamy disputes is carried out in two planning categories, namely;

- a. Service-based mediation planning and
- b. Transformative-based mediation planning

From the two components (category of work culture values at the Rantauaprat / Labuhanbatu religious court) above, polygamy is often defined by the general public as; first, that the marriage was done out of lust. The marriage was carried out in secret, because the female guardian did not agree, and considered marriage without a guardian to be valid and merely wanted to satisfy lust alone without paying attention to the provisions of the Shari'a. lust alone, even though in the teachings of Islam it is legal as long as it is fair as stated in the letter an-Nisa paragraph 3. Second, marriages that are religiously legal but are not registered in the state registration agency. Many factors cause a person not to register his

marriage at the state civil registration agency. Some are due to the cost factor, aka unable to pay for the registration administration, some are due to fear of being caught for violating the rules that prohibit civil servants from marrying more than one, and so on. Third, marriages that are kept secret due to certain considerations, for example because they are afraid of getting negative stigma from people who already consider polygamy taboo and complicated considerations that force someone to keep their marriage secret. And fourth, the existence of polygamy because there are several other basic considerations, namely because the wife is barren, the wife has a disease that cannot bear children, the wife cannot satisfy her husband's lust, and wives sometimes do not get along with their husbands. However, the four things above are components or four things that are often done by husbands as reasons for being able to remarry (polygamy).

Based on the counselee's planning at the District Religious Court Labuhan Batu in reducing the number of polygamous disputes, namely; 40

- a. The counselee or the mediator of the religious court in cooperation with the penghulu and P3NTR employees and staff carry out the regulations of the minister of religion in accordance with the marriage guarantee order that applies to Islamic societies, namely that every marriage must be recorded;
- b. The registration of the marriage referred to in paragraph (1) is carried out by the marriage registrar as stipulated in law number 22 of 1946 in conjunction with law number 32 of 1954. The implementation technique is explained in the article which states;
 - (a) To fulfill the provisions in Article 5, every marriage must be held before and under the supervision of the marriage registrar;
 - (b) Marriages carried out outside the supervision of the registrar marriage has no legal force.⁴¹

Taking into account the legal provisions governing the registration of marriages above, it can be understood that the registration is an administrative requirement. This means that marriages are still valid, because the standard of whether or not a marriage is valid is determined by the religious norms of the parties who carry out the marriage. Marriage registration is regulated because without registration, a marriage has no legal force. As a result, if one of the parties neglects their obligations, the other party cannot take legal action, because they do not have valid and authentic evidence of the marriage they are carrying out. Of course, such a situation contradicts the mission and purpose of marriage itself.⁴²

The researcher analyzes that the strengthening of the RI Supreme Court regulation number 1 of 2008 regarding mediation procedures in court above is part of the substantial role, work, and function of mediators with other penghulu to maintain a shared commitment in providing the best service to the community, especially Rantauprapat. This is corroborated by the documentation of the Supreme Court regulation number 1 of 2008 regarding procedures, mediation in court, so sir, every examination of civil cases in court must be sought first for mediation and reconciliation, carried out in planning steps (this is like the counselee's planning in court). The religious court of Labuhan Batu Regency in reducing the number of polygamy disputes) namely as the table below;

Table 1. Planning for Religious Court Mediators/Counselors based on article 2 paragraph Supreme Court regulation number 1 of 2008 concerning procedures, mediation in Service Based Court

<i>Planning</i>	<i>Planning Activities</i>	<i>Description</i>
<i>First planning which is conducted court mediator Rantauprapat religion is to convey goals and set divorce report by the woman (plaintiff)</i>	<ol style="list-style-type: none"> 1. <i>Delivering introduction, (a) motivation, (b) conveying the basic objectives of advice and advisory (c) apperception and</i> 2. <i>Explain the purpose of advicemarriage</i> 	<i>Implemented properly according to administrative transparency</i>
<i>Second planning which is conducted court mediator religion is directing advice personally as well as groups</i>	<ol style="list-style-type: none"> 1. <i>Ask initial questions/problems and</i> 2. <i>Modeling what is meant by modeling here is that the mediator/counselor provides an image model that is shown to women of the events that have occurred as a result of polygamous marriages.</i> 	<i>Implemented properly according to administrative transparency</i>
<i>Third planning What the mediator/counselor of the Rantauprapat religious court does is hold a family discussion</i>	<ol style="list-style-type: none"> 1. <i>giving books about marriage</i> 2. <i>Guiding/directing the man by giving books about marriage</i> 3. <i>Guiding the activities of both men and women.Guiding / directing women by</i> 	<i>perly according to administrative transparency Implementedpro</i>

Table 1 above regarding the Planning of Religious Court Mediators/Counselors based on article 2 paragraph (3) of the Supreme Court regulation number 1 of 2008 concerning procedures, mediation in service-based courts based on law number 1 of 1974 concerning marriage explains that the purpose of marriage is form a happy and eternal family, therefore marriage is defined in article 1, is an inner and outer bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One Godhead. Then in article 2 (paragraph 1) it is stated that marriage is legal, if it is carried out according to the law of each religion and belief. then proceed with each marriage recorded according to the applicable laws and regulations (paragraph 2). This means that we must look thoroughly from the contents of the article, with the unity of the article it must be carried out to the limit of article 2 paragraph (1) only, the legal consequence is that when a dispute occurs between husband and wife, the couple cannot ask for concrete protection from the husband and wife. The state in this case asks the court for a decision. This happens because the marriage in question is not officially registered in the state administration, when it is not officially registered by the state, then any legal consequences that occur during the marriage for the state are considered never to have existed.

4.2. The counselee's steps at the Labuhan Batu District Religious Court in reducing the number of polygamy disputes

The counselee's steps at the Labuhan Batu District Religious Court in reducing the number of polygamous disputes are carried out in two steps, namely educational steps and consultative steps. The counselee's steps at the Rantauprapat (Labuhanbatu) religious court in his educational steps are based on the Republic of Indonesia Supreme Court regulation number 1 of 2008, as shown in the following table:

Table 2. Implementation of Counselee Measures Based on Court Regulations Agung Ri Number 1 of 2008 concerning Mediation Procedures in Courts

<i>Planning</i>	<i>Penghulu Activities</i>	<i>Description</i>	<i>Process Final score</i>
<i>Step 1 ; carried out by the mediator of the Rantauprapat religious court is convey the purpose and regulate the divorce report by the woman (plaintiff)</i>	<p>3. <i>Delivering introduction, (a) motivation, (b) conveying the basic purpose of advice and advisory (c)apperception and</i></p> <p>4. <i>Explain the purpose of marriage advice</i></p>	<p>1. <i>Explain the purpose of marital counseling and explain the various problematic developments that occur faced after polygamous marriage in front of women directly</i></p> <p>2. <i>Provide counseling assessments by providing quarantine services (in this case women are given a course for 3 days) this is done so that polygamous marriages do not occur independently or in groups</i></p>	<i>Good</i>
<i>Step 2 ; What religious court mediators do is direct advice individually or in groups</i>	<p>3. <i>Ask initial questions/problems and</i></p> <p>4. <i>Modeling what is meant by modeling here is that the mediator/counselor provides an image model that is shown to women of the events that have occurred as a result of polygamous marriages.</i></p>	<p>1. <i>Upgrade motivation in addition to placing the values of marriage worship in accordance with Law No. 1 of 1974 concerning marriage. And based on the compilation of Islamic law (KHI) article 5 paragraph 1 which reads; "The registration of marriages of those who carry out their marriages according to the Islamic religion, is carried out by the registrar as referred to in Law No. 32 of 1954 concerning the registration of marriage, divorce and reconciliation. For those outside of Islam, Marriage registration is carried out at the civil registration office.</i></p>	<i>Good</i>

<p><i>Step 3: What the mediator/counsel or of the Rantauprapat religious court does is hold a family discussion</i></p>	<p>4. <i>Guide/directing women by giving books about marriage</i></p> <p>5. <i>Guiding/directing the man by giving books about marriage</i></p> <p>6. <i>Guiding the activities of both men and women.</i></p>	<p>1. <i>Give a response positive results or responses from both partners (husband and wife) both men and women who will hold a polygamous marriage or who will divorce because of polygamy. In this case the head of the mediator/counselor of the Rantauprapat religious court in collaboration with BP4 (Marriage Preservation and Advisory Agency) of the ministry of religion at the North Sumatra Province level</i></p>	<p><i>Good</i></p>
<p><i>Step 4: What the mediator/counsel or of the Rantauprapat religious court did was to end the sakinah family discussion</i></p>	<p>1. <i>Close the family discussion with both husband and wife who have been polygamous and who will be polygamous</i></p>	<p>1. <i>Provide apperception or provide authentic assessment reflections at the end of each family discussion process, especially about the negative and positive sides of polygamy</i></p> <p>2. <i>Provide opportunities for both husband and wife, both male and female, to ask questions or rebuttal about family discussionsakinah</i></p>	<p><i>Good</i></p>
<p><i>Step 5: what the mediator/counsel or of the Rantauprapat religious court does is to conduct a brief question and answer about the process of discussing the sakinah family</i></p>	<p>1. <i>Helping both polygamous couples, both women and men, draft questions to answer the positive and negative sides of polygamy</i></p>	<p>1. <i>Delivering general discussions in a simple way, both in the form of self-assessment (personal) and group (first and second groups)</i></p> <p>2. <i>Delivering a discussion about the importance of the sakinah family using inclusive interviews</i></p>	<p><i>Good</i></p>

Based onin the table above regarding the implementation of the steps of the counselee in accordance with the Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2008 concerning Mediation Procedures at the Rantauprapat Religious Court above, what is carried out by the mediator/counselee of the Rantauprapat religious court is mediation with an educational approach, where The implementation activities (steps) are

carried out in the form of socialization, both when the spouse of one of them files a lawsuit for divorce or divorce or divorce by her own husband.

Mediation/mediation steps in the educational approach at the Rantauprapat religious court are also carried out in the form of mediation or outreach to the community every 3 months in providing counseling to the community through the work of the assisted groups at the village hall, (the counseling referred to here is carried out in collaboration with the District KUA) so its nature is that the implementation of strengthening the Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2008 is not only limited to the regulations for the process of filing and implementing a divorce suit by the wife or a divorce claim by the husband, but also the regulation is a regulation given to mediator/counselor to work in anticipating and suppressing polygamy itself, this is carried out as a form of persuasion (persuasion) to the community, especially in Labuhanbatu Regency.

4.3. Inhibiting and supporting factors for counselees at the Labuhan Batu Regency Religious Court in reducing the number of polygamy disputes

Polygamous marriages can sometimes be carried out or carried out through illegal weddings often occur in the community, this is done by the community called "siri marriages" so the point is that siri marriages are not recognized by the state, because there is no permission from the first wife nor is there legal permission from the head of the local KUA, which we (The Rantauprapat religious court) admits that this is a marriage (marriage of more than one wife is a marriage that is familiarly called polygamy), but the problem is that now many women do not like polygamy, that's why the roles and responsibilities of the KUA and the Rantauprapat religious court cannot be separated. , although sometimes the public perception is that the head of the KUA is a person who marries people, when in fact it is drawn in the regulation of the Supreme Court of the Republic of Indonesia number 1 of 2008 that the mediator/counselor of the religious court must cooperate with the head of the KUA.

The polygamy that is practiced by the community is not even an exception for high-class officials, as we watch on infotainment programs on a number of televisions. The mass media, especially for gossip, marriages that are not legally valid are often debated, many women are married in this way by men and it turns out to be negatively affected. There are seven (7) disadvantages of polygamous marriages for children and wives that occur in the field because from all angles of evaluation, wives and children receive the most negative impacts from polygamous marriages (the meaning of polygamy here is related to unregistered marriages). Whatever the loss is;

- a. The wife cannot sue her husband, if left by the husband;
- b. The settlement of cases of unregistered marriages can only be settled through customary law;
- c. Unregistered marriages are not included in a strong agreement (mitsaqon ghalido) because they are not legally registered;
- d. If you have children, then the child does not have status, such as a birth certificate or the like. Because to obtain a birth certificate, a marriage certificate is required;
- e. In the case of faraidz (science of inheritance), the child does not receive an inheritance;
- f. The wife does not get benefits if her husband dies, such as allowances for raharja services;
- g. If the husband is an employee, the wife does not receive the marriage allowance and the husband's pension benefit.

Based on the seven negative aspects or impacts if a polygamous marriage is caused or carried out through the practice of unregistered marriage above, then on the other hand there are several supporting factors for the recording of the mediation of the Rantauprapat religious court, including;

- a. The facilities and infrastructure provided by the Rantauprapat religious court are very supportive, especially for those who use online-based marriage registration, then psychological tests and laboratory tests on urine tests are held. This is done in collaboration between the Rantauprapat religious court in collaboration with the Labuhanbatu Regency BNN, this is done solely to reduce the level of domestic violence which is usually popularized as domestic violence, this is very supportive of the penghulu and P3NTR in instilling sakinah family values to prospective grooms and brides who are practiced through simulations on the subject of polygamy, that has met the requirements, one of which is the existence of a letter of legality signed by the first wife above 10,000 materials;
- b. Tools or instrumentals used by the mediator/counselor of the Rantauprapat religious court as an effort to generate motivation for the prospective groom and bride that marriage is worship is carried out by giving 1 sheet of prayer rugs plus 2 Korans. This is carried out by the mediator / counselee of the Rantauprapat religious court to the bride and groom with the aim of always reminding them to both of them so that the household must always worship Allah swt. so that it can fortify the household from all forms of anxiety, so this is done by the mediator/counselor of the Rantauprapat religious court who supports polygamy, if asked one by one, especially to judges who are women themselves do not agree with the existence of polygamy, but what is done by the mediator/counselor is the continuation of polygamy which has already been implemented at the KUA where they live (the husband and wife);
- c. The material for understanding the importance of the sakinah family which has been recorded through BP4 of the Ministry of Religion of North Sumatra Province and the book is in accordance with the material for national sakinah household harmony which is signed directly by the minister of religion. This book is given to the bride and groom, so that it can be read and understood correctly, and benefit and can be practiced that household harmony is harmony as the harmony created by the Prophet Muhammad; So in this case the mediator/counselor of the Rantauprapat religious court cooperates with BP4 as a representative in the religious court which in fact is not only solving problems with divorce claims, divorce claims and so on but also guiding, fostering,

It can be analyzed and concluded that the role and responsibility of the mediator/counselor of the Rantauprapat religious court not only acts as a mediator to hear divorce cases, but also actively and contributes to increasing awareness of the surrounding community about the importance of maintaining a sakinah family, because by running a sakinah family, then you will get a prosperous, peaceful, comfortable and prosperous family. Because the key to smooth sustenance is to build a small country (what is meant by a small country here is a household). The researcher analyzes that household harmony is because it starts from the harmonization of a healthy life run in the household, therefore every year the KUA in Rantauprapat invites the mediator/mediation of the Rantauprapat religious court in the MOU and MOA in cooperation to hold a competition for selecting the sakinah family and is sent annually to represent the Districts of South Rantau, Rantauprapat, North Rantau and other sub-districts throughout Labuhanbatu Regency to If the province gets the first nomination, it will represent North Sumatra to the National level.

4.4. The need for counselees at the Labuhan Batu Regency Religious Court in reduce the number of polygamous disputes

The existence of counselees at the Labuhan Batu Regency Religious Court, namely the Rantauprapat Religious Court, is part of the local government institution tasked with providing services to the community. As the spearhead of the implementation of general government duties, especially in the field of disputes in Islam, the Rantauprapat religious court has tried as optimally as possible with existing capabilities and facilities to provide the best service. However, efforts to publicize the roles, functions and duties of the Rantauprapat religious court must always be pursued.

The reality on the ground shows that there are still some people who do not fully understand the duties and functions of the Rantauprapat religious court, one of which is the mediator/counselor of the Rantauprapat religious court. As a result, it is not surprising, there is an impression that the task of the mediator/counselor of the Rantauprapat religious court is only to settle marital disputes, the community still considers that the role of the religious court office is an office that resolves marital disputes, whereas on the contrary the office of the religious court is not an office that handles marital disputes. Only, but also inheritance disputes due to inheritance disputes, waqf disputes, and so on.

V. Conclusion

1. Counseling planning at the religious court of Labuhan Batu Regency in reduce the number of polygamous disputes.

Counseling planning at the religious court of Labuhan Batu Regency in Reducing the number of polygamy disputes is carried out in two plans, namely;

- a) Mediation planning based on service culture and
- b) Mediation planning is based on a transformative culture.

2. The counselee's steps at the Labuhan Batu District Religious Court in reducing the number of polygamy disputes

The counselee's steps at the Labuhan Batu Regency Religious Court in reducing the number of polygamy disputes are carried out in two steps, namely;

- a) Steps for Education and
- b) Consultative Step

3. Inhibiting and supporting factors for counselees at the Labuhan Batu Regency Religious Court in reducing the number of polygamy disputes

The inhibiting and supporting factors of counselees at the Labuhan Batu Regency Religious Court in reducing the number of polygamy disputes. In terms of supporting facts are;

- a. Facilities and infrastructure provided by the religious court Rantauprapat is very supportive, especially for those who use online-based marriage registration
- b. Instruments or instruments used by the mediator/counselor of the Rantauprapat religious court as an effort to generate motivation for the community that marriage is a marriage.
- c. The material for understanding the importance of the sakinah family which has been recorded through BP4 of the Ministry of Religion of North Sumatra Province and the book is in accordance with the material for national sakinah household harmony which is signed directly by the minister of religion.
- d. Evaluation of the technical implementation of the counselee's recording by the mediator/counselor of the Rantauprapat religious court.

- e. The provision of a pre-wedding manual that is used as support for understanding the media of marriage is a supporting factor for the smooth registration of KUA marriages to the prospective bride and groom in a comprehensive manner;
- f. The materials for fostering and empowering household harmony were seminars and then included in the sakinah family competition, which is held by the Ministry of Religion of North Sumatra Province every year and is made North Sumatra's ambassador to the national level (in the event of searching for a sakinah family).

Of the inhibiting factors are:

- 1) Lack of awareness of some people will join the programsakinah family;
- 2) Less than optimal empowerment of government officials or SKPD sub-districts throughout Labuhanbatu Regency in disseminating the community empowerment program through religious activities;
- 3) Lack of facilities and infrastructure in developing a familysakinah through the counselee by the mediator / counselee of the Rantauprapat religious court itself
- 4) The lack of optimal support from the First Aid in this case is the mother of devotion from the government (Kecamatan) in socializing the empowerment of the Sakinah family;
- 5) Not yet optimal provision of constructive sakinah family development activities through sakinah family festivals;
- 6) There are still findings of irresponsible individuals from other sub-districts who have legalized illegal weddings (this marriage is practiced in order to allow polygamy);
- 7) Less than optimal cooperationbetween KUA in Labuhanbatu Regency and MUI Labuhanbatu (meaning in the integrity pact and cooperation of the Rantauprapat religious court with KUA and MUI Labuhanbatu), in this case related to organizing or training for prospective brides and grooms, as appropriate BP4 has carried out courses for prospective brides for 2 days.

4. The need for counselees at the Labuhan Batu Regency Religious Court in reduce the number of polygamous disputes

The need for counselee in courtThe religion of Labuhan Batu Regency in reducing the number of polygamous disputes is motivated by two factors, namely;

- a. There is pressure from the community and
- b. There is pressure from Islamic organizations

References

- Ali, Achmad. (2009). *Revealing Legal Theory and Justice Theory*. Jakarta: PT Kencana Prenada Media Group.
- Ali al-Jurjani. (1985). *al-Tariifaat*. Beirut: Daar al-Kitab al-Arabi.
- Al-Thahanawi. (2005). *Mujam al-Isthilahaatal-Ulum wa al-Funun*. Beirut; Daar al-Marifaah.
- Alwi, Hasan. (2009). *Big Indonesian Dictionary, Third Edition*. Jakarta; Balai Pustaka, Jakarta.
- Ash-Shobuni, M. Ali. (2008). *Islamic Marriage*, trans. Ahmad Nurrahim. Solo; Mumtaza, Solo.
- Bertens, K. (1999). *History of Greek Philosophy*. Yogyakarta; Canisius.
- De Cruz, Peter. (2010). *Comparative Legal Systems, Common Law, Civil Law & Socialist Law*, translated by Narulita Yusron. Jakarta: Nusa Bangsa.
- Ministry of National Education, *Big Indonesian Dictionary, Language Center,Fourth Edition*. Jakarta: Gramedia Pustaka Utama.

- Ediwarman. (2009). Monograph of Legal Research Methodology, Medan.
- Edward, Paul and Lewis Mulfrad Adams. (1965). Webster World University Dictionari. Washington DC; Publishers Company Inc.
- Masyhur Efendi, Masyhur. (1994). Dimensions / Dynamics of Human Rights in National and International Law. Jakarta; Ghalia Indonesia.
- Fajar, Mukti and Yulianto Achmad. (2010). Dualism of Normative & Empirical Legal Research. Yogyakarta; Student Library.
- Fuady, Munir. (2010). Dynamics of Legal Theory. Bogor: Ghalia Indonesia.
- Groos, Hyman. (1979). A Theory of Criminal Justice, England: Oxford University.
- Hadikusumo, Hilman. (1990). Indonesian Marriage Law. Bandung; Mandar Maju.
- Hamzah, Andi. (1986). Legal Dictionary. , Jakarta; Ghalia Indonesia.
- HR, Ridwan. (2006). State Administrative Law. Jakarta; Raja Grafindo Persada.
- Ichsan, Achmad. (1986). Marriage Law for Muslims. Jakarta; Pradnya Paramita.
- Iskandar. (2009). Qualitative Research Methodology. , Jakarta; Echo Persada.
- Jafar, A. (2012). Prohibition of Muslimah Polyandry: Philosophical Studies, Juridical Normative, Psychological and Sociological, Journal, Al-Adalah, Vol. X, No. January 3.
- Kontjoroningrat. (1997). Community Research Methods. , Jakarta; PT GramediaMain Library.
- Kamello, Tan, Progress Fiduciary Guarantee Institutions: A Review of Court Decisions and Agreements in North Sumatra, 2002, Dissertation, PPs-USU, Medan/
- Lubis, M. Solly. (2012). Philosophy of Science and Research. Jakarta; PT Softmedia.
- Marpaung, Leden. (1996). Crimes against Morality and the Problem of Prevention. Jakarta; Sinar Graphic.
- Marzuki, Peter Mahmud. (2004). Legal Research. Bandung; Image of Aditya Bakti.
- Muhammad, Abdulkadir. (2001). Ethics of the Legal Profession. Bandung; Image of Aditya Bakti.
- Musfir al-Jahrani. (1997). Polygamy from Various Perceptions. Jakarta; Human Echo Press.
- Nasution, Bismar. (2003). delivered at "Interactive Dialogue About Legal Research and Legal Research Writing Results in Accredited Papers", USU Faculty of Law, February 18.
- Minister of Religion Regulation No. 11 of 2007 concerning Marriage Registration.
- Praja, Juhaya. S, Legal Theory And Its Applications. Bandung; Faithful Library, 2011
- Qutub, Sayyid, Fi Zhilalil Quran, trans. Asad Yasin et al. Jakarta; Gema Insani Press, 2001.
- Raghib al-Isfahani, Mufradaat alfadzil Quran. Beirut; Daar al-Marifah, 2005.
- Rawls, John, A Theory Of Justice. England; Original Edition, Harvard University Press Cambridge, Massachusetts London, 1971.
- Suspect, Hari, Law of Evidence in Civil Cases for Students and Practitioners. Bandung; Mandar Maju, 2005.
- Soedaryo Saimin, Soedaryo. (1992). People and Family Law. Jakarta; Sinar Graphic.
- Saleh, Roeslan. (1983). Criminal Acts and Criminal Liability. Jakarta; ,New Script.
- Salim. (2012). Development of Theory in Legal Studies. Jakarta; PT Raja Grafindo Persada.
- Silalahi, Uber, Research Methods and Methodology, 1999, Cultural Development, Bandung.
- Shidarta. (2006). Indonesian Consumer Protection Law, Revised Edition. Jakarta. Gramedia Widiasarana Indonesia.
- Singarimbun, Masri and Sofyan Efendi, Survey Research Methods. Jakarta; LP3ES, 1989.
- Sjahdeni, Sutan Remy. (1983). Freedom of Contract and Balanced Protection for the Parties in Bank Credit Agreements in Indonesia. Jakarta; Indonesian Bankers Institute.
- Soekanto, Soerjono. (1982). Introduction to Legal Research. Jakarta; UI-Press, Salemba.
- Soemitro, Ronny Hanitijo. (1982). Legal Research Methods. Jakarta; Ghalia Indonesia.

- Soekanto, Soerjono and Sri Mamudji. (1986). Normative Legal Research A Brief Overview. , Jakarta; CV Rajawali.
- Stone, Julius. (1965). Human Law and Justice. California USA; Stanford University Press.
- Subekti and R. (1978). Tjitrisedibio, Legal Dictionary. Jakarta; Pradya Pramita.
- Suherman, E. (1979). Liability Issues on Aircraft Charter DanSeveral Other Problems in Aviation (Collection of Essays). cet. II. Bandung; Alumni.
- Sugono, Bambang. (2001). Legal Research Methods (An Introduction). Jakarta; PT Raja Grafindo Indonesia.
- Supranto, J. (2003). Legal and Statistical Research Methods. Jakarta; Rineka Cipta.
- Wigyosubroto, Sutandyo. (2002). Law, Paradigm, Method and the dynamics of the problem.Jakarta; Huma.
- Sheikh Taqiyudin al-Nabhani. (2003). al-Nizham al-Ijtima fî al-Islam. Beirut; Darul Ummah.
- Law Number 1 of 1974 concerning Marriage.
- Law No. 7 of 1989 Jo. UU no. 3 of 2006 Jo. UU no. 50 of 2009 concerning Religious Courts.
- Law No. 22 of 1946 Jo. UU no. 32 of 1954 concerning Registration of Marriage, Divorce and Reconciliation.
- Zamakhsyari. (2013). Theories of Islamic Law. Bandung; Pioneer Media Citalibrary.