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Reconstruction of Marriage Guidance and Its Relevance to the Resilience of Sakinah Families in Palu City: A Maqāṣid al-Sharī'ah Perspective

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ABSTRACT

This study is motivated by the limited effectiveness of premarital guidance as a preventive instrument for strengthening family resilience in Palu City. Although the program is normatively supported by policy and religious foundations, empirical findings reveal a gap between program design and its implementation. This condition highlights the urgency of reconstructing premarital guidance to better respond to the real needs of families.The study aims to reconstruct premarital guidance and analyze its relevance to family resilience from the perspective of *maqāṣid al-sharī'ah*. This research employs an empirical qualitative approach through in-depth interviews, observation, and documentation involving program administrators, facilitators, and participants. Data were analyzed thematically to identify implementation patterns and program effectiveness. The findings indicate that program effectiveness is influenced by limited resources, predominantly normative approaches, and weak evaluation and sustainability mechanisms. The impact of premarital guidance on strengthening family resilience remains limited. Therefore, reconstruction based on *maqāṣid al-sharī'ah* is required through strengthening institutional actors, developing contextual materials, and applying participatory and sustainable methods. Such reconstruction is expected to enhance the preventive function of premarital guidance in building systemic family resilience.

ARTICLE INFORMATION

Reconstruction of Premarital Guidance; Family Resilience; *Maqasid al-Shariah*.

1. Introduction

The purpose of marriage guidance is to help couples understand their roles and responsibilities within marriage, develop effective communication skills, resolve conflicts, build intimacy, and prepare themselves to face challenges that may arise in married life.

The implementation of this concept of marriage guidance has been incorporated into policy by the Ministry Of Religious Affairs through the introduction of premarital course programs, known as the Course for Prospective Brides and Grooms (Suscatin). This program is regulated under the Regulation of the Director General of Islamic Community Guidance No. DJ.II/491 of 2009, which was subsequently updated by Regulation No. DJ.II/542 of 2013 concerning Guidelines for the Implementation of Premarital Courses. The purpose of these courses is to enhance knowledge and

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understanding of family life in order to foster harmonious families characterized by love and affection, while also reducing conflict, domestic violence, and divorce (Kementrian Agama, 2013).

Over a three-year period, the number of divorce cases in Palu City reached 3,759 cases from 2019 to 2021. This figure represents the cumulative number of divorce cases recorded during those years, with 1,304 cases in 2019 and 1,362 cases in 2020. In 2021, the number of divorce cases reached 1,093.

Divorce can hinder children from enjoying a healthy and prosperous life and may result in the neglect of their rights (Muslih, Nurdin, & Marzuki, 2020). Furthermore, poverty alleviation, children's rights, and healthy and prosperous living conditions are three fundamental components of the 17 Sustainable Development Goals (SDGs), which have been adopted by 193 countries, including Indonesia. Therefore, strengthening family resilience has become an urgent necessity to reduce divorce rates. This effort should be implemented comprehensively, from upstream to downstream. Strengthening family resilience should begin with the reconstruction of the concepts underlying and the implementation of the *Suscatin* Marriage Guidance Program and the *Pusaka Sakinah* Program to address the challenges that have undermined their effectiveness in reducing divorce rates, marital disputes, divorce, and domestic violence.

2. Literature Review

2.1 Definition and Nature of Legal Reconstruction

Etymologically, the term legal reconstruction derives from the prefix *re-* (again) and the word construction (to build), thus literally meaning to rebuild or reorganize a legal structure that is considered no longer capable of addressing the needs of society (Ali, 2009).

The concept of legal reconstruction did not emerge in a vacuum; rather, it developed from accumulated dissatisfaction with legal formalism, which treats legal rules as autonomous entities detached from social realities. Proponents of legal reconstruction begin with the observation that prevailing law (law in books) often fails to resolve actual problems in society (law in action) because its design has never been fundamentally revised. Legal reconstruction rejects the patchwork approach, which merely modifies articles or paragraphs without addressing the underlying conceptual framework and institutional architecture that support them. In the Indonesian context, the need for legal reconstruction has become increasingly urgent because many regulations inherited from the colonial era, as well as those enacted during the New Order regime, are no longer relevant to contemporary social dynamics. Therefore, understanding the theory of legal reconstruction and its proponents is an essential prerequisite for any researcher seeking to propose substantive legal reform rather than merely cosmetic changes (Soekanto, 2018).

The structural component of Friedman's theory refers to the institutions, roles, and procedures responsible for implementing the law. In the context of this research, this structure encompasses the Office of Religious Affairs (*Kantor Urusan Agama* or KUA), the Advisory, Guidance, and Marriage Preservation Agency (*Badan Penasihatan Pembinaan dan Pelestarian Perkawinan* or BP4), the Family Welfare Consultation Institution (*Lembaga Konsultasi Kesejahteraan Keluarga* or LK3), as well as religious counselors and professional counselors. The effectiveness of these structures is a key determinant of the accessibility and quality of marriage guidance services provided to prospective brides and grooms in Palu City (Ubaedillah, 2021).

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From the perspective of *maqashid al-sharia* (the objectives of Islamic law), the substantive content must be broadened to incorporate key elements such as premarital psychological approaches, post-disaster conflict management, family financial literacy, and an understanding of *parenting resilience*. The reconstruction of legal substance aims to produce modules that are contextual, practical, and evidence-based, addressing not only the legal and formal aspects of marriage but also its psychosocial and spiritual dimensions. This is consistent with Friedman's view that legal substance must be responsive to societal changes and demands in order to generate tangible social impacts.

2.2 The Concept of Marriage Guidance

Marriage guidance consists of two terms: "guidance" and "marriage." The term "guidance" originates from the English word guidance, which is derived from the verb to guide. It refers to the process of showing the way or providing direction to others toward things that are beneficial to their lives, both in the present and in the future (gurupendidikan, 2023).

Prayitno explains that guidance is a process of assistance provided by an expert to individuals or groups, including children, adolescents, and adults. Its primary objective is to enable those receiving guidance to develop their abilities independently by utilizing their existing potential and available resources. Furthermore, the guidance process adheres to applicable norms (Prayitno & Amti, 2013).

Guidance serves several primary functions, namely the understanding function, which helps individuals recognize their potential and environment; the preventive function, which aims to anticipate and prevent problems; the developmental function, which involves creating an environment conducive to individual growth; the remedial or corrective function, which addresses problems encountered by individuals; the distribution function, which assists individuals in selecting educational activities and career paths according to their talents, interests, and abilities; the adaptation function, which helps educators adjust educational programs to individual characteristics and needs; and the adjustment function, which supports individuals in adapting positively and flexibly to educational programs and religious norms (Karim, 2019).

Etymologically, marriage is derived from the Arabic terms *al-jam'u* and *al-dhammu*, both of which mean "to gather" or "to unite." The term *nikah* originates from the Arabic verb *nakaha*, which is translated into Indonesian as *perkawinan* (marriage) (Pangestu & Ayu, 2020).

Based on the definitions of guidance and marriage, marriage guidance can be understood as a process or program designed to help married couples understand, improve, and develop their marital relationship. Its purpose is to strengthen the emotional bond and communication between husband and wife, as well as to assist them in resolving conflicts and addressing challenges that may arise in marriage.

2.3 The Concept of Family Resilience

Family resilience can be defined as a family's ability to overcome various obstacles, threats, and problems that may disrupt their continuity of life. Furthermore, a family's ability to develop the potential of its members to achieve their goals and aspirations is also part of family resilience. Family resilience is also defined as a condition that describes a family's ability to access a range of basic needs that support their livelihood, such as healthcare services, food, housing, education, adequate income, and social integration (Frankenberger & McCaston, 1998).

Walsh's theory serves as a conceptual bridge connecting premarital counseling

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practices as a preventive instrument with the ultimate goal of establishing resilient and empowered families in Palu City. Walsh argues that individual resilience does not emerge in a vacuum; rather, it flourishes within a family ecosystem characterized by functional key relational processes. For the reconstruction of premarital counseling in Palu City, this implication means that BIMWIN must be designed not merely to equip prospective brides and grooms as individuals, but also to establish the foundations of a resilient family system before marriage begins (Ungar, 2013; Walsh, 2003, 2016).

Walsh formulated a framework for family resilience consisting of three interrelated key processes: family belief systems, organizational patterns, and communication and problem-solving processes (Walsh, 2012).

From the perspective of *maqashid al-shariah*, Walsh's three domains of family resilience demonstrate conceptual connections with the objectives of Islamic law in preserving the family institution. The family belief systems domain emphasizes meaning-making in adversity, a positive outlook, and spirituality as sources of meaning, hope, and strength in navigating crises, aligning with the principle of *hifz al-din* (the preservation of religion). The organizational patterns domain encompasses flexibility in adapting family roles and rules, emotional connectedness reflecting the Islamic values of *mawaddah* (affection) and *rahmah* (compassion), and the ability to access social and economic resources to sustain family well-being (McCubbin & McCubbin, 1988; Walsh, 2015).

Meanwhile, the communication and problem-solving processes domain highlights clarity of communication, open emotional sharing, and collaborative decision-making as mechanisms that reinforce the functioning of the other two domains (Nurdin, 2022). In the context of reconstructing the Premarital Counseling Program (*Bimbingan Perkawinan* or BIMWIN) in Palu City, these three domains provide a conceptual foundation for designing a program that not only strengthens couples' spiritual foundations but also develops their adaptive capacities, fosters harmonious family relationships, mobilizes supportive resources, and enhances communication and problem-solving skills to promote family resilience (Gottman & Silver, 2015; Walsh, 2003).

2.4 Marriage Counseling

According to Adeogun, counseling is a psychological process that assists individuals in achieving self-direction, self-understanding, and the mental balance necessary for optimal adjustment in school, at home, and within the community (Milton, 2008). Mubarok explains that the purpose of counseling is to support individuals facing mental health issues, enabling them to make the best decisions for themselves (Mubarok, 2009).

Counseling services address a broad spectrum of problems faced by clients, including family conflicts (such as those between spouses, parents and children, and parents and in-laws), as well as issues such as juvenile delinquency and various other complexities inherent in human life. The ultimate goal of family counseling is to establish a family structure in which all members maintain strong relationships. Each family member is expected to recognize how their behavior can affect others. They are also expected to learn how to communicate and cooperate within the family. The objective is to enable family members to function both independently and interdependently, allowing each member to develop autonomy and maintain healthy functioning within the family (Goldenberg & Goldenberg, 2002).

2.5 Maqashid Syariah

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The term *maqsid* (plural: *maqasid*) means purpose, principle, intention, end, or objective. It is derived from the verb *qaṣada–yaqṣudu* and carries several meanings, including heading in a particular direction, purpose, moderation, justice, consistency, avoiding excess, following the straight path, and maintaining a middle course between excess and deficiency. Meanwhile, the term *sharia* etymologically refers to *al-ʿutbah* (the lap of a valley), *al-ʿatabah* (a door or staircase), *mawrīd al-sharīah* (a path or place where those who are thirsty seek water), and *al-ṭarīq al-mustaqīmat* (the straight path). Schacht defines *sharia* as the sacred law of Islam that governs every aspect of a Muslim's life, encompassing regulations concerning worship and religious rituals, as well as political rules and, in a narrower sense, legal provisions (Schacht, 1964).

From the perspective of scholars of *usul al-fiqh* (principles of Islamic jurisprudence), the term *maqasid al-shari'ah* is also referred to by other names. For instance, Abu Zahra calls it *maqasid al-ahkam*, while Abdul Wahab Khallaf terms it *maqasid al-tashri'*. Al-Thufy refers to it as *maslahah*, whereas Al-Shatibi and Abdul Karim Zaidan employ the term *maqasid al-shari'ah* (Farikhin et al., 2022).

Imam al-Juwayni classified the objectives of Islamic law (*maqāṣid al-sharīʿah*), understood in terms of public benefit (*al-maṣlaḥah*), into five levels. This concept was subsequently summarized by al-Ghazali into three levels: *ḍarūriyyāt* (primary necessities), *ḥājiyyāt* (secondary needs), and *taḥsīniyyāt* (tertiary needs). Al-Ghazali further elaborated the level of *ḍarūriyyāt* into five essential principles: the preservation of religion, life, lineage, intellect, and property (Syihab, 2023).

3. Methodology

This study employed an empirical qualitative research design to examine the implementation of marriage guidance and its relevance to family resilience from the perspective of *maqāṣid al-sharī'ah*. This design was chosen because it enables an in-depth understanding of the actual practices, experiences, and perspectives of the individuals involved, while examining how marriage guidance aligns with the objectives of *maqāṣid al-sharī'ah* in strengthening family resilience (Hardani, 2020; Nurdin, 2017).

The research was conducted in Palu City, Central Sulawesi, Indonesia, covering eight Offices of Religious Affairs (Kantor Urusan Agama/KUA). Primary data were obtained from purposively selected informants, including KUA heads and participants in the Suscatin and Pusaka Sakinah programs, while secondary data were drawn from relevant books, journal articles, policy documents, and other written sources. Data were collected through direct observation of marriage guidance activities, in-depth interviews, and documentation. These methods enabled the study to explore program implementation and assess its relevance to strengthening family resilience.

4. Results and Discussion

4.1 The Construction of Marriage Guidance in Palu City

Field observations, NVivo data analysis, and interview findings indicate that administrative functions occur more frequently, suggesting that the guidance function tends to be subordinate to administrative responsibilities. Consequently, the educational and transformative roles of the Office of Religious Affairs (*Kantor Urusan Agama*, KUA) in premarital counseling have not been fully articulated or optimally realized.

Based on the foregoing discussion, the institutional structure governing marriage administration, particularly in Palu City, places legal and administrative authority over the premarital process within the Office of Religious Affairs (KUA). This authority positions the KUA as the primary

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institutional actor and official provider of premarital counseling. Premarital counseling is understood as a procedural requirement that prospective brides and grooms must fulfill before the marriage contract is solemnized. This observation is consistent with the findings of a study by Taufik Kurniawan et al., which indicate that, in practice, the KUA's role tends to focus on schedule management, requirements verification, and the implementation of activities in accordance with applicable regulations. Nevertheless, premarital counseling is also expected to serve as a preventive instrument to minimize household problems and reduce divorce rates.

The aforementioned situation reflects a structural pattern in the implementation of premarital counseling, which is not limited to Palu City but is also corroborated by previous studies indicating that the effectiveness of counseling provided by the Office of Religious Affairs (KUA) remains partial and tends to be constrained by a procedural-administrative logic. For instance, a study by Rafnitul Hasanah Harahap et al. found that although premarital counseling has been normatively regulated, its implementation has not proceeded as intended. Instead, it tends to be reduced to an administrative requirement in the form of a certificate, demonstrates insufficient internalization of Islamic educational values, and has not been proven effective in reducing divorce rates. Consequently, its effectiveness remains partial and has yet to fulfill its substantive preventive and transformative functions.

The marriage guidance (BIMWIN) model under the Ministry of Religious Affairs is, in principle, required to adhere to the established operational guidelines (*juklak/juknis*) and the specific modules designed for this program. In practice, however—specifically within the jurisdiction of the Office of Religious Affairs (KUA) in Palu City—there are instances where the implementation of BIMWIN does not fully align with these guidelines and modules. This occurs because some individuals conducting the sessions are not facilitators who have received formal training and certification for the BIMWIN program. Furthermore, there are also certified facilitators who lack the proficiency to effectively apply the guidelines and modules; this particular issue warrants further investigation to identify the underlying causes.

Thus, overall, the word cloud analysis and cluster diagram reveal that the actors and roles involved in the implementation of premarital counseling in Palu City are constructed within a framework of formal state-religious authority. The Office of Religious Affairs (KUA) functions predominantly as an institution that regulates procedures, facilitators serve as transmitters of normative content, and counseling participants are positioned as subjects of compliance. This construction explains why premarital counseling is understood primarily as a formal obligation prior to the solemnization of marriage rather than as a space for transforming prospective couples' psychosocial and spiritual preparedness, as required by the broader objectives of Islamic family law.

4.2 The Relevance of Marriage Guidance to Family Resilience

First, in the dimension of psychological resilience, marriage guidance is relevant to preparing couples to cope with emotional pressures, manage stress, and develop healthy marital relationships. Family resilience depends not only on an understanding of marital norms and

obligations but also on the couple's ability to communicate, resolve conflicts, and adapt to changing family circumstances. However, the research findings indicate that materials on communication, conflict management, and emotional dynamics are still generally delivered in a normative and theoretical manner. Consequently, the knowledge acquired has not been fully internalized and translated into practical skills for everyday family life.

Second, in the dimension of economic resilience, marriage guidance is relevant to raising couples' awareness of meeting basic needs, financial planning, expenditure management, and economic responsibilities within the family. Nevertheless, field findings reveal that economic constraints, inadequate housing conditions, and financial difficulties can pose challenges to family resilience. The study also emphasizes that economic conditions cannot serve as the sole indicator of family resilience, since even families with relatively stable financial circumstances may experience conflict and divorce. Therefore, economic resilience must be supported by the ability to manage emotions, maintain effective communication, and make joint decisions.

Third, in the dimension of relational and social resilience, marriage guidance is relevant to strengthening relationships among family members, adaptive role distribution, parental responsibilities, social participation, and the practice of religious values. However, the study identifies a gap between the program's intended objectives and its actual implementation. In practice, marriage guidance is often treated as an administrative requirement, with materials delivered briefly and unidirectionally, and with limited follow-up after marriage. Thus, although marriage guidance is normatively and conceptually relevant to strengthening family resilience, its empirical impact remains limited. The study highlights the need to strengthen the capacity of program implementers, develop context-sensitive materials that address families' real-life challenges, adopt participatory learning methods, and establish continuous evaluation and follow-up support so that the goal of strengthening family resilience can be achieved more effectively.

Normatively and conceptually, premarital counseling programs delivered through SUSCATIN and Pusaka Sakinah are highly relevant to strengthening family resilience, as they encompass training in communication, conflict and emotional management, financial planning, reproductive health, child-rearing, and an understanding of the rights and responsibilities of spouses. The objectives and content of these programs align with various factors contributing to marital breakdown and with the principles of *maqāṣid al-sharīʿah*, particularly the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). As preventive measures, SUSCATIN and Pusaka Sakinah have the potential to prepare couples to navigate the dynamics of married life before conflicts escalate into divorce.

However, this potential has not been fully realized in practice, as premarital counseling tends to remain administrative, formalistic, brief, and unidirectional, with limited consideration of the experiences and local sociocultural context of Palu City and insufficient support from sustained post-marital assistance. Furthermore, the effectiveness of these programs is constrained by the underdeveloped evaluation indicators for *keluarga sakinah* (harmonious Islamic families) and by limitations in funding, human resources, time, and facilitator competencies. Therefore, premarital counseling needs to be reconstructed through participatory learning methods, context-sensitive materials, enhanced implementation capacity, sustained post-marital assistance, and

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outcome-based evaluation to ensure that family well-being and resilience can be achieved more effectively and sustainably.

4.3 Reconstructing Marriage Guidance Based on Maqasid Sharia

The implementation of premarital counseling through SUSCATIN/BIMWIN and Pusaka Sakinah in Palu City continues to face a gap between normative objectives and actual practices. Premarital counseling tends to prioritize the fulfillment of administrative requirements, rely on one-way lecture methods, and provide insufficient opportunities for dialogue, reflection, and simulations of real-life marital problems. These conditions are further exacerbated by limited funding, time constraints, inadequate facilitator competencies, and weaknesses in evaluation and post-marital assistance. Consequently, the counseling materials have not fully developed couples' psychological, social, and spiritual preparedness, thereby limiting the programs' contribution to family resilience.

The proposed reconstruction involves developing a more holistic, contextual, participatory, and sustainable premarital counseling model. This model emphasizes strengthening facilitators' capacities so that they function as transformative guides rather than merely as providers of information, while also involving various stakeholders, including family counselors, community psychologists, *keluarga sakinah* facilitators, and competent religious leaders. Counseling materials should be tailored to the actual needs of families in Palu City, including conflict management, marital communication, psychological well-being, family economics, child-rearing, and local sociocultural conditions. Implementation should also be supported by experiential learning methods, case discussions, conflict simulations, and post-marital assistance to ensure that the skills acquired can be practically applied in family life.

From the perspective of *maqāṣid al-sharīʿah*, this reconstruction places family welfare at the center of its objectives through the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). These principles need to be operationalized through counseling materials, methods, services, and evaluation indicators capable of measuring changes in couples' preparedness and the quality of family resilience, rather than merely recording attendance or administrative completion. Therefore, premarital counseling should move beyond a legal-formalistic approach toward one that prioritizes public benefit (*maṣlaḥah*), adopts a preventive orientation, responds to local contexts, and is supported by continuous evaluation and assistance. Accordingly, premarital counseling is expected to become a more effective instrument for building *keluarga sakinah*—harmonious Islamic families that are resilient spiritually, psychologically, socially, and economically.

5. Conclusion

The findings reveal a gap between the normative objectives of premarital counseling, which align with *maqāṣid al-sharīʿah*, and its implementation in strengthening family resilience in Palu City. This gap is attributed to limited resources, text-based approaches, and inadequate evaluation and post-marital assistance, as well as insufficient integration of local sociocultural contexts and post-disaster family dynamics. Therefore, reconstruction is needed through enhanced facilitator capacity, context-sensitive and practical materials, participatory learning methods, adequate funding, and continuous monitoring and assistance from the premarital to post-marital stages. This systemic approach aims to transform premarital counseling from an administrative procedure into an effective

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preventive and transformative instrument for sustainable family resilience.

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