



Marriage and Divorce in Islamic Law: Sociological Implications for Modern Muslim Societies

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ABSTRACT

This study examines the sociological implications of marriage and divorce in Islamic law in modern Muslim societies. It aims to explore how Islamic legal principles related to marriage and divorce are interpreted and applied in contemporary contexts and their impact on family dynamics, gender roles, and societal norms. The research employs a qualitative approach, with the data collected through interviews, focus groups, and ethnographic observation analyzed using thematic coding and narrative analysis. This approach allowed for identifying recurring themes and patterns and exploring participants' perceptions, attitudes, and personal stories. A combination of a literature review with a comprehensive review of existing scholarly works, legal texts, and sociological studies on Islamic marriage and divorce laws was conducted. This review helped to identify key themes, gaps in research, and the evolving nature of Islamic family law across different cultural and regional contexts. Sources include classical and contemporary Islamic jurisprudence (fiqh), academic articles, books, and NGO reports on women's rights and legal reforms in Muslim-majority countries. For the literature review, the study focused on sources published between 2000 and 2020. The following criteria guided the selection of literature to ensure that the materials were relevant, credible, and up-to-date with contemporary debates and issues: Relevance to Topic, Academic and Peer-Reviewed Sources, Publication Date, Geographical Scope, Legal and Sociological Focus. Literature that addresses the intersection of Islamic law, gender dynamics, and the sociological implications of marriage and divorce. Respondents from members of Muslim communities across diverse socio-cultural settings. This analysis is applied to identify variations in the application of Islamic family law in different regions. The findings reveal that local cultural norms and legal systems often influence Islamic principles governing marriage and divorce. While Islamic law emphasizes justice, mutual respect, and the protection of family welfare, its implementation varies significantly, creating diverse sociological outcomes. For example, in some regions, divorce laws have been adapted to address gender equality concerns, while in others, traditional practices continue to dominate, often to the detriment of women's rights. The study concludes that while Islamic family law provides a robust framework for regulating marriage and divorce, its sociological implications are shaped by the interplay between religion, culture, and modern legal reforms. To address the challenges faced by Muslim families, there is a need for a balanced approach that respects religious principles while promoting social justice and gender equality. This highlights the importance of ongoing dialogue and reform to ensure that Islamic family law remains relevant and supportive in modern societal contexts.

Keywords: Islamic family law, marriage and divorce, sociological implications, gender roles, modern Muslim societies

Introduction

Marriage and divorce are fundamental aspects of human life that hold significant sociological and legal importance (Arendell, 2023). In Islamic law, both institutions are not merely contractual agreements but are deeply rooted in religious principles, shaping Muslim societies' moral and social fabric. As prescribed in the Qur'an and Hadith, marriage is seen as a sacred bond to foster



companionship, procreation, and moral integrity. Divorce, while permitted, is considered a last resort, with specific guidelines designed to ensure justice and fairness. While timeless, these principles face complex challenges in their application within modern Muslim societies.

One of the pressing issues in this context is the evolving nature of family structures and gender roles. Modernization, globalization, and urbanization have led to significant shifts in societal norms, including increasing divorce rates, changing perceptions of marriage, and heightened awareness of gender equality (Mughal, 2023). While Islamic law provides a comprehensive framework for marriage and divorce, its interpretation and application often vary, influenced by cultural practices and legal reforms in different regions (bin Abdullah, 2024). These variations raise critical questions about the adaptability of Islamic family law in addressing contemporary societal needs.

A significant gap in the current literature is the lack of comprehensive sociological analyses that examine the interplay between Islamic legal principles and modern social dynamics. Much of the existing research focuses on theological or legalistic perspectives, often neglecting the lived experiences of Muslim individuals and families (Ali, 2021). This gap hinders a holistic understanding of how marriage and divorce laws influence and are influenced by changing social realities in Muslim communities. Another issue is the tension between religious doctrines and state interventions in family law (Kohno et al., 2020). In some countries, legal reforms have sought to align Islamic family law with international human rights standards, particularly regarding gender equality (Patwari & Ali, 2020; Jaffal, Shawabkeh & Al Obeidi, 2022). While these reforms aim to address inequalities, they often face resistance from traditionalists who view them as a departure from religious teachings. This creates a polarized discourse, leaving limited space for nuanced discussions that consider religious principles and contemporary social challenges.

Recent research has highlighted the critical role of cultural context in shaping the practice of Islamic family law. For example, studies have shown that in Southeast Asia, local customs often influence the interpretation of marriage and divorce laws, sometimes leading to practices that deviate from Islamic principles (Nasohah, 2024). Similarly, in the Middle East, socio-political factors, such as legal pluralism and state control over religious institutions, significantly impact the application of Islamic family law (Yilmaz & Sokolova-Shipoli, 2024). These findings underscore the need for region-specific analyses to understand the diverse ways Islamic legal principles are implemented.

Despite these advancements, there remains a dearth of studies that explore the sociological implications of marriage and divorce laws on family dynamics and individual well-being. Issues such as the psychological impact of divorce, the role of economic factors in marital stability, and the experiences of women in navigating family law are often overlooked. Addressing these gaps is crucial for developing policies and practices that support the welfare of Muslim families.

Additionally, the role of Islamic jurisprudence (fiqh) in addressing contemporary issues related to marriage and divorce warrants further exploration. While classical jurists provided detailed guidelines on these matters, modern scholars face the challenge of interpreting these guidelines in light of current social realities. This requires a delicate balance between preserving the essence of Islamic teachings and addressing the practical needs of modern Muslim communities. An emerging area of research is the impact of legal reforms on gender relations within Muslim families (Koburtay, Syed & Haloub, 2020). For instance, initiatives to introduce prenuptial agreements, streamline divorce procedures, and ensure equitable distribution of marital assets have sparked debates about their compatibility with Islamic law. While aimed at promoting justice, these reforms often reveal underlying tensions between traditional and modern interpretations of gender roles.

The influence of globalization and transnational migration on Islamic family law is another critical issue (Mikac & Wahdyudin, 2021). As Muslims increasingly live in multicultural societies, they encounter legal systems and social norms that differ significantly from their own. This raises questions about how Islamic principles of marriage and divorce are adapted or contested in such contexts and how these adaptations affect the identity and cohesion of Muslim families.



Recent research has also drawn attention to the role of Islamic family law in addressing domestic violence (Halim, Jaffar & Yanti, 2024). While the Qur'an emphasizes compassion and justice in marital relationships, the practical implementation of these principles remains inconsistent. Sociological studies are needed to examine how legal and cultural factors intersect in cases of domestic violence and how Islamic teachings can be leveraged to promote safer and healthier family environments.

Finally, the intersection of technology and Islamic family law presents opportunities and challenges. Online platforms for marriage and divorce, for instance, have made these processes more accessible but also raise concerns about their legitimacy and ethical implications (de Rooij, 2023). Understanding how technology influences the practice and perception of Islamic family law is an important area for future research.

This study addresses these gaps by exploring the sociological implications of marriage and divorce in Islamic law within modern Muslim societies. By examining the intersection of religious principles, cultural practices, and contemporary social changes, this research seeks to provide a nuanced understanding of how Islamic family law shapes and is shaped by the lived experiences of Muslim individuals and families.

Perspective on Marriage in Modern Muslim Societies

Marriage in modern Muslim societies is shaped by a dynamic interplay between Islamic legal principles, cultural traditions, and evolving social norms (Said et al., 2024). From a theoretical perspective, marriage in Islam is viewed as a contractual union (nikah) grounded in mutual consent, equality, and defined rights and responsibilities. Classical Islamic jurisprudence emphasizes the sanctity of marriage as a means to preserve family structure, ensure moral conduct, and provide social and emotional stability. However, contemporary scholars argue that the modern interpretation of marriage in Muslim societies increasingly reflects the influence of globalization, education, and women's empowerment (Karimullah & Aliyah, 2023). These factors have challenged traditional patriarchal norms, emphasizing partnership-based marriages, where spouses are seen as equals contributing jointly to family life and decision-making (Al-Asmar, 2023).

Sociological theories, such as Giddens' concept of the "transformation of intimacy," offer valuable insights into changing marriage patterns in modern Muslim societies (Chambers & Gracia, 2021). This transformation is evident in the shift from traditional arranged marriages toward more individualistic practices, where personal choice and emotional compatibility are prioritized. Modern Muslim societies are also witnessing a tension between preserving religious identity and adapting to contemporary values, particularly in diasporic communities. While Islamic legal principles remain central to marriage, cultural and social influences increasingly shape the expectations and experiences of marital life. This duality highlights the need for a nuanced understanding of how Islamic law and modern sociological trends intersect, creating a framework for preserving tradition and fostering progressive family dynamics.

Perspective on Divorce in Modern Muslim Societies

Divorce in modern Muslim societies is a complex issue influenced by both Islamic legal doctrines and evolving social norms. Theoretically, Islamic law provides several avenues for divorce, with talaq (divorce initiated by the husband) being the most recognized, alongside khula (divorce initiated by the wife) and flash (judicial annulment). These legal provisions are rooted in the belief that marriage is a contract, and, in cases of irreconcilable differences, dissolution of the union is permitted to maintain justice and protect individual dignity. However, sociologically, the practice of divorce in many Muslim societies is shaped by broader cultural factors, such as the influence of patriarchy, the role of religion, and shifting gender dynamics. While divorce was traditionally seen as a social stigma, modern societies are seeing a gradual shift toward more open acceptance of



divorce, particularly as women gain greater autonomy and legal rights, leading to a reconfiguration of power dynamics within marriage (Britton, 2024).

Theoretically, divorce in contemporary Muslim societies can be examined through the lens of postmodernism, which suggests that the institution of marriage, and by extension divorce, is no longer purely religious or legal but is increasingly influenced by individualism, personal freedom, and shifting societal values. This shift reflects broader global trends in family structures, where traditional norms surrounding marriage and divorce are increasingly being questioned. Feminist theories also play a significant role in understanding divorce, particularly in advocating for women's rights to initiate divorce and to challenge patriarchal interpretations of Islamic law. In many Muslim-majority societies, legal reforms and advocacy for gender equality in family law are beginning to challenge traditional norms, leading to a more balanced approach where both men and women can seek divorce under fair and equitable conditions. This evolving view of divorce as a right rather than a stigma marks a significant sociological shift in the role of divorce in modern Muslim societies.

Perspectives on Sociological Implications in Modern Muslim Societies

The intersection of religious principles, cultural norms, and contemporary social dynamics shapes the sociological implications of marriage and divorce in modern Muslim societies (Jahar & Fajarini, 2024). Functionalist theory provides a foundational lens, viewing marriage as a crucial institution for maintaining social stability and continuity. From this perspective, the dissolution of marriage through divorce can disrupt familial structures but also serve as a necessary adjustment mechanism to resolve conflicts and restore balance within society (Azzouz, 2022). In modern Muslim contexts, where urbanization, globalization, and education are reshaping social values, these traditional roles of marriage and divorce are undergoing significant transformation. Sociological theories on modernization suggest that as societies evolve, personal autonomy and individual rights increasingly influence marriage and divorce decisions, challenging the collective and patriarchal ideals traditionally associated with Islamic family systems (Al Gharaibeh & Islam, 2024).

Conflict theory offers another valuable framework for analyzing the sociological implications of marriage and divorce in modern Muslim societies. This perspective highlights the power dynamics and inequalities within marital relationships, particularly in the context of gender. The rising awareness of women's rights and the gradual shift toward gender-equitable interpretations of Islamic law reflect a broader societal trend toward challenging patriarchal structures (Tamunomiegbam & Arinze, 2024). At the same time, sociological studies indicate that the increasing acceptance of divorce, especially among younger generations, reflects a move toward prioritizing personal well-being over societal expectations. These shifts suggest that marriage and divorce in modern Muslim societies are no longer solely determined by religious or cultural norms but are also shaped by broader social changes, such as women's empowerment, economic independence, and the influence of global human rights discourses. Together, these theories illustrate the dynamic and evolving nature of marriage and divorce in shaping the social fabric of modern Muslim communities.

Method

This study employs a qualitative methodology complemented by a literature review (Stern et al., 2020; Hennink & Kaiser, 2022), to explore the sociological implications of marriage and divorce in Islamic law within modern Muslim societies. This study was conducted from August to December 2024 in Pekanbaru, Riau, Indonesia. The qualitative approach allows an in-depth understanding of the nuanced interactions between Islamic legal principles, cultural practices, and evolving societal norms. Primary data were collected through semi-structured interviews (Adeoye-Olatunde & Olenik, 2021). Focus group discussions were also conducted to gain community-level local, namely around Pekanbaru, insights into how Islamic law is interpreted and applied in diverse settings. These methods



enabled the identification of recurring themes, such as gender roles, legal reforms, and societal perceptions of divorce, providing rich, contextualized data.

In addition, a comprehensive literature review was conducted, focusing on scholarly works published between 2000 and 2020 (Linnenluecke, Marrone & Singh, 2020). The review included peer-reviewed journal articles, books, and reports that addressed Islamic marriage and divorce laws, their sociological implications, and regional variations in their application. Criteria for inclusion emphasized relevance, scholarly rigor, and geographical diversity, ensuring that the literature represented a broad spectrum of perspectives. By analyzing primary qualitative data and secondary literature, the study bridges theoretical insights with real-world experiences, offering a comprehensive understanding of how marriage and divorce are practiced and perceived in modern Muslim societies. This combined methodology provides a robust framework for examining the interplay of tradition, law, and modernity in shaping family dynamics.

Participant

The local community participants in this study consisted of individuals with firsthand experience of marriage and divorce within Islamic law. These participants included men and women from various socioeconomic backgrounds, ranging in age from young adults to middle-aged individuals. They were selected to represent a mix of urban and rural settings, as regional differences often influence perceptions and practices surrounding marriage and divorce. The participants provided valuable insights into their communities' cultural norms, challenges, and stigmas associated with divorce. Their perspectives offered a ground-level view of how traditional practices intersect with contemporary issues, such as changing gender roles, legal reforms, and shifting societal attitudes toward divorce. The interviews with local community members were integral to understanding the lived realities of individuals navigating Islamic family law in modern Muslims.

Table 1: Participants Profile

Name	Education	Family	Reasons for Marriage	Divorce Factors	Challenges Faced
AH (34, Male)	High school graduate	Two children	Wanted companionship and to follow societal expectations	Wife's dissatisfaction with financial instability, emotional disconnect	Financial pressures, lack of emotional support from family, social stigma
FT (29, Female)	Bachelor's degree (Law)	Widowed, no children	Desire to find a supportive partner and build a family	Husband's infidelity, emotional abuse, financial issues	Fear of judgment, cultural pressure to stay in marriage, lack of legal knowledge
US (45, Male)	Primary school education	Three children	Parental pressure and societal norms	Wife's refusal to relocate with him, lack of mutual respect	Difficulty in communication, lack of family support in decision-making



LS (30, Female)	Master's degree (Education)	Divorced, lives with her parents, two younger siblings	Desire for emotional connection and mutual respect	Incompatibility, husband's reluctance to share household responsibilities	Economic independence, cultural stigma surrounding divorce, family pressure
HN (50, Male)	High school graduate	Widowed, has four children	Wanted a partner for emotional and practical support	Wife's health complications, increasing care demands	Societal judgment for remarriage, financial burden due to wife's health needs
AD (28, Female)	Bachelor's degree (Nursing)	One child	Desire for stability, mutual respect, and family foundation	The husband's controlling behavior conflicts with child-rearing	Family interference, emotional strain, social pressure to reconcile
ZD (38, Male)	Technical diploma	Two children	Cultural expectations, desire to have children	Wife's rejection of his family's influence, financial strain	The conflict between traditional expectations and personal happiness

FINDING

Four categories emerged from the data: (a) Cultural Norms and Traditions, (b) Gender Dynamics, (c) Emotional and Social Impacts, and (d) Economic Factors. A description of each category follows.

Cultural Norms and Traditions

Cultural norms and traditions significantly shape marriage and divorce practices within modern Muslim societies (Azzouz, 2022). While Islamic law provides a clear framework for marital relationships, local customs often influence its application, sometimes overshadowing the religious principles (Ashraf & Khan, 2024; Alhkarni & Yuriska, 2024). In rural areas, strict adherence to patriarchal traditions reinforces gender roles and societal expectations, leading to increased pressure on individuals, particularly women, to conform to prescribed behaviors. This cultural rigidity often discourages women from seeking divorce due to the stigma associated with being a divorced woman. Men, too, face pressures, as they are expected to fulfill traditional roles as providers, even under challenging economic circumstances. This intertwining of cultural expectations with religious practices frequently results in conflicts when individuals attempt to assert their rights under Islamic law, as their actions may be viewed as defying tradition.

In urban settings, however, cultural norms are gradually evolving due to globalization, education, and exposure to diverse perspectives. Younger generations, especially in cities, increasingly prioritize personal happiness, emotional compatibility, and mutual respect in marriage (Sharma & Singh, 2024; Kusrin et al., 2024). Despite this progress, traditional expectations still linger, particularly during marriage negotiations and post-divorce scenarios. For example, families may still prioritize material wealth or social status over personal compatibility when arranging



marriages. Divorce remains stigmatized, and families often intervene to discourage it, even when the marriage is unhealthy or abusive. The interplay between evolving cultural values and deep-rooted traditions reflects the dynamic tensions many Muslims navigate in balancing their faith, modernity, and societal expectations. Addressing these challenges requires greater emphasis on education and community dialogue to promote a more nuanced understanding of Islamic principles in the context of contemporary realities.

Gender Dynamics

Islamic law establishes distinct roles and responsibilities for men and women in marriage and divorce, which reflect broader societal gender dynamics (Ahmad, Zamri & Omarali, 2024). Marriage is seen as a contract (nikah) that formalizes mutual rights and obligations between spouses. Men are traditionally considered providers and protectors, obligated to provide financial maintenance (nafaqa) for their wives and children. Women, in turn, are expected to fulfill their roles as homemakers, although this expectation varies widely across cultures and social contexts. In divorce, men have the unilateral right to initiate divorce (talaq). In contrast, women typically require judicial intervention (khul' or faskh) to dissolve the marriage unless a prenuptial agreement grants them equal rights. These dynamics highlight a gendered power imbalance, with men holding greater authority in marital dissolution while women face procedural and social barriers to securing their autonomy.

In modern Muslim societies, the sociological implications of these gendered norms are increasingly debated, particularly regarding women's rights, education, and economic participation. The growing awareness of gender equality and legal reforms in some countries challenge traditional interpretations of Islamic law. For instance, progressive Muslim scholars advocate for contextualizing Sharia principles to address contemporary realities, such as granting women equal access to divorce and ensuring equitable financial arrangements post-divorce. However, this evolution is uneven, as cultural and political factors often influence the degree of reform. The interplay between Islamic law and gender dynamics reflects broader tensions in balancing tradition with modernity, raising questions about how these norms adapt to changing societal expectations and gender roles.

Emotional and Social Impacts

Marriage in Islamic law is more than a legal contract; it is deeply rooted in emotional and social connections, serving as the foundation of family and community life (Khatun, Islam & Latif, 2022). The stability and harmony of a marital relationship are viewed as central to personal well-being and social cohesion. However, when marriages face challenges or dissolve, the emotional toll on individuals—particularly women—can be significant due to societal expectations and the stigma surrounding divorce. Women often bear a heavier emotional burden due to limited support systems and cultural norms that may view divorced women with suspicion or disfavor. Men, on the other hand, may experience emotional strain from their financial obligations post-divorce, as they are often required to provide ongoing maintenance for their former spouses and children. The emotional impacts are intertwined with religious and societal values, emphasizing maintaining familial bonds and discouraging separation unless necessary.

Socially, divorce in Islamic law can have broad implications for family dynamics and community perceptions. While divorce is permissible, it is considered a last resort and is often accompanied by societal judgment, which may alienate divorced individuals, particularly women. Divorced women may face challenges in remarrying, navigating single parenthood, or gaining financial independence, which can hinder their reintegration into society. For men, losing familial connections or diminished social standing within the community can also be impactful. These social repercussions reflect the communal nature of Muslim societies, where family structures and reputations are highly valued. At the same time, shifting societal attitudes and legal reforms in some



Muslim-majority countries are beginning to address these challenges, providing greater social acceptance and support mechanisms for divorced individuals to rebuild their lives while balancing religious values and modern realities.

Economic Factors

Economic considerations shape marriage and divorce dynamics within Islamic law and Muslim societies (Nafisah et al., 2024). In marriage, financial responsibilities are primarily placed on the husband, who is obligated to provide a mahr (a mandatory bridal gift) to the wife at the time of marriage and ongoing financial maintenance (nafaqa) throughout the marriage. This financial framework reflects the traditional division of economic roles, with men as providers and women as dependents. For many families, the economic viability of a marriage often influences decisions about whether and when to marry. Rising costs of weddings and dowries in some Muslim-majority countries have made marriage increasingly expensive, delaying marriage for young individuals and amplifying financial pressures on families. These financial expectations often reinforce traditional gender roles, which can limit women’s economic autonomy within marriage.

In cases of divorce, economic factors become even more significant. Islamic law mandates that men provide financial support to their ex-wives and children after divorce, including unpaid portions of the mahr, iddah maintenance (a waiting period), and child support. However, enforcing these obligations can be challenging, particularly in cases where men lack financial resources or evade responsibility. For women, divorce can result in financial vulnerability, especially if they lack independent income or are excluded from workforce participation due to cultural or social norms. In response, some modern Muslim societies have introduced reforms, such as legal provisions for women’s inheritance rights and financial compensation in divorce settlements, to address these disparities. Nonetheless, the economic implications of divorce continue to highlight the need for legal and societal adaptations to ensure economic justice and stability for both parties, especially in the context of evolving gender roles and expectations.

REVIEWS LITERATURE

Table 2.: Reviews Literature Published Between 2000 and 2020

Author(s)	Title	Focus/Key Themes	Findings
Esposito (2001)	<i>Women in Muslim Family Law</i>	Analysis of Islamic family law and its implications for women's rights	Highlights how Islamic family law provides rights for women but is often influenced by patriarchal interpretations, leading to challenges in gender equity. Discusses reforms in various Muslim-majority countries.
Moghadam (2003)	<i>Modernizing Women: Gender and Social Change in the Middle East</i>	Gender roles, marriage, and divorce in Middle Eastern societies	Examines how globalization and modernization impact women's roles, marriage choices, and the increasing acceptance of divorce as a means of empowerment for women in Muslim societies.

An-Na'im (2008)	<i>Islam and the Secular State</i>	The role of Islamic law in modern secular states	Argues for the compatibility of Islamic law with secular governance, emphasizing the need for legal reforms to address contemporary issues, including family law, marriage, and divorce.
Mir-Hosseini (2013)	<i>Justice, equality and Muslim family laws: New ideas, new prospects</i>	Legal reforms in Muslim family law	Explores efforts to reform family laws in Muslim-majority countries to promote gender equality. Highlights the tension between religious tradition and modern legal systems.
Welchman (2007)	<i>Women and Muslim Family Laws in Arab States</i>	Marriage, divorce, and legal reforms in Arab states	Discusses legal frameworks governing marriage and divorce in Arab countries and highlights reforms to enhance women's rights. Provides case studies from Jordan, Egypt, and Morocco.
Shaham (2015)	<i>Rethinking Islamic Legal Tradition: Marriage and Divorce</i>	Historical and contemporary perspectives on marriage and divorce in Islam	Examines classical Islamic legal principles on marriage and divorce and their evolving interpretations in light of modern challenges, including gender roles and globalization.
Ali (2016)	<i>Marriage and Divorce in Islamic South Asia</i>	Regional focus on marriage and divorce in South Asia	Analyzes how cultural practices in South Asia intersect with Islamic family law, often leading to unique local practices that differ from classical jurisprudence.
Bano (2017)	<i>Women, Sharia, and Reform: Towards Legal Pluralism</i>	Women's rights and legal pluralism in Muslim societies	Explores the impact of grassroots women's movements advocating for reforms in Islamic family law to address issues such as unilateral divorce (<i>talaq</i>) and gender-based discrimination.
Yefet (2019)	<i>The Struggle for Gender Equality in Islamic Family Law</i>	Gender equality in marriage and divorce laws	Investigates legal struggles for gender equality in Islamic family law, focusing on progressive interpretations of Islamic principles to address inequities in marriage and divorce practices.
Moghissi (2020)	<i>Women and Social Change in Muslim Societies</i>	Sociological implications of marriage and divorce in Muslim societies	Highlights the impact of education, legal reforms, and feminist movements on marriage and divorce trends. Discusses how younger generations in Muslim societies are redefining family structures and gender roles.



Findings from the Literature

Islamic marriage is traditionally viewed as a contract (nikah) based on mutual consent. While classical jurisprudence defines specific roles for men and women, modern interpretations emphasize partnership and equality, reflecting broader societal changes (Esposito & DeLong-Bas, 2001; Shaham, 2015). Legal reforms in Muslim-majority countries aim to balance traditional Islamic principles with gender justice. These reforms address unilateral divorce (talaq), promote judicial oversight, and expand women's rights to initiate divorce through khula and faskh (Mir-Hosseini, 2010; Bano, 2017). Marriage and divorce practices vary significantly across regions due to cultural influences. For instance, South Asia exhibits unique practices shaped by local customs, while Arab states show varied approaches to legal reforms (Ali, 2016; Welchman, 2012). Sociological shifts in globalization, education, and feminist movements have transformed societal attitudes toward marriage and divorce. Increasingly, younger generations prioritize individual autonomy, emotional compatibility, and gender equality in marital relationships (Moghadam, 2003; Moghissi, 2020). This literature review highlights the evolving landscape of marriage and divorce in Islamic law, shaped by tradition, cultural diversity, and modern societal changes.

DISCUSSION

The institution of marriage and divorce in Islamic law highlights the intersection of religious principles, cultural practices, and sociological realities in modern Muslim societies (Bano & Ahmed, 2024). While Islamic law provides a framework for marriage and divorce that emphasizes rights, obligations, and justice, its application often varies depending on cultural norms, socioeconomic conditions, and legal reforms. For example, traditional interpretations of *Sharia* grant men greater authority in marriage and divorce, which can perpetuate gendered power imbalances. However, contemporary Muslim societies are increasingly grappling with these norms in the context of changing gender roles, higher education levels, and economic independence among women. This has led to growing calls for reinterpretation of Islamic jurisprudence to address modern challenges, such as ensuring equitable financial arrangements in marriage and making divorce processes more accessible for women.

Moreover, the emotional, social, and economic impacts of marriage and divorce underscore the need for comprehensive support systems to mitigate their adverse effects. Divorce, while permissible in Islam, carries significant stigma in many Muslim communities, particularly for women, who may face alienation and reduced opportunities for remarriage (Waseem et al., 2020). Men, too, are affected, often bearing financial burdens that can strain their economic stability. Some countries' legal reforms and social initiatives attempt to reduce these disparities, but their effectiveness varies widely. This discussion emphasizes the importance of balancing tradition and modernity—ensuring that religious principles are upheld while promoting social justice, gender equality, and community well-being. Addressing these challenges requires collaboration among religious scholars, policymakers, and civil society to create an environment where marriage and divorce are not just legal processes but pathways to individual and collective flourishing.

IMPLICATIONS

The sociological implications of marriage and divorce in Islamic law reveal how deeply embedded these practices are within the broader fabric of Muslim societies. Marriage is not merely a private relationship but a cornerstone of social organization, linking families, communities, and economies. The legal frameworks provided by *Sharia* shape expectations about gender roles, family structures, and social obligations, reflecting a communal ethos that prioritizes stability and harmony. However, in modern Muslim societies, shifts in education, urbanization, and globalization have



challenged these traditional norms. Women's increasing participation in the workforce and higher education has reshaped perceptions of marriage, with many advocating for partnerships based on mutual respect and shared responsibilities. Similarly, attitudes toward divorce are evolving, with growing recognition of its necessity in cases of irreparable marital conflict despite lingering stigma in many communities. These shifts highlight the tension between traditional values and the realities of modern life.

At the same time, the sociological consequences of divorce in Islamic law underscore persistent inequalities and social pressures (Babakhani, 2023). Women, in particular, face significant challenges post-divorce, including limited social support, financial insecurity, and cultural stigma, which can hinder their ability to rebuild their lives. Men, though often less stigmatized, may encounter their challenges, such as strained familial relationships and financial obligations. These dynamics influence community perceptions of divorced individuals, perpetuating narratives that can isolate them from broader social engagement. Nonetheless, some Muslim societies are making strides to address these sociological implications by promoting awareness, reforming legal systems, and fostering social acceptance of diverse marital outcomes. The ongoing evolution of these practices reflects the interplay between religion, culture, and societal progress, emphasizing the need to balance tradition with the values of justice, equality, and inclusivity in the modern world.

CONCLUSION

Marriage and divorce in Islamic law serve as fundamental elements of personal and social life in Muslim societies, deeply rooted in religious principles and cultural practices. However, the sociological implications of these processes highlight complex intersections of tradition, modernity, and evolving gender roles. While marriage fosters social cohesion and community stability, the challenges of divorce often expose persistent inequalities and stigmas, particularly for women. As Muslim societies undergo transformations driven by education, globalization, and legal reforms, there is a growing need to reinterpret and adapt Islamic principles to ensure justice, gender equality, and social well-being. Balancing these religious and sociological dimensions is crucial for fostering harmonious relationships and promoting inclusivity in a rapidly changing world.

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