



## **SYNERGY OF BP4 WITH SUB-DISTRICT OF KUA IN REALIZING FAMILY RESILIENCE IN SERANG CITY, BANTEN**

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### **Abstract**

*This study aims to analyze the synergy factor of BP4 with KUA in an effort to realize family resilience in Serang City, Banten. BP4 ideally becomes an institution that functions to realize family resilience by strengthening the values of harmony in the family and preventing the possibility of collapse of household bonds caused by conflicts between husband and wife. Sociological legal research using field data achieved the results of the analysis that BP4 in Serang City experienced dysfunction for several reasons, including: (1) there is no clarity on the orientation of BP4 after becoming an independent institution; and (2) the lack of operational funds of the institution. To cover this problem, BP4 needs to synergize with sub-district of KUA according to their respective duties and authorities.*

**Keywords:** BP4, KUA, Family Resilience

### **Abstrak**

*Studi ini bertujuan menganalisis factor sinergitas BP4 dengan KUA dalam usaha mewujudkan ketahanan keluarga di Kota Serang Banten. BP4 secara ideal menjadi lembaga yang berfungsi mewujudkan ketahanan keluarga dengan cara melakukan penguatan nilai-nilai keharmonisan dalam keluarga serta pencegahan terhadap kemungkinan runtuhnya ikatan rumah tangga yang disebabkan konflik-antar suami-istri. Penelitian hukum sosiologis dengan menggunakan data lapangan ini mencapai hasil analisis bahwa BP4 di Kota Serang mengalami disfungsi karena beberapa alasan, antara lain: (1) belum ada kejelasan orientasi BP4 setelah menjadi lembaga mandiri; dan (2) minimnya dana operasional lembaga. Untuk menutupi masalah ini BP4 perlu bersinergi dengan KUA Kecamatan sesuai tugas dan kewenangan masing-masing.*

**Kata Kunci:** BP4, KUA, Ketahanan keluarga

## INTRODUCTION

BP4 – which now stands for the Marriage Advisory, Guidance and Preservation Agency – is a community organization that has a complete structure and has a wide reach to realize household resilience. BP4 has been established for a long time and has an organizational structure from the central level to the sub-district level throughout Indonesia. BP4 in the past has been recorded to have a major role in reducing divorce rates and solving household problems that arise in the community.

Historically, the establishment of BP4 aimed to reduce the number of divorce cases. This is based on the fact that of marriages that have been carried out in the 1950s almost 60% of them end in divorce.<sup>1</sup> From the point of view of the marriage institution, the cause of the high divorce rate at that time was at least 2 (two) factors. First, because it is easy to file for divorce with the Marriage Talak and Referral Officer (PNTR) in KUA. This is because before 1960 KUA was still authorized to handle divorce cases. Second, NTR officials in KUA are only tasked with supervising and recording marriage, talaq, and reference events, and do not play a role in maintaining, caring for and preserving marriages.

This reason prompted the need for a Marriage Advisory Board outside of NTR Officials. With the establishment of BP4, divorce registration cannot go directly to the NTR Office in KUA. The husband and wife must first be presented with BP4, so the registration and declaration of talaq from the husband is automatically delayed. According to Daniel S. Lev the influence of BP4 is considered very large because it is able to significantly reduce the number of divorce cases in Indonesia: In 1956 the divorce rate reached 56.42% of marriage cases and in 1973 divorce cases dropped to 27.38%.<sup>2</sup>

BP4's performance also continues to run well even though the settlement of divorce and referral cases according to Law No. 1 of 1974 is determined to be through litigation (court) and not through KUA. Since then the position of BP4 has become a semi-official government body tasked with assisting the Ministry of Religious Affairs, especially the Directorate General of Bimas Islam in the field of providing marriage advice, household disputes and divorce. BP4 was also abbreviated as "Marriage, Dispute and Divorce

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<sup>1</sup>Danile S Lev, *Peradilan Agama Islam di Indonesia*, Penterj. Zaini Ahmad Noeh (Jakarta: PT. Intermasa, 1979), p. 190

<sup>2</sup>Danile S Lev, *Peradilan Agama.....* p. 190-191

Advisory Board". This is as stipulated in the Decree of the Minister of Religious Affairs Number 30 of 1977 concerning the affirmation of recognition of marriage, dispute and divorce advisory bodies.

Even if there is a change in form and function, BP4 can still prevent divorce applications through "advisory" scenarios. As a result, the annual divorce rate has again decreased sharply. In 1974 the divorce rate compared to marriage applications was 27.38% and in 1975 it drastically decreased to 10.92%. Since then the annual divorce rate has not moved between 10%, one of the factors is due to the role of BP4.

It's just that after BP4 again experienced metamorphosis along with the transfer of the formation of the Religious Court - from the Ministry of Religious Affairs to one roof under the Supreme Court - it was alleged that his achievements were not as brilliant as before. Through the XIV National Conference in 2009 BP4 changed its name to "Marriage Advisory, Guidance and Preservation Agency" and only has a position as a professional organization of a social religious nature as a partner of the Ministry of Religious Affairs. BP4 is only tasked with providing direct services to the community in the form of advice, guidance, preservation, mediation and marriage advocacy. Even if BP4 is still involved in the process of peaceful efforts in the Court, its position is only as a mediator or extension of the litigation system (public adjudication). This is regulated through the Supreme Court Decree (KMA) No. 1 of 2008, which among others regulates parties who can be appointed as mediators by the court provided that the person concerned has a certificate from a professional institution.<sup>3</sup>

This condition seems to have an effect on the increase in divorce cases in Indonesia. One example is the number of divorce cases in Serang Banten which is recorded high and the trend has increased. In 2022, there were 3,396 lawsuits and 1,500 divorce applications, an increase of ten percent compared to 2021 (3,269 cases). The increase in cases covers a number of lawsuit domains, ranging from marital disputes, divorce, property sharing, child custody, and joint property. Cases entered and registered in the Serang Religious Court whose relative competence covers Serang Regency and Serang City, the ratio between talaq divorce and divorce lawsuits ranges from 30 percent to 70 percent. Mostly from the wife's side who filed. In addition, there are also 123 lawsuits filed by the State

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<sup>3</sup> Dwi Rezki Sri Astarini, *Mediasi Pengadilan* (Bandung: Penerbit PT Alumni, 2013), p. 1-3

civil apparatus (ASN). In other words, marriage and divorce cases that enter the Serang Religious Court come from all walks of life.<sup>4</sup>

The high number of divorce cases is one indicator to measure the effectiveness and failure of family institutions, one of which is BP4. As part of the family institution, BP4 has been involved since the Bride and Groom Course (Suscatin) was held which was programmed by sub-district of KUA. In many studies, BP4 has metamorphosis into a community organization, generally considered good in Suscatin activities.<sup>5</sup> However, the role of BP4 in general in realizing family resilience needs to be evaluated based on the number of divorce cases which always increase every year.

Therefore, in this study, the opportunities and challenges of BP4 and sub-district of KUA in realizing family resilience in Serang City are examined. In addition, the synergy practices of BP4 and sub-district of KUA in realizing family resilience after BP4 metamorphosis into a social community organization were also described.

## **METHOD**

This type of research is field research, which is research conducted in the field to find out and obtain clear data on how the opportunities and challenges of synergy between BP4 and sub-district of KUA in realizing family resilience in Serang City, especially after BP4 metamorphosis into a community organization. Primary research data were obtained through interview and observation procedures, as well as documentation. Primary data is supported by seconder data in the form of journal articles and books containing BP4, KUA, and family resilience. The data that has been collected is then analyzed using a sociological legal research approach.<sup>6</sup>

## **DISCUSSION**

### **A. BP4 as a Family Resilience Institution**

Based on the XIV Articles of Association and Household (AD / ART) of BP4 MUNAS Year 2009, BP4 stands for the Marriage Advisory, Guidance and Preservation Agency (Article 1). In the General Dictionary of Indonesian, linguistically the use of the word "Body" is interpreted as, among others, "a group of people who are a unity to do

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<sup>4</sup> SIPP-Pengadilan Agama Serang, <https://sipp.pa-serang.go.id>

<sup>5</sup> Mawadah, Maraimbang dan Shalahudin Ashani, "Peranan Badan Penasehat Pembinaan dan Pelestarian Perkawinan (BP4) dalam Membentuk Keluarga Sakinah Mawaddah Warahmah", <http://pusdikra-publishing.com/index.php/jrсс>

<sup>6</sup> Muhammad Ishom, *Metodologi Studi Hukum Islam di Indonesia* (Jakarta: Alif, 2020), p. 34-55

something".<sup>7</sup> That is in this case; (a) advisory i.e. the function of giving advice; (b) coaching means development and renewal; (c) preservation or preservation which means to remain unchanged; and (d) marriage i.e. marriage or any marital affairs.<sup>8</sup>

Meanwhile, according to the term, BP4 is a professional organization of a socio-religious nature as a partner of the Ministry of Religious Affairs in realizing the *sakinah mawaddah warahmah* family (Article 3). The purpose of the establishment of BP4 is to enhance the quality of marriage in order to create a *sakinah* family according to Islamic teachings to achieve an advanced, independent, happy, prosperous, material and spiritual Indonesian society and nation.<sup>9</sup>

The resilience of the family is the ability of the family to ward off or protect themselves from various problems or threats to life both from within the family itself and from outside the family such as the environment, community, society, and state. Law Number 52 of 2009 concerning Population Development and Family Development states that a quality family is a family formed based on a legal marriage and is characterized by being prosperous, healthy, advanced, independent, having an ideal number of children, forward-looking, responsible, harmonious and fearful of God Almighty.<sup>10</sup>

There are at least 5 indications of the level of family resilience summarized in the module, namely: (1) the existence of mutual service as a sign of glory; (2) there is intimacy between husband and wife towards good marital quality; (3) the presence of parents who teach and train their children with various creative challenges, consistent training, and developing skills; (4) there is a husband and wife who lead all members of the family affectionately; and (5) the presence of children who obey and respect their parents.<sup>11</sup>

Basically, the idea of establishing BP4 (Marriage Advisory Board and Divorce Settlement) can be observed from a social and political point of view. The establishment

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<sup>7</sup> W.J.S. Poerwadarminta, *General Dictionary of Indonesian* (Jakarta: Balai Pustaka, 1976), p. 72

<sup>8</sup> W.J.S. Poerwadarminta, *Kamus.....*, p. 453

<sup>9</sup> Mawadah, Maraimbang dan Shalahudin Ashani, "Peranan Badan Penasehat Pembinaan dan Pelestarian Perkawinan (BP4)..."

<sup>10</sup> Badan Pusat Statistik Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, *Pembangunan Ketahanan Keluarga* (Jakarta: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, 2016), p. 6

<sup>11</sup> Badan Pusat Statistik Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, *Pembangunan Ketahanan....*, p. 8

of BP4 from the social side began with an assessment of the statistics of Marriage, Talaq and Reference (NTR) throughout Indonesia. In 1950-1954 found the fact of 1300-1400 divorce cases per day or reached 60-70%.<sup>12</sup> This happened because NTR (Nikah, Talak, and Rujuk) officers only supervise and record marriages, while the maintenance and subsequent care are handed over to each husband and wife. In addition, filing a divorce with the Marriage Talak and Referral Officer (PNTR) in KUA, which before 1960 was still authorized to handle divorce cases, was considered too easy.

Meanwhile, from the political side, BP4 was formed as a middle ground from demands for the improvement of marriage law that had long been demanded by women's organizations (Kowani). In fact, by Soewondo Soerasno, the establishment of BP4 was considered an attempt to deflect the issue of marriage law reform. Although she praised BP4's performance, the demand she made with her comrades in arms was the promulgation of the Marriage Law to protect women's rights.<sup>13</sup>

Before Indonesia's independence, women's organizations had advocated for reform of marriage law but always ran aground halfway. At the beginning of independence, only the marriage administration law was realized, namely Law No. 22 of 1946 concerning marriage registration, talaq and reference (NTR). This law was actually used by Islamic groups as an umbrella for the formation of a new department under the Ministry of Religious Affairs for NTR affairs. Meanwhile, the urgency of the interests of the women's organization movement could not be realized, even if a new BP4 institution was formed.

During the Old Order era, attempts to reform marriage law always foundered at the parliamentary level by Islamic parties, including women's organizations supporting them. Islamic leaders regard marriage law reform as a challenge to Islam, and accepting the Marriage Bill is seen as equally destroying the basic core of Islamic teachings. Therefore, they are more supportive of the formation of BP4 which does not contain challenges to Islam. On the contrary, BP4 can prove the true meaning of Islamic teachings to build a prosperous family and at the same time protect women's rights in the household.

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<sup>12</sup> Danile S Lev, *Peradilan Agama Islam*, p. 190

<sup>13</sup> Danile S Lev, *Peradilan Agama....*, p. 191

The history of BP4 has always been driven by social and political interests. This can be seen from the change in the form and role of BP4 which is divided into three phases, respectively; (a) Phase 1954 – 1973; (b) Phase 1974 – 2008; and (c) Phases 2009 – present, as follows.

**TABEL 1.** BP4 Transformation

<b>PHASE</b>	<b>CHANGE OF ABBREVIATION</b>	<b>ISSUES</b>	<b>ACHIEVEMENT</b>
1954 – 1976	Marriage Advisory Board, Divorce Settlement	<ol style="list-style-type: none"> <li>1. <b>Problem solving</b> for the high divorce rate which reaches 60% of the marriage rate</li> <li>2. <b>Diversion of the issue</b> of marriage law reform spearheaded by nationalists</li> <li>3. <b>Seeking the support</b> of national and local elites by being involved as BP4 administrators</li> </ol>	The divorce rate decreased from 60% to 26%
1976 – 2008	Marital, Discord and Divorce Advisory Board	<ol style="list-style-type: none"> <li>1. <b>Reform of marriage law</b> through Law No. 1/1974, which regulates divorce carried out before the court</li> <li>2. <b>Strengthening</b>, BP4 through KMA Number 30 of 1977 which affirms the position of BP4 as a semi-official government body, while still involving the management of national and local elite elements.</li> </ol>	The divorce rate can be reduced below 10% (up to 6%)

		<b>3. Strong State Support</b> , in the form of BP4 Financing from DIPA	
2009 – until now	Marriage Advisory, Formation and Preservation Board	<p><b>1. Bureaucratic reformulation</b>, in the form of separation of institutions between marriage and divorce. Marriage is managed by the executive (KUA-Kewon), Divorce is taken care of by the judiciary (PA-MA).</p> <p><b>2. Transparency and accountability</b>, regulated by Law No. 20 of 1997 concerning Non-Tax State Revenue (PNBP) and Government Regulation No. 73 of 1999 concerning procedures for using Non-Tax State Revenue (PNBP), then the use of NR and Bedolan Funds for BP4 activities was stopped</p> <p><b>3. Debureaucratization anomaly</b>, until now BP4 still has the status of a partner of the Ministry of Religion</p>	The divorce rate again increased above 10% (reaching 15%)

BP4 – which now stands for the Marriage Advisory, Guidance and Preservation Agency – is a community organization that has a complete structure and has a wide reach to realize household resilience. The organizational structure of BP4 is composed from the central level to the sub-district level in Indonesia. Especially in Serang City, BP4 was formed after the expansion of Serang Regency and Serang City (in 2007) and



the initial work of BP4 Serang City itself began in 2011. The management of BP4 Serang City is set with a service period of 5 years. BP4 Kota Serang was formed with a management composition consisting of a Chairman, three vice chairmen, a Secretary, two deputy secretaries, a Treasurer, and two deputy Treasurers.

In addition, the management is also equipped with areas which include: (1) Education and Training for Human Resource Development for Sakinah Family Development; (2) Legal Consultation and Marriage and Family Advisory; (3) Advocacy and Mediation; (4) Communication and Information Sector; and (5) Early Childhood Education and Welfare, Youth, Youth and the Elderly. Each of these areas is coordinated by a chairman, secretary, and assisted by four members. The fields formed have certainly been aligned with the goals and functions of BP4 itself.

On it, BP4 Serang City has a straight line of coordination and consultation to elements of the Trustees, Directors, and Consideration Board. As a form of attention and mutualistic relationship, the Mayor of Serang occupies the position as the Trustee of BP4 Serang City as well as the party who certifies and appoints. The director comes from the Serang City Secretary as the main assistant to the Mayor, and elements of vertical liaison agencies such as the Head of the Serang City Ministry of Religious Affairs and the Head of the Serang City BKKBN. Meanwhile, members of the Advisory Council come from the community who are considered to have capacity and concern for BP4 programs, such as the Chairman of the Serang City MUI and religious figures in Serang City.

In addition, considering the background of the establishment of BP4 is in order to assist the Ministry of Religious Affairs in providing services to the community, especially to families who are in conflict, BP4 also places its representatives side by side with the Office of Religious Affairs (KUA) of Serang City.

BP4 Serang City also has a downward organizational hierarchy that reaches all administrative areas of government, namely at the sub-district level. This means that the composition of the management of BP4 Serang City also synergizes with the management of BP4 in each sub-district throughout Serang City. For example, the majority were found several board members and members from the BP4 fields of Serang City as well as concurrently serving as administrators of BP4 Districts.

However, from the results of tracking in the field, not all BP4 sub-district management was formed. Of the 6 sub-districts in Serang City, each has different problems. For BP4 management that has been formed and has received a new sub-district decree, there are three places, namely BP4 Cipocokjaya District, BP4 Curug District, and BP4 Kasemen District. For the case in Serang Kota District, BP4 management has been formed, but has not received a decree from the Sub-District. Meanwhile, in Walantaka and Taktakan sub-districts, there is no management at all.

In Cipocokjaya District, BP4 management has only been established since 2015 based on the Cipocokjaya Sub-District Decree Number 451/14/Kesos/2015 with a service period of 2015 – 2018. The composition of the management consists of a chairman, vice chairman, secretary, and treasurer. Assisted by fields consisting of: (1) Counseling, Marriage and Family Advisors; (2) Advocacy, Mediation and Legal Consultation; (3) Public Relations, Publications and Organizational Cooperation; (4) Family Welfare, Sakinah Family and the Elderly; (5) Business Field

On top of management, BP4 Cipocokjaya District has elements of guidance and consideration board. The supervisors of BP4 Cipocokjaya District come from the Head of the Serang City Religious Affairs Office, the Head of the Serang City BP4, the Cipocokjaya Sub-District, and the Head of the Cipocokjaya Sub-District KUA. While the advisory council comes from the leaders of Islamic organizations in the sub-district, and several community leaders.

Based on data obtained directly, the composition of BP4 management of Cipocokjaya District is a combination of community elements and internal KUA of Cipocokjaya District. This was acknowledged by Komar, Head of KUA Cipocokjaya District. According to him, despite the fact that BP4 is no longer part of KUA, but given historical attachments, BP4 cannot necessarily be separated from KUA. Moreover, there are still many general people who identify BP4 with KUA, so there is nothing wrong with collaborating between community elements and internal KUA in the management of BP4. Although in fact the KUA people involved do not carry their positions, but purely personal and on behalf of community members.

Meanwhile in Kasemen District, as in Cipocokjaya, BP4 management has been formed through the Sub-District Decree since 2012 with a service period until 2017. The composition is also the same, consisting of a chairman, vice chairman, secretary,

and treasurer. The fields seem simpler, namely: (1) HR Education and Training; (2) Welfare Family Development; and (3) Law, Communication and Information

The consultative line is also the same as BP4 Cipocok District, in BP4 Kasemen District is under the construction of Kasemen District and Head of KUA Kasemen District. Elements of the Serang City Ministry of Religion are positioned as co-directors with the Chairman of Serang City BP4. While the Advisory Council comes from community leaders of Kasemen District, along with the Chairman of MUI Kasemen District and the Head of LPTQ.

Such is the case in BP4 Curug District, similar conditions as in the two sub-districts. However, in terms of its formation period, BP4 Curug District is the same as BP4 Cipocokjaya District, which was only formed in 2015 based on the Sub-District Decree number 450/09/Kesos/2015 concerning the formation of BP4 Curug District management for the 2015-2018 period. The division is also the same as in BP4, Cipocokjaya District, and other sub-districts.

While a different case occurred in BP4 Serang District. In this sub-district, actually the management of BP4 Serang District has been compiled and formed since 2011, it can even be said that BP4 Serang District is the first BP4 formed at the sub-district level after the establishment of BP4 Serang City in the status of BP4 independent or independent of the government structure.

The tenure of BP4 Serang District is five years with a complete composition starting from management (chairman, vice chairman, secretary, and treasurer) to areas such as: (1) Human Resources Education and Training; (2) Welfare Family Development; and (3) Law, Communication and Information.

The other two regions, namely Walantaka District and Taktakan District, only have BP4 District management after 2019. In general, the organizational structure is the same as the structure of other BP4 sub-districts. In other words, in general, the BP4 Sub-District organization in the Serang City area has not been formed for a long time, or the average age is only eight years old.

## **B. Performance of BP4 Serang City**

Ideally, BP4 becomes an institution that functions to strengthen the values of harmony in the family, or prevent the possibility of collapse of household bonds caused

by husband-and-wife conflicts. This is because there are advantages possessed by BP4 that are not owned by other institutions such as BKKBN and PKH.

Some of the advantages include: First, the structure that is rooted to the village makes BP4 very close to the community. Second, the involvement of local figures in its management who have good knowledge of the situation, conditions and culture of the local community. These two advantages are difficult to match even by NGOs or other institutions. With these two capitals, BP4 has the potential to empower families massively.<sup>14</sup>

However, this study also provides a concrete picture of how the weaknesses that have occurred so far in BP4 Serang City. Weaknesses and disadvantages include: first, weak BP4 institutions. Not only is the organ system not yet firmly organized, it is also unclear on BP4's operational funding. Second, the vision and mission have not been understood by all elements. There is a possibility that this is due to the weak vision, mission or worldview of BP4. Third, the management structure filled by officials sometimes does not consider the principle of professionalism. BP4 is run as a "sideline", because it does not become the *tupoksi* (main duties and functions) of the office itself. The "bureaucratic" consciousness that dominates the character of officials instead of "transformative" consciousness makes BP4 only interpreted as an unnecessary burden for officials. Fourth, the exclusive character of BP4 which focuses on Muslims. It seems that there is a double burden in BP4, namely the mission of "da'wah" and the mission of "state" and not infrequently there are tensions that are difficult to reconcile.<sup>15</sup>

The shortcomings and weaknesses of BP4 are inseparable from a chronological point of view, since the release of BP4 from the Ministry of Religious Affairs as its parent so far and the change in the form of BP4 as an independent and independent institution that occurred since the XIV BP4 Munas in 2009. The same thing happened to BP4 Serang City which only moved two years later, namely in 2011 held Musda I.

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<sup>14</sup> Tulus, et.al, *Buku Panduan Konseling Untuk Konselor BP4 Perspektif Kesetaraan*, (Jakarta: Rahima, 2012), p. 2-6

<sup>15</sup> Darmawati dan Hasyim Haddade, "Efektivitas Penyuluh Bp4 Dalam Menekan Angka Perceraian Di Kota Makassar", *Jurnal Multikultural & Multireligius* Vol. 19 No. 1/2020 <https://web.archive.org/web/20210115030601/https://jurnalharmoni.kemenag.go.id/index.php/harmoni/article/download/429/273>

In addition to giving birth to BP4 management with a new format, the Musda also produced a number of important decisions, including the following:

a. Repositioning the organization in accordance with the mandate of Munas XIV in 2009 in Jakarta

b. Carry out organizational consolidation of BP4 Serang City after the establishment of management

c. Taking steps to establish BP4 Kecamatan as a partner of KUA at the sub-district level and empowering and increasing the organizational capacity of BP4 at the sub-district level

d. Compile work programs according to the fields that have been formed, namely the fields:

1) Education and Training for Human Resource Development for Sakinah Family Development

2) Legal Consultation and Marriage and Family Advice

3) Advocacy and Mediation

4) Communication and Information

5) Early Childhood Education and Well-being, Youth, Adolescents and the Elderly

e. Provide a number of recommendations to related parties, including:

1) To the Serang City Government, to allocate the aid budget for BP4 activities.

2) To the Ministry of Religious Affairs of Serang City, in order to provide sufficient information to the bride and groom about the function and role of BP4.

3) To the Religious Court<sup>16</sup>, to open cooperation regarding the role of mediators for married couples who file for divorce to BP4.

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<sup>16</sup> Ahmad Jamaludin Jambunanda et al., "Marriage Law in Religious Court: Regulation and Decision on Marital Property in Sustainable Legal Development," *Journal of Law and Sustainable Development* 11, no. 10 (October 23, 2023): p.5, accessed November 11, 2023, <https://ojs.journalsdg.org/jlss/article/view/1759>.

4) To the community, in order to always maintain and instill the importance of harmony values in household life based on the teachings of Islamic sharia.<sup>17</sup>

However, as the years go by, these processes seem to have to simply evaporate. In fact, on the contrary, the echo of BP4 is dimming. The roles carried out by BP4 are inferior to the WCC and women's NGOs that emerged in the mid-90s.<sup>18</sup> BP4 is not only stagnant more than it is degraded in its function and role. Efforts to optimize the role of BP4 only went in place, the enthusiasm and persistence of the components involved only lasted for a moment in the beginning. The decisions made by Musda I and II BP4 Serang City could not all be realized.

Based on the research from this study, the main contributing factor is the problem of funds. Apparently this classic problem has not been solved by BP4 management, it seems that it has not been able to adapt to new situations. This is acknowledged by the relevant parties who have been successfully encountered. For example, as Adung Abdul Mukti, Chairman of BP4 Serang City, confessed. According to him, BP4 is now very different from the previous BP4.

Funding is the main factor driving the wheels of the organization, so without it BP4 cannot do much to show its existence to the community. Another aspect that distinguishes the two is the synchronization of BP4 with the Religious Courts. In the old BP4 era, the relationship between BP4 and the Religious Court was complementary or complementary. This is understandable considering that at that time the Religious Court was still under the auspices of the Ministry of Religious Affairs through the Directorate of Religious Justice Development.

One-stop conditions make it easier for both of them to coordinate to compile a work system. Like divorce cases handled by religious courts, before trial, BP4 must obtain recommendations as mediators who handle peace (mediation) between the two litigants. Until the enactment of Law No. 4 of 2004 concerning Judicial Power which transferred the authority of the Religious Court from Depag which is a memorandum bene executive power to the Supreme Court as a judicial institution.

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<sup>17</sup> Sri Harjanti, *Dakwah Badan Penasehatan Pembinaan dan Pelestarian Perkawinan (Bp4) dalam Konflik Perkawinan di Kabupaten Sambas*. (Makassar: Doktoral (S3) thesis, Universitas Islam Negeri Alauddin Makassar (2018), p. 23-24

<sup>18</sup> Sincerely, eat.al, *Counseling Handbook for BP4 Counselors*....p. 34

Since then the relationship between BP4 and PA is no longer bound absolutely, especially if you see that the role of mediators has been regulated through Supreme Court Regulation No. 1 of 2008 which no longer provides a proportional place for BP4's role in resolving divorce cases. It is this gap that has indirectly 'paralyzed' BP4 itself systematically. As explained by the Chairman of BP4 Serang City, BP4 today is not as popular as it used to be when it was still under the Ministry of Agriculture. Many do not know BP4, so the only efforts to keep BP4 alive are pre-marital training in KUA-KUA. "That is the only one that still exists, if it has entered the court, the parties seem to no longer know BP4."<sup>19</sup>

In addition, the realization of BP4 work programs also did not run optimally. From the results of Musda BP4 Serang City, a number of activity program targets were missed. Adung admitted that of all the programs compiled in Musda BP4, more were not realized than those that were implemented properly. Again, the factor is funding because after the State financial system is regulated, especially the issuance of Law No. 13 of 2003, semi-official institutions such as BP4, P2A and BKM automatically do not receive operating costs. The absence of operational costs further deteriorates the current condition of BP4, and it is not an exaggeration if someone says *wujuduhu ka adamihi* (its existence is no different from its absence).

Meanwhile, the role of advice for brides-to-be that occurs in KUA-KUA, seems to be different from the direction it should be. The role that should have been carried out by BP4, in fact, was taken over by the District KUA. This study found evidence that all sub-districts that have formed BP4 sub-district management, activities related to marriage advice are handled directly by KUA. In all sub-districts throughout Serang City, the Bride and Groom Course (*Suscatin*) is carried out regularly by KUA.

In KUA Cipocokjaya and Serang sub-districts, for example, *Suscatin* activities are carried out regularly every Tuesday. Both individually, and carried out in groups.<sup>20</sup> While in KUA Curug District and KUA Kasemen, the implementation of *suscatin* is carried out incidentally, adjusted to the readiness of the couples. However, according

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<sup>19</sup> Wawancara dengan Ketua BP4 Kota Serang, Kamis, 12 November 2021

<sup>20</sup> Interview with the Head of KUA Cipocokjaya District, Monday, November 9, 2021.

to Roby Syahri, Head of KUA Curug District, suscatin in KUA Curug District is used as a requirement to take a marriage book.<sup>21</sup>

As for the other sub-district KUAs, namely Walantaka and Taktakan Sub-District KUA which do not yet have BP4 District management, Suscatin activities are still held with formats and conditions that are not much different from other KUAs.

It seems that people's enthusiasm for this suscatin activity can still be said to be positive. The attendance rate is still quite large, despite numerous shortcomings here and there. In KUA Cipocokjaya District, available data shows that in 2021 there were a total of 326 pairs of Suscatin participants. In KUA Curug District, Suscatin participants reached 498 couples (data until November 2021).

Even the KUA of Serang District recorded 1657 pairs of suscatin participants during 2021, while the KUA of Kasemen District and KUA of Walantaka District, because they did not have neat records, estimated that around 500 couples participated in the suscatin. Finally, the KUA of Taktakan District recorded 241 Suscatin participants in 2021.

The next BP4 program handled by KUA is family conflict resolution. In general, the problems handled related to spousal disputes, the rights and obligations of husbands do not work, to legal consultation assistance on special marriage issues, such as illegal polygamy, interfaith marriage, and others. sub-district of KUA Cipocokjaya in 2021 handled 12 cases, sub-district of KUA in 2021 handled 21 cases. They also have data from the previous year, namely 2019 (10 cases), 2020 (13 cases), and 2021 (4 cases). Meanwhile, the KUA of Curug District is even less, in 2021 it only handled 5 cases.

Based on the data collected, there are several cases that are often handled by KUA related to domestic conflicts. Given the weak data management factor in KUA-KUA in Serang City, this study can only collect conflict resolution data in two KUA, namely KUA Cipocokjaya District and KUA Serang District. In KUA Cipocokjaya District, of the 12 cases handled, the types of problems include spousal quarrels (3 cases), moral violations by one partner (4 cases); not granting conjugal rights (2 cases), polygamy and infidelity (3 cases).

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<sup>21</sup> Wawancara dengan Kepala KUA Kecamatan Curug, Kamis, 12 November 2021.



Meanwhile, the Serang Sub-District KUA from 2018 to 2021 has handled a total of 48 cases, with household problems consulted and complained in the form of: spousal quarrels (25 cases), moral violations by one partner (6 cases), non-fulfillment of spousal obligations (7 cases), and polygamy/infidelity (10 cases).

Procedurally, all problems are earnestly sought to be resolved peacefully. If any of these cases cannot be resolved, they will be submitted to the Religious Court. In this case, KUA only helps find a solution and tries to reconcile it.

Of all the problems handled in the two KUAs, the majority of cases of domestic disputes are on the verge of divorce, so these cases are difficult to reconcile. From the advisory process carried out in KUA Cipocokjaya District, for example, not a single case ended peacefully. Everything proceeded to the Religious Court. Meanwhile, what happened in KUA Serang Sub-district out of 48 cases there were 5 cases that were successfully reconciled.

In general in Serang City, the handling of advice on household conflicts is handled by KUA, both upstream, the head of KUA, to senior KUA staff. Not infrequently there is often ambiguity in their role, does it represent the KUA institution or BP4? Because not a few of those who are *memorandum bene* KUA officials are also BP4 District managers. Thus, although the existence of BP4 is institutionally absent, in practice their efforts actually represent the implicit roles of BP4.

Apart from the BP4 advisory work program at the sub-district level, problem advisory is also entered and handled through BP4 Serang City, although the intensity is much different from the sub-district BP4. Every year BP4 Serang City only receives one or two cases of household problems from the community who generally have individual closeness with BP4 City management. The service is also not through a neat organizational procedural mechanism. The logical consequence of this situation is that BP4 Serang City has not functioned optimally to carry out the task of strengthening the institution of marriage. As a result, the number of divorce cases in Serang City has an increasing trend every year.

## **CONCLUSION**

In general, BP4, including in Serang City, since it became an independent and independent institution, does not have a clear orientation. Clarity of orientation can be seen in the presence or absence of compatibility between the problems faced and the institutional answers formulated. The factor is that this institution runs without a clear ideology and perspective so that the program carried out is not comparable to the wishes and problems that occur in society. BP4 in Serang City has not maximized synergy with

the District KUA-KUA, even though the BP4 management notes are former District KUA officials. Even so, the existence of BP4 in the author's view still needs to be maintained, but fundamental and even radical improvements are needed.

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