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RESEARCH ARTICLE

AN EXPLORATORY LITERATURE REVIEW OF MARRIAGE COURSE & DIVORCE IN MALAYSIA: AN APERTURE TO FUTURE STUDIES

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Abstract

“Marriage Course” or “Pre-Marriage Course” is an expression that we often hear before every bride-to-be step into the wedding gate. The marriage course is a mandatory course that must be attended by every Muslim couple before establishing a legal marriage in Malaysia. Marriage course is usually held for two days and aims to provide fruitful information to future husbands and wives before both of them enter into marriage, so that they are well-prepared later. Although this course has been made mandatory for Muslim couples in Malaysia, there are still many married couples who get divorced after sailing through the world of marriage. A few parties also blamed the marriage course provider and linked it as one of the factors of divorce among Muslim couples. Hence, studies related to the marriage course and divorce among Muslim couples are critical to be studied further in Malaysia. This study aims to explore the trend of literatures related to marriage course and divorce in Malaysia. This study is a qualitative design by nature. The researchers have collected the data via library research method and analyzed the data using content analysis technique. The result of the study proves that there are many studies that have been carried out related to marriage course and divorce among Muslim couples in Malaysia, but yet, all of these studies are more concerned about Islamic legal aspects, court procedures, psychology, counseling, fatwas as well as causes and consequences of divorce. Not many studies have been carried out related to marriage course and divorce involving quantitative research design with various demographics of respondents on a large scale which give more effective impacts and solutions at the Malaysian level.

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Introduction:-

Marriage is considered a preliminary instrument for the establishment of a family as the basic unit and foundation of a society. It is also seen as the initial step towards forming a family. Traditionally, every individual couple desiring to start and build a family together must go through the stage of marriage. Marriage courses in Malaysia, often referred to as pre-marital or marriage preparation courses, are designed to provide guidance and education to couples who are planning to get married or have recently married. These courses aim to equip couples with the necessary knowledge, skills, and understanding to navigate the challenges and responsibilities of married life.

In Malaysia, these courses are commonly organized and conducted by various institutions, including religious bodies, community centres, counselling organizations, and marriage registries. The content of the courses may vary depending on the organizing body, but they generally cover topics such as communication, conflict resolution, financial management, family planning, rights and responsibilities in marriage, and the importance of maintaining a healthy and harmonious relationship. Attending a marriage course is often a requirement in Malaysia, particularly for couples who intend to have a civil marriage registration. It is seen as a proactive step to enhance the couple's readiness for marriage and to foster a strong foundation for a successful and fulfilling marital relationship. Couples interested in participating in a marriage course can inquire with the relevant authorities or institutions, such as the National Registration Department (JPN), religious departments, or community centres, to find information about available courses, schedules, and registration procedures.

While, in Islam, divorce is recognized as a permissible option but is considered as the last resort when efforts to reconcile and preserve the marriage have been exhausted. The process of divorce in Islam is governed by specific rules and procedures. In Malaysia also, divorce is regulated by different legal systems depending on the religious affiliation of the individuals involved. The main legal systems for divorce in Malaysia are Islamic law for Muslims and civil law for non-Muslims. In 2023, the increasing trend of divorce among Muslim couples is seen as increasingly concerning. The statistics from the Department of Shariah Judiciary Malaysia (JKSM) recorded a total of 45,420 divorce cases among Muslims registered throughout the country in 2021 (JKSM, 2021). This matter was reinforced by the statement of the former Prime Minister of Malaysia, Datuk Seri Ismail Sabri Yaakob, who stated that almost 78,000 couples divorced since start of COVID-19 pandemic until 2021 (The Star, 2021).

Additionally, media statement released by the Department of Statistics Malaysia (DOSM) entitled "Malaysia for Marriage and Divorce Statistics, Malaysia, 2021" indicate that the highest number of divorces occurs among individuals aged 30 to 34 years old (DOSM, 2021). Besides, there is a tendency for couples nowadays to take the easy way out by deciding to dissolve their marriage without going through the reconciliation process (sulh). They perceive the experience of being in a marriage as burdensome, especially in the financially challenging scenario following the COVID-19 pandemic. One of the main factors contributing to the increasing divorce rate is financial problems. Failure to manage family finances leads to mounting debts, which in turn puts pressure on family members. The second factor that contributes is emotional stress and loss of self-control. The culmination of these pressures results in domestic violence and physical and emotional abuse between spouses. The third factor is incompatibility or marriages between individuals of different social statuses. Differences in background and upbringing become causes of misunderstandings (Sinar Harian, 2023). However, due to a lack of knowledge in marital matters, even small mistakes and weaknesses of the couple become the catalysts that further fuel the animosity between them. As a result, the pronouncement of divorce becomes a daily recitation that ultimately becomes unsustainable, leading to divorce without rational thinking.

Nurul Syafawani Rahim, a Sharie lawyer, advises each couple to provide support if they realize that their partner is trapped under pressure or facing problems in marriage. Additionally, she suggests that another solution is to provide more comprehensive marriage courses, including financial management and household education, for couples who have been married for three to five years. This way, couples can gain ideas and guidance in facing the crises they encounter (Sinar Harian, 2023). Continuing from this issue, this study was conducted to explore the trend of literatures related to marriage course and divorce in Malaysia. Collectively, exploring the trends of literature related to marriage courses and divorce in Malaysia provides valuable insights that can inform policies, improve marriage education programs, and support individuals and couples in building healthier and more fulfilling relationships.

Literature Review:-

Marriage in Islam

Islam views marriage as a sacred covenant, a form of worship to Allah SWT, following the example of the Prophet Muhammad (SAW), and carried out based on sincerity, responsibility, and adherence to the legal provisions that must be fulfilled. In fact, human beings can't procreate without marriage. This is because marriage leads to the procreation of offspring. Marriage is the union, both physical and spiritual, between a man and a woman, with the purpose of forming a lasting and happy family. Marriage is conducted with the intention of allowing humans to have a lawful family and to attain happiness in both this world and the hereafter, under the pleasure of Allah SWT. This concept has been extensively explained in the Quran: "Marry those among you who are single, or the virtuous ones among yourselves, male or female: if they are in poverty, Allah will give them means out of His grace: for Allah encompasses all, and he know all things." (Quran, 24: 32).

The purpose of marriage is not only to fulfil biological needs but also to obey the commandments of Allah and His Messenger, which holds the value of worship. It aims to establish a prosperous family that brings benefits to the married couple, their offspring, and relatives. Marriage, as a strong bond, is required to create benefits for society and the nation as a whole (Atabik & Mudhiiah, 2016). In Islam, marriage is not merely a regular civil contract, but it holds religious significance. The Quran itself describes the bond between husband and wife as the purest and strongest bond. Allah SWT himself refers to the marital contract between husband and wife as a firm covenant. To obey Allah's commandments and fulfil them is an act of worship. A woman who becomes a wife is a trust from Allah that must be guarded and treated with kindness. And, she is taken through a religious ceremony known as the marriage contract (*'aqd nikah*). This is in accordance with the saying of the Prophet Muhammad (SAW): "Fear Allah in your treatment of women, for you have taken them as a trust from Allah and have made their private parts lawful through the word of Allah." (Ibn Huzaamah, n.d). Table 1 is the summary of literature reviews on marriage in Islam.

Table 1:- Summary of Literature Reviews on Marriage in Islam.

No.	Author	Origin	Methodology	Findings Summary
1.	Khan & Zubair (2020)	Pakistan	Qualitative	To address the issue of dowry in Muslim and sub-continental societies, strict legislation is needed, such as setting a maximum limit or tying it to the financial status of the bride's parents.
2.	Suratman (2021)	Singapore	Qualitative	The notions of the 'ideal' Muslim husband and wife continue to stress men as providers and women as primary caregivers.
3.	Meraj (2018)	India	Qualitative, library research	Marriage is a religious duty, a moral safeguard, and a social commitment in different societies and cultures.
4.	Surawardi & Maulid (2022)	Indonesia	Qualitative	Interfaith marriages are not recommended in Islam.
5.	Sitizalikha et al. (2021)	Malaysia	Qualitative, library research	Marriages that are not registered with the Office of Religious Affairs are considered a mistake in the view of Islamic law.
6.	Yusupova (2020)	Uzbekistan	Qualitative	The conditions of marriage are free mutual consent to marriage, participation of witnesses in marriage, equality, dowry (<i>mahr</i>).
7.	Rozario (2012)	Bangladesh & United Kingdom	Qualitative, interviews	Young Bangladeshis in Bangladesh and in the diaspora are concerned about the instability and insecurity of marriage today.
8.	Fauzi (2019)	Indonesia	Qualitative, ethnography	The implementation of ideas of an ideal marital spouse are much dependent upon the roles of traditional matchmaker (<i>pelantar</i>) who mediates the communication of the two families concerned.
9.	Musyafah (2020)	Indonesia	Qualitative	Marriage is an agreement between a man and a woman to establish a happy family, which is valid when there is harmony and fulfilment of conditions. There are five categories of marriage laws;

				compulsory, recommended, discouraged, permissible, and prohibited. A valid marriage should be documented to protect the rights of the wife and children.
10.	Uddin (2020)	United Kingdom	Qualitative, in-depth interview	The majority of participants achieved an Islamic divorce without the use of imams or Shariah councils.
11.	Hammer (2015)	America	Qualitative, library research	American Muslim marriage presents a much more richly textured and thus complex picture.
12.	Arsal (2016)	Indonesia	Qualitative	The family's reputation and the wealth of both families are at stake in every marriage.
13.	Riaz (2013)	Pakistan	Qualitative, library research	Forced marriages are prevalent in many Muslim countries.
14.	Bone (2020)	United Kingdom	Qualitative	The institution of marriage should incorporate nikah as a separate and different form of contractual union.
15.	Ghani et al. (2020)	Pakistan	Qualitative	Islam focuses the importance of faith, male & female honour innocence and prefer the hereafter success on the worldly lusts and earnings.

Marriage Course in Islam

In Islam, marriage is considered a sacred and important institution. There is no specific “marriage course” mandated by Islam, but Islamic teachings emphasize the significance of preparation, knowledge, and understanding for those intending to get married. Muslims are encouraged to seek knowledge about marriage and family life from the Quran and the Hadith from Prophet Muhammad SAW. Some essential aspects related to marriage in Islam include intentions, compatibility, marriage contract (*nikah*), dowry (*mahr*), consent, family support, communication, rights and responsibilities, as well as love and mercy.

Before entering into marriage, Muslims are encouraged to have sincere and noble intentions. Marriage should be approached with the intention of fulfilling half of one's faith, fostering love, companionship, and procreation. Islam encourages choosing a spouse who shares similar values, beliefs, and life goals. Compatibility is crucial for a successful and harmonious marriage. The Islamic marriage contract, called the *nikah*, is a formal agreement between the bride and groom, witnessed by at least two adult Muslims. It outlines the rights and responsibilities of both parties in the marriage. The groom is required to give a dowry (*mahr*) to the bride, which is her exclusive right and a symbol of honour and respect.

Meanwhile, the consent of both the bride and groom is essential for the marriage to be valid. Forced marriages are strictly prohibited in Islam. It is encouraged for families to support and facilitate the marriage process. Islam also emphasizes open and honest communication between spouses. Good communication is crucial for a strong and enduring marriage. In addition, Islam outlines the rights and responsibilities of both husbands and wives. Each spouse has specific rights over the other, and mutual respect is fundamental in Islamic marriages. Also, the Quran encourages spouses to treat each other with love, compassion, and mercy.

While there is no formal “marriage course” in Islam, many Muslim communities and organizations provide pre-marital counselling or workshops to help engaged couples better understand their responsibilities, learn essential skills for a successful marriage, and address potential challenges. In summary, the teachings of Islam promote the establishment of healthy, loving, and respectful marriages that contribute to the well-being of individuals, families, and society. Table 2 is the summary of literature reviews on marriage course in Islam.

Table 2:- Summary of Literature Reviews on Marriage Course in Islam.

No.	Author	Origin	Methodology	Findings Summary
1.	Maimun et al. (2020)	Indonesia	Qualitative, phenomenology	The latest development of <i>fiqh munaqah</i> materials are still mostly about the normative perspective from classical fiqh

				literature with very little relevance to either gender equality spirit or divorce prevention efforts.
2.	Al-Sharmani (2018)	Finland	Qualitative, library research, interview & observation	The exegetical and juristic construction of spousal roles and rights is increasingly unsustainable in the lived realities of many Muslims.
3.	Faisal et al. (2020)	Indonesia	Qualitative, library research	The Pre-Marriage Course aligns with mashalahand human rights, with room for improvements such as better infrastructure, professional organization, commitment from couples, and adequate financial support.
4.	Omar (2014)	Pakistan	Qualitative, library research	Islam differentiates between their status, roles and responsibilities in the family system based on equity and justice.
5.	Marwah (2022)	Indonesia	Qualitative, documentation and interview	The Ministry of Religious Affairs, Indonesia worked with gender equality experts to create the marriage guidance books, resulting in a progressive portrayal of gender equality between husbands and wives.
6.	Saiin et al. (2023)	Indonesia	Qualitative	Malay customary marriage law aligns with Islamic law as long as it doesn't contradict Islamic values. Marriage laws that adhere to Islamic values are valid, while those that go against Islamic values are not, as they can undermine the purpose of Shariah law.
7.	Batubara et al. (2023)	Indonesia	Qualitative, observation and interview	The Medan marriage clinic follows a good guidance system with 12 lecture sessions over 3 months. The topics covered include mindset, intentions, premarital health, match selection stages, and various aspects of marriage. The clinic aligns with the provisions set by the Directorate General of Islamic Community Guidance in 2018 in terms of methods, vision, mission, and materials. The sessions involve lectures and question-and-answer sessions, providing comprehensive guidance.
8.	Dewi (2019)	Indonesia	Qualitative, library research	For an effective and efficient pre-marital course, regulations, socialization, legitimacy, and collaboration among institutions are necessary. These factors strengthen the course's influence and improve its implementation.
9.	Iskandar (2017)	Indonesia	Qualitative	Although the premarital course is currently not mandatory, making it less effective, its implementation can greatly benefit Indonesian families by addressing issues like violence, injustice, and divorce. If taken seriously and made obligatory, premarital courses can contribute to the creation of harmonious and healthy families.

10.	Azhari (2022)	Indonesia	Qualitative, interview, observation and documentation	The premarital courses at KUA Kec. Palembang are conducted before weddings, and their duration is relatively short. The curriculum follows the Ministry of Religion's module, and the course is presented by employees from the Office of Religious Affairs (KUA) Kec. Kemuning. Lectures and question-and-answer sessions are used as the teaching methods during the course.
11.	Adamu & Ardo (2021)	Nigeria	Qualitative, library research and interview	Islam encompasses all aspects of marriage, leaving no room for exceptions or loopholes.
12.	Sumardilah et al. (2022)	Indonesia	Qualitative and quantitative. Descriptive observational design and Quasi-experimental design.	Certain competencies are essential for prospective brides to prevent stunting in children under five. These include exclusive breastfeeding, complementary feeding, balanced nutrition, monitoring toddler growth, and knowledge of infectious diseases, pregnancy, and reproductive health.
13.	Zulfahmi (2018)	Indonesia	Qualitative, library research, descriptive analysis and philosophical approach	The pre-marital course is vital in promoting positive values and achieving the ultimate goal of supporting a strong and fruitful marriage. The curriculum covers educational, religious, economic, sociological, psychological, and biological aspects, all relevant to preserving and protecting the family and its lineage.
14.	Anshor& Muttaqin (2022)	Indonesia	Qualitative, library research & content analysis method	A pre-marital course that emphasizes religious moderation serves as a model to combat radicalism and promote moderation among couples. Additionally, from the perspective of <i>sadd al-Zari'ah</i> , such a course acts as a preventive measure against potential harm and disruptions.
15.	Suratman (2021)	Singapore	Qualitative, library research	The notions of the 'ideal' Muslim husband and wife continue to stress men as providers and women as primary caregivers.

Marriage Course in Malaysia

In Malaysia, like in many other countries, there are various pre-marriage courses and programs available to help engaged couples prepare for married life. These courses are often offered by Islamic institutions, government agencies, and private organizations. The aim of these courses is to provide couples with knowledge, skills, and guidance to build a strong foundation for a successful and harmonious marriage according to Islamic principles and cultural norms. Marriage courses in Malaysia cover Islamic teachings, legal requirements, communication, financial management, roles, family planning, cultural aspects, and counselling support. These courses are not mandatory by law, but majority states in Malaysia may encourage or even require couples to attend pre-marriage courses before getting married. It's important for engaged couples in Malaysia to check the specific requirements and options available in their state or region. Briefly, pre-marriage courses in Malaysia aim to provide couples with a solid foundation and understanding of marriage, allowing them to start their married life with confidence and knowledge. Table 3 is the summary of literature reviews on marriage course in Malaysia.

Table 3:- Summary of Literature Reviews on Marriage Course in Malaysia.

No.	Author	Origin	Methodology	Findings Summary
1.	Yassin & Alma'amun (2018)	Malaysia		Three valuable suggestions for consideration in designing the content of pre-marital courses for Muslims in Malaysia. Firstly, to enhance the effectiveness of the courses, the selected speakers should have a background in Islamic financial management. Secondly, strategic collaborations should be established with external agencies involved in addressing financial issues and providing financial planning products. Thirdly, for every pre-marital course conducted, there should be a responsible party monitoring the content delivered by the speakers to ensure compliance with the guidelines set by the Malaysian Islamic Development Department (JAKIM).
2.	Ghani et al. (2021)	Malaysia	Qualitative, document analysis, semi-structured interview	Estate planning is crucial for married couples. Many disputes arise due to poor estate planning. In Malaysia, pre-marital courses for Muslims are mandatory and currently cover only financial planning, ignoring estate planning. The rising divorce rate, particularly among young couples, underscores the necessity of incorporating estate planning into future course updates.
3.	Omar et al. (2019)	Malaysia	Qualitative, document analysis	The breakdown of family institution is getting more alarming in Malaysia.
4.	Kusrin & Sha'ari (2020)	Malaysia	Qualitative, semi-structured interview	The Islamic Pre-Marriage Course for Muslim brides-to-be in Malaysia, excludes the deaf community as there is no specialized version for them. There is a need for a specific pre-marriage course for the deaf, as the current methodology and interpreter difficulties hinder effective communication. Organizing a tailored course for the deaf is crucial to ensure they have the same opportunity to understand pre-marriage knowledge as others.
5.	Omar (2018)	Indonesia	Qualitative, semi-structured interview	The study investigates the implementation of pre-marriage courses in Kemaman, Terengganu, on reducing divorce rates. The study finds that the increasing divorce rate in Kemaman is due to couples' lack of attention to the knowledge taught in the pre-marriage course.
6.	Mohamad & Abdullah (2018)	Malaysia	Qualitative, document analysis, observation, interview with experts	Some divorces involve young couples who were required to attend the Islamic Pre-Marriage Course. There is a need to raise awareness and provide useful insights into government policies concerning family institutions in Malaysia.
7.	Magfiroh (2022)	Indonesia	Qualitative, library research, comparative approach	Pre-marital courses in Indonesia and Malaysia have similarities and differences. Both require participants to attend and receive certificates, using modules as course materials. However, Malaysia mandates the course for couples, while it is not mandatory in Indonesia. Financing,

				course duration, organizing institutions, and delivery methods also differ. Despite these variances, both courses aim to promote beneficial families based on Maqashid al-Shariah, and align with the opinions of the four imams on marriage requirements.
8.	Hehsan et al. (2018)	Malaysia	Qualitative & quantitative. Interview & survey.	The analysis showed positive attitudes and high knowledge among unmarried respondents about marital preparation. Most participants had a positive approach to the “Family Sakinah Module: Pre-Marriage Course,” and handled challenges well. The study’s findings aid in improving the course's implementation and fostering a sakinah environment in Islamic family institutions.
9.	Shukry& Zakaria (2019)	Malaysia	Qualitative, phenomenology, semi-structured interview	Tolerance, mutual understanding, complementarity, personal maturity, and mutual respect are essential in assessing marriage quality at the beginning of marriage.
10.	Affandy& Husin (2022)	Malaysia	Qualitative, library research	Fair spending, spending within means, and avoiding wastefulness can provide guidance for modern society in managing wedding expenses according to Islamic perspectives.
11.	Rapini et al. (2022)	Malaysia	Qualitative, library research, content analysis	Couples are required to attend a pre-marriage course, but people with disabilities are exempted due to their limited means of participation. People with disabilities should also receive knowledge about marriage, marital rights, conflict management, and Islamic jurisprudence.
12.	Saidon et al. (2016)	Malaysia	Qualitative, semi-structured interview	There are some weaknesses in the current pre-marital course governance in Malaysia.
13.	Kamarusdiana et al. (2022)	Indonesia	Qualitative, library research and comparative law.	Premarital education aims to promote household happiness and prevent divorce. In Indonesia, it is regulated by the Decree of the Director-General of Islamic Religion and is provided by recognized institutions. In Malaysia, the requirements for premarital education vary by state, and it is mandatory for prospective brides. Both countries share the goal of building strong families, but in Indonesia, it serves as guidance, while in Malaysia, it is compulsory for marriage.
14.	Bidayati et al. (2020)	Indonesia	Qualitative, library research	The procedures and mechanisms for premarital courses differ between Indonesia and Malaysia. In Malaysia, the course is compulsory and a requirement for marriage registration, while in Indonesia, it is voluntary. Despite these differences, both countries share a similar approach and strategy in delivering course materials.
15.	Ali et al. (2020)	Malaysia	Qualitative, descriptive analysis method	A candidate who attends the pre-marriage course build a good understanding among family members better than those who did not attend the pre-marriage course.

Divorce in Islam

Marriage in Islam is not intended for temporary purposes, but rather for a lifelong commitment based on consent, satisfaction, trust, and mutual agreement. Dissolution of marriage is considered as the last resort in resolving marital crises. In Islam, divorce is regarded as a permissible but disliked act. It is seen as a means to end a broken or unworkable marriage when all efforts at reconciliation have failed. While divorce is allowed, it is considered to be the least favourable option, and couples are encouraged to exhaust all possible avenues of reconciliation and seek mediation before proceeding with divorce. In many cases of divorce, there are guidelines and conditions that must be followed according to Islamic law. The welfare of any children from the marriage, the division of property, and other relevant matters are considered during the divorce proceedings. It is also essential to note that the process and rules for divorce in Islam can vary based on cultural practices, regional interpretations, and schools of thought within Islam. Table 4 is the summary of literature reviews on divorce in Islam.

Table 4:- Summary of Literature Reviews on Divorce in Islam.

No.	Author	Origin	Methodology	Findings Summary
1.	Bani & Pate (2015)	Nigeria	Qualitative	A man may divorce his wife three times.
2.	Fahad & Khan (2020)	Pakistan	Qualitative	The decline of pardain the Pakistani society creates doubts between husband and wife.
3.	Ramzan et al. (2018)	Pakistan	Qualitative, interview	The divorce rate in Pakistan is increasing gradually.
4.	Manswab (2020)	Kenya	Qualitative & Quantitative. Library research, questionnaire & open-ended questions	The research recommends a systematic process of educating the Muslim communities on the true Islamic concept of divorce.
5.	Hariati (2021)	Indonesia	Qualitative. Legal research, case, statutory & sociological approach	The issue of livelihood can be one of the causes of divorce in terms of Islamic family law due to 3 things; <i>nushuz</i> husband, <i>nushuz</i> wife, and <i>shiqaq</i>
6.	Petersen (2020)	Denmark	Qualitative	Islamic authorities in Denmark have no formal legal power to issue Islamic divorces.
7.	Van Eijk (2019)	Netherlands	Qualitative	A Dutch Muslim woman managed to negotiate a khulu' agreement with her ex-husband.
8.	Ghodrati&Hamidian (2019)	Iran	Quantitative. Questionnaire	The right of divorce belongs to man in Islam.
9.	Hidayat et al. (2019)	Indonesia	Qualitative. Judicial research	Divorce outside the legal court is valid provided there is a shari'e reason that the truth can be proven in court.
10.	Raza (2022)	India	Qualitative	The defining character of a marriage is changing.
11.	Narijo et al. (2020)	Pakistan	Quantitative	The divorce rate is rising in their traditional society.
12.	Nasution (2018)	Indonesia	Qualitative	Society holds varying views on divorce, with some considering it the husband's right to use freely after careful consideration and peaceful efforts to resolve issues. Such provisions are found in the fiqh of the Imam Shafi'i sect, and followers of this school consider such divorces legitimate.
13.	Safrizal&Karimuddin (2020).	Indonesia	Qualitative. Comparative approach	The determination of divorce (<i>ta'liq talaq</i>) is based on the compilation of Islamic law, where divorce is considered valid when conducted in front of a judge after undergoing a reconciliation process.

				However, according to the Shafi'i scholars divorce is considered valid whenever and wherever the husband pronounces it.
14.	Riami (2020)	Indonesia	Qualitative	Islam encourages maintaining unity and harmony in a marriage and resolving conflicts peacefully. Factors that contribute to divorce include lineage, psychological factors, ethical considerations, financial issues, and environmental factors.
15.	Nisa (2022)	Indonesia	Qualitative	The reasons and forms of divorce itself, namely <i>fasakh</i> , <i>zihar</i> , <i>li'an</i> , and <i>illa'</i> , have been regulated in the Compilation of Islamic Law and the applicable laws.

Divorce in Malaysia

In Malaysia, divorce is governed by both civil law and Islamic law, depending on the religious affiliation of the couple. For non-Muslims, divorce falls under civil law, specifically the Law Reform (Marriage and Divorce) Act 1976. The grounds for divorce in civil law include irretrievable breakdown of the marriage, adultery committed by one spouse, unreasonable behaviour or cruelty, desertion for a continuous period of at least two years, separation for a continuous period of at least two years, with both parties consenting to the divorce or separation for a continuous period of at least five years, without the need for both parties' consent. Civil divorces in Malaysia are processed through the civil court system, and the court will make decisions regarding custody, child support, spousal support, and the division of assets and liabilities.

On the other hand, for Muslims, divorce is regulated by Islamic law (Shariah). The Islamic Family Law (Federal Territories) Act 1984 governs matters related to marriage and divorce for Muslims in the Federal Territories of Malaysia, while the various states in Malaysia may have their own Islamic family laws. The types of divorce recognized in Islamic law include *talaq*, *khulu'* and *fasakh*. *Talaq* is a divorce initiated by the husband, which can be either revocable or irrevocable depending on the circumstances. *Khulu'* is a divorce initiated by the wife with the consent of the husband and *fasakh* is a judicial divorce granted by a Shariah court based on valid grounds. Islamic divorces for Muslims in Malaysia are processed through the Shariah court system, and the court will decide on matters such as the dissolution of the marriage, custody of children, maintenance, and division of matrimonial property according to Islamic principles. Table 5 is the summary of literature reviews on divorce in Malaysia.

Table 5:-Summary of Literature Reviews on Divorce in Malaysia

No.	Author	Origin	Methodology	Findings Summary
1.	Razali (2022)	Malaysia	Qualitative. Library research & documentation	The Fast-Track system is an idea introduced by the Judges at the Selangor Shariah Judiciary Department (JAKES) to expedite the resolution of numerous pending cases due to the high population density in Selangor. This system has successfully achieved the objectives set by JAKES.
2.	Shabuddin et al. (2016)	Malaysia	Qualitative. Structured & semi-structured interview	The rise in divorce rates among older individuals is influenced by eight main factors: personality, sexual issues, communication problems, third-party involvement, drug abuse, lack of religious upbringing, irresponsibility, and being left by a spouse. A new factor contributing to late-life divorce is the interruption of black magic practice in the relationship between husband and wife.
3.	Armiadi & Bakar (2018)	Indonesia	Qualitative. Documentation, observation and interview	The hakim's goal is to find reasons for disputes and promote peace. However, challenges arise due to lack of cooperation, incentives, and representation for disputing parties. The lack of

				specific criteria for hakam in the Penang Shariah Judiciary Department hinders divorce resolution, resulting in increasing divorce rates in the region.
4.	Nazri (2018)	Indonesia	Qualitative. Interview	In 2016, the Pre-Marriage Course was not very effective, but it proved beneficial in creating harmonious families. It provided religious knowledge, insights on household matters, and prepared participants for marriage, serving as valuable early preparation for those about to wed.
5.	Jakfar et al. (2018)	Indonesia	Qualitative and Quantitative. Interview and questionnaire	The Reconciliation Council (<i>Majlis Sulh</i>) helps conflicting parties talk, negotiate, and reach agreements to resolve issues. It has been highly effective in settling hadhanah rights cases, as shown by statistics from 2011 to 2015. The Council uses seven techniques for reconciliation, which have successfully resolved registered cases. However, the community lacks awareness about the Reconciliation Council.
6.	Razali (2023)	Indonesia	Qualitative. Literature review & field research	Factors for long-distance relationships include job locations far from the village, economic needs, government-designated schools for teachers. The impacts on these couples are both positive and negative.
7.	Aziz (2022)	Malaysia	Qualitative. Literature review & content analysis	The study identifies three key concepts in the Malaysian family: inclusiveness, togetherness, and gratitude, which can be applied to overcome and prevent conflicts within families.
8.	Mohamad et al. (2021)	Malaysia	Qualitative. Semi-structured interview	Three main triggers of marital conflicts among young couples: financial crisis, communication problems, and interference from extended family. If not addressed, these triggers can deteriorate the marriage's quality and potentially lead to divorce.
9.	Sharkawi & Saili (2022)	Malaysia	Qualitative. Library research	Couples should be guided in exercising their conjugal roles and responsibilities during counselling sessions, with a focus on conflict management, negotiation skills, and the importance of carrying out marital roles and responsibilities.
10.	Jones (2021)	Australia	Qualitative. Document analysis	In East Malaysia, divorce patterns differ from Peninsular Malaysia. Muslim divorce rates in Sabah are half of those in Peninsular Malaysia, as are non-Muslim divorce rates in both Sabah and Sarawak. In Indonesia and Singapore, over two-thirds of Muslim divorces are initiated by the wife. Urban living, work-life balance, decreasing tolerance for unhappy marriages, and increasing societal acceptance of divorce are common factors influencing divorce rates for both Muslims and non-Muslims in Malaysia, Indonesia, and Singapore.
11.	Nisa (2021)	Indonesia	Qualitative. Descriptive analysis	Domestic violence is recognized as a reason for divorce in family law in Indonesia, Malaysia (Negeri Sembilan, Persekutuan Pulau Pinang, Selangor, and Johor), and Maldives. However, there are differences in granting the right to file

				for divorce due to domestic violence. In Indonesia and Malaysia, both husband and wife can file for divorce because of domestic violence, while in the Maldives, only the wife has this right.
12.	Afthanorhan et al. (2022)	Malaysia	Quantitative	The Decision Tree model (C5.0) performed the best in classifying divorce among Malaysian women. with an accuracy of 77.96%. The The most important predictors for predicting divorce among Malaysian women are the wives' employment status, husbands' employment status, type of marriage, race/ethnicity, distant relationship, wives' qualification level, age group, and religion.
13.	Abd Kadir (2021)	Malaysia	Qualitative. Descriptive analysis	There is a relationship between low education and higher divorce rates, the impact of economic factors on divorce rates, and other factors that support the main perspectives.
14.	Minarrahmah (2020)	Indonesia	Qualitative. Library research	Penalty rulings differ in Indonesia, Malaysia, and Brunei. In Indonesia, there are currently no penalties for divorce outside the court. Malaysia's rules vary by region due to its Federal State system, while Brunei applies uniform and comprehensive sanctions. The draft of Undang-undang Hukum Materiil Pengadilan Agama (HMPA) in Indonesia suggests fines and confinement as penalties for divorce outside the religious court, aligning with Malaysia and Brunei's approach. In Indonesia, penalties for divorce outside the court have not been enforced. In Malaysia, penalties are imposed after divorce registration at the Syariah Court, while in Brunei, the penalty is applied if the divorce is registered more than 7 days after the initial pronouncement outside the religious court.
15.	Muhammad (2020)	Malaysia	Qualitative. Interview.	Section 47 of the Islamic Family Law is a frequently registered and increasing case each year. The fast-track process is viewed positively, but effectiveness requires careful consideration.

Methodology:-

Research Design

This research is conducted as a qualitative study employing a literature review methodology. The qualitative research design aims to delve into and comprehend intricate phenomena, subjective experiences, and social interactions as perceived by the participants (Taylor & Bogdan, 1984).

Data Collection

For data collection, the researcher employed the library research method. Library research involves gathering information and data from existing sources found in libraries or digital databases. The focus of this method is to review and analyse previously published materials, such as books, scholarly articles, journals, reports, theses, and other pertinent documents. The purpose of the library research is to extract key literature related to the specific subtopic under investigation.

Data Analysis

Moreover, the gathered data underwent analysis employing content analysis and thematic analysis techniques. Content analysis is a structured and unbiased approach to examining qualitative data, which entails classifying and interpreting the content of text, audio, video, or visual materials to identify patterns, themes, and connections (Krippendorff, 2004). In this research, the content analysis method was employed to scrutinize the research materials on a broader scale. Thematic analysis places emphasis on the identification, analysis, and interpretation of patterns of meaning, commonly known as “themes”, within qualitative data (Braun & Clarke, 2012). Thematic analysis was selected because it enables the researcher to capture the depth and intricacy of qualitative data, facilitating a comprehensive exploration of perspectives obtained from previous literature reviews. Overall, there are five main themes scrutinized by the researcher to gain valuable insights in exploring past studies related to the main topic of the study. The five main themes include marriage in Islam, marriage course in Malaysia, divorce in Islam and divorce in Malaysia.

Results & Discussion:-

The analysis results of the research findings can be presented according to five main themes as follows:

Marriage in Islam

Based on first theme; marriage in Islam, it can be summarized that the literature review covers a wide range of themes related to Muslim marriages, such as dowry issues, gender roles, interfaith marriages, legal registration, conditions of marriage, concerns about marriage stability, traditional matchmaking, marriage laws, divorce practices, and the significance of faith and honour in Islam. Each study provides unique insights into the specific issues and experiences related to Muslim marriages in their respective countries. All-inclusive, the literature review provides a comprehensive analysis of Muslim marriages from different countries, highlighting diverse perspectives and challenges faced in various cultural and social contexts. The qualitative research approach allows for in-depth exploration and understanding of these complex issues, contributing valuable insights to the field of marriage studies in Islamic societies.

The literature review covers studies published over a range of years, from 2012 to 2022. The most recent studies are Suratman (2021), Sitizalikha et al. (2021), Surawardi & Maulid (2022), and Bone (2020). The oldest study is Rozario (2012). Whereas, the primary research methodology used in the literature is qualitative research. Qualitative research involves exploring and understanding the experiences, beliefs, and perspectives of individuals or communities in-depth, often using methods such as interviews, ethnography, and library research. The qualitative research approach allows researchers to delve into complex social and cultural issues related to Muslim marriages.

Based on countries, it can be outlined that the literature review includes studies from various countries across different continents, reflecting the global nature of the topic. The countries represented in the literature are Pakistan, Singapore, India, Indonesia, Malaysia, Uzbekistan, Bangladesh, the United Kingdom, America, and a focus on American Muslim marriages. Pakistan, Indonesia, and the United Kingdom have multiple studies (two each) in the literature. The studies focus on specific issues and perspectives within the context of Muslim marriages in these countries.

Marriage Course in Islam

Based on second theme; marriage course in Islam, it can be summarized that the literature review addresses various themes related to Muslim marriages, with a particular emphasis on Indonesia. The studies utilize various qualitative research methods to explore different aspects of marriage, pre-marital courses, gender roles, and their alignment with Islamic values in different cultural contexts. These themes focus on the development of the marriage according to Islamic jurisprudence and their relevance to gender equality and divorce prevention efforts in Indonesia, unsustainability of traditional spousal roles and rights in the lived realities of many Muslims, as observed in Finland, the alignment of pre-marriage courses with benefit (*maslahah*) and human rights in Indonesia, with the need for improvement, the differentiation of status, roles, and responsibilities in the family system based on equity and justice in Pakistan as well as progressive portrayal of gender equality between husbands and wives in marriage guidance books in Indonesia.

Other common themes founded are the alignment of Malay customary marriage law with Islamic values in Indonesia, the effectiveness of marriage clinics in Indonesia in providing comprehensive guidance for couples, the importance of regulations, socialization, legitimacy, and collaboration in implementing effective pre-marital courses in Indonesia and the potential benefits of making premarital courses mandatory in Indonesia for addressing issues like violence, injustice, and divorce. Besides, issues such as the significance of certain competencies in prospective brides to prevent stunting in children under five in Indonesia, the vital role of pre-marital courses in promoting positive values and

supporting strong marriages in Indonesia, the use of pre-marital courses as a model to combat radicalism and promote religious moderation in Indonesia and the continuation of traditional gender roles in the notions of the 'ideal' Muslim husband and wife in Singapore are still being hotly debated by previous researchers.

The literature review covers studies published from 2014 to 2023. The most recent studies are Saiin et al. (2023), Batubara et al. (2023), and Marwah (2022). The oldest study is Omar (2014). Meanwhile, the primary research methodology used in most studies is qualitative research. Qualitative research involves exploring and understanding the experiences, beliefs, and perspectives of individuals or communities in-depth, often using methods such as interviews, observations, and library research. Some studies also include mixed-method approaches, combining qualitative and quantitative methods. Apart from, based on countries, the literature review predominantly includes studies from Indonesia, which is represented in most of the studies (9 out of 15). There is one study from Finland and one from Nigeria. Additionally, there is a focus on Singapore in one study.

Marriage Course in Malaysia

Based on third theme; marriage course in Malaysia; there are some common themes that emerge from the studies related to pre-marital courses for Muslims in Malaysia and Indonesia. Firstly, several studies emphasize the significance of designing pre-marital course content that addresses specific aspects of marital life. Topics such as financial management, estate planning, and conflict resolution are highlighted as crucial elements to be included in these courses to enhance the effectiveness of marriage preparation. Secondly, the literature reveals concerns about the exclusion of certain groups, such as the deaf community, from accessing pre-marital courses. Studies highlight the need for tailored courses to ensure that all prospective brides and grooms, including those with disabilities, have equal opportunities to access pre-marital knowledge. Thirdly, some studies explore the relationship between attending pre-marital courses and divorce rates. It is observed that a lack of attention to the knowledge taught in the courses may contribute to increasing divorce rates in certain regions.

Next, fourthly, several studies underscore the goal of pre-marital courses to promote strong family institutions based on Islamic principles. These courses aim to provide knowledge and insights that can foster healthy and harmonious marital relationships. Fifthly, a couple of studies compare the pre-marital courses between Indonesia and Malaysia. Despite some differences in course requirements, both countries share similar objectives of building strong families and promoting beneficial marital relationships. Sixthly, studies show that unmarried respondents generally have positive attitudes and high knowledge about marital preparation, indicating the potential positive impact of pre-marital courses. Lastly, throughout the literature, there is a strong emphasis on aligning pre-marital courses with Islamic values, principles, and jurisprudence to ensure that they are in accordance with Maqasid al-Shariah and the opinions of Islamic scholars.

Furthermore, the literature review analysis includes studies conducted between 2016 and 2022, focusing on pre-marital courses, family institutions, marriage preparation, and related aspects in Malaysia and Indonesia. The research methodologies used are predominantly qualitative, involving methods such as interviews, document analysis, phenomenology, and library research. Some studies also combine qualitative and quantitative approaches to gain comprehensive insights into the effectiveness and impact of pre-marital courses. In addition, the findings from these studies provide valuable insights into the significance of pre-marital courses, the need for inclusive education, and the challenges faced in promoting strong family institutions. They also underscore the importance of addressing financial planning and estate management in marital preparation. Mostly, the literature review covers diverse aspects related to marriage and pre-marital education, contributing to a comprehensive understanding of the subject in the context of Malaysia and Indonesia. Aside from, based on countries, the literature review focuses on research conducted in two main countries, Malaysia and Indonesia. Both countries have different approaches to pre-marital courses, with Malaysia having compulsory courses for Muslims, while in Indonesia, the courses are voluntary. The studies explore the implementation, content, effectiveness, and challenges of pre-marital courses in these two countries.

Divorce in Islam

Based on fourth theme; divorce in Islam; there are several aspects that become the focus of the study, such as increase in divorce rates, different perspectives on divorce, factors influencing divorce, Islamic legal perspectives and importance of education. Several studies from different countries, such as Pakistan, Kenya, and the Netherlands, highlight the rising divorce rates within their respective societies. Studies from Indonesia and India show that there are varying views on divorce within Islamic communities, with some considering it a legitimate right of the husband, while others emphasize the importance of maintaining unity and harmony in marriage. While, studies from Pakistan,

Indonesia, and India identify various factors contributing to divorce, including financial issues, psychological factors, ethical considerations, environmental factors, and the changing definition of marriage. Research from Iran, Indonesia, and the Netherlands examines the Islamic legal aspects of divorce, such as the right of divorce belonging to men, different approaches to pronouncing divorce, and the validity of divorce conducted outside legal courts. Studies from Kenya and Indonesia emphasize the need for educating Muslim communities about the true Islamic concept of divorce and the different forms of divorce recognized in Islamic law.

The studies span from 2015 to 2022, indicating that research on divorce in Islamic societies has been conducted over several years. Further, the literature review includes various research methodologies, such as qualitative, quantitative, comparative approach, legal research, judicial research, and questionnaire-based studies. This diversity in methodologies allows for a comprehensive understanding of divorce-related issues from different perspectives. Along with, the studies cover a range of countries, including Nigeria, Pakistan, Kenya, Indonesia, Denmark, Netherlands, Iran, India, and a focus on various issues related to divorce within Islamic communities in these regions.

Divorce in Malaysia

Based on fifth theme; divorce in Malaysia; it was discovered that various studies from Malaysia and Indonesia identify factors influencing divorce, such as personality issues, communication problems, financial crises, interference from extended family, domestic violence, and black magic practices. Studies from Malaysia and Indonesia explore the effectiveness of dispute resolution systems, such as the Fast-Track system and Reconciliation Council, in addressing divorce cases and promoting peace. Research from Malaysia highlights the triggers of marital conflicts among young couples, including financial crises and interference from extended family. Conflict management and communication skills are emphasized as important aspects of counselling. Besides, studies from Indonesia, Malaysia, and Brunei examine the legal aspects of divorce, including penalties for divorce outside the court and the rights of both spouses to file for divorce in cases of domestic violence. Meanwhile, research from Malaysia uses quantitative analysis to identify predictors of divorce, such as employment status, type of marriage, race or ethnicity, qualification level, age group, and religion.

The studies span from 2015 to 2023, indicating that research on divorce and related issues in Islamic societies especially Malaysia has been conducted over several years. It is worth to mention that the literature review includes various research methodologies, such as qualitative, quantitative, literature review, library research, document analysis, structured and semi-structured interviews, and field research. This diversity in methodologies allows for a comprehensive exploration of divorce-related topics from different angles. Other than, the studies cover a range of countries, including Malaysia, Indonesia, Australia, and Brunei. This diversity of countries provides insights into the different approaches, cultural factors, and legal systems influencing divorce within Islamic communities in these regions.

Conclusion:-

In conclusion, the mandatory “Marriage Course” or “Pre-Marriage Course” for Muslim couples in Malaysia aims to prepare them for marriage. However, the divorce rate among Muslim couples remains significant, with some linking it to the course. Further research is needed to understand the relationship between the course and divorce. Current studies focus on legal aspects, court procedures, psychology, counselling, and divorce causes. More comprehensive quantitative research with diverse respondents is required for effective solutions at the national level. This could enhance the impact of marriage courses in reducing divorce rates in Malaysia.

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