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Reconstructing Pre-Wedding Course Regulations in Indonesia: Strengthening Sustainable Family Resilience Based on Contemporary Maqashid and SDGs

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Abstract

The high rates of divorce, domestic conflict, child neglect, and economic vulnerability among families in Indonesia indicate weaknesses in the current regulatory framework governing premarital courses. Existing premarital guidance programs remain largely administrative and persuasive in nature, lacking both binding legal force and comprehensive interdisciplinary content. This study aims to reconstruct the legal framework governing premarital courses in Indonesia through a contemporary maqashid al-shariah approach integrated with the Sustainable Development Goals (SDGs). This research employs a normative juridical method using statutory, conceptual, and maqashid approaches, supported by an interdisciplinary analysis of Islamic family law and sustainable development discourse. The findings reveal three major issues. First, the current regulations governing premarital courses remain ineffective due to weak enforcement and limited implementation. Second, the premarital curriculum requires interdisciplinary reconstruction by integrating reproductive health, Islamic financial literacy, family psychology, conflict resolution, and environmental awareness to strengthen family resilience in alignment with SDG indicators. Third, the proposed legal reconstruction model introduces a mandatory premarital certification system as a legal requirement for marriage registration. This model is grounded in the Islamic legal maxim maa laa yatimmul wajib illa bihi fahuwa wajib (whatever is necessary to fulfill an obligation is itself obligatory) and is positioned as a preventive legal instrument to strengthen sustainable family resilience in Indonesia.

Keywords: Premarital Courses, Family Resilience, Maqashid al-Shariah, Sustainable Development Goals (SDGs).

Introduction

From an Islamic perspective, marriage is not merely a social contract between a man and a woman, but a mitsaqan ghalizhan (solemn covenant) with spiritual, moral, and social dimensions that contribute to the development of human civilization. The Qur'an positions the family as the primary foundation for a society characterized by sakinah (tranquility), mawaddah (affection), and rahmah (mercy). Family resilience is therefore an integral part of the objectives of Islamic law (maqashid al-shariah), particularly the protection of religion, life, lineage, and human dignity.[1] In the context of global development, strengthening the

[1] Al-Muwafaqat fi Usul al-Sharia, Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Usul al-Sharia* (Beirut: Dar al-Kutub al-'Ilmiyyah, 2004), 2:8.

family institution is also closely connected to the Sustainable Development Goals (SDGs), particularly Goal 3 on good health and well-being and Goal 16 on peace, justice, and strong institutions.[2] Resilient families contribute not only to mental health and social well-being but also to social stability and the reduction of domestic violence.[3] Strengthening premarital education and its regulatory framework is therefore a strategic necessity in addressing increasingly complex contemporary social dynamics.

In Indonesia, empirical realities indicate growing challenges to family resilience, reflected in high rates of divorce among young couples in recent years. Data from Statistics Indonesia (BPS) and the Supreme Court indicate that economic factors remain a leading cause of divorce. In 2025, more than 105,000 divorce cases were recorded as being attributable to economic factors. Digital economic pressures, including online lending and online gambling, further exacerbated household instability in 2026. This is reflected in divorce cases triggered by digital debt, online gambling addiction, prolonged financial conflict, and young couples' inability to manage household finances.[4] In addition, limited psychological and emotional readiness among prospective spouses contributes to marital conflict that can lead to divorce and domestic violence (KDRT).[5] These issues are compounded by digital cultural shifts that affect family relationships, increased social media consumption, and inadequate family literacy in responding to modern economic challenges.[6] From the perspective of the sociology of law, these conditions reveal a gap between the ideals of marriage law and social reality (das sein), as families have not yet been adequately supported by preventive instruments to develop comprehensive marital readiness.[7]

Normatively, the Indonesian government has initiated the Marriage Guidance Program (Bimbingan Perkawinan, or Bimwin) through the Ministry of Religious Affairs and the Advisory, Guidance, and Preservation of Marriage Board (BP4). Nevertheless, implementation continues to face fundamental weaknesses. In practice, premarital guidance tends to be treated as an administrative supplement before the marriage contract and does not have binding legal force.[8] Its content is often normative and ceremonial, without adequately addressing current family issues such as mental health, digital financial literacy, conflict management, or the impact of technological disruption on family relationships.[9] In addition, the limited duration of the program and inconsistent implementation standards among local Offices of Religious Affairs (KUA) make its effectiveness difficult to assess

[2] United Nations, United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development* (New York: United Nations, 2015).
[3] Amartya Sen, *Development as Freedom* (New York: Anchor Books, 1999), 144.
[4] Badan Pusat Statistik, "Statistik Indonesia," 2026, https://www.bps.go.id.
[5] Komnas Perempuan, Komnas Perempuan, *Catatan Tahunan Kekerasan terhadap Perempuan 2024* (Jakarta: Komnas Perempuan, 2024).
[6] Manuel Castells, *The Rise of the Network Society* (Oxford: Blackwell Publishing, 2010), 378.
[7] Satjipto Rahardjo, *Hukum dan Perubahan Sosial* (Yogyakarta: Genta Publishing, 2009), 57.
[8] Muhammad Harfin Zuhdi, "Formulasi Teori Mashlahah dalam Paradigma Pemikiran Hukum Islam Kontemporer," *Istinbath: Jurnal Hukum Islam IAIN Mataram* 12, no. 2 (2013): 288–311.
[9] Ahmad Tholabi Kharlie, Fathudin Fathudin, dan Windy Triana, "Reforming Islamic Marriage Bureaucracy in Indonesia: Approaches and Impacts," *Al-Jami'ah: Journal of Islamic Studies* 59, no. 2 (November 2021): 255–86, https://doi.org/10.14421/ajis.2021.592.255-286.

systematically.[10] Consequently, premarital courses have not yet become an effective preventive legal instrument for significantly reducing divorce and domestic violence.[11] This situation demonstrates the need to reconstruct premarital-course law so that it is understood not merely as an administrative formality, but as an instrument for strengthening family resilience based on maqashid al-shariah and the SDGs.

Previous studies have generally examined premarital courses in terms of the effectiveness of KUA services or local initiatives to foster sakinah families.[12] Some have investigated the influence of marriage guidance on couples' psychological readiness,[13] the effectiveness of BP4 mediation in reducing divorce,[14] and the relationship between premarital education and marital harmony.[15] However, most of these studies remain partial and administrative in orientation and have not examined in depth the legal reconstruction of premarital courses as a normative instrument with formal binding force within the national legal system.[16] Research integrating contemporary maqashid al-shariah with the SDGs in the design of premarital-course regulations also remains limited.[17] Accordingly, this article offers an original contribution by proposing a legal reconstruction approach that positions premarital courses as a preventive legal instrument grounded in contemporary maqashid and the SDGs to strengthen family resilience in Indonesia.[18]

Based on the foregoing discussion, this article aims to analyze weaknesses in the regulation and implementation of premarital courses in Indonesia, reconstruct a legal model that responds more effectively to contemporary family challenges, and formulate a paradigm for strengthening family resilience based on maqashid al-shariah and the SDGs.[19] The study is expected to contribute theoretically to the development of contemporary Islamic family law and provide practical recommendations for reformulating premarital policies in Indonesia.[20]

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[10] Siti Khodijah dkk., "Efektivitas Program BP4 di Kua Medan Tembung dalam Menangani Konflik Rumah Tangga: Pendekatan Nilai-Nilai Al-Qur'an dan Hadis," *Sulawesi Tenggara Educational Journal* 5, no. 1 (April 2025): 160–72, https://doi.org/10.54297/seduj.v5i1.937.

[11] M. A. Mudzhar dan M. Alwustho, *Membaca gelombang ijtihad: antara tradisi dan liberasi* (Titian Ilahi Press, 1998), https://books.google.co.id/books?id=-q9IHQAACAAJ.

[12] Siti Musdah Mulia, *Islam dan Inspirasi Kesetaraan Gender* (Jakarta: Kibar Press, 2007), 201.

[13] Laina Sari, Winda Alawiyah, dan Annisa Arumaisyah Daulay, "PERANAN KANTOR URUSAN AGAMA DALAM MEMBERIKAN EDUKASI BK PRA-NIKAH," *Ristekdik : Jurnal Bimbingan dan Konseling* 8, no. 1 (Januari 2023): 32–36, https://doi.org/10.31604/ristekdik.2023.v8i1.32-36.

[14] Mardani, *Hukum Keluarga Islam di Indonesia* (Jakarta: Prenadamedia Group, 2016), 154.

[15] Mufidah Ch., *Psikologi Keluarga Islam Berwawasan Gender* (Malang: UIN Maliki Press, 2014), 88.

[16] Khoiruddin Nasution, *Hukum Perkawinan dan Warisan di Dunia Muslim Modern* (Yogyakarta: ACAdeMIA, 2012), 76.

[17] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law* (London: IIIT, 2008), 55.

[18] Desy Rahmawati Anwar, Abdul Wahab, dan Waris Waris, "Maqasid Syariah and Sustainable Development: Integrating Islamic Objectives into Economic Planning," *Formosa Journal of Multidisciplinary Research* 4, no. 6 (Juni 2025): 2601–18, https://doi.org/10.55927/fjmr.v4i6.269.

[19] Wahbah al-Zuhaili, *Usul al-Fiqh al-Islami* (Damascus: Dar al-Fikr, 1986), 1017.

[20] Muchlis dkk., "The Supreme Court and Islamic Family Law Reform: A Review of Policy Direction and Implementation Challenges," *Jurnal Hukum dan Peradilan* 14, no. 3 (November 2025): 677–700, https://doi.org/10.25216/jhp.14.3.2025.677-700.

Reasearch Method

This study adopts a normative juridical approach, complemented by a socio-legal perspective, to analyze the reconstruction of premarital-course law in Indonesia in order to strengthen family resilience based on contemporary maqashid al-shariah and the Sustainable Development Goals (SDGs). The normative juridical approach examines the positive legal norms governing premarital courses, particularly Law No. 1 of 1974 on Marriage, as amended by Law No. 16 of 2019, the Minister of Religious Affairs regulations on Marriage Guidance (Bimwin), and technical regulations related to family resilience. This approach helps assess the extent to which Indonesia's premarital legal framework responds to contemporary family problems, including rising divorce rates, domestic violence, child marriage, and inadequate psychological readiness among prospective spouses.[21]

The socio-legal approach, meanwhile, is used to understand the relationship between legal norms and social realities. It allows the study to move beyond legal texts (law in books) and examine how law operates in social life (law in action), particularly the effectiveness of premarital courses in building family resilience.[22] This approach also connects family-law policy with the global SDG agenda, especially Goal 3 (*Good Health and Well-Being*), Goal 5 (*Gender Equality*), and Goal 16 (*Peace, Justice and Strong Institutions*).[23] The study draws on primary and secondary legal materials. Primary materials include Law No. 1 of 1974 on Marriage, the Compilation of Islamic Law, regulations issued by the Indonesian Minister of Religious Affairs concerning marriage guidance for prospective spouses, and other regulations related to family development and the protection of women and children. The study also uses national policy documents on family development and the United Nations' Sustainable Development Goals documents as a conceptual basis for strengthening sustainable family resilience.[24] Secondary legal materials are drawn from academic literature, including books, reputable journal articles, previous research, Statistics Indonesia (BPS) data, and reports from the Ministry of Religious Affairs and the Supreme Court concerning divorce trends in Indonesia. Divorce data are important for demonstrating the urgency of reconstructing premarital-course law as a preventive instrument to minimize family disintegration.[25] Studies of contemporary maqashid al-shariah, particularly the work of Jasser Auda, are also used as a theoretical framework for developing legal formulations that are more responsive to modern social dynamics.[26]

Legal materials were collected through library research by identifying, examining, and classifying relevant regulations, policy documents, and scholarly literature. The materials

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[21] Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russell Sage Foundation, 1975), 15.
[22] Roger Cotterrell, *The Sociology of Law: An Introduction* (London: Butterworths, 1992), 51.
[23] United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development* (New York: United Nations, 2015), 14.
[24] Kementerian Agama Republik Indonesia, *Peraturan Menteri Agama tentang Bimbingan Perkawinan bagi Calon Pengantin* (Jakarta: Kemenag RI, 2019).
[25] Badan Pusat Statistik, "Statistik Indonesia."
[26] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: International Institute of Islamic Thought, 2008), 45.

were then analyzed using descriptive qualitative analysis. This process systematically describes the legal framework governing premarital courses in Indonesia, identifies regulatory and implementation weaknesses, and reconstructs the framework in light of contemporary maqashid al-shariah and the legal-engineering approach.[27] The principal analytical framework is the theory of contemporary maqashid al-shariah developed by Jasser Auda. Unlike the classical concept, which focuses on protecting the five essential interests (al-daruriyyat al-khams), Auda's approach treats maqashid as an open, multidimensional, context-sensitive system oriented toward human development.[28] In this study, the theory is used to assess the extent to which premarital-course regulations protect families, preserve lineage (hifz al-nasl), safeguard life (hifz al-nafs), and promote social welfare in ways that respond to the challenges of modern society.

The study also employs legal-engineering theory as an analytical tool for legal reconstruction. This theory views law as an instrument of social engineering that the state can use to shape social behavior toward particular social objectives.[29] Premarital courses are therefore understood not merely as a formal administrative requirement associated with marriage, but as a means of fostering high-quality, resilient, and sustainable families. Legal reconstruction should consequently strengthen course content, adopt educational and participatory methods, and integrate family-resilience values grounded in the SDGs and contemporary maqashid al-shariah. This methodology is expected to produce a more progressive, adaptive, and responsive legal framework for premarital courses that addresses the needs of contemporary Indonesian society while remaining aligned with the global sustainable-development agenda.

Results and Discussion

Weaknesses in Premarital-Course Regulations and Their Implications for SDG Achievement in Indonesia

Premarital-course regulations in Indonesia continue to face fundamental problems, particularly weak legal enforceability and limited implementation effectiveness. The Marriage Guidance Program (Bimwin), administered by the Ministry of Religious Affairs, is essentially administrative and persuasive rather than a legal requirement determining whether a marriage can be registered. Consequently, participation among prospective spouses remains low, and the program is often regarded as a bureaucratic formality. This reflects a mismatch between the ideal of developing high-quality families and the legal instruments currently available.[30] In practice, premarital courses in Indonesia are generally delivered over just two days, with dense content that is not explored in sufficient depth. This short format limits participants' ability to internalize the principles of family resilience, reproductive health, household financial literacy, and conflict resolution. The absence of

[27] Johnny Ibrahim, *Teori dan Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia Publishing, 2013), 302.
[28] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*, 56.
[29] Roscoe Pound, "Law in Books and Law in Action," *American Law Review* 44 (1910): 15.
[30] Ahmad Tholabi Kharlie, *Hukum Keluarga Indonesia* (Jakarta: Sinar Grafika, 2020), 112.

legal sanctions for couples who do not attend also reflects limited political commitment to treating family resilience as a strategic national-development priority.[31]

These Fenomena regulatory weaknesses directly affect the growing social problems faced by Indonesian families. National divorce data show a substantial upward trend over the past decade, driven particularly by economic conflict, domestic violence, and the limited psychological readiness of young couples.[32] This suggests that inadequate premarital commitment and preparation are closely associated with the fragility of modern family structures. From the perspective of the SDGs, high divorce rates affect not only the goal of harmonious family life but may also contribute to new forms of poverty (SDG 1), lower educational outcomes for children from broken homes (SDG 4), and increased mental-health problems among family members (SDG 3).[33]

In practice, divorce can contribute to the feminization of poverty, particularly when women lose economic stability after Devorce.[34] Children from troubled families are also more likely to experience poorer educational outcomes, difficulties in social development, and greater psychological vulnerability than children from stable families.[35] Research has further indicated that chronic family conflict can contribute to depression, anxiety, and prolonged stress within the household.[36] The weakness of premarital-course regulations is therefore not merely an administrative issue in family law; it is a strategic challenge for sustainable human development. The state should view premarital courses as a preventive instrument for reducing the future social costs of divorce and family disintegration.[37] Strengthening premarital regulations is thus an integral part of a sustainable-development agenda grounded in family resilience.

Integrating Islamic Family Law and SDG Indicators into an Interdisciplinary Premarital Curriculum

Reconstructing premarital-course law in Indonesia requires an interdisciplinary approach that goes beyond classical fiqh al-munakahat (Islamic jurisprudence on marriage) and responds to contemporary social challenges and the Sustainable Development Goals. At present, premarital-course materials are still dominated by normative discussions of the rights and obligations of spouses, with insufficient attention to modern family dynamics, digital economic crises, mental health, and environmental issues.[38]

From the perspective of contemporary maqashid al-shariah, the family should no longer be understood merely as a biological and formal legal institution, but as a

[31] Adi Syahputra Sirait dkk., "Assessing Criminal Penalities in Marriage Law: a Comparative Study of Policy Frameworks within Indonesian and Malaysian Legislation," *Al-Manahij: Jurnal Kajian Hukum Islam*, 22 Agustus 2024, 255–70, https://doi.org/10.24090/mnh.v18i2.11208.
[32] Badan Pusat Statistik, "Statistik Indonesia."
[33] United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development* (New York: UN, 2015).
[34] Sylvia Chant, *Women, Poverty and Livelihoods in Post-Divorce Families* (London: Routledge, 2016), 44.
[35] Paul R. Amato, "The Consequences of Divorce for Adults and Children," *Journal of Marriage and Family* 62, no. 4 (2000): 1269–1287, https://doi.org/10.1111/j.1741-3737.2000.01269.x.
[36] E. Mavis Hetherington and John Kelly, *For Better or For Worse* (New York: Norton, 2002), 89.
[37] Johan van Niekerk et al., "Addressing the Use of Generative AI in Academic Writing," *Computers and Education: Artificial Intelligence* 8 (2025): 100342, https://doi.org/10.1016/j.caeai.2024.100342.
[38] Khoiruddin Nasution, *Hukum Perkawinan Islam Indonesia* (Yogyakarta: Academia, 2019), 211.

multidimensional space for protecting religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-aql*), lineage (*hifz al-nasl*), and property (*hifz al-mal*).[39] The premarital curriculum should therefore be designed more progressively by integrating gender equality, environmental sustainability, and sustainable social development. The concept of a "Green Marriage," for example, positions the family as a social unit that is not only spiritually harmonious but also ecologically aware and responsible for the environment.[40]

The first priority is to strengthen reproductive-health education and stunting prevention as part of SDG 3 (Good Health and Well-Being). Indonesia's stunting rate indicates that many couples lack adequate biological preparation and reproductive knowledge.[41] Premarital courses should therefore include education on reproductive health, Islamic parenting, family nutrition, and responsible birth planning. From a maqashid perspective, protecting lineage (*hifz al-nasl*) means more than preserving genealogy; it also entails ensuring that future generations are healthy and able to thrive.[42] Second, Islamic financial literacy should be incorporated in response to digital economic challenges and SDG 8 (Decent Work and Economic Growth). Many divorces in Indonesia are associated with couples' inability to manage household finances, consumer debt, and economic pressure.[43] Premarital curricula should therefore equip couples with skills in Islamic financial management, halal investment, digital financial-risk mitigation, and responsible consumption within Muslim families.[44] This approach aligns with hifz al-mal, the maqashid principle emphasizing the sustainable protection of family wealth.

Third, family psychology and nonviolent conflict resolution are essential to achieving SDG 16 (Peace, Justice and Strong Institutions). Many couples enter marriage without adequate interpersonal communication and conflict-management skills.[45] As a result, minor disagreements may escalate into domestic violence and divorce. Including family psychology in premarital courses can help couples develop emotional intelligence, empathetic communication, and conflict-resolution skills based on deliberation and nonviolence.[46] Premarital curricula can therefore no longer be monodisciplinary or purely textual. They should move toward an integrated model combining Islamic family law, health sciences, Islamic economics, family psychology, and sustainable development. This approach demonstrates the relevance of maqashid al-shariah to the achievement of the SDGs through stronger family institutions.

Model for Legal Reconstruction: Toward Mandatory Premarital Certification

Within the framework of ius constituendum (the law as it ought to be), the legal reconstruction of premarital courses in Indonesia should aim to establish a mandatory premarital certification system as a prerequisite for marriage registration. At present, premarital-course certificates are treated merely as supplementary administrative

[39] Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law* (London: IIIT, 2008), 56.
[40] Odeh Rashed Al-Jayyousi, *Islam and Sustainable Development* (London: Routledge, 2017), 142.
[41] UNICEF Indonesia, *Situation Analysis of Children in Indonesia* (Jakarta: UNICEF, 2023).
[42] Muhammad Tahir Ibn Ashur, *Treatise on Maqasid al-Shariah* (London: IIIT, 2006), 121.
[43] Badan Pusat Statistik, "Statistik Indonesia."
[44] Zamir Iqbal and Abbas Mirakhor, *An Introduction to Islamic Finance* (Singapore: Wiley, 2011), 75.
[45] John Gottman, *The Seven Principles for Making Marriage Work* (New York: Harmony Books, 2015), 33.
[46] Murray Bowen, *Family Therapy in Clinical Practice* (New York: Jason Aronson, 1978), 215.

documents, without clear legal consequences. Consequently, the program has not generated significant social change in the quality of family resilience nationwide.[47]

A more progressive regulatory model could draw on practices in several Muslim-majority countries, including Malaysia and some Middle Eastern countries, where premarital education has been made a legal requirement for marriage registration. Malaysia's Smart Start program, for example, is designed to develop couples' emotional, spiritual, and economic readiness before marriage.[48] Such approaches suggest that the state has a legal basis for preventive intervention to protect family stability and social order.

In Indonesia, the legal status of premarital certificates could be strengthened by revising marriage regulations or reinforcing the Ministry of Religious Affairs' technical rules. A certificate of completion could be made a mandatory administrative requirement for marriage registration, alongside health examinations and identity documents.[49] The purpose would not be to restrict citizens' right to marry, but to ensure that marriage is entered into responsibly and with a view to long-term family protection.

From the perspective of Islamic law, requiring participation in premarital courses has a strong normative basis in the following legal *Fiqh*:

مَالَايَتِمُّالْوَاجِبُإِلَّابِهِفَهُوَوَاجِبٌ

This maxim means that a means becomes obligatory when it is a prerequisite for fulfilling a primary obligation.[50] In this context, building a sakinah family is a central objective of marriage in Islam, while resilience in modern family life requires psychological, economic, health-related, and spiritual preparedness that cannot be achieved without adequate premarital education. The state therefore has a Sharia-based justification for requiring premarital courses as an instrument of maslahah mursalah (unrestricted public interest) to preserve the social stability of contemporary Muslim families.[51]

The mandatory-certification approach is also consistent with the welfare-state paradigm, under which the state is responsible for the quality of family life among its citizens.[52] From an SDG perspective, investing in premarital education is a long-term preventive policy that may cost less than addressing the social consequences of divorce, domestic violence, stunting, and family poverty. Accordingly, the legal reconstruction of premarital courses in Indonesia should produce regulations that are more progressive, integrated, and enforceable. This approach would not only strengthen Muslim family institutions but also demonstrate the compatibility of maqashid al-shariah with the global sustainable-development agenda.

Conclusion

Based on the findings and discussion, the regulations governing premarital courses in Indonesia remain weak and lack adequate legal enforceability. The Marriage Guidance Program (Bimwin), administered by the Ministry of Religious Affairs, remains largely

[47] Abdul Manan, *Aneka Masalah Hukum Perdata Islam di Indonesia* (Jakarta: Kencana, 2017), 98.
[48] Raihanah Azahari, "Premarital Course and Family Resilience in Malaysia," *Malaysian Journal of Syariah and Law* 8, no. 2 (2020): 55–71, https://doi.org/10.33102/mjsl.vol8no2.264.
[49] Kementerian Agama Republik Indonesia, *Pedoman Bimbingan Perkawinan* (Jakarta: Kemenag RI, 2023).
[50] Wahbah al-Zuhaili, *Al-Wajiz fi Usul al-Fiqh* (Damaskus: Dar al-Fikr, 2006), 221.
[51] Yusuf al-Qaradawi, *Dirasah fi Fiqh Maqasid al-Shariah* (Kairo: Dar al-Shuruq, 2007), 77.
[52] Satjipto Rahardjo, *Negara Hukum yang Membahagiakan Rakyatnya* (Yogyakarta: Genta Press, 2009), 54.

administrative and persuasive and has therefore not effectively prepared couples to build resilient families.[53] The absence of legal sanctions, the short duration of the program, and the limited integration of legal, psychological, health, and economic dimensions have prevented premarital courses from serving as an effective preventive instrument against rising divorce rates, domestic violence, new forms of family poverty, and mental-health problems.[54] From the perspective of the SDGs, weaknesses in premarital education directly affect efforts to eradicate poverty (SDG 1), promote health and well-being (SDG 3), ensure quality education (SDG 4), support family economic growth (SDG 8), and foster peace and strong social institutions (SDG 16).[55]

The study also finds that premarital courses should be reconstructed through an interdisciplinary approach grounded in contemporary maqashid al-shariah and SDG indicators. Course materials should go beyond classical fiqh al-munakahat on the rights and obligations of spouses to cover reproductive health, stunting prevention, Islamic financial literacy, resilience in the digital economy, family psychology, interpersonal communication, and nonviolent conflict resolution.[56] This approach demonstrates the strong relevance of maqashid al-shariah to sustainable family development that can adapt to modern social challenges.[57] The family should therefore be understood not merely as a private institution, but also as a primary foundation for human development and national social resilience.[58]

Furthermore, the study argues that the ideal form of legal reconstruction would change premarital courses from an administrative recommendation into a legal obligation through mandatory premarital certification.[59] A certificate of course completion should be required for marriage registration to help ensure that couples are spiritually, psychologically, physically, and economically prepared for married life.[60] This model is consistent with practices in several Muslim countries, including Malaysia and some Middle Eastern countries, where premarital certification has been adopted as part of national family-protection policy.[61] Normatively, the policy is also supported by the Islamic legal ***Fiqh*** *Maa Laa Yatimmul Wajib Illa Bihi Fahuwa Wajib*, according to which a means becomes obligatory when it is necessary to fulfill a higher obligation—in this case, family resilience and welfare.[62]

On the basis of these findings, the study recommends that the Ministry of Religious Affairs of the Republic of Indonesia and the House of Representatives (DPR RI) revise

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[53] Ahmad Tholabi Kharlie, *Hukum Keluarga Indonesia* (Jakarta: Sinar Grafika, 2020), 118.
[54] Nur Rohim Yunus, "Legal Policy of Marriage Guidance in Indonesia," *Jurnal Cita Hukum* 8, no. 1 (2020): 1–18, https://doi.org/10.15408/jch.v8i1.14615.
[55] United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development* (New York: United Nations, 2015).
[56] Mufidah Ch., "Reconstructing Islamic Family Law," *Al-Jami'ah* 57, no. 2 (2019): 305–328, https://doi.org/10.14421/ajis.2019.572.305-328.
[57] Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law* (London: IIIT, 2008), 56.
[58] Muhammad Tahir Ibn Ashur, *Treatise on Maqasid al-Shariah* (London: IIIT, 2006), 121.
[59] Abdul Manan, *Aneka Masalah Hukum Perdata Islam di Indonesia* (Jakarta: Kencana, 2017), 103.
[60] Khoiruddin Nasution, *Hukum Perkawinan Islam Indonesia* (Yogyakarta: Academia, 2019), 214.
[61] Raihanah Azahari, "Premarital Course and Family Resilience in Malaysia," *Malaysian Journal of Syariah and Law* 8, no. 2 (2020): 55–71, https://doi.org/10.33102/mjsl.vol8no2.264.
[62] Wahbah al-Zuhaili, *Al-Wajiz fi Usul al-Fiqh* (Damaskus: Dar al-Fikr, 2006), 221.

implementing regulations under the Marriage Law, particularly those concerning premarital guidance and marriage registration.[63] Such revisions are important to strengthen the legal status of premarital courses so that they are no longer mere administrative formalities but become instruments of national family development grounded in social resilience and maqashid al-shariah.[64] The government should also establish national standards for an integrated premarital curriculum in collaboration with Islamic legal scholars, family psychologists, health professionals, Islamic economics academics, and institutions responsible for protecting women and children.[65]

In addition, digital evaluation and certification systems should be developed to make premarital courses more effective, measurable, and accessible to the wider public.[66] In the context of national legal development, this would demonstrate that Islamic family law can be progressively reconstructed without losing its normative foundations while remaining relevant to the global sustainable-development agenda.[67] Reconstructing premarital-course law based on contemporary maqashid and the SDGs is therefore an urgent step toward building more resilient, inclusive, and sustainable Indonesian families in the future.

Bibliography

Al-*Muwafaqat* fi Usul al-Sharia, Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Usul al-Sharia* (Beirut: Dar al-Kutub al-'Ilmiyyah, 2004), 2:8.

Abdul Manan, *Aneka Masalah Hukum Perdata Islam di Indonesia* (Jakarta: Kencana, 2017)

Adi Syahputra Sirait dkk., "Assessing Criminal Penalities in Marriage Law: a Comparative Study of Policy Frameworks within Indonesian and Malaysian Legislation," *Al-Manahij: Jurnal Kajian Hukum Islam*, 22 Agustus 2024, 255–70, https://doi.org/10.24090/mnh.v18i2.11208.

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