

## **Measuring Between Tradition, Law, And Maslahat Value: An Ideal Solution For Divorce Settlement In Mandailing Natal Society**

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### **Abstract**

*This research analyzes the dynamics of divorce in Mandailing Natal society by focusing on the interaction between customary traditions, positive law, and the principle of maslahat in Islamic law. Divorce in Mandailing Natal Regency is not only a legal matter, but also a social phenomenon rooted in customary values and religious teachings, with significant impacts on women, children, and social balance. The research used a descriptive-analytical qualitative method through interviews, observation, and literature study. The results show that the majority of divorces are filed by the wife with causal factors including economic problems, household disharmony, infidelity, and domestic violence. Although customary deliberation traditions such as marpokat/martahi are still practiced, the legal awareness of the community to pursue official procedures through the Religious Court is still low, often causing legal harm to women and children. The maslahat approach, which prioritizes benefit and prevents harm, is the ideal solution in resolving divorce, by balancing aspects of state law, Islamic law, and local wisdom. The research recommends strengthening legal awareness, optimizing the role of customary deliberation, and protecting post-divorce rights for women and children as steps towards a more just and humane divorce settlement system.*

**Keywords:** Divorce, Islamic law, Mandailing Custom, Maslahat

### **Introduction**

Divorce is a social phenomenon that is increasingly prevalent in various regions including in Mandailing Natal Regency. In Islamic law, divorce is allowed as a last resort when household life can no longer be maintained.<sup>1</sup> However, even though it is allowed divorce remains something that is not recommended because it can cause social, psychological, and economic impacts for both parties, especially for women and children.<sup>2</sup> Thus, Islam views divorce as the last solution that must

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<sup>1</sup> Asrul Hamid et al., "Legal Ramifications of Unregistered Divorce in the Religious Court within the Mandailing Natal Community," *El-Ussrah* 7, no. 1 (2024): hlm. 427-43, <https://doi.org/10.22373/ujhk.v7i1.12598>.

<sup>2</sup> Lilis Handayani, "Prosedur Perceraian Ditinjau Berdasarkan Hukum Fiqh Dan Hukum Positif," *Journal of Legal and Cultural Analytics* 1, no. 1 (2022), <https://doi.org/10.55927/jlca.v1i1.897>.

be done with full consideration and caution.<sup>3</sup>In Indonesia, the legal rules of marriage have been regulated in Law Number 1 of 1974 concerning Marriage, which is then clarified in the Compilation of Islamic Law (KHI) for Muslim couples.<sup>4</sup> In this regulation, divorce can only be carried out in front of a court session in order to have legal force. The Religious Court plays a role in handling divorce cases for Muslim couples, where the settlement process includes a mediation stage before the divorce is actually granted.<sup>5</sup> The main purpose of this regulation is to ensure that divorce is not carried out arbitrarily and to provide protection for more vulnerable parties, such as women and children.<sup>6</sup>

In Mandailing Natal District, the divorce rate continues to increase from year to year, with the majority of cases filed by the wife. This phenomenon shows that more and more women feel that their rights are not fulfilled in marriage and eventually choose to file for divorce.<sup>7</sup> The factors behind divorce in Mandailing Natal Regency are very diverse, ranging from economic problems, disharmony in the household, partner unfaithfulness, to domestic violence.<sup>8</sup> In addition, disagreements in carrying out religious and traditional values are also often a trigger for divorce, considering that Mandailing Natal people still highly uphold Mandailing traditional norms<sup>9</sup>

Based on observations, the divorce settlement process in Mandailing Natal Regency faces various challenges that can have an impact on justice for women and children after divorce. One of the main challenges is the lack of protection of women's rights after divorce. Many cases show that the *iddah* and *mut'ah* maintenance that should be given to the ex-wife is often not fulfilled by the ex-husband. In addition, child custody is also often disputed between the two parties, sometimes ignoring the best interests of the child.<sup>10</sup> In Indonesian marriage law, child custody should be given to the mother until the child is 12 years old, as stipulated in Article 105 KHI. However, in practice there are still many cases where

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<sup>3</sup> Asrul Hamid, "Praktik Perceraian Masyarakat Mandailing Natal: Analisis Keberlanjutan Dari Fiqh Kepada Hukum Perkawinan Di Indonesia," *Shar-E : Jurnal Kajian Ekonomi Hukum Syariah* 6, no. 2 (2020), <https://doi.org/10.37567/shar-e.v6i2.hlm.189>.

<sup>4</sup> Amiur Nuruddin Azhari Akmal Tarigan, *Hukum Perdata Islam Di Indonesia (Studi Kritis Perkembangan Hukum Islam Dari Fikih, Undang-Undang No.1 Tahun 1974 Sampai Kompilasi Hukum Islam* (Jakarta: Kencana Prenada Media Group, 2004).hlm.

<sup>5</sup> Adi Harmanto -Pergeseran et al., "Pergeseran Konsep Talak Dari Kitab Fikih Ke Peraturan Perundang-Undangan Indonesia: Perspektif Sosiologi Hukum Islam," *HUKUMAH: Jurnal Hukum Islam* 4, no. 1 (2021).

<sup>6</sup> M. Haikel Afandi, Jumni Nelli, and Mohd Yunus, "An Examination of Islamic Family Law in Kampar Regency, Riau: Focusing on the Causes and Prevalence of Divorce in the Community," *El-Usrah* 6, no. 2 (2023), <https://doi.org/10.22373/ujhk.v6i2.19089>.

<sup>7</sup> Muhamad Hasan Sebyar and Nur Azizah, "FACING DIVORCE WITH FAMILY RESILIENCE : Challenges and Post- Mediation Solutions in the Panyabungan Religious Court," *MADANIA: Jurnal Kajian Keislaman* 28, no. 2 (2024): hlm.285–94.

<sup>8</sup> Hamid et al., "Legal Ramifications of Unregistered Divorce in the Religious Court within the Mandailing Natal Community."

<sup>9</sup> Asrul Hamid, "Praktik Perceraian Masyarakat Mandailing Natal: Analisis Keberlanjutan Dari Fiqh Kepada Hukum Perkawinan Di Indonesia."

<sup>10</sup> Observations on divorce in Mandailing Natal community in 2025.

this right is not properly exercised.<sup>11</sup> In addition to legal challenges, divorce in Mandailing Natal District is also characterized by a strong social stigma against women who file for divorce. The local community often considers women who file for divorce as having failed in their role as a wife, so they often receive social pressure from the surrounding environment.<sup>12</sup> This makes many women reluctant to fight for their rights, even though they are in unhealthy household conditions.

*The maslahat* approach in Islamic law is relevant in resolving divorce issues in Mandailing Natal Regency. The principle of *maslahat* emphasizes that every legal decision must bring benefits and prevent harm to all parties involved.<sup>13</sup> In the context of divorce settlement, this approach can be applied through stronger protection of women's post-divorce rights, prioritizing the best interests of children in determining custody, and encouraging more effective mediation mechanisms before divorce actually occurs.<sup>14</sup> In addition, Islamic-based legal education also needs to be improved so that people have a better understanding of the rights and obligations in marriage and divorce.<sup>15</sup>

Based on the above reality, this research aims to analyze the settlement of divorce in Mandailing Natal society through the *maslahat* approach in Islamic law. Thus, it is hoped that this research can contribute to the development of a legal system that is more just, contextual, and in favor of the benefit of the people, especially for post-divorce women and children. Ideal solutions based on *maslahat* are important to ensure that the law remains relevant to social developments in society and is able to provide substantive justice for all parties involved in divorce.

## Method

This research uses a *descriptive-analytical* qualitative method to understand the phenomenon of divorce in Mandailing Natal society and analyze its resolution based on the *maslahat* approach. Primary data was obtained through interviews with relevant parties, while secondary data came from literature, laws and regulations, and other documents. Data analysis was conducted qualitatively, including data reduction, data presentation, and conclusion drawing. The *maslahat*

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<sup>11</sup> Bariq Habibi, Tarmizi M. Jakfar, and Hajarul Akbar, "Penyelesaian Perkara Hadhanah (Studi Terhadap Pertimbangan Hakim Pada Kasus No. 0138/Pdt.G/2015/Ms.Bna Dan No. 13/Pdt.G/2016/Ms.Aceh)," *El-Usrah* 4, no. 2 (2021), <https://doi.org/10.22373/ujhk.v4i2.7736>.

<sup>12</sup> Yolanda Fitri Windia, "Stigma Wanita Dengan Status Janda Yang Berkerja Namun Berada Dalam Lingkungan Masyarakat Penganut Paham Patriarki," *Verdict: Journal of Law Science* 2, no. 2 (2024): hlm.61–75.

<sup>13</sup> Jumni Nelly. Muhammad Imron, Junaidi Lubis, "TINJAUAN HUKUM ISLAM TERHADAP KONSEP MEDIASI PERKARA PERCERAIAN BERDASARKAN MASLAHAT," *Journal of Sharia and Law* 2, no. 3 (2023).

<sup>14</sup> Sisca Novalia dan Arief Rachman Hakim, "Melindungi Hak Perempuan Dan Anak Pasca Perceraian : Perspektif Hukum Islam Dan Hukum Positif Indonesia," *Jurnal MEDIASAS: Media Ilmu Syari'ah Dan Ahwal Al-Syakhsiyah* 7, no. 2 (2024): 639–55, <https://doi.org/10.58824/mediasas.v7i2.219>.

<sup>15</sup> Riha Nadhifah Minnuril Jannah dan Ardillah Halim, "Edukasi Pra Nikah Sebagai Upaya Pencegahan Perceraian Perspektif Hukum Islam Dan Hukum Positif," *Amalee: Indonesian Journal of Community Research and Engagement* 3, no. 1 (2022), <https://doi.org/10.37680/amalee.v3i1.1308>.

approach in Islamic law is used to evaluate the extent to which this principle is applied in divorce settlements in Mandailing Natal Regency, with the hope that this research can provide a fairer and more *maslahat* solution for the community.

## Discussion

### 1. Dynamics of Divorce in Mandailing Natal Community

Divorce is a complex social phenomenon in household life, which not only impacts individuals but also carries broad social consequences.<sup>16</sup> In Mandailing Natal society, marriage is seen as a sacred bond that not only unites two individuals, but also strengthens the relationship between two extended families who have social and customary attachments. Therefore, divorce is not just a personal decision, but also involves family honor and traditional values that have been passed down from generation to generation.<sup>17</sup> In recent years, the divorce rate in Mandailing Natal District has shown an increasing trend. The majority of divorce cases are filed by the wife through a complaint divorce, with the main factors including economic issues, household disharmony, infidelity, and domestic violence.<sup>18</sup> Based on interviews with Judges of the Panyabungan Religious Court, most divorce plaintiffs are women who feel their rights are not being fulfilled, both in economic and emotional aspects.<sup>19</sup>

Social and economic changes have contributed to the increasing divorce rate. Modernization has brought about a shift in values in society, where women are now more aware of their rights and dare to make the decision to leave an unhealthy marriage. In addition, economic factors are one of the main triggers for divorce, especially when the husband is unable to meet household needs, resulting in prolonged conflict.<sup>20</sup> Divorce in Mandailing Natal society has unique dynamics, as a society that still upholds Mandailing customs, the divorce process not only involves legal aspects through the Religious Court, but also customary approaches that are still held by some people. The mediation process by the extended family is often the first step before the divorce decision is actually taken.<sup>21</sup> However, in some

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<sup>16</sup> Raffaele Guetto, Fabrizio Bernardi, and Francesca Zanasi, "Parental Education, Divorce, and Children's Educational Attainment: Evidence from a Comparative Analysis," *Demographic Research* 46 (2022), <https://doi.org/10.4054/DEMRES.2022.46.3>.

<sup>17</sup> Zainur Zainur Muhamad Ismail, Robitho Alam Hadi Faisal, "Marriage and Divorce in Islamic Law : Sociological Implications for Modern Muslim Societies," *Journal of Islamic Law El Madani* 4, no. 1 (2024): hlm. 25–37.

<sup>18</sup> dan Irham Dongoran Sabrun Edi, Raja Ritonga, "CUSTOMARY DIVORCE PRACTICES IN THE PANYABUNGAN SOCIETY : A REVIEW OF ISLAMIC LAW," *Islamic Circle* 3, no. 1 (2022): hlm. 90–102.

<sup>19</sup> Interview results with several judges at the Panyabungan Religious Court in 2025.

<sup>20</sup> Nia Januari, "MENGKALI AKAR MASALAH: Analisis Kasus Perceraian Di Indonesia," *AKADEMIK: Jurnal Mahasiswa Humanis* 3, no. 3 (2023), <https://doi.org/10.37481/jmh.v3i3.hlm.613>.

<sup>21</sup> Rahmad Efendi, "The Authority of Malim Kampung and Hatobangon in Addressing Household Conflicts in Tanjung Mompang Village Community," *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* 3, no. 4 (2020): hlm.86.

cases, the disagreement between the application of custom and religion triggers domestic conflict.

A local religious figure added that the strong Mandailing customary values are also often a trigger for divorce, especially when there are differences in the application of custom and religion in the household. In Mandailing society, husbands are still considered the main controllers in the household, when husbands feel their voices are no longer heard, it is not uncommon for them to prefer to divorce because they feel disrespected.<sup>22</sup> In addition, early marriages that still occur frequently in Mandailing Natal District are another factor that contributes to the high divorce rate. Many couples marry at a very young age without sufficient mental and economic readiness, making them vulnerable to conflict that leads to divorce.<sup>23</sup> In addition, observations at the Panyabungan Religious Court show that in one month there are dozens of divorce cases being heard, with the majority of cases ending with the wife's divorce being granted. This shows that women are increasingly emboldened to fight for their rights, although they still face various social and legal challenges.<sup>24</sup> However, after divorce many women still find it difficult to obtain their rights, such as alimony *'iddah* and *mut'ah*. Ex-husbands are often reluctant to fulfill these obligations, so women must face additional challenges to claim their rights through legal channels.<sup>25</sup>

Social pressure after divorce is a big challenge for women in Mandailing Natal District. In the strong Mandailing culture, divorced women are often negatively stigmatized by the community. They are often perceived as failing to fulfill their role as a wife, and thus face difficulties in their social and economic life after divorce. This makes many women hesitant to file for divorce despite being in an unhealthy or harmful relationship.<sup>26</sup> The impact of divorce is not only felt by women, but also children. Children of divorced couples often experience drastic changes in parenting. Some of them have to live with one parent, while others are cared for by extended family.<sup>27</sup> Observations show that children who experience parental divorce often lose emotional stability, especially if the divorce is characterized by prolonged conflict.<sup>28</sup>

In addition to the psychological impact, divorce also has economic consequences for children. Many single mothers experience difficulties in providing for their children after divorce. Some cases show that children whose

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<sup>22</sup> Interview results with religious leaders in Mandailing Natal Regency, 2025.

<sup>23</sup> Asrul Hamid, Raja Ritonga, and Khairul Bahri Nasution, "Penguatan Pemahaman Terhadap Dampak Pernikahan Dini," *Monsu'ani Tano Jurnal Pengabdian Masyarakat* 5, no. 1 (2022), <https://doi.org/10.32529/tano.v5i1.1543>.

<sup>24</sup> Observation results at the Panyabungan Religious Court in 2025.

<sup>25</sup> Hamzah, Oyo Sunaryo Mukhlas, and Usep Saepullah, "Hak-Hak Perempuan Pasca Perceraian Dalam Hukum Positif Dan Hukum Islam," *Jurnal Usroh* Volume 6, no. 1 (2022).

<sup>26</sup> Fatahuddin Aziz Siregar, "Pergeseran Peran Istri Dalam Membangun Keluarga Ideal Pada Masyarakat Mandailing Ditinjau Dari Hukum Keluarga Islam," *DIVERSI: Jurnal Hukum* 9, no. 1 (2023), <https://doi.org/10.32503/diversi.v9i1.3687>.

<sup>27</sup> Untung Suroso and Meilan Arsanti, "Perceraian Dan Perkembangan Psikologis Anak: Analisis Tematis Temuan Tinjauan Literatur," *Legitima: Jurnal Hukum Keluarga Islam* 5, no. 2 (2023), <https://doi.org/10.33367/legitima.v5i2.3315>.

<sup>28</sup> Observation results in Mandailing Natal community, 2025.

parents divorce have to work from an early age to help the family economy, which ultimately hampers their education.<sup>29</sup> Thus, the dynamics of divorce in Mandailing Natal Regency is a social phenomenon influenced by various factors, ranging from social and economic changes to traditional values that are still inherent in community life. This study is important to understand how the community faces and responds to divorce, as well as the impact it has on individuals and their social environment.

## 2. Divorce Settlement in Mandailing Natal Community

Divorce in Mandailing Natal society is not just a legal issue, but also a social phenomenon that is deeply rooted in customary and religious values. Mandailing Natal people uphold the traditions and teachings of Islam in their daily lives, including in resolving household conflicts.<sup>30</sup> Therefore, divorce is not only viewed in terms of state law, but also considered based on customs and religious teachings in order to maintain social balance.<sup>31</sup> Legally, divorce must go through an official process at the Religious Court,<sup>32</sup> however, before taking legal action, the Mandailing Natal community generally prioritizes settlement through family deliberations known as "*marpokat*".<sup>33</sup> In the *marpokat* tradition, extended families from both sides gather to find the best solution for couples in conflict. Traditional leaders and clerics often act as mediators, providing advice and direction based on Islamic teachings and local wisdom.<sup>34</sup> If the couple can reconcile, then divorce can be avoided. However, if there is no meeting point, then legal action is the last step.<sup>35</sup>

Unfortunately, in reality there are still many couples who choose to divorce without going through the proper customary and legal procedures. Some of them

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<sup>29</sup> Bahagia Bahagia et al., "The Factors and Detrimental Impact Of Parent Divorce," *EDUKATIF: JURNAL ILMU PENDIDIKAN* 4, no. 5 (2022), <https://doi.org/10.31004/edukatif.v4i5.2694>.

<sup>30</sup> Amiruddin Asrul Hamid, Titi Martini Harahap, Resi Atna Sari Siregar, Syaipuddin Ritonga, "Sociological Analysis of The Concept of Divorce in Marriage Law in Indonesia," *Journal of Religious Social and Cultural* 01, no. 1 (2022): hlm.42–51.

<sup>31</sup> Hamid et al., "Legal Ramifications of Unregistered Divorce in the Religious Court within the Mandailing Natal Community."

<sup>32</sup> Moch Khoirul Anam and Jumni Nelli, "PERCERAIAN DI DEPAN PENGADILAN AGAMA MENURUT HUKUM ISLAM DAN HUKUM POSITIF DI INDONESIA STUDI ANALISIS MULTI DISPLINER," *JIL: Journal of Indonesian Law* 2, no. 1 (2021), <https://doi.org/10.18326/jil.v2i1.hlm.1-24>.

<sup>33</sup> Abbas Pulungan, *Dalihan Na Tolu, Peran Dalam Proses Interaksi Antara Nilai-Nilai Adat Dengan Islam Pada Masyarakat Mandailing Dan Angkola Tapanuli Selatan* (Medan: Perdana Publishing, 2018).

<sup>34</sup> Vita Sari Isnaidar, Endang Rochmiatun, and Santosa, "Hatobangon: Perannya Dalam Penyelesaian Adat Pernikahan Masyarakat Batak Angkola," *Tanjak: Sejarah Dan Peradaban Islam* 4, no. 2 (2024): hlm. 19–34, <https://doi.org/10.19109/tanjak.v4i2.23916>.

<sup>35</sup> Indana Zulfah, Mahmul Siregar, and Idha Aprilyana Sembiring, "Penyelesaian Konflik Dan Pembentukan Peraturan Adat Mandailing Dalam Perspektif Teori Solidaritas Sosial Conflict Resolution and Mandailing Customary Rule Making in the Perspective of Social Solidarity Theory," *Neoclassical Legal Review: Journal of Law and Contemporary Issues* 03, no. 01 (2024): hlm.12–20.

even separate unilaterally without an official decision from the Religious Court.<sup>36</sup> These unprocedural divorces often have devastating effects, especially for ex-wives and children who lose legal protection. Children who experience this kind of divorce often face uncertainty in terms of their care, maintenance and legal status. This can impact on their psychological stability and cause difficulties in social life.<sup>37</sup> For women who are left without a legal process, they often face social stigma and difficulties in fighting for their rights, such as child maintenance or custody. Without an official verdict, they also experience obstacles in rebuilding their lives, both in terms of remarriage and other administrative needs. This situation shows how important it is for people to be aware of following divorce procedures in accordance with the law and customs so that all parties continue to receive fair and dignified protection.

Divorce also has wider social impacts. Children of divorced couples often experience emotional distress and difficulties in adjusting to their social environment. Meanwhile, divorced women often face stigma and limitations in various aspects of life. In addition, divorce can affect relationships between extended families, especially in societies that still uphold the kinship system. Therefore, the Mandailing Natal community tries to maintain good relations even though divorce is inevitable. With an approach that prioritizes deliberation and a balance between law, custom and religion, it is hoped that the settlement of divorce in Mandailing Natal society can be done wisely, so that social harmony is maintained. Although divorce has complex consequences, the local community continues to adapt to changing times in understanding the rights of divorced couples, especially the rights of women and children. Therefore, it is important for every individual to understand that going through the divorce process in accordance with the law and customs is not only for personal gain, but also to maintain justice and the welfare of all parties involved.

### **3. Analysis of Maslahat in Divorce Settlement in Mandailing Natal Community**

Divorce in Mandailing Natal society is not just a legal event, but also has broad social and economic impacts. In a social context, divorce can affect extended family relationships, cause stigma, and affect the lives of the children involved.<sup>38</sup> Meanwhile, economically, divorce often brings challenges for the more vulnerable parties, especially women who may experience difficulties in making ends meet after separation.<sup>39</sup> Therefore, divorce is not only an individual issue, but also an issue that impacts the social fabric of society as a whole. In Islam, divorce is

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<sup>36</sup> Nurhadi, "Perceraian Di Bawah Tangan Perspektif Hukum Islam Dan Hukum Indonesia," *Jurnal Syari'ah & Hukum* Vol. 1 (2) (2019): hlm.179.

<sup>37</sup> Hamid et al., "Legal Ramifications of Unregistered Divorce in the Religious Court within the Mandailing Natal Community."

<sup>38</sup> Muh. Saleh Ridwan Andi Takdir Djufri, Lomba Sultan, "NILAI – NILAI KEMUDHARATAN DALAM PERCERAIAN," *Jurnal Andi Djemma I Jurnal Pendidikan* 8, no. 1 (2025): hlm.11–17.

<sup>39</sup> Nida Rafiqah Izzati, Robi'atin A'dawiyah, and Abdul Qodir Zaelani, "Perceraian Dalam Perspektif Normatif-Yuridis Dan Psikologis," *Journal of Islamic and Law Studies* 8, no. 1 (2024):hlm. 62–81, <https://jurnal.uin-antasari.ac.id/index.php/jils/article/view/12853>.

allowed as a last resort when domestic life can no longer be maintained. However, Islamic teachings emphasize the importance of maintaining balance and justice in divorce settlements so as not to cause harm to either party.<sup>40</sup> Islam regulates various mechanisms such as maintenance, child custody, and mediation processes to ensure that divorce proceeds fairly. This principle aims to protect the rights of women and children who are often the most affected parties in divorce, so that they still get protection and welfare after the separation occurs.<sup>41</sup>

In Islamic law, *maslahat* is the main principle that forms the basis for determining the law. *Maslahat* can be defined as anything that brings benefits and avoids harm. This concept is the foundation in various aspects of life, including in the fields of *muamalah*, worship, and family law.<sup>42</sup> By considering *maslahat*, Islamic law always strives to provide solutions that are not only in accordance with sharia, but also relevant to social conditions and the needs of the people.<sup>43</sup> *Maslahat* also plays an important role in the *ijtihad* of scholars in determining laws that can answer the challenges of the times.<sup>44</sup> In this context, *maslahat* is categorized into three levels, namely *maslahat daruriyyah* (primary), *maslahat hajiyyah* (secondary), and *maslahat tahsiniyyah* (tertiary). *Maslahat daruriyyah* covers basic needs such as religion, soul, mind, offspring, and property, while *maslahat hajiyyah* deals with things that facilitate life. The *tahsiniyyah maslahat* is more about perfecting the moral and aesthetic aspects of life. With this approach, Islamic law remains dynamic and able to provide benefits for mankind throughout the ages.<sup>45</sup> This concept is in line with Allah's words in the Qur'an:

يُرِيدُ اللَّهُ بِكُمْ الْيُسْرَ وَلَا يُرِيدُ بِكُمْ الْعُسْرَ

"Allah wants ease for you, and does not want hardship for you." (QS. Al-Baqarah: 185).<sup>46</sup>

This verse confirms that Islam is present as a mercy for all nature, providing benefits and preventing humans from various dangers. The principle of *maslahat* in

<sup>40</sup> Anisah Budiwati Rahmat Riyanda Agusta, "TRANSFORMASI HUKUM PERCERAIAN DALAM ISLAM DAN," *USRAH: Jurnal Hukum Keluarga Islam* 6, no. 1 (2025): hlm.66–82.

<sup>41</sup> Aditya Noviyansah, "Hukum Perdata Islam Sebagai Landasan Dalam Penyelesaian Sengketa Perkawinan," *Jurnal Ilmiah Nusantara (JINU)* 2, no. 2 (2025).

<sup>42</sup> Firdaus et al., "The Principles of the Concept of Maslahah in Islamic Family Law of a Wife Looking for Living Husband Taking Care of Household Work," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (2024): 259–84, <https://doi.org/10.29240/jhi.v9i1.8464>.

<sup>43</sup> Nurhikmah, "Maqashid Al-Shariah : Kerangka Adaptif Hukum Islam Untuk Menjawab Tantangan Kontemporer," *Journal of Dual Legal Systems* 1, no. 2 (2024): 103–17, <https://doi.org/10.58824/jdls.v1i2.226>.

<sup>44</sup> Mayadina Rohmi Musfiroh et al., "The Urgency of Maslahah in the Formulation of Fatwa and Legislation in Indonesia : An Analytical Study," *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 8, no. 1 (2024): hlm. 80–92.

<sup>45</sup> Fathurrahman Djamil, *Filsafat Hukum Islam* (Jakarta: Logos Wacana Ilmu, 1997).hlm.78

<sup>46</sup> Kementerian Agama Republik Indonesia, *Al-Qur'an Dan Terjemahnya, Al-Qur'an Dan Terjemahnya*, 2010.



Islamic law reflects the values of convenience,<sup>47</sup> including in domestic matters and divorce. In the context of divorce, *maslahat* is the main consideration so that the process remains based on justice and does not cause suffering to more vulnerable parties, such as women and children.<sup>48</sup> Islam does not encourage divorce as a primary option, but provides a way out when domestic life can no longer be properly maintained. Although divorce is allowed in Islam, the Prophet's hadith states that:

أَبْغَضُ الْحَلَالِ إِلَى اللَّهِ الطَّلَاقُ

"The most hated lawful thing by Allah is divorce." (HR. Abu Dawud).<sup>49</sup>

This Hadith shows that divorce is not something that is easy to do, but must go through careful consideration and only be taken if there is no other solution that is more *maslahat*.<sup>50</sup> Therefore, in Mandailing Natal society, the deliberation approach remains the main step in resolving household conflicts before a divorce decision is taken. Deliberation not only aims to find common ground between husband and wife, but also ensures that the decision taken really provides benefits and avoids harm, as the main principle in Islamic law. One form of deliberation that is still practiced in Mandailing Natal society is the tradition of *marpokat/martahi*,<sup>51</sup> which is a large family negotiation that aims to find the best solution before the case is brought into the realm of the law.<sup>52</sup> In *marpokat/martahi*, both parties are accompanied by their respective families, while traditional leaders (*hatobangon*) and religious leaders (*malim kampung*) act as mediators who provide advice and solutions based on traditional values and Islamic teachings.<sup>53</sup> Through this tradition, it is hoped that the disputing couple can find a middle ground so that divorce is not the only option. If divorce remains unavoidable, the *marpokat/martahi* serves to ensure that the decision is taken with careful consideration and still takes into account the rights and welfare of women and children post-divorce.<sup>54</sup>

This *marpokat/martahi* approach is in line with the principle of *maslahat* in Islamic law, which emphasizes that every legal decision must bring benefits and avoid harm. In Islamic law there are several fiqh principles that emphasize the

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<sup>47</sup> M. Quraish Shihāb, *Tafsīr Al-Misbāh, Pesan, Kesan Dan Keserasian Al-Qur'an*, Juz IX (Jakarta: Lentera Hati, 2002); Ibn Jarir at-thabari As-sijistani, *Tafsir At-Thobari: Jami'ul Bayan 'an Ta'wil Ayat Qur'an* (Bairut: Dar al-Kutub al-'Ilmiyyah, 2002).

<sup>48</sup> Damirdas Kafa Habibullah Nurul Hakim, "The Prophet's Way of Resolving Divorce," *The Indonesian Journal of Islamic Law and Civil Law* 6, no. 1 (2025): hlm. 27–44, <https://doi.org/10.69834/dn.v13i1.104.3>.

<sup>49</sup> Abu Dawud Sulaiman Ibn al-Asy'at Al-Sijistaniy, *Sunan Abu Dawud* (Riyadh: Dar as-Salam, 1999). th

<sup>50</sup> Sayyid Sabiq, *Fiqh As-Sunnah*, Juz 3 (Beirut: Dar Al-Fikr Al-'Arabiyy, 1983). tt

<sup>51</sup> Rosmawaty Harahap Rudiansyah Siregar, Elly Prihasti Wuriyani, "Martahi: Pesan Moral Dalam Tradisi Lisan Masyarakat Mandailing," *Sintaks: Jurnal Bahasa & Sastra Indonesia*, 2022, hlm.137–41.

<sup>52</sup> Pulungan, *Dalihan Na Tolu, Peran Dalam Proses Interaksi Antara Nilai-Nilai Adat Dengan Islam Pada Masyarakat Mandailing Dan Angkola Tapanuli Selatan*.

<sup>53</sup> Interview results with Hatobangon and Malim Kampung in Mandailing Natal Community in 2025.

<sup>54</sup> Results of interviews with Hatobangon and Malim Kampung in Mandailing Natal Community in 2025.

importance of *maslahat* in resolving divorce issues. The rule of الضرر يزال (harm must be eliminated)<sup>55</sup> is the basis that divorce can be used as a solution when marriage actually causes suffering. In addition, the rule of المشقة تجلب التيسير (difficulty brings convenience)<sup>56</sup> shows that if domestic life is no longer harmonious and actually brings a heavy burden to one of the parties, Islam makes it easy to make a decision that is more *maslahat*. However, in its application, divorce must not cause greater negative impacts, especially for women and children who are often the more vulnerable parties in these situations. Therefore, Islam regulates divorce procedures with the principle of justice so that the rights of all parties remain protected and divorce does not become a source of wider harm.

In the context of marriage law in Indonesia, regulations governing divorce aim to maintain a balance between the rights and obligations of each party. Law Number 1 of 1974 concerning Marriage emphasizes that divorce must be carried out before the court in order to have legal force and provide better protection for women and children.<sup>57</sup> In addition, the Compilation of Islamic Law (KHI) regulates various aspects related to divorce, including post-divorce maintenance, child custody, and various obligations that must be fulfilled by divorced parties.<sup>58</sup> The marriage law itself is made to realize justice and benefit for all parties involved, so that each person gets their proper rights and does not experience injustice in marriage or divorce.<sup>59</sup>

The government's regulatory policy in handling divorce cases is a policy that is *maslahat* for the community. This can be seen from how the government regulates the mechanism of divorce through legal channels to ensure the protection of the rights of women and children, and prevent abuse of authority from one of the parties. This regulation is in line with the fiqh rule *بِصْرَفِ الْإِمَامِ عَلَى الرَّعِيَّةِ مُنَوِّطٌ بِالْمَصْلَحَةِ* (A leader's policy towards his people must be based on the benefit).<sup>60</sup> With this policy, the divorce process not only becomes more structured, but also provides legal certainty for all parties involved. However, in practice, there are still many Mandailing Natal people who divorce without going through official procedures, both legally and customarily. Divorces that are carried out unilaterally without going through the courts often lead to unclear legal status for women and children. As a result, women often lose their rights to maintenance, joint property, and legal certainty regarding their marital status. Meanwhile, children can also experience difficulties in obtaining the custody and protection they should get.

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<sup>55</sup> Jalaluddin Abdurrahman Asy-Suyuti, *Al-Asybah Wa an-Nazhair Fi Qawaid Wa Furu' Fiqh Asy-Syafi'iyah* (Beirut - Libanon: Dar al-Kutub al-'Ilmiyyah, 1983).tt

<sup>56</sup> Jalaluddin Abdurrahman Asy-Suyuti.

<sup>57</sup> Azhari Akmal Tarigan, *Hukum Perdata Islam Di Indonesia (Studi Kritis Perkembangan Hukum Islam Dari Fikih, Undang-Undang No.1 Tahun 1974 Sampai Kompilasi Hukum Islam)*.

<sup>58</sup> Aditya Noviyansah, "Hukum Perdata Islam Sebagai Landasan Dalam Penyelesaian Sengketa Perkawinan."

<sup>59</sup> Hamid et al., "Legal Ramifications of Unregistered Divorce in the Religious Court within the Mandailing Natal Community."

<sup>60</sup> Jalaluddin Abdurrahman Asy-Suyuti, *Al-Asybah Wa an-Nazhair Fi Qawaid Wa Furu' Fiqh Asy-Syafi'iyah*.

This phenomenon contradicts the principle of *maslahat*, which should be the basis for every legal decision, including in divorce. Islam teaches that divorce must be done fairly and in an orderly manner so as not to cause harm to either party. Therefore, it is important for the community to understand that divorce is not just a separation between husband and wife, but also concerns the rights and welfare of the affected parties. In order for divorce settlements to truly bring *benefits* to all parties, a more effective approach is needed in raising legal awareness in the community. Socialization of the importance of divorce through official channels must be strengthened so that people understand that legal procedures are not only a formality, but also a protection of their rights. In addition, the role of customary deliberations such as *marpokat* must be strengthened so that divorce is not carried out hastily and still considers the best interests of all family members.

The support of women and children in divorce should also be a priority in the implementation of *maslahat*. The implementation of post-divorce rights, such as *iddah* and *mut'ah* maintenance, must be monitored so that women do not experience economic hardship after divorce. The same applies to child custody, which must be ensured in favor of the best interests of the child, not just based on the wishes of one party. The *maslahat* approach in the settlement of divorce in Mandailing Natal society is the main key in creating a more just and humane legal system. By prioritizing the balance between Islamic law, state law, and customs, divorce can be resolved more wisely and still maintain social harmony. Therefore, awareness of the importance of undergoing divorce procedures in accordance with the law and *maslahat* is needed so that all parties can face separation in a more dignified and just manner.

## **Conclusion**

The *maslahat* approach to divorce settlement in Mandailing Natal society is the main key in creating a more just and humane legal system. Divorce is not only a legal issue, but also a social phenomenon that affects the lives of women, children, and social balance. Therefore, stronger efforts are needed to apply the principle of *maslahat* so that divorce does not bring greater negative impacts. The *marpokat* tradition as part of customary deliberation is still an important step in resolving household conflicts before divorce is filed in court. This approach reflects local wisdom in seeking a more peaceful solution and considering the welfare of all parties. However, *marpokat* must go hand in hand with high legal awareness, so that any divorce process still meets the standards of justice and does not harm the more vulnerable parties. Existing regulations, both in Islamic law and state law, must be effectively implemented so that the post-divorce rights of women and children are protected. By increasing legal awareness and strengthening the role of customary deliberation, it is hoped that divorce in Mandailing Natal society can be resolved more wisely, with justice, and while maintaining social harmony.

## Bibliography

- Aditya Noviyansah. "Hukum Perdata Islam Sebagai Landasan Dalam Penyelesaian Sengketa Perkawinan." *Jurnal Ilmiah Nusantara (JINU)* 2, no. 2 (2025).
- Afandi, M. Haikel, Jumni Nelli, and Mohd Yunus. "An Examination of Islamic Family Law in Kampar Regency, Riau: Focusing on the Causes and Prevalence of Divorce in the Community." *El-Ussrah* 6, no. 2 (2023). <https://doi.org/10.22373/ujhk.v6i2.19089>.
- Al-Sijistaniy, Abu Dawud Sulaiman Ibn al-Asy'at. *Sunan Abu Dawud*. Riyadh: Dar as-Salam, 1999.
- Anam, Moch Khoirul, and Jumni Nelli. "PERCERAIAN DI DEPAN PENGADILAN AGAMA MENURUT HUKUM ISLAM DAN HUKUM POSITIF DI INDONESIA STUDI ANALISIS MULTI DISPLINER." *JIL : Journal of Indonesian Law* 2, no. 1 (2021). <https://doi.org/10.18326/jil.v2i1.1-24>.
- Andi Takdir Djufri, Lomba Sultan, Muh. Saleh Ridwan. "NILAI – NILAI KEMUDHARATAN DALAM PERCERAIAN." *Jurnal Andi Djemma I Jurnal Pendidikan* 8, no. 1 (2025): 11–17.
- As-sijistani, Ibn Jarir at-thabari. *Tafsir At-Thobari: Jami'ul Bayan 'an Ta'wil Ayat Qur'an*. Bairut: Dar al-Kutub al-'Ilmiyyah, 2002.
- Asrul Hamid, Titi Martini Harahap, Resi Atna Sari Siregar, Syaipuddin Ritonga, Amiruddin. "Sciological Analysis of The Concept of Divorce in Marriage Law in Indonesia." *Journal of Religious Social and Cultural* 01, no. 1 (2022): 42–51.
- Asrul Hamid. "Praktik Perceraian Masyarakat Mandailing Natal: Analisis Keberlanjutan Dari Fiqh Kepada Hukum Perkawinan Di Indonesia." *Shar-E : Jurnal Kajian Ekonomi Hukum Syariah* 6, no. 2 (2020). <https://doi.org/10.37567/shar-e.v6i2.189>.
- Azhari Akmal Tarigan, Amiur Nuruddin. *Hukum Perdata Islam Di Indonesia (Studi Kritis Perkembangan Hukum Islam Dari Fikih, Undang-Undang No.1 Tahun 1974 Sampai Kompilasi Hukum Islam)*. Jakarta: Kencana Prenada Media Group, 2004.
- Bahagia, Bahagia, Leny Muniroh, Abdul Karim Halim, Rimun Wibowo, M Azhar Al Wahid, and Zakky Muhammad Noor. "The Factors and Detrimental Impact Of Parent Divorce." *EDUKATIF : JURNAL ILMU PENDIDIKAN* 4, no. 5 (2022). <https://doi.org/10.31004/edukatif.v4i5.2694>.
- Fathurrahman Djamil. *Filsafat Hukum Islam*. Jakarta: Logos Wacana Ilmu, 1997.
- Firdaus, Mursal, Desminar, and Syaflin Halim. "The Principles of the Concept of Maslahah in Islamic Family Law of a Wife Looking for Living Husband Taking Care of Household Work." *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (2024): 259–84. <https://doi.org/10.29240/jhi.v9i1.8464>.
- Guetto, Raffaele, Fabrizio Bernardi, and Francesca Zanasi. "Parental Education, Divorce, and Children's Educational Attainment: Evidence from a Comparative Analysis." *Demographic Research* 46 (2022).

<https://doi.org/10.4054/DEMRES.2022.46.3>.

- Habibi, Bariq, Tarmizi M. Jakfar, and Hajarul Akbar. "Penyelesaian Perkara Hadhanah (Studi Terhadap Pertimbangan Hakim Pada Kasus No. 0138/Pdt.G/2015/Ms.Bna Dan No. 13/Pdt.G/2016/Ms.Aceh)." *El-Usrah* 4, no. 2 (2021). <https://doi.org/10.22373/ujhk.v4i2.7736>.
- Hamid, Asrul, Raja Ritonga, and Khairul Bahri Nasution. "PENGUATAN PEMAHAMAN TERHADAP DAMPAK PERNIKAHAN DINI." *MONSU'ANI TANO Jurnal Pengabdian Masyarakat* 5, no. 1 (2022). <https://doi.org/10.32529/tano.v5i1.1543>.
- Hamid, Asrul, Raja Ritonga, Resi Atna Sari Siregar, Akhyar Akhyar, and Suryadi Nasution. "Legal Ramifications of Unregistered Divorce in the Religious Court within the Mandailing Natal Community." *El-Usrah* 7, no. 1 (2024): 427–43. <https://doi.org/10.22373/ujhk.v7i1.12598>.
- Hamzah, Oyo Sunaryo Mukhlas, and Usep Saepullah. "Hak-Hak Perempuan Pasca Perceraian Dalam Hukum Positif Dan Hukum Islam." *Jurnal Usroh* Volume 6, no. 1 (2022).
- Handayani, Lilis. "Prosedur Perceraian Ditinjau Berdasarkan Hukum Fiqh Dan Hukum Positif." *Journal of Legal and Cultural Analytics* 1, no. 1 (2022). <https://doi.org/10.55927/jlca.v1i1.897>.
- Harmanto -Pergeseran, Adi, Konsep Talak, Kitab Fikih, Perundang-Undangan Indonesia, Adi Harmanto Mahasiswa, Pascasarjana Hukum, Keluarga Uin, and Suska Riau. "Pergeseran Konsep Talak Dari Kitab Fikih Ke Peraturan Perundang-Undangan Indonesia: Perspektif Sosiologi Hukum Islam." *HUKUMAH: Jurnal Hukum Islam* 4, no. 1 (2021).
- Izzati, Nida Rafiq, Robi'atin A'dawiyah, and Abdul Qodir Zaelani. "Perceraian Dalam Perspektif Normatif-Yuridis Dan Psikologis." *Journal of Islamic and Law Studies* 8, no. 1 (2024): 62–81. <https://jurnal.uin-antasari.ac.id/index.php/jils/article/view/12853>.
- Jalaluddin Abdurrahman Asy-Suyuti. *Al-Asybah Wa an-Nazhair Fi Qawaid Wa Furu' Fiqh Asy-Syafi'iyah*. Beirut - Libanon: Dar al-Kutub al-'Ilmiyyah, 1983.
- Kementrian Agama Republik Indonesia. *Al-Qur'an Dan Terjemahnya. Al-Qur'an Dan Terjemahnya*, 2010.
- Muhamad Ismail, Robitho Alam Hadi Faisal, Zainur Zainur. "Marriage and Divorce in Islamic Law : Sociological Implications for Modern Muslim Societies." *Journal of Islamic Law El Madani* 4, no. 1 (2024): 25–37.
- Muhammad Imron, Junaidi Lubis, Jumni Nelly. "TINJAUAN HUKUM ISLAM TERHADAP KONSEP MEDIASI PERKARA PERCERAIAN BERDASARKAN MASLAHAT." *Journal of Sharia and Law* 2, no. 3 (2023).
- Musfiroh, Mayadina Rohmi, Fatma Mohamed, Mansour Saqr, and Alfa Syahriar. "The Urgency of Maslahah in the Formulation of Fatwa and Legislation in Indonesia : An Analytical Study." *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 8, no. 1 (2024): 80–92.

- Nia Januari. "MENGKALI AKAR MASALAH: Analisis Kasus Perceraian Di Indonesia." *AKADEMIK: Jurnal Mahasiswa Humanis* 3, no. 3 (2023). <https://doi.org/10.37481/jmh.v3i3.613>.
- Nurhadi. "Perceraian Di Bawah Tangan Perspektif Hukum Islam Dan Hukum Indonesia." *Jurnal Syari'ah & Hukum* Vol. 1 (2) (2019): 179.
- Nurhikmah. "Maqashid Al-Shariah: Kerangka Adaptif Hukum Islam Untuk Menjawab Tantangan Kontemporer." *Journal of Dual Legal Systems* 1, no. 2 (2024): 103–17. <https://doi.org/10.58824/jdls.v1i2.226>.
- Nurul Hakim, Damirdas Kafa Habibullah. "The Prophet's Way of Resolving Divorce." *The Indonesian Journal of Islamic Law and Civil Law* 6, no. 1 (2025): 27–44. <https://doi.org/10.69834/dn.v13i1.104.3>.
- Pulungan, Abbas. *Dalihan Na Tolu, Peran Dalam Proses Interaksi Antara Nilai-Nilai Adat Dengan Islam Pada Masyarakat Mandailing Dan Angkola Tapanuli Selatan*. Medan: Perdana Publishing, 2018.
- Rahmad Efendi. "The Authority of Malim Kampung and Hatobangon in Addressing Household Conflicts in Tanjung Mompang Village Community." *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* 3, no. 4 (2020): 2575–86.
- Rahmat Riyanda Agusta, Anisah Budiwati. "TRANSFORMASI HUKUM PERCERAIAN DALAM ISLAM DAN." *USRAH: Jurnal Hukum Keluarga Islam* 6, no. 1 (2025): 66–82.
- Riha Nadhifah Minnuril Jannah dan Ardillah Halim. "Edukasi Pra Nikah Sebagai Upaya Pencegahan Perceraian Perspektif Hukum Islam Dan Hukum Positif." *Amalee: Indonesian Journal of Community Research and Engagement* 3, no. 1 (2022). <https://doi.org/10.37680/amalee.v3i1.1308>.
- Rudiansyah Siregar, Elly Prihasti Wuriyani, Rosmawaty Harahap. "Martahi: Pesan Moral Dalam Tradisi Lisan Masyarakat Mandailing." *Sintaks: Jurnal Bahasa & Sastra Indonesia*, 2022, 137–41.
- Sabrun Edi, Raja Ritonga, dan Irham Dongoran. "CUSTOMARY DIVORCE PRACTICES IN THE PANYABUNGAN SOCIETY: A REVIEW OF ISLAMIC LAW." *Islamic Circle* 3, no. 1 (2022): 90–102.
- Sayyid Sabiq. *Fiqh As-Sunnah*. Juz 3. Beirut: Dar Al-Fikr Al-'Arabiyy, 1983.
- Sebyar, Muhamad Hasan, and Nur Azizah. "FACING DIVORCE WITH FAMILY RESILIENCE: Challenges and Post-Mediation Solutions in the Panyabungan Religious Court." *MADANIA: Jurnal Kajian Keislaman* 28, no. 2 (2024): 285–94.
- Shihāb, M. Quraish. *Tafsīr Al-Misbāh, Pesan, Kesan Dan Keserasian Al-Qur'an*. Juz IX. Jakarta: Lentera Hati, 2002.
- Siregar, Fatahuddin Aziz. "Pergeseran Peran Istri Dalam Membangun Keluarga Ideal Pada Masyarakat Mandailing Ditinjau Dari Hukum Keluarga Islam." *DIVERSI: Jurnal Hukum* 9, no. 1 (2023). <https://doi.org/10.32503/diversi.v9i1.3687>.
- Sisca Novalia dan Arief Rachman Hakim. "Melindungi Hak Perempuan Dan Anak

- Pasca Perceraian : Perspektif Hukum Islam Dan Hukum Positif Indonesia.” *Jurnal MEDIASAS: Media Ilmu Syari’ah Dan Ahwal Al-Syakhsyiyah* 7, no. 2 (2024): 639–55. <https://doi.org/10.58824/mediasas.v7i2.219>.
- Suroso, Untung, and Meilan Arsanti. “Perceraian Dan Perkembangan Psikologis Anak: Analisis Tematis Temuan Tinjauan Literatur.” *Legitima : Jurnal Hukum Keluarga Islam* 5, no. 2 (2023). <https://doi.org/10.33367/legitima.v5i2.3315>.
- Vita Sari Isnaidar, Endang Rochmiatun, and Santosa. “Hatobangon: Perannya Dalam Penyelesaian Adat Pernikahan Masyarakat Batak Angkola.” *Tanjak: Sejarah Dan Peradaban Islam* 4, no. 2 (2024): 19–34. <https://doi.org/10.19109/tanjak.v4i2.23916>.
- Yolanda Fitri Windia. “Stigma Wanita Dengan Status Janda Yang Berkerja Namun Berada Dalam Lingkungan Masyarakat Penganut Paham Patriarki.” *Verdict: Journal of Law Science* 2, no. 2 (2024): 61–75.
- Zulfah, Indana, Mahmud Siregar, and Idha Aprilyana Sembiring. “Penyelesaian Konflik Dan Pembentukan Peraturan Adat Mandailing Dalam Perspektif Teori Solidaritas Sosial Conflict Resolution and Mandailing Customary Rule Making in the Perspective of Social Solidarity Theory.” *Neoclassical Legal Review: Journal of Law and Contemporary Issues* 03, no. 01 (2024): 12–20.