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The wife's position in *Rujuk*: Gender justice, Islamic jurisprudence, and Indonesia's compilation of Islamic Law

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Abstract:
Following a revocable divorce (*ṭalāq rajʿī*), the husband's authority to effect *rujuk* raises questions about the wife's consent, the certainty of marital status, and the possibility of a fair reconciliation during the waiting period (*iddah*). This study examines the wife's position in *rujuk* under Islamic law and in relation to gender justice in Indonesia. It adopts a qualitative normative legal approach based on library research. Written sources were examined through content analysis, Braun and Clarke's six phases of thematic analysis, and a comparison of Islamic jurisprudence, Indonesia's Compilation of Islamic Law (KHI), and Amina Wadud's gender justice framework. The study yields three findings. First, *rujuk* during *iddah* offers an opportunity for *islāh* (repairing the relationship). In the classical jurisprudence examined, the husband primarily holds the authority to declare *rujuk*, although views differ on how it is declared and the role of witnesses. Second, Wadud's framework distinguishes equal human dignity from identical legal entitlements, directing attention to the husband's responsibilities and the wife's wishes and interests. Third, the KHI provides the former wife with a right to object and regulates consent and registration in the *rujuk* procedure. The study concludes that the legal opportunity to resume a marriage does not, by itself, establish that reconciliation has occurred. Its contribution is to distinguish the legal validity, evidentiary certainty, and relational fairness of *rujuk*, while informing clearer procedures for objection, consent, and registration.

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INTRODUCTION

In the context of family law, gender justice is important because traditional norms often place wives in a subordinate position to their husbands (Rufaida, 2019; Cohen et al., 2024). This inequality is rooted in cultural and legal traditions that privilege male authority. The issue is evident in the husband's right of *rujuk*, which Salim and Wulandari (2023) define as a normative right during the *iddah* period based on Qur'an 2:228. Nely (2024) and Güney (2024), however, argue that this right is often exercised unilaterally, without the wife's consent or consideration of her psychological condition. In Indonesia, although *rujuk* is regulated by Law No. 1 of 1974 and the Compilation of Islamic Law (KHI), its implementation may still give rise to manipulation and unequal power relations (Adegoke, 2021; Atmadianti & Rizal, 2024). Maulida and Busyro (2018) regard this situation as inconsistent with equality in household decision-making. The *maqāṣid al-sharī'ah* approach has also been used in the literature to discuss justice and welfare in family law (Al-As'ary, 2016). This study specifically uses Amina Wadud's framework to interpret gender relations in the right of *rujuk*.

Previous studies have extensively examined the right of *rujuk* following divorce in both classical and contemporary Islamic law. First, from a normative perspective, *rujuk* is the husband's prerogative during *iddah* following *ṭalāq raj'ī*, according to Islamic legal doctrine and Sunni jurisprudence (Bariah & Ferianto, 2024; Fauziyah & Azizah, 2023; Mera et al., 2024; Muhibbulloh et al., 2021). Second, gender studies indicate that unequal power relations may arise when marital decisions disregard women's consent, experiences, and interests (Cullati et al., 2019; Lwamba et al., 2022; Maula & Ariyanti, 2022). Third, studies on Indonesian law show that the protection of women under family law remains a concern, particularly regarding their bargaining position and legal rights (Maloko et al., 2024; Langaji et al., 2024; Nasution & Muchtar, 2020; Yuni & Haries, 2024). Previous research has addressed authority in *rujuk*, gender relations, and the protection of wives, but has not simultaneously distinguished the validity of *rujuk* under Islamic jurisprudence, the certainty of marital status under KHI procedures, and the fairness of its consequences. This gap is the focus of the present study, which examines Islamic legal literature and KHI provisions through the lens of Amina Wadud's gender justice framework.

In response to this gap, this study aims to analyze the wife's right in *rujuk* from the perspectives of gender justice and Islamic law in Indonesia. It also seeks to identify the transformation of Islamic family law, the reconstruction of the KHI, and the shift from the husband's absolute authority toward participatory *rujuk* and relational justice. Three main questions are addressed: (1) How has Islamic family law transformed toward gender justice in the context of *rujuk*? (2) How does the KHI reconstruct the right of *rujuk* by making the wife's consent a prerequisite? (3) How does a comparison of classical Islamic law and gender perspectives demonstrate a shift from the husband's absolute authority toward participatory *rujuk*? This study is expected to enrich Islamic legal discourse by integrating gender justice and *maqāṣid al-sharī'ah*. It also offers policy recommendations, including strengthening the KHI, training judges, and incorporating clauses requiring the wife's consent into marriage contracts.

The central argument of this study is that although a paradigm shift has occurred from the husband's absolute authority to the recognition of the wife's consent, its implementation continues to face structural challenges. Article 167(2) of the KHI has normatively reconstructed the right of *rujuk*, but its effectiveness in practice remains limited because violations are not subject to strict sanctions. The gender perspective's demand for substantive justice has not been fully incorporated into religious court practice, where a wife's objection often has limited influence on judicial decisions. Furthermore, the flexibility

of Islamic legal interpretation may create uncertainty unless accompanied by measurable mechanisms for protecting women's rights. Normative transformation alone is therefore insufficient; procedural reform and greater awareness among judges and the public of the principles of relational justice are needed to establish a more equitable system of *rujuk*.

METHOD

Research Approach

This study adopts a qualitative normative legal approach using library research (George, 2008; Snyder, 2019). Its units of analysis are written accounts of the legal basis, scope, authority, proof, and purpose of *rujuk*; the wife's position in the marital relationship; and *the* procedures for rujuk under Indonesia's Compilation of Islamic Law (KHI). The researcher examines documents rather than collecting accounts directly from people involved in *rujuk* (Luft et al., 2022; Sutton & Austin, 2015; Cheong et al., 2023). The study is guided by three questions: how Islamic law explains the right to *rujuk*, how this authority can be examined from a gender-justice perspective, and how the KHI regulates the positions of husbands and wives. Themes and conclusions were developed after examining the documents, rather than being predetermined as research findings.

Data Sources

Primary legal materials comprised Qur'anic verses on *rujuk* and KHI provisions on wives' objections, consent, and registration. Jurisprudential texts, commentaries, and hadith were documented by source and passage. Articles, books, and studies traced differing legal views and gender justice debates (Ramadhita et al., 2023; Yotenka et al., 2022). Amina Wadud's work informed gender interpretation rather than technical rules. Library and online searches identified authors, dates, and contents (Wickham, 2019). Documents were selected for relevance to the research questions and interpretive differences. Tables 1, 2, and 3 contain 12, 10, and 8 unique references, respectively. Accounting for three repeated references yields 27 unique entries: legal, theoretical, and previous-study sources, requiring classification in the corpus.

Data Analysis and Theme Development

The analysis combines content analysis with the six phases of thematic analysis proposed by Braun and Clarke (2006). First, the researcher read the documents repeatedly and recorded passages relevant to the research questions. Second, these passages were assigned initial codes, including *islāh*, types of divorce, *iddah*, the husband's authority, ways of declaring *rujuk*, witnesses, equal dignity, *khulu'*, the wife's wishes, objection, consent, and registration. Third, related codes were grouped into candidate themes. Fourth, the candidate themes were reviewed against the documents to avoid treating jurisprudential views, KHI provisions, and the researcher's interpretations as the same type of statement. Fifth, the boundaries and names of the themes were established. Sixth, the findings were presented in three tables, each containing four themes.

Content analysis was used to examine the meaning of legal provisions and arguments in the documents. Sources were identified, quotations were organized, documents were read in full, and links among codes, themes, and documents were recorded consistently to make the analytical process traceable (Elo et al., 2014). After the themes had been developed, Wadud's (1999) framework was used to interpret equal dignity, the responsibilities associated with authority, and the wife's wishes and interests. Its application to the right of *rujuk* is presented as this study's interpretation, not as Wadud's formulation of the legal requirements for *rujuk*.

Comparative Analysis and Synthesis

The comparison was conducted at three levels: the jurisprudential views examined, KHI provisions, and gender justice considerations. The documents were compared in terms of the type of divorce and time limit for *rujuk*, the party holding authority, the status of the wife's wishes, the means of carrying out and proving *rujuk*, and the purpose of reconciliation (Kraus et al., 2021; Abdullah, 2023). The comparison was not treated as evidence of changes in social practice. The final synthesis distinguishes the legal validity of *rujuk*, certainty that *rujuk* has taken place, and the fairness of its consequences for both spouses. This distinction connects the findings in Table 1, the gender analysis in Table 2, and the examination of spousal rights and KHI procedures in Table 3.

Trustworthiness of the Data

Trustworthiness was addressed by cross-checking legal sources, jurisprudential literature, and previous studies for each theme. The researcher checked accounts of *Rujuk* against the cited texts, examined differing views on authority and proof, and ensured that KHI provisions were not conflated with classical jurisprudential positions. To make the analysis traceable, the researcher recorded each document's identity, the passages cited, initial codes, changes in code groupings, and reasons for establishing the themes presented in the three tables. The themes were reviewed against the documents, including sources expressing different views, before being interpreted through Amina Wadud's framework. These checks support the accuracy of the interpretation of the documents examined; they do not establish whether *rujuk* provisions have been effectively implemented in social practice.

RESULTS AND DISCUSSION

Results

Foundational concepts of the right of *Rujuk* in Islamic law

The right of *rujuk* permits a marriage to continue after *ṭalāq rajʿī* during the *iddah* period. The literature examined addresses the purpose of *islāh*, the limits of *rujuk*, authority and proof, and the wife's position. The findings were organized with reference to Braun and Clarke's (2006) six phases of thematic analysis: familiarization with the data, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and writing up the findings. Codes concerning *islāh*, *iddah*, types of divorce, the husband's authority, ways of declaring *rujuk*, witnesses, and the wife's interests were grouped into the four themes presented in Table 1.

Table 1

Thematic findings on the foundational concepts of the right of rujuk in Islamic law

Theme	Findings from the literature	Analytical interpretation	References
Rujuk as a mechanism of marital reconciliation	*Rujuk* allows a husband to return to his wife after *ṭalāq rajʿī* during *iddah*. The literature associates it with *islāh*, including through Qur'an 2:228.	*Islāh* directs *rujuk* toward repairing the relationship, rather than merely continuing the legal status of the marriage.	Thoyib & Huda (2022); Kurniawan (2021); Sulfian (2023); Timur (2024); Lajnah Pentashihan Mushaf Al-Qur'an (2019)
Limits of the right of *rujuk*	*Rujuk* after *ṭalāq rajʿī* is available only during *iddah*. *Ṭalāq bā'in kubrā* and *khulu'* fall outside the scope of this form of *rujuk*.	The type of divorce and the time elapsed determine whether the marriage can be continued through *rujuk* or requires a different legal basis.	Jazari (2019); Nasution (2018); Abdullah & Ulfa (2019)
Authority and proof of	In the classical jurisprudence examined, authority to	Authority and validity under jurisprudential views must be	Aisya et al. (2024); Suryantoro & Rofiq

rujuk	declare *rujuk* rests primarily with the husband, and the wife's consent is generally not treated as a requirement. Views differ on how *rujuk* is declared and on the status of witnesses.	distinguished from certainty that *rujuk* has occurred and can be proven.	(2022); Makmun & Rohman (2017); Syaf (2024)
Family protection and the wife's position	*Rujuk* provides an opportunity to preserve the marriage, but the husband's primary authority raises questions about the wife's involvement and interests.	The value of *rujuk* must be assessed through its aim of repairing the relationship and its consequences for both parties, as well as its formal validity.	Aisya et al. (2024); Kurniawan (2021); Suryantoro & Rofiq (2022); Sulfian (2023)

Source: Compiled from the research literature, 2025.

Table 1 shows the relationship between the legal opportunity for *rujuk* and the aim of reconciliation. *Ṭalāq rajʿī* and the *iddah* period determine when *rujuk* is available, while *islāh* provides direction for its use. The possibility of *rujuk,* therefore, does not mean that the relationship has improved. This distinction matters because a decision to continue the marriage affects both spouses, even though the authority to declare *rujuk* rests primarily with the husband in the classical jurisprudence examined.

Discussions of how *rujuk* is declared and the role of witnesses also raise questions about the certainty of marital status. The validity of an act under a jurisprudential view must be distinguished from the ability of those concerned to know and prove that the *rujuk* has taken place. The findings therefore support two levels of analysis: a normative level, covering the type of divorce, *iddah*, authority, and procedure; and a substantive level, assessing the prospect of repairing the relationship and the interests of both parties. Together, these levels explain why an analysis of the right of *rujuk* must connect legal provisions with the purpose of *islāh* and the wife's position.

The right of *Rujuk* from an Islamic gender justice perspective

The right of *rujuk* after *ṭalāq rajʿī* brings together the opportunity to repair a marital relationship and the authority to determine whether the marriage continues. The literature examined associates *rujuk* with reconciliation, the distribution of rights and responsibilities, and the wife's position in the decision to resume married life.

The findings were organized with reference to Braun and Clarke's (2006) six phases of thematic analysis, from familiarization with the data to writing up the findings. Codes concerning equal dignity, divorce, *khulu'*, *mahr*, maintenance, the husband's authority, the wife's consent, and women's agency were grouped into four themes. These themes were then interpreted using Amina Wadud's (1999) framework, which considers the context of revelation, linguistic structure, the Qur'an's overall perspective, and the influence of the interpreter's experience. Wadud's work serves as a framework for examining gender relations, not as a source of detailed legal rules on *rujuk*.

Table 2

Thematic findings on the right of rujuk from an Islamic gender justice perspective

Theme	Findings from the literature	Analysis using Wadud's framework	References
Equal dignity of men and women	Men and women are regarded as moral subjects with dignity before God; sex alone does not determine a person's worth.	Differences in roles should be assessed without assuming that either party has greater dignity. The grounds for, and consequences of, interpretations of spousal roles	Anggoro (2019); Agustina et al. (2023); Negara (2022); Wadud (1999)

		require examination.	
Differentiated rights and obligations in marriage	The literature discusses divorce and *rujuk* as forms of the husband's authority under specified conditions, *khulu'* as a mechanism initiated by the wife, and *mahr* and maintenance as women's economic rights. Maintenance after divorce depends on the applicable circumstances and rules.	Differences in rights should be analyzed in terms of the conditions governing their use, the responsibilities attached to them, and each party's ability to exercise them. Different functions do not, by themselves, establish equality of position.	Safitri & Ahmad (2024); Hermanto (2022); Wadud (1999)
The husband's authority and the wife's agency in *rujuk*	In the classical jurisprudence examined, the husband primarily holds the authority to declare *rujuk* during *iddah* after *ṭalāq rajʿī*; the wife's consent is generally not treated as a condition of its validity.	An assessment of this authority should consider the purpose for which it is exercised and the wishes and interests of the wife, who will also experience the continuation of the marriage.	Al-Amin et al. (2024); Jahroh (2016); Muhammad Za'im Muhibbulloh et al. (2021); Wadud (1999)
Regulating *rujuk* within a framework of justice	Contemporary literature emphasizes the wife's wishes, both parties' interests, and legal procedures in the implementation of *rujuk*.	Consideration of the wife's wishes and procedural clarity provide a basis for assessing the implementation of *rujuk*. Neither is presented as a specific rule formulated by Wadud.	Hermanto & Sovia (2023); Wadud (1999)

Source: Compiled from the research literature, 2025.

Table 2 shows that the discussion of the right of *rujuk* moves from the principle of equal dignity to the distribution of rights, the husband's authority, and the wife's position in its implementation. The four themes indicate that the validity of *rujuk* under jurisprudential views must be distinguished from an assessment of whether its exercise is fair. Within Wadud's framework, that assessment considers the responsibilities attached to authority, the wife's wishes, and the prospect of repairing the relationship for both spouses.

The four themes show that equal dignity must be distinguished from identical forms of legal entitlement. Divorce, *khulu'*, *rujuk*, *mahr*, and maintenance have different legal bases, conditions, and consequences. Within Wadud's framework, these differences should be read in light of the responsibilities attached to them and the experiences of both parties. Her discussion of *qiwāmah*, for example, does not treat material responsibility as proof of men's absolute superiority. Applying that discussion to the right of *rujuk* is this article's interpretation; it does not imply that Wadud equates *qiwāmah* with *rujuk*.

The central issue in *rujuk* is the relationship between the authority to declare it and its consequences for the couple's shared life. In the classical jurisprudence examined, that authority rests primarily with the husband. Yet the aim of repairing the relationship concerns both spouses. The validity of *rujuk* under a particular jurisprudential view must therefore be distinguished from an assessment of whether its exercise takes account of the wife's wishes and creates an opportunity for reconciliation.

In Indonesia, the KHI provisions must be distinguished from classical jurisprudential views. Article 164 gives a former wife observing *iddah* after *ṭalāq rajʿī* the right to object to a proposed *rujuk*. Article 167(2) provides that *rujuk* takes place with the wife's consent before a Marriage Registrar or an assistant registrar. Article 165 states that a *rujuk* undertaken without the former wife's knowledge may be declared invalid by a Religious Court decision. These provisions, therefore, do not state that such a *rujuk* is automatically invalid.

The analytical contribution of this section is to distinguish the validity of *rujuk* from the fairness of its implementation. Validity concerns the legal basis for continuing the marriage; an assessment of fairness considers the responsibilities of the person exercising authority, the wife's wishes, and the realistic prospect of repairing the relationship. This distinction connects the aim of reconciliation with both spouses' agency without conflating Qur'anic provisions, jurisprudential views, and KHI rules.

Husbands' and wives' rights in *Rujuk*: Thematic findings and a gender justice analysis

Rujuk after *ṭalāq rajʿī* provides an opportunity to continue the marriage during the *iddah* period. The literature examined links it to reconciliation, the husband's authority, protection of the wife from harmful conduct, and *rujuk* procedures under Indonesia's Compilation of Islamic Law (KHI).

The findings were grouped with reference to Braun and Clarke's (2006) six phases of thematic analysis, from familiarization with the data to writing up the findings. Codes concerning reconciliation, *ṭalāq rajʿī*, the husband's authority, the wife's objection and consent, prevention of harm, registration, and certainty of marital status yielded the four themes presented in Table 3. Amina Wadud's (1999) work was used to interpret the themes, with attention to the Qur'an's overarching principles and women's experiences within marriage. Her work was not treated as a source of detailed jurisprudential rules or KHI procedures.

Table 3

Thematic findings on husbands' and wives' rights in Rujuk

Theme	Findings	Interpretation using Wadud's framework	References
Rujuk as an opportunity for reconciliation and family protection	After *ṭalāq rajʿī*, *rujuk* offers an opportunity to repair the relationship and consider continuing the marriage during *iddah*.	The continuation of marital status does not establish that reconciliation has occurred; the prospect of repairing the relationship must be assessed for both spouses.	Hidayah & Huda (2023); Sugiarto (2022)
The husband's authority and the different positions of husband and wife	In the classical jurisprudence examined, authority to declare *rujuk* rests primarily with the husband, and the wife's consent is generally not treated as a condition of validity.	This difference in authority should be assessed in light of its consequences for the wishes and interests of the wife, who will also experience the continuation of the marriage.	Fauziyah & Azizah (2023); Bahrudin et al. (2021)
Protection of the wife from harmful *rujuk*	Qur'an 2:231 prohibits retaining a wife with the intention of harming her. Qur'an 2:232 addresses the prohibition on preventing remarriage after *iddah*. The literature relates these provisions to preventing the misuse of *rujuk*.	Authority to effect *rujuk* has an ethical limit: it should be directed toward repairing the relationship rather than prolonging circumstances that harm the wife.	Bahrudin et al. (2021); Hidayah & Huda (2023); Lajnah Pentashihan Mushaf Al-Qur'an (2019)
The wife's right to object and KHI procedures for *rujuk*	Article 164 gives a former wife the right to object to a proposed *rujuk*. Article 167(2) provides for her consent in the *rujuk* procedure. Under Article 165, *rujuk* undertaken without her knowledge may be declared invalid by a Religious Court	These provisions recognize the wife's wishes and support certainty of marital status. Whether they effectively protect her in practice requires empirical examination.	Fatma et al. (2023); Nasution (2018); Suryantoro & Rofiq (2022); KHI, Articles 164–167

	decision. The KHI also regulates the documentation of *rujuk*.

Source: Compiled from the research literature and KHI provisions, 2025.

Table 3 shows that the right of *rujuk* encompasses an opportunity for reconciliation, the husband's authority, protection of the wife from harmful conduct, and the right to object and related procedures under the KHI. The four themes reveal a relationship between the legal basis for continuing the marriage and the consequences for both spouses. This relationship is examined further through Amina Wadud's gender justice framework.

The four themes reveal a gap between the opportunity to effect *rujuk* and the achievement of reconciliation. The *iddah* period allows the couple to consider continuing the marriage, but a declaration of *rujuk* does not, by itself, show that their relationship has improved. Using Wadud's framework, the aim of preserving the family must be assessed in light of both spouses' experiences. Applying this framework to *rujuk* is an interpretation made in this study, not Wadud's position on the legal requirements for its validity.

The difference between the husband's and the wife's authority matters because the decision to effect a *rujuk* affects both their lives. In the classical jurisprudence examined, the husband primarily holds the authority to declare *rujuk*. Qur'an 2:231, however, prohibits retaining a wife with the intention of harming her, while verse 232 prohibits preventing remarriage after *iddah*. These verses underscore the need to distinguish who holds authority from how that authority is exercised.

In Indonesia, the KHI provides legal recognition of the wife's position and must be discussed separately from classical jurisprudence. Article 164 gives a former wife observing *iddah* after *ṭalāq rajʿī* the right to object to a proposed *rujuk* before a Marriage Registrar in the presence of two witnesses. Article 167(2) provides that *rujuk* takes place with the wife's consent before a Marriage Registrar or an assistant registrar. Article 165 states that a *rujuk* undertaken without the former wife's knowledge may be declared invalid by a Religious Court decision; it does not state that such a *rujuk* is automatically invalid. Procedures and registration help provide certainty of marital status, whereas the effectiveness of these protections in practice cannot be inferred from the wording of the rules alone.

The synthesis yields two levels of assessment. The first concerns legal validity and certainty: the type of divorce, *iddah*, authority, the wife's right to object under applicable law, and registration procedures. The second concerns relational justice: the aim of reconciliation, the prevention of harm, and the wishes and interests of both spouses. The analytical contribution of this section thus lies in connecting the legal basis of *rujuk* with the consequences of its implementation for the husband and wife.

Discussion

The study yields three main findings. First, *rujuk* after *ṭalāq rajʿī* provides a means of continuing the marriage during the *iddah* period, with the aim of repairing the relationship. In the classical jurisprudence examined, the authority to declare *rujuk* rests primarily with the husband, although views differ on how it is carried out and how it is proven. Second, Amina Wadud's gender justice framework distinguishes equal dignity from identical legal entitlements. It therefore allows the authority to effect *rujuk* to be examined alongside the husband's responsibilities, the wife's wishes, and the interests of both spouses. Third, the KHI gives a former wife the right to object and regulates *rujuk* procedures and registration to provide certainty of marital status. Taken together, the findings distinguish the validity of *rujuk*, the certainty that it has occurred, and the consequences of its implementation for

both spouses. The legal opportunity to effect *rujuk* does not, by itself, establish that reconciliation has been achieved.

Socially, the findings show that the legal opportunity to effect *rujuk* does not necessarily lead to an improved relationship. Where authority to declare *rujuk* rests primarily with the husband, the wife's wishes become an important issue in family life; this reading is relevant to discussions of power relations (Campbell, 2005; Carback, 2016). Broader debates on gender equality in Islam also point to the need to consider women's experiences without disregarding the aim of preserving marriage (Cameron, 2023; Patoari, 2019). In Indonesia, the KHI grants a former wife the right to object and requires her consent in the *rujuk* procedure. These provisions create legal space to consider the wishes of both parties, but their existence alone does not guarantee that they are always implemented fairly (Guterres et al., 2024; Halim & Amalia, 2024; Gander et al., 2024). The study's social relevance, therefore, lies in the need to link certainty about marital status to the prospect of reconciliation that harms neither party.

Theoretically, the findings reveal a distinction between authority to effect *rujuk* in the classical jurisprudence examined and an assessment of whether that authority is exercised fairly. Interpretations of Qur'an 2:228 in the literature place the husband in the primary position to declare *rujuk* after *ṭalāq rajʿī* during *iddah* (Thoyib & Huda, 2022; Aisya et al., 2024). That authority, however, should be examined alongside the aim of *islāh* and the prohibition on retaining a wife with the intention of harming her. Amina Wadud's gender justice framework helps distinguish equal dignity from identical legal entitlements and assess the consequences of *rujuk* for both spouses (Rufaida, 2019; Mun'im & Suaidi, 2024). Discussions of *maqāṣid al-sharīʿah* and family law reform may extend this analysis (Chappell et al., 2024; Farkhani et al., 2022). Applying Wadud's framework here is this study's interpretation, not Wadud's formulation of legal requirements for *rujuk* or evidence that social practices among Muslim families in Indonesia have changed.

A fundamental insight of this study is that continuing a marriage and repairing a relationship are distinct outcomes. *Rujuk* provides an opportunity during *iddah*, but its effectiveness as a means of *islāh* depends on how authority is exercised and on its consequences for both spouses. Attention to women's rights, the husband's responsibilities, and mechanisms such as *khuluʿ* suggests that differences in legal entitlements should be assessed through the access and protections available to each party, rather than through the form of those entitlements alone (Glázer-Kniesz & Makay, 2024). Calls for a fairer formulation of the doctrine of *rujuk* reinforce the importance of this assessment (Fattah, 2019). Discussions of agreement within marriage also offer a perspective from which to consider both parties' wishes, without serving as a direct source of detailed rules on *rujuk* (Grossbard-Shechtman & Lemennicier, 1999). The broader lesson for scholarship is to maintain a distinction among jurisprudential rules, KHI procedures, and assessments of relational justice in the lived experiences of husbands and wives.

Compared with previous studies, these findings align with Rohmah et al.'s (2025) attention to unequal authority held by husbands while retaining *rujuk*'s role as an opportunity to preserve marriage, as discussed by Muhibbulloh et al. (2021). Concern about the possibility that *rujuk* could harm the wife also resonates with Pomahiya et al. (2022). Studies of gender norms and options for regulating marriage provide a comparative context, although they do not, by themselves, establish how the KHI is implemented in Indonesia (Cislaghi & Heise, 2020; Tchoukou, 2024). Research on consent and women's position helps situate Article 167(2) of the KHI within a wider discussion (Scott et al., 2013; Albert et al., 2019). The accounts of Suryantoro and Rofiq (2022) and Santoso et al. (2023) can be

compared with the legal space provided for a wife's objection. This study's position lies in distinguishing the validity of *rujuk*, the certainty of marital status, and the fairness of its implementation for both spouses.

The findings suggest practical steps grounded in *rujuk* procedures and the protection of both parties. First, marriage registrars should explain the *iddah* period, the right to object, the requirement for consent in the *rujuk* procedure, and the significance of registration for certainty of marital status to the husband and former wife. Second, registration should provide an opportunity for the wife to express her wishes clearly and without pressure, supported by documentation that can be reviewed. Third, counseling before *rujuk* should examine the reasons for resuming the marriage, the prospect of repairing the relationship, and the risk of harm to either party. Fourth, training for registrars and judges should distinguish jurisprudential rules, KHI provisions, and assessments of relational justice. Fifth, field research is needed to determine whether the right to object and consent procedures are effectively implemented. Its findings could inform regular improvements to services and more targeted, testable policy changes.

CONCLUSION

The study concludes that *rujuk* after *ṭalāq rajʿī* during *iddah* provides an opportunity to continue a marriage, but does not, by itself, achieve reconciliation. In the classical jurisprudence examined, authority to declare *rujuk* rests primarily with the husband, while the aim of *islāh* and the prohibition on harming the wife place ethical limits on its exercise. A gender justice reading shows that differences in legal entitlements do not diminish the equal dignity of husband and wife. Because a decision to affect *rujuk* affects both spouses, the wife's wishes and interests must be considered when assessing whether it is exercised fairly. In Indonesia, the KHI regulates the former wife's right to object or consent to the *rujuk* procedure, and the registration to provide certainty of marital status. The synthesis distinguishes the legal basis for validity, certainty that *rujuk* has occurred, and its consequences for the couple's relationship. This distinction allows the aim of preserving the marriage to be assessed alongside the prospect of repairing the relationship and protection from harmful conduct.

Theoretically, the study clarifies the relationship among jurisprudential rules, the gender justice framework, and KHI provisions without treating them as equivalent. Its contribution lies in distinguishing the authority to effect *rujuk*, the certainty that it has occurred, and the fairness in the exercise of that authority. The gender justice framework enables the right of *rujuk* to be examined in light of equal dignity, the husband's responsibilities, and the wife's experiences, without serving as a source of legal requirements for *rujuk*. In practical terms, the findings provide a basis for explaining the right to object, verifying consent, and ensuring clear and transparent registration records that both parties can review. Counseling may also examine the reasons for resuming the marriage and the risk of harm. The handling of *rujuk* should therefore consider both legal status and the interests of both spouses in continuing the marriage.

This study is limited to an analysis of literature and normative provisions. Its findings, therefore, do not establish how the wife's consent is obtained, how objections are raised, or how *rujuk* is registered in practice. The jurisprudential views examined also do not represent the full range of legal opinions or the experiences of Muslim families. Future research should investigate *rujuk* practices through interviews with husbands, former wives, marriage registrars, and those involved in resolving disputes before Religious Courts. Examination of registration records and court decisions could supplement these accounts. Such research is

needed to assess the effectiveness of existing protections, obstacles to implementing procedures, and the relationship among consent, certainty of marital status, and the prospect of reconciliation without harm to either spouse across different local social contexts.

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CONFLICT OF INTEREST STATEMENT

The authors declare that they have no conflicts of interest that could have influenced the conduct of the research, the analysis, or the publication of this article.

DECLARATION OF AI USE

During the preparation of this article, the authors used artificial intelligence (AI) tools solely to improve academic language and the text's readability. AI was not used to generate the research analysis or interpretation. The authors take full responsibility for the substance, analysis, interpretation, and content of the article.

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