

Dynamics of Gender Equality: Analysis of the Practice of Taklik Talak in Morocco and Indonesia from the Perspective of Legal Sociology

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article information	Abstract
Submitted: 2024-11-21 Revised: 2024-12-114 Published: 2024-12-31	The practice of talk plays a crucial role in protecting the rights of wives in Islamic marriages in Indonesia and Morocco, allowing them to complain to the courts in case of a breach of the agreement by the husband. Despite its protective purpose, talk implementation is heavily influenced by both countries' social, cultural, and local policy contexts. This study uses qualitative descriptive, analytical, and comparative methodologies to understand talk implementation, collecting data from Islamic legal texts and legislation. Content analysis is used to explore the influence of cultural and legal factors on the practice and its impact on women's rights. The results show a complex dynamic between religious norms and aspirations for gender equality, as seen in the contradiction between contractual terms prohibiting polygamy and the teachings of the Qur'an. This underscores the need for education, discussion, and legal revision to create a more inclusive and equitable practice of Islamic law. The comparative study of practices in Morocco and Indonesia highlights differences in implementing Islamic legal principles related to gender equality; Morocco has the Moudawana reforms that control polygamy, while Indonesia adopts an approach that supports legal pluralism without significant legislative changes. Recommendations from this study include developing a more inclusive curriculum, organizing discussion forums, conducting broader comparative studies, and reforming legal policies to support gender equality.
Keywords: family law, gender equality, morocco, divorce	

Introduction

The practice of talk in marriage, according to Islamic customs in Indonesia, is one of the essential elements in the relationship between husband and wife, where the husband agrees with his wife, which is stated in the marriage book (Qomari et al., 2027; Asman, 2020; Ni'ami, 2022). Taklik talak gives the wife the right to file a complaint with the Religious Court if the husband violates the agreement, such as hurting her or ignoring her for a certain period (Black et al., 2013; Nurhadi, 2019; Muzakir, et al., 2023). This shows that there is a legal mechanism to protect the rights of wives in marriage, although its implementation is still influenced by the local social and cultural context (Chae et al., 2021; Lwamba et al., 2022; Zada & Zada, 2024). In Morocco, talk also plays a role in family relations, but with differences in the application of family law that are adjusted to state policies and regional contexts (Peletz, 2018; Sonneveld, 2020; Fauzi, 2023). From a sociological perspective Law, it is essential to analyze how this practice reflects gender equality, both in Indonesia and Morocco, considering the influence of local laws, culture, and policies that shape its implementation (Shang, 2022; Valerio et al., 2024). This study examines how talk talk acts as an

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instrument for protecting wives' rights while also revealing the extent to which the principle of gender equality is applied in the context of family law in both countries.

Previous studies have revealed that the implementation of talk talks varies significantly across Muslim countries (Nizar, 2021; Andriansyah, 2023). In Maliki countries such as Morocco, stricter legal interpretations often limit this practice (Baylocq & Hlaoua, 2016; Kaya & Drhimeur, 2022). Meanwhile, talk is an integral part of the Islamic marriage procession in Indonesia, which is rich in cultural diversity and legal systems (van Huis, 2019; Riyani, 2019; Asman, 2020). This study compares talk practice in Indonesia and Morocco with a Muslim-majority population and different cultural and legal contexts (Yakin, 2022; Pradikta et al., 2024). This study acknowledges various legal systems operating simultaneously, including national, religious, customary, and international laws (Wardhani et al., 2022; Sihombing, 2024). This study analyzes and compares the regulations governing talk and explores the influence of cultural and legal factors in shaping the practice in each country.

This study aims to bridge the understanding between the legal systems of Indonesia and Morocco regarding the practice of talk talk. Although rooted in the same Islamic doctrine, the talking practice in both countries shows significant variations influenced by their respective cultures and legal frameworks. This study analyzes and compares the regulations on talk talk while exploring how culture and law shape its implementation. In addition, this study evaluates its impact on women's rights in marriage, revealing the extent to which talk contributes to empowerment or becomes an obstacle in the social context. This study has theoretical, practical, social, and global benefits. Theoretically, this study enriches the study of Islamic law and the sociology of law by providing insight into the relationship between law, culture, and gender equality in Islamic family law. The results can guide policymakers, academics, and legal practitioners in designing more inclusive policies. From a social perspective, this study provides insight for the community regarding the role of law and culture in gender equality in the family. Globally, its comparative approach offers a perspective on how Islamic law can be adapted in various cultural contexts, becoming a reference for other Muslim countries. This research is expected to encourage more inclusive legal and social reforms.

This study hypothesizes that the implementation of talk talks in Indonesia and Morocco shows significant variation due to the influence of different cultures and legal frameworks. Theoretically, this hypothesis assumes that the relationship between law, culture, and gender equality is very close, where local culture plays a vital role in shaping the legal framework of Islamic families in both countries. This study hypothesizes that talk can be an instrument of women's empowerment and is supported by inclusive and contextual legal policies. From a social perspective, it is hypothesized that variations in the implementation of talk result in different levels of gender equality in Indonesia and Morocco because local social and cultural contexts influence the protection of women's rights in marriage. This study hypothesizes that a comparative approach to talk can provide insights into how Islamic law can be flexibly adapted to support gender equality in various cultural and social contexts, making it relevant to other Muslim countries.

Method

P This study uses a qualitative method with a descriptive, analytical, and comparative approach to an in-depth understanding of the regulations and practices of talk in Indonesia and Morocco (Seixas et al., 2018; Bazen et al., 2021). This method was chosen to explore the cultural and legal factors that influence talk implementation in both countries. Primary data were collected from various sources, including classical Islamic law books that discuss the talk and the laws in force in Indonesia and Morocco. This data is complemented by secondary data from related literature,

such as books, journals, and scientific articles that discuss Islamic family law, feminism in Islam, and the implementation of talk (Ellram et al., 2016; Wickham, 2019).

The data obtained were then classified based on specific aspects relevant to the study, such as legal regulations, cultural influences, and gender implications (Ranganathan & Aggarwal, 2018). The analysis was carried out systematically using qualitative methods, including organizing data into categories, describing data units, synthesizing information, and identifying patterns or themes (Kuckartz, 2019; Gioia, 2021). The analysis techniques used include content analysis, which allows researchers to explore the symbolic meaning of the sources analyzed. This method is carried out based on the principles of objectivity, systematicity, and generalization to ensure the validity and reliability of the findings (Hamilton & Finley, 2019).

The study concludes by identifying cultural and legal factors that influence talk practice in Indonesia and Morocco. This study also evaluates the impact of the practice on women's rights in marriage, providing insight into how each country's legal and cultural contexts shape gender equality. With this approach, the study enriches academic discussions on Islamic family law and offers practical contributions to legal reform efforts to create a more inclusive system. The methodology used aligns with qualitative methodology guidelines that emphasize the importance of in-depth and systematic analysis in understanding social and cultural phenomena (Thomas & Harden, 2008; Ricci et al., 2019).

Results and Discussion

Results

The Concept of Taklik Talak in Tafsir and Classical Books

Classical scholars have long discussed the concept of talk in Islamic law, emphasizing justice and conformity with Sharia. Al-Qurthubi and Fakhruddin Ar-Razi noted that the conditions in the talk must be clear and ma'ruf. At the same time, Sheikh Zainuddin al-Malaibari in Fathul Mu'in explained that the talk only applies if the conditions are met. The views of Ibn Kathir, Imam Nawawi, and As-Sarakhsi also highlight the importance of the principles of justice and compensation, such as Awadhi, in its implementation. This view emphasizes that talk is a binding legal agreement and must be based on Sharia values. The following are the concepts related to talk talk according to the ulama, namely:

Table 1. Talak Taklik According to Classical Ulama

No	Character Name	Description
1	Al-Qurthubi	The divorce agreement must fulfill the principles of justice and must not be used as a tool of oppression against the wife. This principle emphasizes the importance of justice in implementing the divorce agreement to protect the wife's rights (Al-Qurtubi, 2018; Tiopan, 2023).
2	Ibn Kathir	Emphasizes the importance of clarifying the conditions for accepting divorce and adapting them to Islamic law principles. The conditions must be fair and not unjust (Miswar et al., 2023; Santoso & Sari, 2024).
3	Fakhruddin Ar-Razi	Emphasizing that the conditions in the divorce agreement must be ma'ruf (good) and not harm either party. Taklik's talk is considered valid if it fulfills these requirements (Fatih, 2022; Shesa et al., 2024; Abdullah et al., 2024).
4	Sheikh Zainuddin al-Malaibari	Talak or conditional talk is permitted, but the talk only takes effect if the agreed conditions have been fulfilled. The emphasis is on fulfilling concrete requirements before the divorce is valid (Munir, 2013; Qomari et al., 2017; Suryani, 2022).
5	Muhammad bin Ahmad As-Sarakhsi	Discussing each or wash, namely compensation in divorce, and its relationship to talk talk (Bhudiman & Ratnawaty, 2021; Haruna et al., 2023; Agusnadi, 2024; Rizani et al., 2024).

This table provides a comprehensive overview of the concept of taklik talaq according to classical scholars, but some aspects require critical analysis to understand its application in more depth. Al-Qurtubi emphasizes the principle of justice in taklik talaq, a notion relevant to protecting

the wife's rights. However, examining whether this principle is consistently applied in contemporary legal practice is necessary. Ibn Kathir highlights the importance of clarifying conditions, which is significant in avoiding legal conflicts. Still, the table does not elaborate on the definition of "clarity" in modern law. Fakhruddin Ar-Razi adds that the conditions in talk must be *ma'ruf* or good, but how this criterion is interpreted in diverse socio-cultural contexts requires further study. Shaykh Zainuddin al-Malaibari emphasizes the importance of fulfilling concrete conditions before *talaq* is considered valid. Still, there are challenges in ensuring this mechanism is not misused as a tool for the husband to dominate. Muhammad bin Ahmad As-Sarakhsī discusses the dimension of economic justice through the concept of *each or washes* in divorce. It is essential but requires further evaluation of its effectiveness in protecting women's rights in a patriarchal legal system. Overall, the views of these classical scholars provide a strong basis for understanding talk. Still, its implementation in modern law must be reviewed to make it more relevant, fair, and inclusive.

The practice process of Taklik Talak in Indonesia

The talk-talk process in Indonesia is a typical example of how cultural traditions and Islamic law are integrated into the marriage ceremony. This narrative explores various aspects of this practice, from its implementation as part of the artistic tradition to its regulation within a formal legal framework. Through a series of rules and legal reforms, talk has been strengthened as a cultural element and as an essential legal component in ensuring legal clarity and certainty in Islamic marriage in Indonesia. This shows the adaptation and evolution of Islamic marriage that accommodates tradition while complying with applicable legal regulations.

Table 2. Taklik Talak in Indonesia

No	Talak Taklik Process	Description
1	Wedding Cultural Practices	Taklik talk has been an integral part of Islamic wedding traditions in Indonesia for centuries. Almost every Islamic wedding in this country involves the husband reading the sight talk after the marriage ceremony. This divorce agreement is also included in the marriage book published by the Office of Religious Affairs (KUA) (Asriani & Haddade, 2021 ; Afadi & Sari, 2024).
2	Ministry of Religion Declaration Number 3 of 1953	The Ministry of Religion encourages reading talks to be carried out at every wedding procession. Taklik talks are used as a formal means of declaring divorce or divorce in accordance with an established agreement (Faiz et al., 2022 ; Zein et al., 2023).
3	Compilation of Islamic Law (KHI)	The Compilation of Islamic Law (KHI) reforms Islamic law in Indonesia, including clarifying the legal force of divorce talks. Article 1, letter c KHI states that the husband must pronounce and sign the divorce agreement after the marriage contract. The Sighat talk, which the Minister of Religion determines, must be officially recorded in the marriage certificate (Sari et al., 2021 ; Mangarengi et al., 2024).
4	The Legal Strength of Taklik Talak	The Compilation of Islamic Law (KHI) provides a more structured and detailed legal framework for implementing talk talk. This practice is part of the culture and has a firm legal basis in Islamic marriage in Indonesia (Kamal, 2024 ; Aldisa, 2024).
5	Integration of Culture and Law	Taklik talk reflects the integration of cultural traditions and formal legal regulations in Islamic marriage in Indonesia, making it an almost mandatory protocol for the groom (Kusmardani, 2024 ; Rinaldo et al., 2024).

Taklik talk has become an integral part of Indonesia's tradition and regulation of Islamic marriage law. It reflects the state's efforts to preserve custom and adapt it to modern legal structures. The Compilation of Islamic Law (KHI) provides detailed legal clarity on talk, marking progress in addressing legal issues that may arise from this practice. However, the effectiveness of the Ministry of Religious Affairs' Decree in improving the understanding and implementation of talk is still not fully understood. Further analysis of the response to the implementation of talk in various regions in Indonesia and its impact on gender equality could enrich the understanding. Additional information on how this regulation affects the rights and obligations of husbands and wives and the

potential gender bias in practice would provide a more systematic and comprehensive insight into the social and legal consequences of talk in Indonesia.

Talak Taklik in Morocco Based on Applicable Law

In Morocco, taklik talaq provides legal protection for wives in marriage. According to Article 31 of the Code of Personal Status 1957-1958, wives can include an anti-polygamy clause in the marriage contract, which gives them the right to file for divorce if the husband violates this agreement. Violation can also result in the automatic dissolution of the first marriage, strengthening the protection of the wife's rights. Furthermore, although polygamy is permitted under certain conditions, the law allows a wife to prohibit her husband from practicing polygamy through taklik talaq, with legal consequences for the husband who violates it.

Table 3. Divorce in Morocco

No	Taklik Divorce Process	Description
1	Anti-Polygamy Clause	Article 31 of the Code of Personal Status 1957-1958 allows a wife to include a clause in the marriage contract prohibiting her husband from practicing polygamy. If the husband violates this agreement by practicing polygamy, the wife has the right to file for divorce (Jansen, 2007; Booley, 2017).
2	Automatic Dissolution of Marriage	Suppose the husband violates the anti-polygamy clause agreed upon in the talk. In that case, the violation can result in the automatic dissolution of the first marriage, giving the wife the right to file for divorce (Osman, 2019).
3	Protection of Wife's Rights	The talk in Morocco is designed to provide more protection for wives' rights, allowing them to take legal action in case of a violation of the agreement made in the marriage contract (Madih et al., 2019).
4	Regulation of Polygamy	Although polygamy is still permitted under certain conditions, the law gives the wife the authority to prohibit her husband from practicing polygamy through talk, which, if violated, can have legal consequences for the husband (Abdullah, 2008; Sam'un & Hadi, 2023).
5	Judicial Provisions	Suppose no ta'liq talak explicitly prohibits polygamy. In that case, the court has the authority to dissolve a marriage if polygamy causes harm to the first wife, indicating the use of talk as a protection mechanism for wives (Yuliatin, 2022; Rusliadi, 2023).

The table on divorce laws in Morocco illustrates a serious legislative effort to protect the rights of wives, especially polygamy. The anti-polygamy clause strengthens the wife's control over the conditions of her marriage, but its effectiveness in practice still needs further evaluation. Although the law allows the wife to prohibit polygamy, the fairness of its implementation is questionable and requires further study. In addition, the court's authority to dissolve a marriage shows legislative flexibility, but the fairness and consistency of court decisions also need to be closely monitored. Further analysis is required to ensure that these legal reforms provide adequate protection and are enforced in practice in line with the needs and rights of wives in Morocco.

Comparison of Taklik Talak Practices in Morocco and Indonesia

A comparison of talk talks in Morocco and Indonesia shows significant differences in legal and cultural approaches. Morocco, with the Maliki School and the Moudawana codification, stands out through its stronger protection of women, such as restrictions on polygamy. In contrast, Indonesia follows the Shafi'i School with the guidance of the Compilation of Islamic Law, which is more influenced by local traditions. The progressive legal reform in Morocco contrasts with the traditional implementation in Indonesia, reflecting the different dynamics of women's rights protection in the two countries.

Table 4. Comparison of Moroccan and Indonesian Divorce Laws

No	Aspect	Morocco	Indonesia
1	Dominant School of Thought	Maliki School of Thought	Shafi'i School of Thought

2	Legal Approach	Codification through Moudawana (2004) for family law reform.	Compilation of Islamic Law (KHI) as a guide to Muslim family law.
3	Position of Polygamy	Polygamy is made more complex; the husband must meet the wife's requirements and court approval.	Polygamy is permitted, but the divorce decree prohibiting polygamy is rarely implemented.
4	The Role of Taklik Talak	Part of the marriage contract, including provisions limiting polygamy.	Generally, marriage contracts give the wife the right to sue for divorce if the conditions are violated.
5	Legal Reform	Driven by the feminist movement, prioritizes gender equality.	There have been no significant reforms, but the talk is still traditionally applied.
6	Protection Focus	Gives more excellent space to women's rights, including involving women in marriage requirements.	Protecting the wife's rights through the terms of the divorce agreement, which must be mutually agreed upon.
7	Fatwa or New Policy	Legal reform has been widely implemented.	The MUI fatwa (2016) states that talk is not mandatory, but the practice remains common.

This table reflects significant differences between talk-talk practices in Morocco and Indonesia, which are influenced by factors such as the school of thought, legal approach, and culture. Morocco adopted the Maliki School with a modern legal approach through the Moudawana codification that provides more excellent protection for women, including restrictions on polygamy that require court approval. In contrast, Indonesia uses the Shafi'i School with guidance from the Compilation of Islamic Law (KHI), which is more flexible but lacks the coercive power of codified law. Legal reform in Morocco was influenced by the feminist movement, resulting in a more inclusive family law system, while in Indonesia, significant reforms are still minimal, even though talk remains a tool for protecting wives. Polygamy in Morocco is complicated by strict conditions, while in Indonesia, although permitted, supervision of its implementation is weak. In the case of Talk Talk, Morocco makes it an integral part of the marriage contract to limit polygamy, while in Indonesia, its role is more traditional, giving the wife the right to file for divorce if the conditions are violated. The MUI Fatwa (2016) statement that talking is not mandatory adds to the dynamics in Indonesia, although the practice remains common. This difference shows Morocco is more progressive in family law reform, while Indonesia still faces challenges in consistently and inclusively implementing talk. This emphasizes the importance of a deeper analysis of how culture and law shape the protection of women's rights in both countries.

Discussion

Perspective of Classical Scholars on Gender Equality in the Practice of Taklik Talak

A study of the opinions of classical ulama regarding the practice of talk reveals the complex dynamics between religious norms and aspirations for gender equality in the context of Islamic marriage (Syatar et al., 2023; Fauzi, 2023). Traditionally, Islam allows wives to stipulate certain conditions in the marriage contract, including the prohibition against polygamy (von Struensee, 2004; Prakon et al., 2023). Imam Ibn Qudamah al-Maqdisi and narrations from companions of the Prophet, such as Umar bin Khatthab and Sa'ad bin Abi Waqqash, support the view that the conditions agreed to in a marriage contract must be respected and obeyed, emphasizing that violation of these conditions can result in Kazakh, or annulment of the marriage (Moten, 2013; Zulfikar, 2020).

This view is reinforced by the hadith of the Prophet Muhammad SAW which emphasizes the importance of fulfilling the conditions that allow for husband and wife relations, indicating that the conditions in the marriage contract have an essential and binding position, mainly if these conditions aim to protect the wife's rights (Ali, 2023; Baydar, 2023). This illustrates the efforts in Islamic law to recognize and strengthen the position of women in marriage, giving them the tools to influence the conditions of marriage according to their needs and desires (Hidayati & Assa'diah, 2021).

However, there are contrasting views from scholars such as az-Zuhri and Malik, who argue that the conditions prohibiting polygamy are contrary to the teachings of the Qur'an, which permits polygamy under certain conditions (Syamsuddin, 2018; Alfian & Purwanto, 2024). This view reflects the tension between individual freedom in contractual agreements and demands for compliance with broader religious norms. Despite emphasizing that conditions that contradict the teachings of the Qur'an are considered invalid, this view does not cause the marriage to be void as a whole, indicating an effort to balance between adherence to religious teachings and respect for personal agreements (Nasr-Esfahani et al., 2021; Rizapoor et al., 2023).

This study reveals that despite the room for negotiation and adaptation in Islamic law, absolute gender equality remains a complex and often controversial issue (Caeiro, 2011; Ali, 2021). Classical scholars provide a basis for respecting the terms agreed upon in the marriage contract. However, traditional interpretations still impose limitations that can limit the application of these terms, especially when they conflict with norms considered fundamental to Islam (Oman, 2011; Kadivar, 2021; Malik, 2024). This suggests that despite the recognition of women's autonomy and rights, the struggle for gender equality in the context of Islamic marriage still requires careful navigation between tradition, religious texts, and modern aspirations.

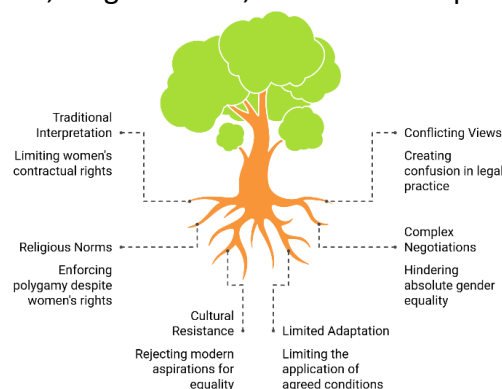


Figure 1. Gender Equality Versus Traditional Norms in Contemporary Society

The conflict between aspirations for gender equality and adherence to traditional and religious norms is often illustrated through the metaphor of a tree. The tree's roots symbolize the deep issues related to classical scholars' understanding of gender equality, particularly in the practice of *talk talk*. Religious norms that often support polygamy can conflict with principles of gender equality, demonstrating how the rigid religious interpretations of classical scholars can hinder women's rights, particularly in the areas of marriage and divorce.

To bridge this conflict, educational and dialogue efforts must be made to raise awareness about a more inclusive interpretation of religious and traditional norms taught by classical scholars. Legal reform is also necessary to ensure that the understanding of Islamic law supports full gender equality, especially in the practice of *talk talk*. It is also essential to encourage women's participation in religious dialogue and policy-making so that their voices are more valued and influential in shaping a more just and equitable interpretation of law and spiritual practice.

Comparative Analysis of Schools of Thought and Codification of Gender Equality in the Practice of Taklik Talak in Morocco and Indonesia

The approaches to *talk* in Morocco and Indonesia reflect profound differences in schools of thought, legal codification, and the social and cultural contexts that influence them (Sebastian, 2022; Hasan, 2024). With the Maliki School as its basis, Morocco adopted family law reforms through the Moudawana in 2004 (Eisenberg, 2011; Rinaldi, 2022; Wafa et al., 2024). This reform strengthens women's rights with a mechanism to limit polygamy that requires the consent of the first wife and legal approval from the court before a second marriage can take place (Kinasih, 2023;

Jamil et al., 2023). This move not only reflects the influence of the feminist movement but also shows the state's commitment to integrating the principle of gender equality into the framework of Islamic law (Zoglin, 2009; Daharis, 2023; Ezzerouali et al., 2024).

In contrast, Indonesia, which is based on the Shafi'i school of thought, applies a more conservative approach through the Compilation of Islamic Law (KHI) (Ubaidilah & Husna, 2023; Syahputra & Zuhdi, 2024). KHI regulates the practice of talk without explicitly prohibiting polygamy as a condition, in line with the view of the dominant school of thought that allows polygamy within the limits of sharia (Al-hakim et al., 2024; Syifa & Izzuddin, 2024). However, legal pluralism in Indonesia provides room for negotiation and variation in application in the context of local cultures, where Islamic law, customary law, and national law complement each other (Lukito, 2012; Hamida, 2022). The practice of talk in Indonesia functions not only as a tool to protect the rights of wives but also as a mechanism to maintain social stability in a multicultural society.

These differences show how Islamic legal schools and codifications interact with social dynamics in each country. Morocco's reforms are more progressive, placing gender equality as a central pillar of family law through a structured legislative approach (Büchler & Schlatter, 2013; Booley, 2017). On the other hand, Indonesia relies more on traditional adaptations through religious practices such as talk to meet the need for women's protection within a flexible legal framework. Both approaches underscore the richness of Islamic legal interpretations and the importance of considering cultural and social contexts in building a legal framework that supports gender equality.

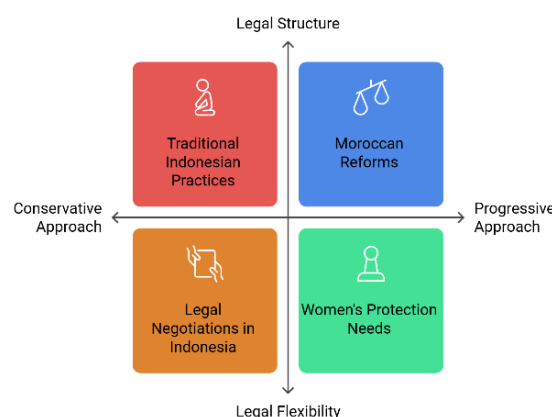


Figure 2. Gender Equality Approach in Islamic Family Law

Morocco and Indonesia's approaches to talk reflect how both are rooted in Islamic legal principles while adapting to their respective countries' unique social, cultural, and political contexts. Both cases illustrate the view that Islamic family law is not a rigid entity but rather a system flexible and responsive enough to adapt to changing social realities, including in addressing gender equality issues. In doing so, Morocco and Indonesia demonstrate that Islamic law can be interpreted and implemented to support progress and adaptation without sacrificing its core values.

Morocco, through the Moudawana reforms, adopted a more progressive approach by enacting strict legal mechanisms to limit polygamy and protect women's rights. This demonstrated a commitment to aligning religious values with the need for social equality, driven by the influence of the feminist movement. In contrast, through the KHI, Indonesia maintained the traditional flexibility that allows for individual negotiation in talk, albeit without major legislative reforms, as in Morocco.

Although different in approach, these two countries both reflect an effort to maintain a balance between religious principles and the need for legal modernization. Morocco focuses more on structured codification to achieve gender equality, while Indonesia relies on legal pluralism that allows for local adaptation. This common thread suggests that both progressive reform and

traditional adaptation can effectively promote justice and equality in Islamic family law, depending on the context and social dynamics surrounding it.

Conclusion

Research on the views of classical scholars on talk reveals the dynamics between religious norms and aspirations for gender equality in Islamic marriage, highlighting the contradictions between contractual terms that support the prohibition of polygamy and some teachings of the Qur'an. This indicates the need for education, discussion, and legal revision to make Islamic legal practices more inclusive and equitable. A comparative analysis of talk talks in Morocco and Indonesia reveals differences in applying Islamic legal principles related to gender equality. Morocco has made progress with the Moudawana reforms that limit polygamy and strengthen women's rights, demonstrating the impact of the feminist movement and the country's dedication to gender equality. In contrast, Indonesia has taken a more traditional approach with the Compilation of Islamic Law that supports legal pluralism and local adaptation without significant legislative changes. Despite their different approaches, both countries demonstrate how Islamic family law can be calibrated to suit unique social needs and contexts.

The theoretical implications of this study lie in a deepened understanding of talk as a dynamic and adaptive instrument in Islamic law, reflecting social changes and norms of justice. Practically, the results of this study can be used as policy recommendations to review and strengthen the role of talk in family law codes in Muslim-majority countries. This recommendation also includes the need for dialogue to develop more inclusive regulations and represent evolving social needs, especially in protecting women's rights.

This study acknowledges several limitations, including the limited focus on the Indonesian and Moroccan contexts without extensive comparison with other Islamic countries. Therefore, recommendations for further research are to delve deeper into the comparative practice of talk in various Islamic countries to identify and understand local variants and adaptations of Islamic law in a global context. This research could also explore the influence of socioeconomic and political factors in regulating and accepting talk in Muslim societies.

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Author Contribution Statement

NI is responsible for conceptualization, design, data collection, analysis, interpretation, and writing. HS is responsible for data analysis. E is responsible for interpreting the study's results. RRS is responsible for editing and analyzing the data.

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