



## The Effectiveness of Court-Annexed Mediation in Divorce Disputes: Evidence from Indonesian Religious Courts

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### Abstract

This study examines the effectiveness of court-annexed mediation in resolving divorce disputes within Indonesian Religious Courts, where increasing marital conflicts and the limitations of adversarial litigation have highlighted the need for more constructive dispute resolution mechanisms. Mediation has been institutionalized through Supreme Court Regulation No. 1 of 2016 as a mandatory stage in civil litigation, reflecting judicial efforts to promote dialogue and negotiated settlement. This research aims to analyze how mediation operates in practice and to identify the key factors influencing its success in divorce cases. Using a qualitative socio-legal approach, the study integrates normative analysis of legal regulations with empirical examination of mediation practices based on court documents and mediator perspectives. The findings indicate that mediation plays a significant role in facilitating communication between spouses and can lead either to reconciliation or to negotiated agreements on post-divorce matters such as child custody, financial responsibilities, and property division. However, its effectiveness varies considerably depending on the willingness of disputing parties to engage in meaningful negotiation, the intensity of emotional conflict, and the competence of mediators in managing communication and facilitating dialogue. In many cases, mediation is perceived merely as a procedural requirement rather than a substantive opportunity for resolution. Therefore, this study concludes that while mediation provides an important institutional framework for dispute resolution, its effectiveness depends on strengthening mediator capacity, improving institutional support, and fostering greater commitment among parties to engage in constructive negotiation.

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## INTRODUCTION

Family stability occupies a central position within legal systems as it functions as a primary social institution that shapes moral development, social order, and community cohesion (Addzaky et al., 2025). The breakdown of marital relationships leading to divorce not only affects the individuals involved but also extends its impact to children, extended families, and the broader social structure (Gürmen et al., 2021; Ko et al., 2026). In contemporary societies, divorce disputes have become increasingly complex, involving emotional, economic, and relational dimensions that are not easily resolved through adversarial legal processes. Litigation, which is inherently confrontational, often intensifies conflict between disputing parties rather than resolving it constructively (Azam, 2026; Menkel-Meadow, 2020). As a result, modern legal systems have increasingly shifted toward alternative dispute resolution mechanisms that emphasize cooperation and dialogue. Among these mechanisms, mediation has emerged as a widely recognized approach due to its focus on negotiated settlement and mutual agreement (McCulloch & McEvoy, 2018; Sherman & Momani, 2025). Therefore, mediation is considered a more humane and socially responsive mechanism for balancing legal certainty and social justice.

The increasing rate of divorce represents a significant empirical issue, particularly in Indonesia, where Religious Courts handle the majority of Islamic family law cases. Statistical data

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from the Supreme Court indicate that divorce cases consistently dominate the caseload of Religious Courts, reflecting broader social transformations within Indonesian society (Ridmajayanti et al., 2025; Solihin & Fauzi, 2025). Factors such as economic pressures, shifting gender roles, and changing expectations within marital relationships contribute to the rising incidence of marital conflict (Killewald, 2016; Sassler & Lichter, 2020). This phenomenon not only places a burden on judicial institutions but also generates broader social consequences, particularly for family welfare and child development. In practice, litigation-based dispute resolution often fails to adequately address the emotional and relational dimensions of marital conflict. Consequently, there is a growing need for mechanisms that can bridge legal and social considerations simultaneously. Mediation, in this context, offers a potential solution by providing a structured space for dialogue and negotiated settlement.

The urgency of this study is further reinforced by judicial reforms in Indonesia, particularly the enactment of Supreme Court Regulation No. 1 of 2016, which mandates mediation as a compulsory stage in civil litigation (Hartawan et al., 2024; Saputra, 2024; Yangto et al., 2025). This regulation reflects an institutional commitment to promoting amicable dispute resolution prior to formal adjudication. Mediation is not merely positioned as a procedural requirement but also as a strategic instrument to enhance judicial efficiency and access to justice (Ali, 2019; Bhattacharjee, 2025). However, despite its formal institutionalization, the implementation of mediation in practice raises important questions regarding its actual effectiveness. In many cases, mediation has not fully succeeded in facilitating settlement between disputing parties (Derevyanko et al., 2023; Lohvinenko et al., 2021). This condition suggests that mediation may function more as a formal procedural step rather than as a substantive mechanism for resolving disputes. Therefore, it is essential to critically examine whether mediation fulfills its intended role within the judicial system.

From the perspective of Islamic legal tradition, mediation is strongly supported by normative and ethical principles emphasizing reconciliation (*islah*) in resolving marital disputes. The Qur'an explicitly recommends the involvement of neutral third parties to mediate conflicts between spouses in order to restore harmony within the household (Brown & Keshavjee, 2025a; Fazaluddin, 2016). This principle indicates that Islamic law not only regulates divorce as a legal act but also prioritizes efforts to preserve family unity and social stability (Ismail et al., 2024; Nafisah et al., 2024). In this regard, mediation represents not merely a modern procedural innovation but also a reflection of deeply rooted ethical values within Islamic jurisprudence. The integration of mediation into Religious Courts demonstrates a convergence between contemporary legal reforms and traditional Islamic values that emphasize peaceful conflict resolution (Haider et al., 2025; Zartman, 2020). This alignment strengthens the legitimacy of mediation both legally and socially. Consequently, examining mediation within this dual framework becomes essential for understanding its broader significance.

A growing body of literature has examined the role and effectiveness of mediation in family dispute resolution across different contexts (Osei-Kyei et al., 2019; Reid, 2017; Rule, 2020). Previous studies have shown that mediation can reduce litigation time, lower legal costs, and promote mutually acceptable outcomes. Other research highlights that mediation facilitates open communication and reduces the intensity of conflict between disputing parties (Benedikt et al., 2020; Melnychuk et al., 2024; Ruhe, 2021). In the Indonesian context, several studies indicate that mediation in Religious Courts has the potential to encourage reconciliation or at least produce negotiated agreements concerning post-divorce arrangements (Junus et al., 2024; Sebyar et al., 2025). Furthermore, mediator competence has been identified as a critical factor influencing the success of mediation processes (Grewatsch & Kleindienst, 2017; Manzoor et al., 2019; Pennington et al., 2016). Overall, the literature suggests that mediation plays a significant role in improving dispute resolution outcomes. However, the effectiveness of mediation varies depending on contextual and institutional factors.

Despite these contributions, existing studies exhibit several important limitations. Many studies tend to focus primarily on normative or procedural aspects of mediation without adequately examining the social dynamics that shape mediation outcomes (He et al., 2019; Hu & Jiang, 2018; Van Dijk et al., 2021). In addition, previous research often lacks an integrated perspective that combines legal, social, and religious dimensions in analyzing mediation practices. This is particularly important in the context of Religious Courts, where mediation is influenced by interpersonal factors such as emotional conflict, willingness to negotiate, and the mediator's capacity to facilitate dialogue (Asghar

et al., 2025; Samudra et al., 2026). Furthermore, limited attention has been given to how Islamic values function as a normative foundation that influences the mediation process (Asutay et al., 2022; Mostafa & ElSahn, 2016). As a result, there remains a significant research gap in understanding mediation as a complex socio-legal process rather than merely a formal legal procedure. Addressing this gap is crucial for developing a more comprehensive and contextually grounded understanding of mediation effectiveness.

Based on these considerations, this study aims to examine the effectiveness of court-annexed mediation in resolving divorce disputes within Indonesian Religious Courts. Specifically, this research seeks to analyze how mediation is implemented in practice and to identify the key factors that influence its success or failure. Theoretically, this study contributes to the development of socio-legal scholarship by integrating legal, social, and Islamic perspectives in analyzing mediation. Practically, the findings are expected to provide insights for improving mediation practices, particularly in enhancing mediator capacity and strengthening institutional support within Religious Courts. In addition, this study offers implications for the development of a more responsive and value-based judicial system that aligns with societal needs. Therefore, this research not only contributes to academic discourse but also supports the improvement of family dispute resolution practices in Indonesia.

## METHOD

This study employs a qualitative research design using a socio-legal approach that integrates normative legal analysis with empirical examination of mediation practices in Indonesian Religious Courts. This design is selected because the effectiveness of mediation in divorce disputes cannot be adequately assessed through quantitative indicators alone but must be understood through the interaction between legal norms, institutional practices, and the social dynamics of disputing parties. Qualitative research enables an in-depth exploration of how legal norms are implemented in practice and how legal institutions operate within broader social contexts (Creswell & Poth, 2016). From a socio-legal perspective, law is not viewed as an isolated system but as one that interacts with social behavior and institutional structures that influence its application (Menski, 2020). Therefore, this study combines normative legal analysis with empirical observation to provide a comprehensive understanding of mediation as both a legal and social process.

The research was conducted in several first-instance Religious Courts in Indonesia with relatively high rates of divorce cases, particularly in the regions of Sumatra and Java, which represent areas with significant judicial caseloads. The selection of research sites was carried out purposively based on data accessibility and relevance to the research objectives. Data collection was conducted from January to June 2025 to ensure the use of recent and relevant data reflecting current mediation practices. The study focuses on divorce cases that have undergone mediation procedures in accordance with Supreme Court Regulation No. 1 of 2016. This regulation serves as the primary legal framework governing mediation as a mandatory stage in civil litigation (Azizah, 2012). By situating the research within this institutional context, the study aims to analyze how mediation operates in practice within Religious Courts.

The population of this study includes all divorce cases handled by Religious Courts during the research period. The sample was determined using purposive sampling with inclusion criteria consisting of cases that had undergone mediation, whether successful or unsuccessful. The primary data consist of case documents, including mediation reports, court decisions, and records of court proceedings. In addition, the study involves participants such as mediators, both judge-mediators and certified non-judge mediators, selected based on their experience in handling divorce cases. This approach aligns with empirical legal research, which seeks to understand how legal rules function in real-world contexts rather than solely within doctrinal frameworks (Epstein & Martin, 2014). The use of multiple data sources allows for a more comprehensive analysis of factors influencing mediation effectiveness.

The research instruments include document analysis guidelines, semi-structured interview protocols, and limited observation sheets. The document analysis guidelines were developed to identify key indicators of mediation effectiveness, such as settlement rates, types of agreements reached, and the duration of dispute resolution processes (Brown & Keshavjee, 2025b). The

interview protocols were designed to explore mediators' experiences in facilitating mediation, including strategies employed and challenges encountered. Observation sheets were used to record interaction dynamics during mediation sessions, particularly communication patterns between disputing parties and the role of mediators. These instruments were developed based on theories of alternative dispute resolution that emphasize mediator competence and active participation of disputing parties (Boulle & Field, 2018).

The validity of the instruments was ensured through content validity by involving experts in Islamic family law and dispute resolution as part of an expert judgment process. These experts evaluated the relevance and clarity of the instrument indicators in relation to the research objectives. In addition, a pilot test was conducted on a limited dataset to ensure clarity and consistency of the instruments. Reliability in this qualitative study was maintained through triangulation of data sources and methods, including cross-verification between document analysis, interviews, and observations. This approach enhances data credibility and ensures that findings are supported by consistent evidence from multiple sources (Sari et al., 2025).

The data collection procedure was carried out in several stages. The first stage involved identifying and selecting relevant divorce case documents that met the research criteria. This was followed by preliminary document analysis to identify patterns in mediation implementation. The next stage involved conducting interviews with selected mediators, either face-to-face or online, depending on accessibility and availability. In addition, limited observations were conducted to understand interaction dynamics during mediation sessions. All collected data were systematically documented to support further analysis. This structured procedure allows for a comprehensive understanding of mediation practices from both normative and empirical perspectives.

The data analysis technique used in this study is thematic analysis combined with normative legal analysis. The analysis process begins with data reduction through selection and organization of relevant data. This is followed by coding to identify key themes, such as factors influencing mediation success, barriers in the mediation process, and the role of mediators. The categorized data are then interpreted to examine the relationship between legal norms and empirical practices (Booth, 2016). Normative analysis is conducted by examining legal regulations governing mediation, particularly Supreme Court Regulation No. 1 of 2016, as well as other relevant legal provisions. By integrating these approaches, the study provides a comprehensive evaluation of mediation effectiveness as a dispute resolution mechanism (Banakar & Travers, 2005; Menkel-Meadow et al., 2019).

Ethical considerations were also observed throughout the research process. All participants were informed about the purpose of the study and provided their consent before participating in interviews. Confidentiality was maintained by anonymizing participants' identities using codes. Furthermore, the data collected were used solely for academic purposes and were not disclosed without permission. The research was conducted with a commitment to objectivity, transparency, and academic integrity. Therefore, this study not only meets methodological standards but also adheres to ethical principles in socio-legal research.

## RESULTS AND DISCUSSION

### Results

This section presents the primary findings of the study concerning the effectiveness of court-annexed mediation in resolving divorce disputes within Indonesian Religious Courts. The results are systematically organized to reflect the key dimensions of mediation practices, including the legal and institutional framework governing mediation, the implementation of mediation procedures in court settings, and the empirical dynamics that shape mediation outcomes. The analysis further highlights how mediation functions not only as a procedural requirement but also as a practical mechanism for facilitating dialogue, negotiation, and potential reconciliation between disputing parties. Overall, the findings indicate that while mediation provides an important institutional foundation for constructive dispute resolution, its effectiveness is influenced by a combination of legal structures, institutional conditions, and interpersonal factors. These interconnected elements collectively shape the role of mediation as a mechanism for managing divorce disputes within Religious Courts.

### ***Legal Framework and Institutional Implementation of Court-Annexed Mediation in Indonesian Religious Courts***

The findings of this study indicate that the incorporation of mediation into judicial procedures has become an integral component of dispute resolution within Indonesian Religious Courts. Mediation is formally embedded within the litigation process as a mandatory stage that must be undertaken before a case proceeds to adjudication. This institutional arrangement reflects a structural transformation in the judicial system, where courts no longer function solely as adjudicative bodies but also as facilitators of negotiated settlement between disputing parties.

The legal foundation of court-annexed mediation is primarily governed by Supreme Court Regulation No. 1 of 2016 concerning mediation procedures in courts. This regulation establishes clear procedural standards, including the mandatory nature of mediation, the qualifications of mediators, and the mechanisms for documenting mediation outcomes. Once a divorce case is registered, the presiding judge is required to direct the parties to participate in mediation. The process is conducted by a mediator, either a judge mediator or a certified external mediator, who facilitates dialogue between the disputing parties without imposing decisions. If an agreement is reached, it is formally recorded and may be ratified by the court as a binding decision.

Within the institutional structure of Indonesian Religious Courts, mediation operates in cases related to Islamic family law, including divorce disputes. The findings show that divorce cases constitute the dominant category handled by Religious Courts, placing significant pressure on the judicial system. As a response to this increasing caseload, mediation serves as a mechanism to manage disputes more efficiently while providing an opportunity for reconciliation or negotiated settlement. The mediation process typically begins after the case is filed, where both parties are invited to engage in dialogue under the guidance of a mediator.

The implementation of mediation reveals that the process is designed to achieve two primary outcomes. First, mediation provides an opportunity for reconciliation between spouses before the dissolution of marriage becomes final. Second, when reconciliation is not possible, mediation facilitates negotiated agreements on post-divorce matters such as child custody, financial responsibilities, and division of marital property. These findings indicate that mediation plays a dual role as both a preventive and a resolution-oriented mechanism in divorce disputes.

However, the findings also show that the implementation of mediation faces several challenges. In many cases, disputing parties approach mediation as a formal procedural requirement rather than as a genuine opportunity for negotiation. This procedural orientation limits the effectiveness of mediation, particularly in cases where conflicts have escalated into deep emotional hostility. Furthermore, the effectiveness of mediation is influenced by the capacity of mediators to manage interpersonal conflict and facilitate constructive communication. Mediators are required to handle complex emotional dynamics while guiding parties toward mutually acceptable outcomes.

Institutional conditions also play a significant role in shaping mediation practices. Courts with heavy caseloads often face limitations in terms of time and resources available for mediation sessions. As a result, mediation processes may be conducted within constrained timeframes, reducing the opportunity for in-depth negotiation. Additionally, the formal courtroom environment may influence how parties perceive mediation, with some viewing it as a preliminary step before litigation rather than a meaningful dispute resolution process. The key legal and institutional components that structure the implementation of mediation in Indonesian Religious Courts are summarized in Table 1.

**Table 1.** The key legal and institutional components that structure the implementation of mediation in Indonesian Religious Courts

<b>Component</b>	<b>Description</b>	<b>Legal Basis</b>
Mandatory mediation	All civil cases including divorce disputes must undergo mediation before litigation proceeds	Supreme Court Regulation No. 1 of 2016
Mediator qualification	Mediators may be judge mediators or certified external mediators registered with the court	Supreme Court Regulation No. 1 of 2016

Component	Description	Legal Basis
Jurisdiction of Religious Courts	Religious Courts handle Islamic family law disputes including marriage and divorce	Law No. 7 of 1989; Law No. 3 of 2006
Objectives of mediation	Promote reconciliation, encourage negotiated settlement, and reduce litigation burden	Judicial reform policy
Mediation outcome	Agreements reached through mediation can be ratified by the court as binding decisions	Supreme Court Regulation No. 1 of 2016

The data presented in Table 1 demonstrate that mediation is positioned as a fundamental component within the judicial process rather than as a supplementary mechanism. The institutionalization of mediation establishes a structured framework that integrates negotiation and reconciliation into formal legal procedures. This structure reflects a shift in judicial orientation toward settlement-based dispute resolution.

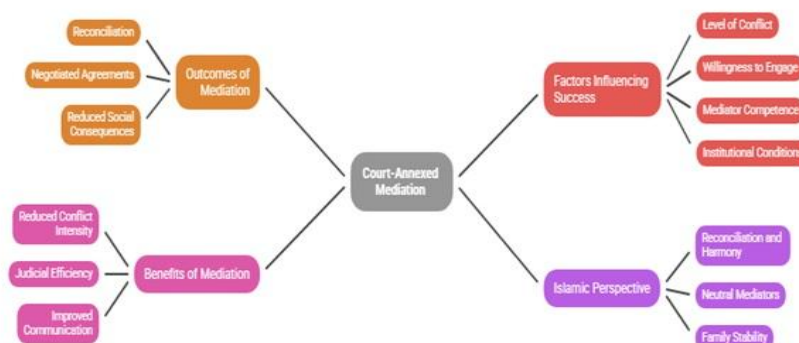
**Evaluating the Effectiveness of Court-Annexed Mediation in Divorce Disputes**

The findings further reveal that the effectiveness of mediation is shaped by multiple interrelated factors. The success of mediation largely depends on the willingness of disputing parties to engage in meaningful dialogue and negotiation. When both parties demonstrate openness and a willingness to compromise, mediation is more likely to result in mutually acceptable agreements. Conversely, when one or both parties maintain rigid positions, the mediation process tends to be less effective.

Another significant factor influencing mediation outcomes is the level of conflict between spouses. In cases where disputes are characterized by prolonged emotional tension and breakdown of communication, mediation encounters greater difficulty in facilitating settlement. Under such conditions, mediation often functions as a procedural formality rather than as a substantive mechanism for resolving disputes.

The competence of mediators also plays a crucial role in determining the effectiveness of mediation. Effective mediators are able to manage emotional tensions, facilitate communication, and guide parties toward constructive negotiation. The findings indicate that mediator skills in communication, empathy, and conflict management significantly influence the likelihood of achieving agreement.

Institutional constraints further affect mediation outcomes. Limited time allocation and high caseloads reduce the opportunity for comprehensive mediation sessions, which may hinder the achievement of meaningful agreements. Despite these limitations, mediation provides several important benefits. Even when mediation does not result in full settlement, it contributes to reducing hostility, clarifying issues, and improving communication between disputing parties. Figure 1 depicts the integrated framework of factors influencing mediation effectiveness, emphasizing the dynamic interplay between legal structures, institutional conditions, and interpersonal engagement in divorce dispute resolution.



**Figure 1.** Effectiveness of Court-Annexed Mediation in Divorce Disputes

The findings summarized in Figure 1 indicate that the effectiveness of mediation is influenced by a combination of legal, institutional, and interpersonal factors. These factors interact dynamically in shaping mediation outcomes, highlighting the complexity of mediation as a dispute resolution mechanism within Religious Courts.

**Discussion**

The findings of this study demonstrate that mediation has been firmly institutionalized as a mandatory stage within the judicial process of Indonesian Religious Courts, reflecting a broader paradigm shift from adversarial adjudication toward cooperative dispute resolution. From a theoretical perspective, this transformation aligns with alternative dispute resolution (ADR) theory, which emphasizes that conflict resolution can be achieved more effectively through dialogue and negotiation rather than litigation (Menkel-Meadow, 2020; Sherman & Momani, 2025). The institutionalization of mediation indicates that courts are no longer positioned solely as adjudicative bodies but also as facilitators of negotiated settlement. This finding is consistent with prior studies highlighting judicial reforms that integrate mediation to enhance efficiency and access to justice (Subrata, 2023; Bhattacharjee, 2025). However, this study extends existing literature by demonstrating that formal institutionalization alone does not guarantee effective implementation. Thus, the findings both support and critically refine the assumption that structural legal reforms automatically improve dispute resolution outcomes.

The study further reveals that mediation in divorce disputes serves a dual function, namely as a mechanism for reconciliation and as a platform for negotiating post-divorce arrangements. Conceptually, this aligns with transformative mediation theory, which focuses not only on resolving disputes but also on improving relational dynamics between parties (Muhammady et al., 2025). In this context, mediation facilitates constructive communication even when reconciliation is not achievable. This finding is consistent with previous research indicating that mediation produces more flexible and mutually acceptable outcomes than litigation (Sodik et al., 2023; Junus et al., 2024). However, this study contributes a more nuanced understanding by showing that the reconciliation function is often limited in cases characterized by high emotional conflict. This suggests that the effectiveness of mediation is contingent upon relational conditions rather than solely procedural design. Consequently, the findings extend mediation theory by emphasizing the critical role of psychosocial dynamics in shaping outcomes.

Another key finding highlights that the effectiveness of mediation is strongly influenced by the willingness of disputing parties to engage in meaningful negotiation. From a conflict resolution perspective, successful mediation depends on the parties' readiness to cooperate and their perception of the process as legitimate and beneficial (Azam, 2026; Asghar et al., 2025). When mediation is perceived as an opportunity for constructive engagement, the likelihood of agreement increases significantly. Conversely, when it is viewed merely as a procedural formality, its effectiveness diminishes. This finding is in line with studies demonstrating that party motivation and perception play a decisive role in mediation success (Derevyanko et al., 2023; Lohvinenko et al., 2021). However, this study further reveals that such perceptions are shaped by broader socio-legal contexts, including legal culture and prior experiences with the judicial system. Therefore, mediation effectiveness must be understood as a socially constructed phenomenon rather than a purely procedural outcome.

The findings also underscore the critical role of mediator competence in determining the success of mediation processes. Theoretically, mediators function as facilitators who must possess not only legal knowledge but also interpersonal and communication skills to manage emotionally charged disputes. This aligns with existing literature emphasizing the importance of mediator skills such as empathy, reframing, and conflict management (Yulia Muhsari et al., 2025; Manzoor et al., 2019). Nevertheless, this study identifies a gap between normative expectations and actual mediator capacity in practice. Not all mediators demonstrate the level of competence required to effectively facilitate complex divorce disputes. This finding implies the need for systematic improvement in mediator training and professional development. Conceptually, it reinforces the argument that

mediation outcomes are shaped not only by institutional frameworks but also by the quality of facilitation within the process.

In addition to individual factors, institutional conditions significantly influence the implementation of mediation. From a socio-legal perspective, legal practices are shaped by the structural environment in which they operate (Menski, 2020). High caseloads and limited time allocation constrain the quality of mediation sessions, often leading to superficial negotiation processes. This finding is consistent with previous studies identifying institutional constraints as a major barrier to effective mediation (Rois & Qomaro, 2023; Yangto et al., 2025). However, this study advances the discussion by demonstrating that such constraints also affect the perceptions and attitudes of disputing parties toward mediation. When mediation is conducted under time pressure, it risks being perceived as a procedural obligation rather than a meaningful resolution mechanism. Therefore, improving mediation effectiveness requires not only enhancing individual capacities but also addressing systemic institutional limitations.

From a normative standpoint, the findings confirm that mediation is deeply aligned with Islamic legal principles that emphasize reconciliation and social harmony. The concept of *islah* reflects the ethical foundation of mediation as a process aimed at preserving relationships and minimizing conflict (Kamali, 2022; Nafisah et al., 2024). This supports previous studies highlighting the compatibility between mediation practices and Islamic jurisprudence (Umah et al., 2025; Haider et al., 2025). However, the study also reveals a gap between these normative ideals and their practical implementation within Religious Courts. While mediation is theoretically grounded in strong ethical values, its effectiveness in practice is often limited by social and institutional factors. This finding contributes to socio-legal scholarship by demonstrating that the success of legal mechanisms depends on the interaction between normative frameworks and empirical realities.

Overall, the findings suggest that the effectiveness of court-annexed mediation should not be evaluated solely based on settlement rates but also in terms of its broader impact on reducing conflict and improving communication between disputing parties. This perspective extends existing evaluation frameworks that focus primarily on outcomes by incorporating process-oriented indicators (Qotrunnada & Fikri, 2025). The study highlights that mediation functions as a complex socio-legal mechanism shaped by legal, institutional, and interpersonal factors. In the context of global literature, this research reinforces the understanding of mediation as a dynamic process rather than a static procedural tool. By integrating legal, social, and religious dimensions, this study contributes a more comprehensive framework for analyzing mediation effectiveness and offers new insights into the role of mediation in transforming family dispute resolution practices.

## CONCLUSION

This study concludes that the implementation of court-annexed mediation within Indonesian Religious Courts represents a significant institutional mechanism for managing divorce disputes in a more constructive and dialogic manner. The integration of mediation as a mandatory procedural stage under Supreme Court Regulation No. 1 of 2016 has transformed the role of courts from purely adjudicative bodies into facilitators of negotiated settlement. The findings demonstrate that mediation plays a dual role, namely providing an opportunity for reconciliation between spouses and facilitating agreements on post-divorce matters such as child custody, financial obligations, and property division. However, the effectiveness of mediation is not solely determined by its legal framework, but is strongly influenced by interpersonal and contextual factors, particularly the willingness of disputing parties to engage in meaningful negotiation, the level of emotional conflict, and the competence of mediators in managing communication and conflict dynamics.

Furthermore, the study identifies that institutional and perceptual challenges continue to limit the optimal functioning of mediation. In many cases, mediation is perceived merely as a procedural requirement rather than a genuine mechanism for dispute resolution, which reduces the commitment of parties to reach agreement. Institutional constraints, such as high caseloads and limited time for mediation sessions, also hinder the depth and quality of negotiation processes. Despite these limitations, mediation remains a valuable instrument in reducing hostility, clarifying disputes, and improving the overall quality of dispute resolution. From a broader perspective, mediation aligns with the ethical principles of Islamic family law that emphasize reconciliation and

social harmony, thereby strengthening its normative and practical relevance. Therefore, enhancing the effectiveness of mediation requires systematic efforts, including improving mediator capacity, strengthening institutional support, and fostering greater awareness among disputing parties. Through these measures, mediation can contribute more effectively to the development of a responsive, efficient, and value-based system of family dispute resolution within Indonesian Religious Courts.

### AUTHOR CONTRIBUTIONS STATEMENT

Atrizal conceived and designed the research, developed the socio-legal framework, conducted data collection and analysis, and prepared the initial draft of the manuscript. Susi Kusmawaningsih contributed to the development of the research methodology, assisted in data analysis and interpretation, and supported the organization of empirical findings. Diana Sari provided critical revisions, contributed to the theoretical refinement, and improved the clarity, coherence, and overall academic quality of the manuscript.

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