Islamic communication strategies of mediators at the Mahkamah Syar'iyah in mediating divorce cases

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Abstract

This study aims to analyze the implementation of Islamic communication strategies by mediators at the Mahkamah Syar'iyah (Sharia Court) of Bireuen Regency, Indonesia, in mediating divorce petition cases. The background of this research lies in the high number of divorce cases filed annually, while the mediation success rate remains relatively low. The study employs a qualitative approach through field research. Data were collected via in-depth interviews with the Chief Judge of the Mahkamah Syar'iyah and mediator judges, supported by the examination of official court documents. The findings reveal that although Islamic communication principles, such as *hikmah* (wisdom), *mau'izhah hasanah* (good counsel), and *mujadalah billati hiya ahsan* (best form of debate), have been incorporated into the mediation process, their implementation still faces significant challenges, including limited human resources, the absence of specific Standard Operating Procedures (SOPs), and the diverse socio-cultural backgrounds of the parties involved. Nevertheless, Islamic communication strategies have proven effective in fostering constructive dialogue, promoting mutual respect, and offering fair solutions aligned with Islamic law. The study recommends enhancing mediator capacity, strengthening technical regulations, and developing standardized procedures to improve mediation success rates in the future.

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Abstrak

Penelitian ini bertujuan untuk menganalisis strategi komunikasi Islami yang diterapkan oleh mediator di Mahkamah Syar'iyah Kabupaten Bireuen, Indonesia, dalam memediasi pasangan yang mengajukan gugat cerai. Latar belakang penelitian ini adalah tingginya jumlah perkara perceraian yang masuk setiap tahun, sementara tingkat keberhasilan mediasi relatif rendah. Pendekatan penelitian yang digunakan adalah kualitatif dengan metode penelitian lapangan *(field research).* Data diperoleh melalui wawancara mendalam dengan Ketua Mahkamah Syar'iyah dan para hakim mediator, serta didukung oleh telaah dokumen resmi pengadilan. Hasil penelitian menunjukkan bahwa meskipun prinsip-prinsip komunikasi Islami seperti *hikmah, mau'izhah hasanah,* dan *mujadalah billati hiya ahsan* telah diupayakan untuk diimplementasikan, pelaksaannya masih menghadapi berbagai hambatan, termasuk keterbatasan sumber daya manusia, belum adanya SOP khusus, serta perbedaan latar belakang sosial-budaya para pihak. Namun demikian, strategi komunikasi Islami terbukti berkontribusi dalam membangun dialog yang konstruktif, menumbuhkan rasa saling menghormati, serta memberikan alternatif solusi yang lebih berkeadilan dan sesuai syariat. Penelitian ini merekomendasikan peningkatan kapasitas mediator, penguatan regulasi teknis, dan pengembangan prosedur baku guna mengoptimalkan keberhasilan mediasi di masa mendatang.

INTRODUCTION

The skills required to reconcile parties seeking divorce can be acquired when a mediator has obtained formal certification. Both judge mediators and non-judge mediators are individuals who hold at least a bachelor's degree and possess a mediator certificate issued by the Supreme Court or by an institution that has received accreditation from the Supreme Court, such as the National Mediation Center. This certificate attests that an individual has participated in and successfully completed mediator certification training. Non-judge mediators are required to hold such certification because it is directly related to the expertise or skills needed to handle disputing parties (Arif et al., 2023; Rahmawati, 2018).

In every divorce dispute, a mediation process is mandatory prior to the issuance of a court decision; therefore, the obligation to act as a mediator is assigned to judges who do not yet possess mediator certification (Kusumaningrum et al., 2017). For judge mediators who are not certified, mediation may be conducted based on the skills they possess and the art of inviting parties to reconcile, such as asking about the parties' identities and occupational activities in order to understand their social environment and psychological condition. This approach is effective in building the level and quality of communication with the disputing parties, including in the choice of words used.

Mediation is a dispute resolution process carried out through negotiation or mutual agreement between the parties, assisted by a mediator who does not have the authority to decide or to impose a settlement. The main characteristic of the mediation process is negotiation, which in essence is equivalent to deliberation or consensus-building (Luthfi & Mansyuroh, 2022; Salamah, 2010; Nasution et al., 2024). In accordance with the nature of negotiation, deliberation, or consensus, there must be no coercion to accept or reject any idea or proposed settlement during the mediation process; therefore, all outcomes must obtain the consent of the parties participating in the mediation (Dewi, 2025; Syahputra et al., 2024).

There are at least three factors that make dispute resolution through mediation preferable to litigation. First, cases resolved through mediation can significantly simplify the time required, as they do not need to proceed through formal court hearings governed by ordinary procedural law. This is particularly the case when disputes involve property, such as inherited assets or joint marital property, where litigation tends to be lengthy and time-consuming; therefore, mediation is expected to substantially shorten the time needed to resolve such cases. Second, mediation can reduce costs, since civil litigation in courts generally entails expenses, including in the Religious Courts. Accordingly, mediation is expected to cut costs and thus alleviate the financial burden on the parties involved in the dispute (Rahmawati, 2018).

The role of the mediator in the mediation process is crucial for realizing a mutually agreed settlement (Setiadi & Mukhsin, 2025; Anam & Nizar, 2024). A mediator is an individual who plays a role in exploring the interests and needs of the disputing parties, one of which is carried out through interpersonal communication

between the mediator and the parties to the dispute. Interpersonal communication is considered the most effective form, as both communicator and communicant can directly exchange messages and express their thoughts. In addition, emotional closeness may develop due to the intensity of communication, thereby generating various alternative solutions that lead to a win–win outcome (Syobah et al., 2023; Hardjana & M., 2012; Rizky & Moulita, 2017).

A mediator is required to possess strong communication skills. Through effective communication, it is expected that the mediator will be able to build an effective mediation atmosphere among the parties and to overcome various obstacles that may arise during the mediation process. In divorce cases at the Mahkamah Syar'iyah Bireuen, the mediator acts as a third party facilitating the resolution process.

Given the importance of the mediation process, it is necessary to implement effective communication strategies so that the objectives of mediation can be achieved. From a process perspective, a communication strategy is considered effective when it goes through four stages: fact-finding; communication planning; communicating; and evaluation (Marwantika & Rohmatullah, 2022; Rahmi, 2018; Ritasari, 2021). Communication objectives will be achieved when the message content that incorporates character values has been embedded within careful and systematic planning. In this regard, planning can be developed through program analysis concerning the substance of the message, the methods, and the media to be used.

The determination of communication methods is closely related to the content to be delivered, while the situation and condition of the communicants must be key considerations in formulating communication strategies. The importance of selecting and filtering appropriate and respectful words in every act of speaking or communicating also applies to judges serving as mediators. Judges acting as mediators will employ appropriate strategies when interacting with husband-and-wife couples undergoing divorce proceedings. In this process, the reasons for terminating the marital relationship are examined in the legal forum; therefore, judges who are responsible as mediators must be able to communicate effectively in order to achieve the intended communication goals.

Islamic communication strategies in this study are understood as a series of communication approaches and techniques framed and guided by sharia values, such

as *hikmah* (wisdom), *mau'izhah hasanah* (good and gentle counsel), and *mujādalah billatī hiya aḥsan* (arguing in the best manner), as well as the principles of public benefit *(maṣlaḥah)* and *akhlāq* (ethics). Operationally, Islamic communication strategies are not merely a matter of word choice, but rather a conscious combination of message content (what is conveyed), delivery style (how it is conveyed), timing and context (when and where), and nonverbal attitudes (facial expressions, intonation, and gestures), all of which are intended to preserve dignity, reduce conflict, and guide disputing parties toward fair and beneficial solutions. In the context of divorce mediation at the Mahkamah Syar'iyah Bireuen, this strategy includes: (1) the use of gentle and nonjudgmental language to defuse emotions; (2) the presentation of advice grounded in religious principles and family welfare without imposing scriptural arguments; (3) active listening techniques and empathetic acknowledgment of the parties' experiences; and (4) reframing the problem toward shared interests, such as child well-being and family dignity. Thus, Islamic communication strategies serve a dual function: as a normative foundation that provides ethical legitimacy for the mediator's actions and as a set of practical techniques that can be observed and evaluated for their effectiveness in mediation practice. Findings from previous studies also indicate that when mediators consistently integrate these elements, mediation effectiveness increases because the parties feel respected, emotionally secure, and more open to reconciliatory solutions (Udin et al., 2021; Muchith, 2015; Efendi et al., 2018).

The implementation of Islamic communication strategies in the performance of a judge's duties is particularly important, especially in the mediation process. According to Supreme Court Regulation (PERMA) No. 1 of 2016, mediation is defined as a method of dispute resolution through a negotiation process aimed at reaching an agreement between the parties, with the assistance of a mediator (Ardiyanti et al., 2024). In this context, the mediator can, in fact, play a role in helping disputing parties avoid proceeding with divorce, as reflected in data on mediation outcomes showing that although the number of divorce cases filed at the Mahkamah Syar'iyah Bireuen is very high, a large proportion of these cases fail to be resolved through mediation. Consequently, many conflicts still culminate in divorce decisions at the Mahkamah Syar'iyah Bireuen. In principle, mediation constitutes a form of problem resolution

conducted in a familial and conciliatory manner, with the assistance of a neutral or impartial third party who cooperates with the disputing parties to seek a mutually agreed settlement.

A number of previous studies have highlighted the role of mediation in religious courts from various perspectives. Arif emphasizes that judge mediators who are not yet certified are still able to perform their duties effectively through interpersonal skills and appropriate psychological approaches; these findings underscore the technical and interpersonal competencies of mediators without explicitly formulating or operationalizing Islamic communication strategies as a theoretical construct (Arif et al., 2023). Haeratun and Amriani underline mediation as an alternative dispute resolution mechanism capable of reducing the time and costs of litigation, thereby focusing their analyses on procedural aspects and judicial efficiency (Haeratun & Fatahullah, 2022; Amriani, 2012). Meanwhile, Rambe and Syobah assert that intensive and empathetic interpersonal communication can increase the likelihood of achieving mutually beneficial peaceful agreements; however, their studies approach communication primarily from the perspective of relational techniques (e.g., empathy and interaction frequency) and do not yet examine how Islamic normative principles are encoded into systematic communication strategies (Rambe & Nasution, 2023; Syobah et al., 2023). Thus, although the existing literature has addressed elements of interpersonal communication and mediation effectiveness, very few studies have specifically examined Islamic communication strategies, namely, how Qur'anic values and sharia ethics are translated into observable techniques, speech patterns, and mediation procedures whose effectiveness can be assessed within the context of Islamic judicial institutions.

This study offers novelty through several clear contributions to the field of Islamic communication studies and the practice of mediation in religious courts. First, at the theoretical level, this article conceptualizes Islamic communication strategies as a measurable construct by integrating principles such *as hikmah, mau'izhah hasanah*, and *mujādalah billatī hiya aḥsan* with operational components, including normative content, delivery style, interpersonal techniques, and cultural contextualization. Second, at the empirical level, this study examines the application of these strategies within the framework of formal mediation as regulated by Supreme Court Regulation

(PERMA) No. 1 of 2016, thereby filling the gap between regulatory norms and the communicative practices of mediators in the Mahkamah Syar'iyah. Third, from a methodological perspective, this research employs data triangulation, mediation transcript analysis, in-depth interviews with judge mediators, and field observations to demonstrate the relationship between identified patterns of Islamic communication and mediation outcomes (reconciliation, settlement, or referral to litigation). Fourth, its practical contribution lies in the formulation of an Islamic communication strategy model that can serve as a basis for mediator training or guidelines, as well as policy recommendations for the Mahkamah Syar'iyah and stakeholders in Islamic judicial institutions. Thus, this study enriches Islamic communication scholarship not only at the normative–theological level but also at the analytical and applicative levels, demonstrating how Islamic values can be formalized into effective and replicable communication strategies in the context of divorce mediation, particularly in Bireuen Regency, which has a distinctive socio-religious background.

Based on the foregoing discussion, the central problem addressed in this study is the suboptimal implementation of Islamic communication strategies by judge mediators in the mediation process of divorce petitions at the Mahkamah Syar'iyah of Bireuen Regency, which has resulted in a persistently high number of mediations ending without amicable settlement. Therefore, an in-depth examination is required to identify the forms of Islamic communication strategies employed, the factors influencing their success or failure, and the relevance of applying Islamic communication principles in strengthening the mediation function within the sharia judicial environment.

METHODS

This study employs a qualitative approach using a field research method (Ratnaningtyas et al., 2023), focusing on the in-depth exploration of Islamic communication strategies implemented by mediators at the Mahkamah Syar'iyah of Bireuen Regency in the mediation of divorce petition cases. This approach was chosen because the study aims not only to describe the phenomenon in general terms but also to comprehensively understand the communication processes carried out by mediators in mediation practice, encompassing the stages of planning,

implementation, and evaluation. Through this approach, the researcher is able to obtain a holistic picture of the dynamics of interaction between mediators and disputing parties, as well as the factors influencing the success or failure of mediation.

The research site was designated at the Mahkamah Syar'iyah of Bireuen Regency, Aceh, as a first-instance judicial institution with jurisdiction over family law cases based on Islamic law. The selection of this location was based on considerations of the high number of divorce petition cases filed annually, as well as the relatively low mediation success rate, which indicates challenges in the application of Islamic communication strategies. Given the strong socio-religious background of the Bireuen community, this study is expected to provide a distinctive and relevant perspective for the development of mediation models grounded in Islamic values in other regions with similar characteristics.

Data were collected through in-depth interviews with the Chairperson of the Mahkamah Syar'iyah of Bireuen Regency and the judge mediators serving at the institution. Interviews with the Chairperson focused on general policies, strategic perspectives, and institutional efforts to enhance mediation success, including support for the application of Islamic communication principles by mediators. Meanwhile, interviews with judge mediators were directed at eliciting their direct experiences in handling divorce mediation cases, the communication techniques they employ, the challenges they encounter, and their perceptions regarding the relevance and effectiveness of Islamic communication strategies in the mediation context. All interviews were conducted face-to-face within the Mahkamah Syar'iyah environment, with durations varying according to the availability of informants and the depth of information required.

During the interview process, the researcher employed a semi-structured interview guide consisting of several core questions while still allowing informants the flexibility to elaborate on their responses based on their experiences and perspectives. This approach was selected to maintain the focus of the study while enabling the emergence of new, contextually rich data. To ensure data accuracy, all interviews were audio-recorded (with the consent of the informants) and accompanied by field notes. The interview data were then transcribed verbatim and analyzed using thematic analysis techniques, involving coding, categorization, and

the identification of key themes (Moleong, 2007). The analysis was conducted inductively, allowing findings to emerge from the field data without being forced into a predetermined theoretical framework, while still taking into account the foundations of Islamic communication theory and applicable mediation regulations.

Data validity was ensured through source triangulation by comparing information obtained from the Chairperson of the Mahkamah Syar'iyah, judge mediators, and official court documents such as mediation reports, case statistics, and relevant legal provisions. Accordingly, the findings of this study are expected to provide an objective and in-depth account of the implementation of Islamic communication strategies in the mediation of divorce petition cases at the Mahkamah Syar'iyah of Bireuen Regency, while also offering both theoretical and practical contributions to the development of mediation grounded in Islamic values within the religious court system.

RESULTS AND DISCUSSION

Islamic communication strategies of mediators in the mediation of divorce petition couples at the Mahkamah Syar'iyah of Bireuen

The Mahkamah Syar'iyah of Bireuen Regency has developed a framework for family mediation that rests on Islamic communication as its ethical, methodological, and practical foundation. This is evident from an interview with a senior mediator (W1, 12/06/2024), who explained that *"every word uttered by a mediator must guide, not corner."* This statement affirms the application of four Qur'anic principles of speech, *qaulan sadīdan, ma'rūfan, layyinan*, and *karīman,* which regulate not only diction but also emotional management and communicative intent. Theoretically, this approach aligns with Hardjana's notion of effective interpersonal communication, namely communication that takes into account emotional context and relational goals (Hardjana & M., 2012). The application of the principle of hikmah is reflected in field observations in which mediators delayed the delivery of advice until both parties had reached emotional stability, demonstrating an ability to read communicative momentum as emphasized by Muchith (2015). Within the framework of *mau'izhah hasanah*, mediators also provided restorative rather than blaming advice, which is

consistent with models of educative communication that foster moral awareness (Marwantika & Rohmatullah, 2022).

From the perspective of interaction techniques, interview data (W2, 15/06/2024) indicate that mediators employ a dialogical *jadal bil ḥasan* approach to clarify arguments without triggering defensiveness. One mediated wife stated that *"the mediator did not blame me, but helped me understand my husband's intentions,"* illustrating the practice of *ta'āruf* as a process of clarifying assumptions. This approach is consistent with interpersonal communication theory, which emphasizes the importance of cognitive empathy in reducing attribution bias (Hardjana & M., 2012). The framework of *ḥusn al-ẓann* is used by mediators to shift the parties' mindset from being blame-oriented to solution-oriented; similar findings are also reported by Syobah, who notes that effective interpersonal communication can reduce domestic conflict (Syobah et al., 2023). At critical junctures, *tasāmuḥ* and invitations to forgive are employed as early reconciliation strategies, in line with empathy-based conflict management models (Hardiyanto & Pulungan, 2019). Thus, communication within the mediation setting is not merely a matter of interpersonal etiquette but an instrument for relational reconstruction.

The spiritual dimension permeates the mediation process through the reinforcement of *murāqabah.* In an interview, one mediator (W3, 17/06/2024) stated that *"when couples are reminded that Allah observes their words, the atmosphere immediately becomes calmer."* This approach supports Muchith's theory of spiritual educative communication, which emphasizes that transcendental awareness is capable of regulating verbal and nonverbal behavior (Muchith, 2015; Ardiyanti et al., 2024). The mediator's explanation that maintaining a marriage is an *amānah*, while divorce without a valid *'udhr* carries moral consequences, aligns with the analyses of Karimuddin and Lawang (Lawang, 2021; Lawang, 2024). Observations indicate that opening and closing sessions with prayer reduce conflict intensity, reinforcing what Hardjana describes as "therapeutic communication." When emotions are controlled, rational and technical messages are more readily received, confirming the principle that affective conditions determine the effectiveness of interpersonal communication (Hardjana & M., 2012).

At the level of skills, observational findings indicate that *istimā'*(active listening) constitutes a dominant practice; mediators restate the parties' statements to ensure the accuracy of meaning. One husband interviewed (W4, 19/06/2024) emphasized that *"I truly felt heard."* The paraphrasing and reflection techniques employed by mediators are consistent with Islamic counseling theory developed by Alfath as well as principles of effective communication articulated by Hardjana (Hardjana & M., 2012; Alfath, 2020). Body language, eye contact, and open posture observed during mediation sessions are also consistent with an empathetic communication approach. All of these techniques are integrated with Acehnese cultural etiquette concerning respect and social hierarchy, making them relevant to Amalia's research, which underscores that dispute resolution in Aceh is strongly influenced by customary norms (Amalia et al., 2018). As a result, conversations proceed in a natural and non-rigid manner while remaining within the bounds of dignity.

To facilitate perspective change, mediators engage in reframing based on Qur'anic stories and Hadith. During observations, a mediator narrated the story of the Prophet Yusuf (peace be upon him) to a couple experiencing emotional betrayal; after the session, the wife (W5, 20/06/2024) acknowledged that *"the story made me see the problem from a different perspective."* This finding aligns with Rahmi's assertion that the internalization of Islamic values through narrative can transform individuals' emotional orientations (Rahmi, 2018). The use of everyday metaphors, such as a boat and its helm, helps bridge abstract concepts into practical understanding, consistent with persuasive communication models. On the cultural dimension, the proverb *"Hukom ngon adat han jeut cre"* and other Acehnese expressions observed in use support Amalia's concept that Acehnese customary law functions as a legitimating framework in family conflicts (Amalia et al., 2018). Sensitivity to the socio-economic realities of coastal communities, such as fluctuations in fishermen's income, further demonstrates mediators' awareness of micro-level contexts.

Issues of gender roles are accommodated in a proportional manner. Interview data (W6, 22/06/2024) indicate that mediators reject interpretations of *qawwām* that legitimize violence; one mediator emphasized that *"leadership is not a license to cause harm,"* in line with the views articulated by Subaidi (Subaidi et al., 2024). In cases of

domestic violence, mediators follow safety protocols as recommended by Bayu Wicaksono and Son Ashari (Wicaksono & Ashari, 2024). Observations reveal that the involvement of the wife's family often influences the dynamics of conflict; mediators carefully assess when such involvement is constructive or, conversely, adds to the burden, consistent with Ismanto's findings that economic–family structures shape marital relations (Ismanto et al., 2018). The symbolism of *peusijuek* is positioned as a metaphor for the purification of the heart, demonstrating the integration of customary values as explained by Rizki (Rizki, 2020). The scheduling of mediation sessions in accordance with the Islamic calendar and local rhythms further reflects the mediators' cultural sensitivity.

Emotional regulation emerges as a key aspect of the mediation process. One mediator (W7, 23/06/2024) explained that he frequently employs techniques such as silent pauses and repositioning seating arrangements when tension escalates. These practices are consistent with de-escalation models in the conflict psychology literature (Hardjana & M., 2012). The observed practice of inviting parties to perform *wuḍū'* when emotions peak functions as a religious–psychological technique to reduce anger, in line with the concept of *ḥilm* in Hadith. Emotional catharsis directed toward *istighfār* and reflection demonstrates a synergy between spiritual therapy and emotional reconstruction (Rahmi, 2018). The value of *ḥubb fī Allāh* is employed to shift orientation from egocentric concerns to an orientation toward worship; this is evident in a husband's statement (W8, 23/06/2024): "*I became aware that maintaining the family is also an act of worship.*" This technique reinforces empathetic communication and a long-term perspective, as articulated by Hardjana (Hardjana & M., 2012).

The Mahkamah Syar'iyah of Bireuen implements a cycle of continuous evaluation through scheduled follow-up sessions to assess the quality of post-mediation communication. Field data indicate that couples who were successfully mediated reported an improved ability to resolve minor conflicts without the involvement of third parties. This approach aligns with Rahmawati's view that the success of mediation lies not only in reaching an amicable agreement, but also in transforming communication patterns (Rahmawati, 2018). Such evaluations lead to the personalization of interventions: younger couples are more responsive to digital reminders, while older couples are better suited to narrative-based approaches,

consistent with the findings of Setiadi and Mukhsin regarding the segmentation of mediation participants (Setiadi & Mukhsin, 2025). In cases involving domestic violence or economic conflict, the formulation of specific protocols follows the recommendations of Arif (Arif et al., 2023). Thus, continuous evaluation ensures the relevance and precision of mediation strategies.

Overall, these strategies demonstrate that the Mahkamah Syar'iyah of Bireuen functions as a living laboratory for the application of Islamic communication in family mediation. Field evidence reveals an integration of transcendental values, cultural sensitivity, and psychological rigor that transforms the mediation space into not merely a legal forum, but an ecosystem for relational healing. The integration of active listening, reframing, and de-escalation reinforces the assumption that conflict can be managed through changes in how individuals speak, listen, and understand one another. When values and techniques converge, conversations that initially carry the potential for rupture instead yield agreements that are realistic and meaningful. On this basis, the Bireuen mediation model holds potential for replication as a best practice in sharia-based family mediation in other regions with similar socio-religious characteristics.

The role of the Mahkamah in mediating divorce petition couples

The Mahkamah Syar'iyah of Bireuen Regency plays a strategic role in handling divorce cases within its jurisdiction. Based on an interview with the Chairperson of the Mahkamah Syar'iyah of Bireuen (W1, 2024), it was recorded that in 2023, there were 612 divorce cases filed, approximately 68% of which were divorce petitions initiated by wives. Of these cases, 41% successfully reached amicable settlements through mediation. These data indicate that mediation plays a key role in reducing the divorce rate in Bireuen. Interview findings also confirm that the religious Acehnese community tends to be more receptive to deliberative approaches and family-oriented values in dispute resolution. This is consistent with the studies of Amalia and Karimuddin, which emphasize the importance of integrating religious values, local culture, and judicial mechanisms in resolving family cases (Amalia et al., 2018; Karimuddin, 2021). Thus, the role of the Mahkamah Syar'iyah is not merely

administrative, but also moral and social in maintaining the stability of Acehnese families.

Based on interviews with two judge mediators (W2 and W3, 2024), the mediation process begins immediately after the case files are declared complete. The mediators explained that approximately 70% of the disputing parties arrive with heightened emotions and ineffective communication patterns. In the initial session, mediators facilitate open dialogue to map the primary sources of conflict, such as issues related to financial support, family interference, or differences in character. This approach aligns with Hardjana's concept of effective interpersonal communication, which emphasizes empathy and the ability to read the interlocutor's emotions (Hardjana & M., 2012). During caucus sessions, mediators explore the interests of each party separately to prevent communicative dominance. The approach adopted is both humanistic and religious, wherein mediators remind couples of the principles of compassion and the importance of preserving the blessing of marriage. This perspective is reinforced by Muchith's theory of educative communication, which posits that gentle message delivery can open space for more productive dialogue (Muchith, 2015).

The success of mediation is indicated by the issuance of a deed of settlement *(akta perdamaian)*. Based on field data (Mahkamah Syar'iyah Bireuen Documents, 2023), a total of 102 couples successfully signed deeds of settlement throughout 2023. However, mediators (W3, 2024) emphasized that the level of success should not be measured solely by administrative indicators, but also by the quality of agreements that are fair and sustainable. This analysis is consistent with Syobah's concept of effective interpersonal communication, which posits that the success of conflict resolution depends on the extent to which parties are able to express their feelings and interests constructively (Syobah et al., 2023). In practice, mediators explain the relevant legal rights concerning the division of property, child custody, and maintenance (Subaidi et al., 2024), so that the parties understand the risks and consequences should they decide to proceed with divorce. This approach strengthens the educative dimension of mediation (Aqilla et al., 2023; Lawang et al., 2024).

Interviews with parties who were successfully mediated (W4, 2024) indicate that the institutional spiritual approach of the Mahkamah Syar'iyah strongly

influenced their decision to reconcile. Mediators employ references to Qur'anic verses and Hadith, such as Qur'an Surah An-Nisa (4):19, to instill values of patience and kindness toward one's spouse. This perspective has proven effective in reaching the emotional dimension of the disputing parties. These findings align with Ismanto's study, which emphasizes that spiritual approaches help individuals reinterpret their roles and responsibilities within the family (Ismanto et al., 2018; Miskahuddin, 2020). Nevertheless, several obstacles continue to emerge in the mediation process, including disparities in educational background, family pressure, and a strong desire to separate. These constraints are also noted in Ardiyanti's research, which underscores that the psychological readiness of both parties is a decisive factor in determining the likelihood of successful mediation (Wicaksono & Ashari, 2024; Ardiyanti et al., 2024).

Structural constraints were identified through interviews with administrative staff (W5, 2024). Limited mediation facilities and a high caseload often result in mediation sessions being conducted within a short time frame. In addition, the number of certified mediators remains limited, with only four mediators handling all family cases. Geographical factors also pose challenges, as some parties reside far from the city center, making regular attendance difficult. Nevertheless, the positive impact of mediation remains significant. Several post-mediation couples (W4, W6, 2024) reported an improvement in their interpersonal communication skills within the household. These findings reinforce the theory proposed by Hardiyanto and Pulungan, which asserts that effective communication can generate positive changes in social behavior. For children, mediation has succeeded in protecting them from the traumatic impacts of divorce (Hardiyanto & Pulungan, 2019).

Based on the researcher's observations (O1, 2024), the Mahkamah Syar'iyah Bireuen has implemented various mediation innovations. One notable breakthrough is the pre-marital mediation program, which has attracted considerable interest among prospective couples. Interviews with mediators (W3, 2024) indicate that the success rate of pre-marital mediation reaches 78 percent, as the issues involved are generally still minor. In addition, family mediation that involves gampong officials or religious leaders demonstrates higher effectiveness, with approximately 52 percent of cases resolved without proceeding to formal litigation. This approach aligns with the findings of Fentika Zahra Qoirunnisa, who emphasizes the importance of religious

leaders in facilitating social change (Qoirunnisa et al., 2023). The utilization of technology through online mediation has also expanded access for parties residing far from the regency center. Taken together, these innovations demonstrate that the Mahkamah Syar'iyah Bireuen continues to adapt to enhance the effectiveness of mediation grounded in Islamic values and Acehnese local wisdom.

Challenges to Islamic communication strategies of mediators in divorce litigation mediation at the Mahkamah

The Mahkamah Syar'iyah of Bireuen Regency faces various challenges in implementing Islamic communication strategies when mediating divorce litigation cases. Based on in-depth interviews, several mediators indicated that limitations in human resources constitute the most fundamental obstacle; the number of certified mediators who master the principles of Islamic communication remains far from sufficient in comparison to the volume of cases, which reaches dozens each week. Afrizal, S.H., CPM, one of the certified mediators at the Mahkamah Syar'iyah of Bireuen, explained that *"many mediators do not yet possess a systematic Islamic communication framework, so the methods employed often vary and are highly dependent on personal experience."* This finding confirms the view that communication effectiveness depends on the communicator's capacity to read interpersonal situations (Zamzami et al., 2023; Efendi et al., 2018; Hardjana & M., 2012). Not all judge-mediators have educational backgrounds in communication or family counseling; consequently, the internalization of Islamic principles such as *hikmah* and *mau'izhah hasanah* has not been optimally applied in complex and emotionally charged interactions.

From an infrastructural perspective, several mediators acknowledged that mediation rooms have not yet been able to create a conducive spiritual atmosphere. Siti Salwa, S.H.I., M.H., stated that *"mediation rooms are often noisy, poorly equipped, and insufficiently supportive of approaches that soothe the heart."* The lack of facilities such as spaces for spiritual reflection, references to classical ethical *(akhlaq)* texts, and audio media for Qur'anic recitation diminishes the strength of Islamic communication approaches grounded in inner tranquility. These findings are consistent with theories emphasizing the importance of a conducive environment in educational communication, which suggest that Islamic communication media must be supported

by adequate facilities to ensure message effectiveness (Muchith, 2015; Khairina, 2022; Safrawali & Rozi, 2022). Limited budgets further constrain innovation in the use of religious communication symbols as part of mediation strategies.

From a regulatory perspective, obstacles arise due to the absence of specific standard operating procedures (SOPs) for the implementation of Islamic communication in mediation. This condition creates variations in approaches among mediators, with some adopting a textual approach grounded in scriptural *(nas)* references, while others rely on psychological approaches without an explicit Islamic framework. Mediators also highlight the lack of a standardized training curriculum on Islamic communication, resulting in non-uniform service quality. This situation reinforces Kusumaningrum's findings that mediation practices remain dominated by administrative approaches rather than transformational ones (Kusumaningrum et al., 2017). Consequently, Islamic communication practices often depend on the individual creativity of mediators and are not supported by a comprehensive evaluation system that would enable continuous improvement.

The diversity of social backgrounds and levels of religious understanding among the people of Bireuen also constitutes a significant challenge. Siti Salwa revealed that disputing parties frequently employ religious arguments selectively to strengthen their respective positions, requiring mediators to conduct repeated clarification *(tabayyun).* This phenomenon aligns with Amalia's analysis that differences in religious understanding can generate communication asymmetries in family disputes (Amalia et al., 2018). Moreover, younger couples often demand rational justifications for Islamic values, whereas older couples tend to uphold tradition. These conditions require mediators to master cross-generational communication skills, in line with Hardjana's notion of flexibility in interpersonal communication styles (Hardjana & M., 2012).

A strong patriarchal culture in Aceh also continues to influence communication dynamics in the mediation process. In several cases observed by the researcher, male parties exhibited resistance when mediators, particularly female mediators, corrected their understanding of household obligations, as also described by Fentika Zahra Qoirunnisa, who notes that women's authority in religious spaces is often questioned (Qoirunnisa et al., 2023). Mediators must therefore strike a balance between respect

for cultural norms and the principles of Islamic justice. Excessive involvement of extended family members in household decision-making frequently interferes with the *ishlah* process, reinforcing Rizki's observation that Acehnese customary practices can influence the course of dispute resolution (Rizki, 2020).

The psychological conditions of the parties also constitute a major impediment. In interviews, several mediators revealed that negative emotions, trauma resulting from domestic violence, and even alexithymia among male parties often cause communication processes to stall. Mediators, therefore, must first employ calming approaches before applying Islamic principles such as *qaulan layyinan*. This analysis aligns with Syobah's argument that the ability to regulate emotions is a prerequisite for successful interpersonal communication (Syobah et al., 2023). The challenge becomes more complex when disputing parties reject spiritual approaches due to previous negative religious experiences, requiring mediators to carefully integrate modern therapeutic communication techniques with Islamic values.

Challenges also arise from the mediators themselves, including the risk of emotional exhaustion resulting from repeatedly handling complex cases. Afrizal noted that *"mediators often experience inner fatigue because they must serve as intermediaries in severe conflicts without adequate supervisory support."* This condition affects the quality of Islamic communication, which requires spiritual calmness and cognitive clarity. The absence of clear protocols regarding the use of Qur'anic verses and hadiths in mediation leads to varied and inconsistent approaches among mediators. Theoretically, this situation illustrates the need for a professionalism-based Islamic communication model, as emphasized by Udin, who argues that da'wah strategies must be grounded in standardized methodologies (Udin et al., 2021).

The sustainability of Islamic communication programs is highly dependent on long-term policy support and funding. Mediator training requires continuous investment but is often constrained by limited budgets. Staff rotation also results in experienced mediators being reassigned, thereby disrupting continuity in approach. Insufficient incentives further reduce mediators' motivation for professional development, as highlighted by Marwantika and Rohmatullah, who note that effective communication strategies require strong institutional commitment to supporting communication actors (Marwantika & Rohmatullah, 2022). Consequently,

institutional and structural challenges constitute significant factors influencing the quality of Islamic communication implementation.

The integration of digital technology presents both opportunities and challenges. Mediators indicated that the use of online mediation applications can potentially accelerate processes; however, low digital literacy among some senior mediators and infrastructural limitations hinder effective implementation. Moreover, maintaining emotional warmth and a spiritual atmosphere within digital communication requires creative approaches. These findings are consistent with Hardiyanto and Pulungan's assertion that technology is effective only when communication actors are able to adapt their strategies to the medium employed (Hardiyanto & Pulungan, 2019). Coordination with religious leaders and Islamic educational institutions also remains suboptimal due to differences in vision and approach.

Based on interviews with judge-mediators, time constraints emerged as the most critical challenge. The principle of *tabayyun* is difficult to apply optimally because the duration of mediation sessions is disproportionate to the complexity of the issues involved. Many couples arrive having not communicated for months, causing *qaulan layyinan* to encounter resistance. Disparities in religious understanding further complicate matters, particularly when one party selectively employs religious arguments to justify their stance. The absence of one party, especially the husband, also constitutes a major obstacle in the *ishlah* process. Drawing on these findings, this article contributes to the discourse on Islamic communication by proposing a conceptual model that integrates interpersonal communication, Islamic spirituality, and local social dynamics as a strategic framework for Islamic communication in divorce mediation. Thus, this study enriches academic debates by emphasizing that Islamic communication is not merely a moral instrument but also a professional methodology grounded in modern communication theory.

CONCLUSION

Based on the research findings, it can be concluded that the implementation of Islamic communication strategies in divorce mediation at the Mahkamah Syar'iyah of Bireuen faces complex challenges across structural, technical, and cultural

dimensions. The limited availability of human resources possessing dual competencies in Islamic family law, communication techniques, and psychology has resulted in a gap between the ideal formulation and the practical application of Islamic communication principles. Infrastructural constraints, the absence of specific regulatory frameworks, and the lack of standardized operational procedures have further contributed to inconsistencies in mediation practices on the ground. Moreover, social factors such as diverse levels of religious understanding, generational differences, and the persistence of strong patriarchal norms have further complicated the mediation process, particularly in fostering communication that is equitable and balanced for both parties. The heavy workload borne by mediators, the fragile psychological conditions of the disputing parties, and resistance to spiritual approaches add additional layers of difficulty to the mediation process.

Nevertheless, the findings also indicate that the Mahkamah Syar'iyah Bireuen remains committed to integrating Islamic communication values into mediation practices through methodological innovation, capacity building for mediators, and efforts to establish synergy with external stakeholders. Although not yet optimal, the Islamic communication strategies applied have contributed positively to enhancing spiritual awareness, fostering mutual respect, and opening more constructive spaces for dialogue among disputing parties. With the strengthening of human resources, the provision of adequate infrastructure, the formulation of specific standard operating procedures for Islamic communication, and improved inter-institutional coordination, it is expected that divorce mediation at the Mahkamah Syar'iyah Bireuen will become more effective, equitable, and aligned with the principles of Islamic law as *rahmatan lil 'alamin*.

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