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Transformative Court-Annexed Mediation in Divorce Cases: A Legal System Perspective on the 100% Settlement Rate at the Tondano Religious Court

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ABSTRACT

Court-annexed mediation has been institutionally mandated in Indonesian Religious Courts to reduce divorce rates and promote family reconciliation; however, empirical evidence consistently shows low success rates in most jurisdictions. This study examines an exceptional case of mediation effectiveness at the Tondano Religious Court, where divorce mediation achieved a 100% settlement rate between January and June 2025. Employing a qualitative normative-empirical approach with a case study design, data were collected through in-depth interviews with certified mediator judges, litigating parties, court observations, and analysis of mediation reports and case files. The findings reveal that the success of mediation at the Tondano Religious Court was not merely the result of formal compliance with Supreme Court Regulation (PERMA) No. 1 of 2016, but rather the outcome of transformative mediation practices supported by an integrated legal system. These practices include strong mediator professionalism and ethical commitment, empathetic and psychologically informed mediation approaches, the incorporation of religious and local cultural values, flexible mediation duration, and a supportive institutional environment. Using Lawrence M. Friedman's legal system theory, this study demonstrates that the convergence of legal structure, legal substance, and legal culture played a decisive role in achieving mediation effectiveness. The study argues that mediation in this context functions not only as a procedural requirement, but as a substantive and ethical mechanism for dispute resolution. This article contributes to the discourse on Islamic legal ethics and judicial reform by offering a scalable model of effective mediation that aligns legal norms with social and cultural realities in plural societies.

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1. INTRODUCTION

Divorce litigation remains one of the most frequent case categories in Religious Courts in Indonesia, reflecting a complex intersection of legal norms, religious commitments, and socio-economic pressures within Muslim family life (Ikhwan et al., 2025). Although divorce (*talaq* and *gugatan cerai*) is legally permissible in Islamic jurisprudence, it is ethically discouraged and commonly treated as a last resort (Saifullah, 2023). For this reason, reconciliation mechanisms—particularly court-annexed mediation—have been institutionalized as a mandatory procedural stage before adjudication proceeds to the merits of a divorce claim (Brooker, 2013). In the Indonesian judicial system, this obligation is grounded in long-standing civil procedural principles of conciliation and has been strengthened through Supreme Court Regulation (PERMA) No. 1 of 2016 on Court Mediation Procedures, which aims to enhance access to justice, reduce litigation burdens, and facilitate peaceful dispute resolution (Tutupoho, 2016; Zainuddin et al., 2025).

Despite this regulatory framework, empirical studies repeatedly show that mediation in divorce cases often yields limited outcomes. Existing research across various courts demonstrates that mediation frequently becomes a procedural formality rather than a meaningful process of conflict transformation (Melenko, 2020). Reported obstacles include insufficient mediator capacity and commitment, time constraints, limited institutional support, inadequate mediation facilities, and low public understanding of mediation's purpose (Abala, 2023). Consequently, divorce mediation success rates in many jurisdictions remain low and inconsistent, raising broader questions about whether court-annexed mediation operates as a genuine dispute resolution mechanism or merely an administrative requirement within contemporary judicial practice (Roberts, 2016).

Against this broader pattern of low mediation effectiveness, the Tondano Religious Court presents a striking and empirically rare contrast. Based on the court's monthly reports, divorce mediations conducted between January and June 2025 achieved a 100% settlement rate, indicated by the withdrawal of claims and the parties' agreement to reconcile. The success rate in this study follows the measurement formula applied by the Indonesian Religious Courts' performance framework, as reflected in relevant Supreme Court and Directorate General guidance on mediation performance indicators (Laporan Pengadilan Agama, 2025). This outcome is exceptional not only because of its magnitude, but also because it challenges prevailing assumptions that court-annexed mediation in divorce disputes is structurally constrained to limited effectiveness.

This study argues that such an exceptional outcome cannot be explained solely through reference to legal rules or procedural compliance. If mediation success were determined only by formal adherence to PERMA No. 1 of 2016, similar outcomes would be expected across jurisdictions. Instead, the Tondano case suggests that mediation effectiveness depends on how legal norms are operationalized within a broader legal system—through institutional structures, professional practices, and local legal culture. For this reason, the study employs Lawrence M. Friedman's (1975) legal system theory as its primary analytical framework. Friedman conceptualizes the legal system as an interaction between three core components: legal structure (institutions and actors), legal substance (rules and policies), and legal culture (social attitudes and values). This framework is particularly suitable for analyzing mediation because mediation is simultaneously a legal procedure, an institutional practice, and a culturally shaped process of communication and reconciliation.

By applying Friedman's theory, this study seeks to move beyond narrow evaluations of whether mediation "works" and instead explains *why* it works in a specific institutional and socio-cultural context. The Tondano case invites a deeper inquiry into the conditions under which mediation becomes not merely effective in performance terms, but transformative in ethical and relational terms—helping parties identify the roots of marital conflict, restore communication, and choose reconciliation rather than litigation. In Religious Court settings, this transformative dimension is especially relevant because divorce disputes are not only legal conflicts but also moral and

religiously meaningful disputes. Hence, mediation effectiveness should be understood not only as procedural success but also as a reflection of Islamic legal ethics that values reconciliation, harm prevention, and the preservation of family integrity.

Accordingly, this study addresses the following research questions: (1) How was a 100% settlement rate in divorce mediation achieved at the Tondano Religious Court between January and June 2025? and (2) What structural, substantive, and cultural factors within the court's legal system contributed to this outcome? Using a qualitative normative-empirical case study approach, this article demonstrates that mediation success in Tondano resulted from a convergence of mediator professionalism and ethical commitment, psychologically attentive and empathetic facilitation, culturally and religiously grounded communication strategies, flexible and sufficiently long mediation sessions, and supportive institutional arrangements that treat mediation as a substantive priority.

This article contributes to the literature on court-annexed mediation and Islamic legal ethics in three ways. First, it provides empirical evidence of an exceptional mediation outcome within a Religious Court jurisdiction, expanding the largely deficit-oriented literature on mediation failure. Second, it offers a legal system-based explanation that integrates regulation, institutional practice, and cultural context, thereby providing a more comprehensive account of mediation effectiveness. Third, it proposes that the Tondano experience may serve as a scalable reference for judicial reform, particularly for improving mediation quality in divorce disputes by aligning formal legal requirements with ethical, psychological, and socio-cultural realities.

2. METHODS

This study employs a qualitative normative-empirical legal research design using a single-case study approach (Bauböck, 2008; Hamzani et al., 2023). The normative dimension examines the regulatory framework governing court-annexed mediation in Indonesia—particularly Supreme Court Regulation (PERMA) No. 1 of 2016 and relevant Supreme Court and Directorate General guidance on mediation performance indicators. The empirical dimension investigates how these rules are implemented in practice and how such implementation contributed to the exceptional 100% settlement rate in divorce mediation at the Tondano Religious Court from January to June 2025. A case study design was selected because the research focuses on an empirically rare institutional outcome and seeks to explain the mechanisms and contextual factors that enabled it.

The research site is the Tondano Religious Court (Pengadilan Agama Tondano), located in North Sulawesi, Indonesia. The scope of analysis is limited to divorce cases processed during the mediation stage between January and June 2025, as documented in the court's monthly mediation reports and supporting case administration records. The “100% mediation success rate” in this study refers to the official performance measurement used within the Religious Courts' Key Performance Indicators (IKU), consistent with Supreme Court administrative guidance on calculating mediation outcomes (including settlement and settlement through case withdrawal/revocation, and partial settlement where applicable).

Data were derived from both legal materials and field-based empirical sources:

1. Legal and documentary materials (normative and institutional sources): PERMA No. 1 of 2016; Supreme Court decisions and guidelines relevant to mediation administration; internal court documentation including monthly mediation reports, mediation result documentation, selected case files, and relevant administrative records for cases that underwent mediation during the study period.
2. Empirical materials (field data): semi-structured interviews and direct observation.

Participants were recruited through purposive sampling based on their direct involvement in mediation practice at the Tondano Religious Court. The study interviewed:

1. Certified mediator judges registered at the Tondano Religious Court (as key informants), and
2. Litigating parties (plaintiffs/defendants) who underwent mediation sessions and achieved settlement/reconciliation outcomes.

This sampling strategy was used to capture both institutional and user perspectives: the mediators' account of strategies and institutional support, and the parties' account of how mediation influenced decision-making and reconciliation.

Data collection was conducted through four complementary techniques:

1. Document review: The researchers examined mediation-related regulations and institutional documentation, including monthly mediation reports and relevant case administration documents, to establish the empirical basis for the 100% settlement outcome and to map the formal mediation procedure applied.
2. Court observation: Non-participant observation was conducted at the Tondano Religious Court to examine the mediation setting, the institutional environment, and procedural arrangements supporting mediation (e.g., scheduling, use of facilities, mediator-party interaction arrangements). Observation notes were used to contextualize interview findings and documentary data.
3. Semi-structured interviews: Interviews were conducted with mediator judges and selected parties to explore (a) how mediators operationalized PERMA No. 1 of 2016 in practice; (b) what practices were considered decisive for achieving settlement; (c) the role of empathy, psychological readiness, and communication management; and (d) the influence of religious and local cultural values in mediation.
4. Field notes and reflective memos: Researchers maintained analytic memos to document emerging themes, linkages to Friedman's legal system theory (structure–substance–legal culture), and preliminary interpretations, which supported systematic analysis.

To strengthen credibility and minimize single-source bias, the study applied triangulation in three ways (Donkoh & Mensah, 2023):

1. Source triangulation: comparing mediator interviews, party interviews, and documentary evidence (mediation reports and case files);
2. Method triangulation: integrating document review, observation, and interviews; and
3. Theoretical triangulation: interpreting empirical patterns using Friedman's legal system theory as an analytic lens to connect institutional structure, legal substance, and legal culture.

Where interview claims referred to institutional practices (e.g., frequency/duration of sessions, adherence to procedural steps, use of caucus), these were cross-checked against observation notes and documentation when available.

Data analysis followed an inductive thematic approach (Braun & Clarke, 2022). Interview transcripts and observation notes were coded to identify recurring themes related to mediator practices, institutional support, procedural implementation, party experience, and socio-cultural influences. Coding was conducted iteratively, moving from open coding (identifying repeated ideas and practices) to axial coding (linking themes to broader categories).

The coded themes were then interpreted using Friedman's legal system framework. Specifically:

1. themes related to actors and institutional arrangements were analyzed as *legal structure*;
2. themes related to rules, SOPs, and procedural compliance were analyzed as *legal substance*; and

3. themes related to community attitudes, local values (e.g., peace orientation), and party responsiveness were analyzed as *legal culture*.

This analytic strategy enabled the study to explain mediation effectiveness as an outcome of systemic convergence, rather than as an isolated result of individual mediator performance alone.

All participants provided informed consent prior to interviews. Participation was voluntary, and respondents could decline to answer any question or withdraw at any time. To protect privacy, interviewees are anonymized in this article (e.g., “Male informant, Defendant”) unless disclosure is necessary for institutional accountability and the participant consents (e.g., mediator judges in their official capacity). Interview notes and recordings were stored securely, and any identifying personal information was removed from the reporting of findings. The study focuses on institutional practices and ethical mechanisms of mediation rather than evaluating the personal morality of the parties.

3. RESULTS AND DISCUSSION

Empirical Profile of the 100% Mediation Outcome (January–June 2025)

The empirical baseline of this study is the Tondano Religious Court’s official reporting for the first half of 2025, which indicates that all divorce cases that entered the mediation stage between January and June 2025 resulted in full settlement—operationalized as the plaintiff’s withdrawal/revocation of the claim after a peace agreement was reached. This “100% success” is not presented as a loose descriptive label; rather, it is calculated using the specific Key Performance Indicator (IKU) formula mandated by court administration, namely: $((\text{successful mediations} \times 100\%) + (\text{successful mediation with revocation} \times 100\%) + (\text{partially successful mediation} \times 50\%)) / \text{total mediated cases}$, and the manuscript explicitly positions this KPI-based approach as the measurement standard for the study.

When disaggregated by month, the empirical pattern is uneven in volume but uniform in outcome: during the first quarter, January 2025 recorded one mediated divorce case, which was handled by Mediator Alfian Muhammadiyah, S.Sy., M.H. and ended in full settlement through claim withdrawal; February 2025 reported no mediated cases; and March 2025 recorded two mediated cases, both mediated by Mediator Al Gazali Mus, S.H.I., M.H., and both ended in full settlement through withdrawal of claims. In the second quarter, April and May 2025 likewise reported no mediation results, while June 2025 recorded three mediated cases, all of which ended in full settlement through withdrawal of claims. This month-by-month profile is important for interpretive accuracy: the 100% figure reflects the outcome of cases that actually underwent mediation, rather than the entire population of divorce filings during that semester.

Although the total number of mediated cases in this semester is modest ($n=6$), the empirical profile remains analytically significant because it demonstrates a complete absence of mediation failure among mediated divorce cases within the observation window, and the manuscript explicitly frames this outcome as a marked deviation from broader court mediation patterns in divorce disputes where success is often low and mediation becomes formalistic. In other words, the empirical “signal” of this case study lies not in volume but in its consistency of settlement outcomes under an official KPI framework, which makes it a compelling site for explaining *how* institutional design, mediator practice, and local legal culture converged to produce an exceptional mediation record.

Best Practices of Mediation at the Tondano Religious Court

The Tondano Religious Court’s 100% settlement record in mediated divorce cases during January–June 2025 is best explained not as a coincidental outcome, but as the product of transformative mediation practices—that is, practices that do not merely “process” a dispute, but actively reshape communication, restore moral agency, and reopen the possibility of reconciliation.

The manuscript's empirical material shows that mediators and court actors treated mediation as a substantive ethical intervention, not an administrative checkpoint, and this is visible in the way parties describe the experience. One defendant stated that he was “deeply moved” by the mediator’s conduct and problem-solving orientation, which helped him recognize his own shortcomings and led to the withdrawal of the divorce claim. (*Interview, Male informant, Defendant, Minahasa, 2025*). This party narrative is important because it signals an outcome typical of transformative mediation: not only a signed agreement, but a shift in attitude and willingness to repair the relationship (Moore, 2014; Tsuruhara & Cremin, 2023; Yue et al., 2019).

A first best practice is mediator commitment grounded in certification, role-internalization, and a deliberate reduction of psychological distance between the mediator and the disputants (Melenko, 2020; Tutupoho, 2016). The document indicates that all mediators are certified and undergo capacity-building, but the distinctive feature is how mediators conceptualize their role: they explicitly frame mediation as a space for *win-win* reconciliation “without anyone winning or losing,” and they emphasize that mediation allows them to be “closer” to the parties compared to the formal courtroom setting. (*Interview, Alfian Muhammadiyah, Mediator Judge, Minahasa, 2025*). This is not a trivial stylistic choice; it is a functional design element of transformative mediation, because parties in divorce disputes often arrive with heightened defensiveness. In the same interview material, the mediator also highlights the strategic use of caucus (confidential meetings with one party while keeping the other informed) to allow parties to speak “freely and openly” about concerns they may be unable to express face-to-face, enabling the mediator to identify the “root of the issue.” (*Interview, Alfian Muhammadiyah, Mediator Judge, Minahasa, 2025*). Taken together, these practices indicate mediator professionalism that is not limited to knowledge of PERMA, but extends to advanced facilitation skills—empathy, trust-building, and structured disclosure—which are central mechanisms in transformative mediation models (Nurfalah et al., 2024).

A second best practice is mediation counseling and emotional stabilization before substantive negotiation, reflecting an explicit recognition that divorce mediation is deeply psychological as well as legal (Emery, 2011; Roberts, 2016). The manuscript notes that mediators follow the procedural steps of PERMA No. 1 of 2016 by first explaining the purpose and nature of mediation, and it adds a key empirical observation: many couples enter the mediation room emotionally unstable, with communication tension and limited capacity to articulate their needs rationally. One mediator articulates the operational logic succinctly: when emotions are unstable, mediation “will not be effective,” therefore mediators must manage communication to “open their hearts and minds,” because mediation is “not just a procedural formality.” (*Interview, Al Gazali Mus, Mediator Judge, Minahasa, 2025*). This emphasis—stabilizing emotions and preparing parties for dialogue—explains why the process can generate genuine reconsideration rather than mere agreement under pressure. In other words, the best practice here lies in treating emotional readiness as a prerequisite for legal resolution, thereby converting mediation into an ethically meaningful process rather than a rushed procedural step (Nawangsari, 2025; Saifullah, 2023).

A third best practice is extended duration and procedural flexibility, which functions as the practical “space” required for transformative change. Field findings in the manuscript show that mediation commonly runs across five to six meetings, with an average duration of three to four hours per meeting, demonstrating that mediators allocate time sufficient for narrative expression, reframing, and solution-building. A plaintiff’s account illustrates why duration matters: she initially feared she would not have enough time to express her views after her husband spoke at length, but she later felt she had full freedom to speak, and the session continued until late morning and was even paused for *Zuhr* prayer, with continuation scheduled for the following week. (*Interview, Female informant, Plaintiff, Minahasa, 2025*). This evidence supports a crucial inference: time is not merely logistical; it is an ethical resource that communicates respect, reduces perceived inequality, and allows parties to reach decisions that feel internally legitimate rather than externally imposed (Alberstein, 2006; Bush et al., 2010).

A fourth best practice is the integration of cultural and religious nuance, which makes mediation locally resonant and ethically persuasive. The manuscript links mediation dynamics to Minahasa social values, including the widely cited philosophy *Sitou Timou Tumou Tou*, emphasizing solidarity and being useful to others, and suggests that such cultural orientations facilitate reconciliation in dispute resolution settings (Luntajo & Hasan, 2025; Rajafi, 2020). In addition, mediators operationalize PERMA No. 1 of 2016 (Article 26) by involving experts or community/religious leaders—with the parties' consent—particularly in cases where social authority and moral counsel can help de-escalate conflict and strengthen commitment to reconciliation. In this sense, mediation becomes transformative because it speaks in a language of meaning that parties recognize—religious ethics, community values, and culturally grounded authority—rather than relying solely on procedural legality (Amin et al., 2025; Van Anrooy, 2025).

Data shows that transformation is supported by micro-level institutional infrastructure, even when facilities are modest. The availability of a comfortable and private mediation room, drinking water, and immediate access to printing tools (computer and printer) enables lengthy dialogue, reduces psychological pressure, and allows agreements to be formalized promptly while the parties are still committed to the outcome. While seemingly minor, these facility supports matter because transformative mediation depends on sustained attention, a sense of safety, and the ability to translate moral consensus into a legally recorded agreement without unnecessary delay.

Legal System Analysis (Friedman): Structure–Substance–Culture

From the standpoint of Lawrence M. Friedman's legal system theory, the Tondano Religious Court's 100% mediation settlement rate can be explained as the product of a systemic convergence between (1) legal structure (institutional actors and organizational arrangements), (2) legal substance (rules, procedures, and policy frameworks), and (3) legal culture (values, attitudes, and social orientations toward law and dispute resolution) (Friedman, 1975). The manuscript already signals that mediation success at Tondano should not be read merely as procedural compliance, but as an institutional practice supported by "sound legal substance," "competent legal structure," and a "peace-loving culture." The value of Friedman's framework here is that it allows the article to make a clearer explanatory claim: the 100% outcome is not reducible to mediator skill alone; instead, it reflects how rules were operationalized through institutional capacity and reinforced by local cultural dispositions toward reconciliation.

In terms of legal structure, the key explanatory factor is the court's human and organizational capacity to treat mediation as a substantive priority rather than an administrative gatekeeping stage. Empirically, the manuscript documents that mediated cases were handled by certified mediator judges and that the mediators actively applied professional skills beyond formal requirements, including empathetic communication, sufficient time allocation, and caucus utilization to uncover the "root of the issue." One mediator explicitly contrasts the mediation setting with the courtroom's hierarchical layout and emphasizes that mediation enables a closer, less intimidating interaction with parties, which makes honest disclosure and emotional openness more likely. (*Interview, Alfian Muhammadiyah, Mediator Judge, Minahasa, 2025*). This structural dimension also includes the court's practical management of mediation: the manuscript notes that no eligible cases bypassed mediation and that court personnel implemented scheduling and documentation in accordance with Supreme Court operational guidance. Such structural consistency matters because even well-designed rules cannot produce outcomes if institutional actors treat mediation as a formality (Friedman, 1986). Here, the structure works as an enabling platform for high-quality practice, helping explain why the court's results differ from many jurisdictions where mediators are overburdened, under-supported, or procedurally compliant but substantively disengaged.

The legal substance component is reflected in the clarity of the normative framework governing mediation and in how that framework is applied as an instrument for reconciliation. The manuscript anchors mediation's obligatory character in Indonesian procedural law traditions and

emphasizes that mediation procedures in courts are formally regulated under PERMA No. 1 of 2016 and related Supreme Court operational decisions (Musawwamah, 2020). Crucially, the study defines mediation success using the official performance framework applied in the Religious Courts' Key Performance Indicators (IKU), describing the calculation formula and explicitly rejecting alternative success metrics (e.g., party satisfaction, process-quality measures) for the purposes of this study because they fall outside the formal KPI definition used in court performance evaluation. This choice strengthens internal coherence: the article evaluates success using the very legal-administrative standard that structures institutional behavior. At the same time, the manuscript shows that Tondano mediators did not reduce "substance" to mere rule-following; they treated PERMA procedures (such as initial mediation explanation and structured stages) as a framework within which deeper engagement could occur, thereby turning legal substance into a living instrument of dispute transformation rather than a checklist.

The most distinctive explanatory layer appears in legal culture, which—in Friedman's terms—captures the social meanings and value orientations that make certain legal mechanisms effective in particular contexts. The manuscript explicitly connects mediation dynamics to local social philosophy in Minahasa society, especially *Sitou Timou Tumou Tou*, which emphasizes solidarity and a moral duty to be beneficial to others. This cultural orientation supports reconciliation because it frames peace not as weakness but as moral achievement and social responsibility (Rajafi, 2020). In addition, interview evidence from litigants indicates that parties experienced mediation as an ethically meaningful encounter: one defendant reported being deeply moved by the mediator's conduct, recognizing personal shortcomings, and valuing the "second chance" to repair the marriage after the plaintiff agreed to withdraw the lawsuit. (*Interview, Male informant, Defendant, Minahasa, 2025*). Such narratives illustrate legal culture in action: parties are receptive to mediation when they perceive it as fair, humane, and aligned with their moral and religious worldview, rather than as bureaucratic delay.

Analytically, the Tondano case suggests that these three dimensions operate as a reinforcing system. The structure provides competent mediators, consistent enforcement, and supportive facilities; the substance provides a clear procedural mandate and an accountability metric that encourages serious implementation; and the culture supplies social and moral incentives for reconciliation, enabling parties to engage sincerely. Where one component is weak—such as low mediator commitment (structure), formalistic application of PERMA (substance), or low public trust and reconciliation orientation (culture)—mediation success tends to remain low, as illustrated by the manuscript's own comparison with prior studies reporting limited success due to formalism, limited facilities, and inadequate community understanding. The contribution of this study, therefore, lies in demonstrating that "effectiveness" is not simply a procedural outcome but a systemic one: the 100% settlement rate is best understood as the measurable expression of a well-aligned legal system in which institutional practice and cultural values converge to operationalize mediation as both a legal requirement and an ethical mechanism of marital dispute resolution.

Normative and Ethical Implications for Court Mediation Reform

The Tondano Religious Court case carries important normative and ethical implications for court-annexed mediation reform in Indonesia, particularly within Religious Courts where divorce disputes are legally adjudicated but ethically charged (Venter, 2018). Normatively, the manuscript confirms that mediation is not merely an optional tool but a mandatory procedural stage rooted in Indonesian procedural tradition and concretized through PERMA No. 1 of 2016; yet the Tondano experience demonstrates that formal obligation alone does not guarantee meaningful outcomes. The core implication, therefore, is that reform should not focus exclusively on rule-making or compliance monitoring, but on how procedural norms are translated into practice through institutional design and professional behavior. In other words, the Tondano case suggests that mediation effectiveness is a function of operationalized norms, not simply declared norms.

At the level of legal policy, the study reinforces the idea that performance frameworks—such as the Key Performance Indicator (IKU) method used to calculate mediation success—create powerful incentives that shape institutional priorities. However, the ethical risk of KPI-driven systems is that they can unintentionally encourage “success” as a numeric target rather than reconciliation as a substantive value. The Tondano case is normatively valuable because it shows an alternative path: even while operating within KPI definitions, mediators pursued reconciliation through intensive engagement (multiple meetings and long sessions), emotional stabilization, and facilitative techniques such as caucus. This implies that judicial reform should adopt a dual orientation: maintaining KPI accountability for institutional performance while ensuring that court leadership and supervision prevent a shift toward symbolic compliance or superficial agreements.

Ethically, the Tondano mediation model highlights that divorce mediation in Religious Courts is not only a procedural device but also an arena of Islamic legal ethics—where principles such as reconciliation (*islah*), compassion, and harm prevention are operationalized through judicial practice. The manuscript explicitly shows that mediators view mediation as more than “procedural formality,” emphasizing the need to “open hearts and minds” when parties are emotionally unstable. (*Interview, Al Gazali Mus, Mediator Judge, Minahasa, 2025*). In ethical terms, this is significant because it positions the mediator not merely as a neutral administrator, but as an ethically accountable facilitator whose professionalism includes psychological sensitivity and moral seriousness. A party’s testimony further indicates that mediation can produce moral self-reflection and relational repair, not simply a signed settlement: the defendant described being “deeply moved” by the mediator’s conduct, recognizing personal shortcomings, and valuing a “second chance” to repair the marriage after the plaintiff agreed to withdraw the claim. (*Interview, Male informant, Defendant, Minahasa, 2025*). This evidence suggests that a key ethical contribution of mediation is its capacity to generate accountability and reconciliation through dialogue rather than coercion—an outcome that aligns strongly with the moral foundations of family law in Islamic judicial settings (Alberstein, 2006).

A further normative implication concerns the relationship between standardized national regulation and local adaptation. The manuscript shows that Tondano mediators followed PERMA No. 1 of 2016 while implementing context-sensitive innovations, including culturally resonant approaches and, where appropriate, involvement of community or religious figures as permitted by Article 26 of PERMA (Nawangsari, 2025; Nurfalah et al., 2024). This indicates that reform should not be framed as a choice between uniformity and discretion; rather, mediation governance should articulate a “structured flexibility” model: (1) strict adherence to core procedural safeguards (neutrality, confidentiality, voluntariness), combined with (2) supervised local innovation in communication strategies, session duration, and culturally grounded moral persuasion. In practical terms, this also implies that judicial training should move beyond doctrinal explanation of PERMA and focus on advanced competencies—empathy, conflict de-escalation, caucus management, and psychological readiness assessment—because the Tondano case shows these competencies to be functionally decisive in generating settlement.

Finally, the case offers implications for scalability and responsible reform transfer. The manuscript acknowledges that some enabling conditions are context-dependent, including local cultural orientation and institutional composition, which means that replication across courts cannot rely on a “copy–paste” approach. Nevertheless, the study supports a scalable reform logic: courts can replicate the *architecture* of effectiveness—strong mediator professionalism, adequate time allocation, supportive facilities, and leadership that treats mediation as a substantive priority—even if the precise cultural resources differ by region. The broader ethical and normative implication is therefore clear: court-annexed mediation can become a transformative mechanism for marital dispute resolution when judicial institutions align legal rules with human-centered practice, thereby fulfilling both the procedural aims of access to justice and the ethical aims of reconciliation and harm prevention within Islamic family law adjudication.

Limitations and Transferability

This study has several limitations that should be acknowledged to prevent overgeneralization and to strengthen the credibility of its claims. First, the observation window is limited to the first six months of 2025 (January–June), which means the reported 100% mediation settlement rate reflects a specific institutional period rather than a long-term trend. A longer time horizon is necessary to assess whether this outcome is stable across annual cycles, leadership transitions, case composition changes, and fluctuating workloads. In practical terms, a longitudinal design would also allow future research to evaluate whether the same practices remain effective when case volume increases or when the court faces different patterns of marital conflict.

Second, the study's findings are potentially sensitive to organizational dynamics, particularly changes in human resources. The manuscript itself notes that judicial transfers and the entry of mediators from outside the court may affect mediator composition and, consequently, the continuity of best practices at the Tondano Religious Court. This limitation is not merely administrative; it is theoretically relevant because the study argues that mediation success is strongly associated with the “structure” component of the legal system (institutional actors and organizational arrangements). If key mediators are rotated out or if new mediators do not share the same professional commitments, the system-level alignment that produced high settlement outcomes may weaken, even if the formal rules remain the same.

Third, the transferability of the Tondano model is constrained by socio-cultural context. The manuscript highlights that mediation success is partly supported by local characteristics of Minahasa society, including cultural values that emphasize solidarity and reconciliation orientation. Therefore, applying the Tondano approach in jurisdictions with different socio-cultural structures, different levels of trust in the judiciary, or different patterns of marital conflict may require adaptation rather than replication. This limitation is especially important for policy audiences: reform transfer should focus on reproducing functional principles (e.g., empathetic facilitation, adequate time allocation, institutional support) rather than assuming that identical cultural resources and party receptiveness will exist elsewhere.

Fourth, although the study includes interviews with parties who successfully reconciled, it does not assess the long-term sustainability of reconciliation outcomes. In divorce mediation, “settlement” may reflect different realities: some reconciliations are durable and transformative, while others may be short-lived or influenced by momentary emotional shifts. Without follow-up interviews or post-mediation tracking, the study cannot conclusively determine whether agreements remained stable over time or whether parties later refiled divorce claims. This limitation should be emphasized because it clarifies what the study can and cannot claim: it explains settlement achievement within the mediation process, not long-term marital outcomes.

Fifth, the study intentionally adopts the official Key Performance Indicator (IKU) definition of mediation success and therefore does not treat other dimensions—such as mediator compliance with foundational mediation principles (confidentiality, voluntariness, neutrality), party satisfaction, perceived fairness, or procedural justice—as primary success metrics. While this approach strengthens alignment with judicial performance measurement, it also limits the evaluative breadth of the findings. Future studies could complement KPI-based success measurement with qualitative and procedural justice indicators to ensure that “success” reflects not only settlement outcomes but also ethical quality and party wellbeing.

Despite these limitations, the study offers meaningful transferability under a “contextual scalability” approach. Rather than proposing a universal template, the Tondano case provides a set of transferable design principles that other courts may adapt: (1) treating mediation as a substantive priority supported by leadership and scheduling; (2) strengthening mediator professionalism beyond certification through skill-based practice (empathy, caucus management,

psychological readiness assessment); (3) allocating sufficient time and procedural flexibility to enable deep dialogue; and (4) ensuring minimum infrastructure that supports privacy, comfort, and immediate formalization of agreements. Under Friedman's legal system framework, these principles can be translated into a reform strategy that aims to align legal structure, legal substance, and local legal culture within each jurisdiction. In this sense, the most robust "transferable" element is not the 100% figure itself, but the systemic logic that produced it: effectiveness emerges when procedural rules are embedded within a supportive institutional environment and reinforced by culturally resonant ethical practices.

4. CONCLUSION

This study has demonstrated that the Tondano Religious Court's 100% settlement rate in divorce mediation during January–June 2025 is best understood as the outcome of systemic alignment rather than mere procedural compliance. The empirical profile confirms that all divorce cases that entered mediation in the period resulted in full settlement through claim withdrawal, measured using the official Key Performance Indicator (IKU) formula applied within the Religious Courts' performance framework. The study further shows that such success was enabled by transformative mediation practices—mediator professionalism, empathetic and psychologically attentive facilitation, flexible and sufficiently long sessions, and context-sensitive integration of religious and cultural values—which positioned mediation as a substantive ethical intervention rather than an administrative formality. This was reflected in party testimony describing meaningful behavioral and attitudinal change that led to reconciliation and withdrawal of divorce claims.

Using Lawrence M. Friedman's legal system theory, the article argues that mediation effectiveness in Tondano emerged through the convergence of legal structure (competent and committed mediators supported by institutional arrangements), legal substance (clear procedural mandates and performance metrics operationalized seriously), and legal culture (a reconciliation-oriented social ethos reinforcing the legitimacy of peaceful settlement). This convergence explains why similar rules under PERMA No. 1 of 2016 produce varying outcomes across jurisdictions: effectiveness depends on how norms are enacted by institutions and received by communities, not on formal rules alone. Normatively and ethically, the findings suggest that court-annexed mediation—when treated as a human-centered and ethically grounded process—can function as a transformative mechanism for marital dispute resolution consistent with Islamic legal ethics emphasizing reconciliation and harm prevention.

At the same time, the study cautions against overgeneralization: the observation period is limited to six months, mediator composition may change through judicial transfers, and cultural conditions in Minahasa may not be directly replicable elsewhere. Nevertheless, the Tondano case offers a scalable reform logic for other courts—replicating not the cultural specifics, but the functional architecture of success: strengthened mediator competencies beyond certification, adequate time allocation, supportive facilities, leadership commitment, and supervised local adaptation. Future research should extend the time horizon, assess post-mediation sustainability of reconciliation, and complement KPI-based success metrics with procedural justice and ethical-quality indicators to ensure that "success" reflects not only settlement outcomes but also the integrity of mediation principles and party wellbeing.

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