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Revitalizing Religious-Based Mediation in Peripheral Indonesia: An Empirical Assessment of BP4's Role in Family Conflict Resolution

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ABSTRACT

This study investigates the effectiveness and institutional dynamics of religious-based mediation practices conducted by the Marriage Advisory, Development, and Preservation Agency (BP4) at the Religious Affairs Office (KUA) in South Morotai, Indonesia, a peripheral region marked by limited legal infrastructure and strong socio-cultural traditions. Using an empirical legal approach supported by interviews, observations, and document analysis, this research assesses BP4's mediation performance in resolving domestic conflicts, particularly between married couples, through the lenses of Soerjono Soekanto's legal effectiveness theory and the normative framework of *Maqāṣid al-Shari'ah*. Findings reveal that although BP4's formal structure has been inactive since 2018, its mediatory functions are still carried out informally by religious leaders and KUA officials. Mediation efforts, grounded in spiritual counseling and community-based norms, have helped reduce emotional tensions and divorce intentions in several cases. However, their effectiveness remains limited due to the absence of institutional protocols, trained mediators, standardized documentation, and post-mediation monitoring systems. This study contributes to the discourse on non-litigation dispute resolution in Muslim-majority societies by highlighting how informal religious authority can substitute and supplement state legal frameworks, particularly in under-resourced regions. It concludes that revitalizing BP4 as a functional mediation institution requires structural and regulatory reform and integrating psychosocial expertise, gender sensitivity, and the *maqāṣid*-oriented paradigm to ensure a more holistic, equitable, and sustainable family conflict resolution system.

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1. INTRODUCTION

Marriage is a social institution that has spiritual, moral, and legal dimensions that are very important in people's lives (Novitasari et al., 2024; Sharma, 2024). In the Islamic tradition, marriage is seen as a *mithāqan ghalizhan* or great covenant, which not only unites two individuals, but also forms the basis for the formation of a just and prosperous society (Abdullah, 2018). In Indonesia, marriage is strictly regulated by positive law, as contained in Law Number 1 of 1974 concerning marriage, which has been amended through Law Number 16 of 2019. However, the idealism of marriage as a sacred institution and source of happiness is often not in line with the social reality that occurs on the ground (Nanda, 2018; Platt, 2017). Disputes, quarrels, disharmony, and unresolved differences of principle are often the cause of domestic conflicts that lead to divorce (Hedi et al., 2017). This is exacerbated by the weak educational and preventive functions of religious institutions and the lack of couples' access to adequate counseling and mediation.

The phenomenon of increasing divorce rates is a severe social symptom and reflects a crisis in family resilience. The divorce rate in Morotai Island Regency, especially in the South Morotai District area, has increased significantly in the last three years. Based on data from the Tobelo Religious Court, it was recorded that 2020, there were around 574 divorce lawsuits, up from 391 cases in the previous year. The leading causes of divorce in this region include infidelity factors that dominate up to 55% of the total cases, followed by economic problems at 5%, as well as other causes that are not explicitly recorded. In this context, the Marriage Advisory, Development, and Preservation Agency (BP4), as a semi-official institution under the auspices of the Ministry of Religion, has an important mandate in providing premarital education, family guidance, and mediation to couples who are in crisis (Saleh et al., 2025; Sobhan et al., 2022). However, ironically, based on a report from the Head of the Islamic Guidance Section of the Ministry of Religion of Morotai Island, the existence of BP4 in South Morotai KUA since 2018 has experienced structural and functional stagnation. Although religious leaders and extension workers still carry out some informal functions, the absence of an active BP4 structure indicates the weak systematic implementation of mediation that should be an important part of strengthening family institutions.

To further examine the effectiveness of the role of BP4 in this context, this study uses two main theoretical approaches. First, the theory of legal effectiveness from Soerjono Soekanto (2008), which emphasizes that the effectiveness of a rule of law is determined by three main elements, namely the substance of the law (applicable rules), the legal structure (the implementing apparatus), and the legal culture (public awareness of the law). These three elements are interrelated and will affect the working power of the law in society (Jamil et al., 2023; Sobhan et al., 2022; M. R. Yusuf, 2022). Second, the *Maqāṣid al-Shari'ah approach* is used to evaluate the normative dimension of domestic mediation, especially in order to maintain the continuity of offspring (*hifẓ an-nasl*) and the psychological and emotional health of the couple (*hifẓ al-nafs*) (Kasdi, 2019; N. Yusuf et al., 2023). This Maqāṣid approach is important to ensure that mediation interventions are not only administrative and legal, but also in harmony with Islam's deep moral and spiritual values (Muala, 2020; N. Yusuf et al., 2024). Through these two approaches, this study seeks to answer the question of the extent to which the implementation of mediation by BP4 in KUA South Morotai is effective in resolving domestic conflicts, and what factors support or hinder its effectiveness.

Academically, many studies have highlighted the role of BP4 in reducing divorce rates in various regions. Maryam & Irianto (2024) examined the existence of BP4 after the enactment of Supreme Court Regulation No. 1 of 2008 concerning Mediation, emphasizing the importance of structural reform of BP4 to be more responsive to the needs of modern society. Research by Fowler & Shi (2016) and Lin et al. (2023) also emphasizes the importance of a cooperative negotiation approach in the mediation process to ensure the sustainability of the household. However, both studies are generally conducted in urban areas with better mediation infrastructure and more prepared human resources. To date, few studies have specifically addressed the effectiveness of BP4 mediation in

remote areas such as South Morotai that face geographical, cultural, and structural challenges. Therefore, this study fills a research gap in the literature by highlighting the contextual aspects of implementing BP4 mediation in marginalized areas with few resources and facing cultural resistance to formal conflict resolution.

This study aims to examine and analyze the effectiveness of mediation carried out by BP4 at the Religious Affairs Office (KUA) of South Morotai District in handling conflicts between husband and wife. This research also aims to identify the factors that support and hinder the success of mediation and assess how legal approaches and Islamic values are applied in the process. In addition, this study provides a policy analysis on steps that can be taken to improve the quality of family mediation services based on religious institutions. The scientific contribution of this research lies in presenting empirical data that has not been widely disclosed in the previous literature, especially related to local contexts and institutional practices in the eastern region of Indonesia. This research also provides concrete recommendations for policymakers, the Ministry of Religious Affairs, and Islamic family law practitioners regarding strengthening the institutional capacity of BP4 and integrative strategies based on *maqāṣid* values in resolving domestic conflicts. Thus, this research is expected to be an important reference in reducing the divorce rate and building a *sakinah* family through an effective and humane mediation system.

2. METHODS

This research uses an empirical legal approach with a descriptive qualitative method, which is an approach that focuses on the study of how the law works in society in real life, not solely on normative texts (Epstein & Martin, 2014). This approach is relevant because the problems studied are closely related to the implementation of mediation by the Marriage Advisory, Development, and Preservation Agency (BP4) at the South Morotai Religious Affairs Office (KUA) in resolving domestic conflicts. The qualitative method is used to explore in depth the dynamics of the mediation process, the views of the parties involved, and the factors that affect its effectiveness (Bercovitch & Sigmund Gartner, 2006). This approach allows researchers to capture complex social realities, including perceptions, experiences, and barriers faced by mediators and married couples undergoing the mediation process.

Data collection is carried out through several complementary techniques. The primary technique is in-depth interviews that are open and semi-structured to several key informants, including the Head of the Office of the Ministry of Religion of Morotai Island Regency, the Head of the Islamic Guidance Section, the Head of the South Morotai KUA, religious extension workers, the headmen, BP4 officers, and married couples who have undergone the mediation process. This interview aims to obtain primary data regarding the implementation of mediation, perceptions of its effectiveness, and obstacles and strategies implemented. In addition to interviews, participatory observation techniques are also used to observe the interaction in the mediation process, the approach used by the mediator, and the space and facilities available at KUA. This technique helps to reinforce descriptive data with the researcher's empirical experience of the processes and dynamics that take place in family conflict resolution (Adriaman, 2024).

To support primary data, this study also collected secondary data in legal documents, BP4 internal regulations, mediation manuals, KUA internal reports, and academic literature such as journals, articles, and previous research results relevant to the topic. These data sources are used to provide an analytical framework for the implementation of mediation and place empirical findings in the context of positive law and the perspective of *maqāṣid al-sharī'ah*. In addition, policy documents such as the Regulation of the Minister of Religion, Supreme Court Regulation Number 1 of 2016 concerning Mediation, and the Compilation of Islamic Law were analyzed to see the suitability of BP4 mediation practices with the applicable normative framework. This study is expected to produce an in-depth analysis by combining primary and secondary data.

The data analysis techniques used include three main stages: data reduction, data presentation, and conclusion drawn, as proposed by Miles et al. (2018). Data reduction was done to sort out relevant and significant information from the results of interviews, observations, and collected documents. The data that has been reduced is then systematically compiled in the form of narratives and thematic tables to facilitate interpretation. The last stage is drawing conclusions and verification, which is carried out continuously throughout the research process. The analysis was carried out thematically using the theoretical framework of legal effectiveness (Soerjono Soekanto) and maqāṣid al-sharī'ah as the primary analysis tool. With this approach, the study's results not only describe the facts in the field but also evaluate the effectiveness of BP4 mediation normatively, structurally, and culturally.

3. RESULTS AND DISCUSSION

Institutional Profile and Implementation of Mediation by BP4 at KUA South Morotai

The Marriage Advisory, Coaching, and Preservation Agency (BP4) is a semi-official institution under the coordination of the Ministry of Religion, with an important mandate in helping maintain the household's integrity through mediation and religious counseling. In KUA South Morotai District, the existence of the BP4 institutionally experienced quite complex dynamics. Based on the results of an interview with the Head of the Islamic Guidance Section of Morotai Island Regency, it is known that since 2018, the formal structure of BP4 at KUA South Morotai is no longer administratively active. This means there is no complete organizational structure, no latest active decree, and no operational budget explicitly allocated for BP4 activities. However, the functions of BP4 are still carried out informally by the Head of KUA, Penghulu, and Religious Extension Officers in the spirit of social and religious services.

"Indeed, structurally, BP4 in our place has been inactive since 2018. However, we still try to carry out the coaching and mediation function, especially for couples who come to KUA because they are experiencing domestic problems. We usually accept them, listen to their stories, and try to give advice based on religious values. We do not have a dedicated space or a standard format, so everything is still verbal and informal." (Interview, Ibrahim Muhammad, Head of KUA South Morotai, 2023)

Although structurally inactive, the implementation of mediation still takes place in the form of non-formal activities. Based on an interview with the Head of KUA South Morotai, Mr. Ibrahim Muhammad, and a local Religious Extension Officer named Ismail, KUA officers carried out the mediation process, especially for married couples who came to consult about domestic conflicts. The process is not carried out in an official forum like those run by BP4 in other established areas, but in a simple, family atmosphere. Mediation is generally carried out in the service room or the room of the Head of KUA, without a standard mediation protocol or systematic documentary recording. This is due to the unavailability of a standard mediation format, formal training, and limited facilities such as special counseling rooms or administrative support.

Table 1. BP4 South Morotai Consultation Data (2020–2023)

Year	Number of Couples Consulted
2020	8
2021	9
2022	12
2023	15

Source: BP4 KUA Murotai Document

In the 2020–2023 period, based on KUA's internal documentation and field interviews, it was recorded that the number of couples who consulted about domestic conflicts increased from an average of 8–10 couples per year to more than 15 couples in 2023. Most of them come on personal initiative or are referred by religious leaders in the village. Mediated conflicts include various aspects, such as infidelity, quarrels due to economic pressure, disharmony in communication, and problems with third parties in the household. Although not all cases are reconciled, some couples have continued their married life after receiving guidance and mediation. However, due to the absence of documentation and monitoring systems, the achievements of success cannot be measured quantitatively accurately.

"We handle marital conflicts simply. Usually, couples come to the office, and we talk to them in an open room or sometimes in the KUA headroom. There is no blank or official document to record the outcome of the mediation. I feel that there is a need for more professional mediation training so that we can be more effective. Sometimes we rely on instincts and religious approaches." (Interview, Ismail, Religious Extension Officer and BP4 Officer, 2023)

Ismail's statement as a religious extension worker and a BP4 officer emphasized the gap between the institutional mandate and the reality of implementing mediation in the field. The sentences "we handle marital conflicts simply" and "we talk in an open room or sometimes in the KUA headroom" show that the mediation process does not have a special room or standard protocol that supports comfort and confidentiality. This indicates the low readiness of structural facilities, which according to Soekanto (2008) is part of the "legal structure" factor that greatly determines the effectiveness of norms in society. The absence of a blank or formal documentation format to record the results of mediation further aggravates the situation, because without documentation, mediation loses administrative legitimacy and cannot be followed up systemically (Proksch, 2016). Within the framework of laws and regulations, primarily referring to the Supreme Court Regulation of the Republic of Indonesia No. 1 of 2016 concerning Mediation Procedures, every mediation process should be formally documented as a form of procedural accountability and as a monitoring tool for the effectiveness of mediation in the long term (Fitrianggraeni et al., 2024; Karmawan, 2020; Rosalina & Zulfikar, 2024).

Furthermore, when Ismail states that "we only rely on religious instincts and approaches", this illustrates that the mediation process at KUA South Morotai has not been supported by adequate professional capacity, especially in therapeutic communication techniques, conflict management, or gender-based psychosocial approaches. Indeed, religious values play an important role as a moral framework in resolving family disputes (Syam et al., 2022). However, a normative approach that relies solely on religiosity is not always enough to solve the root of the problem of domestic conflict, especially if it involves violence or psychological trauma. In this context, according to Meggitt (2020) Mediation's effectiveness depends on the mediator's skills in building an empathetic, neutral, and solution-based dialogue in the long term. Therefore, without special training in family mediation, KUA officers will continue to rely on intuition alone, which is not always adaptive to the complexity of contemporary Muslim family problems (Musta'in, 2022). Thus, Ismail's statement represents the urgency of BP4 institutional reform: the need for regular training, proper mediation rooms, a standard documentation system, and affirmative policies from the Ministry of Religion in reviving the formal structure of BP4 at the sub-district level.

The informal role of mediators, namely the Head of KUA, Extension Officers, and Marriage Registrars, is the backbone of implementing the BP4 function in South Morotai. They do not have any specific training in modern mediation techniques, but rely on personal experience, a faith-based persuasive approach, and the beliefs of the local community. This shows a very urgent need to reactivate the formal structure of BP4, build a competent mediation team, and build a well-documented work system. Without institutional revitalization, the implementation of mediation risks not being accountable and cannot be evaluated on an ongoing basis. Thus, although

functionally BP4 at KUA South Morotai is still carrying out its role, institutionally, it faces serious challenges in terms of structural, administrative, and technical capacity.

Types and Characteristics of Domestic Conflict Handled

Conflict in the household is a complex and multidimensional phenomenon, reflecting the interaction between psychological, social, economic, and spiritual aspects in the lives of married couples (Rönkä & Korvela, 2009). Based on the results of interviews and documentation at KUA South Morotai, there are several types of conflicts that BP4 officers most often handle in the mediation process: financial conflicts, infidelity, poor communication, and differences in spiritual and religious values. Each of these conflicts arises with a varied background, depending on the age of marriage, level of education, the influence of the social environment, and the level of legal awareness of the couple in question.

Table 2. Types of Domestic Conflicts Dealt with by BP4

Types of Conflicts	Estimated Proportion (%)	Information
Infidelity	55	The leading causes of divorce
Financial	5	Generally arises due to inequality in economic roles
Communication	25	Fundamental, often triggering other conflicts

Source: BP4 KUA Murotai Document

This table describes that the most dominant type of conflict is infidelity, which, according to internal data of the South Morotai KUA, reaches the highest proportion in the causes of household rifts, around 55% of mediated cases. In cases like this, mediation becomes very complicated because it concerns issues of trust and self-esteem, which are not easily recovered through just a brief dialogue (Fansuri & Azman, 2022). In an interview with one of the wives who was a victim of polygamy without emotional consent (Julaiha), she confessed that although her husband had personal reasons and the ability to be innate, the decision hurt her feelings very much. Mediation in such cases requires an approach that is not only religious but also psychological and gender-sensitive, as women are often the most affected emotionally and socially (Karmawan, 2020). Unfortunately, the limitations of officer training in understanding trauma dynamics and emotional recovery cause most mediations in infidelity cases to be unsuccessful in preventing divorce.

In addition, financial conflict is also one of the primary triggers for household disharmony, although in terms of number, it is less than infidelity. Crouch & Dickes (2016) said this conflict generally arises due to the husband's inability to meet the household's basic needs or because the wife feels that she is not given a role in financial decision-making. This imbalance leads to the emergence of protracted tensions, especially in young families who do not yet have healthy economic communication patterns (Bräuchler, 2017). In some cases in Malaysia and Africa, wives feel neglected because their husbands are too focused on working outside without talking about their financial condition transparently (Au et al., 2019; Olaore & Agwu, 2021). BP4 officers usually emphasize the importance of *shura* (deliberation) in family financial management and encourage couples to make joint commitments regarding household needs and expenses. However, the absence of follow-up assistance after mediation makes similar conflicts easy to repeat.

Communication conflicts are also a common thread that underlies many other conflicts. Couples cannot often express feelings, dissatisfaction, or complaints assertively and productively (Syam et al., 2022). As a result, minor misunderstandings can develop into major arguments. In the researchers' observations of the informal mediation process at KUA, many couples did not greet each other during the initial mediation session, indicating an acute level of emotional alienation. This is where the big challenge arises, because effective mediation demands active

participation and openness from both parties. However, because the mediation process in South Morotai is not equipped with psychological approaches or restorative communication techniques, many couples attend the session as a formality, without a significant transformation in how they communicate. This condition shows that interpersonal communication skills are basic competencies that need to be strengthened in the curriculum of premarital and post-marital courses.

A conflict that is no less important is spiritual or religious, especially in couples who, although formally of the same faith, have differences in religious practices, such as differences in sects, religious levels, or ways of educating children religiously. In these cases, conflicts usually arise from inconsistencies in fundamental family values. For example, one spouse demands full involvement in religious activities, while the other feels it is enough to carry out minimal obligations (Eidhamar, 2018). This kind of conflict is often not taken seriously by lay mediators because it is considered a "personal matter," even though it significantly affects domestic harmony. BP4 at KUA South Morotai tries to respond to this conflict with a religious advice approach. However, the limitations in reaching the psychospiritual roots of the couple make the solutions offered superficial.

The married couples who came to consult or be mediated at KUA Morotai Selatan showed diversity in age, educational background, and socioeconomic status. Based on observations and interviews with KUA officers, most couples who experience conflict are at a young marriage age, namely in the age range of 25-35 years, with a marriage period of less than five years. Couples in this category are still in the emotional and economic adaptation stage, which magnifies the potential for tension if they do not have strong communication and psychological resilience. Their educational background is generally at the lower middle level; most have only completed education up to high school or equivalent, and some others have even only reached the basic education level. Meanwhile, regarding socioeconomic status, most of them are classified as the lower middle class, working as fishermen, laborers, or non-permanent employees.

"If we look at the couples who come for mediation, most are still young. The average age is between 25 and 35 years, and the marriage is not long, at most three to five years. They are still in the adjustment stage, both emotionally and economically. Many do not have their own houses and live in their parents' houses, so sometimes small problems can arise due to outside intervention." (Interview, Ibrahim Muhammad, Head of KUA South Morotai, 2023)

"Most of them also do not have a high education; many only reach high school, and some even only graduate from elementary school. Their work background is mostly fishermen, laborers, or daily laborers. It is also often a source of problems in households with uncertain income, many family burdens, and eventually friction." (Interview, Abdullah Solop, Marriage Registrar, 2023; Interview, Ismail, Religious Extension Officer and BP4 Officer, 2023)

The vulnerability of couples in this category to domestic conflicts cannot be separated from limited access to information and the lack of systematic premarital education. They generally marry based on local culture or family pressure factors, without going through adequate debriefing stages on the roles, responsibilities, and strategies of dealing with domestic conflicts. The unstable economic background also makes the pressure in the household even more complex, especially when the couple does not have a house of their own or has to live with a large family (Rönkä & Korvela, 2009). When conflicts arise, couples in this category often lack the skills to resolve them maturely and rationally, so minor conflicts can escalate and get out of control. KUA officers observed that couples with low levels of education tend to resist mediation in the early stages and only seek help after the conflict reaches a crisis point.

The pattern of conflict dynamics that often occurs shows a recurring cycle that starts from communication problems and emotional dissatisfaction, then develops into an open conflict involving a large family or even the surrounding community. Conflict usually starts from differences in expectations regarding the roles of husband and wife, for example, the division of

household tasks, financial management, or intimacy (Lin et al., 2023; Proksch, 2016). When not resolved, this conflict turns into arguments, mutual blame, and prolonged acts of silence. In many cases, extended family intervention worsens things because not all parties can provide objective advice. Patterns like this show that paternalistic and dominant socio-cultural dynamics internally and externally reinforce domestic conflicts in South Morotai.

To respond to such conflict patterns, the settlement approach used by BP4 in South Morotai KUA is generally persuasive and based on religious values. The mediator, who in this case is often the Head of KUA or Religious Extension Officer, uses an Islamic advice approach by quoting verses from the Qur'an and hadith related to the rights and obligations of husband and wife, the importance of patience, and the impact of divorce on children. Although this approach is practical in some couples with high spiritual awareness, this method is often not enough for couples who are caught up in severe emotional conflict. Therefore, this approach needs to be complemented by family and gender-based counseling techniques to reach deeper emotional layers. Currently, the approach applied is still highly dependent on the personal capacity of the mediator and is not based on scientific methods or a sustainable, long-term mentoring system.

BP4 Mediation Strategy

In the institutional context of BP4 at KUA South Morotai, which is not structurally active, the mediation approach strategy relies strongly on the community's religious dimension and social values. This approach emerged not only because of the background of BP4's duties, which are indeed under the auspices of the Ministry of Religion, but also as a response to the local community's character that upholds religious values and local customary norms. KUA officers, such as the Head of KUA, Religious Extension Officers, and Headmen, generally start mediation with a personal approach based on *ukhuwah*, establishing trust and respect with their spouses. This strategy is carried out by avoiding judgment or pressure but with a soothing and empathetic dialogue. In the initial process, the mediator usually recites relevant verses of the Qur'an, such as QS. An-Nisa verse 19 is about good association between couples, or QS. Ar-Rum verse 21, which emphasizes the importance of *ma'waddah wa rahmah* (love and affection) in the household (Abdullah, 2018; Saleh et al., 2025).

This faith-based mediation strategy is firmly rooted in the role of religious extension workers as authoritative figures in the eyes of the public. They act as mediators of conflict and spiritual educators who return couples to the fundamental values of Islamic marriage. In an interview with Ismail, one of the religious counselors, it was stated that the most often used approach is to explain the "rights and obligations of husband and wife according to Islamic law" (Platt, 2017), as well as to remind them of the social and psychological impact of divorce on children. In some cases, counselors even quote stories from the hadith of the Prophet Muhammad as moral illustrations so that couples can learn lessons and reconsider their intention to separate (Abdullah, 2018). This kind of approach is quite effective for couples who still have high religious sensitivities, as they feel spiritually valued and do not feel judged legally.

In addition to the religious approach, BP4 in South Morotai utilizes a social approach based on local wisdom and community solidarity. The people of South Morotai have a social system that is still communal, where kinship ties and the involvement of traditional leaders or religious leaders are part of the conflict resolution mechanism. Therefore, KUA officers often involve village heads, mosque imams, or traditional leaders as informal mediators in mediation efforts. This approach is carried out with the principle of deliberation and consensus, which prioritizes shame as a moral control for couples who want to divorce. In local culture, divorce is still considered a failure that tarnishes the good name of the extended family, so social intervention can be a powerful enough moral pressure strategy to encourage reconciliation (Abdullah, 2018; Karmawan, 2020).

Nevertheless, these two approaches, religious and social, have limitations if technical skills in conflict management and family psychology do not complement them. As the BP4 officers acknowledge, not all conflicts can be resolved with a spiritual counsel and approach. Conflicts involving domestic violence (KDRT), emotional manipulation, or power relations inequality require a more structural and systematic approach (Idriss, 2022). Without professional training in mediation techniques and a deep understanding of the psychological dynamics of couples, religious and social approaches can lose their transformational power and become only a temporary form of moral suasion.

In the practice of domestic conflict mediation carried out by BP4 at KUA South Morotai, the techniques used to build understanding between couples are still intuitive and straightforward. This is closely related to the factual condition that mediators who generally consist of the Head of KUA, Religious Extension Officers, and Marriage Registrars have not received formal training in the field of family mediation. Therefore, they rely heavily on a communicative approach based on personal experience and local wisdom, without the support of professional mediation methodologies. However, there are several techniques that are generally consistently used, namely: building empathy through personal dialogue, unraveling problems through separate narratives, creating a neutral space that is safe to express complaints, and prioritizing solutions based on relational justice.

One of the most basic techniques used is the separation of the initial session (caucus) between husband and wife before a joint meeting. In this separate session, the mediator tried to dig into each side's version of the narrative related to the conflict at hand (Abdullah, 2018; Karmawan, 2020; Meggitt, 2020). The main goal is to understand the root of the problem from a personal perspective without pressure or embarrassment in front of your partner. This technique allows the mediator to identify sensitive points that may not be publicly disclosed in a joint mediation. Once basic information is obtained, the mediator then brings the two parties together in a joint forum, while devising a targeted dialogue scheme to encourage mutual recognition and the search for common solutions (Vasilyeva, 2015). Although this technique has not been formally institutionalized, field practice shows that it is quite helpful in avoiding the emotional conflicts that erupt at the beginning of the mediation session.

The next technique used is problem reframing. Mediators seek to change the way couples view issues from a negative perspective to a more constructive one. For example, instead of saying "my husband never gives me money," the mediator reframes it to "there is a difference of perception about family financial management." This reframing is done to dampen emotions, avoid labeling, and open up space for dialogue. In this process, the mediator also tries to direct the couple to see the conflict as a shared issue that needs to be resolved collaboratively, not as a one-sided mistake. This reframing technique is done subtly, usually by inserting religious advice or using everyday life analogies that are easy for couples to understand, given that their educational background is generally limited.

In addition, mediators use common values clarification techniques, namely by re-exploring the initial purpose of the marriage, the initial commitment that was built, and the hope for the future together. This technique is widely used in the middle or late sessions of the mediation process to establish an emotional rallying point. A religious counselor, for example, will ask your husband, "Do you still want to keep this household for the sake of your children?" or to your wife, "What made you choose him as your partner?" These kinds of reflective questions are aimed at reactivating emotional awareness that is often masked by anger or disappointment. This technique is usually accompanied by an affirmation of moral responsibility as parents and life partners in an Islamic perspective, including the threat of divorce to the child's future.

While these techniques are fairly representative in building peaceful dialogue and initial understanding, major challenges arise due to the absence of standard formats or visual aids such

as agreement statement sheets, problem diagrams, or follow-up commitment checklists. With the unavailability of these tools, the mediation process becomes highly dependent on the improvisation of mediators and does not have continuity between cases. In addition, because the results of mediation are not formally documented, it is difficult to monitor the sustainability of the understanding. In fact, according to the theory of interpersonal communication in mediation (Moore, 2014), the success of mediation is not only determined by the achievement of an initial agreement, but also by the ability to maintain commitment through systemic support and a clear track record.

The implementation of domestic conflict mediation faces a number of structural, cultural, and operational challenges that are interrelated and directly affect the effectiveness of the mediation process. One of the main challenges is the absence of a formally active BP4 organizational structure, as revealed by the Head of the Islamic Guidance Section of the Ministry of Religion of Morotai Island Regency. Since 2018, BP4 in South Morotai no longer has a management structure officially determined through a decree, does not have a special budget, and does not run a structured program. As a result, mediation activities that should be a routine program of BP4 only take place incidentally, depending on the personal initiative of the Head of KUA or Religious Extension Officer. The absence of this structure not only weakens the legitimacy of the institution, but also leaves mediation activities without a solid administrative basis for reporting and evaluation.

Another significant challenge is the lack of formal training for mediation officers. So far, mediation has been carried out based on the personal experience and intuition of the mediators, without the support of professional training on conflict resolution techniques, psychosocial approaches, or family counseling methodologies. This is exacerbated by the absence of procedural standards or technical guidelines in the implementation of mediation, so that each case is handled with a different improvisation pattern. For example, there is no standard procedure for the mediation stage, conflict assessment instruments, or evaluation models for mediation results. In fact, according to Moore (2014), the success of mediation is highly dependent on the existence of a systematic process structure that can be replicated in various contexts. Without clear guidelines, the effectiveness of mediation depends largely on the personality and skills of the individual mediator, rather than on a solid institutional work system.

Limited physical facilities and supporting facilities are also serious obstacles. South Morotai KUA does not have a dedicated room for the implementation of mediation, so meetings between couples and mediators are often held in public service rooms or in the KUA Head room, which does not guarantee privacy and comfort. This situation risks reducing the couple's openness in conveying domestic problems, especially if the conflict involves sensitive issues such as infidelity, violence, or sexual problems. In addition, the absence of tools such as mediation blanks, agreement statement forms, or guidelines for preparing a follow-up plan makes the mediation process not well documented. In practice, the results of mediation are only remembered orally by the parties, with no records that can be used as a reference if conflicts arise again in the future.

From a cultural and psychological perspective, the biggest challenge is the low awareness of couples on the importance of mediation and low family law literacy. Many couples have only come to KUA when the conflict has reached a critical point or have even filed a divorce lawsuit. Mediation at this stage becomes less effective because both parties no longer have an emotional commitment to maintain the household. In addition, the factor of social shame and patriarchal cultural dominance also make some wives reluctant to reveal the real problem to the mediator, especially if it is related to violence or abuse in the household (Tonsing & Barn, 2017). In an interview with BP4 officers, it was stated that in some cases, one of the parties (usually the husband) was unwilling to attend the mediation, or even dominated the conversation in a

manipulative way. Mediators in this position often find it challenging to maintain balance, especially if they do not have relational justice-based mediation skills or gender perspectives.

Evaluation of the Effectiveness of BP4 Mediation Based on the Legal Perspective and *Maqāṣid al-Sharī'ah*

Effectiveness based on Soerjono Soekanto's theory

The evaluation of the effectiveness of implementing domestic conflict mediation by BP4 in KUA South Morotai can theoretically be analyzed through the theoretical framework of legal effectiveness proposed by Soerjono Soekanto. According to him, the effectiveness of a law is determined by three main components: the structure of the law, the substance of the law, and the culture of the law (M. R. Yusuf, 2022). These three components interact with each other and indicate whether a legal norm, in this case, rules and policies on the role of BP4 in resolving family conflicts, can function optimally in people's lives.

From the aspect of legal structure, the effectiveness of BP4 as a mediation institution is weak. Institutionally, BP4 in South Morotai has not had an active organizational structure since 2018. No administrators are determined through a Letter of Decision, no operational budget is available, and no family development program is run in a structured manner. The mediation function is practically carried out informally by the head of KUA, religious extension workers, and the headman, without adequate operational standards or technical training. This shows that the law enforcement structure in the context of BP4 is not running as it should, because it is not supported by competent human resources, supporting facilities, and a proper monitoring and evaluation system. According to Soekanto (2008) when law enforcers, in this case BP4 officials, do not work systematically and continuously, the law will only become a normative symbol, not a practical reality.

In terms of legal substance, several regulations are the basis for the existence and operationalization of BP4. Law No. 1 of 1974 concerning Marriage, which was updated through Law No. 16 of 2019 and Supreme Court Regulation No. 1 of 2016 concerning Mediation Procedures in Courts, clearly outlines the importance of resolving marital conflicts outside the litigation route. In addition, the Decree of the Minister of Religion No. 85 of 1961 and No. 30 of 1977 also regulates the function and position of BP4 as a government partner in family development. However, these regulations have not been fully implemented effectively at the local level. The absence of regular socialization, weak supervision of implementation, and the lack of synchronization between central norms and regional implementation show that there is a gap between written law (law in the book) and living law (law in action) (Saleh et al., 2025). This means that the existing legal substance has not been fully translated into concrete programs, training, and activities on the ground.

The third aspect in Soerjono Soekanto's theory is legal culture, which reflects the level of legal awareness of a norm, including the willingness to use it in resolving conflicts (Muttaqin & Saputra, 2019). In South Morotai, the community's legal culture in resolving domestic conflicts is still relatively low. Many married couples do not understand the rights and obligations of marriage, are reluctant to consult when the conflict is still manageable, and only seek help when the conflict has worsened. Furthermore, patriarchal culture is still robust, so wives often feel embarrassed or afraid to reveal domestic problems, especially when it comes to violence or neglect. This hinders the implementation of fair and equal mediation. On the other hand, public trust in BP4 has also not been fully formed due to weak socialization and the absence of routine programs. In fact, in the context of a healthy legal culture, the community should make BP4 the front line in resolving conflicts before stepping into the formal legal process (Bukido et al., 2024).

Based on the analysis of the three aspects above, it can be concluded that the effectiveness of BP4 mediation in South Morotai KUA is still in the "functional non-institutional" stage. Functionally, mediation is still carried out by the KUA apparatus, but institutionally, it is not yet qualified as an effective legal system. Therefore, strategies to strengthen organizational structures, optimize regulations, and increase public legal awareness are prerequisites for effective, fair, contextual family mediation.

Effectiveness in Achieving the Goals of *Hifẓ an-Nasl*, *Hifẓ al-Nafs*, and *Hifẓ ad-Dīn*

From the perspective of *Maqāṣid al-Sharī'ah*, marriage is not only a social-legal contract between two individuals, but also a means of safeguarding the fundamental values of humanity that are the goals of Islamic law. Mediation carried out in domestic conflicts must be judged not only by the technical aspects of its resolution, but also by its ability to realize the main *maqāṣid*, in particular the protection of offspring (*hifẓ an-nasl*), the soul (*hifẓ al-nafs*), and religion (*hifẓ ad-dīn*) (Huda & Ahyani, 2024). In the context of mediation by BP4 in KUA South Morotai, these three values are important parameters to measure the success of religious institutions' interventions in preventing divorce and saving family functions.

First, from the aspect of *hifẓ an-nasl* (safeguarding offspring), mediation by BP4 has a significant contribution, although it is still structurally limited (Husien, 2024). One of the main approaches mediators use is to make married couples aware of the impact of divorce on children's futures. Religious counselors and heads of KUA often emphasize that children who grow up in broken families are at risk of emotional disturbances, delays in social development, and decreased academic achievement. Sometimes, this narrative is a key factor that drives couples to delay or cancel divorce plans. This shows that mediation not only resolves momentary conflicts but also plays a preventive role in maintaining the sustainability and stability of future generations (Bukido et al., 2024; N. Yusuf et al., 2024). However, the limitations of post-mediation assistance and the absence of a post-intervention family development monitoring system mean that the success of this aspect cannot be said to be optimal in a sustainable manner.

Second, from the aspect of *hifẓ al-nafs* (safeguarding the soul and safety of individuals), BP4 mediation in South Morotai still faces serious challenges. Mediation is carried out without risk analysis or early detection of possible domestic violence (KDRT). In local patriarchal cultures, verbal or physical violence is often not recognized as an offense, but is considered part of a "normal domestic problem." As a result, in some mediation sessions, couples who experience violence do not publicly disclose their conditions out of fear or shame. Taking care of the soul means creating a sense of security, both physical and psychological, for all family members. In this case, mediation should be equipped with a victim protection perspective and skills in dealing with trauma (Abdullah, 2018). Unfortunately, BP4 does not have mechanisms or resources to respond to cases that require psychological intervention or referral to women and child protection institutions. Therefore, in terms of *hifẓ al-nafs*, the effectiveness of BP4 is still relatively low and requires more progressive policy interventions.

Third, the aspect of *hifẓ ad-dīn* (safeguarding religion) is reflected in how mediation in KUA South Morotai is carried out within the framework of Islamic values. Religious advice is the main element in the dialogue process, conveying the rights and obligations of husband and wife, the importance of morality in the household, and avoiding emotional steps contrary to Sharia values. Couples with a high religiosity level generally respond well to this approach. Sometimes, the presence of respected religious leaders or extension workers in the village is calming and fosters respect between couples. This process revives spiritual awareness, invites couples to moral reflection, and strengthens their commitment to Islamic family values. Nevertheless, the success of this aspect depends mainly on the spiritual background of the couple. If the couple has a low level of religious awareness or uses religion as a tool to justify the dominant position in conflict

(especially in the husband), then this approach can be counterproductive (Maryam & Irianto, 2024; Sobhan et al., 2022). Therefore, *the hijz ad-din* approach to mediation must be designed contextually and dialogically, not just normatively and one-way.

The effectiveness of BP4 mediation in achieving *maqāṣid al-sharī'ah* suggests that the value aspect, although normatively strong, still faces obstacles in its implementation structurally and operationally. The success of safeguarding ancestry, soul, and religion depends on mediators' capacity, support systems' readiness, and institutions' ability to build cross-sector cooperation with psychosocial, legal, and da'wah institutions. BP4 at KUA South Morotai has attempted to carry out this function functionally, but to achieve substantive effectiveness within the framework of *maqāṣid*, it is necessary to strengthen the structure, refine the approach, and integrate the mediation function into a comprehensive and sustainable family development system.

Assessment of Successes, Failures, and Causes

Assessing the effectiveness of BP4 mediation in resolving domestic conflicts in South Morotai KUA requires a comprehensive evaluative approach, considering the indicators of success, failure, and causal factors of the two outcomes. Based on the results of observations and interviews with KUA officers and couples who have been mediated, it can be concluded that the success and failure of mediation are not only determined by the methods or approaches used, but also greatly influenced by the psychological readiness of the couple, the quality of the mediator, social support, and the functioning of the institutional structure.

In terms of success, mediation is considered adequate when the couple who were originally in a serious conflict can reach a peace agreement, postpone the intention of divorce, and are willing to undergo further coaching (Donohue, 2023). Some other indicators of success include the recreation of communication between couples who initially stopped talking to each other, the return of couples to an agreement on the division of household roles and responsibilities, and the existence of written or verbal commitments to improve the relationship with the support of religious leaders or extended families (Huda & Ahyani, 2024). In an interview with the Head of KUA, it was stated that mediation is successful when the husband and wife are both present completely and openly, showing the intention to improve the household, and respecting the moral and spiritual authority of the mediator. This success generally occurs in couples with moderate levels of conflict, rather than acute conflict or severe violence.

However, not a few mediations also failed. Failure usually occurs when one or both parties come only as a formality, with no intention of reconciling or repairing the relationship. Sometimes, the couple has already established the intention to divorce before the mediation begins. The mediator in this position only acts as a passive listener or final advisor with no influence on the outcome. Failure also occurs a lot in cases of infidelity or polygamy, especially when the woman feels betrayed and does not see the good faith of her husband. When the couple is reluctant to attend the session together or refuses to attend at all, then mediation cannot be carried out substantively (Yasin et al., 2024). The absence of a comfortable mediation space and a lack of psychological training also cause mediators to have difficulty dealing with couples who are in high emotional tension. These failures are often not formally documented, so there are no records or evaluations available that can be used as a basis for future procedure improvements.

The cause of the success of mediation at KUA South Morotai can be identified in several points. First, the religious approach conveyed by respected figures (e.g., the head of KUA or religious extension workers) often dampens emotions and opens up space for dialogue. Second, the presence of family or community leaders as a balance between conflicts provides social legitimacy to the mediation process. Third, success is also more likely when mediation is carried out in the early stages of the conflict, rather than after the divorce lawsuit is filed. Fourth, the existence of mediators who have interpersonal communication skills, patience, and empathy is decisive in maintaining healthy dialogue dynamics. On the other hand, the causes of mediation failure include:

the absence of one of the parties, the absence of trust in the institution, emotional trauma that has not yet healed, the lack of a psychologically safe space, and the mediator's unpreparedness in dealing with complex cases such as violence or manipulation of power relations in the household.

An assessment of the outcomes of these mediations shows that success is not solely the product of a religious moral approach, but rather the result of a combination of the system's readiness, the competence of the mediator, and the willingness of both parties to improve the relationship. Therefore, to increase the effectiveness of BP4 mediation, a formal evaluation system, documentation of mediation results, routine training for mediators, and referral mechanisms for cases that require advanced psychosocial or legal handling are needed. With this evaluative approach, mediation is not only a symbol of coaching, but a means of constructive and just *islah* (improvement) of the household.

The Role of BP4 in Preventing Divorce and Increasing Family Resilience

The Marriage Advisory, Development, and Preservation Agency (BP4) was formed as a strategic unit to prevent divorce through family guidance programs, marriage counseling, and mediation of domestic conflicts. In South Morotai KUA, although the formal structure of BP4 has been inactive since 2018, these functions are still carried out informally by religious extension workers, headmen, and heads of KUA. The interventions carried out include two important stages, pre-conflict and post-conflict, both of which are the main pillars in maintaining family resilience amid the increasing divorce rate. Based on data from the Tobelo Religious Court, divorce cases from the Morotai region have shown an increasing trend in recent years, with 574 cases in 2020, up from 391 cases in 2021. Therefore, BP4 intervention is very crucial in responding to this condition.

Table 3. The Impact of BP4 Intervention on Family Resilience

Types of Interventions	Number of Couples Involved (2022–2023)	Couples Who Do Not Pursue a Divorce Lawsuit
Premarital Counseling (Suscatin)	32	30
Premarital counseling in the village	18	16
Mediation of domestic conflicts	15	7
Post-conflict construction (follow-up)	6	4

Source: BP4 KUA South Murotai Document, 2023

Based on the data from this table, in the pre-conflict stage, intervention was carried out through counseling and premarital guidance, both in the form of bride-to-be courses (Suscatin) and community dialogues in villages. According to the Head of KUA South Morotai, this activity is routinely carried out before the wedding season by inviting prospective couples and local community leaders. The material presented included the rights and obligations of husband and wife, the importance of communication in the household, conflict management, and children's education. This approach is designed not only as an informative tool but also as a medium for internalizing Islamic family values and strengthening couples' awareness of the risk of divorce if they are unable to manage the relationship healthily. An interview with a religious counselor explained that couples who participated in premarital coaching tended to have better emotional resilience and were more open in resolving differences. This is evidenced by KUA's internal data showing that of the 32 couples who took pre-nuptial courses between 2022 and 2023, only two couples returned for serious conflict consultations, and none have filed for divorce until mid-2024.

Meanwhile, in the post-conflict stage, interventions are focused on mediation, conciliatory counseling, and post-conflict follow-up coaching. Couples who come for mediation are generally already in the stage of open conflict, and some have even filed for divorce. However, KUA officers still try to mediate with a communicative and religious approach, inviting couples to reflect on their marital commitments and consider the social and psychological impacts of divorce. Suppose the mediation process succeeds in reducing emotions. In that case, the couple is directed to follow-up coaching in the form of periodic meetings, both at the KUA office and in the village, with the support of extension workers. Although not all couples are willing to participate in this post-mediation stage, from the 2023 data, it is recorded that of the 15 couples mediated, six couples stated that they were ready to continue their marriage with a follow-up coaching agreement, and 4 of them stated that their relationship improved significantly in the three-month post-mediation evaluation. This shows that post-conflict interventions, although unsystematic and straightforward, still positively impact household survival.

The direct impact of BP4 interventions on reducing divorce rates can be seen in the success trend of mediation in reducing divorce intentions in couples who attend counseling sessions. Based on information from the Head of KUA and internal documentation, during the 2020-2023 period, there was an increase in the number of couples who came for household consultations, from 8 cases in 2020 to 15 cases in 2023. Around 40-50% of these were successfully mediated peacefully and did not continue the divorce process. Even in one fairly complex polygamy case, where the wife rejected the husband's decision to remarry, the KUA managed to direct the couple to communicate and draw up an agreement that avoided divorce, even though the relationship remained tense. Although not all cases can be resolved perfectly, BP4 mediation still provides a space for dialogue that prevents hasty and emotional divorce decisions.

However, this impact has not been maximized due to institutional limitations, especially the absence of a standardized documentation system and a mechanism for regularly reporting the success of mediation. In addition, the absence of a long-term evaluation format on mediated pairs makes it challenging to measure the long-term effects of BP4 interventions quantitatively (Saleh et al., 2025; Syam et al., 2022). The absence of a special room, lack of mediator training, and high administrative workload at KUA also hinder the implementation of the ongoing coaching program. Therefore, although the role of BP4 in preventing divorce has had a real impact in the local context, its effectiveness is still casuistic and highly dependent on the personal initiative of KUA officers. In the future, efforts to strengthen institutions, professional training, the preparation of mentoring protocols, and the integration of evaluation systems must be part of national policies to ensure that BP4 functions optimally in maintaining family resilience at the grassroots level.

Public perception of the role of the Marriage Advisory, Development, and Preservation Agency (BP4) in South Morotai KUA shows two opposing sides: on the one hand there is a belief in religious authority that is the basis for the presence of BP4, but on the other hand there is still ignorance, doubt, and even neglect of the function of BP4 as a family mediation institution. This is inseparable from the fact that BP4 in the region has been structurally inactive since 2018, and most people are unaware that the mediation and domestic guidance they receive is part of BP4's institutional mandate. In interviews with several couples who have participated in the mediation process, the majority of them admitted that they came to KUA not because they knew BP4, but because they heard information from village heads, religious leaders, or family members who advised them to seek "advice from KUA."

This condition reflects that BP4 does not yet have a strong institutional identity in the eyes of the public, mainly since its activities are not carried out explicitly and are not promoted as part of official programs. For example, Ismail, a religious counselor and informal mediation officer, said that in many cases, couples who come to KUA do not even know that there is an institution like BP4 that can help resolve their domestic conflicts. Most people only know KUA as a marriage

registrar and a place to take care of religious administration. This shows that although the mediation function is ongoing, the existence of BP4 as a special entity has not succeeded in establishing an institutional image in the public consciousness structure.

Nevertheless, positive perceptions still arise from people directly involved in the consultation or mediation process. Those who have received guidance or advice from the head of KUA or religious extension workers generally consider the services provided friendly, empathetic, and non-judgmental. In an interview with a wife from Pandanga Village, who had faced domestic conflicts due to her husband's polygamy, she said that "the KUA officers have been beneficial, listened to me, and calmed me down. Even though I am still disappointed, I feel appreciated." This kind of testimony shows that the role of the individual mediator greatly determines the institution's perception, so that if the mediator is professional and humane, trust in BP4 increases implicitly, even though it is not explicitly recognized as an official institution.

However, negative perceptions still arise from some people who have had conflicts, especially those who feel that they do not get a satisfactory solution (Bukido et al., 2024). Some couples who attended mediation said that the process was too short, without clear follow-up, and more formal. Some even feel that mediation is too biased towards either party, especially in cases involving violence or emotional dominance. This reinforces the finding that the absence of a system of documentation, evaluation, and training of mediators is the leading cause of service quality inconsistencies, ultimately affecting overall public trust.

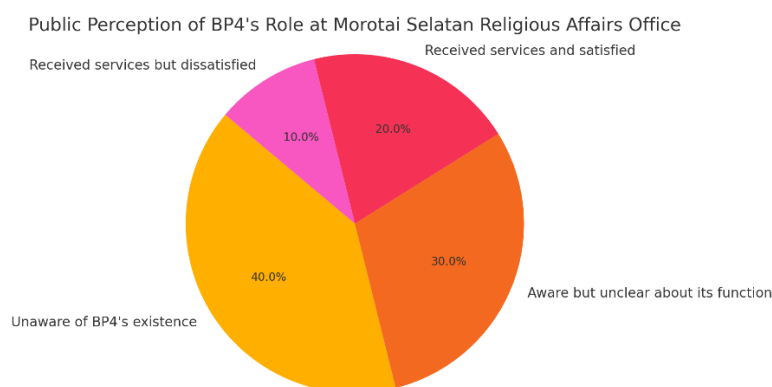


Figure 1. Public Perception of the Role of BP4 in South Morotai KUA

A graph of public perception of the Marriage Advisory, Development, and Preservation Agency (BP4) role in South Morotai KUA shows that most people do not entirely understand the existence and institutional function of BP4 in handling domestic conflicts. Around 40% of respondents stated that they did not know the existence of BP4 at all, while the other 30% only knew vaguely, without understanding its operational functions. This reflects the weak institutional socialization and the inactivity of the formal structure of BP4 in recent years. On the other hand, only 20% have ever received mediation or consultation services and feel satisfied because the services provided are empathetic, religious, and communicative. However, 10% of respondents who had participated in mediation stated that they were dissatisfied because they felt that the process was too short, lacked follow-up, and did not produce concrete solutions. Overall, these findings indicate that despite the trust in the figure of KUA officers, the institutional identity of BP4 is still weak in public awareness. Therefore, strengthening socialization, reactivating formal structures, and professionalizing services are important keys for BP4 to truly exist as a known, trusted, and effective institution in preventing divorce and strengthening family resilience.

In general, it can be concluded that the public's perception of BP4 in South Morotai KUA is in a position of "institutional semi-awareness." This means that the function of BP4 is socially and religiously accepted as part of the role of KUA, but is not institutionally recognized. The

community's trust is more personified directed at figures such as the head of KUA or extension workers than to BP4 as an institution. Therefore, efforts to revitalize BP4 need to include institutional branding programs, consistent socialization, and the involvement of community leaders to introduce the family mediation function as part of KUA's mandatory services. Public perception can be improved through professional, participatory, and transparent services. In that case, BP4 has the potential to be the vanguard in reducing divorce rates and strengthening family resilience at the grassroots level.

Systemic Weaknesses and Recommendations for Improving Mediation Institutions in Peripheral Areas

An evaluation of domestic conflict mediation implementation in South Morotai KUA revealed structural, regulative, and functional systemic weaknesses. As happens in many suburbs, BP4, as a family mediation institution, experienced institutional stagnation due to weak human resources, the absence of an operational format, and a documentation system supporting the sustainability of the mediation process. One of the main weaknesses has been the dormant institutional structure since 2018. BP4 in this region has no official management structure, does not receive budget allocations, and does not run regular programs integrated with family development. The officers who carry out mediation in the field, consisting of the head of KUA, religious extension workers, and the headmaster, do so based on personal initiative, not based on systemic mandates. This has a direct impact on the non-standardization of the mediation process. There are no standard stages, no documentation form for the outcome of mediation, and no follow-up for the mediated couple. Good documentation is essential in evaluating the success of mediation and as administrative evidence in the marriage legal system (Moore, 2014).

In addition to structural constraints, regulatory challenges and policy support are not optimal. The existence of BP4 is based on the Decree of the Minister of Religion No. 85 of 1961 and No. 30 of 1977, which states that BP4 is in charge of providing advice and guidance to prospective brides and married couples. However, this regulation is no longer adequate in dealing with the complexity of contemporary domestic conflicts, especially amid rampant cases of divorce, domestic violence, and young family dynamics. The Supreme Court Regulation (PERMA) No. 1 of 2016 concerning Mediation in Court has also not been fully adopted into the pretrial mediation system at the KUA level. The absence of an integrative mechanism between religious courts and the KUA makes non-litigation settlement efforts lose systemic strength. In addition, there is no national policy that regulates the revitalization of BP4 uniformly in all regions, especially in disadvantaged and border areas, causing this institution to depend on the spirit of individuals and not receive attention in the national family development planning system (Lin et al., 2023; Musta'in, 2022).

To address these weaknesses, it is necessary to develop an institutional reform strategy and strengthen the overall capacity of mediation. First, the revitalization of the BP4 structure must be a priority for the Ministry of Religious Affairs. The Ministry of Religious Affairs must establish a work team formally designated in each KUA, with the support of a clear budget and annual work program. This structure can be strengthened with cross-sectoral synergy, including BKKBN, the Women's Empowerment and Child Protection Office, and court institutions. Second, there is a need to standardize the format of family mediation based on local wisdom and restorative justice principles, as developed by Bush and Folger (2005), which emphasize partner empowerment and mutual recognition as the key to reconciliation. This format must have guidelines for the mediation stages, risk assessment tools, and a legal agreement outcome statement form that can be referred to later.

Third, increasing the capacity of human resources is the key to strengthening the mediation function. Religious extension workers and KUA officers must receive continuous training in family counseling, conflict psychology, non-confrontational communication techniques, gender-based

approaches, and child protection. This training is not only technical, but also includes an understanding of *maqāṣid al-shari'ah*, so that the resolution of family conflicts remains within the framework of Islamic values that uphold the salvation of the soul (*ḥifẓ al-nafs*), the preservation of offspring (*ḥifẓ an-nasl*), and religious integrity (*ḥifẓ ad-dīn*). In addition, the use of digital technology such as post-mediation family monitoring applications, e-documentation, and an integrated reporting system between KUA and Religious Courts can strengthen accountability and monitoring of mediation results in the long term.

By overhauling institutions thoroughly, strengthening regulations, and improving mediators' technical and spiritual capacity, mediation institutions such as BP4 in suburban areas can be guardians of domestic harmony and foundations for strong and visionary family development. Strong institutions, progressive regulations, and active community participation will make BP4 the vanguard in reducing the divorce rate and building a civilized family civilization.

4. CONCLUSION

Although BP4 is structurally no longer active as a formal institution in this area, the mediation function is still functionally carried out by individuals in KUA. The mediation is incidental and informal, without standard procedures or official documentation, but in many cases, it can still provide meaningful resolution space for couples in conflict. The new findings of this study reveal that the success of family mediation in the suburbs does not depend entirely on the formal existence of institutions, but rather is determined by the socio-cultural relationship between the mediator and the community, as well as the moral strength possessed by local figures such as the head of the KUA or religious extension workers. In addition, this study shows that the values of *maqāṣid al-shari'ah*, such as safeguarding one's offspring (*ḥifẓ an-nasl*), salvation of the soul (*ḥifẓ al-nafs*), and religious integrity (*ḥifẓ ad-dīn*) have indirectly become ethical frameworks in the implementation of mediation. However, they have not been formalized into the work guidelines. Successful mediation can strengthen the couple's awareness of the impact of divorce, reconstruct broken communication, and provide dignified alternative solutions without imposing results. On the other hand, the absence of a post-mediation evaluation and mentoring system is the main factor causing failure in some cases, especially those related to domestic violence or power relations inequality.

As a recommendation, the Ministry of Religious Affairs needs to immediately reactivate the BP4 structure nationally, especially in suburban areas prone to family conflicts and divorce. This reactivation must be accompanied by adequate budget allocation, intensive training for mediators, and the preparation of locality-based mediation operational procedure standards. To build a sustainable family assistance system, the government must also develop a collaborative format between BP4 and other institutions such as religious courts, women and children's empowerment offices, and BKKBN. From the academic side, an integrative approach that combines the theory of legal effectiveness (Soerjono Soekanto), the transformational mediation approach (Bush & Folger), and the principle of *maqāṣid al-shari'ah* needs to be continuously developed in the study of family conflict resolution, in order to produce an adaptive and contextual intervention model.

The limitation in this study lies in its local scope, which is based on case studies. Data was obtained from one sub-district area on Morotai Island with a limited number of informants, so generalization to other areas with different socio-cultural conditions must be done carefully. In addition, limited access to formal documentation and detailed divorce statistical data limits the depth of quantitative analysis. Therefore, further research is strongly recommended to be carried out in the form of comparative studies between regions, with a more holistic quantitative-

qualitative approach, to produce a systemic model of family development responsive to contemporary social challenges.

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