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## **The Role of Mediator Communication in Symbolic Interaction of Divorce Mediation at The Sidoarjo Religious Court**

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### **Abstract**

*This study examines the role of symbolic interactionism in divorce mediation, focusing on how mediators at the Sidoarjo Religious Court construct and communicate the concept of a “harmonious family” through symbolic interactions. The research responds to rising divorce rates in Indonesia, particularly in Sidoarjo, where emotional conflict and poor communication often hinder mediation. Using a qualitative case study approach, data were collected through participatory observation, in-depth interviews, and documentation. Data analysis followed the Miles and Huberman model, including data reduction, data display, and conclusion drawing. Research subjects consisted of court mediators and divorcing couples selected purposively based on experience and relevance. The findings show that mediators facilitate dialogue through verbal and nonverbal symbols such as empathy, adaptive language, polite greetings, and friendly gestures. Mediators also reinterpret the idea of a harmonious family from a hierarchical model toward one based on equality, mutual understanding, shared responsibility, and child welfare, supported by moral and religious advice. This study concludes that mediation functions not only as a legal process but also as a space for social and moral learning, emphasizing the importance of communication skills in achieving peaceful and sustainable resolutions.*

**Keywords:** *Mediation, Divorce, Symbolic Interaction, Harmonious Family*

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## INTRODUCTION

Article 1 of Law Number 1 of 1974, which regulates marriage, defines marriage as a physical and spiritual bond between two people as husband and wife with noble intentions, and establishes the understanding that a man and a woman who are bound as husband and wife, both physically and mentally, with the aim of forming a family. Article 2, paragraph 1 of Law Number 1 of 1974, which regulates the validity of marriage, states that the word *Ketuhanan Yang Maha Esa* (Belief in One God) is the basis of marriage in this context. If the marriage is conducted in accordance with the rules of the religion or belief, it is considered valid. In this case, a marriage in accordance with Islamic teachings is the path to a strong bond. Building a family that is *sakinah*, *mawaddah*, and *warahmah* will bring blessings and ease. Divorce can occur as a result of conflict within the family (Sodik et al., 2023).

Divorce has become more common in Indonesia in recent years. The Central Statistics Agency (BPS) reports that divorce rates continue to rise, with many couples choosing to dissolve their marriages through legal channels due to the complexity of domestic issues that cannot be resolved. In Sidoarjo, divorce has become a growing social problem. The Sidoarjo Religious Court reports an increase in the divorce rate in the area. This shows that domestic problems are becoming more complicated and require greater focus, especially in terms of conflict resolution. Married couples do not want divorce, even those who have divorced and then remarried would not want to separate again. Divorce is not the best option for married couples (Mardani, 2020).

Not every marriage goes as planned. Marriage issues and conflicts can result in heated arguments and ultimately lead to divorce on the grounds that the partnership is no longer sustainable. Parents' decision to divorce could not have a big effect on them or their future. But the children will be the ones who suffer the most from their parents' separation. The presence of parents is crucial to a child's mental development. If a child loses their parents' position and function, their growth and development will be interrupted. In addition, they will forfeit their rights to care, affection, direction, and other things. Personality development disorders, which can include mental, psychological-emotional, psychosocial, and even spiritual development issues, are more common in children raised in homes with unloving parents (Apriana & Mediawati, 2022).

Due to a variety of issues, many married couples choose to file for divorce in court. Divorce can result from a number of situations, including forced marriage (arranged by parents), financial hardships, marital abuse, husband or wife carelessness, and involvement from third parties. Third-party influence, such as the engagement of individuals who foster distrust and conflict, frequently makes relationship breakdowns worse. Due to the intricacy of internal and environmental factors that lead to irreversible rifts, many couples decide to file for divorce as a last resort.

The latest data from the Central Statistics Agency (BPS) shows that prolonged disputes and conflicts are the main causes of divorce in Indonesia, accounting for around 63% of divorce cases. These prolonged disputes are generally caused by communication problems, differences in life philosophies, and the inability of couples to resolve problems together, resulting in intense emotional pressure. In addition, the second largest contributing factor, accounting for approximately 25% of cases, is economic hardship. Prolonged financial pressure and unstable income cause stress in the household, which in turn triggers arguments that lead to divorce. Although to a lesser extent, other social issues, such as infidelity, domestic violence, and differences in life perspectives, also play a role.

Statistical data from the Sidoarjo Religious Court shows an increase in the number of divorces each year. According to news from the Sidoarjo Religious Court, there can be 80-90 divorce cases filed every day. This phenomenon will affect married couples and their children, and can even have an impact on the surrounding social environment, such as extended family, neighbors, and the surrounding community. Divorce often leads to prolonged conflict, emotional instability, and economic problems, which ultimately disrupt the harmony of a household. Therefore, it is crucial for all parties, including the government, religious institutions, and the community, to work together in providing education, counseling, and support to couples facing domestic problems, thereby reducing the divorce rate and mitigating its negative effects.

The Sidoarjo Religious Court handled an increasing number of divorce cases in 2022, which then declined in 2023 and 2024 to almost the same level. However, the number of divorce cases increased slightly from 2023 to 2024. The factors causing the increase in the number of cases were adultery, drunkenness, drug abuse, gambling, abandonment of one of the parties, imprisonment, polygamy, domestic violence, disputes, apostasy, and economic issues.

In all three years, divorce by lawsuit remained more common than divorce by repudiation, when viewed by case type. Women continued to file for divorce more often than men, as seen in the predominance of divorce lawsuits. The dynamics of gender relations, household responsibilities, and role imbalances, all significant social aspects in the divorce mediation process, are demonstrated by this phenomenon. This case highlights the importance of the mediator's role in facilitating dialogue and providing new perspectives on healthy families, both in reconciliation efforts and in promoting peaceful and responsible divorce.

Every year, the Sidoarjo Religious Court's divorce procedure is quite important. According to data from several Indonesian religious courts, including the Sidoarjo Religious Court, the majority of divorce cases proceed through mediation to reach a mutually agreeable settlement before the divorce

process continues. However, the success rate of mediation in achieving a mutually agreeable settlement remains very low due to communication issues that arise during the process. Communication hurdles, both verbal and nonverbal, may be major challenges for mediators trying to help divorcing spouses understand one another.

With divorce rates on the rise, efforts to prevent marital breakdown have become increasingly important and a matter of great concern. One such effort is mediation by the Sidoarjo Religious Court. According to some members of the community, mediation is an alternative and effective solution for resolving conflicts without ending in divorce. This mediation process involves a neutral third party, namely a mediator. A mediator is a third party who is impartial and neutral in the conflict resolution process. Facilitating conversations, determining common interests, and helping the parties in conflict to reach a mutually beneficial agreement are the tasks of a mediator (Gustami, 2024).

The breakdown of interpersonal connections inside the household cannot be the only explanation for Indonesia's rising divorce rate, especially in the Sidoarjo area. Women file the majority of divorce proceedings, according to data from the Religious Court. This phenomena points to a more serious structural issue, namely with regard to female power dynamics inside the institution of the family. Divorce lawsuits are frequently associated with economic reliance, symbolic violence, uneven domestic obligations, and the subjugation of women in patriarchal homes, according to gender sociology. As a result, divorce becomes a symbol of women's resistance to unfair relationship arrangements in addition to personal strife.

Data taken from the annual report of cases at the Sidoarjo Religious Court in 2022 shows that the number of divorce cases mediated was 870 cases. In 2023, there were 690 cases. In 2024, there were 670 cases. Meanwhile, in 2025, there were 600 cases. Divorce mediation in the Religious Court cannot be presented as an impartial, value-free setting in this situation. Islam's religious authority in governing family life is represented by the Religious Court, a governmental entity. As a result, the mediation process has many moral, religious, and cultural components in addition to its legal-administrative basis. As institutional actors, mediators are strategically involved in creating and perpetuating ideas regarding gender roles, peaceful families, and decisions that are deemed respectable by society and religion.

Effective communication is greatly influenced by symbolic interactions during the mediation process, including body language, facial expressions, and regional cultural symbols. The experiences of mediators and couples undergoing mediation show how important it is to understand these symbols in order to avoid misunderstandings, which can interfere with efforts to create family harmony. For example, body language that shows openness and friendliness can

create a more conducive environment, and empathetic facial expressions can ease emotional tension between conflicting parties.

The function of communication mediators goes beyond verbal exchanges, which is consistent with the findings of studies conducted in other Religious Courts. In their social interactions with the parties involved in a case, mediators must be able to decode and interpret symbolic meanings. Therefore, controlling communication dynamics, strengthening relationships between participants, and ultimately promoting a more productive mediation process all depend on the ability to read and respond to these symbols. This method not only makes mediation more successful but also helps to improve family relationships in a more harmonious way.

George Herbert Mead's symbolic interaction theory, which highlights the importance of social interaction in the formation of personal meaning and identity, can be used to explain this phenomenon. Mediators act as facilitators in this situation, translating and conveying communication symbols. The purpose of this task is to help the disputing parties reach a common understanding of family harmony. Research on divorce mediation in the East Java Religious Court shows a similar pattern, where the mediator's conversation serves as a symbolic medium that needs to be carefully controlled. This is important in order to overcome emotional and cultural barriers that may arise during the mediation process.

This study focuses on a divorce mediation method that is still rarely studied, namely symbolic interaction. According to the researchers, the communication symbols used by mediators and couples can influence how mediation is understood and its outcome. Mediators can help couples reach a peaceful agreement more successfully if they have a better understanding of how these symbols work. The researchers found it unique that mediators used communication to change the meaning of "harmonious family," which was initially seen as a unity, to polite co-parenting or healthy co-parenting, even though the couple was no longer husband and wife. Symbols (words, gestures, or stories) were exchanged during this procedure, and the mediator reframed them.

The premise of this study is that the idea of a "harmonious family" is socially formed through symbolic exchanges that occur in the mediation space rather than having a static and universal meaning. Nonetheless, the framework of specific power relations—such as gender power, religious power, and state power—is where meaning is constructed. Therefore, this study critically investigates how religious and cultural symbols are employed, negotiated, and have the capacity to replicate or challenge established gender norms in the divorce mediation process in addition to analyzing the mediators' functional communication methods.

This study aims to analyze the symbolic interaction process of mediators in divorce mediation, describe the communication strategies used by mediators in shaping the understanding of a harmonious family, and identify the symbols and communication messages used in divorce mediation.

## **METHODS**

The approach used in this study is a qualitative approach with a case study method. This approach was chosen because the study aims to utilize the subjective experiences of mediators and litigants in order to gain a deep understanding of the symbolic interaction process in divorce mediation. A qualitative approach is considered most relevant because the main focus of this study is on interaction, meaning, and the process of interpretation.

The case study method was used in this study to thoroughly examine a specific case at the Sidoarjo Religious Court. Data was generated through in-depth interviews, participatory observation, and documentation. Triangulation of data collection methods involved combining observation, interviews, and documentation. Qualitative research findings are used to formulate hypotheses, understand meaning, and develop phenomena. Typically, qualitative data is collected, and qualitative and inductive analysis is used (Sugiyono, 2018).

Mediators were chosen as the main subjects because they play an important role in creating a harmonious family through symbolic contact. According to data from the Sidoarjo Religious Court, there are two active mediators, namely Rini Astutik, S.H.I., M.H and Hj. Yuliati, S.H. The subjects were selected because these two mediators were believed to be able to provide in-depth, detailed, and comprehensive data on the mediation communication process, given their decades of experience handling various divorce mediation cases.

The parties involved were divided into two groups: three parties with in-depth interview data and three parties with limited data. This limited data includes the type of case, the reason for divorce, and a general description of the mediator's communication obtained from mediation process documents and researcher observations. Subjects were selected based on data availability and the researcher's efforts to present various examples, including divorce by lawsuit and divorce by repudiation, to enhance the research analysis.

Primary data is the main source of information that can be used to address research problems. Researchers interview research subjects such as mediators and parties involved in a case and observe them to obtain primary data. Secondary data sources aim to provide additional or complementary information for comparison. Books, e-books, journals, and online news about the phenomenon are secondary data sources. Primary data sources are used in qualitative research, and participant

observation, in-depth interviews, and documentation are the main methods of data collection. The data analysis technique used in this study is the Miles and Huberman data analysis model. From data collection to data processing, qualitative data analysis activities are carried out continuously. Miles and Huberman describe three elements of data analysis, namely: Data Reduction, Data Presentation, and Drawing Conclusions/Verification.

## **RESULTS AND DISCUSSION**

### **Research Subject Description**

Six parties who had taken part in divorce mediation at the Sidoarjo Religious Court and two mediators served as the study's participants. Purposive sampling was used to select participants based on their skill, experience, and active involvement in the mediation process in order to collect data pertinent to the study's focus, which is how mediator communication shapes the understanding of a harmonious family through symbolic interaction.

The six parties in these situations were split into two groups: those having extensive interview data and those with little data. This section was created to give a more comprehensive view of the variety and types of cases in the mediation process, especially in situations of contentious divorce and divorce by repudiation.

Mediator Rini Astutik, S.HI., M.H is a non-judge mediator at the Sidoarjo Religious Court who has been working for 14 years. She began working as a mediator in 2011 at the Sidoarjo Religious Court. The mediator certification training she has completed is the mediator training at IAIN Semarang. Rini Astutik's educational background includes a Bachelor's degree in Islamic Law and a Master's degree in Law. She has extensive experience handling various mediation cases, particularly those related to divorce and family conflicts.

Rini Astutik is considered a mediator who uses a friendly and relaxed communication style. She is known for emphasizing equality, using a flexible communication style, and often incorporating religious and cultural symbols to facilitate new understanding among the parties. In addition, she is able to understand patterns of domestic conflict from various backgrounds thanks to her extensive expertise.

Mediator Hj. Yuliati, S.H. is a non-judicial mediator at the Sidoarjo Religious Court who has been working for 11 years. She began working as a mediator in 2014 at the Sidoarjo Religious Court. The mediator certification training she has attended is the mediator training at BP4 (Marriage Guidance and Preservation Advisory Board) in Tulungagung. Her educational background is a bachelor's degree in law. She is known as an empathetic and communicative mediator who approaches couples in conflict from a psychological perspective.

Hj. Yuliati emphasizes calmness and emotional stability during the mediation process. In addition, she often forms the concept of a harmonious family through a moral and religious perspective. She is able to create mediation strategies tailored to the psychological conditions of the parties involved, thanks to her experience in handling various divorce situations.

Mrs. UP (30 years old) has a bachelor's degree and works for a private company. After a year of financial difficulties in her marriage, Mrs. UP filed for divorce from Mr. JL (35 years old), who is an entrepreneur. The couple has one child. According to the interview, Mrs. UP found the mediator to be approachable, impartial, and easy to understand. The mediator's emphasis on responsibility towards children was the message that most influenced her. According to Mrs. UP, a harmonious family is one in which the couple supports each other and enjoys financial security. During the mediation process, Mrs. UP decided to proceed with the divorce, albeit amicably.

Mrs. UH (31 years old) has a high school diploma and is a housewife. After two years of marriage, Mrs. UH's husband, Mr. SN (36 years old), remarried or practiced polygamy, which led Mrs. UH to file for divorce. Mr. SN works as a private employee. The couple does not have any children. According to the interview, Mrs. UH considered the mediator to be neutral, friendly, and allowed her to express her complaints without interruption. The reminder about the marriage vows is the symbol or moral lesson that she remembers most. According to Mrs. UH, a harmonious family is one that can work together to find solutions to problems. However, due to her husband's polygamy, she decided to proceed with the divorce.

Mrs. LT (43 years old) has a high school diploma and is an entrepreneur. After 20 years of marriage, due to her husband's drinking, gambling, and frequent late nights, Mrs. LT filed for divorce from Mr. MY (45 years old). Mr. MY works as a driver. The couple has one child. According to the interview, because the mediator listened patiently to Mrs. LT's experiences, she felt comfortable during the mediation process. She recalled the mediator's comments regarding the



couple's religious obligations and the impact of divorce on children. According to Mrs. LT, a harmonious family is one without destructive behavior, where members respect each other and are responsible. After mediation, she decided to proceed with an amicable divorce.

Mr. AD (44 years old) has a high school education and is a private employee. After 10 years of marriage, Mr. AD divorced his wife, Mrs. YU (44 years old), who is a housewife, due to constant arguments in their household. The couple has one child. The ongoing disputes were the main reason for the divorce filed by Mr. AD. According to this data, there were prolonged disputes in the household before it was finally brought to mediation. Mr. AN

Mr. AN (35 years old) has a bachelor's degree and is a nurse. After four years of marriage to Mrs. IM (35 years old), who is a teacher, Mr. AN divorced his wife due to her infidelity. The couple did not have any children. Infidelity was one of the reasons for the divorce filed by Mr. AN. This example illustrates a domestic dispute caused by a breach of trust in a marital relationship.

Mrs. TW (37 years old) has a high school education and is a housewife. After five years of marriage to Mr. AF (39 years old), who works as a private employee, Mrs. TW filed for divorce from her husband due to domestic violence committed by her husband. The couple did not have any children. Mrs. TW filed for divorce because of her husband's abusive behavior.

### **Mediator Communication Strategies in Conveying the Concept of a Harmonious Family**

The main technique mediators use to create a positive environment and facilitate understanding between disputing parties during the mediation process is communication. In order for messages to be understood and accepted by the parties, mediators' communication must include verbal and nonverbal elements. Verbal communication relates to the use of language, speaking style, and questioning strategies, while nonverbal communication includes body posture, eye contact, facial expressions, and voice intonation (Moss, 2008). Mediators can ease tensions, build trust, and create a broader space for discussion by integrating these two styles of communication.

Verbal communication is the direct use of words, both in writing and speech. For parties in dispute to express their needs, thoughts, and feelings clearly and in an organized manner during mediation, verbal communication is very important. Mediators communicate verbally in a calm,

empathetic, and neutral manner. To keep the atmosphere relaxed, Ms. Rini notes that she always begins mediation with a greeting, a prayer, and a smile.

A simple but effective strategy to prevent the parties from feeling more uncomfortable after standing before the panel of judges is to smile. Ms. Rini also emphasized the importance of changing the terminology to suit the background of the parties involved in the case.

Nonverbal communication is body language, posture, voice intonation, facial expressions, and other indicators besides words that convey meaning. Nonverbal communication plays an important role in the mediation process by enabling mediators to understand the emotions, conflicts, and level of honesty of the parties. Nonverbal communication is also very important. To foster a sense of equality, Ms. Rini emphasizes that mediators should sit at the same level as the parties.

A smile is a universally recognized sign of acceptance, kindness, and harmlessness. A friendly, smiling mediator acts as a counterbalance to the formal authority of the judge in a tense courtroom atmosphere. This eases tension and opens the door to building good relationships (Knapp et al., 2021).

Pausing or remaining silent is a very effective tactic. Words often make the situation worse when emotions are running high. The parties can: (1) take a deep breath and relax; (2) digest what has been said; and (3) consider their deepest feelings when they pause for a moment (Bruneau, 1973). According to Mrs. Yuliati, when there is a pause, “honest and profound” things often emerge because their emotions have subsided.

The parties also acknowledged the effectiveness of the mediator's communication strategy. They believed that the mediator was approachable and transparent, creating a relaxed and conducive environment for discussion. All parties found it easier to follow each step of the mediation process because the language used by the mediator was simple and free of technical or legal terms. A sense of fairness and trust among the parties was also fostered by the mediator's impartiality and non-partisanship. This positive reaction shows that the mediator successfully helped each couple develop a positive self-concept through the symbolic exchanges that took place throughout the mediation sessions.

Mead's Symbolic Interactionism, social gestures such as smiles, greetings, and introductions serve as important symbolic signals that trigger meaningful reactions from others in social interactions. These gestures have social connotations that are universally understood and responded to by the interacting parties; they are not merely physical or mechanical. This crucial communication is used by mediators in a mediation setting to create a shared awareness that the mediation space is a safe, non-judgmental environment that represents equality among all parties. Mediators provide

symbolic cues that the discussion process is taking place in a context of mutual respect and understanding, such as warm greetings, pleasant introductions, and friendly smiles. Thus, these actions initiate the process of creating constructive collective meaning in mediation interactions and form the basis of the mediator's social identity as a facilitator of peace (Mead, 1934).

In addition to acting as a neutral communication facilitator to help the parties negotiate, mediators in the divorce mediation process at the Sidoarjo Religious Court also act as moral agents who carry the dual symbolic authority of Islam and the state, which allows them to use a religious approach to influence the feelings and choices of the parties involved. Strong religious symbols such as the concepts of *sakinah* (tranquility), *mawaddah* (love), and *warahmah* (compassion), taken from QS. Ar-Rum: 21 as a description of the ideal Islamic family, are often used to convey advice about patience (*sabr*), family unity as a normative priority, and sacrifice for the sake of household harmony. From a sociological perspective on religion, this practice shows how religion serves as an efficient mechanism of moral regulation in guiding negative emotions, confrontational attitudes, and personal decisions toward a normatively ideal form of conflict resolution, such as reconciliation or reconciliation to reduce divorce (Ashari et al., 2022).

However, from the standpoint of gender sociology, religious symbols like *sakinah*, *mawaddah*, and *warahmah* frequently support the uneven patriarchal structure in Indonesian society, thus their effects on men and women are not necessarily equal. Even when mediators use sympathetic, calm, and neutral language, advice about patience (*sabr*) and sacrifice for the sake of family unity may put more strain on women, who socially and culturally already bear greater domestic, emotional, and childcare responsibilities, putting them in a subordinate position. When it comes to divorce mediation in Religious Courts, the mediator's communication runs the risk of perpetuating traditional gender norms that view women as the primary guardians of family harmony (guardians of *sakinah*), despite the fact that they are vulnerable because of structural injustices like economic inequality, patriarchal discrimination, or domestic violence that are still deeply embedded in society (Arsa et al., 2024).

The mediator realizes that everyone who enters the mediation room has different life experiences, educational backgrounds, and social backgrounds. As a result, the mediator's communication techniques cannot be uniform or applied equally to each party. To accommodate the social and cultural context and symbolic abilities of the parties being mediated, mediators adjust their language style, level of formality, and mode of communication. These changes are necessary to ensure effective communication and accurate interpretation of messages by the parties without causing misunderstandings. In the mediation process, this approach facilitates more harmonious

interpersonal relationships, reduces the level of intimacy in communication, and increases mutual trust.

Mediators deliberately use open body language and friendly facial expressions to create equality and ease tension during the mediation process. Symbolic communication methods aimed at building equality and trust include behaviors such as sitting at the same level as the parties and smiling sincerely. According to George Herbert Mead (1934), such gestures can be considered meaningful gestures, i.e., actions that trigger the same meaning for others. Mediators send a symbolic message that all parties in mediation have equal status and are respected when they smile and align their bodies.

Smiles and other nonverbal gestures are not just facial expressions; they reinforce the symbolic concept of “peace” that mediators hope to establish during the mediation process. According to Mead, it is the social actions resulting from social activities that give meaning to those activities. A greater sense of security, openness, and trust are the social responses that emerge from the parties when the mediator shows friendliness and empathy. As a result, the mediator's nonverbal gestures serve as an interactional symbol that fosters a shared meaning that the mediation process is a place to pursue peace and peaceful dispute resolution rather than confrontation.

Mediators deliberately use a slow speaking rhythm, soft tone of voice, and intentional pauses to create a calming psychological effect. In addition to being a communication strategy, controlling one's voice and self-expression are symbolic gestures that symbolize patience and calmness, two qualities that are essential in building a healthy family. Every gesture has a social meaning that others understand through interaction, according to Mead. The parties involved in the dispute respond by reducing their emotional intensity when the mediator shows calmness through their voice and attitude. This is where symbolic contact occurs: through mutually understood behavior, the mediator and the parties create new meanings about peace.

Nonetheless, empirical study conducted in a number of Indonesian Religious Courts demonstrates that women are not completely passive throughout the divorce mediation process; rather, they are able to adjust to the dynamics of the setting in order to protect their interests. In order to stay inside a normatively approved framework, some women exhibit adaptive ability to deftly negotiate their negotiating position using the same moral and religious language as the ideas of *sakinah* or familial *maslahah* espoused by mediators.

While adhering to the principles of mediation, which prioritize peace and religious obedience, women deliberately convey their personal boundaries, practical issues like child custody rights and alimony, and strong emotions like rage or disappointment. This illustrates a type of limited agency in which women try to justify their choices, including the firm decision to move forward

with divorce as a form of resistance against injustice in the home by using religious symbols, moral standards, and arguments about children's rights (Kartika et al., 2025).

A harmonious family is not one that never experiences conflict, but rather one that is able to resolve disputes for the good of all its members, especially children, through good communication, understanding, and affection. To create a calm and pleasant environment that can even lead to reconciliation or at least a peaceful agreement that reduces tension, mediators help the conflicting parties to understand each other's circumstances, improve communication, and foster mutual respect (Sridepi et al., 2024).

Providing advice on a harmonious family as cooperation, understanding, and equal responsibility at home is another important strategy. According to mediators, harmony is a partnership built on transparency, communication, and shared responsibility, not just “a wife's obedience to her husband.” According to Mead's theory, mediators use new language symbols to reformulate meaning. After that, the couple uses symbolic interpretation to reformulate their views on the household.

Mediators in divorce mediation act as facilitators of meaning in addition to mediating conflict. Mediators help couples redefine meanings associated with marriage, especially those that are often interpreted hierarchically and cause inequality. Social meanings are constantly changing and subject to negotiation through interaction. Therefore, mediators work to replace old interpretations that may cause injustice with new interpretations that are more fair and constructive.

### **The Use of Symbols and Messages in Symbolic Interactions in Divorce Mediation**

The mediator changed the definition of divorce from total failure to a process of transition by using metaphors. Mediator Hj. Yuliati, S.H., compares marriage to a “painting,” where the entire canvas (marriage) is not defined by “one black stroke” (conflict). In this way, couples are taught to view their marriage as a long journey with ups and downs, rather than defining it entirely based on current difficulties.

Commitment to Promises and the Role of Children were the two most memorable themes for the parties. According to one party, the mediator's reminder about their “marriage vows,” which symbolized their sacred bond, was the most unforgettable message. However, “Children” was the most frequently and successfully used symbol. “The mediator always reminded me about the children,” said Mrs. UP. Mrs. LT observed that although there was no concrete symbol, the mediator “often talked about the children,” demonstrating the impact of repeating this message. “Because the

children will definitely be affected” shows that repeating the message was a symbolic act that changed the parties' perspectives.

The use of symbols and rituals is an important component of mediator communication in symbolic interactions. To create a polite and supportive environment, mediators use gestures and symbolic behavior in addition to verbal communication. For example, the mediator at the Sidoarjo Religious Court, Mrs. Rini Astutik, emphasizes the importance of being kind and respectful to all parties, especially parents.

The findings show that cultural and religious values are often used by mediators at the Sidoarjo Religious Court as sources of social symbols that influence the divorce mediation process. These principles are presented as moral symbols that help couples consider their marital relationship, obligations, and the consequences of divorce, rather than as normative teachings.

Mediator Ibu Rini emphasized the importance of respecting parents, even to the extent of bowing to the older party in the case by extending her hand. In addition to being a matter of personal ethics, this action is a powerful symbol of Javanese culture, conveying the idea that the mediation process must be carried out with compassion, respect, and humility. To make the couple feel valued and treated humanely, the mediator's attitude creates an egalitarian environment for interaction while still respecting the social structure.

Women's agency in the Religious Court's divorce mediation process is nevertheless constrained by rigid institutional goals, social expectations, and patriarchal norms that severely restrict their flexibility. Even though these agreements do not fully reflect personal justice or the fulfillment of significant rights like fair economic compensation, strong pressure to reach a "amicable divorce" or a reconciliatory agreement often in order to preserve the social stability of the Muslim community, the interests of children (such as custody and alimony rights), and the reputation of the Religious Court institution encourages women to accept compromises that are deemed morally and religiously good and in accordance with *maslahah* (Arsa et al., 2024).

Therefore, mediation can be viewed as an ambiguous and paradoxical arena: on the one hand, it allows the parties to engage in moral reflection, emotional communication, and adaptive negotiation; on the other hand, it also directs individual choices through the dual symbolic authority of Islam (such as fatwas on patience and *sakinah*) and the state (mandatory mediation policy based on PerMA No. 1/2016), frequently reproducing structural inequality.

In religious courts, nonverbal cues such as polite greetings, smiles, gentle eye contact, and sitting in an equal position create symbolic meanings of equality, respect, and emotional openness between the parties, all of which are essential in creating a safe environment for divorce mediation.

These features complement verbal communication by indirectly conveying empathy through open body language, nods of agreement, and supportive facial expressions, thereby reducing initial tension and building trust as a basis for good discussion (Afrianti et al., 2024).

The concept of mediation space in a social context includes polite gestures such as shaking hands and showing empathy. By using these symbolic actions, mediators emphasize that the mediation space is a place for dialogue based on the values of harmony, respect, and mutual appreciation between the disputing parties, rather than a formal, confrontational courtroom. These cultural symbols serve as social glue, reinforcing the meaning of trust and peace, which are essential for creating a friendly communication environment and helping to achieve peaceful agreements (Saifullah, 2014).

The mediator acts as an “ustazah” (female religious teacher), using Islamic beliefs to provide moral and spiritual meaning in marriage: marriage is a trust, divorce is not an ideal decision, children are a gift from Allah, husbands and wives must take care of each other. This religious message becomes a spiritual symbol that touches the deepest souls of the participants. According to symbolic interaction theory, these religious symbols have an impact on the mind, particularly on how they view their obligations within the family, and themselves, particularly their identities as spouses and parents. The parties acknowledge that religious messages make them think about their choices and feel more “honest.”

The parties also acknowledged that religious themes felt more “sincere” and made them reconsider their decisions, especially when the mediator discussed how divorce affects children as God's trust. Here, the process of symbolic interpretation is clear: after unraveling religious symbols throughout the mediation discussion, the couple developed a new interpretation of conflict and responsibility.

The mediator specifically used religious and cultural references when conveying these lessons to emphasize the moral significance of mediation. According to Mrs. UH, the mediator added Islamic teachings to highlight the value of family unity: “Yes, the mediator said that in Islam divorce is not allowed.” In addition, the mediator utilized local values, as indicated by Mrs. UP, who heard the mediator use “Javanese advice, such as children are a blessing” before repeating it with a religious statement: “children are a gift from God.” As emphasized by Mrs. LT in relation to the message about “the responsibilities of husbands and wives according to religion,” this method shows that mediators try to touch on the deepest spiritual and moral aspects of the parties by comparing the obligations of husbands and wives within the framework of binding religion.

The mediator uses cultural and religious symbols to create a common understanding between the mediator and the disputing parties. A polite and peaceful mediation environment that is in line with the social values of the Sidoarjo community can be created thanks to this shared meaning. Therefore, cultural and religious values are not merely complementary; they are also crucial communication tools that can ease tensions, foster empathy, and motivate couples to make better choices, whether to reconcile or to separate peacefully.

### **The Influence of Mediator Communication on Couples' Final Decisions**

From the standpoint of cultural sociology, the mediation room at the Sidoarjo Religious Court represents the unique Javanese-Islamic cultural values of East Java, where the primary principles that influence interactions between parties are social harmony (*rukun*), emotional control (*nrimo ing pandum*), and avoidance of open conflict (*guyon*). Sitting cross-legged, using elegant language based on *krama inggil*, and using religious proverbs about patience bringing peace or Javanese cultural metaphors like "*banyu sing suwe kelalen*" (water that gradually becomes murky) are all effective symbolic mechanisms to lessen emotional conflict, promote introspection, and foster consensus without confrontation (Apraiana, 2022).

However, because culture in this context frequently hides subconscious tensions like social class inequality, patriarchal pressure, or individual resistance to strict traditional norms, mediation can actually reproduce covert power dynamics. As a result, culture cannot be understood as a homogeneous and always harmonious backdrop.

The Javanese-Islamic tradition's ideal culture of social harmony (*rukun*) such as *nrimo* (acceptance) and *sabar* (patience) is fundamentally at odds with the reality of structural domestic conflicts like economic injustice, domestic patriarchy, and emotional conflicts like trauma from betrayal or violence, which frequently cannot be resolved by a harmonious approach alone. Culture is not just a source of static understanding but rather a dynamic arena for negotiating meaning, where values like mutual cooperation or family responsibility are constantly reinterpreted according to individual contexts. This is demonstrated by the difference in cultural interpretation between mediators, who typically represent institutional and traditional norms, and the disputing parties, particularly women who may interpret harmony as personal justice.

Divorce mediation at the Sidoarjo Religious Court thus becomes a productive cultural space where gender responsibilities (e.g., mothers' role as primary caregivers), divorce as a last resort, and the meaning of a harmonious family continue to be negotiated, reconstructed, and even challenged through symbolic dialogue involving sophisticated Javanese language, religious allusions, and contemporary aspirations.



Mediators not only handle the dynamics of communication between disputing parties, but they must also overcome a number of emotional and situational difficulties that can affect the symbolic meaning of the mediation process. These obstacles do not always appear as direct rejection. Instead, they often manifest as heightened emotions, differences of opinion, or the presence of outside parties such as lawyers who have the ability to change the tone of the conversation.

Mediators handling tensions have a significant impact on these emotional changes. Even when the parties feel angry or blame each other, mediators maintain emotional distance. The parties involved mimic the mediator's calm attitude as a sign of emotional control. This process of taking another person's perspective to control one's own behavior is what Mead refers to as role-taking.

Interview data with the parties involved shows that they feel respected and relieved after telling their stories during the mediation process. Some couples arrived angry, but they left with a more organized understanding of the underlying reasons for their disagreement and the consequences of their choices. Because the mediator consistently linked decisions to the best interests of the children, the couples were more emotionally prepared to part amicably even if the final decision was divorce.

The findings show that the emotional state of the parties after the mediation session was significantly influenced by the mediator's communication. Most respondents reported feeling calmer, thinking more clearly, and viewing their domestic disputes more objectively after leaving the mediation room. One indicator of the success of the mediator's interpersonal communication process is this change in mood.

The mediator said that around 20–30% of couples decided to reconcile, while the remaining couples were still divorced but in a more emotionally stable state. This shows that developing a more compassionate, organized, and harmonious divorce process is a key indicator of the effectiveness of mediation, in addition to reconciliation.

Mediators act as managers of emotions and meaning during divorce mediation in religious courts, controlling the emotions of the disputing parties through techniques such as shifting the focus to logic, temporarily stopping sessions when tensions reach a peak, and providing systematic guidance to create a conducive atmosphere. The results of the study show that the mediator's emotional control becomes an important symbol for couples, which is interpreted as a model of rational response to conflict, such as restraining anger and prioritizing peaceful agreements, thereby encouraging them to adopt a similar attitude through the process of role-taking in symbolic interactionism (Nidal, 2024).

The mediator helps the couple realize that, even though their marriage has ended, their relationship as parents continues through symbolic interactions. This message reflects the concept of shared meaning in Mead's theory, namely the development of a shared understanding that parental functions remain connected and need to be carried out with the same moral obligations. In this case, mediators facilitate the development of new social meanings, such as the idea that harmony is related to the relationship between husband and wife and their ability to ensure the well-being of their children. A new type of post-divorce harmony called "harmony as collaboration in parenting" emerges as a result of this awareness.

Mediator communication successfully changed the couple's identity. They were forced to see themselves as parents with the same, inseparable goal (the welfare of their children) rather than simply as former husband and wife who were hostile towards each other. The identity change triggered by this symbol reached its peak in the final act: going through the divorce in a responsible and peaceful manner. Thus, the mediator's communication, filled with symbols of the child, successfully changed the way the divorce took place, making it a more responsible and peaceful process, in accordance with local social and religious norms.

Mediators help them focus on their parental responsibilities, regardless of whether the parties are married or not. In addition to emphasizing the importance of communication and understanding between husband and wife, mediators seek to foster awareness that maintaining family harmony does not depend solely on the relationship between husband and wife. It also involves the responsibility of children. Given that children are the most vulnerable to the effects of divorce, the extent to which both parties comply with their shared commitments in child care is another indicator of the effectiveness of mediation.

In divorce mediation, mediators not only act as facilitators in conflict resolution, but also educate both parties about the long-term effects of divorce, especially on their children. Even though they no longer live together physically, mediators emphasize that both parents must have a deep awareness of these effects in order to be responsible for the welfare of their children. Divorce can have a negative impact on children's personality development and future academic achievement. It can also cause psychological disorders such as stress, anxiety, and lack of motivation to learn, as well as feelings of loss, loneliness, and insecurity.

Mediators help the parties maintain constructive roles and good communication for the sake of the children. This includes fulfilling financial obligations, providing sufficient time and emotional support for the children, and actively participating in their lives. By focusing on the interests and rights of children, this understanding helps reduce the negative impact of divorce and maintain family harmony despite the separation. As a result, the mediation process aims to foster mutual

understanding and shared responsibility for a brighter future for the children, in addition to resolving difficulties related to divorce (Pamomong et al., 2021).

The ability to resolve disputes peacefully and feel a sense of true justice is the ultimate goal of the divorce mediation process for many parties, especially in highly sensitive matters such as the division of joint property (*gono-gini*) and family support. Because this has an impact on the financial well-being of the divorcing parties and their dependent children, a calm and fair settlement in the division of joint property is very important. To achieve a satisfactory resolution and prevent prolonged disputes that can emotionally damage family relationships, mediators actively help both parties to engage in open discussion and understand each other's rights and perspectives.

The strongest conclusion from this study is that the couple's final decision to reconcile or proceed with an amicable divorce is greatly influenced by the mediator's communication, emphasizing the interests of the children. When the mediator began discussing the children's future rather than the internal disputes between husband and wife, almost all respondents said they felt emotionally moved.

The mediator deliberately focused his persuasive communication on “children.” Mrs. UP confirmed this when she said that the mediator “always reminded me about the children.” Cultural and religious values form the basis for this message. According to Mrs. UP, the mediator used “Javanese advice, such as children are a blessing,” which was then reinforced with the religious statement that “children are a gift from God.” Children are therefore seen as a blessing and a divine mandate, not merely a burden or responsibility, which effectively increases the moral weight of every decision that must be made.

The parties are encouraged to choose divorce in order to achieve procedural harmony, especially when the mediator routinely reminds them of the negative impact of divorce on children. The choice of both parties to “proceed with a peaceful divorce” shows that the mediator's communication, which focused on the welfare of the children, succeeded in reducing the level of conflict and encouraging the parties to separate peacefully for the sake of the children. This shows that focusing on the children did not change the decision to separate, but changed the way they did it, making it more responsible and harmonious.

## CONCLUSION

The divorce mediation process at the Sidoarjo Religious Court is greatly influenced by the communication tactics used by mediators, especially through an approach that focuses on symbols and cultural and religious values. Mediators use verbal and nonverbal cues, such as welcoming gestures, friendly facial expressions, eye contact, and empathetic and polite language, to create a safe, comfortable, and equal environment for the parties. This technique not only helps reduce tension and improve communication but also influences the couple's beliefs and identities, helping them view conflict, divorce, and their responsibilities as parents in a more responsible and peaceful manner. In addition, the use of moral and spiritual symbols in the mediation process reinforces the moral and emotional meaning for the parties, encouraging them to make more mature and logical decisions in order to improve relationships and end the divorce in a responsible and peaceful manner. Effective mediator communication can result in both legal agreements and psychological and emotional changes that support peaceful family development and more compassionate divorce procedures in accordance with regional social and religious standards.

The mediator first creates a friendly and relaxed atmosphere to foster conducive conditions for conversation. Mediators adjust their language style and level of formality to suit the social and cultural backgrounds of the parties being mediated. To promote equality and reduce stress, mediators use open body language and friendly facial expressions. Mediators use language symbols to influence how couples interpret domestic difficulties and divorce options. Conceptual metaphors, such as comparing marriage to a “painting,” are used by mediators as tools for self-reflection. Mediators help couples achieve peace by shaping meaning through spiritual and cultural symbols. The mediator's communication during the divorce mediation process greatly influences the couple's decision to stay together or separate amicably. Mediators help couples realize that divorce can be viewed as a responsible and mature method of resolution, not always as a sign of failure. Mediators help couples realize that even though their marriage has ended, their bond as parents remains. This study demonstrates that divorce mediation at the Sidoarjo Religious Court is a complicated and multifaceted social process in which the mediator's communication serves as a mechanism for collective meaning production, normative morality reinforcement, and the negotiation of implicit power relations between parties in addition to serving as a technical means of conflict resolution through dialogue facilitation. Through religious symbols like the idea of *sakinah mawaddah warahmah* and Javanese cultural symbols like *nrimo ing pandum*, mediators actively reconstruct the idea of a harmonious family—moving away from the ideal of a whole household and toward a realistic post-divorce harmony, particularly through co-parenting arrangements, equitable financial support distribution, and emotional reconciliation for the children's benefit.

However, religious authorities (such as Sharia interpretations of *sakinah* and *sabar*) and the state (through the mandate of PerMA No. 1/2016 on mandatory mediation) attached to mediators have an impact on the divorce mediation process at the Sidoarjo Religious Court. Through recurrent narratives about women's patience (*sabr*), sacrifice for children, and the social stability of the Muslim community, which frequently place a disproportionate weight on women, these authorities have the potential to perpetuate conventional patriarchal gender standards. Women's options are still constrained by institutional normative frameworks, Javanese-Islamic cultural expectations, and larger power structures like household economic disparities, even though they exhibit forms of adaptive agency like negotiating using religious language or demanding *hadhanah* rights. In order to understand the role of divorce mediation and ensure that mediation practices are not only focused on normative harmony and symbolic reconciliation but also sensitive to substantive gender justice, the parties' subjective experiences, and long-term structural transformation, this study highlights the significance of a critical sociological approach that integrates gender, cultural, and communication perspectives.

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