

## PERFORMANCE OF THE SYAR'ITYAH COURT IN HANDLING DIVORCE CASES IN CENTRAL ACEH REGENCY

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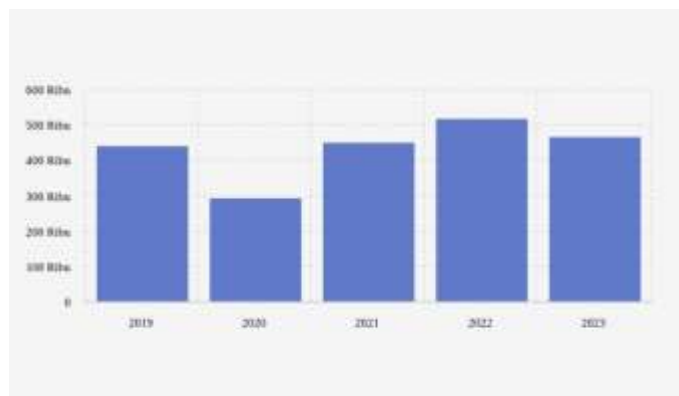
### Abstract

The Performance of the Sharia Court in Handling Divorce Cases in Central Aceh Regency with the increasing number of divorce cases every year, there were 538 cases in 2023, the cause of divorce cases was due to economic factors. This study aims to determine and analyze the performance of the Sharia Court in handling divorce cases in Central Aceh Regency and identify the obstacles faced with the focus of this research is to see performance with aspects of service quality and responsibility. This study uses a qualitative research method with a descriptive approach. This study uses two data sources: primary data in the form of interviews, field observations, and documentation, and secondary data, namely SOPs, Regulations and documents, as data collection techniques. The results of this study indicate that the performance of the Sharia Court in handling divorce cases is not optimal, especially in the mediation process which still takes a long time and the low success rate of mediation. The main factors causing divorce cases are economic problems and dependence on online gambling which affects the husband's financial ability. The obstacles faced are the absence of one of the parties, excessive emotions from both parties in the case and the limited number of mediators.

**Keywords:** *Performance, Service Quality, Responsibility, Divorce*

### INTRODUCTION

Essentially, every company and organization prioritizes employee performance. Optimal employee performance in a company or organization is achieved through various methods, one of which is conducting balanced analysis activities. Bureaucrats in Indonesia are carrying out their work unprofessionally, violating applicable regulations and failing to adhere to principles. Therefore, restoration efforts are essential to ensure these bureaucrats can competently carry out their duties and responsibilities. A company can progress by looking at the performance results obtained by employees. Employee performance results are used as a guideline to determine the level of success and development of the company that is able to achieve its vision and mission, similar to the performance of the Sharia Court in handling divorce cases in Central Aceh Regency which is assigned to be able to handle the divorce cases. The increasing divorce rate in Indonesia is a social issue that is increasingly receiving attention from various groups, this problem not only affects the individuals involved, but also has a broad impact on society. The continued increase in divorce can disrupt family stability, which is the main foundation in forming the character of future generations.



**Figure 1 Divorce Case Data in Indonesia in 2019-2023**

Based on the data above, according to a report from the Indonesian Statistics Agency (BPS), the number of divorce cases in Indonesia in 2023 was 463,654. This figure decreased by 10% compared to the previous year, which reached 516,344 cases. The main causes of divorce in Indonesia are continuous disputes and arguments, economic problems, abandonment by one of the parties, domestic violence, and drunkenness. Data on divorce cases in Aceh shows a significant increase throughout 2023. Based on data collected from Sharia Courts in all districts/cities in Aceh Province, a total of 6,086 divorce cases were handled. The main factors causing divorce in Aceh, such as continuous disputes and arguments, dominated with a total of 4,744 cases. In addition, there were 808 divorce cases caused by one party leaving their partner. Economics is also a significant cause of divorce, recorded at 270 cases. Violence (domestic violence) is also a factor causing divorce in Aceh, with a total of 108 cases.

The increase in divorce cases is certainly a serious concern for the government and the people of Aceh. Efforts to raise awareness of the importance of good communication, understanding of household economics, and handling domestic violence must be continuously improved. The parties involved in this matter are the Sharia Court office which plays a role in processing divorce cases. The Ministry of Religion provides counseling and divorce prevention services through the Marriage Advisory, Guidance and Preservation Agency (BP4) program. The Central Aceh Sharia Court is an Islamic Sharia Court Institution located in the Central Aceh Regency as a development of the court which was inaugurated on 1 Muharram 1424/H, March 4, 2003 in accordance with Regulation and Law No. 18 of 2001, Presidential Decree No. 11 of 2003 and Aceh Provincial Qanun No. 10 of 2002. Part of Article 49 paragraph 1 of Law Number 7 of 1989 states that the Islamic Sharia Court has the function of serving and handling problems or cases at the level between people of the Muslim faith, including divorce cases.

The main task of the Central Aceh Sharia Court, as is the task of religious courts in general, namely as regulated in Law Number 7 of 1989, is to examine, decide, and resolve cases at the first level between people of the Muslim faith in the fields of: (1) marriage; inheritance, wills, and gifts, (2) which are carried out based on Islamic law, (3) Waqf and charity. Meanwhile, the Marriage Advisory, Development and Preservation Agency (BP4) which was established on January 3, 1960 and confirmed by Decree of the Minister of Religion Number 85 of 1961, is recognized as the only agency that works in the field of Marriage Advisory and Divorce Reduction. The function and task of the Marriage Advisory, Development and Preservation Agency (BP4) remains consistent in implementing Law Number 1 of 1974 concerning Marriage. Which states that marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One Almighty God. The high number of divorce cases in Central Aceh Regency is a problem faced by both the central and regional governments. Divorce rates in Central Aceh Regency have been increasing year after year. The following is data on divorce cases in Central Aceh Regency:

**Table 1 Divorce Cases in Central Aceh Regency 2020-2023**

No	Year	Number of Divorces
1	2020	432 cases
2	2021	491 cases
3	2022	539 cases
4	2023	538 cases

Source: Central Aceh Sharia Court

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The data above explains that in recent years, divorce in Central Aceh Regency has also been an increasing phenomenon, with divorce cases increasing every year. The most common divorce cases each year are divorce by lawsuit. The causes of divorce in Central Aceh are economic factors (241 cases), continuous quarrels (174 cases), divorce leaving one of the parties (44 cases), infidelity (48 cases), domestic violence (23 cases), and polygamy (8 cases) decided by the Central Aceh Sharia Court. Based on an initial interview with Mr. Win Syuhada, the Chief Justice of the Central Aceh Sharia Court, he stated that until December 2023, there were 538 cases, including divorce by divorce, divorce by lawsuit, and property lawsuits, but the most dominant were divorce by lawsuit and divorce by divorce. Of these, the wife suing her husband took the first place. The reason for the wife suing her husband was economic factors. And after further investigation, it's not just economic factors that contribute to divorce, but also several other factors, such as online gambling, constant arguments, domestic violence, and infidelity. The most dominant factor in divorce here is economic factors, where the husband doesn't work but is busy playing online gambling. This results in the husband being unemployed and without income, thus omitting the responsibility of providing for the family. Therefore, the wife takes the lead in meeting the family's daily needs. This causes husbands and wives to quarrel constantly, and life worsens day by day, with harmony no longer present between the husband and wife. This case occurs every month, 15 to 20 cases of marriage dispensation applications, dominated by women as applicants, with the average applicant being 17 years old.

## LITERATURE REVIEW

Previous research is research that functions as a form of comparison of research that will be carried out with research that has already existed. Previous research taken by researchers must be relevant to the title or topic of the research that will be carried out.

**Table 2 Previous Research**

No.	Name and Title of Research	Research result	Equality	Difference
1	Ulan Agung (2024) With the title "Analysis of the Role of Mediators in Handling Divorce Cases" Case Study at the Jombang Religious Court in 2023 (Journal)	The results of this study indicate that mediator involvement in the implementation of divorce mediation is still substandard and ineffective. Only 16 of 2,938 cases, or 0.5%, were mediated effectively. Due to factors such as lack of self-awareness, egotism, and a lack of desire for reconciliation, the fact that mediation is unpleasant, and the misunderstanding that it is simply a procedure, a unique category of impartial mediator is needed to correct this, the results of mediation, and explain to each disputing party why mediation is important.	Both discuss divorce cases and both use qualitative methods, namely observation and interviews.	This research focuses more on analyzing the role of mediators in handling divorce cases, while the author focuses more on the Sharia Court in handling divorce cases.
2	Siti Hanifa (2023) with the title "Effectiveness of the Mediation Process in Reducing the Divorce Rate at the Bireun Sharia Court. (Journal)	The results of this study are that the mediation mechanism carried out at the Bireun Sharia Court is carried out in accordance with PERMA No. 1 of 2016. Where if one of the partners refuses to agree to a divorce, then the mediation process will be carried out, and discussions will be held with the parties to reach an agreement. Therefore, the mediation process is used if the wife files for divorce but the husband makes a statement	Both discuss divorce cases and both use qualitative methods, namely observation and interviews.	This research focuses more on the effectiveness of the mediation process in reducing the divorce rate in the Court, while the author focuses more on the regional Sharia Court in handling divorce cases.

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		during the first hearing that he does not want a divorce. The success rate of mediation at the Bireun Sharia Court in reducing the divorce rate is not yet in the effective category.		
3	Muhammad Nur Huda (2019) With the title "Mediator Performance in Divorce Cases at the Pacitan Religious Court, Perspective of Supreme Court Regulation No. 1 of 2016 Concerning Mediation in Ponogoro City".  (Thesis)	The results of this study indicate that the performance of Mediators in the Pacitan Religious Court is still largely a failure and ends in divorce, because in the implementation of mediation, especially from the parties who are reluctant to act in good faith and the lack of awareness of the parties regarding Perma No. 1 of 2016. The inhibiting factors are: law enforcers themselves, where the honorarium in Article 9 paragraph 1 of Perma No. 1 of 2016 is that the use of mediator services is free of charge and the parties are also reluctant to act in good faith so that in the minds of the parties being mediated choose to separate.	Both discuss divorce cases and both use qualitative methods, namely observation and interviews.	This research focuses more on the Performance of Mediators in Divorce Cases at the Pacitan Religious Court from the Perspective of Supreme Court Regulation No. 1 of 2016 Concerning Mediators. Meanwhile, the author focuses more on the regional Sharia Court in handling divorce cases.
4	Inda Fazira (2023) With the title (The Role of the Mediator Judge in Mediating Divorce Disputes at the Lhoksukon Sharia Court.  (Journal)	The results of this study indicate that although the Supreme Court has attempted to implement mediation in accordance with Supreme Court Regulation Number 1 of 2016, mediation has not been effective enough in reducing the divorce rate at the Lhoksukon Sharia Court. Several factors influencing mediation failure include the absence of one of the parties, a strong desire for divorce, and prolonged conflict.	Both discuss divorce cases and both use qualitative methods, namely observation and interviews.	This research focuses more on the role of the mediator judge in mediating divorce disputes, while the author focuses more on the performance of the Sharia Court in handling divorce cases.
5	Annisa Zulfa Wulandari (2024) With the title "The Role of Counselors of the Marriage Guidance and Preservation Advisory Agency (BP4) in Preventing Divorce at the Labuhan Maringgai Religious Affairs Office (KUA), East Lampung".  (Thesis)	The results of this study indicate that the implementation of BP4 counselors in preventing divorce at the Labuhan Maringgai KUA Office is crucial, both before and after marriage. BP4's primary role is as an advisor and mentor, as a mediator, and as a marriage counselor. BP4's role in preventing divorce in Labuhan Maringgai should be embraced by every citizen contemplating marriage. This aims to create goodness and family harmony.	Both discuss divorce cases and both use qualitative methods, namely observation and interviews.	This research focuses more on the role of counselors at the Marriage Development and Preservation Advisory Agency (BP4) in preventing divorce, while the author focuses more on the performance of the Sharia Court in handling divorce cases.

## Definition of Performance

The performance of an employee in every company or organization is the most influential part because it has the potential to directly influence whether or not the goals that have been set are achieved so that they can experience a level of development or even a level of progress for the company and be able to achieve all that is expected.

## Job Assessment

Performance assessment is crucial because it can be used as a benchmark for an organization's success in achieving specific goals. Public service organizations can use performance evaluations to assess the extent to which services meet expectations and satisfy customers. By conducting performance evaluations, efforts to improve performance can be carried out in a more targeted and effective manner. Performance is also crucial for creating pressure on service providers to make positive changes within the organization. Performance data can be used to easily benchmark and create incentives to improve performance (Dwiyanto 2021:70).

## Understanding Performance Management

Performance management is about building relationships and ensuring effective communication. Performance management focuses on what organizations, managers, and employees need to succeed. Performance management is about how performance is managed to achieve success. There are several expert views on the definition of performance management.

## Conceptual Foundation

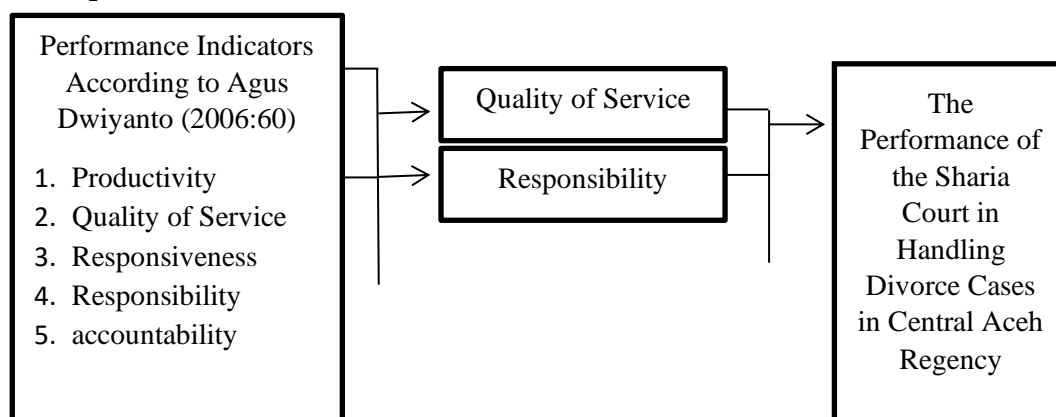


Figure 2 Conceptual Basis

## Source: 2024 Data Processing

Based on the conceptual basis above, to examine this problem, the researcher used Agus Dwiyanto's indicators (2006:60). From these indicators, the researcher only used two indicators, namely, Service Quality and Responsibility. The researcher used these indicators as a reference in completing and analyzing the results and appropriate solutions to see what is happening in the field. Thus, the problem regarding the performance of the Sharia Court in handling divorce cases can be resolved, and it is hoped that this will create optimal performance of the Sharia Court in handling divorce cases.

## METHOD

### Research Location

This research took place at the Sharia Court of Central Aceh Regency. The author conducted the study because the number of divorce cases in Central Aceh Regency has increased in recent years. This prompted the researcher to investigate the government's performance in handling divorce cases in Central Aceh Regency.

### Research Approach

In accordance with the problems described by the researcher, the research approach used was descriptive qualitative. Qualitative research methods are research methods based on the philosophy of postpositivity, used to examine the conditions of natural objects (2021: 18). The researcher's reason for choosing a descriptive qualitative approach was to directly observe the actual conditions on the ground regarding the performance of the Sharia Court in handling divorce cases in Central Aceh Regency and to link the indicators underlying this research so that results can be obtained regarding the problems observed by the researcher.



### **Research Informants**

In a study, research informants play a significant role in obtaining information from sources related to the performance of the Sharia Court in handling divorce cases in Central Aceh Regency using purposive and accidental sampling. Purposive sampling is a technique for determining data source samples with certain considerations, while accidental sampling is a technique for determining samples based on chance. Sugiyono (2021: 133-134).

### **Data source**

Data sources are divided into two, namely:

1. Primary Data Sources  
Primary data sources are those that directly provide data for data collection. Primary data is textual data obtained through interviews with informants used as samples in the research. The data can be recorded or recorded by the researcher.
2. Secondary Data Sources  
Secondary data sources are data sources that do not directly contribute to data collection. In this study, secondary data was collected by collecting the data needed to find the desired answers.

### **Data collection technique**

According to Sugiyono (2021:104), data collection techniques are the most strategic step in conducting research, as the goal of research is to obtain data. In collecting data, the author used the following collection techniques:

1. Observation (observation)  
Researchers used passive observation. Passive observation involves visiting, observing, and then recording behaviors occurring in real-life situations. This involves observing the location of activities without directly participating in them. Therefore, the researchers conducted the research by visiting the field directly to obtain data relevant to the object of study.
2. Interview  
An interview is a meeting between two people to exchange information and ideas through questions and answers, thereby contributing meaning to a specific topic. In this study, the researcher used an unstructured interview technique, which is a free-flowing interview conducted by the researcher with the informant.
3. Documentation  
According to Sugiyono (2021:124), the technique of collecting information or collecting data directly from sources, in the form of documents that are considered important, such as existing regulatory data, recordings, photos, images and other data that are relevant to the problem being researched.

### **Data Analysis Techniques**

There is the Miles and Huberman model of data analysis, a data analysis technique that is carried out directly during data collection and is carried out continuously until completion (Sugiyono, 2021:123). The Miles and Huberman model of data analysis techniques includes:

1. Data collection (Data Collection)  
Data collection is the process of obtaining the information needed in research through in-depth interviews, observation and documentation so that a lot of data is obtained.
2. Data Reduction  
Data reduction is the process of selecting research topics, summarizing, classifying, simplifying, and focusing on important points to identify themes. This is carried out after the researcher has collected the data. The purpose of data reduction is to provide an overview and information and draw conclusions from the data generated in the research.  
In this study, researchers obtained data through a process of data collection regarding government policies regarding divorce cases in Central Aceh Regency. Furthermore, researchers were able to summarize the main points of the research conducted through data reduction in accordance with the research theme.
3. Data Display  
Data presentation is the process of presenting or presenting research data, to be compiled and reported so that it can be understood and makes it easier to make decisions, and to plan the steps to be taken next.
4. Conclusion Drawing

Conclusions are the final stage of data collection. After data collection, conclusions are drawn and the overall meaning of the data presented is determined through data reduction and presentation. The purpose of these conclusions is to enable researchers to obtain answers and final conclusions from the research focus.

## **RESULTS AND DISCUSSION**

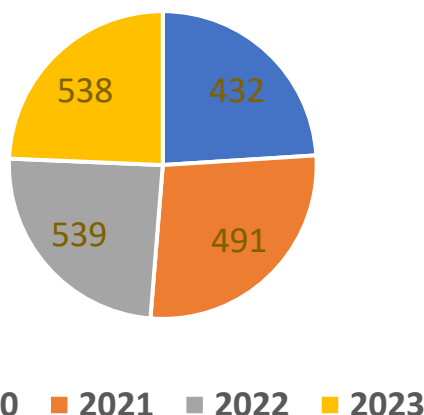
### **The Performance of the Sharia Court in Handling Divorce Cases in Central Aceh Regency**

#### **Quality of Service**

Quality of service is Good quality public services will always prioritize service quality indicators because they are able to explain the elements of public assessment. The theory supporting Service Quality from Agus Dwiyanto (2006) states that service quality indicators are not only assessed from administrative aspects that are physical and procedural, but also from aspects of speed of time, clarity of information, attitude of officers, and comfort of the service environment. And empathy must be continuously improved so that the public feels served satisfactorily and according to public service quality standards. Meanwhile, service quality from previous research by Ulan Agung (2024) is the lack of adequate facilities, lack of competence and professionalism of mediators, and the existence of a misperception from related parties that mediation is only a formal procedure without seriousness in reaching an agreement. Based on the interview above, the author obtained the results that the service at the Sharia Court was quite good and what made the process take a long time was because the community did not understand the administration. From the interview results In discussions with various parties regarding the quality of service in handling divorce cases at the Takengon Sharia Court, the Registrar emphasized that service is fast and clear, with maximum efforts to provide transparent explanations of the entire legal process. A judge echoed this sentiment, emphasizing the importance of excellent service in handling divorce cases. The judge also explained the mediation mechanism as an alternative, where the mediator can be selected by the parties or appointed directly by the Chief Justice in the event of an impasse; this reflects the institution's commitment to resolving disputes objectively and professionally.

Support for the mediation mechanism was also expressed by the Head of the Regency Ministry of Religious Affairs, who stated that improving the quality of mediation services is a primary focus. Concrete steps have been taken through training for mediators, in response to the high divorce rate due to economic pressures. This initiative demonstrates the synergy between institutions in strengthening the role of mediators to be more competent and effective in resolving complex domestic conflicts. Furthermore, regarding the quality of services at the Sharia Court, representatives from the Board of Advisors, Fostering, and Preserving Marriage (BP4) emphasized that there is still room for improvement, particularly in terms of public outreach and education regarding the legal process and alternative resolutions through mediation. Complaints regarding the length of the divorce process also came from members of the public who had dealt with the Sharia Court. Although they received friendly and clear service, they felt the administrative process took longer. Similar concerns were expressed by village community leaders, who highlighted the community's lack of understanding of the file requirements, which led to delays, despite the court staff being quite helpful in providing guidance. From the interview results Based on discussions with various parties, it can be concluded that the quality of service in handling divorce cases at the Takengon Sharia Court has carried out its function well and provided efficient divorce services. The mediation mechanism has been implemented systematically, supported by external training to improve mediator competence. However, several challenges still need to be addressed: the duration of settlement is considered too long and the lack of public literacy regarding procedures and dispute resolution options.

Grafik Kasus Perceraian Di Kabupaten Aceh Tengah



Different from the results of previous research by Ulan Agung (2024) the quality of services at the Jombang Religious Court was considered less than optimal, the facilities were less comfortable, the mediators were less serious, and the perception that mediation was only a formal procedure resulted in a very low success rate and the mediation process was less effective in resolving divorce cases.

### Responsibility

Responsibility is the ability of the bureaucracy to recognize community needs, set service agendas and priorities, and develop public service programs in accordance with community needs and aspirations. Indicators supporting Responsibility, according to Agus Dwiyanto (2006), include the extent to which tasks are carried out based on established legal procedures with full responsibility, without deviation or negligence. Meanwhile, Responsibility, according to Ulan Agung's (2024) previous research, is to increase the effectiveness of mediation at the Jombang Religious Court by providing advice to the government and courts to be more serious in implementing mediation, improving the quality of mediators through training and competency indicators, and providing adequate facilities. Based on the interviews above, the author found that couples seeking divorce typically first approach village officials. They will then mediate with traditional leaders and their respective families to find an amicable solution before proceeding to formal legal proceedings. Based on interviews with various parties related to the Sharia Court's responsibility in Central Aceh Regency regarding divorce cases, has endeavored to optimize the governance of divorce cases in line with applicable standard operating procedures (SOPs). Mediation is an essential initial phase, starting from case registration to the appointment of a panel of judges and the summons of the relevant parties. This mediation is given a maximum time limit of 30 days, during which the mediator gives the couple the opportunity to seek an amicable solution from a list of available mediators. If these efforts are unsuccessful, the process proceeds to the main trial of the case. This mechanism aligns with Supreme Court Regulation No. 1 of 2016, which emphasizes the importance of resolving disputes through mediation before formal trials begin.

The majority of cases are filed by wives, primarily motivated by economic pressure within the household. Dire socioeconomic conditions are often triggered by husbands losing their livelihoods, and there are even indications of online gambling addiction, which exacerbates the family situation. This fact presents a profound dilemma for the courts, requiring them to examine not only the formal aspects of the lawsuit but also the underlying root causes of the case. By delving deeper into economic factors and addiction, the panel of judges strives to ensure that no party is harmed and that the decision reflects substantive justice. In addition to the court level, mediation interventions are also conducted through local networks, such as mobile courts and mediations facilitated by the Management of the Marriage Advisory, Development, and Preservation Agency (BP4) and village governments. At the village level, through traditional leaders and village officials, couples contemplating divorce are handled through informal mediation, followed by efforts to build a conducive atmosphere to create opportunities for reconciliation. Although the Management of the Marriage Advisory, Development and Preservation Agency (BP4) does not require mediation except for civil servants, they still encourage parties to try reconciliation first and note that at least some cases have been successfully resolved through this approach.



From the interview resultsBased on the accountability of the Takengon Sharia Court in handling divorce cases, it can be concluded that the divorce case handling process at the Sharia Court has followed the procedures stipulated in Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Court. This process begins with mediation as an initial effort to resolve conflicts peacefully. The main factor driving divorce in this region is economic problems, which are often exacerbated by online gambling addiction among husbands. This results in the husband's inability to fulfill the family's economic responsibilities, so that the wife feels unable to maintain the marriage. In addition, mediation efforts are also carried out at the village level by traditional and family leaders, as well as by the Marriage Advisory, Guidance, and Preservation Agency (BP4) at the Bebesen District Office of Religious Affairs (KUA). However, the success rate of mediation is still low, of the 23 cases consulted that were successfully mediated, approximately 6 cases of couples were successfully reconciled. In addition, there are complaints about long waiting times and trial delays, this indicates the need for improvements in the efficiency of the judicial process to provide better services to the community. Different from the results of previous researchUlan Agung (2024)'s study of responsibility at the Jombang Religious Court shows that mediators have a primary responsibility to carry out their role professionally, neutrally, and be able to help both parties reach a fair agreement. However, research results indicate that current mediators are less effective due to a lack of adequate competency and a deep understanding of the importance of true mediation, so that competency improvement and training beyond mere certification are needed.

## Obstacles to the Performance of the Sharia Court in Handling Divorce Cases in Central Aceh Regency

An obstacle is something that prevents a program or task from running smoothly. This means that an obstacle itself is an undesirable event that occurs during the implementation of a program or activity. Obstacles identified in previous research by Ulan Agung (2024) include a lack of available mediators, rejection and denial of good intentions from disputing parties, and inadequate mediation room facilities. Furthermore, public perception of mediation as a formal procedure also poses a barrier to the conflict resolution process.

## Absence of One of the Parties

Attendance at the mediation process in the Sharia Court is crucial and required by law. Absence without a valid reason can be detrimental to the parties involved, both legally and financially. Therefore, parties involved in the religious court must comply with the obligation to attend mediation to achieve a fair and efficient resolution. Based on the interviews above, the author found that the absence of one of the parties in the mediation process in the Sharia Court is a major obstacle. Because the goal of mediation is to reconcile the two parties, their presence is crucial. If one of the parties fails to attend, the mediator can declare the mediation a failure, and the trial process will continue. Therefore, coordination with the mediator and the court is carried out to ensure that the parties understand the importance of their presence in the mediation process. From the results of interviews with various parties regarding the obstacle of the absence of one of the parties in the case of divorce at the Sharia Court.The absence of one of the parties in the mediation process is the most significant obstacle in resolving a case in the Sharia Court. If one of the partners is absent twice in a row without a valid reason as stipulated in Supreme Court Regulation No. 1 of 2016, the mediation is automatically declared a failure, so the process must proceed to the examination of the main case. This condition is exacerbated if communication between the two parties has been broken off or the desire for divorce is very strong, which practically makes mediation efforts futile.

Furthermore, the presence of both parties is not merely procedural, but rather an indicator of good faith and commitment to seeking a peaceful resolution. If ignored, reaching a common ground in mediation is difficult. To address this issue, religious institutions and the courts collaborate by assigning certified non-judgemental mediators and providing training to enhance the professionalism of the mediation process. Intensive coordination is also conducted to ensure the parties are aware of the importance of their schedules and attendance. However, technical obstacles such as systemic non-attendance remain a challenge that has not been fully resolved, despite various mitigation strategies being implemented. From the interview results above, it can be concluded that the main obstacle in the mediation process at the Sharia Court of Central Aceh Regency is the repeated absence of one of the parties without a valid reason. This hampers efforts to resolve disputes peacefully, as stipulated in Supreme Court Regulation of the Republic of Indonesia Number 1 of 2016 concerning Mediation Procedures in Court. This regulation emphasizes the importance of good faith from the parties, including the obligation to attend the mediation process. Absence without a valid reason can be considered an act of lack of good faith, which can potentially cause the mediation to be declared a failure and the case to proceed to the main examination stage.

### **Too High Emotions From Both Parties**

Excessive emotions during a divorce can cloud judgment, hinder communication, and complicate dispute resolution. Therefore, it is crucial for couples facing divorce to manage their emotions wisely, seek assistance from a competent mediator, and consider approaches consistent with Islamic values to achieve a just and peaceful resolution. From the interviews with various parties above, it can be concluded that one of the main obstacles in the divorce mediation process is the high emotional state of both parties. Both parties often blame each other and prioritize their own egos, making it difficult to reach a mutual agreement. High emotional levels often hinder the mediation process. Many couples arrive in a state of heightened and unstable emotions, making it difficult to facilitate constructive dialogue. Furthermore, economic factors, such as one party's addiction to online gambling, are also a major cause of divorce, often not acknowledged by the parties involved, leading to mutual blame. These obstacles make the mediation process less effective and complicate efforts to find a middle ground in resolving divorce cases.

### **Lack of Mediator**

The lack of certified mediators in the Sharia Court is a major factor in the low success rate of mediation in resolving divorce cases. This is due to several factors, such as the limited number of certified mediators, a lack of public understanding of mediation, and the parties' lack of good faith in reconciliation. Furthermore, the large number of cases handled by the Sharia Court also hinders the optimal implementation of mediation. Interviews with various parties regarding the lack of mediators in divorce cases at the Sharia Court revealed the following: Although the Takengon Sharia Court has engaged non-judge mediators, the imbalance between the number of mediators and the number of cases has resulted in many mediations failing, resulting in cases ultimately being decided in court. The main triggers for divorce are economic pressure and online gambling addiction, complicating the process, especially when a single mediator handles multiple cases simultaneously. This slows the mediation process, triggers trial delays, and reduces the effectiveness of settlements for the community. From the results of the interviews above with various parties, it can be concluded that there are obstacles in the implementation of mediation at the Takengon Sharia Court. The limited number of mediators, which is only one, is not commensurate with the high number of divorce cases received. This causes the mediation process to be less than optimal, especially in handling the high emotions of both parties in dispute. Furthermore, the frequently delayed trial process also extends the time for case resolution. Economic factors and online gambling addiction among husbands are the main causes of the increasing divorce rate in Central Aceh Regency. In contrast to the results of previous research by Ulan Agung (2024), obstacles at the Jombang Religious Court include an inadequate number of mediators, a lack of competence and professionalism of mediators, perceptions of funds and motivation of the parties in the case, inadequate facilities and infrastructure, and a lack of commitment and seriousness from the related parties.

### **Conclusion**

From the research results obtained in the field, it can be concluded that:

1. The performance of the Sharia Court of Central Aceh Regency in handling divorce cases is not optimal, this refers to the low success rate of mediation and the lengthy case resolution process. The main cause of divorce cases in Central Aceh Regency is economic problems, particularly online gambling addiction that leads to the inability of husbands to fulfill financial obligations. Although the Sharia Court has carried out its duties in accordance with Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures, there is still a need for improvements in terms of efficiency in case resolution time and conflict management to improve services. The mediation process conducted at the village level and the Marriage Advisory, Guidance and Preservation Agency (BP4) also shows a low success rate, so there is a need to increase the capacity of mediators and educate the public about the importance of mediation and divorce procedures.
2. Obstacles to the performance of the Sharia Court in Central Aceh Regency in handling divorce cases include the absence of one of the parties in the mediation process, which delays the process until the absent party returns to participate in mediation, making it difficult for the mediator judge to find a solution to the problem. Furthermore, high emotional levels among the disputing parties, economic factors, especially online gambling addiction, worsen the condition of both parties, leading to mutual blame. Furthermore, the limited number of mediators causes the mediation process to be lengthy and less than optimal.

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**REFERENCES**

- Agung, U. (2024). *Analisis Peran Mediator Dalam Menangani Kasus Perceraian ( Studi Kasus Di Pengadilan Agama Jombang Tahun 2023 )*. 2(4), 972–979.
- Asmike, M., & Sari, P. O. (2022). Manajemen Kinerja (Meningkatkan Keunggulan Bersaing). In *Unipma Press* (Vol. 3, Issue 1).
- Budiyanto, E., & Mochklas, M. (2020). Kinerja Karyawan Ditinjau dari Aspek Gaya Kepemimpinan Budaya Organisasi dan Motivasi Kerja. In *Evaluasi Kinerja SDM*.
- Dwiyanto, A. (2006). *Mwujudkan Good Governance Melalui Pelanan Publik*. Yogyakarta:UGM Press.
- Dr. R. Agoes Kamaroellah, M. (2013). Manajemen Kinerja. *Journal of Chemical Information and Modeling*, 53(9), 1689–1699.
- Fazira, I., Manfarisyah, M., & Husna, C. A. (2024). Peran Hakim Mediator Dalam Mediasikan Sengketa Perceraian Di Mahkamah Syar'iyah Lhoksukon. *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh*, 6(4). <https://doi.org/10.29103/jimfh.v6i4.12991>
- Hanifa, S. (2023). Efektivitas Proses Mediasi dalam Mengurangi Angka Perceraian di Mahkamah Syar'iyah Bireun. *Jurnal Hukum Keluarga Islam*, 2(2), 1–26. <https://doi.org/10.47766/jeulame.v2i2.1958>
- Hafiz. P. (2022). *Kinerja Tim Satgas Saber Pungli Dalam Mengatasi Masalah Pungli Pelayanan Parkir di Lapangan Merdeka Kota Medan*. Universitas Malikussaleh.
- Husaini. U.(2011). *Manajemen: Teori, Praktik dan Riset Pendidikan*. Jakarta: Bumi Aksara
- Juniarti, A. T. (2021). *Faktor-Faktor Dominan Yang Mempengaruhi Kinerja*. (W. Kurniawan (ed.)). CV. Pena Persada.
- Kamaroellah. A. (2023). *Manajemen Kinerja*. (CV Mandar Maju, Bandung).
- Monica. P. (2024). *Kinerja Pemerintah Daerah Dalam Pengelolaan Sampah Di Pasar Padang Aro Kabupaten Solok Selatan*. Universitas Malikussaleh.
- Nurul. A. (2022). *Kinerja Dinas Perdagangan, Perindustrian Koperasi Dan Usaha Kecil Menengah Kabupaten Aceh Utara*. Universitas Malikussaleh.
- Wehelmina, R. (2021). Manajemen Kinerja. In *Journal of Chemical Information and Modeling* (Vol. 53, Issue 9).
- Sugiyono (2021). *Metode Penelitian Kuantitatif Kualitatif dan R&D*. Bandung. Alfabeta.