

## **RINGKASAN**

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**Efektivitas Penerapan PERMA Nomor 1  
Tahun 2016 Tentang Prosedur Mediasi  
Perkara Perceraian (Studi Penelitian Di  
Mahkamah Syar'iyah Lhokseumawe)  
( Dr. Faisal, S.Ag., S.H., M.Hum. dan Dr.  
Ramziati, S.H., M.Hum. )**

Tingkat keberhasilan mediasi dalam mengurangi angka perceraian di Mahkamah Syar'iyah Kota Lhokseumawe masih rendah, meskipun telah diatur dalam PERMA Nomor 1 Tahun 2016. Masalah ini muncul karena kewajiban mediasi dalam setiap perkara perceraian berdasarkan peraturan perundang-undangan yang berlaku, sementara harapannya agar mediasi dapat menjadi solusi efektif dalam penyelesaian perkara perceraian dan mengurangi beban pengadilan.

Penelitian ini bertujuan untuk mengkaji efektivitas mediasi perceraian berdasarkan PERMA Nomor 1 Tahun 2016 di Mahkamah Syar'iyah Lhokseumawe, serta untuk mengetahui kendala dan upaya dalam mengurangi perkara perceraian.

Metode penelitian ini adalah yuridis empiris. Penelitian ini dilakukan di Mahkamah Syar'iyah Kota Lhokseumawe menggunakan data primer melalui wawancara dengan informan dan responden yaitu para pihak yang berperkara, akademisi, hakim, mediator non-hakim, dan hakim mediator.

Hasil penelitian menunjukkan bahwa efektivitas penerapan PERMA Nomor 1 Tahun 2016 tentang Prosedur Mediasi di Pengadilan dalam perkara perceraian di Mahkamah Syar'iyah Lhokseumawe sangat bergantung pada sikap terbuka para pihak, pendekatan humanis dari mediator, serta dukungan sistemik melalui pelatihan dan edukasi publik agar mediasi benar-benar menjadi sarana penyelesaian sengketa yang damai, adil, dan bermartabat. Kendala utama yang dihadapi Mahkamah Syar'iyah Kota Lhokseumawe dalam proses mediasi perceraian meliputi rendahnya kesadaran hukum masyarakat terhadap manfaat mediasi, faktor sosial seperti emosi tinggi, ketidakpercayaan, tekanan keluarga, dan kurangnya edukasi hukum dari instansi luar turut memperburuk efektivitas mediasi, padahal berdasarkan Pasal 39 ayat (1) Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan, Pasal 115 Kompilasi Hukum Islam, dan PERMA Nomor 1 Tahun 2016, mediasi adalah tahapan wajib yang bertujuan utama menyelesaikan konflik secara damai sebelum perkara diputus di pengadilan. Upaya Mahkamah Syar'iyah Kota Lhokseumawe dalam mengurangi perkara perceraian melalui mediasimenakup penyuluhan kepada masyarakat, serta pengawasan dan evaluasi berkala atas efektivitas mediasi.

Disarankan agar Mahkamah Syar'iyah semakin memperluas sosialisasi tentang pentingnya mediasi kepada masyarakat, sehingga mediasi dapat berfungsi maksimal sebagai upaya penyelesaian sengketa secara damai dan efektif.

**Kata Kunci :** Mediasi, Perceraian, Mahkamah Syar'iyah.

## SUMMARY

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***The Effectiveness of the Implementation of Supreme Court Regulation PERMA Number 1 of 2016 on Mediation Procedures for Divorce (Cases at the Mahkamah Syar'iyah Lhokseumawe)***  
**( Dr. Faisal, S.Ag., S.H., M.Hum. and Dr. Ramziati, S.H., M.Hum. )**

*The success rate of mediation in reducing the divorce rate at the Mahkamah Syar'iyah of Lhokseumawe remains low, despite being regulated in PERMA Number 1 of 2016. This is caused by several factors, including the lack of mediator skills, the inability of the parties to communicate effectively, and a lack of trust in the mediation process. This issue arises because mediation is mandatory in every divorce case according to the applicable legislation, while the expectation is that mediation will serve as an effective solution for resolving divorce cases and reducing the burden on the courts.*

*This study aims to assess the effectiveness of divorce mediation based on PERMA Number 1 of 2016 at the Mahkamah Syar'iyah Lhokseumawe, as well as to identify the obstacles and efforts to reduce the divorce rate.*

*The research method is juridical-empirical. The study was conducted at the Mahkamah Syar'iyah of Lhokseumawe using primary data through interviews with respondents, including the parties involved in the case and informants consisting of civil law lecturers, non-judge mediators, judges, mediator judges, and non-mediator judges.*

*The results of the study indicate that the effectiveness of the implementation of PERMA Number 1 of 2016 concerning Mediation Procedures in Court in divorce cases at the Lhokseumawe Sharia Court is highly dependent on the open attitude of the parties. The main obstacles faced by the Lhokseumawe City Sharia Court in the divorce mediation process include the low legal awareness of the community regarding the benefits of mediation, social factors such as high emotions, distrust, family pressure, and lack of legal education from external agencies also worsen the effectiveness of mediation, whereas based on Article 39 paragraph (1) of Law Number 1 of 1974 concerning Marriage, Article 115 of the Compilation of Islamic Law, and PERMA Number 1 of 2016, mediation is a mandatory stage that aims primarily to resolve conflicts peacefully before the case is decided in court. The efforts of the Lhokseumawe City Sharia Court in reducing divorce cases through mediation include providing information to the community, as well as periodic monitoring and evaluation of the effectiveness of mediation.*

*It is recommended that the Mahkamah Syar'iyah continue to expand socialization on the importance of mediation to the public so that mediation can function effectively as a peaceful and efficient dispute resolution effort.*

**Keywords:** *Mediation, Divorce, Mahkamah Syar'iyah.*