

From Justice Broker to Village Mediator: Empowering Village Officials in Family Dispute Resolution

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Abstract

This paper reports on community service to shift the role of village officials (*pamong desa*) from justice brokers to dispute resolution agents. The village civil servants are often used as a reference by disputants when there are family conflicts at the upstream level. Still, sometimes village civil servants make disputants a commodity and living ATM. This service is carried out using the Asset Based Community Development (ABCD) method by presenting a perspective of substantive justice (*keadilan hakiki*) for women and *mubadalah*, as well as providing expertise on dispute mediation so that he is able to handle and resolve



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family disputes earlier. The result is that the village civil servants are very enthusiastic about this empowerment program because they want to maintain the village's reputation and resolve disputes at the village level. Village officials are more gender-sensitive and aware of women's vulnerability as justice seekers. This service succeeded in realizing the importance of peaceful dispute resolution, the basic principles of mediation, and the ability of village officials. This is all beneficial when village officials face family conflicts in the community to act as mediators, not justice brokers. This service initiative further illustrates that the mobilization of community assets constitutes an effective strategy for achieving sustainable problem-solving.

KEYWORDS *justice broker, mediator, domestic violence, village civil servant, family disputes*

Introduction

Family Dispute Resolution (FDR), often referred to as mediation, is a process where a neutral third party helps separating or divorcing couples resolve conflicts related to children, property, and finances, without going to court. It's a voluntary and confidential process where a trained practitioner guides discussions and negotiations to reach mutually agreeable solutions, often resulting in a legally enforceable agreement. Family dispute resolution in Indonesia has become one of the important issues and has a direct impact on the lives of religious communities both socially and culturally, thus not only involving legal aspects but also incorporating religious values, social norms, and customs that prevail in Indonesia.

The authors conducted a study funded by the Research and Development Center for Community Guidance, under the Ministry of Religious Affairs of the Republic of Indonesia, titled "Men's Involvement in the Prevention of Domestic Violence in the Pandemic Era." The research was conducted in East Lampung, a district with the highest divorce rate in Lampung Province. This study examines the initiatives of the NGO Rahima

in enhancing the capacity of the Office of Religious Affairs (KUA) officers to promote family resilience during the 2017-2020 period.¹

One notable finding of the study is that the involvement of men as agents of change has had a significant positive impact on the prevention of domestic violence. The Rahima NGO program promotes the integration of the *mubadalah* perspective and the concept of substantive justice (*keadilan hakiki*) for women. The men involved in this initiative are KUA officers, functioning as state-sanctioned clerics who are crucial in providing pre-marital services. When KUA officers adopt the *mubadalah* perspective and prioritize substantive justice for women, they are better equipped to optimize their roles in preventing domestic violence through various interventions such as marriage counseling, Bride-to-be Courses, Marriage Guidance programs, wedding sermons, and the promotion of *mubadalah* agreements.²

Although Rahima's NGO program has proven effective, it primarily focuses on the upstream of intervention, addressing issues before families are formed. Unfortunately, it does not extend to the downstream domain, where family conflicts often arise after marriage. In cases of conflict, individuals typically seek resolution through the courts. However, many face barriers to accessing legal recourse, including psychological factors such as feelings of inferiority or fear, financial limitations, a lack of legal

¹ Mufliha Wijayati et al., "Representasi Keberpihakan Ulama Laki-Laki Terhadap Perempuan (Konstruksi Sosial Dalam Program Penguatan Peran Dan Fungsi Kepala KUA Untuk Pencegahan Kekerasan Terhadap Perempuan," paper presented at Annual Internatiol Conference on Islamic Studies 2021, Surakarta, UIN Raden Mas Said Surakarta dan DIKTIS Kemenag RI, 2021.

² Mufliha Wijayati et al., "The New Men': The Rahima's Experiences in the Gender Sensitivity Construction among Marriage Registrar in Lampung Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (2023): 3, <https://doi.org/10.22373/sjkh.v7i3.17666>; Mufliha Wijayati et al., "Laporan Penelitian Pelibatan Laki-Laki Dalam Upaya Pencegahan Kekerasan Dalam Rumah Tangga Di Masa Pandemi, (Lesson Learned Dari Piloting Program Penguatan Peran Dan Fungsi KUA Untuk Memperkuat Ketahanan Keluarga Di Lampung Timur)," Puslitbang Bimas Agama, 2021, 4.

knowledge, the stigma associated with formal dispute resolution processes, and the limited availability of necessary facilities and infrastructure.³

In such circumstances, disputing parties often turn to civil servants or village officials, who are more accessible and trusted within their communities. During research on mapping child marriage situations in Lampung, supported by the Rumah KitaB Foundation, it was found that nearly all applications for marriage dispensation submitted to the Religious Court were facilitated by intermediaries, commonly referred to as "justice brokers." These intermediaries act as liaisons, guiding individuals through complex legal processes, often in contexts where formal legal access is limited or difficult to navigate independently.⁴

Unfortunately, justice brokers do not play a role in reconciling the disputed parties. Instead, they treat the administration of cases for the Religious Courts as a commercial commodity. Village civil servants often facilitate these shortcuts, expediting the resolution of cases. These brokers typically possess more excellent legal knowledge and better court access, allowing them to control the legal process.⁵ Consequently, women and other involved parties lose their autonomy in making legal decisions. Far from promoting emancipation, this dynamic perpetuates the subordination, marginalization, and stigmatization of women, reinforcing systemic inequalities rather than addressing them.⁶

³ Mufliha Wijayati et al., "Justice Brokers: Women's Experiences with Injustice and Dependence in the Divorce Process," *Cogent Social Sciences* 7, no. 1 (2021): 1966208, <https://doi.org/10.1080/23311886.2021.1966208>.

⁴ Muhamad Nasrudin, "Laporan Penelitian Studi Pemetaan Situasi Perkawinan Anak Pasca UU No.16 Tahun 2019 Dan PERMA No.5 Tahun 2019 (Kasus Lampung)," Rumah KitaB, 2021.

⁵ Eka Susylawati and Moh Hasan, "Putusan Verstek Pada Perkara Perceraian Di Pengadilan Agama Pamekasan," *NUANSA: Jurnal Penelitian Ilmu Sosial Dan Keagamaan Islam* 8, no. 1 (2011): 1, <https://doi.org/10.19105/nuansa.v8i1.9>; Wijayati et al., "Justice Brokers."

⁶ Wijayati et al., "Justice Brokers"; Muhammad Saifullah et al., "Women's Access To Justice: Mediation For The Victims of Domestic Violence In Central Java, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (2023): 602, <https://doi.org/10.22373/sjhk.v7i1.9471>.

In East Lampung, according to data 2017, 106 justice brokers across 232 villages have significantly escalated legal costs. For instance, while the official divorce fees range between IDR 491,000 and IDR 1,341,000, justice seekers using brokers face inflated charges of IDR 4,000,000 to IDR 7,000,000.⁷ This substantial financial burden highlights the inequities in accessing legal services. It emphasizes the critical need for systemic reforms to reduce dependence on brokers and ensure that justice remains both accessible and affordable for all.

The proposed reform aims to transform the role of village civil servants from acting as justice brokers to serving as village mediators. A village mediator is a civil servant or community leader with the social capital and capacity to resolve disputes through non-litigation channels, using mediation as a key instrument. This shift is intended to leverage local authority and trust to facilitate equitable dispute resolution, reducing the need for costly legal proceedings while empowering communities to resolve conflicts autonomously and fairly.

This initiative broadly aims to shift village officials' mindsets from acting as brokers to becoming problem solvers who are accessible, swift, affordable, effective, and efficient, thereby facilitating justice for the community. The transformation will be supported by training programs that equip village officials with the skills and knowledge needed to serve as mediators, empowering them to resolve disputes locally without costly and time-consuming litigation.

I. The Problems

Given the issues mentioned above, pressing problems require urgent attention. Justice seekers need equitable access to legal remedies yet often lack such access.⁸ In this context, village officials have garnered significant

⁷ Wijayati et al., "Justice Brokers."

⁸ Rachael Diprose, "Brokerage, Power and Gender Equity: How Empowerment-focused Civil Society Organisations Bolster Women's Influence in Rural Indonesia," *Journal of*

trust from the community. They serve as the primary point of contact for resolving family conflicts, including cases of domestic violence. Village civil servants are thus the community's initial resource for addressing family disputes, highlighting their critical role in the local justice system.⁹

However, this trust is often exploited for commodification, subordination, and objectification, resulting in the disputants losing their agency and subjectivity. The issue becomes increasingly critical as it pertains to women and is fundamentally gender-based.¹⁰ Therefore, shifting perspectives toward a model that prioritizes justice and effectively serves as an early conflict resolution mechanism is crucial. Leveraging the inherent trust in village officials is key to facilitating peaceful, non-litigation dispute resolution through mediation, ensuring that the process respects the agency and rights of all parties involved.

At this juncture, community service efforts should focus on transitioning the role of village officials from mere justice brokers to proactive dispute resolution agents. Given their strategic position and significant trust within the community, village civil servants are well-placed to become effective conflict-resolution agents. This role transformation should be supported by introducing perspectives of substantive justice and *mubadalah*, along with providing specialized training in dispute mediation. Such measures will enable village officials to address and resolve family disputes more effectively and at an earlier stage.¹¹

Furthermore, enhancing mediation skills among village officials is crucial, as mediation empowers them to act as independent legal subjects

International Development 35, no. 3 (2023): 401–25, <https://doi.org/10.1002/jid.3770>.

⁹ Muhamad Nasrudin et al., “Strengthening the Safety Net, Protecting Women Justice Seekers from The Clutches of Justice Brokers,” *Istinbath* 23, no. 2 (2024): 436–54, <https://doi.org/10.20414/ijhi.v23i2.909>.

¹⁰ Khusnul Khotimah et al., “Legal and Islamic Perspectives on Femicide: An Analysis of Regulations and Protection in Indonesia,” *ALFIQH Islamic Law Review Journal* 4, no. 1 (2025): 24–43.

¹¹ Khairatun Hisan et al., “Penal Mediation in Resolving Domestic Violence Cases: Perspectives from Positive Law and Islamic Jurisprudence towards Restoring Justice,” *ALFIQH Islamic Law Review Journal* 3, no. 1 (2024): 1.

and make informed legal decisions in their interests.¹² Mediation has demonstrated its effectiveness in resolving various disputes across various countries, operating within the restorative justice framework for both civil and criminal cases.¹³ Strengthening these skills will enable village officials to handle disputes more effectively, ensuring fair and equitable outcomes for all parties involved.

II. Hope

The goal is to transition the role of village officials from mere justice brokers to proactive justice facilitators by serving as mediators who resolve family conflicts amicably. Early intervention is crucial, as addressing disputes promptly facilitates easier and more effective resolutions. Leveraging village officials' proximity and trust within their communities can enhance access to justice, providing a localized problem-solving resource. With enhanced mediation skills, village officials will be equipped to act impartially, enabling disputants to engage in constructive negotiation and reach optimal, peaceful resolutions.

III. Capital/Assets

1. Village Civil Servant (*Pamong Desa*)

Village civil servants are administrative officials responsible for executing bureaucratic functions within the village. As a crucial component of village governance, they play an essential role in ensuring the smooth operation of local administration under the leadership of the village head. Their functions are integral to effectively managing and implementing

¹² Maskur Hidayat, *Strategi & Taktik Mediasi* (Kencana, 2016), 25; Takdir Rahmadi, *Mediasi Penyelesaian Sengketa Melalui Pendekatan Mufakat* (Raja Grafindo Persada, 2011), 10.

¹³ M.M. Gunawan et al., "Comparison of Restorative Justice Implementation in Indonesia, USA, Germany, Poland, and Switzerland," *Revista de Gestao Social e Ambiental* 18, no. 1 (2024), Scopus, <https://doi.org/10.24857/rgsa.v18n1-055>; A.A. Alnuaimi and M.A. Alkrisheh, "Advancing Criminal Justice through Mediation: Analyzing the Integration of Mediation in Emirati Criminal Legislation," *Humanities and Social Sciences Communications* 11, no. 1 (2024), Scopus, <https://doi.org/10.1057/s41599-024-03458-8>.

village policies and services.¹⁴In its strategic position, the village apparatus possesses at least six key attributes that make it well-suited to serve as an agent for resolving family conflicts. First, there is a strong level of trust from the community. Second, the official resides within the community, making them easily accessible. Third, they hold a leadership role and influence policy at the village level. Fourth, they have significant knowledge capital and an extensive network compared to residents. Fifth, they are involved in community dynamics. Lastly, the involvement of men is crucial, given that data from SOMFONI KEMENPPA reveals that 89.1% of the 14,630 abusers are men.¹⁵

Apart from the social capital they possess, legally, Article 26, paragraphs (2) and (4) of Law No. 6 of 2014 concerning Villages grants authority and responsibility to village heads to address and resolve various community issues.¹⁶ According to Domestic violence Law, the village head also has legitimacy as party referred to in the Domestic Violence Law cases. This legal framework supports the establishment of village mediators, who can also engage in penal mediation for minor criminal offenses.¹⁷ Like other

¹⁴ Hans Antlov et al., *Leadership on Java: Gentle Hints, Authoritarian Rule* (Psychology Press, 1994), 99–100; Yustina Hastrini Nurwanti, “Pemerintahan Desa Dalam Upaya Pembangunan Desa,” *Jantra* 3, no. 06 (2008): 398.

¹⁵ Kementerian Pemberdayaan Perempuan dan Perlindungan Anak, “Sistem Informasi Online Perlindungan Perempuan Dan Anak (SIMFONI PPA),” accessed December 27, 2020, <https://kekerasan.kemenpppa.go.id/ringkasan>.

¹⁶ Abd Jamal et al., “Developing Village in the Former Conflict Region of Indonesia through Social and Economic Inclusion: Evidence from Aceh,” *Cogent Social Sciences* 9, no. 1 (2023): 2178521, <https://doi.org/10.1080/23311886.2023.2178521>; Asmorojati, “Pelatihan Dan Pendampingan Pembentukan Lembaga Mediasi Desa Pada Desa Wukirsari, Imogiri, Bantul, Daerah Istimewa Yogyakarta,” *Prosiding Seminar Nasional Hasil Pengabdian Kepada Masyarakat* (Yogyakarta), Universitas Ahmad Dahlan, 2020, <http://www.seminar.uad.ac.id/index.php/senimas/article/view/5137/1093>; Habibul Umam Taquiuddin, “Pelatihan Mediasi Desa Di Desa Bonder,” *Abdonesia: Jurnal Pengabdian Kepada Masyarakat* 1, no. 2 Agustus (2021): 2 Agustus; Arpin Arpin and Haritsa Haritsa, “Penyelesaian Tindak Pidana Melalui Mediasi Penal Oleh Masyarakat Desa Di Kabupaten Gorontalo,” *Jurisprudentie : Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 5, no. 2 (2018): 2, <https://doi.org/10.24252/jurisprudentie.v5i2.6281>.

¹⁷ Anggita Anggraeni, “Penal Mediation as Alternative Dispute Resolution: A Criminal Law Reform in Indonesia,” *Journal of Law and Legal Reform* 1, no. 2 (2020): 369–80, <https://doi.org/10.15294/jllr.v1i2.35409>; Ratri Novita Erdianti et al., “Penal Mediation

customary institutions, village mediators can facilitate peaceful dispute resolution, leveraging their role within the community to effectively and constructively address conflicts.¹⁸

2. Community

In East Lampung, strong kinship ties and a communal structure centered around the vision of harmony¹⁹ and *pi'il pesenggiri* provide significant social capital.²⁰ This foundational social fabric is exceptionally conducive to the growth and development of village mediators. Leveraging these deep-rooted kinship bonds and communal values can enhance the effectiveness and acceptance of mediation efforts within the village context.

3. Islamic Instructors at the Office of Religious Affairs (KUA)

Given that Islam is embraced by the majority of the population in East Lampung, the role of Islamic Instructors (*Penyuluh Agama Islam*) at the Office of Religious Affairs (KUA) is crucial. Previous research has highlighted their involvement in domestic violence prevention by promoting mubadalah and substantive justice.²¹ Their impact could be further amplified by engaging them in collaboration with village civil servants to provide *sakinah* family counseling. This integrated approach would enhance the support available to disputants and foster more substantial, more resilient family dynamics.

as an Alternative Dispute Resolution for Indonesian Criminal Code,” *Wacana Hukum* 26, no. 1 (2020): 39–48, <https://doi.org/10.33061/1.wh.2020.26.1.3629>.

¹⁸ Ermi Suhasti Syafei et al., “Mediation in Social Conflict Resolution at Tanjungpinang Malay Customary Institution, Riau Islands,” *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 23, no. 2 (2023): 2, <https://doi.org/10.30631/alrisalah.v23i2.1361>.

¹⁹ Fitri Yanti et al., “Strengthening Local Culture as a Communication Strategy to Build Social Harmonization in Lampung Province,” *KnE Social Sciences*, ahead of print, September 26, 2023, <https://doi.org/10.18502/kss.v8i16.14047>.

²⁰ Ahmad Muzakki, “Introducing Local Genius-Based Harmony Education (Piil Pesenggiri) among the Indigenous People of Lampung,” *Penamas* 30, no. 3 (2018): 261–80, <https://doi.org/10.31330/penamas.v30i3.188>.

²¹ Wijayati et al., “The New Men.”

4. Volunteers

The volunteers are already equipped with gender sensitivity and perspectives of *mubadalah* and substantive justice, which will be utilized to assess needs based on field conditions. Additionally, two of these volunteers have obtained mediator certificates from the Supreme Court-accredited Indonesian Sharia Lawyers Association (DPP-APSI).²² This certification enhances their competency and will support the development of mediation skills among village officials who are potential village mediators.

5. Village Kiai (Local Ulama)

In Lampung society, which is intensely communal, religious leaders play a crucial role as influential figures.²³ Their authority stems from their expertise in religious knowledge, community beliefs, and their role as key references for resolving issues.²⁴ In this service research, village kiai will be engaged to emphasize the importance of peaceful dispute resolution. Additionally, they may be involved as village mediators, leveraging their authority and community trust to facilitate effective conflict resolution.

IV. Purpose of Service

The primary objective of this service is to transition the role of village civil servants from justice brokers to village mediators. This shift involves changing the perspective from commodification to a gender-sensitive approach grounded in substantive justice with a *mubadalah* vision. The service aims to establish village mediators as an initial institution for resolving family disputes in East Lampung Regency, utilizing village

²² DPP APSI, "Anggaran Dasar APSI," APSI, n.d., accessed July 29, 2024, <https://www.apsi.co.id/anggaran-dasar-apsi/>.

²³ Yuli Supriani et al., "Leadership Role in the Formation of Students' Morals," *Munaddhomah: Jurnal Manajemen Pendidikan Islam* 4, no. 3 (2023): 528–38, <https://doi.org/10.31538/munaddhomah.v4i3.296>.

²⁴ Wiwik Setiyani, "The Exerted Authority of Kiai Kampung in The Social Construction of Local Islam," *JOURNAL OF INDONESIAN ISLAM* 14, no. 1 (2020): 51, <https://doi.org/10.15642/JIIS.2020.14.1.51-76>.

officials as mediators. Additionally, it seeks to advance scientific development by enhancing the capacity of these mediators through certification from the Supreme Court, thereby strengthening their effectiveness in dispute resolution.

V. Theoretical Conception

1. Feminist Legal Theory

This theory emerged alongside critical legal studies in the 1970s and has evolved dynamically. It addresses how the law impacts women, highlighting the discrimination women face due to legal enactments. This issue arises from the fact that both legal institutions and enforcement mechanisms are predominantly male dominated, affecting the application and effectiveness of the law in addressing women's issues.²⁵

In this service, the feminist legal theory perspective will underpin efforts to promote emancipation and justice for all.²⁶ This theoretical framework will guide village officials' approaches and attitudes, encouraging them to view disputants—particularly women—as justice seekers rather than mere sources of financial transactions like ATMs. By integrating this perspective, the service aims to provide a more equitable and empathetic approach to conflict resolution, ensuring that all individuals receive fair and respectful treatment.

2. *Mubadalah* and Substantive Justice (*Keadilan Hakiki*)

Mubadalah refers to the concept of reciprocal exchange, whether physical or nonphysical, and is an Islamic principle emphasizing mutual understanding, cooperation, and interdependence between parties. The goal of *mubadalah* is to achieve ultimate justice, which recognizes and respects the distinct roles and functions assigned by Allah SWT. This principle ensures that men and women are treated equitably according to

²⁵ Nancy Levit et al., *Feminist Legal Theory* (New York University Press, 2016), 1.

²⁶ Aditya Yuli Sulistyawan, "Feminist Legal Theory dalam Telaah Paradigma: Suatu Pemetaan Filsafat Hukum," *Masalah-Masalah Hukum* 47, no. 1 (2018): 57, 1.

their respective roles, functions, and reproductive responsibilities, fostering a balanced and just relationship.²⁷

Nur Rofiah positions substantive justice as an approach that considers both the biological and social experiences of adults, with a particular focus on addressing the marginalization experienced by women. In the context of this service, these perspectives will be utilized to enhance the gender sensitivity and vision of substantive justice among village officials, incorporating the principle of *mubadalah*. This integrated approach will provide a foundation for village officials to develop greater empathy and understanding towards justice seekers, ensuring a more equitable and responsive conflict resolution process.²⁸

3. Mediation and Mediators

Mediation, derived from the concept of being the middle, involves resolving disputes through the intervention of an impartial third party, known as a mediator.²⁹ Islam encourages every dispute to be resolved through mutual consultation. It is more commonly known as Sulh.³⁰ In Western terminology it is known as mediation. Numerous Quranic verses emphasise the principles of resolving disputes through peaceful negotiation and mutual agreement. One such verse states in Surah an-Nisa:35. This command highlights the Quran's advocacy for amicable dispute resolution, reflecting the Islamic values of forgiveness and reconciliation. By

²⁷ Faqih Abdul Kodir, "Seputar Metode Mubadalah," *Mubaadalah.Com*, September 26, 2016, <https://referensi.mubaadalahnews.com/2016/09/deskripsi-singkat-perspektif-dan-metode-mubadalah/>; Faqihuddin Abdul Kodir, *Qira'ah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam* (IRCiSoD, 2019), 59.

²⁸ Kodir, *Qira'ah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*, 158.

²⁹ Hidayat, *Strategi & Taktik Mediasi*, 25.

³⁰ Nur Khalidah Dahlan, "Sulh as an Alternative Dispute Resolution Mechanism for Islamic Banking and Financial Disputes in Malaysia," *Malaysian Journal of Consumer and Family Economics* 23, no. 1 (2019), <https://www.majcafe.com/sulh-as-an-alternative-dispute-resolution-mechanism-for-islamic-banking-and-financial-disputes-in-malaysia/>; Norfatin Najwa Binti Che Adnan, "Sulh (Resolution) of Family Dispute and Its Application in The Shariah Courts of Malaysia," *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam* 6, no. 2 (2024): 455–68, <https://doi.org/10.37680/almanhaj.v6i2.6087>.

emphasising these values, the Quran underscores the transformative power of compassion in mending relationships and fostering a harmonious society.³¹ This approach is part of an alternative dispute resolution (ADR). ADR is an idea in which its existence is needed as an instrument of community empowerment. In practice, ADR was prescribed for disadvantaged citizens who had begun to litigate successfully to protect and extend their rights. The ADR programs were designed for the low-income, minority group, confined by race and class to inner city neighborhoods. Their 'minor' disputes were designated as 'inappropriate for adjudication', and valuable court time must be reserved for 'more appropriate cases'.³²

Effective mediation depends on both parties' trust in the mediator and ensures that disputants retain fully agency as primary subjects in the resolution process.³³ Mediators are crucial in bridging gaps, reconciling differences, and facilitating resolution.³⁴ This service will introduce mediation to village officials as a tool for peaceful dispute resolution. Plans are to establish mediators at the village level to enhance local conflict resolution capabilities.

This community service aims to equip village officials with the necessary skills and knowledge to act as mediators for early family dispute resolution at the village level. The goal is to resolve conflicts before they escalate. This program does not intend to certify village officials as mediators, as certification is only required for court mediators under Article 13(1) of Supreme Court Regulation No. 1 of 2016. Village officials only need practical mediation skills to manage disputes within their communities.

³¹ Nora Abdul Hak et al., *Comparative Perspectives on Alternative Dispute Resolution: With Reference to Malaysia* (IIUM Press, 2016), 18.

³² Jerold S. Auerbach, *Justice without Law: Resolving Disputes without Lawyers* (Oxford University Press, 1986), 33.

³³ D Maxkamov, "Role and Importance of the Institute of Mediation in Dispute Resolution," *Scientific Journal of the Fergana State University* 29, no. 4 (2023), https://doi.org/10.56292/SJFSU/vol29_iss4/a33.

³⁴ Ristiana Dewi, "Peran Mediator Dalam Proses Mediasi Upaya Menyelesaikan Perkara Perdata (Studi Kasus Di Pengadilan Negeri Pasuruan)," *MLJ Merdeka Law Journal* 2, no. 1 (2021): 35–41, <https://doi.org/10.26905/mlj.v2i1.6254>.

Methods

This program employed Asset-Based Community Development (ABCD) model. ABCD Model was chosen because it emphasizes community strengths and assets rather than the problems. The community service involved several key actors working in collaboration. The village officials (*pamong desa*) were positioned as the primary beneficiaries and the main agents to be empowered as future mediators. Alongside them, Islamic instructors from the Office of Religious Affairs (KUA) contributed their experience in religious counseling and family guidance, while local volunteers provided additional support, two of whom had received official mediation certification from the Indonesian Sharia Lawyers Association (APSI). Village kiai, as respected local religious leaders, also played a significant role in legitimizing the program and strengthening the acceptance of peaceful dispute resolution in the community. Meanwhile, the academic service team acted as facilitators, trainers, and evaluators, ensuring that the program design and implementation were consistent with the intended objectives.

The implementation process followed five stages of the ABCD model. The discovery stage began with brainstorming sessions to map community assets, highlighting the strong trust that residents already placed in village officials. The dream stage encouraged participants to envision the ideal role of village officials as mediators rather than justice brokers, guided by the perspectives of *mubadalah* and substantive justice. In the design stage, participants were introduced to mediation concepts through structured training and expert presentations, which helped formulate a model for establishing a village mediation institution. The deliver stage translated these ideas into practice through role-play mediation exercises, enabling participants to acquire practical skills in neutrality, agenda-setting, and facilitation. Finally, the destiny stage was directed toward sustainability by formulating recommendations for continued capacity building,

collaboration between village government, KUA, and religious leaders, and potential certification for village mediators in the future.

Through these stages, the method ensured that the transformation of village officials from justice brokers into community mediators was grounded in local strengths, enriched by multi-stakeholder collaboration, and directed toward sustainable family dispute resolution at the village level.

Results and Discussion

I. Brainstorming

The event commenced with a brainstorming session led by Enny Puji Lestari. During this session, Enny explored several key areas: first, participants' perspectives on how women encounter the legal system; second, their views on the role and responsibilities of village officials in resolving family disputes; third, their experiences in handling and addressing complaints from disputants regarding family issues; and fourth, personal stories and experiences related to justice and interconnectedness within family life.

Participants recognized that disputes could affect anyone. For instance, Taufiq, an Islamic Instructor in Balerejo village, Batanghari, shared a case involving a family with economic difficulties. The husband permitted the wife to work as a migrant worker in Taiwan. Initially, the arrangement was successful, with the wife sending money each month to purchase land. However, conflict arose when a land certification program was introduced, and the land was registered in the husband's name, leading to disputes over ownership.³⁵

Despite the diversity of experiences, all female participants uniformly agreed that women are often vulnerable subjects under the law. Siti Al-Qomah, an Islamic Instructor in Bumiharjo village, affirmed this view,

³⁵ TFQ, "Interview Regarding Village Mediator," Desember 2022.

stating, "The majority of the women I have encountered are oppressed, and their rights are frequently violated."³⁶

Village civil servants are predominantly seen and respected by the community as village elders. Consequently, village officials often prefer to resolve disputes internally rather than involving external parties. This approach is intended to maintain the village's reputation and uphold its public image.

II. Challenges and Roles of Islamic Instructors and Village Civil Servants

Following the brainstorming session, the speakers presented the material. Em Sapri Ende, Head of KUA Batanghari, addressed the roles, potential, and challenges encountered by KUA officials, including *penghulu* (chief office) and Islamic Instructors, in resolving family disputes within Batanghari.³⁷

Sapri explained that KUA is pivotal in resolving family disputes through two primary functional groups: *penghulu* and Islamic instructors. These groups include both civil servants and non-civil servants. Regulation of the Minister of Religious Affairs Number 16 of 2021 outlines the technical guidelines for the functional position of *penghulu*, detailing their duties, responsibilities, and authorities. This encompasses marriage and referral guidance, educational development, and Islamic community guidance.³⁸

The Minister of Administrative and Bureaucratic Reform Regulation Number 9 of 2021 outlines Islamic Instructors' primary duties and functions, which include providing religious guidance, counseling, and support. Islamic Instructors have four key functions: informative,

³⁶ SLQ, "Interview Regarding Village Mediator," Desember 2022.

³⁷ Em Sapri Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga," paper presented at FGD From Justice Broker to Village Mediator, Batanghari, Desember 2022, 1.

³⁸ Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga," 1–2.

educational, consultative, and advocative. Sapri emphasized that the educational function involves enlightening the parties to a dispute, while the consultative function offers consultation services related to family disputes. Additionally, Islamic Instructors advocate by defending and assisting vulnerable groups, including women, in legal matters.³⁹

In Batanghari, Islamic Instructors have effectively performed all these functions through the *majelis taklim* (Islamic study group). They offer counseling, question-and-answer consultation services, and assistance to residents experiencing disputes.

The duties of religious counselors and Islamic Instructors encompass addressing domestic issues, ensuring family integrity, fostering harmony, and maintaining just relationships among family members. At the forum, Sapri guided elders, Islamic Instructors, and the Village Head on the five pillars of an ideal *sakinah mawaddah wa rahmah* family: *zawaj* (partnership for spouses), *mitsaqan ghalidzan* (solid commitments), *mu'asyarah bil makruf* (treating each other kindly), *shura* (deliberation), and *tarâdhin* (mutual forgiveness).⁴⁰

The pillar of partnership for spouses (*zawaj*) in an ideal family underscores that a family is composed of two individuals from unusual backgrounds and characters. Rather than emphasizing their differences, this pillar advocates for mutual strengthening and complementing of each other to achieve collective well-being and happiness.

The pillar of solid commitments (*mitsaqan ghalizan*) emphasizes a robust and mutually affirming bond between partners. It requires both parties to uphold a strong commitment to each other, ensuring that they do not harm one another, with the only acceptable separation being death.

The pillar of treating each other kindly (*mu'asyarah bil makruf*) governs maintaining positive relations based on the customs and standards

³⁹ Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga," 2.

⁴⁰ Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga," 2.

of the family's community. It stipulates that the husband should treat the wife with love and affection, while the wife should show sincere respect and love towards the husband.

The pillar of *shura* (deliberation) emphasizes that marriages inevitably encounter various complex issues. Therefore, all parties must maintain a calm demeanor and engage in joint deliberations to find effective solutions.

The pillar of *tarâdhin* (mutual forgiveness) highlights that in family life, there are situations where certain issues are non-negotiable. In such cases, both parties must be willing to let go of irreversible matters. These five pillars—*zawaj* (partnership), *mitsaqan ghalizan* (solid commitments), *mu'asyarah bil makruf* (treating each other kindly), *shura* (deliberation), and *tarâdhin* (mutual forgiveness)—can be utilized by village heads, Islamic Instructors, *penghulu*, and justice seekers to resolve family disputes and find mutually beneficial solutions.

In Batanghari, *penghulu* and Islamic Instructors are crucial in resolving family disputes. However, they face several challenges, including low public awareness of the benefits of consulting KUA, shame and fear about disclosing family problems, misconceptions regarding patience as passivity in the face of mistreatment, and limited knowledge about the concept of a *sakinah* family. To address these issues, Islamic Instructors need to engage more closely with the community, recognize and address violence appropriately, and understand that rejecting violence is not contradictory to patience. Additionally, they require mediation training to resolve family conflicts effectively.⁴¹

The number of Islamic Instructors in Batanghari District is inadequate to cover all villages, and no specific regulations govern their role in advocating for conflicting families. Consequently, Sapri highlighted the necessity for mediator training for Islamic Instructors and establishing a

⁴¹ Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga," 3.

collaborative forum at the village level, including village officials, penghulu, and Islamic Instructors, to effectively address family disputes. However, Islamic Instructors may also face challenges due to a lack of advocacy skills and difficulties in dealing with justice brokers who exploit women.⁴²

Islamic instructors have not established regular communication with village officials, typically interacting only in specific cases requiring joint intervention. There is also no broader forum for developing a unified approach to addressing family disputes. Sapri recommended improving communication to clearly define roles and enhance effectiveness. Given their socio-cultural position, village officials should serve as village mediators, while Islamic Instructors should focus on providing information and advocacy. All parties must prioritize substantive justice and victims' welfare over preserving the village's reputation. As Sapri emphasized, "Peace should not legalize criminal acts."⁴³

III. Mediator Neutrality

As a village civil servant, it is crucial to uphold the principle of neutrality in mediation. Formally, a mediator must be impartial, meaning they should not favor either party in the dispute. Neutrality ensures the mediator does not take sides, thereby maintaining fairness and objectivity throughout the mediation process. This impartial stance is essential for achieving a just resolution and ensuring that the mediation process remains unbiased.⁴⁴

Despite the shift in roles, maintaining neutrality remains crucial for mediators. Neutrality fosters trust between the mediator and the parties involved, facilitates effective communication, and ensures fair mediation.⁴⁵

⁴² Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga," 4.

⁴³ Ende, "Peran, Potensi, Dan Tantangan KUA (Penghulu Dan Penyuluh Agama Islam) Di Batanghari Dalam Menyelesaikan Sengketa Keluarga."

⁴⁴ R. Zamir, "The Disempowering Relationship Between Mediator Neutrality and Judicial Impartiality: Toward a New Mediation Ethic," *Pepperdine Dispute Resolution Law Journal* 11 (2011): 467–517.

⁴⁵ Susan Douglas, "Neutrality in Mediation: A Study of Mediator Perceptions," *QUT Law Review* 8, no. 1 (2008), <https://doi.org/10.5204/qutlr.v8i1.88>.

It allows the mediator to remain objective and uninfluenced by personal views or interests. A neutral mediator refrains from taking sides, offering advice, or making decisions on behalf of either party. Instead, the mediator's role is to assist all parties in finding a mutually acceptable solution without favoring any side.

Nevertheless, the mediator must be duplicitous in the sense of being able to behave so that it can be accepted by the parties, even if their interests vary. Then, the mediator must also fix the parties' interests in proportion. Moreover, in some cases, biased-partial mediators can solve conflicts peacefully.⁴⁶ So, mediators must side with the benefit of the victim, especially if the victim belongs to a vulnerable group of people, such as women. Village officials must defend the interests of victims by focusing on restoring the rights of victims (restitution). With this material, village officials are expected to have established and sufficient knowledge to act as good mediators in the future.

IV. Substantive Justice in the Role of Village Officials as a Settlement of Family Disputes

To strengthen village officials' gender perspectives, the team introduced Nur Rofiah Bil Uzm, a postgraduate lecturer at PTIQ Jakarta and UIN Syarif Hidayatullah Jakarta. She presented how village officials can achieve ultimate justice as agents of family dispute resolution.

Rofiah emphasized a significant paradigm shift in understanding men's roles as caliphs on earth, driven by societal development and advancements in human rights. Historically, this paradigm positioned men as leaders and women as followers, reinforcing a hierarchical dynamic. However, as societies have progressed towards inclusivity and justice, the roles of both men and women as caliphs are now seen as more equitable and collaborative, reflecting a more profound commitment to shared

⁴⁶ Syaiful Anam, "Neutrality in Conflict Mediation Process," *Dauliyah Journal of Islamic and International Affairs* 5, no. 2 (2020): 291, <https://doi.org/10.21111/dauliyah.v5i2.4649>.

responsibility and mutual respect in all aspects of life, including family and community leadership.⁴⁷

This paradigm emphasizes that adults have equal rights to actively contribute to building a prosperous society. Restrictions on women participating in public activities have been lifted, allowing them to play a crucial role in shaping society's future. Consequently, the duties of a caliph on earth are no longer confined to gender but focus on the ability to collaborate with others to foster societal prosperity and environmental sustainability. Both men and women share the same primary duty as caliphs on earth.⁴⁸

Historically, societal prestige was primarily determined by gender, with men often viewed as more active and responsible, while women were seen as passive and less accountable. However, with the advent of Islam, this notion shifted significantly, placing prestige on an individual's piety rather than their gender. The new paradigm recognizes that adults share equal responsibility and capability in performing *amar makruf nahi munkar*—the duty to promote virtue and prevent wrongdoing. This marks a transition towards a more inclusive understanding of individual roles in society, rooted in moral and ethical integrity rather than gender distinctions.⁴⁹

The process of faith serves as a transformative force, empowering individuals who were once marginalized to be spiritually strong through their connection with Allah. This strength is not merely physical but deeply rooted in spiritual resilience. Islam places significant importance on cultivating inner fortitude, enabling believers to confront life's challenges with patience and perseverance. By engaging in continuous worship and striving to enhance the quality of their devotion, individuals can attain

⁴⁷ Nur Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," paper presented at FGD From Justice Broker to Village Mediator, Sekampung, June 6, 2022, 2.

⁴⁸ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 3.

⁴⁹ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 3.

higher levels of spiritual strength, aligning themselves more closely with divine will and gaining the capacity to overcome adversity.⁵⁰

Likewise, a strong relationship with Allah is a crucial source of strength for a Muslim. By deepening this relationship through prayer and worship, individuals can experience the divine support and strength that come from God. Additionally, increasing acts of *sholeh charity*—honorable deeds performed in accordance with Islamic principles—enhances one's ability to face life's challenges effectively.⁵¹

V. *Mubadalah* Perspective on the Role of Village Civil Servant as a Family Dispute Resolution Agent

The team introduced Luthfiana Dwi Mayasari as a resource person for the FGD. Luthfiana outlined the three key roles of village officials in managing social processes and services. Village civil servants play a crucial role by implementing village head policies, executing government programs, maintaining security and order, addressing social issues, assisting with administrative matters, and representing community needs and aspirations.⁵²

Village officials also play a key role in social services. They are responsible for helping the community access these services, ensuring fair distribution, understanding community rights and needs, mediating between the community and service providers, and preventing discrimination in service delivery. Therefore, village officials must be skilled in mediation and monitoring of social services.⁵³

Village officials are crucial in managing marriage cases, including issuing cover letters for polygamy permits, handling *wali adhol* (guardian

⁵⁰ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 4.

⁵¹ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 5.

⁵² Luthfiana Dwi Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," paper presented at FGD From Justice Broker to Village Mediator, Batanghari, Desember 2022, 1–2.

⁵³ Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," 3–4.

who declines), and addressing divorce lawsuits. Family disputes can arise from various issues, such as domestic violence, property conflicts, infidelity, economic disputes, and domestic rape. Conflicts may also stem from differing views on gender roles and literalist interpretations of Islamic jurisprudence that favor men. It is essential to seek healthy and appropriate solutions for family disputes, such as through mediation or family therapy.⁵⁴

In this context, the concept of *mubadalah* becomes particularly relevant. *Mubadalah* emphasizes equality between men and women, ensuring there is no hierarchy, tyranny, hegemony, or domination of one party over the other.⁵⁵ It upholds the values of human dignity, justice, and mutual benefit. This concept requires each party in a relationship to realize their full potential and contribute an equitable share based on their unique experiences.⁵⁶

Applying the concept of *mubadalah* to cases of marriage resulting from rape involves several principles. Protecting a woman's mental well-being from the trauma of an unwanted pregnancy is essential. Human dignity requires that victims be treated without discrimination. The value of benefit dictates that decisions should prioritize what is best for the victim. This means not forcing the victim to marry the perpetrator without their consent. The value of justice emphasizes that the victim's wishes should be a primary consideration in any decisions made by the village during mediation.⁵⁷

The application of *mubadalah* principles in addressing child marriage emphasizes the need for a gender-sensitive, justice-oriented approach. First, the imposition of child marriage constitutes an act of tyranny, violating the dignity and autonomy of young women. From a humanitarian

⁵⁴ Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," 4–5.

⁵⁵ Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," 6.

⁵⁶ Kodir, *Qira'ah Mubadalah: Tafsir Progresif Untuk Keadilan Gender Dalam Islam*.

⁵⁷ Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," 11.

perspective, village authorities must assess whether such marriages are entered voluntarily or under coercion. The *maslahat* (benefit) principle requires evaluating whether granting marriage dispensation will bring genuine benefit to both parties and cause harm. Furthermore, considerations of justice demand that the child's rights and well-being be fully protected and upheld before and after the dispensation.⁵⁸

The *mubadalah* application in cases of infidelity emphasizes siding with the victim while upholding human dignity, as infidelity is never justifiable. The principle of *maslahat* seeks the best solution by involving both parties in decision-making. At the same time, fairness ensures both are given equal opportunity to express their perspectives and decide on the next steps.⁵⁹

Many family law issues are resolved at the village civil servant level in such cases. If village civil servants hold gender-biased views, it can negatively impact their decisions. Therefore, applying a *mubadalah* approach, which emphasizes gender equality and fairness, is essential for resolving family disputes effectively.

1. Women's Biological Experience

Women undergo several significant biological processes, including menstruation, pregnancy, childbirth, puerperium, and breastfeeding. These experiences, spanning from days to years, can be physically and emotionally challenging.⁶⁰

Menstruation is a monthly cycle that signifies a woman's readiness for conception, typically occurring every 28-35 days until menopause. Pregnancy begins when a woman's egg is fertilized by sperm, leading to embryonic development in the uterus. Childbirth is the process of delivering

⁵⁸ Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," 12.

⁵⁹ Mayasari, "Peran Pamong Desa Dalam Menyelesaikan Sengketa Keluarga: Perspektif Mubadalah," 13.

⁶⁰ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 6.

the fetus from the womb to the external environment, with duration varying based on individual circumstances. Puerperium refers to the postpartum period, characterized by bleeding and tissue recovery following pregnancy and childbirth, usually lasting 4-6 weeks.

Breastfeeding is when a woman provides her baby with breast milk. Breast milk is the most nutritious infant food, containing all the essential nutrients for their growth and development. Additionally, breastfeeding offers health benefits for women, such as reducing the risk of certain diseases, including breast cancer and osteoporosis.

2. The Sociological Experience of Women

In addition to biological experiences, women also face various sociological challenges, including stigmatization, marginalization, subordination, violence, and the double burden of balancing multiple roles and responsibilities.⁶¹

Stigmatization is the process by which a person or group is perceived as inferior and inappropriate by society because of something that is considered inconsistent with society's norms. Women are often stigmatized because they are considered unprosperous or unworthy. Marginalization is the process by which a person or group is considered unimportant and not recognized by society. Women are often marginalized because they are considered unprosperous or unworthy.

Then subordination is the process by which a person or group is considered inferior and not prosperous to another group. Women often experience subordination because they are considered inferior to men in society. Women also often receive violence, acts that harm or harm someone physically or mentally. Women often experience violence from men in various forms, such as domestic violence, sexual violence, and violence against women.

⁶¹ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 6.

Moreover, women also experience a double burden, where one has to carry out two or more responsibilities at once, for example, responsibilities in the household and at work. Women often experience the double burden of having to carry out responsibilities in the household and at work at the same time.⁶²

3. Substantive Justice for Women

All the experiences that women receive are unpleasant things. Therefore, it is important to carry out affirmations in favor of women where women's biological experiences should be facilitated. In contrast, women's sociological experiences must be prevented or mitigated.⁶³

What should be noted is that all of these women's biological experiences are an essential part of a woman's life and need adequate facilitation to ensure continuity and good health for the woman. For instance, during menstruation, women require several essential supports to manage their biological experience effectively. Access to safe, high-quality hygiene products, such as sanitary pads or menstrual clothes, is crucial. Clean and secure toilet facilities must be provided to ensure comfort and hygiene. Additionally, proper facilities should be provided for the hygienic disposal of menstrual products. It is also essential to offer accurate and comprehensive information about menstrual health and proper care to empower women to manage their menstruation confidently.⁶⁴

For pregnant women: Facilitation that needs to be provided to pregnant women includes Providing access to quality health services, such as antenatal and maternity services, providing access to healthy and highly nutritious food and beverages to meet the nutritional needs of women and fetuses, and providing access to the correct information on how to care for

⁶² Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 6; Nurul Hidayati, "Beban Ganda Perempuan Bekerja (Antara Domestik Dan Publik)," *Muwazah* 7, no. 2 (2016), <https://doi.org/10.28918/muwazah.v7i2.516>.

⁶³ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 8.

⁶⁴ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 9.

pregnancy and take care of it—provision of psychological and emotional support for women who are pregnant.⁶⁵

Facilitation for women giving birth includes Providing access to quality health services, such as childbirth services, comfortable and safe facilities for women during childbirth, psychological and emotional support for women during childbirth, and access to safe and quality personal cleaning products after childbirth.⁶⁶

For puerperal women: Facilitation that needs to be given to women undergoing puerperium includes providing access to quality health services, such as puerperal services, safe and quality personal cleaning products, and healthy food. Meanwhile, all women's sociological experiences are essential to their lives and must be prevented to ensure their well-being and sustainability.⁶⁷

To prevent and eliminate women's social experiences such as stigmatization, marginalization, subordination, violence, and double burdens, integrated and integrated actions are needed, including:

Strengthening women's rights: Women should have the same rights as men in society, including the right to freedom, the right to justice, and the right to non-discriminatory treatment. This can be done by strengthening policies and laws that guarantee women's rights and sensitizing women's rights in society.

Removing gender stereotypes: Gender stereotypes are assumptions that associate certain traits, roles, and responsibilities with men or women. Gender stereotypes are often the cause of women being stigmatized, marginalized, and subordinated. By removing gender stereotypes, women are no longer considered inferior and unfit.

Providing equitable education: Education is one of the key factors in erasing women's social experience. By providing equitable education for

⁶⁵ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 9.

⁶⁶ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 9.

⁶⁷ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 10.

adults, women will have the same opportunities as men to develop and develop their potential.

Eliminating violence against women: Violence against women must be eliminated and preventive measures taken so that it does not recur. This can be done by strengthening policies and laws governing violence against women and sensitizing violence against women in society.

Reducing women's double burden: Women's double burden can be reduced by providing adults equal access to employment opportunities and increasing men's participation in household chores. This will help women to focus more on their work and not be burdened with responsibilities in the household.

4. Islamic Mission to Women and the Role of Village Civil Servant

Rofiah emphasized that the mission of Islam as a grace for human beings, especially for women, is to provide equal rights for women as men in society and remove the stigma, marginalization, subordination, violence, and double burden experienced by women.⁶⁸

The moral foundation of this mission is the principles contained in the teachings of Islam, including:

Equality: Islam teaches that everyone is considered equal before Allah Almighty. There is no difference between males and females. Therefore, women should have the same rights as men in society. **Justice:** Islam emphasizes the importance of justice for every human being. Therefore, women should receive fair and non-discriminatory treatment from society. **Humanity:** Islam teaches that every human being is a creature of Allah Almighty who must be valued and recognized for his rights. Therefore, women must be recognized for their human rights.

With this in mind, the village civil servant, as a leader in the village area, has the responsibility to provide support, especially when women are

⁶⁸ Rofiah, "Tafsir Perspektif Keadilan Hakiki Perempuan," 12.

facing the law. This support is carried out to safeguard and restore the rights of women who are violated. The most effortless mechanism for village officials to do is through mediation. So, mediation became an instrument for village officials to uphold the Islamic mission of *rahmatan lil-alamin*, including for women.

VI. Designing the Implementation of Mediation and Role-Play Mediation

The team provided additional material in the last session on designing mediation and creating an on-site mediation role-play. The mediation process begins with data collection and analysis, then continues with separate interviews with each party and identifying essential issues and interests. The mediator also helps develop a plan that suits the situation and the parties' needs. Mediation can help resolve disputes faster and more effectively, help the parties understand different points of view, and avoid unnecessary conflicts.

The next stage that needs to be done by the mediator is to make a mediation plan and agenda. Mediation planning is carried out by identifying critical issues and interests of the parties; then, the mediator chooses a potential solution. A potential settlement is carried out by choosing a mediation approach that minimizes negative impacts and positively impacts the parties. In making a mediation plan, the mediator needs to assess each party's relationship to the dispute to avoid problems during the mediation process. When preparing a mediation plan, the mediator needs to identify potential problems that will occur along with solutions to their resolution.

In the mediation process, attention to technical details is essential. The mediator must ensure proper room arrangements, including seating patterns, table layouts, and dedicated spaces for both parties. Special accommodations should be provided for individuals with disabilities, such as accessible routes for the visually impaired or adjustments for those with hearing or speech impairments. Additionally, the mediator should carefully

plan the timing of the sessions, following guidelines like Supreme Court Regulation No. 1/2016 for court mediation. Furthermore, preparing discussion topics for the initial session is crucial to fostering a positive and harmonious atmosphere.

The mediator must set a positive and harmonious tone when preparing for the first mediation meeting by delivering a well-crafted opening statement. This statement helps establish trust and confidence in the mediator's competence and impartiality. By clearly outlining the mediation process, emphasizing neutrality, and expressing a commitment to helping both parties reach a fair resolution, the mediator can foster an environment conducive to open dialogue and cooperation from the outset.

In the opening statement of a mediation session, the mediator introduces their identity and expresses appreciation to the parties for their participation, setting a cooperative tone. The mediator then provides an overview of the mediation process, outlining their impartial and neutral role, and clarifies that mediation is voluntary and non-binding, with diverse options if it fails to resolve the dispute. The process, including the concept of caucuses, is explained alongside the importance of confidentiality, and a description of the tools, schedule, and duration of the meetings is given.

During the role-play, participants are organized into groups of three, with two individuals assuming the roles of disputants and one person acting as the mediator. Each group is tasked with resolving a conflict or issue they have devised themselves. This exercise allows participants to practice and demonstrate their mediation skills and approach to conflict resolution in a controlled, practical setting.

VII. Participant Responses and Reflections

After conducting the role-play activity, the team assessed participants' feedback and reflections. Participants found the material on a *sakinah*

family's pillars to be informative and inspirational, noting that such content was new to them. Traditionally, the information they received during *majlis taklim* focused primarily on religious piety, with limited coverage of principles and guidance for achieving a *sakinah* family. This new perspective offered valuable insights that had not been previously addressed.

The material on *mubadalah* and substantive justice for women also prompted significant reflections. Some male participants acknowledged that the long-standing experiences of women, often taken for granted, were now recognized as profound and impactful. They noted that societal patriarchy had long entrenched male privilege, which had not been fully appreciated or questioned until this training.

Nevertheless, some village civil servants were not present at this activity despite being invited. Some of them represent, and some do not. This indicates that the settlement of citizen disputes and the problem of justice brokers for some village officials are unimportant.

The absence of some village civil servants also indicates a sense of threat among certain justice brokers. This perception of threat is expressed through their non-participation in the forum. Such a response is understandable, as the introduction of village mediators may diminish the gray economic potential previously available to them.

Due to their long-standing roles, justice brokers in some villages find it complex to change their reasoning. These individuals perceive their actions as assisting disputants, often prioritizing quick resolutions that align with their preferences. This approach has led them to facilitate outcomes that may not always align with intrinsic justice. The concept of intrinsic justice challenges these long-held practices, making acceptance of this new perspective more arduous. In contrast, the *mubadalah* perspective is relatively more straightforward to accept, as it does not threaten their economic interests.

This service should be expanded to other districts and sub-districts beyond those initially targeted. Promoting this training on a broader scale is crucial. Ideally, the training should adhere to the Supreme Court-style mediator certification standards, enabling village officials to become certified mediators. While this requires significantly larger resources, it would have a more substantial and widespread impact.

Conclusion

This community service initiative has demonstrated that the transformation of village officials from *justice brokers* into community mediators is both possible and urgently needed. The process revealed that while village officials have long been perceived as accessible and trusted figures in the community, their role has often been reduced to facilitating legal shortcuts for financial gain. Through the ABCD approach, the program successfully shifted their orientation by highlighting their social capital as an asset, fostering empathy through gender-sensitive perspectives, and equipping them with basic mediation skills. As a result, village officials began to recognize the importance of neutrality, fairness, and the protection of vulnerable groups in family dispute resolution.

The novelty of this program lies in its integration of *mubadalah* and substantive justice within the ABCD framework for community empowerment. While many initiatives have focused on strengthening KUA officers upstream—through pre-marital guidance and family resilience programs—this service uniquely extends intervention downstream, directly targeting village officials who operate at the heart of community dispute resolution. By positioning them as mediators, the program offers a sustainable, non-litigation alternative that reduces dependency on costly justice brokers and fosters early resolution of family conflicts at the grassroots level.

Nevertheless, several limitations must be acknowledged. First, not all village officials were willing to participate, with some perceiving the initiative as a threat to their economic interests as brokers. This indicates that transforming entrenched practices requires longer-term engagement and structural incentives. Second, the program did not include formal mediator certification, which may limit the recognition of village officials' roles in official dispute resolution frameworks. Finally, the coverage was limited to a few pilot villages, and broader implementation would require stronger institutional backing and additional resources.

Despite these limitations, this service highlights an innovative pathway to strengthen access to justice in rural communities. By empowering village officials to act as mediators, supported by religious leaders, Islamic instructors, and volunteers, the program contributes both theoretically and practically to the discourse on feminist legal theory, gender justice, and community-based mediation. Future initiatives should focus on scaling up the model, institutionalizing village mediation forums, and exploring mechanisms for formal recognition and sustainability.

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