
The role of family mediation in dealing with trust crises resulting from digital infidelity: An Islamic family law perspective

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Abstract: The importance of this study is based on the rapid digitization that has triggered the phenomenon of digital infidelity, which has caused a crisis of trust in households. The purpose of this study is to analyze the impact of digital infidelity on household stability, examine the views of Islamic family law on this phenomenon, and explore the effectiveness of family mediation as a solution to conflict resolution. The research method used is normative legal research using an interpretive library research method. The results of this study comprehensively describe three main points: first, digital infidelity is identified as a form of emotional betrayal that causes deep psychological impacts, anxiety, and damage to the privacy of the domestic sphere. Second, in the view of Islamic family law, this behavior is classified as a violation of the principles of amanah and tsiqah and falls under the category of zina qalbi (adultery of the heart), which damages the sacred essence of the marriage contract. Third, the role of family mediation through the principles of tahkim and islah has proven to be very strategic as an instrument of moral and spiritual reconciliation that can restore trust between spouses through an approach based on justice ('adl), deliberation (*syura*), and compassion (*rahmah*). This study concludes that strengthening an adaptive mediation model for digital ethics is crucial in maintaining moral resilience and preventing the disintegration of Muslim families in the modern era.

Keywords: Family Mediation, Crisis of Trust, Digital Infidelity, Islamic Family Law

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Introduction

The development of digital technology has brought significant changes to the social and moral patterns of modern society, including in domestic life. The digitization of communication through social media and online platforms not only facilitates interaction but also creates new opportunities for emotional and moral transgressions, such as digital infidelity. This phenomenon triggers a crisis of trust between spouses, which leads to increased conflict and divorce in society. A study by Yeni Shanastika and Indah Fitriana shows that excessive use of social media by one partner causes complex conflicts in the household. Often, this leads to suspicion, jealousy, and feelings of neglect, especially when one party spends more time on social media and neglects their responsibilities. Additionally, changing accounts during disputes and engaging in intimate communication accompanied by the use of affectionate and romantic stickers with a third party. Such interactions have the potential to damage trust and the integrity of the household (Awalia & Sari, 2024).

This crisis of trust is one of the factors driving the increase in divorce cases in Indonesia. As shown by data from the Central Statistics Agency (BPS) in 2024, the number of divorces nationwide reached 399,921 cases, and around 251,125 of them were dominated by factors of constant disputes and arguments (BPS, 2024). This dispute is triggered by several factors ranging from financial instability, unhealthy communication, differences in principles, to infidelity, including digital infidelity, which often becomes a hidden sub-factor behind ongoing conflicts. Based on this data, there has been a shift in communication patterns and emotional closeness between husbands and wives due to the influence

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of digitalization in domestic life. Social media and digital technology often replace direct interaction between couples. When emotional interaction occurs more in the digital space, there is an opportunity for closeness with another party to develop into a form of virtual emotional or sexual betrayal. This phenomenon is known as digital infidelity, which is emotional involvement outside of marriage through online media. Digital infidelity erodes the sense of security and trust in a husband and wife's relationship, causing a crisis of trust and potentially leading to the disintegration of the household (Azkiyah et al., 2025).

In Islamic family law, this phenomenon can be categorized as zina qalbi or adultery of the heart, which is imagining or harboring unlawful sexual desires toward someone of the opposite sex outside of a lawful relationship, which can arouse sexual desire without physical contact (Kumparan, 2022). This concept is in accordance with the words of the Prophet Muhammad SAW: "Indeed, Allah has decreed for the children of Adam their share of adultery. He knows this without a doubt. The eyes can commit adultery, and their adultery is looking (at what is forbidden). The ears can commit adultery, and their adultery is listening (to what is forbidden). The tongue can commit adultery, and its adultery is speaking (what is forbidden). The hands can commit adultery, and their adultery is touching (what is forbidden). The feet can commit adultery, and their adultery is the act of walking (to a forbidden place). The heart can desire and fantasize. As for the private parts, they either confirm such desires or deny them." (HR. Bukhari No. 6243 and Muslim No. 657) (MUI - Indonesian Ulema Council, 2025). This hadith emphasizes that all virtual actions that contain emotional or sexual elements still have moral and legal consequences in Islam. Therefore, strengthening the values of *amanah* (honesty) and *iffah* (self-respect) are the main foundations in maintaining the integrity of the household. Islam has provided a mechanism for resolving domestic conflicts through family mediation with the concepts of Islah and Tahkim, as stipulated in the Qur'an Surah An-Nisa verse 35 (Alkhowarizm, 2025).

This concept shows that family mediation is a peaceful means that prioritizes deliberation, justice, and restoration of relationships, not just severing ties. The family is not only a social institution, but also a moral entity whose harmony must be maintained through deliberation and the involvement of both sides of the family. The purpose of Islah and Tahkim is not only to decide cases, but also to restore emotional relationships, improve communication, and restore the balance of trust between husband and wife (Nasrulloh, 2021). However, in the contemporary context, the implementation of Islah and Tahkim faces new challenges because the forms of domestic conflict triggered by digital technology have not been widely studied within the framework of modern Islamic family law. This situation calls for a reinterpretation of the values of mediation in Islam so that they remain relevant and applicable in maintaining moral resilience and family harmony in the digital age.

Several studies over the last five years have examined mediation in Islamic family law. Sridepi et al (2024) highlight mediation's role in maintaining family integrity and reducing the impact of divorce (Sridepi et al., 2024). Khaliluddin (2023) discusses family dispute resolution in Islamic and positive law through concepts such as shulh and tahkim (Khaliluddin, 2023). Meanwhile, Nasrulloh (2021) focuses on islah and tahkim in Islamic arbitration within economic disputes. However, these studies have not specifically addressed digital infidelity as a cause of trust crises in marital relationships (Nasrulloh, 2021). Although previous studies have addressed family mediation and marital conflict resolution from the perspective of Islamic family law, they mainly focus on conventional marital disputes and do not position digital infidelity as a source of trust crises between spouses. Moreover, existing research tends to separate discussions of digital phenomena from family mediation mechanisms, resulting in a lack of comprehensive analysis of how family mediation responds to trust crises arising from digital interactions within the framework of Islamic family law in Indonesia.

Therefore, a study is needed that specifically examines the role of family mediation in addressing trust crises caused by digital infidelity from the perspective of Islamic family law. The novelty of this study lies in analyzing islah and tahkim as family mediation mechanisms for addressing trust crises

caused by digital infidelity by integrating Islamic family law principles with contemporary digital interaction dynamics. This study aims to (1) analyze the phenomenon of digital infidelity and its impact on trust crises in households, (2) examine the perspective of Islamic family law on trust crises caused by digital infidelity, and (3) analyze the role of family mediation in resolving trust crises resulting from digital infidelity from the perspective of Islamic family law.

Method

This study is a normative legal research employing a library research method, which focuses on the analysis of legal norms, principles, and doctrines derived from authoritative legal sources. Normative legal research was chosen because this study does not examine empirical behavior in society, but rather analyzes how Islamic family law conceptualizes and responds to trust crises caused by digital infidelity through legal and moral norms. The library research method is considered appropriate as it enables an in-depth examination of classical and contemporary Islamic legal sources, as well as Indonesian positive law, without requiring field data (Haryono et al., 2024).

The data sources in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include the Qur'an, particularly QS. An-Nisa: 35, QS. Al-Isra: 32, and QS. An-Nur: 30–31, hadiths of the Prophet Muhammad SAW related to zina qalbi, as well as Indonesian positive legal regulations, namely Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law (KHI). Secondary legal materials comprise scholarly books, previous research findings, and academic journal articles discussing Islamic family mediation, tahkim, islah, and the impact of digital infidelity on marital relationships. Tertiary legal materials include legal dictionaries, encyclopedias, language dictionaries, and reputable online reference sources that support conceptual and terminological clarification in this research.

The data were analyzed using interpretive analysis techniques, which involve interpreting Islamic legal principles such as tahkim and islah in the context of trust crises resulting from digital infidelity. Each normative legal source whether derived from the Qur'an, hadith, classical fiqh, or statutory regulations such as Law Number 1 of 1974 and the Compilation of Islamic Law was examined to identify its substantive meaning and relevance to contemporary family law issues. Through this analytical approach, the study seeks to bridge Islamic moral values with modern challenges in marital relationships and to assess the effectiveness of family mediation as a normative mechanism for resolving domestic conflicts in the digital era (Haryono et al., 2024).

By employing a normative-interpretative approach, this study contributes to Islamic family law scholarship by offering a contextual legal analysis of digital infidelity, an issue that has not been explicitly regulated in classical legal texts. This methodological framework allows Islamic legal principles to be reinterpreted in light of contemporary digital realities, thereby strengthening the relevance of family mediation as both a legal and moral instrument in addressing modern marital conflicts.

Results and Discussion

The Phenomenon of Digital Infidelity and the Crisis of Trust in Marriage

Based on a review of recent scholarly literature, digital technology has significantly transformed lifestyles and marital relationships in Indonesian households. The digitization of communication has facilitated interaction but has also created opportunities for emotional intimacy outside marriage, a phenomenon commonly referred to as digital infidelity. Digital infidelity is defined as emotional or sexual betrayal conducted through online interactions without direct physical contact (Zakirman et al., 2024). Previous studies identify digital infidelity through the use of social media platforms such as

WhatsApp, Instagram, and Facebook, as well as non-romantic platforms used for concealed communication (Avvyat Anantya & Mirna Nur Alia Abdullah, 2024).

The literature indicates a recurring pattern of digital infidelity. Interactions typically begin with casual personal conversations and gradually develop into intense emotional relationships. These interactions are often accompanied by romantic or sexual messages, affectionate symbols such as emojis or pet names, and the exchange of personal photographs. Although such interactions do not involve physical contact, they generate emotional intimacy, attention, and psychological attachment that are comparable to those found in physical affairs. As a result, digital infidelity frequently leads to mistrust, interpersonal conflict, and deterioration in marital communication.

From a theoretical perspective, digital infidelity has multidimensional consequences, including psychological, social, and cultural impacts. Psychological studies indicate that digital infidelity may cause emotional instability, anxiety, stress, and a loss of emotional security, particularly for the affected spouse (Nerviadi & Nurwianti, 2024). Socially, the phenomenon reflects a shift in family communication values, as digital platforms increasingly blur the boundaries between private and public spaces. The emergence of virtual private spaces that are difficult to monitor contributes to the normalization of hidden emotional interactions within marriage (Ikhsan, 2025).

From the perspective of Islamic family law, the crisis of trust resulting from digital infidelity possesses a deeper moral dimension. Trust (amanah) in marriage is not merely emotional but also spiritual, forming part of the divine commitment underlying the marriage contract. Therefore, digital infidelity constitutes not only a social or ethical violation but also a breach of religious responsibility. Normative Islamic legal principles emphasize that the resolution of such trust crises cannot rely solely on psychological or positive legal approaches, but must incorporate spiritual and moral mechanisms, particularly through the principles of *tahkim* and *islah*.

Furthermore, technological developments that generate virtual private spaces necessitate a reinterpretation of moral supervision in Islamic law. While traditional mechanisms of moral restraint emphasized visible conduct, digital interactions operate in concealed environments. Islamic legal principles, particularly *sadd al-dhari'ah*, underscore the importance of preventing actions that may lead to moral harm. This preventive approach aligns with modern psychological theories concerning digital relationships, yet offers a distinctive advantage by grounding behavioral regulation in spiritual accountability. Consequently, strengthening values of piety and trustworthiness becomes essential in preventing digital interactions from escalating into marital disintegration.

Islamic Family Law Perspectives on the Phenomenon of Trust Crisis Due to Digital Infidelity

In Islamic family law, marriage is legally founded on the principles of *tsiqah* (trust) and *amanah* (honesty), which function not merely as moral values but as binding legal norms governing marital relations (Shobihah & Fathoni, 2022). From a normative legal perspective, any violation of these principles whether through physical infidelity or digital interactions involving emotional or sexual attachment to a third party constitutes a breach of the legal obligations inherent in the marriage contract. Based on recent legal and socio-juridical studies, digital infidelity has increasingly emerged as a factor contributing to domestic disputes, thereby requiring Islamic family law in Indonesia to adopt a more contextual and responsive interpretative approach (Rohman, 2024).

Although the Qur'an does not explicitly regulate digital infidelity, Islamic family law provides normative legal principles that are applicable to conduct occurring in virtual spaces. The prohibition against approaching adultery in QS. Al-Isra' verse 32 serves as a foundational legal norm that extends beyond physical acts to include all behaviors leading toward unlawful sexual relations (*sadd al-dhari'ah*) (Ministry of Religion of the Republic of Indonesia, 2022). From a normative legal analysis, virtual interactions containing emotional or sexual elements with individuals outside marriage may therefore be legally classified as conduct approaching adultery and are subject to prohibition under Islamic law.

وَلَا تَقْرُبُوا الَّتِي نَهَىٰ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا ﴿٣٢﴾

“Do not approach adultery. Indeed, it is an abomination and an evil path.” (QS. Al-Isra: 32)

This verse not only prohibits adultery itself, but also all forms of behavior that lead to it (sadd al-dhari'ah). In the digital context, this principle means that virtual interactions that contain emotional or sexual content with people outside of marriage can be categorized as “approaching adultery,” and are therefore prohibited according to Islamic law.

In addition, the command to guard one's gaze and honor in QS. An-Nur verses 30-31 is also relevant to be applied in the digital context (Ministry of Religion of the Republic of Indonesia, 2022) :

فُلَانٌ لِّلْمُؤْمِنِينَ يَعْضُوُ مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَرْجُوا لَهُمْ إِنَّ اللَّهَ حَسِيرٌ عَمَّا يَصْنَعُونَ ﴿٣٣﴾
 وَلَقَنٌ لِّلْمُؤْمِنَاتِ يَعْضُضُنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبَدِّلْنَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلِيَضْرِبُنَّ بِخُمُرِهِنَّ عَلَى جُبُونِهِنَّ وَلَا
 يُبَدِّلْنَ زِينَتَهُنَّ إِلَّا لِيُعَوِّذْنَ أَوْ أَبَاءَهُنَّ أَوْ أَبْنَاءَهُنَّ أَوْ أَبْنَاءَ بُنُوْتِهِنَّ أَوْ احْوَانِهِنَّ أَوْ بَنِي احْوَانِهِنَّ أَوْ بَنِيَ احْوَانِهِنَّ أَوْ
 نِسَاءَهُنَّ أَوْ مَا مَلَكُتْ اتِّيَاعُهُنَّ أَوِ التَّيْعِينَ غَيْرِ أُولَى الْأَرْرَةِ مِنِ الرِّجَالِ أَوِ الطَّفَّالِ الَّذِينَ لَمْ يَظْهِرُوا عَلَى عَوْرَاتِ التِّسَاءِ وَلَا يَضْرِبُنَّ
 بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِيْنَ مِنْ زِينَتِهِنَّ وَتُبَوِّقُوا إِلَى اللَّهِ حَمِيْعًا أَئِهِ الْمُؤْمِنُونَ لَعَلَّكُمْ تُفَلِّحُونَ ﴿٣٤﴾

“Tell the believing men to lower their gaze and guard their private parts. That is purer for them. Indeed, Allah is Acquainted with what they do. Tell the believing women to lower their gaze and guard their private parts. They should not display their adornments except what is apparent. Let them draw their veils over their bosoms. Nor should they display their adornments (private parts) except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers, their brothers' sons, their sisters' sons, female servants (fellow Muslims), male servants whom they own, male servants who have no desire (towards women), or children who do not yet understand about women's aurat. They should also not stamp their feet so that the jewelry they hide is known. Repent to Allah, O believers, so that you may be successful.” (QS. An-Nur: 30-31)

The legal obligation to guard one's gaze and honor, as articulated in QS. An-Nur verses 30–31, may be normatively extended to digital interactions. From an Islamic legal standpoint, this obligation imposes limits on the consumption and exchange of visual and communicative content that may threaten marital stability. Accordingly, digital activities involving emotional or sexual engagement outside marriage can be legally construed as violations of Islamic family law, rather than merely personal ethical shortcomings. These principles are further reflected in Indonesia's positive legal framework through Law No. 1 of 1974 on Marriage and the Compilation of Islamic Law (KHI), which affirm that marriage constitutes a sacred legal bond oriented toward lasting harmony.

Based on normative legal analysis, this study identifies two key findings. First, Islamic family law may legally qualify digital infidelity as a form of marital violation with juridical consequences, particularly when it results in syiqaq (marital discord) or nushuz (spousal misconduct). Second, family mediation mechanisms in Islamic law, specifically tahkim and islah, constitute effective legal instruments for resolving trust crises arising from digital infidelity. These findings demonstrate that although digital infidelity represents a contemporary phenomenon, its legal substance is already embedded within classical fiqh doctrines governing fidelity, trust, and marital responsibility.

From the perspective of Islamic family law, tahkim functions as a legally recognized mediation mechanism involving appointed representatives (hakam) from both spouses' families to resolve marital

disputes in a just and compassionate manner (Khaliluddin, 2023). In cases of digital infidelity, *tahkim* holds strategic legal relevance as it operationalizes the objectives of *maqasid al-sharia*, particularly *hifz al-din* (protection of religion) and *hifz al-nasl* (protection of lineage). Meanwhile, *islah* emphasizes restorative legal principles aimed at reconciliation, communication repair, and the reestablishment of marital trust, thereby reinforcing Islamic family law's dual function as both a regulatory and restorative legal system (Nasrulloh, 2021).

Islamic family law demonstrates its dynamic and adaptive nature in response to social change. The principles of *tahkim* and *islah* emphasize that resolving family conflicts requires more than just a legal-formal approach; it also necessitates the restoration of spiritual and moral values. When compared to conventional mediation theories that emphasize relationship transformation and empathy, *tahkim* and *islah* have normative advantages because they are based on the principles of justice, compassion, and responsibility derived from Islamic teachings (Nasrulloh, 2021). From the perspective of *maqasid syari'ah*, family mediation in Islam is not merely rational negotiation, but an effort to uphold the objectives of *sharia*, especially the protection of religion (*hifz al-din*) and offspring (*hifz al-nasl*). Therefore, it is necessary to reinterpret Islamic family law in order to qualify digital behavior as part of marital morality, not merely as a private matter beyond the reach of the law.

Despite its normative strength, the application of *tahkim* and *islah* in cases of digital infidelity faces practical legal challenges, particularly within Religious Court mediation processes. Empirical-normative studies indicate that mediation success rates tend to decline in digital infidelity cases due to difficulties in assessing virtual evidence and understanding digitally mediated emotional contexts (Sulianta, 2024). From a legal analytical perspective, this challenge underscores the necessity of enhancing mediators' competence in digital ethics and evidentiary assessment. When compared with restorative justice theory, Islamic family mediation demonstrates a distinctive legal advantage by incorporating repentance and moral accountability as integral components of dispute resolution (Flora, 2023).

The Role of Family Mediation in Resolving Trust Crises Resulting from Digital Infidelity: An Islamic Family Law Perspective

Family mediation plays an important and strategic role in overcoming crises of trust arising from digital infidelity, which often triggers disputes and divorce in modern households. These findings confirm that the mediation process not only functions as an administrative step in the Religious Court, but also as a means of restoring emotional relationships based on the values of justice and compassion in Islamic law. Based on a review of several literature sources, family mediation in the perspective of Islamic family law is understood not only as a means of dispute resolution, but also as an effort at moral and spiritual reconciliation that emphasizes the importance of involving a neutral third party from the family to reconcile the disputing couple (Kurniawan, 2022). This is in line with the research by Moh. Ali (2021), which explains that the practices of *tahkim* and *islah* have become a mandatory part of the mediation procedure in the Religious Court as stipulated in PERMA Number1 of 2016. This strengthens the position of family mediation as an important instrument in maintaining the integrity of the household amid the challenges of digitalization (Ali, 2021).

However, the success of mediation in handling crises of trust resulting from digital infidelity still faces substantial challenges. Based on research by Sri Iin Hartini, psychological barriers, limitations in nonverbal communication, and the lower success rate of electronic mediation compared to conventional mediation indicate that conflicts based on emotional relationships and crises of trust tend to be more difficult to resolve through digital mediation mechanisms (Hartini, 2025). In addition, Muh. Abduh's study explains that mediators' limitations in understanding the dynamics of online relationships and low digital ethics literacy are major obstacles (Abduh, 2025). However, this can be overcome with

a number of studies showing that mediation models are beginning to develop based on religious values and therapeutic communication. This model combines spiritual approaches, emotional guidance, and Islamic-based counseling, which have been proven to restore most couples from crises of trust, although not yet significantly on a national scale (Khodijah et al., 2025). This reinforces the finding that mediators' skills in building empathy, understanding online emotional aspects, and applying Islamic principles of justice are key factors in the effectiveness of mediation.

The application of the principle of reconciliation in resolving trust crises makes family mediation a holistic recovery mechanism. The values of *'adl* (justice), *syura* (consultation), and *rahmah* (compassion), which are at the core of Islamic teachings, are highly relevant in rebuilding trust that has been damaged by digital infidelity (Sridepi et al., 2024). When mediators are able to instill these values by understanding the social context and digital dynamics, the mediation process not only resolves conflicts but also restores the moral integrity and emotional bonds of the couple. Thus, mediation that combines legal, spiritual, and digital literacy approaches is more effective than conventional mediation. Thus, the results of this study confirm that, from an Islamic family law perspective, family mediation plays an important role as a means of moral reconciliation and prevention of marital breakdown in the digital age.

The principle of *tahkim* provides space for families to be involved in the resolution process, thereby creating a sense of collective responsibility for the integrity of the household. Meanwhile, reconciliation encourages emotional healing based on the values of compassion and justice. When compared to family systems theory (Retnoningtias et al., 2024), which emphasizes the importance of family system support in resolving emotional conflicts, the Islamic approach through *tahkim* and reconciliation is more comprehensive because it involves not only emotional aspects, but also moral and spiritual aspects. This shows the need to strengthen the role of family mediation institutions in Indonesia to adopt a *tahkim* model that is more adaptive to the digital context, while also equipping mediators with online ethics literacy so that they can understand the roots of the trust crisis more deeply.

Based on this explanation, this discussion emphasizes that family mediation in the perspective of Islamic law has a transformative dimension that is relevant to the resolution of contemporary conflicts. When the principles of *tahkim* and *islah* are applied with consideration of the psychosocial context and digital technology, mediation not only serves to resolve conflicts, but also shapes a new moral awareness that strengthens the trust and responsibility of couples. Thus, the role of family mediation is not only reactive to crises of trust, but also preventive against future marital breakdown. Therefore, there needs to be integration between Islamic law, family psychology, and digital ethics in the education system and religious court policies so that family mediation can function effectively as a spiritual, social, and legal mechanism in dealing with the challenges of digital infidelity in the modern era.

Conclusion

This study concludes that digital infidelity has emerged as a significant social phenomenon that poses serious challenges to the stability of Muslim households in Indonesia. Based on normative-interpretative analysis, digital infidelity is legally construed in Islamic family law as a violation of *amanah* and *tsiqah*, which constitute the foundational legal principles of the marriage contract. Such violations may generate juridical consequences, particularly when they result in marital discord (*syiqaq*) or spousal misconduct (*nushuz*).

Furthermore, this study finds that the principles of *tahkim* and *islah* remain highly relevant as Islamic family mediation mechanisms for addressing trust crises caused by digital infidelity. These mechanisms emphasize legal values of justice ('*adl*), deliberation (*shura*), and compassion (*rahmah*), and function not only to resolve disputes procedurally but also to restore trust, repair marital relationships, and strengthen couples' moral and spiritual resilience. In this respect, family mediation

serves a strategic preventive role in mitigating household disintegration amid the challenges of digitalization.

The novelty of this study lies in its integrative analysis of digital infidelity through the framework of Islamic family law and family mediation. Theoretically, this research contributes to the development of Islamic family law by demonstrating its adaptive capacity in responding to contemporary digital phenomena through normative reinterpretation. Practically, the findings offer an Islamic family mediation model grounded in tahkim and islah that may be applied by mediators and Religious Court institutions to address trust crises in the digital era through a more contextual, communicative, and spiritually grounded approach.

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