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## THE EFFECTIVENESS OF SEMA NO. 3 OF 2023 IN REDUCING DIVORCE RATES: A SOCIO-LEGAL STUDY AT THE KRAKSAAN RELIGIOUS COURT

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### ABSTRACT

This study examines the effectiveness of the implementation of Supreme Court Circular Letter (SEMA) No. 3 of 2023 in reducing divorce rates at the Kraksaan Religious Court, Indonesia, using a socio-legal approach. The regulation introduces a six-month separation requirement for divorce based on disputes, aiming to prevent impulsive divorce and strengthen family resilience. This research employs empirical legal methods with data collected through interviews, court documents, and statistical records. The findings reveal a paradox: despite the formal implementation of SEMA, divorce cases increased significantly after its enactment. This indicates that the policy operates more as a procedural filter than as an effective instrument of social control. Using Soerjono Soekanto's theory of legal effectiveness and Edward III's implementation framework, the study shows that the main limitations lie not in legal substance or institutional capacity, but in socio-cultural factors, including low public legal awareness, limited policy socialization, weak evidentiary mechanisms, and the normalization of divorce in society. Consequently, the regulation fails to substantially influence litigant behavior. This study argues that legal policy alone is insufficient to address complex social issues such as divorce. A more holistic approach integrating legal regulation with public education, improved mediation, and socio-cultural engagement is required to enhance policy effectiveness. The research contributes to socio-legal scholarship by highlighting the gap between normative legal design and empirical reality in judicial policy implementation.

**Keywords:** *legal effectiveness; divorce; SEMA No. 3 of 2023; socio-legal approach; religious court; Indonesia*

### ABSTRAK

Penelitian ini mengkaji efektivitas implementasi Surat Edaran Mahkamah Agung (SEMA) No. 3 Tahun 2023 dalam mengurangi angka perceraian di Pengadilan Agama Kraksaan, Indonesia, menggunakan pendekatan sosial-hukum. Regulasi tersebut memperkenalkan persyaratan pemisahan selama enam bulan untuk perceraian berdasarkan sengketa, bertujuan untuk mencegah perceraian impulsif dan memperkuat ketahanan keluarga. Penelitian ini menggunakan metode hukum empiris dengan data yang dikumpulkan melalui wawancara, dokumen pengadilan, dan catatan statistik. Temuan menunjukkan sebuah paradoks: meskipun SEMA telah diimplementasikan secara formal, kasus perceraian meningkat secara signifikan setelah diberlakukan. Hal ini menunjukkan bahwa kebijakan tersebut lebih berfungsi sebagai filter prosedural daripada sebagai instrumen kontrol sosial yang efektif. Dengan menggunakan teori efektivitas hukum Soerjono Soekanto dan kerangka implementasi Edward III, penelitian ini menunjukkan bahwa keterbatasan utama terletak bukan pada substansi hukum atau kapasitas kelembagaan, tetapi pada faktor sosial-budaya, termasuk kesadaran hukum masyarakat yang rendah, sosialisasi kebijakan yang terbatas, mekanisme pembuktian yang lemah, dan normalisasi perceraian dalam masyarakat. Akibatnya, regulasi tersebut gagal untuk secara substansial memengaruhi perilaku pihak yang berperkara. Studi ini berpendapat bahwa kebijakan hukum saja tidak cukup untuk mengatasi masalah sosial yang kompleks seperti perceraian. Pendekatan yang lebih holistik yang mengintegrasikan regulasi hukum dengan pendidikan publik, mediasi yang lebih baik, dan keterlibatan sosial-budaya diperlukan untuk meningkatkan efektivitas kebijakan. Penelitian ini berkontribusi pada kajian sosial-hukum dengan menyoroti kesenjangan antara desain hukum normatif dan realitas empiris dalam implementasi kebijakan peradilan.

**Kata kunci:** efektivitas hukum; perceraian; SEMA No. 3 Tahun 2023; pendekatan sosial-hukum; pengadilan agama; Indonesia

## INTRODUCTION

The increasing rate of divorce in Indonesia has become a persistent socio-legal problem that reflects both the fragility of family resilience and the limitations of existing legal interventions. Data from Indonesian Statistics (2023) show that divorce cases rose significantly from 447,743 in 2021 to 516,334 in 2022, with disputes and quarrels as the dominant cause. (RI, 2024) This trend indicates that divorce is not merely a private matter but a structural issue involving legal norms, social dynamics, and institutional responses (Anwar et al., 2024). Consequently, the question is no longer limited to *why divorce occurs*, but extends to *how effective legal policies are in controlling it*.

In response, the state and judiciary have introduced various regulatory measures aimed at reducing divorce (Musyafah, 2020). Among them, the Supreme Court issued Circular Letter (SEMA) No. 3 of 2023, which emphasizes stricter requirements for granting divorce, particularly by requiring proof of prolonged separation and the absence of reconciliation prospects (Andalusia, 2024). Normatively, this policy reflects a shift toward strengthening the principle of *complicating divorce* within the judicial process, while still accommodating exceptions such as domestic violence (Aini et al., 2024). However, the emergence of this regulation also raises critical questions regarding its practical implications (Dalimunthe & Hasibuan., 2024).

From a socio-legal perspective, there is an ongoing debate concerning the effectiveness of such restrictive policies (Badruzaman, 2021). On the one hand, legal scholars and policymakers argue that tightening divorce procedures can reduce impulsive decisions and strengthen family institutions (Anwar et al., 2024). On the other hand, critics highlight that such policies may risk limiting access to justice, especially for vulnerable groups, and may not address the substantive causes of marital breakdown (Mujiono et al., 2025). Empirical studies on mediation and divorce policies further show inconsistent results, where formal regulations do not always translate into effective outcomes at the local level due to variations in judicial interpretation, institutional capacity, and socio-cultural context (Dalimunthe & Hasibuan., 2024).

Despite the growing body of research on divorce and family law policies, most studies focus on causal factors of divorce or general evaluations of mediation mechanisms (Ilba & Turnip, 2024). There remains a limited number of studies that specifically examine the effectiveness of SEMA No. 3 of 2023, particularly using a socio-legal approach that connects normative rules with empirical realities in religious courts (Sari et al., 2024). This

gap is significant, as the success of national legal policies largely depends on how they are implemented and experienced at the local level.

The Kraksaan Religious Court provides an important empirical setting to address this gap. Initial data indicate a decrease in divorce cases following the introduction of stricter policies. Yet, it remains unclear whether this decline reflects genuine policy effectiveness or is influenced by other social and institutional factors. Therefore, a deeper analysis is needed to understand how SEMA No. 3 of 2023 operates in practice, how judges interpret and apply it, and how litigants respond to its provisions (Tambun et al., 2025).

Based on this background, this study seeks to answer the following research questions: to what extent is SEMA No. 3 of 2023 effective in reducing divorce rates at the Kraksaan Religious Court? What factors influence its implementation, and how does it affect access to justice for court users? By employing a socio-legal approach, this research aims to bridge the gap between normative expectations and empirical realities, thereby contributing to both academic discourse and the development of more responsive judicial policies.

## RESEARCH METHOD

This study employs a socio-legal (empirical legal) research approach, which examines law not only as a set of normative rules but also as a social practice. The research focuses on analyzing the effectiveness of the implementation of SEMA No. 3 of 2023 at the Kraksaan Religious Court by exploring the interaction between legal norms and their application in judicial practice (Muhaimin., 2020).

The research was conducted at the Kraksaan Religious Court as the primary empirical site. The subjects of this study consist of judges, court clerks, and litigants involved in divorce cases. Informants were selected using a purposive sampling technique, based on their relevance and direct involvement in the implementation of SEMA No. 3 of 2023. In total, this study involved (±8-12 informants), comprising judges (3–4 persons), clerks (2–3 persons), and litigants (3–5 persons), to ensure a balanced perspective between institutional actors and court users.

Data collection was carried out through semi-structured interviews, supported by an interview guide designed to explore three main aspects: (1) the consistency of judges in applying SEMA No. 3 of 2023, (2) institutional and social factors influencing its implementation, and (3) the perceived impact of the policy on divorce cases and access to justice. In addition, document analysis was conducted on court decisions, case statistics, and

relevant legal instruments, including SEMA No. 3 of 2023 and related regulations, to strengthen data triangulation (Mahmud Marzuki, 2005).

Data analysis employed an interactive model consisting of data condensation, data display, and conclusion drawing/verification. Data condensation was conducted by selecting and categorizing relevant information based on research variables, while data display was carried out in a systematic and analytical manner to facilitate interpretation. Conclusions were drawn iteratively and continuously verified throughout the research process to ensure analytical validity (Matthew B. Miles J. S., 2020).

To assess effectiveness, this study applies the theory of legal effectiveness proposed by Soerjono Soekanto, which includes factors such as legal substance, law enforcement structure, legal culture, and supporting facilities. In addition, the implementation process is analyzed using Edward III's policy implementation model, which emphasizes four key variables: communication, resources, disposition (attitudes of implementers), and bureaucratic structure. These analytical frameworks are used to systematically examine how SEMA No. 3 of 2023 operates in practice and to identify the factors that support or hinder its effectiveness in reducing divorce rates.

## **FINDINGS AND DISCUSSION**

### **History of the Supreme Court Circular Letter (SEMA) in Indonesia**

The development of the Supreme Court Circular Letter (SEMA) in Indonesia cannot be separated from broader institutional efforts to ensure consistency and coherence in judicial decision-making. The introduction of the chamber system through the Decree of the Chief Justice of the Supreme Court Number 142/KMA/SK/IX/2011 marked an important step in addressing disparities in court decisions. By grouping justices into specialized chambers, civil, criminal, religious, administrative, and military, the Supreme Court sought to reduce interpretative fragmentation and strengthen the uniform application of law. This institutional reform reflects an awareness that inconsistency in judicial decisions is not merely a technical issue, but a structural problem affecting legal certainty and public trust.

However, the persistence of interpretative diversity and the increasing volume of cases, particularly in family law, reveal that institutional restructuring alone is insufficient to fully control legal outcomes. In the context of divorce cases, the dominance of disputes and quarrels as legal grounds has made divorce relatively accessible within the existing legal framework (Putra, 2023). This condition prompted the Supreme Court to shift from

structural reform toward substantive regulatory intervention, particularly through the issuance of SEMA (Putra, 2023).

The issuance of SEMA No. 1 of 2022 represents an initial attempt to introduce a more restrictive approach to divorce by requiring a minimum six-month separation period for couples filing on the grounds of dispute (Syahri, 2025). Normatively, this provision reflects a preventive legal orientation, aiming to discourage impulsive divorce decisions and provide space for reconciliation. Yet, empirical critiques suggest that this policy faces limitations in practice, especially in addressing complex domestic realities such as domestic violence, where delayed legal intervention may risk further harm to victims (Tambun et al., 2025). This indicates a tension between the objective of restricting divorce and the necessity of protecting vulnerable parties.

Responding to these limitations, the Supreme Court issued SEMA No. 3 of 2023 as a refinement of the previous policy. This regulation retains the principle of tightening divorce procedures while introducing an important exception for domestic violence cases. Such modification reflects a more adaptive regulatory approach, attempting to balance two competing legal objectives: maintaining family integrity and ensuring the protection of fundamental rights. From a socio-legal perspective, this shift demonstrates that legal policy is not static, but evolves through interaction with empirical realities and normative critiques.

Analytically, the transition from SEMA No. 1 of 2022 to SEMA No. 3 of 2023 illustrates a policy learning process within the judiciary, where regulatory adjustments are made in response to implementation challenges (Ramadani & Syahrul, 2024). At the same time, it raises a critical question: whether such normative refinement is sufficient to produce measurable social impact, particularly in reducing divorce rates. This question becomes central to this study, as it highlights the need to move beyond regulatory design and examine how legal norms operate in practice (Mutsaniyah & Alyaa, 2025).

### **Implementation of Supreme Court Circular Letter (SEMA) Number 3 of 2023 at the Kraksaan Religious Court**

The issuance of SEMA No. 3 of 2023 represents a regulatory response by the Supreme Court to the persistently high rate of divorce in Indonesia, particularly those based on disputes and quarrels (Farhat et al., 2025). Empirical data indicate that such grounds dominate divorce cases, including in the jurisdiction of the Kraksaan Religious Court. This condition positions SEMA not merely as a procedural guideline, but as an instrument of

behavioral control within the judicial process, aimed at reducing impulsive divorce through stricter requirements (Hanapi & Juismaidar, 2024).

One of the core provisions of SEMA No. 3 of 2023 is the obligation for couples to undergo a minimum of six months of separation before filing for divorce on the grounds of dispute, with exceptions granted in cases of domestic violence. Normatively, this rule reflects a dual orientation: on the one hand, it reinforces the principle of prudence in divorce; on the other hand, it acknowledges the urgency of protecting vulnerable parties. However, the effectiveness of such a provision depends not only on its normative clarity but on how it is operationalized in practice (Ika Wijayanti Maria Florentina Dhiu M. S., 2025).

At the Kraksaan Religious Court, the implementation of this policy primarily occurs at the pre-litigation stage, particularly through the One-Stop Integrated Service (PTSP) and Legal Aid Post (POSBAKUM). Litigants are informed of the six-month separation requirement before case registration, and non-compliant cases are declared inadmissible (Harsoyo & Darmawan, 2023). This indicates that the policy functions as an administrative filtering mechanism, where access to formal adjudication is conditioned by procedural compliance. Importantly, this also reveals that policy implementation extends beyond judges to include administrative actors, positioning front-line service officers as key agents in translating legal norms into practice (Tukijan et al., 2024).

However, when examined through the lens of George C. Edward III's policy implementation theory, the effectiveness of this mechanism reveals significant limitations. Among the four key variables, communication, resources, disposition, and bureaucratic structure, communication emerges as the most critical constraint. Although information regarding SEMA No. 3 of 2023 is formally transmitted through service desks, the process remains limited in scope, lacking systematic and proactive dissemination strategies. As a result, many litigants do not fully understand the substance and implications of the six-month separation rule (Ika Wijayanti Maria Florentina Dhiu M. S., 2025). To systematically examine the implementation of SEMA No. 3 of 2023, this study adopts George C. Edward III's policy implementation framework, which highlights four key variables: communication, resources, disposition, and bureaucratic structure (Sormin, 2021). These variables are operationalized in the context of the Kraksaan Religious Court as presented in Table 1.

**Table 1. Analytical Framework of SEMA No. 3 of 2023 Implementation at the Kraksaan Religious Court**

Variable	Analytical Focus	Empirical Condition	Analytical Tension
Communication	Transmission, clarity, consistency of policy	Information delivered through PTSP and POSBAKUM, but limited in scope	Formal transmission exists, but low public understanding creates misinterpretation
Resources	Human resources, workload, and institutional support	Adequate judges and facilities, but high case volume	Institutional capacity available, but stretched → reduces the quality of case handling
Disposition	Commitment and interpretation of implementers	General compliance among judges	Variations in interpretation, especially in domestic violence exceptions
Bureaucratic Structure	Procedures and workflow	Procedures formally follow SEMA provisions	Procedural rigidity slows the process and may reduce access perception

This condition reflects a gap between policy transmission and policy comprehension, where legal norms are formally delivered but not substantively internalized. In Edward III's framework, ineffective communication marked by limited transmission, lack of clarity, and inconsistency directly undermines implementation outcomes (Resmiana, 2024). Empirically, this manifests in public perceptions that the court is complicating access to justice, rather than facilitating fair dispute resolution. Such perceptions not only reduce compliance but also encourage adaptive behavior, where individuals seek to formally meet requirements without necessarily engaging in genuine reconciliation (Najichah., 2024).

Beyond communication, the issue of evidentiary verification further complicates implementation. In practice, proof of the six-month separation largely relies on statements from the parties and witness testimony, which are inherently subjective and difficult to verify. While judges are formally required to ensure the alignment of *posita* and *petitum* and to assess evidence based on applicable legal standards, the absence of objective verification mechanisms weakens the substantive enforcement of the rule. This creates a condition where compliance becomes formally demonstrable but materially uncertain, thereby reducing the regulatory impact of SEMA.

From a broader analytical perspective, these findings indicate that the implementation of SEMA No. 3 of 2023 is characterized by a disjunction between normative

design and practical operation. While the regulation is conceptually robust in balancing prudence and protection, its effectiveness is constrained by three interrelated factors: limited policy socialization, weak evidentiary control, and uneven public understanding. This suggests that the policy operates more effectively at the level of procedural control than at the level of substantive behavioral change (Ramadhani & Nurwati, 2021).

The analytical framework based on Edward III further confirms that these constraints are not isolated, but structurally interconnected. Limited communication reduces public understanding; low understanding affects compliance; and weak verification mechanisms allow superficial compliance to persist. Although resources and institutional structures at the Kraksaan Religious Court are relatively adequate, these strengths are insufficient to compensate for deficiencies in communication and implementation strategy.

The implications of these findings are significant. *First*, they demonstrate that the effectiveness of legal policy cannot be measured solely by its formal implementation, but must be assessed based on its ability to influence behavior and achieve intended outcomes. *Second*, they highlight the need for a more comprehensive implementation approach, including structured policy socialization, standardization of evidentiary practices, and capacity building for court personnel. Without such improvements, SEMA No. 3 of 2023 risks functioning merely as a procedural barrier, rather than a transformative instrument for reducing divorce rates (Husin Wattimena M. P., 2020).

More critically, the current implementation of SEMA No. 3 of 2023 reveals a tendency toward formalistic compliance rather than substantive justice orientation. The six-month separation requirement, while normatively designed as a reflective mechanism, risks being reduced to a procedural checkbox in practice. Litigants may comply administratively without any genuine attempt at reconciliation, while courts focus on verifying formal requirements rather than addressing the underlying causes of marital breakdown. This condition reflects a deeper issue in socio-legal implementation, where law is treated as a set of formal rules to be fulfilled, rather than as an instrument to shape social behavior. Consequently, the policy's preventive objective becomes diluted, as the regulation fails to penetrate the social and relational dimensions of divorce.

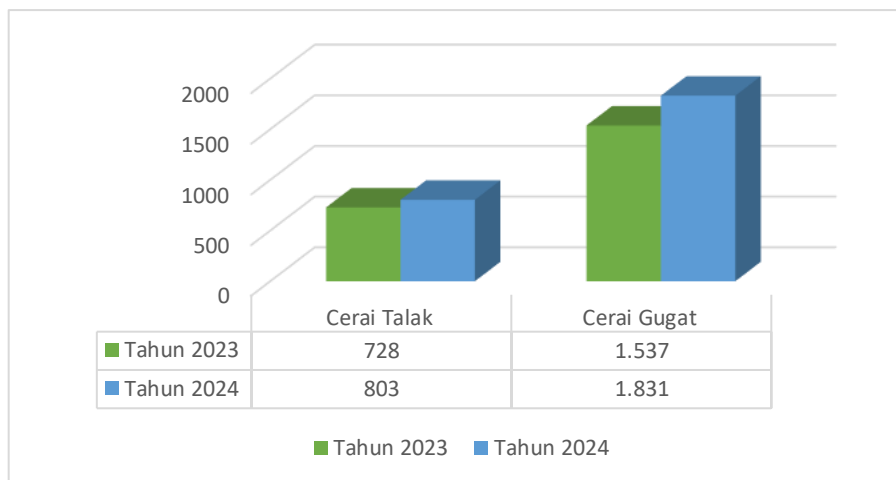
Furthermore, the implementation of SEMA No. 3 of 2023 highlights a structural limitation in judicial policy-making, namely, the overreliance on legal formalism to resolve complex social problems. Divorce is inherently a multidimensional issue involving emotional, economic, and cultural factors, which cannot be effectively addressed through

procedural restrictions alone. The findings suggest that without integrating non-legal interventions such as strengthening mediation quality, expanding community-based legal education, and fostering collaboration with social institutions, the policy will continue to face diminishing returns. In this sense, SEMA No. 3 of 2023 represents an important but incomplete step, as its success ultimately depends on the extent to which legal regulation is supported by broader socio-institutional strategies.

### **The Effectiveness of the Supreme Court Circular Letter (SEMA) Number 3 of 2023 in Reducing the Divorce Rate in the Kraksaan Religious Court**

The increasing divorce rate in Indonesia, particularly those based on disputes and quarrels, reflects a structural condition embedded within the legal framework itself. Article 116 letter (f) of the Compilation of Islamic Law and Article 19 letter (f) of Government Regulation No. 9 of 1975 provide relatively broad space for filing divorce on the grounds of ongoing disputes, making this reason one of the most frequently used legal bases in divorce cases (Jannah & Roibin, 2023). This normative openness has indirectly facilitated the accessibility of divorce, prompting the Supreme Court to introduce SEMA No. 3 of 2023 as a corrective intervention aimed at tightening the requirements for divorce. By imposing a six-month separation period, the regulation seeks to transform divorce from an easily accessible legal option into a more reflective process, thereby discouraging impulsive decisions. However, empirical data from the Kraksaan Religious Court reveal a paradoxical outcome. Instead of declining, divorce cases increased significantly in 2024, with talaq divorces rising from 728 cases in 2023 to 803 cases, and contested divorces increasing from 1,537 to 1,831 cases. Although 16 cases were rejected for failing to meet procedural requirements, this number remains marginal compared to the overall increase, indicating that the regulation functions primarily as a procedural filter rather than an effective instrument of behavioral control (Prananta & Ifrohati., 2024).

Figure 1 Statistical Graph of Divorce Cases



Sumber: <https://pa-kraksaan.go.id/transparansi-keterbukaan-informasi/laporan-tahunan>

From the perspective of legal effectiveness, this condition can be critically examined using Soerjono Soekanto’s theoretical framework, which emphasizes that the success of law is determined not only by its substance, but also by law enforcement, facilities, society, and legal culture. In the context of SEMA No. 3 of 2023, the legal substance can be considered relatively clear and consistent, particularly in regulating the obligation of six-month separation and its exceptions in cases of domestic violence (Ilba & Siddik Turnip, 2024). Similarly, law enforcement actors at the Kraksaan Religious Court, including judges and administrative staff, have generally demonstrated compliance with the regulation, as evidenced by the rejection of non-compliant cases (Soekanto, 2008). Institutional facilities and infrastructure are also relatively adequate to support implementation. However, the primary weaknesses emerge in the societal and cultural dimensions. Empirical findings indicate that many litigants lack an adequate understanding of the regulation, reflecting low legal awareness and limited policy socialization (Himmah et al., 2022). At the same time, divorce is socially perceived as a pragmatic and acceptable solution to marital conflict, thereby reducing the deterrent effect of legal restrictions. As a result, although the regulation exists normatively and is formally enforced, it fails to significantly influence behavior at the societal level.

This gap between normative design and empirical reality reveals several underlying causal factors. First, the six-month separation requirement tends to be treated as a formal administrative condition rather than a substantive mechanism for reconciliation, allowing parties to comply procedurally without altering their intention to divorce. Second, the weak

verification of separation largely dependent on subjective statements and witness testimony, creates opportunities for manipulation and undermines the credibility of the requirement. Third, the limited effectiveness of mediation processes further reduces the potential of the regulation to prevent divorce, as mediation often fails to address the root causes of marital conflict. Finally, the persistence of a socio-cultural environment that normalizes divorce significantly weakens the capacity of legal instruments to function as behavioral controls (Jauhari, 2025). These factors collectively indicate that the ineffectiveness of SEMA No. 3 of 2023 is not rooted in its normative formulation, but in the broader socio-legal context in which it operates (Fathul Mu'in Rudi Santoso Relit Nur Edi A. F., 2022).

Therefore, the findings of this study suggest that legal policy alone is insufficient to address complex issues such as divorce, which are deeply intertwined with social, psychological, and cultural dynamics. While SEMA No. 3 of 2023 represents an important step in strengthening procedural control, its impact will remain limited without complementary measures that address non-legal dimensions (Dwi Pamudi, 2024). This includes enhancing public legal education, strengthening the quality and role of mediation, improving evidentiary mechanisms, and integrating legal policy with broader socio-cultural interventions. In this sense, the effectiveness of SEMA should not be measured solely by its formal implementation, but by its ability to transform legal awareness and influence social behavior. Without such a holistic approach, the regulation risks remaining merely a “law in the books,” rather than becoming an effective instrument of “law in action” (Soleh, 2022).

## CONCLUSION

This study demonstrates that the implementation of SEMA No. 3 of 2023 at the Kraksaan Religious Court has achieved procedural compliance but failed to generate a substantive impact in reducing divorce rates. The empirical increase in divorce cases after the policy's enactment exposes a critical gap between regulatory intention and social outcome. While the regulation successfully restructures the procedural pathway of divorce through the six-month separation requirement and stricter admissibility standards it does not effectively alter the underlying behavior of litigants. In this sense, SEMA operates more as a mechanism of administrative control than as an instrument of social regulation.

Through the lens of legal effectiveness, the findings confirm that the limitation does not lie in the clarity of legal norms or the formal compliance of judicial actors, but in the weak alignment between law and its socio-cultural environment. Low public legal awareness,

limited policy socialization, fragile evidentiary mechanisms, and the normalization of divorce as a pragmatic solution collectively undermine the intended deterrent effect of the regulation. This reinforces a central socio-legal insight: law cannot be effective when it remains disconnected from the social realities it seeks to govern. The case of SEMA No. 3 of 2023 thus illustrates the persistence of a “law in the books” condition, where formal rules exist and are applied, yet fail to penetrate the domain of social practice.

More fundamentally, this study challenges the assumption that tightening procedural requirements is sufficient to control complex social phenomena such as divorce. Divorce is not merely a legal event, but a multidimensional process shaped by emotional, economic, and cultural forces. Consequently, a policy that relies predominantly on procedural restriction risks producing only superficial compliance, without addressing the structural drivers of marital breakdown. The evidence suggests that the six-month separation requirement, rather than functioning as a space for reconciliation, is frequently reduced to a formal prerequisite that does not transform the parties’ intentions.

Accordingly, the effectiveness of SEMA No. 3 of 2023 depends on a shift from a rule-centered approach to a system-oriented strategy. Strengthening legal impact requires integrating procedural regulation with broader socio-institutional interventions, including systematic legal education, enhancement of mediation quality, development of more robust evidentiary standards, and engagement with community-based actors to reshape legal awareness and cultural perceptions of divorce. Only through such a multi-layered approach can judicial policy move beyond symbolic regulation toward meaningful social transformation.

In conclusion, SEMA No. 3 of 2023 should not be viewed as a failed policy, but rather as an incomplete intervention one that reveals both the potential and the limits of legal instruments in governing intimate social relations. Its future effectiveness will depend not on further tightening of rules, but on the capacity of the legal system to bridge the gap between normativity and lived reality, thereby transforming law from a procedural requirement into a genuinely operative force in society.

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