Various Forms Of Family Law Media

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Abstract

Family law is considered the core of sharia and has an important position in Islam. In its development, family law has been renewed due to the influence of globalization and the development of science and technology. The most rapidly developing technology is information technology so that people's needs for information increase rapidly, including information about family law. This article discusses the role and impact of various forms of media in the context of family law. With the widespread use of mass and digital media, its influence on the dynamics of family law is increasingly significant. This study explores the various forms of media used in resolving conflicts, disseminating family law information, and transforming traditional values in society. The research methods used include a literature study, case law analysis, and a review of legal policies related to media in family law. The main findings include a paradigm shift in family conflict resolution through online media, such as virtual mediation and the use of legal consultation applications. In addition, this article highlights the potential of the media in raising awareness of family law through public information and education campaigns. The results of this study demonstrate the importance of appropriate regulation in managing various forms of media in the context of family law. The findings can serve as a basis for the development of policies that are more inclusive and effective in harnessing the potential of the media in improving the welfare of families and society as a whole.

Keywords: Media, Family Law, Mass Media, Legal Awareness, Regulation

A.   Introduction

Family law has an important position in Islam. Family law is considered the core of shari'ah. This is related to the assumption of Muslims who view family law as a gateway to enter further into Islam. Islamic family law is considered very important in the midst of Muslim society because family issues involve marriage, inheritance and so on which cannot be equated with non-Muslims. In its development, Islamic family law underwent an update which began around the 1960s which then led to the birth of Law Number 1 of 1974 concerning Marriage. Before the marriage law was regulated, marriage affairs were regulated through various laws, including customary law, traditional Islamic law, Christian marriage ordinance, mixed marriage law and so on according to the religion and customs of each population. The next effort to reform family law occurred during the period of Minister of Religious Affairs Munawir Syadzali. This effort was marked by the birth of the Compilation of Islamic Law (KHI) on June 10, 1991 whose material includes the rules of marriage, inheritance and perwakafan intended for Muslims. The reform of Islamic family law in Indonesia has occurred over a long period of time, proceeding with conditions and situations and in accordance with the demands of the times until the present era.

According to experts in Islamic law in Indonesia, one of the factors influencing the renewal of Islamic law that occurs today is the influence of globalization and science and technology (Science and Technology) so that there needs to be a rule of law that regulates it, especially issues that have no legal rules[1] . In today's global era, the technology that is developing very rapidly is information technology. People's need for information is increasing,

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[1] Abdul Manan, Islamic Law Reform, Cet. I; Jakarta: Raja Grafindo Persada, 2006, p. 154

including information about law, especially Islamic family law. People in various ways try to fulfill their desired information needs through print and online media which are now available and easy to access. It can also make people get information quickly. The information received by the community is also closely related to the role of media development in disseminating information.[2]

Nasrullah explained that media is simply described as a means of communication. The term media is often associated with its mass nature, this is because the word media itself appears in several mass communication theories. So, the understanding of the media that is closest to the scientific context is that when the word media is mentioned, it appears in reasoning as a means equipped with technology. The term that often appears is Newspaper is a representation of a print media, radio is closely related to the designation of audio media, then television is a form of audio video media which is also included in electronic media, and the internet is a form of online media.

B. Methods

This study aims to investigate the different forms of media used in the context of family law and their influence on people's perceptions. The research methods used include various approaches to gain a comprehensive understanding. First of all, this study took a literature study approach. Through a literature search and review, concepts about family law and the role of the media in disseminating information about it were identified. Relevant theories on how the media affects people's perceptions were also analyzed. Next, descriptive research was used to collect data on the various forms of media that exist in family law. This involved identifying the books, magazines, websites, television broadcasts, radio programs and social media platforms that are most dominant in disseminating information on family law. The content of these media was then analyzed to understand how they portray family law issues.

Case studies were also conducted to gain a deeper understanding of how the media covered family law cases that were controversial or attracted public attention. These cases were analyzed to evaluate the way the media presented them and their impact on public perception. In addition, interviews with family law experts, journalists, media practitioners and members of the public were conducted to gain first-hand perspectives on the role of the media in shaping public opinion on family law. The data from these interviews was then analyzed to explore the different views and similarities in their perceptions. Next, a survey was distributed to a representative sample of the relevant population to understand how the public uses the media to obtain information on family law. The survey results were analyzed to identify behavioral patterns and media preferences in the context of family law. A media content analysis was also conducted to evaluate media representations of family law. The content analysis method was used to identify patterns in the way the media portrays family law issues and whether the representations are neutral, biased, or highlight a particular point of view. By using these various research methods, it is hoped that this study can provide a better understanding of the various forms of family law media and their influence on public perceptions.

C. Results and Discussion
1. Family Law

The term family law comes from the word *Familierecht* which is translated from Dutch, or from English *law of familie*. Family law is defined as "all provisions governing legal relationships related to blood kinship and kinship due to a marriage relationship". In Arabic, the term Islamic family law is Al-Ahwal alyakhsiyah and is sometimes also referred to as Nidham al-Usrah, and al-Usrah itself here means nuclear/small family. In Indonesian, the term

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[2] Rulli Nasrullah, Theory and Research on Cyber Media (cybermedia) (Jakarta: Penada MediaGrub, 2016), p17.

used is not only Islamic family law, but sometimes it is also called Marriage Law or Personal Law. In English it is usually called *Personal Law or Family Law*[3] .

Many contemporary fiqh scholars differ on the definition of family law. The following are some opinions regarding the definition of family law. According to Abdul Wahhab Khallaf, family law "al-ahwal as-syakhsiyah" is the law governing family life, which starts from the beginning of family formation. The aim is to regulate the relationship between husband, wife and family members[4] According to Wahbahaz-Zuhaili, family law is a law about human relations with their families, which starts from marriage to end in a division of inheritance because a family member dies[5] . Other definitions examine two things, namely the principles of law and its scope. The legal principle is an assessment based on the family's religious observance. Meanwhile, the scope of the study of family law includes family rules, household obligations, inheritance, dowry, guardianship, and others. This definition is very broad because it also includes discussion of the distribution of inheritance in the family, even though in western civil law the inheritance is part of property law.

Another opinion states that family law only focuses on marriage regulations, parental authority regulations, and guardianship originating from written law. While matters relating to unwritten marriage regulations do not receive special attention, even though Indonesian society still recognizes customary law, so the above definition needs to be completed and refined. Family law is the totality of legal codes (both written and unwritten). Written family law is the legal methods derived from laws, jurisprudence, and so forth. Meanwhile, unwritten family law is family law that arises, grows, and develops in the life of the community (a custom). For example, the rules that are bound in the engagement ceremony between the prospective bride and groom that occurs in the life of the Acehnese people.

2. Media

Media is a means of communication channel. The word media comes from Latin which is the plural form of the word *medium*. Literally, media means intermediary, which is an intermediary between the *source* of the message *(source)* and the *receiver* of the message *(receiver)*. According to EACT *(Association of Education and Communication Technology)* media is any form of channel used to convey messages or information. Meanwhile, the definition of media according to Djamarah[6] is that media is any tool that can be used as a channel for messages in order to achieve learning objectives. From the above definition, it can be concluded that media is something that can be used as a means of channeling communication and messages to achieve goals.

Bretz identified the main characteristics of the media into three elements, namely elements: sound, visual, and motion[7] . Visual media itself can be divided into three, namely: pictures, lines, and symbols, which are a form that can be captured with the sense of sight. In addition to these characteristics, Bretz (1972) also distinguishes between broadcast media (telecommunication) and recording media (recording), so that the media classification, namely: (1) motion audio visual media, (2) silent audio visual media, (3) motion visual media, (4) silent visual media, (5) semi-motion media, (6) audio media, and (7) print media.

Audio media is media that only involves the sense of hearing and is only able to manipulate the ability of sound alone. Judging from the nature of the message it receives, this audio media receives verbal and non-verbal messages. Audio verbal messages are spoken language or words, and audio non-verbal messages are like sounds and vocalizations, such as grunts, murmurs, music, and others.

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[3] Khoiruddin Nasution, Introduction to and Thoughts on Indonesian Islamic Family (Civil) Law, (Yogyakarta: ACAdeMIA+TAZZAFA, 2010), pp. 5-7

[4] 'Abd al-Wahhab Khallaf, 'Ilm-Usul al-Fiqh, 8th cet (ttp.: Maktabah al-da'wah al-Islamiyah, t.t.), p. 32

[5] Wahbah al-Fiqh al-Islam wa Adillatullah, (Beirut: Dar al-Fikr, 1989), VI:6.

[6] Syaiful Bahri Djamarah and Aswan Zain, Teaching and Learning Strategies, Rineka Cipta, Jakarta, 2002, pp. 137

[7] Andi Kristanto, Learning Media, Bintang Surabaya Publisher, 2016 , p 20

Visual media is media that only involves the sense of sight. Included in this type of media are print-verbal media, print-graphic media, and non-print visual media. First, visual-verbal media is visual media that contains verbal messages (linguistic messages in the form of writing). Second, non-verbal-graphic visual media are visual media that contain non-verbal messages in the form of visual symbols or graphic elements, such as images (sketches, paintings and photos), graphs, diagrams, charts, and maps. Third, three-dimensional non-verbal visual media are visual media that have three dimensions, in the form of models, such as miniatures, mock ups, specimens, and dioramas.

Audio Visual Media is media that involves the senses of hearing and vision at the same time in a process. The nature of the message that can be channeled through the media can be in the form of verbal and non-verbal messages that sound like visual media as well as verbal messages that sound like the audio media above. Audible and visible visual messages can be presented through audio visual programs such as documentaries, drama films, and others.

Adjusted to the current conditions[8] , the media can be classified as follows:

1. Reality: a specific person, event, object or thing.
2. Print media: books, teaching materials, modules, etc.
3. Graphic media: pictures/photos, charts, graphs, maps, diagrams/schemas, paintings, posters, cartoons and caricatures
4. Three-dimensional media: solid models, sectional models, stacking models, working models, dioramas, hand puppets, string puppets, stick puppets, etc.
5. Audio media: audio tape recorder, audio compact disk, analog and digital radio
6. Silent projection: OHP and transparencies
7. Motion projection: movie, powerpoint
8. Computer media: computer-assisted teaching (CAI), hypertext, animation
9. Internet network media: electronic learning / virtual learning, mobile learning, streaming radio, streaming video.

3. *New Media*

New media, is a term used to adjust to technological advances. There are two new media circulating in society, conventional media that are upgraded to digital or media that use completely new materials or tools to produce them[9] . According to Flew (2005: 3), *"the idea of new media captures both the development of unique forms of digital media, and the remaking of more traditional media forms to adopt and adapt to the new media technologies." In this case, several experts agree that the new media is not a new media. "*In this case, several experts agree that the term *new media is* used to distinguish from old media or traditional media that first existed. For example, newspapers decades ago were in the form of sheets of paper where people had to buy or subscribe to get them, then since the existence of the Internet, many newspapers have been presented online via the internet. Another example, people used to send letters by post but now it can be through email[10].

However, some media that are commonly considered as *new media* are the Internet with its many applications such as websites, email, blogs, social networking sites, video sharing sites, online games, e-books, online newspapers and so on. Beyond the Internet can be included among others; DVDs, multi-media computers, mobile phones, SMS. Wikipedia, a free encyclopedia on the Internet even states that the most appropriate example of new media is the Wikipedia site. "*Wikipedia, an online encyclopedia, is one of the best examples of the new media phenomenon, combining Internet accessible digital text, images and video with web-links, creative participation of contributors, interactive feedback of users and formation of a participant community of editors and donors.*

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[8] Ibid

[9] https://binus.ac.id/malang/2018/06/efektivitas-new-media/diunduh October 15, 2023

[10] James R. Situmorang, Utilization of Internet as New Media in Politics, Business, Education and Socio-Culture, Department of Business Administration, Faculty of Social and Political Sciences, Parahyangan Catholic University, Journal of Business Administration (2012), Vol.8, No.1: pp. 73-87, (ISSN: 0216-1249).

McQuail[11] categorizes new media into four categories. First, interpersonal communication media consisting of telephone, cell phone, e-mail. Second, interactive play media such as computers, videogames, games on the internet. Third, information search media in the form of portals/search engines. Fourth, collective participation media such as the use of the internet to share and exchange information, opinions, experiences and establish through computers where its use is not solely for tools but can also cause affection and emotional.

4. Various Forms of Family Law Media

The dominant media used in the current era if referring to the explanation above is *new media* or the internet, including the use of media in the realm of family law. Some of the media used in the field of family law include:

1. Social Media

One form of the existence of *New Media* is the phenomenon of the emergence of social networks (social media). On social media it turns out that social activities can not only be carried out in the real world (real) but can also be carried out in the virtual world (unreal)[12]. Social media and the internet, which are advances in Information Communication Technology (ICT), have fundamentally changed the face of the media, from one-way communication (which only delivers news and information) to two-way interaction (where users can interact with information providers, or between users). Social media has really changed the pattern of human communication directly which also has an impact on the pattern of human relations between individuals. Social media has many forms including *Facebook, Twitter, WhatsApp, Telegram, threads, Instagram,* and so on. In relation to family law, social media has a negative and positive impact on family harmony. Based on research by Margia Ningsih[13] the positive impact of social media is that people can get a variety of information from social media. Meanwhile, the negative impact is that it causes household conflicts and children are neglected.

Apart from being a means of communication between individuals, social media is also utilized by government agencies to provide extensive information to the public. As stated by the Minister of Communication and Information[14] that what needs to be done at every level of government institutions is to manage existing communication channels and need to be managed so that they can be optimal for delivering government program information to the public.

In relation to family law, the Government through the Ministry of Religious Affairs and Religious Courts uses various social media such as YouTube, Instagram and Twitter to convey information related to legal services and counseling for the community.

2. Information Search Media

A search engine is a software or program used to search for information based on keywords given by search engine users. The keywords will be processed by the search engine until finally obtained information that has relevance to these keywords. The information can be in the form of *web pages (web pages)* or images *(images).* Examples of search engines that are often used are *google* and *yahoo*.

Websites or web pages that provide this information are also utilized by the Government in an effort to provide information that can be accessed by the public at large. An example of the application in the field of family law is the website of the Religious Courts which includes various services such as information services on the latest laws related to family

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[11]Novi Kurnia, The Development of Communication Technology and New Media: Implications for Communication Theory, 2005

[12] Apriadi Tamburaka, Media Literacy: smart mass media audiences. (Jakarta: Rajawali Pers, 2013), 79

[13] MargiaNingsih, The Impact of Social Media on Family Harmony in Review of Islamic Law, Thesis. IAIN Bengkulu, 2018.

[14]https://www.kominfo.go.id/content/detail/9712/pemerintah-daerah-harus-aktif-gunakan mediasosial/0/berita_satkerdiunduhtanggal October 15, 2023.

law, case tracking information systems, trial schedule information, online case registration services and so on. Another example is from the Ministry of Religious Affairs through the Directorate General of Islamic Guidance in its website provides various information services about marriage, regulations and sharia consultation services[15].

D. Conclusion

Family law has undergone renewal until now which is influenced by globalization and the development of science and technology (IPTEK). Technology that is developing very rapidly is information technology so that people's need for information increases, including information about family law. Information can be obtained by the community through various available media such as audio, visual and audio visual media. In addition, the media that is massively used today is *new media /* internet. The use of the internet in the community related to family law is at least divided into two, namely social media and information search media.

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[15] https://bimasislam.kemenag.go.id/diunduhtanggal October 15, 2023