



## Marriage Registration and Its Legal Implications: A Case Study in South Coast Regency

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### Abstract

This study explores the community's understanding of marriage registration and its legal implications in Pesisir Selatan Regency, Indonesia, from both positive law and Islamic law perspectives. Employing a qualitative approach with a juridical-empirical method, data were collected through interviews, observations, and documentation involving residents, religious leaders, and officials from the Office of Religious Affairs (KUA). Referring to the Circular Letter of the Director General of Islamic Community Guidance No. 06 of 2025 on the Marriage Registration Awareness Movement, findings show that out of 163,260 registered family cards, 3,751 marriages (2.30%) remain unregistered. The majority of respondents (97.7%) demonstrated a sound understanding of the importance and legal basis of marriage registration as stipulated by Indonesian law. Marriage registration is viewed as essential for ensuring legal certainty, protecting individual rights, promoting public welfare, and preventing potential harm (mafsadah) arising from undocumented unions, particularly in matters related to inheritance, guardianship, civil status, and child legitimacy. Although no explicit injunctions in the Qur'an or Hadith directly regulate the administrative requirement of registering a marriage, Islamic legal reasoning provides a strong foundation for its implementation. Through qiyas awlawi (analogical reasoning by priority) and the principle of *maslahah mursalah* (public interest), marriage registration is considered consistent with the objectives of Sharia (*maqasid al-shariah*), especially in safeguarding lineage (*hifz al-nasl*) and preserving social order.

**Keywords:** Marriage registration; positive law; Islamic law; legal certainty; *maslahah mursalah*

## INTRODUCTION

Humans are creatures of Allah SWT who are created in a perfect form when compared to other creatures. Every human being born on this earth has brought a nature called basic potential. One of them is the desire to form and build a household full of peace, tranquility, and comfort. This desire starts from a legal bond between a woman and a man. The bond is formed by marriage. Marriage is an essential event for humans, because marriage is the right means to form a peaceful and loving family.

At Indonesia The issue of marriage has been arranged in such a way and has been regulated in a separate law, namely Undang-Undang No. 1 Tahun 1974 which has been in effect since October 1, 1975, in one of the articles, namely article 2 paragraph 1 and paragraph 2 reads *"Marriage is legal, if it is carried out according to the laws of each religion and belief. Each marriage is recorded according to the applicable laws and regulations"* (Hasbullah, 1985). This marriage registration is carried out at the Office of Religious Affairs for Muslims and at the civil registry office for non-Muslims. Meanwhile, this recording procedure has been regulated in articles 3 to 9 of PP No. 9 Tahun 1975.

In this case, it can be understood textually that the purpose of marriage registration is to make the wedding event clear, both for the person concerned and for other people and the community. Because it is read and contained in an official letter and also contained in a list specifically provided for it, it can be used anytime and anywhere, especially as authentic written evidence. With the existence of the evidence, another act can be justified or prevented. Moreover, in this modern era, authentic evidence of a legal act is very necessary. This is in accordance with the goal of the Republic of Indonesia to create a just, prosperous, peaceful, and peaceful society for all levels of society. This is in line with the purpose of Islamic law, which is to create benefits for society.

Since Enactment Undang-Undang No. 1 Tahun 1974 about Marriage and enactment Inpres No. 1 Tahun 1991 about the Compilation of Islamic Law, which provides legal certainty for the implementation of marriage for all Indonesian people. However, in the implementation of marriages carried out by the community until now, there are still those who do not notify and report, so that their marriage is not recorded at the Office of Religious Affairs for Muslims. Basically, the Qur'an and Sunnah do not explicitly regulate the registration of marriages, nor does fiqh, but they contain benefits according to the demands of the times. In Indonesia, two agencies/institutions are given the task of organizing marriage registration and referrals. First, the sub-district KUA for Marriage and Referral (NR), and second, the civil registry office for those who perform non-Islamic marriages (Ritonga, 1999).

Deep An orderly country, all things related to the population must be recorded, such as births, deaths, marriages, and so on. After all, marriage is closely linked to inheritance, so marriages need to be recorded to prevent chaos and disorder in population administration. Based on this thought, it is very important to record marriages. The need for marriage registration, regulated in the Marriage Law, is Undang-Undang No. 1 Tahun 1974, reaffirmed in the Compilation of Islamic Law (KHI) to protect the dignity of holiness (*Mitsaaqan Ghaliidzan*) marriage and more specifically to protect women in domestic life (Rofiq, 2000).

Marriage is a very important social institution in the life of Muslims, because it is the basis for the formation of a family that is sakinah, mawaddah, wa rahmah. In the context of Indonesian national law, marriage is regulated in Undang-Undang No. 1 Tahun 1974 on Marriage and the Compilation of Islamic Law (KHI), which affirms that every marriage must be

recorded by an authorized official. However, in practice, there are still some people who carry out marriages without official registration, known with the term *nikah seri*. This condition raises various legal, social, and moral problems, especially when there are domestic conflicts, divorce, or inheritance problems. This research is focused on how the people of South Pesisir Regency understand marriage registration, the legal basis that underlies it, and the legal consequences of marriage that are not recorded in the view of positive law and Islamic law.

## RESEARCH METHODS

This research is a literature research (*Library Research*) (Moleong, 2011) with a qualitative approach focused on analyzing recorded and unrecorded marriage data in South Pesisir Regency. The data used consists of primary and secondary data; Primary data is obtained from books, scientific works, and relevant literature sources (Zed, 2008). Meanwhile, secondary data is sourced from field research through observation and interviews with people who carry out and do not carry out marriage registration, marriage registrar officials, community leaders, religious scholars, and traditional leaders. Field research is conducted to gain an in-depth understanding of marriage registration practices in the field, while literature research serves to strengthen the theoretical foundation. All data collected were then analyzed using inductive, deductive, and comparative methods to produce comprehensive conclusions regarding the understanding and legal implications of marriage registration in South Pesisir Regency.

## RESULTS AND DISCUSSION

Based on data from the Population and Civil Registration Office of the South Pesisir Regency Regional Government in 2024 (Badan Pusat Statistik Kabupaten Pesisir Selatan, 2024), the number of residents in Pesisir Selatan Regency until December 16, 2024, was recorded at 531,494 people with 163,260 Family Cards that have been issued. This data is an important basis for the implementation of various policies, including legal awareness programs and marriage administration in the region. In this context, the Office of the Ministry of Religion of South Pesisir Regency plays an active role in ensuring the orderly administration of marriage registration in accordance with the applicable legal provisions.

Follow up Surat Edaran Direktur Jenderal Bimas Islam Nomor 06 Tahun 2025 about the Marriage Registration Awareness Movement published on July 2, 2025, the Office of the Ministry of Religion of South Pesisir Regency carries out a program to identify people who do not have a marriage book *by name by address* throughout the district. This activity involves the Head of KUA, Penghulu, and Religious Extension Officers who collaborate with village or nagari officials to obtain initial data on families who do not have official marriage documents. After obtaining the data, the team conducted field observations and direct interviews with the families concerned to ensure the accuracy of the information and explore the factors that prevented the marriage registration to not being carried out.

The results of the study showed that of the 163,260 Family Cards in South Pesisir Regency, there were 3,751 couples or 2.30% who did not have a marriage book. Meanwhile, the level of public understanding of the importance of marriage registration is relatively high, where 97.7% of the public has understood the urgency of marriage registration and its legal basis as stipulated in laws and regulations in Indonesia. These findings show that public legal awareness of the importance of marriage registration is increasing, and marriage registration is seen as an

important instrument to ensure legal certainty, protection of civil rights, and the benefit of families and society more broadly.

Marriage Registrar (PPN) is an important element in the marriage administration system in Indonesia. Undang-Undang Nomor 22 Tahun 1946), VAT is a Civil Servant (PNS) who is appointed and authorized by the Minister of Religion to record marriage events, talaq, referrals, and other activities related to the headship in each Religious Affairs Office (KUA) at the sub-district level. The legal status of VAT has a strong basis in laws and regulations, and its existence is maintained to this day. According to Peraturan Menteri Agama Nomor 30 Tahun 2024, the position of VAT is structurally carried out by the Head of the Sub-district KUA, who is in charge of examining marriage requirements, supervision and recording of marriage events or referrals, registration of divorce (both talaq divorce and lawsuit divorce), and providing marriage guidance for Muslims in their work areas. As for Article 1 paragraph (1) Undang-Undang Nomor 22 Tahun 1946, the appointment of VAT is carried out directly by the Minister of Religion or an official authorized by him.

In addition to VAT, the regulation also regulates the existence of functional officials from among Civil Servants who are given the responsibility to carry out supervision of marriage and referral events according to Islamic law and other headship activities. To strengthen the implementation of VAT duties, the Head of the Office of the Ministry of Religion of the Regency or City is authorized to appoint Assistant Marriage Registrar Employees (P3N) on the proposal of the Head of KUA, with the approval regulated in Peraturan Menteri Agama Nomor 30 Tahun 2024 Article 1. These VAT helpers generally come from religious leaders or Islamic community leaders at the village level who play a role in assisting VAT and the head in the process of recording and implementing marriages in their area.

Procedurally, after the marriage contract is held, the bride and groom, together with the marriage guardian, witnesses, and authorized officials (VAT, penghulu, or VAT assistant), sign the marriage certificate along with a copy of it as official proof of marriage. The deed then becomes a valid legal document and has authentic evidentiary power in the eyes of the law. The existence of a marriage certificate not only serves as administrative evidence but also as a legal guarantee for husbands, wives, and children born from the marriage. In the context of Islamic civil law in Indonesia, Article 20, paragraph (1) Undang-Undang Nomor 22 Tahun 1946 affirms that *"Marriage can only be confirmed with a marriage certificate made by the Marriage Registrar."* Therefore, unregistered marriages do not have formal legal force and have the potential to have various legal implications, both in terms of marital status, inheritance rights, and legal protection of children. Thus, marriage registration through official state officials is not only an administrative obligation, but also an integral part of efforts to maintain legal certainty and social welfare in the life of the Muslim community in Indonesia.

Marriage certificates have a repressive function, namely, providing legal protection for married couples whose marriage has not been officially registered. In this case, the Compilation of Islamic Law (KHI) provides an opportunity for couples who do not have a marriage certificate to apply to marriage to the Religious Court to obtain the legalization of their marriage. This step is a form of legal policy that aims to help the community not only pay attention to the aspect of the validity of marriage in fiqh, but also pay attention to aspects of civil law that have juridical consequences. Thus, marriage registration through the issuance of marriage certificates is one of the government's efforts to protect the community, as well as to realize order and social justice in family life (Rofiq, 2000).

As a result of the view that adheres to the classical idea of the validity of marriage, which is considered sufficient if it has fulfilled the provisions of the books of fiqh, the phenomenon of marriage arises that is not under the supervision of the authorized marriage registrar. This kind of understanding has serious implications for the orderly administration of marriage and legal certainty in society (Kementerian Agama RI, 2024). Based on the results of the research, various obstacles and challenges were found in the implementation of marriage registration, which originated from internal factors of society and external legal systems. These obstacles include low public understanding of the importance of marriage registration, the assumption that marriage is a private affair that does not require state intervention, to administrative obstacles such as procedures that are considered complicated and relatively high costs (Rofiq, 2000). As a result, some people prefer to perform religious marriages without officially registering them, which in turn can cause legal, social, and administrative problems in the future.

The phenomenon of marriages occurring outside the supervision of the authorized marriage registrar is caused by various social, cultural, and economic factors that are interrelated. First, the low public understanding of the values contained in marriage and the purpose of marriage registration is the main cause (Nuruddin, 2006). Many people view that the validity of marriage is only measured in terms of religion, without realizing the importance of state legal registration as a form of legal protection for husbands, wives, and children in the future. As a result, the administrative and legal aspects are often overlooked because they are considered non-essential parts of marriage.

Second, the view of people who consider marriage a personal affair also strengthens this phenomenon (Rofiq, 2000). They consider that government intervention in marriage matters is not necessary, especially when administrative procedures are considered troublesome and require additional costs. In addition, certain social conditions, such as divorce carried out on a religious basis without an official divorce certificate, make it difficult for individuals to legally remarry according to the country's law (Hidayatulloh & Irsyadah, 2022). This is also exacerbated by cases of polygamy without the consent of the first wife or without the approval of the Religious Courts, which causes some people to choose shortcuts through unregistered marriages. Second, the view of people who consider marriage a personal affair also strengthens this phenomenon (Khairuddin, 2025). They consider that government intervention in marriage matters is not necessary, especially when administrative procedures are considered troublesome and require additional costs. In addition, certain social conditions, such as divorce carried out on a religious basis without an official divorce certificate, make it difficult for individuals to legally remarry according to state law. This is also exacerbated by cases of polygamy without the consent of the first wife or without the approval of the Religious Courts, which causes some people to choose shortcuts through unregistered marriages. This view shows that the public's legal awareness of the function of marriage registration is still not optimal (Humolungo et al., 2025).

Third, the existence of a divorce carried out religiously without an official document in the form of a divorce certificate causes obstacles in carrying out the next marriage legally according to state law. As a result, some people choose to remarry without going through official procedures, so their marriages are not recorded (Januartika et al., 2022). Fourth, the absence of a license from the first wife or from the Religious Court for those who intend to have more than one wife is also the reason why the marriage is carried out outside the supervision of the Marriage Registrar (PPN) (Humolungo et al., 2025).



Fifth, parents' concerns about their children who have established a close relationship with a prospective spouse often encourage them to immediately marry their children so that unwanted things do not happen (Halawa & Lase, 2024). This action is carried out without paying attention to the applicable legal rules. Sixth, some parents are too worried about their children's soul mates, so they marry them even though the child's age has not met the minimum marriage limit according to the provisions of the law (Djama et al., 2023). This shows that the influence of patriarchal culture and local traditions is still strong in family decision-making.

Seventh, inadequate economic conditions are also a significant factor. Economic limitations make some parents choose to marry their children sooner so that the burden on the family is reduced, even though they are not old enough or not yet psychologically and socially ready to marry (Desiyanto et al., 2022). Eighth, from the perspective of community leaders, there are still those who are willing to legalize marriages without the supervision of the Marriage Registrar on the grounds of preventing the community from committing adultery (Suaidi, 2023). In fact, this kind of practice is contrary to laws and regulations and has the potential to cause legal problems in the future. Therefore, more intensive socialization efforts are needed regarding the importance of marriage registration as a form of legal protection and social order in society.

Legal consequences of marriage registration violations in laws and regulations in Indonesia:

#### 1. Authorized Officers

PP No. 9 Tahun, 1975 about Implementation Undang-Undang No. 1 Tahun 1974 Regarding Marriage Chapter IX Criminal Provisions article 45 paragraph 1 jo Law No. 22 of 1946 concerning Marriage Registration, Talak, and Referral jo Law No. 32 of 1954 it is stated that for marriage registration employees/heads and P3N who do not carry out marriage registration in accordance with the provisions are subject to criminal provisions of imprisonment for a maximum of 3 (three) months and/or a fine of up to Rp. 7. 500.

Based on the existing rules, it is clear that if the Head of KUA/PPN/penghulu and P3N does not carry out marriage registration in accordance with the applicable procedures, the Head of KUA/PPN will be subject to a criminal penalty of imprisonment for a maximum of 3 (three) months and/or a fine of up to Rp. 7. 500

#### 2. Unauthorized officers

Undang-Undang Nomor 22 Tahun 1946 regarding Marriage Registration, Talak, and Reference Article 3 paragraph 2 jo Law No. 32 of 1954 states that those who carry out marriage registration work without any rights in accordance with the provisions are subject to criminal provisions of imprisonment for a maximum of 3 (three) months and/or a fine of up to Rp. 7. 500.

#### 3. People who don't report their marriages

Government Regulation No. 9 of 1975 concerning the Implementation of Law No. 1 of 1974 concerning Marriage Chapter IX Criminal Provisions article 45 paragraph 1 jo Law No. 22 of 1946 concerning Marriage Registration, Talak, and Referral jo Law No. 32 of 1954 states that people who do not report their marriage are subject to criminal provisions with a fine of up to Rp. 7. 500.

Marriage registration from the perspective of Islamic law in Indonesia has a great value of benefit, because it not only provides legal force to the marriage event, but also functions as an instrument of protection of rights for related parties, such as husbands, wives, and children (Sugitanata et al., 2021). This shows that marriage registration needs to be carried out in

accordance with the provisions of applicable laws and regulations, because basically, this practice is desired by most people for the sake of creating order and legal certainty. Based on the results of the research, the implementation of marriage registration does not cause the slightest harm, because its application does not contradict the provisions of sharia; in fact, marriage registration actually brings great benefits in maintaining integrity, justice, and order in social life.

As stated in Article 2 paragraphs (1) and (2) of Law Number 1 of 1974, the validity of marriage in Islamic law and positive law are two things that are interrelated but have different functions. Paragraph (1) emphasizes that a marriage is valid if it is carried out according to the laws of each religion and its beliefs, while paragraph (2) stipulates that every marriage must be recorded in accordance with the applicable laws and regulations. Thus, marriage registration serves as authentic evidence of legal events of marriage in the state system (Setyawan, 2024).

Therefore, a marriage that has fulfilled the pillars and legal requirements according to Sharia and is recorded in accordance with the applicable procedures is legally valid, religiously, and at the same time has legal force in the life of the state. On the other hand, a marriage that is only valid according to Sharia but is not officially recorded will lose its legal force in the eyes of the state (Zainuddin, 2022). This condition has implications for various aspects, such as the legal status of children, inheritance rights, and legal protection for married couples. Thus, marriage registration is a form of *Maslahah Mursalah*, which is very relevant in the context of modern society to maintain the benefits of the ummah while ensuring legal certainty in the life of the state.

Since its ratification Undang-Undang No. 1 Tahun 1974), Regarding Marriage, Indonesia has entered a new era in the family law system, especially for Muslims and Indonesian people in general. This law is an important milestone because it is a form of codification and unification of national marriage law that puts Islamic law in a position that has existence and legitimacy in the national legal system (Jannah et al., 2021). Therefore, it is not surprising that many people consider the birth of the Marriage Law as a breakthrough in the history of Indonesian marriage law, because it succeeded in combining Islamic values with modern legal principles oriented towards legal certainty and justice.

From the perspective of Islamic law, neither the Qur'an nor the Sunnah explicitly orders the registration of marriages. However, if examined in depth, the principle of recording can be found in the Qur'an Surah al-Baqarah verse 282, which reads as follows:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا تَدَايَنْتُمْ بِدَيْنٍ إِلَى أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ وَلْيَكْتُبَ بَيْنَكُمْ كَاتِبٌ بِالْعَدْلِ وَلَا يَأْبَ كَاتِبٌ أَنْ يَكْتُبَ كَمَا عَلَّمَهُ اللَّهُ فَلْيَكْتُبْ.

Meaning: "O you who believe, if you do not mu'amalah in cash for the appointed time, write it down. and let a writer among you write it right. and let not the writer refuse to write it as Allah has taught him, but let him write..." That is why

The above paragraph contains an order to write down every transaction or debt-receivables agreement in writing to maintain clarity and fairness between the parties involved. This verse can be used as an analogous basis (*qiyas awlawi*) that all forms of important contracts, including marriage contracts, should also be recorded to avoid disputes and provide legal protection for all parties. In fact, the verse gives a strong signal about the importance of authentic evidence as a sign of the validity of a contract or agreement, so that legal events that occur have valid evidentiary force in the future. Interestingly, in this verse, recording even takes precedence over testimony, which shows how important written documentation is in ensuring

clarity and fairness between the contracting parties (Harahap, 2023). In this context, the Qur'an emphasizes that recording is not only administrative but also has moral and legal value as a form of social responsibility in safeguarding individual rights (Rahman, 2023).

Some scholars, such as Al-Thabari and Imam Qalab are of the view that the recording of the law is mandatory, because it serves to prevent forgetfulness and maintain clarity of rights and obligations between the parties. Meanwhile, many scholars are of the opinion that the law of recording is *sunnah*, which is an encouragement that is highly recommended in order to protect property, avoid doubt, and ensure fairness in transactions (Akbar et al., 2025). Another opinion, as expressed by Hasan, states that a registrar is obliged to make a record if no one else can do so, because negligence in this case can cause harm to the parties involved.

Departing from the principle of the obligation of recording in the field of *mu'amalah*, contemporary scholars then carried out *Qiyas* (analogy) to marriage registration, because both are contracts that bind two parties and have broad legal implications for social life (Jannah et al., 2021). Thus, marriage registration is seen as part of an effort to maintain the benefits (*Maslahah Mursalah*) and prevent harm (*Mafsadah*), in line with the basic principles of Islamic law that prioritize justice, order, and protection of human rights (Zubaidah, 2019).

He noted that a marriage is a legal effort to maintain the dignity and purity of the institution of marriage. This recording protects both parties because if there is a dispute between husband and wife or one of the parties denies their responsibility, then the aggrieved party has a legal basis to claim their rights (Sugitanata et al., 2021). This is possible because each party has authentic evidence in the form of a marriage certificate as a legal product recognized by the state. Undang-Undang No. 1 Tahun 1974) Regarding Marriage affirms that a marriage is considered valid if it is carried out according to the laws of their respective religion and recorded in accordance with the provisions of the applicable laws and regulations. Thus, marriage registration is not only an administrative formality but a legal instrument that guarantees certainty and legal protection for married couples (Ma'arif, 2019).

Furthermore, marriage registration is regulated to prevent the practice of marriage outside the supervision of authorized officials, which often raises various legal problems. The Compilation of Islamic Law (KHI) Article 6 Paragraph (2) expressly states that marriages that are carried out outside the supervision of the Marriage Registrar do not have legal force. Kementerian Agama RI (2024). As a result, if one of the parties ignores their obligations, the other party cannot file a legal remedy because they do not have valid evidence in the form of a marriage certificate. This condition puts couples, especially women and children, in a vulnerable position to legal injustice, as their rights cannot be enforced through judicial mechanisms.

Furthermore, in the context of inheritance, unrecorded marriages also have an impact on the legal status of the child born. Based on Article 99 and Article 186 of the Compilation of Islamic Law, a legitimate child is a child born in or as a result of a legal marriage, while a child born out of wedlock only has a legal relationship with his mother and the mother's family. Thus, a child from an unrecorded marriage does not have the right to inherit from his father. Therefore, Undang-Undang No. 1 Tahun 1974 and the Compilation of Islamic Law expressly state that marriages that are performed without the presence of a Marriage Registrar do not have the force of law recognized in Indonesia.

In today's social reality, there are still many people who ignore the legal provisions related to marriage. For some people, the most important thing is the implementation of the marriage contract, even without the supervision of the authorized officials. This phenomenon is even



more concerning when there is a practice of marriage carried out by parties who do not have the authority of religious law, or without using a legal guardian according to Islamic law (Januartika et al., 2022). In fact, as a citizen, the provisions regarding marriage have been clearly regulated in the Undang-Undang No. 1 Tahun 1974) about Marriage, which aims to make people not careless in building a household. The law affirms several important principles, including: (1) the purpose of marriage is to form a happy and eternal family; (2) marriage is considered valid if it is carried out according to the respective religious laws; (3) every marriage must be recorded in accordance with laws and regulations; and (4) husband and wife have balanced rights and positions.

Therefore, it is appropriate for regional and state leaders to set rules and policies to regulate people's lives, as long as they do not conflict with the principles of Islamic law. Every regulation and legislation that is enforced must be obeyed by all citizens as a form of obedience to Allah SWT, His Messenger, and the leaders, as stated by Allah in the Qur'an surah an-Nisa' verse 59 which reads as follows:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِيَ الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا .

Meaning: *O you who believe, obey Allah and obey the Messenger (Prophet Muhammad) and the ululamri (rulers) among you. If you have a difference of opinion about something, return it to Allah (the Qur'an) and the Messenger (his sunnah) if you believe in Allah and the Last Day. That is better (for you) and better as a result (in this world and in the Hereafter).*

O you who have believed, obey Allah and obey the Messenger (Prophet Muhammad) and the ululamri (rulers) among you. If you have a difference of opinion about something, return it to Allah (the Qur'an) and the Messenger (his sunnah) if you believe in Allah and the Last Day. That is better (for you) and better as a result (in this world and in the Hereafter).

To avoid harm and realize the public good, the head of state or leader has the authority to establish rules aimed at maintaining public order and welfare. Based on the previous description, marriage registration can be seen as an effort to realize social benefits that do not contradict Islamic law. In fact, this is in line with the teachings of the Prophet PBUH, who advocated that marriage be announced to the public, as a form of openness and social legitimacy for the contract that has been held. If in the past the announcement was made in a simple way, such as slaughtering goats for a small party in the community, then in the context of modern society, the registration of marriages before authorized officials is a form of actualization of these recommendations in a more organized and formal legal system.

However, although the law has made marriage registration mandatory, the reality on the ground shows that there are still many people who ignore it. This is due to various factors, such as a lack of legal awareness, weak implementation of sanctions for violations, and the assumption that marriage is a private affair that does not need government intervention. In fact, by registering a marriage at the Office of Religious Affairs, the public will obtain legal certainty about whether or not a marriage is legal, both according to Sharia and laws and regulations Kementerian Agama RI (2024). Non-compliance with this provision has the potential to cause various legal problems, such as marital status, the validity of the marriage guardian, and the rights of wives and children born from the marriage.

Thus, the implementation of marriage registration in the South Coast Regency can be categorized as *mashlahah mursalah*, because its existence brings real benefits to the community

without contradicting the principles of Islamic law. Marriage registration serves to protect the dignity of the family, guarantee the legal rights of the parties, and prevent the occurrence of social harm in the future. Therefore, this provision should be understood as part of the government's *ijtihad* in realizing the benefits of the *ummah*, in accordance with the rules of *fiqh*, which states that "the actions of leaders towards the people must be based on the benefits."

## CONCLUSION

Marriage registration in South Pesisir Regency shows that public awareness of the importance of marriage legality still needs to be improved. The number of unrecorded marriage practices is due to low religious understanding, a culture that considers marriage a personal matter, and economic and administrative constraints. In fact, marriage registration has an important meaning in maintaining the integrity of the household and protecting the rights of husbands, wives, and children. When a marriage is not recorded, various legal consequences arise, such as not recognizing marital status, loss of inheritance rights for children, and difficulty in demanding justice in the event of divorce. Therefore, marriage registration needs to continue to be encouraged as a form of moral and social responsibility of Muslims to create a family that is *sakinah*, *mawaddah*, and *rahmah*, and civilized in accordance with Islamic sharia values.

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