



Islamic Counseling on Psychological Aspects of the Sirri Marriage Case: Five Women's Voices in the Narrative Investigation

Heni Ani Nuraeni^{1*} & Sri Astuti²

¹²Universitas Muhammadiyah Prof. Dr. Hamka Jakarta, Indonesia

*henianinuraeni@uhamka.ac.id

ABSTRACT

Unregistered marriages have become a phenomenon in several countries and have an impact on wives and children because marriages are not registered with the government. This research aims to report the psychological impact on wives and children in Indonesia. Five female participants in unregistered marriages were involved in narrative inquiry research. Data collection was carried out through semi-structured interviews. Interviews were also conducted with ustadz and amil (community figures). The data were analyzed using narrative analysis. The results showed that the wives experienced mental disorders (neuroses), which were influenced by frustration (pressure), conflict (inner conflict) and anxiety due to several things, including the lack of legal certainty and treatment of the husband. Apart from that, the factors causing unregistered marriages are women's ignorance of the concept of marriage, which includes the rights and obligations of husband and wife, and economic aspects. This research has implications for the legality of children resulting from unregistered marriages related to inheritance and administration rights.

Keywords : *Islamic counseling; psychological aspect; Sirri marriage; women's voices.*

INTRODUCTION

According to Law No. 1 of 1974, marriage is a physical and spiritual bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on the belief in the Almighty God. Marriage is an essential sharia in Islam, so in the Qur'an, several verses talk about marriage (Widianto, 2020). Marriage is not only a bond, but there is a connection with the law; as stated by Aisyah, marriage or matrimony can be interpreted as a bond. If something has been bound between one another, then there is a legal bond between the two parties (Aisyah, 2020). Thus, marriage, according to Islam, not only has religious meaning but also

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contains social meaning. From marriage, a family will be formed; the only legal way to form a family is through a legal marriage. Therefore, marriages must be registered at the Religious Affairs Office (KUA).

The Prophet Muhammad rejected secret marriages and ordered Muslims to marry in front of two fair male witnesses, then announced it to the crowd and even recommended holding a wedding celebration, which is usually called *walimatul ury*; this was exemplified by him himself (Rasyid, 2015).

The current phenomenon is that married couples must be registered at the KUA. Marriages that are not registered at the KUA are known as unregistered marriages. Siri marriage is a social phenomenon of modern society that always occurs in people's lives. However, marriage practices do not explicitly regulate Siri marriage; this event often occurs and must be anticipated (Ngizzul, 2020). According to Eva F. Nisa, secret marriage has been practised by Indonesian Muslims for decades. Secret marriages are a particular kind of unregistered marriage (Nisa, 2021).

Khairani explained in his research that unregistered marriages are called syndicate marriages in Malaysia. Syndicate marriages are marriages within or abroad that do not follow the procedures established in a country. Syndicate marriages in Malaysia are usually carried out on the border between Malaysia and Thailand (Razif, 2021). Syndicate marriages are carried out by legal entities or individuals who do not receive marriage authority from the government or the state (Abdullah & Khairuddin, 2009).

Usually, the parties carrying out this syndicate marriage provide all conveniences for the couple getting married, including providing witnesses and guardians for the woman. Most cases of marriage without permission start from men who want polygamy but feel that the application procedure for polygamy is quite heavy and bureaucratic. As a result of a syndicate marriage, the couple can be charged in court if found guilty and can be subject to a maximum fine of RM 1,000 or imprisonment for six months or both at the same time.

There are differences in how unregistered marriages are handled between Johor, Malaysia and Indonesia. In Johor, Malaysia, siri marriages or syndicate marriages can be legalized if they meet the pillars and requirements of *syar'i*. In contrast, marriages that do not meet the requirements must be annulled or disbarred. This seems fairer and more beneficial, especially for women and fair for guardians who feel that their children are not being married off with their consent.

According to [Khairani](#), the mechanism for cancelling syndicate marriages or Siri marriages has given rise to legal consequences where valid marriages according to Sharia law must still be registered, and this will guarantee legal certainty for married couples, especially for wives and children from this marriage. In this case, there is no omission by the government, whereas, for syndicate marriages or Siri marriages that do not fulfil the pillars and requirements of the Sharia, the marriage must be annulled; fines and imprisonment will be imposed. However, a marriage that has been annulled may be carried out again by fulfilling the pillars and conditions set ([Khairani, 2014](#)).

According to Ma'ruf Amin in Zed Bachmid, an unregistered marriage fulfils all the pillars and conditions regulated in fiqh (Islamic law). However, this marriage was without official registration at an authorized institution regulated by law. In contemporary fiqh, unregistered marriages are known as *Nawaḥ urfi*. These, namely, marriages, fulfil the marriage requirements but still need to be officially registered by an Islamic religious court staff member who handles marriages. Still, according to Zed, some people who carry out unregistered marriages in Indonesia need to understand the function and consequences of unregistered marriages ([Bachmid, et. al., 2021](#)).

In Indonesia, there is no way around handling unregistered marriages from statutory provisions, either from the marriage law or the compilation of Islamic law. All unregistered marriages are considered non-existent and outside the scope of the law. There is no alternative to whether the marriage can be revalidated or annulled ([Khairani, 2014](#)). So, legally unregistered marriages in Indonesia still need a clear legal umbrella, like in Malaysia. This can, of course, have a psychological impact on a wife and children who are the result of an unregistered marriage.

In Indonesian law regarding marriage, children born outside of marriage only have a civil relationship with their mother and their mother's family. Rudy conveyed this; in his research, he stated that if the marriage was carried out only according to religion and was not registered with the authorized agency, in this case, the sub-district KUA, then the husband could deny the marriage.

For this reason, article 2, paragraph (1) and paragraph (2) of Law No. 1 of 1974 constitute an inseparable unit as a condition for the validity of a marriage. A legal marriage will result in the children born becoming legitimate children. Still, according to Rudy, for children born outside of a

legal marriage, the child only has a civil relationship with his mother and his mother's family. This is by Marriage Law No. 1 of 1974 article 42, which states: a). children born out of wedlock only have a civil relationship with their mother and her mother's family, b). "The position of the child in paragraph (1) above will then be regulated in government regulations" (Kusmayadi & Madarik, 2020).

Afni confirmed Rudy's opinion that unregistered marriages in Indonesia do not comply with the legal provisions in force in Indonesia. These, namely, marriages, are carried out outside the presence of a marriage registration officer and are reported to the religious affairs office. Couples who carry out unregistered marriages do not have a marriage certificate issued by the government as authentic proof that a valid marriage has occurred (Rasyid, 2015), whereas according to the results of Mahmud Huda's research, marriages that are not registered as valid marriages under Islamic law are valid according to article 2 paragraph (1) of Law No. 1 of 1974, however, marriages that are legal according to religion are declared to have no legal force because they have not been registered with the KUA. Therefore, a permanent solution is needed to legalize unregistered marriages. One solution to legalizing unregistered marriages is the marriage *isbat*. *Isbat nikah* can be carried out if the marriage is held abroad, and the future fate of the children resulting from an unregistered marriage can be looked at (Huda & Azmi, 2020).

Not much different from Ahmad Fauzi's research, that in the eyes of positive law in Indonesia, a Siri marriage is considered invalid, so it will affect the legal power of husband and wife regarding their rights, for example, regarding children born in a Siri marriage, according to the law there is a negative impact on the status children, that is, they are considered illegitimate children so that to obtain legal certainty regarding unregistered marriages, a marriage *isbat* is required to be submitted to a religious court (Fauzi, 2021).

Siri marriages in Indonesia include those in the Sumberglagah Village area, Mojokerto, East Java. Siri marriages are carried out by residents of Sumberglagah Village on the basis that, first, they consider Siri marriages to be valid according to Islam, the marriage process is faster than an official marriage registered at the KUA, a sense of mutual need for each other and to guarantee the necessities of life, especially for women with low education level (Dimastiwi, 2021). Meanwhile, cases of unregistered marriages in Malaysia occur because men want to have polygamy. "Most cases of

marriage without permission start from men who want polygamy," was stated by [Khairani in his research \(Khairani, 2014\)](#).

Siri marriages in Indonesia do not have a legal umbrella; this has legal, religious and psychological impacts, especially for the wife and children. Rudy also stated that unregistered marriages have legal, social and psychological impacts on wives and children. The legal impacts of unregistered marriage on the wife include not being considered a legal wife, not having the right to support an inheritance from the husband if he dies, and not having the right to mutually beneficial assets if there is separation because legally, the marriage is considered to have never occurred. Meanwhile, the impact of unregistered marriages on the social and psychological environment is that unregistered wives will find it difficult to socialize because women who enter into unregistered marriages are often considered to have lived in the same house as men without marriage ties (cohabiting) or are considered mistresses, so psychologically this will affect their identity as wives. Such as feeling inner unease, shame, inferiority and lack of self-confidence when relating to their environment because they worry that their status as a Siri wife will be discussed ([Huda & Azmi, 2020](#)).

According to Rudy, the legal impact of unregistered marriage on children is that the status of the child born is considered an illegitimate child ([Huda & Azmi, 2020](#)). Consequently, the child only has a civil relationship with the mother and her mother's family. This means the child has no legal relationship with his father (Article 42 and Article 43 of the Marriage Law, Article 100 KHI (Compilation of Islamic Law). On his birth certificate, he is considered an illegitimate child, so only the name of the mother who gave birth to him is listed.

Information in the form of status as an illegitimate child because the father's name is not listed will have a social and psychological impact on the child and mother. The unclear status of the child before the law means that the relationship between father and child is not strong, so that at any time, the father may deny that the child is his biological child. This will be detrimental to the child, as the child does not have the right to the costs of living, education, living and inheritance from his father ([Huda & Azmi, 2020](#)).

The impact of unregistered marriage on wives includes that it is detrimental to the woman they marry. This marriage is considered unofficial by the government because of the lack of administration that must be fulfilled; the woman married and as a wife in an unregistered

marriage cannot demand that her husband provide support for both physical and mental needs (Yunita, 2018). Chatarina explained the same thing that unregistered marriage is dangerous and high risk for the women as well as for the children as there will not be any legal protection for the wife and her descendants. Wives from unregistered marriages cannot sue for maintenance from the husband or any legacy if the husband dies (Chatarina, n.d.). Masyitoh explained the exact impact. Siri's polygamous marriage is carried out in secret and not recorded at all. It will hurt the rights and obligations of husband and wife, the status of children born, the status of shared property, and the issues of docent (Masyitoh, 2021).

The results of previous research that are relevant to this research is a journal written by Muhammad Yusuf entitled 'Dampak Nikah Siri Terhadap Perilaku Keluarga' where in the journal, Yusuf describes the negative impacts that occur from cases of unregistered marriage on wives and children due to the power of state law. Weak, thereby eliminating the husband's responsibility for his family (Yusuf, 2019), then a journal by Yunia Lestari. Entitled 'Tindakan Penyalahgunaan Nikah Siri Menurut Ketentuan Hukum Pidana' it highlights how the incidents of unregistered marriage are so famous and misused without considering the future risks (Lestari, 2022).

The journal written by Ahmad et al., in their article entitled 'Dampak Psikologis Terhadap Anak Akibat Pernikahan Siri Di Desa Mancon Kecamatan Wilangan Kabupaten Nganjuk' tries to highlight the factors behind the Mancon community carrying out unregistered marriages and what impacts are felt by their children (Mubbin, et. al., 2022). Apart from these three journals, many previous studies have raised the issue of unregistered marriages from various aspects, such as legal, religious, social and psychological aspects. However, from the research that has been studied previously, no one has tried to carry out an analysis by presenting data from interviews with women who are perpetrators of an unregistered marriage; this research will also discuss in-depth as well as solutions for dealing with life problems. This is a novelty from previous research.

The research method used in this research is the narrative inquiry method. According to Mc Carthey in Permanarian, narrative inquiry is a literal form of qualitative research with solid relationships and literature that provides a qualitative approach where we can write in persuasive literary form a narrative report that tells a detailed sequence of events (Permanarian, 2010). In other words, this research describes individual lives

and collects stories about people's lives, where this research is included in field research.

The research participants who were the objects of this research were five women in unregistered marriages. Three of them, namely Nira, Cici, and Mirna, were not willing to conduct interviews directly or through intermediaries, while two people, Nani and Tuti, were willing to be interviewed directly. All names we present are pseudonyms to maintain the credibility of the informants. Participant data can be seen in the following table:

Table 1.
Key Informan

No	Name (pseudonym)	Age	Adress	Job	Last Education
1	Nani	20	Tasikmalaya	Doesn't work	SMA
2	Tuti	18	Serpong	Doesn't work	SMA
3	Nira	16	Tasikmalaya	Doesn't work	SMP
4	Cici	25	Cisauk	private	S1
5	Mirna	36	Serpong	private	S1

Source: Author Observation, 2023

Data collection in this research used interviews. An *interview* is a dialogue conducted by an interviewer to obtain information from the interviewee (Suharsami, 2002). Interviews were conducted with five women in unregistered marriages. The five women have different professions; some work as housewives, and some are career women. The researcher asked questions according to the interview guide. The semi-structured interview related to women's voices expressing their feelings when experiencing an unregistered marriage. In this research, we analyzed data using narrative analysis, namely collecting descriptions of events and events and arranging them into stories. The narrative research form in this study was taken from Schreiber and Asner-Self, namely:

Describe chronologically, such as describing event by event following the process of time and the narrative of a person's life, in this case, the participants. Narrow and focus the discussion. The narrative style of this research means formulating the typical social life of research

participants (Schreiber, et. al., 2011).

RESULT AND DISCUSSION

Psychological Impact of Serial Marriage

The practice of unregistered marriage is a phenomenon that still occurs a lot in society; the majority of people superficially assume that unregistered marriage is a good solution and a form of marriage that is religiously valid, but forget about the negative impacts in the future, which will harm not only the wife but also the children. Rudy explained that the impact of unregistered marriages on the social and psychological environment is that unregistered wives will find it difficult to socialize because women who enter into unregistered marriages are often considered to be living at home with men without marriage (cohabiting) or are considered mistresses. So psychologically, it will affect your identity as a wife, such as feeling inner unease, embarrassed, inferior and lacking self-confidence when relating to your environment because she was worried that her status as an unregistered wife would be discussed in her environment. This is the same as the experience of Nani and his friends below.

The Story of Nani

Nani is a 20-year-old girl. His last education was SMA (High School). He doesn't work and lives with his parents. Nani is one of the women who has an unregistered marriage. Nani married in an unregistered marriage because her future husband already had a wife. Nani wants to have an unregistered marriage because of her parents' wishes. Her parents married Nani because her future husband and his parents had business ties. Nani said, "My marriage was going well, and I was enjoying it. I was blessed with a daughter. However, in the third year, my first wife discovered my marriage. After my first wife found out about my marriage, problems began to arise. I felt shaken, angry, disappointed, sad and almost stressed. I am sad about the fate of my child." When asked about the rights and obligations of husband and wife, Nani answered that obeying your husband and serving him when he comes is essential. Nani also does not understand the legal impact of unregistered marriages, for her marriage with the approval of her parents is legal.

Regarding ownership of a family card as well as a child's birth certificate, they still share it with their parents. After five years of marriage, Nani divorced; even though she was divorced, her ex-husband still

provided support, especially for her children. After divorcing her husband, Nani's life became depressed; one of them took off her hijab and dyed her hair.

Even though it is economically fulfilling, Nani's case shows that the impact of unregistered marriages is fatal, so women as victims experience depression even though they are economically fulfilled. For a woman, her husband's full attention and affection are essential.

Story of Tuti

Tuti is an 18-year-old girl whose last education was high school; she doesn't work and lives with her parents. Tuti was introduced to a man much older than Tuti, Joni (a pseudonym). Joni works in a government agency. It turns out that Joni already has a wife, a career woman, and children. Since meeting Joni, Tuti's life and family have been fulfilled, so Tuti decided to marry serially. When asked why she wanted to have an unregistered marriage, Tuti answered that the important thing was that it was legal in the eyes of religion; rather than committing adultery, it was better to have an unregistered marriage.

When asked about rights and obligations, Tuti answered that the important thing is to be able to serve physically and mentally. After three years of marriage, Joni's wife found out about our marriage. At first, Joni's wife was angry, but as time passed, we became friends. When asked how she felt during the unregistered marriage process, Tuti said, "To be honest, I was unfortunate and disappointed because having to share love was limited in every way. Moreover, I don't have children yet; it feels very lonely." When asked, Do you want your marriage to be formalized at the religious affairs office? Tuti answered that she wanted to, but she couldn't because she didn't have permission from her first wife, and her husband was a government employee. Regarding ownership of a family card, Tuti still lives with her parents and is unmarried.

Story of Nira, Cici, and Mirna

In the case of the third, fourth and fifth unregistered marriages, they were not carried out directly because all three felt embarrassed. The information we get is only from his closest relatives. All names we present are pseudonyms to maintain the credibility of the informants. The third case of unregistered marriage, her name is Nira, aged 16 years. Her last education was junior high school (Junior High School); she didn't work and decided to have an unregistered marriage because of an MBA (Married By

Accident). Nira didn't understand the rights and obligations of a wife, so after giving birth to her child, her husband immediately divorced her religiously. After divorcing her husband, Nira always locked herself in her room and rarely went out while her mother looked after her child.

For the fourth case in the series, her name is Cici. She is 25 years old, works in a private company, and her last education is a bachelor's degree. Cici entered into an unregistered marriage because she felt administrative problems complicated it. The prospective partner is Malaysian; this couple entered into an unregistered marriage to avoid adultery because the two of them often went everywhere. However, preparations have been made for the official marriage.

Meanwhile, Mirna, 36 years old, carried out the fifth unregistered marriage case with a bachelor's degree; she worked as an employee at a private company. He entered into an unregistered marriage to avoid adultery and also because he did not receive approval from his parents. Mirna's feelings during the unregistered marriage were very depressed and always restless. Mirna wants the wedding to be official.

Of the five cases of women who were in unregistered marriages, psychologically, they experienced mental disorders (neuroses). According to [Zakiah Daradjat](#), mental disorders are abnormal conditions, both physical and mental, or the result of a person's inability to face difficulties. It influences frustration, conflict, and anxiety ([Daradjat, 2001](#)). Previous research only mentioned the impact of psychology in general and not in depth. In this research, we will discuss the solutions to facing life's problems in depth.

The experience of Nani and her friends, seen from a psychological aspect, is that they experience mental disorders (neuroses); the characteristic of them experiencing mental disorders is that they are frustrated. Frustration is a process that causes obstacles to fulfilling one's needs or thinking that something will happen that hinders one's desires. They want to live together forever, and nothing interferes. But what can you do? You can't prevent it because, legally, you don't have the power to sue it.

The five women above experienced inner conflict. Inner conflict is the existence of two kinds of opposite urges; one side wants to achieve it, but the other wants to avoid it. Apart from frustration, inner conflict is also anxiety. Anxiety is a manifestation of various mixed emotional processes which occur when people experience feelings of stress. Depression, anxiety

and other uncomfortable feelings are symptoms of mental disorders. Therefore, self-confidence must be developed. With self-confidence, you can overcome frustration and so on.

In this case, counsellors have an essential role in explaining unregistered marriages to the public and the impacts of unregistered marriages, both legally and socially, which will also impact a person's psychology. The public can understand alternatives and solutions where marriages can still be carried out by fulfilling the marriage requirements such as guardian, witness, dowry and consent while still registering it with the KUA.

Factors that Cause Sirri Marriages

Based on interviews with *Ustadz* or *Amil*, data was obtained about the factors that cause unregistered marriages. The causes of unregistered marriages include the public's lack of understanding about the importance of marriage registration, as explained by Amil (a trusted community figure) of the three unregistered marriage couples, they said that the important thing was to marry legally according to religion, regarding registration at the KUA, it was an administrative matter. They need to understand Marriage Law Number 1 Article 2 of 1974, which states that marriages must be registered in a religious court; if they are not registered, the marriage has no legal force. As a result, if one of the partners pays attention to their obligations, they cannot take legal action because they do not have a valid proof of marriage, namely a marriage card.

In interviews with other unregistered married couples, they needed help understanding the concept of marriage. In Law No. 1 of 1974 Article 1, marriage is a spiritual and physical bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on the belief in the Almighty God. Meanwhile, the Compilation of Islamic Law (KHI) explains that marriage is a marriage, namely a firm contract or *mitsaqan ghalidza*, to fulfil Allah's commands and carry them out in worship. In marriage, there are rights and obligations that both parties must fulfil. They need to understand the marriage law and the compilation of Islamic law correctly. When asked about the rights and obligations of husband and wife, they answered one answer: providing physical and spiritual support only. So, in this case, male and female couples who want to get married must be given counselling to understand the rights and obligations of husband and wife fully. Other causes of unregistered

marriages are economic factors, namely not having enough money, avoiding complicated and long administrative processes, MBA (Married by Accident) or getting pregnant out of wedlock as well as polygamy without the wife's permission (Syafuddin, 2021; Idrus & Djumardin, 2017; Disemadi, al-Fatih, & Yusro, 2020).

The practice of unregistered marriages cannot be taken lightly because Islam recommends announcing a marriage with a walimatul ury to avoid slander. Marriage is not only limited to harmony and conditions, but it is also necessary to consider the things that will be faced in the future because unregistered marriages, the KUA will cause many social problems, gender injustice and human rights; this practice even adds to the form of oppression against the rights of women and children, because they do not have the force of law, where Islam, of course, prohibits men from committing injustice against their wives and children.

Women's Voices regarding Sirri Marriage from a Psychological Aspect

The impact of unregistered marriages on wives and children is enormous. The results of interviews with five women showed that they tended to experience deep sadness and disappointment regarding their unregistered marriages. One of the women said, "Even though my children and I are materially fulfilled, to be honest, I am very disappointed with this marriage; I am not like other friends; I meet my husband every day; I go with my husband at any time, whereas when I meet my husband, I also feel rushed. On the other hand, I was mistreated, but I could not sue like other wives. Regarding administration, I do not have my family card because making a family card requires a marriage certificate from the KUA.

In contrast, I do not have a marriage certificate. Because I still live with my parents. Moreover, I worry most about this marriage because the first wife knows. "From the informant's statement above, it can be concluded that the unregistered marriage he carried out made him depressed (Yunita., et. al., 2020; Mappigau, et. al., 2019; Thompson, 1949), while the impact these children are not legally recognized as legitimate children, administratively they cannot produce birth certificates. One of the requirements for making a birth certificate is the presence of the parent's marriage certificate. In the absence of a birth certificate, children have difficulty entering school. In the psychological aspect, children feel insecure when socializing with their friends.

The experience of Nani and her friends, seen from a psychological aspect, is that they experience mental disorders (neuroses); the characteristic of them experiencing mental disorders is that they are frustrated. Ideally, in a household, the husband, wife and children live under the same roof forever; in psychology, transactional theory is used. According to this theory, interpersonal relationships occur according to transactional rules, namely whether each person makes a profit or a loss. If you feel you are making a profit, the relationship will be smooth, but if you feel you are losing, the relationship will be disrupted (Mubarok, 2016; Musyafah, 2020).

Likewise, husbands, wives, and children think about whether it is mutually beneficial or whether someone is harmed. Therefore, it should be mutually beneficial in the family. If it is mutually beneficial, the feeling of affection in the family will increase, and a *Sakinah mawadah wa rahmah* household will be created. In the case of the unregistered marriage above, the transactional theory has yet to be applied, so the household tends to experience shocks.

Therefore, the psychological impact experienced by these women cannot be ignored, so it is the duty of counsellors (Islamic guidance counsellors) to anticipate the harmful impacts of the practice of unregistered marriage; this can be in the form of educating the community about unregistered marriage and its impacts. as a result of the marriage, socializing the importance of officially registering marriages. The impact of marriages not registered by the state can also be made by holding marriage seminars, pre-marriage schools, and recitations or majlis to teach and equip the community regarding pre-marital education they should prepare.

As for people who have already implemented the practice of unregistered marriage, counsellors can offer a solution by submitting a marriage *isbath*. The marriage *isbath* is an application for the legalization of marriage submitted to the court to declare the marriage valid and has legal legality. Apart from that, women and children who are psychologically affected must be embraced and motivated again so that they can continue their lives better in the future.

CONCLUSION

The case study described in this article shows that the practice of unregistered marriages hurts wives and children, causing their marriages to be invalid in the eyes of the law because they are not registered with the

Office of Religious Affairs (KUA), and the children they give birth to are considered illegitimate as well. This is by Law No. 1 of 1974 article 2. Firstly, marriage is valid if it is carried out according to the laws of each religion and belief. Second, every marriage is recorded according to applicable laws and regulations. Indicators for the five women above that their marriages are not valid are not having a marriage certificate nor being able to make their family cards and birth certificates for their children.

Women carry out Siri marriages between 16 and 40. The last level of education is junior high school, high school and bachelor's degree. The general occupation is a housewife. The motivation for getting married is due to economic factors, Married Accident factors, administration and parental blessings. Apart from these factors, they generally need to understand the importance of marriage registration and the rights and obligations of husband and wife. Women who enter into unregistered marriages are generally polygamous. Psychologically, they feel deep disappointment, sadness, and even shock. They feel they have been mistreated, both legally, economically and socially. They cannot claim their rights because there is no legal certainty regarding their marriage.

Moreover, the end of their marriage was generally separation. We agree with Rudy's writing that the marriage must be registered at the KUA by Marriage Law Number 1 of 1974 Article 2 paragraph (2), considering the extraordinary impact, especially for the wife and children. Wives and children feel the impact the most. In his research, [Ahmad Fauzi](#) said that the solution to the problem of unregistered marriages is to submit a marriage isbath to a religious court. This marriage isbath helps obtain legal certainty for perpetrators of unregistered marriages. Apart from that, the Ministry of Home Affairs provided good news for citizens who are in unregistered marriages. Zuhdan Arif said every Indonesian citizen with an unregistered marriage can make a family card. However, this does not mean the state recognises an unregistered marriage.

Unregistered married couples can immediately make a family card. The requirement for making a family card for a married couple is to make a statement of absolute responsibility (SPTJM) that is known to two witnesses. Still, according to Zuhdan, all Indonesian residents must be recorded on a family card; those who have unregistered marriages can be included in one family card, but the family card listed will have a special note for the owner of the unregistered couple and is not the same as the family card in general, later in the family card It will be written that the

marriage has not been registered. Zuhdan Arif is the Director General of Population and Civil Registration at the Ministry of Home Affairs.

We recommend that those carrying out unregistered marriages immediately have them formalized using a marriage *isbat* so that their marriage is valid in the eyes of the law. With a valid marriage before the law, the rights of the wife and children will be fulfilled. Women who want to get married choose to marry in a way that is legal in the eyes of religion and the eyes of the law. For the government, in this case, the Ministry of Home Affairs, to continue socializing the program for making family cards for unregistered married couples. So, the family card helps the administration process, especially for wives and children, for the Ministry of Religion to continue socializing the marriage *isbat* program so unregistered marriage couples are legally valid. So that there is more intense research regarding cases of unregistered marriages.

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