

Siri Marriage in Positive Legal Perspective

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Abstract

This study aims to determine the policy the law against the act of unregistered marriage by the penghulu based on positive law in Langsa City. Then the factors that influence unregistered marriage and the impact of unregistered marriage according to positive law. That policyThe law against the act of unregistered marriage by the penghulu based on the Criminal Code that occurred in Langsa City violated the lawArticles 151 and 143 Draft Law on Material Law for Religious Courts (RUU HMPA)In 2007, it was judged that the act of unregistered marriage by the head of the village violated the criminal law and state administrative law, but so far in Langsa City there has been no confirmation of the crime against the perpetrators of the act of unregistered marriage. The factors that influence unregistered marriages in Langsa City are: factors of lack of awareness of the law, Religion factor, factor economy and status of children born considered an illegitimate child, so that in the eyes of the law he does not have a civil relationship with his father but only has a civil relationship with his mother and his mother's family (Articles 42 and 43 of Law No. 1 of 1974 and Article 100 KHI). The impact of unregistered marriage according to positive law due to not complying with the law in Pidie Regency, namely: the position of the wife is not recorded in the state administration, the position of children born from unregistered marriages is considered a child out of wedlock (considered illegitimate) by the State and joint property (Gono-Gini) in marriage if there is a divorce, the wife is difficult to get rights to joint property them if the husband does not give. In addition, if there is an inheritance left by the husband, because the husband dies, the wife and children are also very difficult to get the rights to the inheritance.DI hope the community does not carry out serial marriages, especially for women so that they do not become disastrous in the future. It is hoped that the Government will confirm criminal acts for perpetrators who carry out unregistered marriages, so that people do not carry out behavior that is detrimental to other parties.

Keywords

Unregistered marriage;
positive law



I. Introduction

Men and women basically have a need to live together, living together is a dream that everyone in society wants, both for both parties and for obtaining offspring. In a marriage, it will not be separated from the goal to build an eternal household. Marriage in Islamic law is carried out so that humans need to live in pairs of husband and wife in order to build a peaceful, peaceful and happy household, then a marriage bond or consent must be held. Marriage is a sacred part of life, because it must pay attention to the norms and rules of life in society. However, in reality, not everyone has this principle, for various reasons that are quite reasonable and acceptable to society, marriage is often not respected for its sacredness.

Marriage or marriage is a medium that will unite two people in a household. One of the unifying rituals is through marriage. The implementation of marriage in Indonesia in general and in Langsa City in particular is always very diverse, ranging from marriage through the Office of Religious Affairs (KUA), carry-and-run marriage, to marriages that are popular among the public, namely siri marriage. Unregistered marriages or known by various other terms such as 'marriage under the hand', unregistered marriage or unregistered marriage are marriages carried out based on religious rules or customs and not registered at the marriage registrar's office (KUA).

Unregistered marriages are one of the problems that currently occur in Langsa City. The issue of unregistered marriage is very difficult to monitor by the authorities, because in Langsa City there are still many married without the knowledge of the authorities. Usually, unregistered marriages are carried out only in the presence of an ustadz or community leader as the head, or carried out based on customs only. This marriage was then not reported to the authorities, namely the KUA. There are many factors that cause a person not to register a marriage at a registration institution. There is the cost factor. The factor is unable to pay for the administration of recording so that it is not recorded. Siri marriage in the opinion of the Indonesian Ulema Council (MUI) is a marriage that has fulfilled all the pillars and conditions stipulated in fiqh (Islamic law), but without official registration at the authorized institution as regulated by the applicable laws and regulations. If it is returned to Islamic marriage law, as long as the marriage has been carried out, it fulfills the requirements and pillars. The marriage is legal and has the right to the provisions outlined in Islamic marriage law, such as the legal relationship between wife and husband, children and their two parents, heirs and settlement in the event of a divorce or if one of the husband's or wife's essence dies.

The existence of marriage will provide clarity on the status and position of the child being born. Children born from a marriage are legitimate children who have a civil relationship with their father and mother. With regard to unregistered marriages, it is still unclear about the position of the marriage. This of course will cause problems regarding the legal position and rights of the children resulting from the unregistered marriage. Based on the description of the background above, the authors are interested in studying further about Siri Marriage in a Positive Legal Perspective. Thus, as for the formulation of the problem, What is the Legal Policy Against Siri Marriage by the Penghulu Based on Positive Law?

II. Review of Literature

2.1. Marriage and Its Requirements

Marriage is an agreement between a man and a woman to be husband and wife or often called marriage. Marriage or marriage according to Islamic law is carrying out a contract or agreement to bind themselves between a man and a woman to prevent sexual relations between the two parties on a voluntary basis and the pleasure of both parties to realize a happy family life which includes affection and peace in a way that is pleasing to Allah SWT. Meanwhile, according to customary law, marriage is a form of eternal cohabitation between a man and a woman who is recognized by the family and customary alliance. This marriage is a customary bond and is a kinship and familial bond concerning traditional and religious ceremonies.

Based on the provisions in Article 1 of Law Number 1 of 1974 concerning Marriage, marriage is an inner and outer bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One Godhead. Article 2 of the Compilation of Islamic Law states that marriage is a very strong contract to

obey Allah's commands and carrying it out is worship. Indonesian marriage law experts also define marriage. According to Soedharjo, marriage is an agreement entered into by two people, in this case an agreement between a man and a woman with a material goal, namely to form a happy and eternal family (household) that must be based on the One Godhead, as the first principle in Pancasila. .

Meanwhile, according to Subekti, marriage is a legal relationship between a man and a woman for a long time. According to Sajuti, marriage is a sacred and broad and solid agreement to live together legally between a man and a woman to form an eternal family, polite, caring, loving, peaceful and happy. Then according to Wirjono, marriage is a living together of a man and a woman who meet certain conditions. Marriage or marriage in principle is a contract to justify the relationship and limit the rights and obligations, mutual assistance between men and women between the two are not muhrim.

Marriage contracts from the dimensions of sacredness are special contracts compared to other contracts such as buying and selling, pawning and others. In addition to the marriage contract, it can be done several times without limits, while the marriage contract is only limited to four times, because most men are only permitted by four wives. Because in the concept of shariah a man is only able to take maximum responsibility for four wives.⁴ Marriage contract in Islam is considered as a matter that must be handled with care, because it will have legal implications for various other things caused by marriage, such as nafaqah, inheritance and also the sustainability of happy households. One of the most important elements of the marriage contract is only a parental guardian (nasab). Only a prospective bride has the right to marry a woman in her guardianship. This is only given by Islam to guardians, because women cannot marry themselves. If a woman marries herself, then her marriage is not legal. But in reality, the marriage guardian who has the right to marry sometimes loses his guardianship due to certain matters, which requires his guardianship to move to another guardian of marriage in the hierarchy that is in the ring further than that. (Imran, et al. 2019)

Based on the provisions of Article 14 of the compilation of Islamic law, to be able to carry out a marriage one must meet the requirements and pillars of marriage, namely, the presence of a prospective husband and wife, a marriage guardian, two witnesses as well as consent and acceptance. According to Sudarsono, the conditions for marriage in Law Number 1 of 1974 concerning Marriage and Government Regulation Number. 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage, is grouped into 2 (two) namely material requirements and formal requirements.

2.2. Siri Marriage and the Position of Children in Marriage

Siri Marriage emerged after the enactment of Law Number 1 of 1974 concerning Marriage and the issuance of Government Regulation Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage. Because in the two regulations, it is stated that every marriage, apart from having to be carried out according to religious provisions, must also be registered. This siri marriage is usually carried out in front of religious leaders by performing rituals or the like, which are considered valid according to religion and community beliefs.

Siri marriage is often known as underhand marriage. The word siri comes from Arabic which means secret, which means Siri marriage is a secret marriage. Meanwhile, the definition of unregistered marriage according to the law is marriage which is carried out based on religious rules or customs that are not registered at the Marriage Registrar's Office, in the sense that this kind of marriage does not have authentic evidence, so it is said to have

no legal force. The definition of unregistered marriage itself varies according to the depth of their respective knowledge.

The presence of a child in a family is the dream of every parent, where his presence will be able to strengthen the relationship between the husband and wife concerned. This is in accordance with the marriage theory which states that although in general the happiness of husband and wife does not absolutely depend on the presence of children, it cannot be denied that having children in a marriage and family will strengthen the relationship between husband and wife. Children in terms of ancestry is a single ancestor, meaning that there is a blood relationship between one person and another. Two people or descendants of one from the other. The existence of a blood relationship between a descendant and one of the other makes between the two, namely their offspring and the parents who descended on them, to have a legal relationship in society. Regarding the legal relationship between children and their parents, there is a difference between one region and another. Differences occur due to the family system of each region.

In terms of origin, children are known to have legitimate children, illegitimate children and adopted children. Legitimate children are children born to parents who are bound in a legal marriage (Article 42 of the Marriage Law). Article 99 of the Compilation of Islamic Law states that a legitimate child is a child born in or as a result of a legal marriage and the result of a legal husband and wife fertilization outside the womb and born by the wife. So if a child is born to parents who are not bound in a legal marriage, then it is considered an illegitimate child. This is in accordance with what Soetojo Prawirohamidjojo stated that a child is born from a married woman, then he is a legitimate child. Out-of-wedlock children are children whose origins are not based on a valid marital relationship, namely the relationship between their father and mother, so they do not have the perfect position as a legitimate child. While an adopted child is an act of taking another person's child into his own family, so that between the person who picks up the child and the child who was adopted there arises a family relationship similar to that between parents and their own biological child.

According to Soedaryo Soimin, in Islamic law a legal child is born at least six months (177 days) from the marriage of his parents, it doesn't matter whether that person was born when his parents were still married or separated due to the death of his husband or due to divorce during his lifetime. . And if the child was born before the period of 177 days, then the child is only valid for the mother. Outside of that provision, the child is considered an illegitimate child or adultery. Meanwhile, according to Riduan, children born outside of legal marriage are not legitimate children, so that it brings consequences in the field of inheritance, because children born outside of marriage only have civil relations with the mother and her mother's family.

2.3. Proof of the Origin of the Child and the Rights of the Child

In terms of proving the origin of the child, Law Number 1 of 1974 concerning Marriage, Article 55 confirms that:

- (1) The origin of a child can only be proven by an authentic birth certificate issued by an authorized official;
- (2) If the deed referred to in paragraph (1) of this article does not exist, the Court may issue a determination regarding the origin of a child after a thorough examination has been carried out based on evidence that meets the requirements;
- (3) On the basis of the provisions of the Court in paragraph (2) of this article, the birth registrar in the jurisdiction of the Court concerned shall issue a birth certificate for the child concerned.

Article 103 of the Compilation of Islamic Law states that:

- (1) The origin of a child can only be proven by a birth certificate or other evidence;
- (2) If the birth certificate or other evidence referred to in paragraph (1) is not available, the Religious Courts may issue a determination regarding the origin of a child after conducting a thorough examination based on valid evidence;
- (3) Based on the provisions of the Religious Courts in paragraph (2), the birth registration agency in the jurisdiction of the Religious Courts shall issue birth certificates for the child concerned.

Children born out of wedlock only have a civil relationship with their mother and their mother's relatives. In terms of legal protection of children, this is very detrimental to children born out of wedlock, because they are not entitled to receive living expenses and education by their father, which contributed to their birth in the world and therefore should be responsible for their life and welfare. the child.

To be able to prove the origin of a child can be done by:

- a. There is a birth certificate.
- b. Birth certificate.
- c. The testimonies of two adults, accompanied by certificates from doctors, midwives, traditional birth attendants and others.

Every child has the right to obtain special protection, opportunities and facilities that enable them to develop in a healthy and reasonable manner in a free and in accordance with human dignity, for that a law is needed to protect the interests of children. On the basis of protecting the interests and rights of children, Article 13 of Law Number 23 of 2002 concerning Child Protection, states that: Every child while in the care of parents, guardians, or any other party responsible for the care, has the right to receive protection from treatment.

III. Research Method

To describe unregistered marriage in a positive legal perspective, the researchers used a qualitative approach. As stated by Creswell (2010) qualitative research is "methods to explore and understand the meaning that some individuals or groups of people ascribe to social or humanitarian problems". The data sources in this study consist of: primary data and secondary data. Data collection techniques were carried out through observation and interviews. Referring to the opinion of Creswell (2010) observation is an activity "directly down to the field to observe the behavior and activities of individuals at the research location.

In addition to observations, researchers also conducted interviews in order to collect data in the field, of course, related to the research focus that had been determined. With a simple concept Moleong (2014) interview is "a conversation with a specific purpose. The conversation was carried out by two parties, namely the interviewer (interviewer) who asked the question and the interviewee (interviewee) who gave the answer to the question.

Then in data collection the researchers also conducted interviews with several informants at the research site. Furthermore, the data were analyzed qualitatively which was carried out continuously from the beginning during the research process. Based on that, then Data reduction, data presentation and verification/drawing conclusions. The results of the study are presented descriptively based on an understanding of the data or data phenomena and symptoms found. After collecting field data, both primary and secondary data are classified according to the topics discussed and analyzed descriptively (descriptive analysis). The data that the authors managed to collect from the field were then tabulated and analyzed descriptively qualitatively, then presented in a narrative form according to the problem being discussed.

IV. Result and Discussion

Unregistered marriage will only harm women and children where they (children and wife) do not get the right of marriage and will only become victims. If we look at it from this point of view, neglecting the rights of children and wives is a violation and includes violating the Shari'ah which must be subject to sanctions. After the marriage, new problems arise for the first wife and the second wife. As a result of marriage without permission from both the family and the absence of state administration. When someone is going to be polygamous, there are usually certain licensing requirements that make it very difficult for the perpetrator, so that in the end many people take this unregistered marriage as one of the easiest ways to make decisions. In addition, this is also legal according to religion.

Based on the results of the study, it shows that unregistered marriage should not be a big problem which causes many victims, if only the government is willing to simplify the requirements for marriage by providing a marriage certificate. By simplifying the terms of this marriage, it will actually reduce crime in marriage, and there are many people who take advantage of this situation, such as the commercialization of marriage which tends only to justify the gratification of lust for a moment, where many people are found for this reason (no marriage certificate). marriage mut'ah (marriage contract) for fun on the grounds of siri marriage. By paying the head of payment and witnesses secretly. They married only for a moment of pleasure. Because there is no marriage certificate, he is free from responsibility.

In the Marriage Law No.1 of 1974 Article 1 defines marriage as an outer and inner bond between a man and a woman to form a happy and eternal household based on the One Godhead. Article 2 paragraph (1) very clearly and unequivocally states: "a marriage is valid if it is carried out according to each religion and belief". Followed by article 2 paragraph (2), that "Every marriage is recorded according to the applicable laws". The meaning of Article 1 of the Marriage Law No.1 of 1974 which stipulates marriage based on the One Godhead can be interpreted as follows:

1. In the Republic of Indonesia, which is based on Pancasila, it is forbidden to apply and apply "Marriage Law" which is contrary to Islamic teachings and principles for Muslims.
2. The State of the Republic of Indonesia is obliged to carry out the Shari'a or Islamic Marriage Law for Muslims, and similarly for other religions it is obligatory to carry out the marriage law according to their religion, only in carrying out the Marriage Law it requires State assistance or intermediary.

The occurrence of a marriage contract according to their respective laws (Article 1 (1) of Law No.1/74) is a legal event. A legal event cannot be annulled because of an "important event" which is stipulated in Article 2 paragraph (2) that " every marriage is recorded according to the applicable laws and regulations. This is in line with the explanation of Article 2 with the formulation in Article 2 paragraph (1) there is no marriage outside the law of each religion and belief. In Article 151Draft Law on Material Law for Religious Courts (RUU HMPA)in 2007 that: "everyone who marries not before VAT is a criminal offense". And in Article 143Draft Law on Material Law for Religious Courts (RUU HMPA) that :

"Every person who intentionally holds a marriage not before the Marriage Registrar as referred to in Article 5 (1) shall be punished with a maximum fine of Rp. 6,000,000.00 (six million rupiah) or a maximum imprisonment of 6 (six) months. With the provisions of this fine and confinement, "a person who conducts an unregistered marriage" is judged by the bill to have violated 2 provisions, namely violating criminal law and state administrative law. Section 2Draft Law on Material Law for Religious Courts (RUU HMPA) The year 2007 formulated that: "Marriage is an inner and outer bond between a man and a woman as

husband and wife based on the marriage contract regulated in this Law with the aim of forming a sakinah family or a happy household in accordance with Islamic law".

Article 3 states that: "marriage is legal if it is carried out according to Islam". Article 4 which is closely related to Article 3 states that: "Every marriage must be recorded by VAT according to the applicable laws and regulations". Article 5 confirms the method and legal consequences of marriages that are not performed (not recorded) before VAT:

- 1) To fulfill the provisions of Article 4, every marriage is held before a Marriage Registrar.
- 2) Marriage that is not carried out in accordance with the provisions of paragraph (1) has no legal force.

The explanation of Article 5 paragraph (2) describes that: A marriage that is not carried out before the VAT results in the husband and wife not getting a Marriage Certificate as authentic evidence of marriage. Marriage that does not have authentic evidence causes the husband or wife to not get legal protection in lawsuits in court such as divorce claims, distribution of joint assets, maintenance, inheritance or other interests. The results of the study show that in Langsa City there are parties who want to Married parties who carry out a serial marriage because considering the provisions of Islamic law rather than a non-mahram couple committing adultery, then I agree to marry a partner in a serial manner.

Other reasons that are special, such as in some areas where it has become a tradition to conduct unregistered marriages before marriage in front of a marriage registrar (KUA), the attitude of parents/guardians who think that they have the right and obligation to marry off their children (women) with the partner they are looking for. without asking his son's consent. The lack of legal awareness and knowledge experienced by the community, especially in rural areas, so that they assume that marriages that are not registered have no legal consequences if one day a divorce occurs, as long as the marriage has been carried out according to Islamic marriage law. Thus, it can be concluded that the law on the act of unregistered marriage by the penghulu based on positive law that occurred in Langsa City actually violates the law Articles 151 and 143 Draft Law on Material Law for Religious Courts (RUU HMPA) In 2007, it was judged that the act of unregistered marriage by the head of the village violated the criminal law and state administrative law, but so far in Langsa City there has been no confirmation of the crime against the perpetrators of the act of unregistered marriage.

Then in social life, it certainly has various different social statuses, and of course the result of the influence of various factors in the form of wealth, throne and women. The results show that Factors that influence unregistered marriages include:

1. The factor of lack of awareness of the law
2. Religion Factor
3. Economic Factors.

From the opinion above, the legal awareness factor means that the current legal awareness of the Indonesian people is still not high enough. Many things can prove this statement. One of them is non-compliance to register marriages as stipulated in Article 2 (2) of Law No.1 of 1974. With this, it appears that legal awareness is still lacking, as well as a shallow mindset caused by low knowledge, and passions that encourage the implementation of things that can be detrimental to themselves and others. Religious factors with the majority of the people of Langsa City being Muslims, marriages are often carried out according to Islamic religious rules by people who are Muslim. So that some people who are Muslim do not register their marriage with the KUA.

According to the researcher's analysis, actually in Islam, marriage registration is required because marriage is included in muamalat activities as well as in debt agreement activities. Economic factors, this factor can also be one of the causes of unregistered

marriages but is not the main factor. The reason is, if a couple who clearly have good intentions to marry without being motivated by bad intentions, even though in this case they are an incapacitated or poor person. Then they will think more about what is best for their household in the future. With the existence of these factors, actions to perform unregistered marriages are increasingly common, both from the upper class to the lower class. This is influenced by limited knowledge of the law and costs. As for the upper class postulates fear of sin and adultery and there are many other reasons. In fact, if they know the consequences of carrying out the practice of unregistered marriage, they may be reluctant to do so. Because the consequences that will arise in the future will be self-defeating. The results of the study show that the consequences of having an unregistered marriage for the wife, and children are not recognized as a legal wife, not entitled to a living from her husband, not entitled to an inheritance from her husband if she dies, not entitled to gono-gini property in the event of a divorce,

In this case, the woman is the one who receives the most losses when carrying out an unregistered marriage, not to mention that later the woman will have difficulty interacting and socializing with the community. Because the general view of society is that she has lived with men out of wedlock or as a mistress. The status of a child born is considered an illegitimate child, so that in the eyes of the law he does not have a civil relationship with his father but only has a civil relationship with his mother and his mother's family (Articles 42 and 43 of Law No. 1 of 1974 and Article 100 KHI). Even in the birth certificate, the status of the child is considered an illegitimate child, so only the name of the mother who gave birth is included.

Information in the form of status as a child out of wedlock and the absence of the father's name will have a very deep social and psychological impact on the child and his mother. This can clearly result in the unclear status of the child in the eyes of the law, so that at any time the father will deny that the child is his biological child. Thus, it can be concluded that the factors that influence unregistered marriages in Langsa City are: factors of lack of awareness of the law, Religion factor, factor economy and status of children born considered an illegitimate child, so that in the eyes of the law he does not have a civil relationship with his father but only has a civil relationship with his mother and his mother's family (Articles 42 and 43 of Law No. 1 of 1974 and Article 100 KHI). The negative effects that arise from unregistered marriages are two conflicts of interest between the perpetrators of unregistered marriages who do not want to register their marriages on the one hand and the interests of the state to issue population administration on the other hand so that marriages that are not registered are not recognized by the state. One form of this recognition is a marriage certificate as authentic evidence that a marriage has occurred. Although according to Islamic law, unregistered marriages are legal, state law does not recognize them, so that various household problems, including if a divorce occurs in the future, can be resolved outside of state law, aka carried out by deliberation according to Islamic law and the settlement of cases of unregistered marriages, can only be resolved through customary law. Other consequences of this unregistered marriage on the wife are: the wife cannot sue her husband, if left by the husband; the wife does not receive allowances if her husband dies, such as raharja service allowances; If the husband is an employee, then the wife does not receive the marriage allowance and the husband's pension allowance.

The position of the child, who is born from an unregistered marriage, is considered a child out of wedlock by the state so that the child only has a civil relationship with his mother and family while there is no civil relationship with his father (articles 42 and 43 of the UUP and article 100 of the KHI). A further consequence of unregistered marriages is that children born from such marriages are not entitled to demand a living, education fees or inheritance

from their father. Joint Assets (Gono-Gini) in marriage, according to Rika Kurnia, the legal impact arising from an unregistered marriage will occur if there is a divorce, the wife is difficult to get the rights to their joint property if the husband does not give it. In addition, if there is an inheritance left by the husband, because the husband dies, the wife and children are also very difficult to get the rights to the inheritance.

Punishment is also not a solution for children's future. Even with unregistered marriages with hidden intentions, it should not be interpreted that they are deliberately hiding their children. Thus it can be concluded that the impact of unregistered marriage according to positive law due to not complying with the law in Pidie Regency, namely: the position of the wife is not recorded in the state administration, the position of children born from unregistered marriages is considered a child out of wedlock (considered illegitimate) by the State and joint property (Gono-Gini) in marriage if there is a divorce, the wife is difficult to get rights to joint property them if the husband does not give. In addition, if there is an inheritance left by the husband, because the husband dies, the wife and children are also very difficult to get the rights to the inheritance. Legal policy on the act of unregistered marriage by the penghulu based on positive law that occurred in Langsa City violated Articles 151 and 143 Draft Law on Material Law for Religious Courts (RUU HMPA) In 2007, it was judged that the act of unregistered marriage by the head of the village violated the criminal law and state administrative law, but so far in Langsa City there has been no confirmation of the crime against the perpetrators of the act of unregistered marriage.

V. Conclusion

The act of unregistered marriage by the penghulu based on positive law that has been rampant in Langsa City turns out to be The unregistered marriage is detrimental to women and children because it is not registered in the state administration. In this case, the woman is the one who receives the most losses when carrying out an unregistered marriage, not to mention that later the woman will have difficulty interacting and socializing with the community. However, according to religion, the marriage is considered valid. Marriage is an inner and outer bond between a man and a woman as husband and wife based on the marriage contract regulated in this law with the aim of forming a *sakinah* family or a happy household in accordance with Islamic law. Unregistered marriage occurs as a result of the lack of legal awareness and knowledge experienced by the community, especially in Langsa City, so that they assume that marriages that are not registered do not have legal consequences if one day there is a divorce, as long as the marriage has been carried out according to Islamic marriage law. Thus, it can be concluded that the law on the act of unregistered marriage by the penghulu based on positive law that occurred in Langsa City actually violates the law Articles 151 and 143 Draft Law on Material Law for Religious Courts (RUU HMPA) In 2007, it was judged that the act of unregistered marriage by the head of the village violated the criminal law and state administrative law, but so far in Langsa City there has been no confirmation of the crime against the perpetrators of the act of unregistered marriage.

There are still people in Langsa City whose legal awareness about unregistered marriage is still lacking, as well as a shallow mindset due to low knowledge, and passions that encourage the implementation of things that can harm themselves and others. Then the religious factor with the majority of the people of Langsa City being Muslim, marriages are often carried out according to Islamic religious rules by people who are Muslim. So that some people who are Muslim do not register their marriage with the KUA. Then economic factors can also be one of the causes of unregistered marriages but are not the main factor. With the existence of these factors, actions to perform unregistered marriages are increasingly

common, both from the upper class to the lower class. This is influenced by limited knowledge of the law and costs. As for the upper class postulates fear of sin and adultery and there are many other reasons. The negative effects that arise from unregistered marriages are two conflicts of interest between the perpetrators of unregistered marriages who do not want to register their marriages on the one hand and the interests of the state to issue population administration on the other hand so that marriages that are not registered are not recognized by the state.

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