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# Comparative Study of Unregistered Marriage Practices and Marriage Registration to Indonesian Marriage Law and Malaysian Family Law

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**Abstract:** Because marriage registration is complicated, some unregistered couples think marriage is enough with marriage contracts. This study covers Indonesia and Malaysia's laws on unrecorded weddings. Normative legal study. Unrecorded marriage deprived the woman and her children of legal protection for their rights to life, common property, inheritance, and identity (birth certificates and family cards). Indonesian law requires marriage registration, criminalizes unregistered marriage, and actively promotes it. Malaysia has (a) unregistered marriage is valid as long as it meets Islamic law; (b) unregistered marriage partners are sanctioned following Sharia Law; (c) unregistered marriage partners do not receive legal protection but can file claims based on equality and justice according to Islamic law; (d) marriage registration is not a legal requirement of marriage; and (e) government policies and programs to address unregistered marriage. This research improves Indonesian and Malaysian marriage registration and unregistered marriage issues.

**Keywords:** Comparative, unregistered marriage, Marriage Registration, Indonesia, Malaysia

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**Introduction:** Indonesia has implemented Islamic-based development programs, but issues like interpretation, incompatibility between Islamic law and the national legal system, political influence, and the integration of Islamic values in sustainable development continue to impede their use in regional development. (Suryani et al. 2023). Article 29 of the 1945 Indonesian Constitution guarantees the right to religion and worship, reflecting Islamic law. (Muhtar, Kasim, and Suryani 2023).

Islam's Qur'an and Hadith incorporate legal aspects. Muslims know they must follow the law to live as individuals, family members, and community members. (Adeney-Risakotta 2016). The Muslim population, society's adherence to Islam, and the effect of social and political institutions on how Islamic teachings and regulations are enforced in society all affect awareness. (Hamzani 2020) Indonesian law: Islamic. Society's ark is built on the family. Thus, Sharia prioritizes family issues. Strong kids can live happy, successful lives. The ark's dwelling had a sturdy foundation. (Puniman 2018)

Religion and human life have a closer relationship in some societies of the world. Many

scholars have described the indispensable role of religiosity and its impact on marriage (Aman et al. 2019). Everybody wants marriage. Marriage enforces religious law and creates a pleasant sakinah, mawaddah, warahmah family. Marriage in Islam is a man-woman aqad. Islam believes marriage should build a prosperous family, not only fulfill lust. This family will have pious children to help their religious parents, who will become their successors, save humanity. Children born in secure and happy homes are pious, obedient, moral, and loving to parents, religion, and the state. (Halim 2020).

To validate the marriage, the state must register it. Registration is necessary for administrative order, providing legal certainty about the position of husband, wife, and children, protecting rights like the right to life, joint property rights, inheritance rights, and the right to obtain identity documents like birth certificates and family cards. This registration must meet Marriage Act rules. (Yunus 2020). According to experts, marriages that are not recorded or performed with indecision before the Registrar of Marriages risk being invalid. (Shomad 2017). Marriage registration supports public order and prevents deviations from legal and religious marriage rules. (ZAMRONI 2019)

All sides are debating Article 2 Paragraph (2) of the marriage law. Many marry without registering. In Indonesia, the Office of Religious Affairs (Kua)—in this example a marriage registrar (PPN) employee under the Ministry of Religious Affairs—can act as a marriage institution. Religious courts handle marriage, divorce, and property partition. (Sugitanata 2022).

Indonesian unregistered marriage is a factor in unregistered marriage. Fraudulent marriage occurs when a couple secretly marries and does not register their marriage with a state institution like the Office of Religious Affairs (Kua) or the population and Civil Registry Service. Islamic law is applied differently in Muslim-majority countries. Dominance of authority, or "political will," affects a nation's legal system. Thus, Islamic law is influenced by a country's political structure and Muslim population. (Adawiyah 2019). Indonesia has many unrecorded weddings. Unregistered marriage has grown acceptable to some, especially those who practice it. This unrecorded marriage is like an iceberg with a few problems on the top but many more underneath.

Malaysia, like Indonesia, has unregistered marriages. Despite being illegal, Malaysians accept siri marriage because it is based on Islam. Unregistered marriages are still understood as "hiding" the marriage from some parties. Malaysia is Islamic State-based. Since Malaysia was a British colony, it would be hilarious if the legislation didn't adopt the country's laws. Islamic law underpins laws. Malaysian family law is not uniform. Instead, they follow regional family law, specifically.

Malaysia's marriage legislation is Islamic. Perak Act 1984 (No. Pahang 1987, Selangor 1989, Johor 1990, Sarawak 1991, Perlis 1992, and Sabah 1992 are Malaysian family laws. Law No. 1 of 1974, as revised by Law No. 16 of 2019 (Marriage Act), governs marriage in Indonesia. Article 2 of this law specifies that a legal marriage follows the spouses' religious views. The Office of Religious Affairs or a local government body must register a legal marriage under

Article 7. The 1984 Islamic Family Law governs marriage in Malaysia. Islamic marriage must be registered with the local Islamic Religious Authority. The Islamic Family Law Act 1984 declares unregistered marriages null and unrecognized. Regarding the practice of unregistered marriage, the difference between Indonesia and Malaysia lies in the legal recognition of unregistered marriage. In Indonesia, unregistered marriages are not recognized by law, so they have no legal status. In Malaysia, an unregistered marriage is also not allowed under the law, but can be identified by a Sharia court if it can be legally and fairly proven. In this case, some of the things that are a problem in comparing the marriage laws of Indonesia Legal Recognition. Siri marriages in Indonesia are illegal. This can affect legal protection and serial marriage rights. In Malaysia, a syariah court can recognize a siri marriage if it is established legally and fairly.

Legal defense. Serial couples don't have legal protection for spouse rights, children's rights, or inheritance. This can affect property division, child custody, and livelihood. Social issues. Serial marriage increases divorce, child abandonment, and poverty. Series marriages typically don't address the social and economic effects. Gender Justice. Serial marriages sometimes deprive women of legal protections and privileges. Women may be oppressed and abused.

Conflict resolution. Due to the lack of institutional structures to handle marital problems, chain marriages can be difficult. This makes it hard for married couples in conflict to find a fair solution. These factors are crucial to improving serial marriage's legal protection and social impact. Based on the background, the author is interested in legal laws, particularly those governing unregistered weddings and marriage registration. This study compares Indonesian and Malaysian laws on unregistered marriages.

**Literature Review:** Chain marriages—unregistered marriages—have long been debated in legal and societal circles. In Indonesia and Malaysia, this practice has received notice. Indonesia's Marriage Law and Malaysia's Family Law are used to compare their unregistered marriage policies. This discourse recognizes that unregistered marriages lack legal validity due to their informality. They lose out on institutional protections that are crucial to dispute resolution. Melli (Melli 1998) argued that the lack of legal framework places couples in a vulnerable position, especially when they face marital disputes. This view is echoed by Sodiq (2010) (Sodiq 2010), who noted that Indonesian women in unregistered marriages often face inheritance, child custody, and financial support challenges.

Indonesia's 1974 Marriage Law emphasizes marriage registration. The Directorate General of Population and Civil Registration promotes marriage registration as a legal safeguard for couples. However, some people choose unregistered weddings for cultural and economic reasons (Setiawan 2016). While the Indonesian legal structure obviously emphasizes registration, it doesn't completely invalidate the rights originating from unregistered marriages, protecting spouses, particularly women (Nurlaela and Nurdin 2018).

Malaysia's Islamic Family Law (Federal Territories) Act 1984 governs Muslim weddings and requires their registration. Like Indonesia, some people have unregistered unions. Malaysia's dual legal system—civil and Shariah courts—is intriguing (Abdullah 2007) says this complicates matters, particularly when dealing with unregistered weddings. The courts have sometimes recognised rights from such partnerships, but the attitude is inconsistent, placing affected persons in legal uncertainties.

Both nations' legal positions indicate a desire to legalise marriage and provide its advantages and protections. Unregistered weddings exist for several reasons. Scholars cite economic restraints, cultural standards, and the desire for simplified marriage procedures. (Rani 2015) and (Musafa 2018). In conclusion, Indonesia and Malaysia have legislative frameworks emphasising marriage registration, but the main problem is bridging the gap between law and practise. Policymakers and jurists must recognise and address the vulnerabilities of unregistered unions as nations cope with this.

**Methodology:** Empirical normative legal research, which examines the relationship between normative legal provisions and law in action, is used by the author. Empirical normative legal study identifies and evaluates relevant facts to solve a legal issue. (Irwansyah, 2020). Law research used primary and secondary sources. The most important legal documents are primary. Statutes, government documents, and judicial decisions are primary sources of law. (Mahmud Marzuki, 2011). Law secondary sources are generally scholarly and government publications. Legal publications include pertinent books, newspapers, periodicals, journals, and other works. (Mahmud Marzuki, 2011). Data is analyzed descriptively and qualitatively. Qualitative descriptive analysis describes field study data using interpretation, judgment, and background knowledge. Inductive reasoning is used to interpret and present data in sentences. provide new legal advice and resolve legal difficulties.

## **Discussion:**

**Implications Posed by Unrecorded Prosecution:** To find happiness, Islam recommends mahligai, or marriage. Islam celebrates marriage as a blessing. Islam has a clear understanding of marriage based on the Qur'an and sahih As-Sunnah (Atabik and Mudhiiah 2016).

Humans marry, but not everyone meets legal standards. Many marriage practices simply meet religious and legal standards because they just want a legally married relationship and avoid administrative requirements. However, each marriage is documented according to laws and regulations, so the validity of marriage as stipulated in Article 2 of the Marriage Law is an accumulated condition rather than an alternative requirement. (Yusriyah 2020).

God Almighty created marriage to promote life on Earth. Plants and animals mate too. Because humans are clever animals, marriage is a traditional culture that follows human culture in social life. Simple societies have limited, closed marriages. Modern marriage is big and open (Santoso 2016).



Lust won't destroy marriages. Allah limits marriage to preserve love and build a harmonious family of sakinah, mawaddah, and warahmah. (Hermanto 2016). The Law on Marriage and Islamic Law consider marriage as formal, religious, and social. Official administration will also be covered. Civil Registry Office registration for non-citizens

Muslims and ORA (Cahyani 2020). Any rule of law is based on legal ideas, which are linked to social order and fairness. The legal system is the foundation of rules. The material accuracy of a legal system that serves as a formal foundation requires states to obey and enforce laws (Atmadja 2018).

Muslims get marriage certificates from the Office of Religious Affairs. If one spouse is guilty, the other can sue to defend their rights. This deed gives the husband and wife legal proof (Musfiroh and Surur 2017). State-mandated marriage registration benefits the community. State-issued marriage books or certificates prove all marriages. Legality and assurance come from a marriage book or certificate. Registering a marriage reduces harm to couples and their children. Marriages that are not registered will be fasid. Unless it violates Islamic law, marriage registration is recommended. Unrecorded marriages hurt women and their offspring. If not recorded, the wife who divorced her husband has no legal written evidence. Legal documentation for their children will also be difficult. (Musyafah 2020).

Unregistered marriage indicates "secretly" or "not open". Unregistered marriages are Islamic but not KUA-registered. Both spouses are frequently unwilling to legitimize or rekindle an unregistered marriage. It also prevents undesired incidents and religious law violations. Imam Abu Hanifah Nikah, who cannot appoint a guardian and is not registered with Muslims or the Office of Religious Affairs, calls his marriage unregistered. Under normal conditions, a responsible and mature woman can choose her future partner. He relies on his protection too. (Maloko 2014).

Marriage should celebrate walimatu al-'ursy. Besides marriage harmony and conditions, dowry is a sunnah value. Indonesian law invalidates unregistered marriages because they violate Islamic marital law. (*munakahat*) (Islami 2017).

On Indonesia's Supreme Court verdict directory page, unregistered marriage prosecution is high. The Court's high marriage decrees demonstrate this. Marriage certificate rulings were 470,302 in 2021. In 2022, 231,328 married, and in January 2023, 283.

Unregistered marriages are rampant due to many factors, including prospective wives who become pregnant first to cover family disgrace, lack of public awareness about the impact of unregistered marriage, complicated file management to State Institutions, the family economy, and residential factors far from Muslims and the Office of Religious Affairs. (Bariah 2014).

Undercover marriage is dangerous for women, especially mothers. The Marriage Law and Compilation of Islamic Law Article 5 paragraphs 1 and 2 address marriage registration,

although execution is still difficult. Some Muslim groups may adhere to conventional jurisprudence.

Unregistered couples will suffer in the future. Unregistered marriage harms wives and children more. The woman suffers from unregistered marriage:

1. Society stigmatizes the wife of an unregistered marriage partner as a mistress or unpleasant woman. The State will not recognize the wife as a legal wife and therefore has no right to claim a living from the husband during the marriage, and if subjected to domestic abuse, cannot sue in the case of domestic violence.
2. The Court requires a marriage book, therefore if divorced, it cannot apply.
3. Divorced wives cannot claim gono-gini wealth because their marriages are not legal.
4. Without marriage registration, the wife cannot inherit from the husband.

Unregistered marriage harms the child. Unregistered marriages have the greatest impact on children: Unregistered marriage will create legal uncertainty over children's rights.

1. The father of an unmarried kid has no legal rights. His mother is civil to him.
2. The child cannot expect birth support, schooling, or other everyday living from his father.
3. Children from unregistered marriages are often shunned by friends, family, and neighbors, making life difficult.

Unmarried children cannot inherit from their parents. Serial marriages, or unrecorded weddings, can also have serious consequences: Not legally recognized: Unrecorded marriages are not recognized by law, so they do not have a clear legal status. Couples who marry serially do not receive legal protections officially, including spousal rights, child rights, and inheritance rights.

1. Serially married couples don't acquire official marriage certificates. Identity management, child custody, and business registration can be affected.
2. Increasing divorce rates: Serially married couples rarely evaluate the social and economic effects of their marriages. Lack of legal protection and assurances can raise divorce risk.
3. Social issues: Serial marriage may increase child abandonment and poverty. Serial spouses generally don't consider the social and economic effects of their marriages.
4. Ineligible for some administrative activities: Serially married couples cannot apply for loans, passports, or bank accounts without formal documents.
5. Gender discrimination: Serial marriage frequently favors men over women. Series marriages may not have the same legal protections as legal marriages

Serial marriage affects individuals and society. Serial marriage can increase divorce, poverty, and abandoned children, as well as legal and administrative challenges. This social issue is important and must be addressed.

Serial marriage can potentially worsen gender equality, especially for women's legal rights. Serial marriages typically harm women and deny them legal protections. Gender discrimination, violence, and disdain for women's rights can result.

Therefore, serious and holistic efforts are needed to end serial marriage, such as raising public awareness of the importance of official marriage registration, strict law enforcement, and programs to help serially married couples obtain their rights. enhance women's access to education, economic opportunity, legal protection, and equal rights to enhance gender equality and siri marriage births. The government now gives unregistered marriage children birth certificates in their fathers' names. And other fundamental rights that must be achieved like children from legitimate marriages. However, the observations demonstrate that the child from an unregistered marriage does not receive the care and entitlements of a legal child. (Yanti 2016).

Marriage registration protects women and children as well as administrative order. Marriage registration rules safeguard women and children from irresponsible marriages. Recording can safeguard women and children from marital abuse by providing parameters to reject harmful marriage proposals. (Pristiwiyanto 2018).

The author proposes numerous measures to end serial marriage, including:

1. Education and awareness initiatives about legal marriage registration and the dangers of serial marriage can lower the number of unregistered marriages.
2. Strict law enforcement and marriage ceremonies can limit serial marriage practices.
3. Alimony or financial aid can encourage legally married spouses to register their marriage.
4. Building marriage registration office facilities, improving the quantity and quality of marriage registration offices, and making marriage registration easier can reduce unrecorded marriages.
5. 5. Couples who want to marry lawfully can benefit from counseling and social assistance.

Legally married couples can improve their financial well-being by having banking access. Government, community institutions, and individuals must collaborate to end serial marriage. Create a friendly social environment and encourage couples to marry and register legally.

**Comparison of Legal Views on unregistered marriage and Marriage Registration between Indonesia and Malaysia:** Marriage is how a husband and wife prove their marriage is lawful under Islamic law and meets all marriage conditions. (Bafadhal 2014). The Marriage Law declares that civil marriage is more common than conjugal marriage. Article 2 paragraph (2) of the Marriage Law reads "every marriage is recorded according to laws and regulations". Contrary to formal law, jurisprudence considers marriage a valid contract. Islam accepts unregistered pillars. It emphasizes marriage administration. (Suma 2011).

Registering Marriage Islamic sharia does not necessitate marriage contracts, yet recording them has several benefits. Reopening the ancient canon of jurisprudence will exempt



married couples from state registration. Early Muslims believed qualified and harmonious marriage valid. This is not true of muamalah, which the Qur'an commands to report. (Kharlie 2022).

Indonesia follows Islamic law. Most Indonesians, Muslims, obey Islamic law. Islamic law regulates Indonesians' lives. Muslims must live by Quranic normativity. Deviations from the Quran are prohibited because they damage human life. (Tahir and Handayani 2018).

Siri marriage is only performed to complete the marriage contract's prerequisites, which include a groom, the bride's guardian, two witnesses, an Ijab Kabul, and a marriage contract, according to Islam. When proclaiming marriage, holding a banquet, or celebrating, Sunnah marriage is not practiced. Those who believe marriage is exclusive are barred from marrying. The bride or groom marries alone in Malaysia without witnesses or guardians. The parties agreed to keep the marriage private. Second, marriages require guardianship and witnesses, but husbands, wives, guardians, and witnesses just need to say one thing to keep the marriage a secret. (Sadam 2022).

For numerous reasons, unregistered marriages are still popular, especially in Indonesia. From social, cultural, economic, and other causes. Is marriage legal in Islam and Indonesia's good legal system? Unregistered marriage preserves the marriage bond from legal issues. Indonesia's 2019 Marriage Law governs troubled marriages. Marriage is mentioned in the Compilation of Islamic Law and various Government Regulations that support Law Number 16 of 2019. Government Regulation Number 9 of 1975, which implements Law Number 16 of 2019 on marriage, stresses marriage registration. (Surya 2020).

Muslims view the existence of the judiciary as an absolute requirement or sine qua non. This is directly related to the existence of Islam and its adherents. There must therefore be a legal system wherever Islam and its followers are present because it serves as an institution that resolves conflicts between Muslims. This can be seen from the precedent of conflict resolution during the time of the Prophet Muhammad SAW, even before the institutions were formed during the Companions and afterward. Of course, forms and archetypes are used (M.Ag 2009).

Malaysian weddings that are not registered at the Marriage Registry Office are void under the positive law. No data gathering means no marriage book. The Religious Court must receive a marriage certificate application. PP No. 9 of 1975 Articles 3–9 govern marital data collection. One requires that each person arranging a wedding send written or oral notice to the local registrar at least ten business days before the wedding.

The registrar will then verify that the marriage requirements have been met and that no legal barriers exist. A marriage certificate protects husband, wife, and their families' rights. In the marriage certificate, the guardian—the fetus's father or deputy—applies for total surrender under the Ijab Kabul ordinance. Since Ijab Kabul is serious, the commitment should be made in front of witnesses. Despite the previous marriage rule, MUI Kyai

Ma'ruf's profile says siri marriage is haram because there are victims. It fulfills marriage's foundations. Then it's illegal. The marriage survives, but the victim's irresponsibility makes it a sin. Thus, endangering a wife or child is sinful.

Before British law took over, Malaysia enforced the statute but did not overhaul it. Based on social norms. Thus, legal awareness is easier than legal cultural change. Sharia Courts and many indigenous cultures' customs are founded on British common law. The act separated and modified the court system without removing arbitration, which reflects social values. (Somadiyono 2020).

Malaysia requires marriage registration. All Malaysian states require marriage registration, regardless of Islamic legal rule. Marriage registration in Malaysia is mandatory but does not validate a marriage. Islamic law governs marriage termination. Most Malaysians consider improper marriage registration a felony. (Mustika 2011).

Like Indonesia, Malaysian Family Law demands marriage registration during the ceremony. Suppose the marriage is Sharak-compliant. The marriage court's ruling can be recorded, but Islamic law allows marriage. Even if some aspects are still open and acknowledged marriage under Islamic law, Malaysia's Family Law threatens a maximum fine of 1000 ringgit or 1000 ringgit per month, and/or both, for marriage registration violations.

If marriage troubles emerge or the partners divorce, the marriage registration requirement on this day is a concern. This helps the soon-to-be-married pair when domestic issues emerge. Marriages done outside Malaysia must be registered.

Articles 20, 21, and 3 of the Silver Law, Sarawak Law, Kelantan Law, Negeri Sembilan Law, Pahang Law, Guild Law, Selangor Law, and Betel Nut Law. "Only after the marriage contract has been carried out, the recording must record the specified points and the other ta'liq or ta'liq specified for the marriage in the marriage book," The Law on Pinang Article 22 states. "The recording must be witnessed by the parties who entered into the marriage, by the guardian, and by two witnesses, other than the one who recorded, who was present at the time of the marriage contract." (Afrizon 2016).

According to the community's unregistered marriages, marriage regulations are not adequately administered. Sindiket marriage in Malaysia is underhand marriage in Indonesia.

Thus, Malaysian Family Law and Indonesian serial marriage law can be compared in numerous ways. The Malaysian Family Law does not define unregistered marriage based on siri marriage. Indonesia's marriage law states that unregistered marriages are void.

Second, Malaysian law punishes or imprisons unregistered marriage. Indonesian law invalidates unregistered marriages and fines or imprisons the perpetrators. Third,

Indonesian married couples receive legal safeguards for spousal, child, and inheritance rights. Malaysian serially wedded couples are unprotected.

Fourth, Indonesian marriages must be registered. Malaysian marriages are valid without registration. Fifth, the Indonesian government is actively promoting marriage registration. Malaysian government is less active.

First, the Malaysian Family Law (UUHK Malaysia) and Indonesian Marriage Law (Indonesian Marriage Law) differ in serial marriage definitions and arrangements. The Indonesian Marriage Law requires all marriages to be registered with the Civil Registry Office (Article 2 paragraph 1 and Article 57). Unregistered marriages are invalid. The Indonesian Marriage Law further states that everyone has the right to marry and form a family and is protected in doing so (Article 1 paragraph 1 and Article 3).

Despite allowing illicit marriage, the Malaysian Constitution does not define serial marriage. Article 12 of the Malaysian Constitution states that a legal marriage is performed according to Islamic law or another faith and recognized by Malaysian law. Marriages without guardian consent or legislation are invalid under Article 21 of the Malaysian Constitution.

The Malaysian UUHK penalizes siri marriage infractions with fines or imprisonment (Article 2). The Indonesian Marriage Law states that unregistered weddings are unlawful and punishable by penalties or imprisonment (Article 57).

From this analysis, the Malaysian Constitution and Indonesian Marriage Law differ in serial marriage definitions and arrangements. Indonesia's Marriage Law states that unregistered marriages are void. Despite criminalizing serial marriages, the Malaysian Constitution does not define them.

Second, various articles that regulate serial marriage show the differences between the Malaysian Family Law (UUHK Malaysia) and the Indonesian Marriage Law (Indonesian Marriage Law). Article 124 of the Malaysian Constitution penalizes serial marriage with penalties or jail. The article specifies that anyone who performs or aids an invalid marriage will be fined or imprisoned for two years.

In Indonesia, Article 97 of the Marriage Law punishes multiple marriage by penalties or jail. Article 57 of the Indonesian Marriage Law declares unregistered marriages invalid. Indonesia's Marriage Law has tougher legal punishments against serial marriage than Malaysia's Constitution. Indonesian serial marriage is illegal and illegitimate. This increases pressure on couples to marry legally.

This indicates that the Malaysian Constitution regulates serial marriage less strictly. The Malaysian Constitution prohibits repeated marriage, however it is not invalid. Since the perpetrator is merely susceptible to legal sanctions without accepting that the marriage is invalid, serial marriage can continue.

Third, various provisions distinguish legal safeguards for couples legally married in Indonesia and serially married in Malaysia. The Civil Registry Office must register and legalize Indonesian weddings (Article 2 paragraph 1 and Article 57 of the Indonesian Marriage Law). This gives lawfully married couples legal clarity and protects their spousal, child, and inheritance rights.

Article 3 of the Indonesian Marriage Law stipulates that everyone has the right to marry, form a family, and get legal protection. The Indonesian Marriage Law controls conflict resolution through Religious Courts (Article 39). Since siri marriage is not lawful in Malaysia (Article 124 of the Malaysian Constitution), serially married spouses have no legal protection. There is no legal protection for spouse, child, and inheritance rights. Married spouses are not legally protected by Malaysian law, even though the Sharia Court governs dispute resolution (Article 51).

According to the data, legally married couples in Indonesia have more legal safeguards than serially married couples in Malaysia. In Indonesia, married couples have legal protections, while in Malaysia, serially, they do not. This contrast emphasizes the necessity for explicit marriage rules to protect married couples against serial marriage, which can harm social and economic life.

Fourth, various marriage registration articles show that Indonesia and Malaysia have different marriage validity standards. Article 2 paragraph 1 of the Indonesian Marriage Law requires marriage registration at the Civil Registry Office. According to the text, a lawful marriage must be registered at the Civil Registry Office and follow the regulations of each religion.

Article 7 of the Indonesian Marriage Law clarifies that every marriage must be registered in the marriage register at the Civil Registry Office and reported to the Ministry of Religious Affairs. Marriage registration occurs within 30 days of the wedding ceremony. In Malaysia, marriage registration is not required, however the Islamic Family Law (UUHK Islam) requires every marriage to be reported to the Marriage Registrant Employee and documented in the marriage register (Article 21). Marriage registration is not necessary for marriage validity.

However, Islamic Law also requires marriage to meet legal and sharia standards, such as guardian consent, dowry validity, and faith (Articles 2, 6, and 9). From this analysis, Indonesia and Malaysia have different marriage registration standards for validity.

In Malaysia and Indonesia, marriage registration is required for validity. Marriage registration is not required, but it is done. This disparity demonstrates the significance of precise legal regulations governing marriage validity so that couples who want to marry can do so lawfully and prevent serial marriage, which can bring social and legal issues. Fifth, Indonesia and Malaysia have different policies and strategies to raise public awareness of the need of proper marriage registration. The Indonesian government

actively promotes marriage registration. One program gives married couples marriage certificates, administrative cost exemptions, and easier access to public services.

The government also holds socialization and training events in many regions and promotes via television, radio, and social media. It promotes marriage registration and the legal ramifications of repeated marriage. Malaysia requires marriage registration under Islamic law, however the government is less active. Due to the government's inaction and public awareness of the need of marriage registration, many couples are marrying in series. (Nisa 2018).

Some nonprofit groups and other agencies are involved in advertising and counseling on the need of official marriage registration in Malaysia, while government policies and activities are still restricted. From the analysis, the Indonesian and Malaysian governments differ in their campaigns and public knowledge of marriage registration. Malaysia's government campaigns less than Indonesia's. This disparity highlights the government's involvement in regulating marriage and family issues and boosting public awareness of the need of official marriage registration. (Maksum 2022).

**Conclusion:** This study found that unrecorded marriage directly affects his wife and children. The wife and her children do not have legal protection for their rights to live, joint property, bequeath, and identity documents (birth certificate and family card). Second, an Indonesian unregistered marriage regulation comparison: (A) unregistered marriages are not recognized, (b) unregistered marriage partners may be subject to criminal sanctions, (c) unregistered marriage couples have no legal protection for their rights, (d) marriage registration is a legal requirement, and (e) government policies actively implement campaign programs to increase legal awareness about registration. In Malaysia, (a) unregistered marriages are valid if they meet Islamic law, (b) couples who marry unregistered will be penalized according to Sharia, and (c) unregistered married couples do not receive legal protection but can file a lawsuit based on equality and justice. law, (d) marriage registration is not legally required, (f) government strategies and activities to address unregistered weddings are still restricted.

This research helps understand, address, and improve Indonesian and Malaysian marriage registration and unregistered marriage concerns. This study may prompt Indonesian and Malaysian marriage and family law reforms. The study can highlight regulatory flaws and enable more inclusive and equitable change. Ibni's research helps uncover legal and societal vulnerabilities for unmarried couples. Property, family, and social service rights can be strengthened through recommendations. Due to a lack of source data on unregistered weddings, the study is constrained. Future qualitative study on apangan limitations in marriage registration should include in-depth interviews, socio-cultural factor analysis, and implementation studies.

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