



Analysis Of The Role Of The Office Of Religious Affairs In Managing The Case Of Siri Marriage Couples

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Abstract: The purpose of this study is to find out and analyze how the role of the religious affairs office in dealing with Siri marriages in the North City District. The method used in this research is an interviews, observation, and documentation. This type of research is descriptive and qualitative. The qualitative descriptive analysis approach emphasizes research that aims to obtain legal knowledge empirically by going directly to the object or field. The types of data used in this study are primary and secondary data. The results of the study indicate that the role of the religious affairs office in tackling Siri marriages in the District of North City includes providing counseling on marriage registration and happy families to prospective brides and guardians, conducting socialization about the impact of unregistered marriages, and also the importance of registering marriages carried out in every time he fills an event, either a recitation or an event that involves the head of the religious affairs office. Factors that hinder the religious affairs office in dealing with unregistered marriages in the North City sub-district include Lack of competent human resources, low awareness of the law in society, and inadequate facilities and infrastructure.

Keywords: *Role; Office of Religious Affairs; Marriage Siri*

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1. Introduction

Marriage is a general term that has been heard since humans were created, as we all know that marriage is the sunnah of the apostle, which if you do it you will get a reward, and if you don't do it it will cause sin. Marriage is the nature of every human being. Where every human being who lives in the world is looking for happiness to build his own family, in Islamic law it has been explained about marriage itself, starting with applying to forming a *sakinah mawaddah warohma* family.¹

Marriage is a man and a woman saying an agreement in the context of marriage, meaning that they promise each other to obey the applicable legal regulations regarding the obligations and rights of each party during and after living together, and regarding their position in the community of the child. - his descendants.² From this definition, the essence of marriage is a contract, namely the submission between the guardian of the prospective bride and the prospective groom. Transfer and accountability in the broadest sense to achieve a goal.³

Marriage in Islam is a social contract that is marked by an agreement of consent and *qabul* because marriage will be worth worship if in its implementation it aims to get the pleasure of Allah SWT, but the intention, because Allah SWT is proof of faith, is not enough, if it is not followed by good intentions. religious affairs office t. By the rules of Islamic law.⁴ The main characteristic of the state is the emergence of the government's obligation to realize the general welfare of its citizens.⁵ In RI Law No. 1 of 1974 Article 1 marriage is an outer and inner bond between a man and a woman to become husband and wife which aims to build an eternal and happy household (family) according to the only divinity in Article 2 paragraph (2) all marriages are recorded based on the policy of the law. The

¹ Saiful M&Asep Saepudin Jahar,2021, *Dualisme Hukum Perkawinan Islam Di Indonesia*, Amzah, Jakarta, Hlm 108

² Bakung Alhasni Dolot, 2020, *Analisis Uu No.1 Tahun 1974 Tentang Perkawinan Dan Uu No.23 Tahun 2002 Tentang Perlindungan Anak Terkait Perkawinan Dibawah Umur*. Provinsi Gorontalo : Masyarakat Batu Layar.

³ Henny Wiludjeng, 2018, *Hukum Perkawinandalam Agama-Agama*,Universitaskatolik Indonesia Atmajaya ,Jakarta,Hlm. 3.

⁴ Bahrudin,2012, *Nikah Siri Menjawab Pertanyaan Tentang Nikah Siri*, Medpress Digital, Jakarta, Hlm.18.

⁵ Julius T Mandjo Dan Suwitno Y Imran. "Implementasi Uud Negara Republik Indonesia Tahun 1945 Pasal 27 Ayat 2 Tentang Hak Untuk Mendapatkan Pekerjaan Dan Penghidupan Yang Layak Bagi Kemanusiaan". *Jurnal Majelis*. Edisi 08. September 2020. 84.

existing law, although this article does not explicitly state it as a necessity, is an element that cannot be separated from the validity of a marriage.⁶

Although the provisions of the pillars and conditions of marriage as guided by the Prophet Muhammad have been explained, as well as in Indonesian marriage law has been regulated regarding the process for the creation of marriages that are legal according to their respective rules and religions, but there are several issues related to marriage that are not yet final so that it opens the door. debate. Among the issues concerning unregistered marriages are a lot of controversies and in general, many people do not know the consequences of unregistered marriages.⁷

The formation of legal norms is essentially a statutory regulation.⁸ In the compilation of Islamic law Article 5 paragraph 1; "Ensure marriage order for the Islamic community, all marriages must be recorded". Furthermore, article 2 it is stated that; "The registration of marriages in paragraph (1), is carried out by marriage registration officers as described in Law No. 22 of 1946 in conjunction with Law No. 32 of 1954 for Muslim individuals. ⁹So Sirri marriages/underhand marriages were born to call marriages that were not recorded. And in law Number 22 of 1946, which explains that every marriage must be supervised by a marriage registration officer, if violating Law Number 22 of 1946 it will be accompanied by sanctions in the form of fines and confinement, and also the legal requirements and pillars of marriage in Islam are: 1) Ijab and Kabul (2) Prospective wife (3) Prospective husband (4) 2 witnesses (5) marriage guardian.

Principles of Islamic marriage law:

1. The principle of volunteerism, namely the principle that is realized not only between husband and wife but also between the parents of both partners.
2. The principle of freedom to choose a partner
3. The principle of partner partnership is to be able to fulfill the duties and obligations of all parties.

⁶ Tim Redaksi Fokus Media, 2007, *Undang-Undang Perkawinan Dan Pelaksanaan Pengangkatan Anak*, Fokus Media, Jakarta, Hal. 1-2

⁷ Bahruddin, Ibid, Him. 23

⁸ Fence M. Wantu, dkk. "Kedudukan Peraturan Desa Dalam Sistem Pembentukan Peraturan Perundang-Undangan". *Jurnal Ius Civile*. Volume 4, Nomor 2, Oktober 2020. 201

⁹ *Undang-Undang Perkawinan Ri Nomor 1 Tahun 1974 Tentang Perkawinan & Kompilasi Hukum Islam*, 2015, Citra Umbara, Bandung, Hlm. 323

4. The principle of forever, where marriage is carried out for the longest worship and produces offspring and increases love and affection throughout life.
5. The principle of open monogamy, which in Article 3 of the Marriage Law Number 1 of 1975, a husband may only have one wife and vice versa¹⁰

Law is a political product because the character of the content of each legal product will be largely determined or colored by the balance of power or political configuration that gave birth to it.¹¹ Law Number 1 of 1974 concerning Marriage is based on the existing Islamic legal regulations. Where it is stated that the legislation delegates the legal requirements of marriage to the religious rules of the couple holding the marriage. ¹²Article 2 paragraph 2 of Law no. 1 of 1974 concerning marriage that "every marriage must be recorded according to the applicable laws and regulations".¹³

Marriage registration is only an administration that does not affect the validity of a marriage, even though unregistered marriage is not recognized in Indonesian marriage law because it is illegal and not legally registered, there are still many couples who do the unregistered marriage. ¹⁴Although the marriage is not recorded in positive law, it is considered invalid because it is not recognized by the State (basically in Article 2 paragraph 2 of Law No. 1 of 1974) by him, every marriage that is not registered results in the loss of the wife's right to sue legally, because of no legal protection. ¹⁵In marriages that are not registered or marriages that are not registered as required by Article 2 paragraph (2), they are often

¹⁰ Tinuk Dwi Cahyani, 2020, *Hukum Perkawinan*, Universitas Muhamadiya Malang, Malang, Hlm. 7

¹¹ Ahmad Wijaya, Nasran Nasran. "Comparison Of Judicial Review: A Critical Approach To The Model In Several Countries". *Jurnal Legalitas*. Vol. 14, No. 2. 2021. Hlm 88

¹² Zainudiin, 2017, *Kepastian Hukum Perkawinan Siri Dan Permasalahannya Ditinjau dari Undang-Undang Nomor 1 Tahun 1974*, Deepublish (Group Penerbitan Cv Budi Utama), Yogyakarta, Hlm.16

¹³ Isdiana Syafitri, Deliani, Yusriana, *Dampak Nikah Siri Dan Akibat Hukumnya Kepada Masyarakat Menurut Uu Perkawinan*, Jurnal Pengabdian Masyarakat, Vol. 02 No. 01 Feb. 2022, Hlm.40

¹⁴ Yati N, Munajah, Muthia S, Nahdhah, *Penyuluhan hukum Terhadap Pengaturan Nikah Siri Di Dalam sistem Hukum Di Indonesia*, Jurnal, Dampak Nikah Siri, Jurnalilmuhukum Vol.18 No. 2 (2019) Kalimantan Hlm. 8

¹⁵ Andi M, Imran Ismail, Syamsiar Sulaiman, "Analisis Kualitas Pelayanan Public Bidang Pencatatan Nikah Pada Kantorurusan Agama Kec. Belawa, Kab. Wajo", *Jurnal Ada Na Gau: Public Information*, Vol. 2 I Issue 2 I Des.2021, Hlm. 720

referred to as children out of wedlock because the marriage of the parents is classified as a marriage that is not by the provisions of Article 2 paragraph (2).¹⁶

The right to independence and freedom is the foundation for a country in upholding the rule of law in its sovereign jurisdiction. ¹⁷Examples of marriages in Indonesia have various sub-sections of the definition, namely: monogamous marriages, marriages of more than one wife (polygamy), Mut'ah marriages, *urfi* (customary) marriages, *muhallil marriages*, marriages of different beliefs, unregistered marriages, and unregistered marriages. -other marriages are diverse in Indonesia, but the emphasis of the research is on Siri marriages.¹⁸

Unregistered marriages are not new, the perpetrators of unregistered marriages come from different levels of society with different age strata, education, and economic status. Unregistered marriages have also drawn opposition from many parties on the pretext of giving harm to women. Because unregistered marriages are actions that are carried out in secret/hidden from the community and not infrequently those that are not recorded in the marriage registrar (PPN) or are not recorded by the office of religious affairs. Siri marriage is claimed to be an underhand marriage ¹⁹. The subject of unregistered marriage that the author adopts is a young couple, namely a man and a woman who has never had a legal marriage according to Article 2 paragraph 2 of Law No.1 of 1974 and want to get married but are hindered by the blessing of their parents, different religions, different ethnicities, and external factors, namely wanting to avoid adultery, and getting pregnant out of wedlock and still underage. In civil science law, marriage registration is important because there is original evidence from the marriage of the bride and groom, namely men and women who are legal both in trust and state law, using evidence from The Marriage Book in the future will help to mark the legal descendants of the marriage performed and receive rights as heirs. ²⁰But, not all Indonesian people, especially couples who are going to get married in the northern city district, carry out marriages according to the specified mechanism,

¹⁶ Muhamad Fahmi Al Amruzi, "Nasab Anak dari perkawinan siri", *Jurnal Al Adl By Universitas Islam Kalimantan, Jurnal Hukum*, Vol. 14 Nomor 1, Januari 2022, Hlm.10

¹⁷ Fence M. Wantu dan Usman Rasyid. "Redefinisi Kewenangan Komisi Yudisial Dalam Konstitusi: Upaya Mengharmonisasikan Putusan Pelaku Kekuasaan Kehakiman Indonesia". *Jurnal Majelis*. Edisi 08. September 2020.

¹⁸ Benyamin, Peran Kantor Urusan Agama Dalam Upaya Menangulangi Pernikahan Siri Di Bandar Lampung, *Jurnal Al-Wasith: Jurnalstudi Hukum Islam* Vol. 5. No 2 (2020) Bandar Lampung, Hal.130

¹⁹ Fathudin Aw & Vita Fitria, 2008, *Problematika Nikah Siri Dan Akibat Hukumnya Bagi Perempuan*, Medpress, Surabaya Hlm. 30

²⁰ M. Zamroni, 2018, *Prinsip-Prinsip Hukum Pencatatan Perkawinan Di Indonesia*, Medisn Sahabat Cendekia, Surabaya, Hlm. 12

namely by registering them with official institutions such as the office of religious affairs.

In accordance with the data in the field, it describes that to this day, unregistered marriages in the Kota Utara sub-district, Gorontalo City are still widely held, and there are various reasons that underlie the community, especially couples who carry out unregistered marriages, including: the length of the process in waiting for the right day from the religious affairs office, not get the blessing of parents, different religions, only immigrants so far from the family, and the reason is pregnant out of wedlock and not old enough for the couple to be married by him taken a way out, namely by marrying Siri, and ignorance of the people who marry Siri about the importance of Marriage registration, and the reason for the penghulu in marrying couples to unregistered marriages are also due to the low level of education and economic limitations of couples who marry unregistered and the most frequent reason is that couples who marry unregistered consider the administration of marriage arrangements in the religious affairs office or those in the office of religious affairs. fixed the government is too complicated and will take a lot of time and money in its management, therefore it is an important thing to be addressed by providing educational assistance to the community, the office of religious affairs plays an important role in providing education about what are the consequences and impacts that will be caused by unregistered marriages because from the research, most people who do this unregistered marriage are only concerned with the pleasure of lust for a moment but they don't think about the consequences after doing this unregistered marriage, usually women who will get a lot of negative impacts from unregistered marriages are women.

When women who do unregistered marriages become the talk of the community it will cause negative opinions in society, because women who do unregistered marriages stay away from social life, especially if they already have children, and their fathers can easily disown them. And it will also be difficult later on. To get their rights, there may also be domestic violence and they don't get outward rights.²¹

The Office of Religious Affairs is the foremost work unit and agency of the Ministry of Religion in charge of Menology which carries out several governmental responsibilities in the Islamic sector within the sub-district. As we all know, unregistered marriages harm wives and children born from

²¹ *Ibid*, M Zamroni, Hlm. 29

unregistered marriages, both legally, socially, and psychologically. The person does not have the right that should be, because there is no clarity on his status. The religious affairs office is the front line of the Ministry of Religion which handles several Government responsibilities in the Religious sector within the sub-district by the Decree of the Minister of Religion No. 517 of 2001 and Minister of Religion Regulation No. 11 of 2007 was declared to be the foremost work units because the religious affairs office was directly in contact with the population so it was normal for the existence of the religious affairs office to be considered very urgent, often accompanied by the presence of the Ministry of Religion.²²

From the results of the study, the author observes that several husband and wife pairs carry out unregistered marriages even though they are not legally bound by marriage but they do not carry out the regulations of Marriage Law Number 1 of 1974 Article 2 paragraph (2), namely every marriage must be registered in the office of religious affairs.

The data for serial marriages for the last 3 years²³

No.	Year	Number of Marriages Siri
1.	2019	10 people
2.	2020	14 people
3.	2021	17 people
Amount		41 people

Primary Data Results of interviews with the people of the North City District

From the search above, the researcher concludes that the number of unregistered marriages is increasing every year for the following reasons: not getting parental approval, different religions, pregnancy outside of marriage, low level of education, and not being old enough, and the most common reason couples. The married couple considers that the administration of legalizing marriage according to religion and state law is complicated, because it costs a lot and takes a lot of time, and couples who marry in an unregistered marriage do not know the consequences of having an unregistered marriage in the future on their

²² Keputusan Menteri Agama No. 517 Tahun 2001. Tentang Tugas Dan Fungsi Kantor Urusan Agama (Kantor Urusan Agama)

²³ Sumber Data Didapatkan Dari Narasumber (Masyarakat)

marital status and inheritance rights. children or descendants of a married couple.

2. Method

This research is a type of empirical legal research, namely a study method that utilizes empirical evidence and facts on human behavior, both verbal behavior obtained from interviews or real-world behavior through direct observation or indirect observation. Empirical studies are also used to monitor the outcomes and behavior of living things in the form of archival and physical inheritance. ²⁴Based on this understanding, the type of research that prospective researchers use is empirical research because this study is carried out through direct field research methods to obtain factual information, where the information that researchers take from the source is the Gorontalo City Religious Affairs Office located in North Kota District. . Using a qualitative approach, namely research that focuses on the process of searching for meaning, understanding, characteristics, symptoms/signs, concepts, symbols and definitions of an event, multi-method and concentration, which has a holistic and combined nature, prioritizes quality, utilizes various methods, and is presented. in a narrative manner. ²⁵The data obtained in this study will be processed using stages or with qualitative descriptive analysis techniques, analyzing information and interpreting qualitative data is a method of analyzing laws and regulations to produce answers to the problems studied.²⁶

3. The Role of the Office of Religious Affairs in Dealing with Siri Marriages in Kota Utara District

Marriage has the main goal, namely to form a sakinah and happy family based on aqidah and religious rules that have been conveyed by the Al-Qur'an and every existing religion, to be able to create their own family based on divinity which must be obeyed ²⁷where marriage is not just a biological relationship and just a contract but some norms must be carried out because marriage is a sacred part of life and has rights and obligations that are regulated both in Islamic law and state law.

²⁴ Mukti Fajar Dan Yulianto Ahmad, 2010, *Dualisme Hukum Empiris&Normatif*, Pustaka Pelajar,2010,Hlm.280

²⁵ Muri Yusuf, *Metode Penelitian Kualitatif Dan Penelitian Gabungan*, Kencana,2017,Hlm. 328

²⁶ Mukti Fajar,*Loc.Cit*, Hlm.178

²⁷ Jaya Putra Dwi, *Nikah Siri Dan Problematikanya Dalam Hukum Islam*, Jurnal Hukum Sehasaan,Vol.2 Tahun 2017, Hlm 17

There are three types of legal systems that apply in Indonesia, namely the customary law system, civil law, and Islamic law.²⁸ A marriage by what is required by both religion and state law will give rise to rights and limitations to obtain legal guarantees, from marriage it will form a family and will create physical and spiritual bonds as well as the character of the wife and the resulting offspring.²⁹

However, the reality is that until now there are still many legal problems related to marriage that are not in accordance with religious provisions and statutory regulations, especially those related to the implementation of Law No. 1 of 1974 such as marriage without the presence of a marriage registrar, polygamy without court approval, Divorce/talak is carried out arbitrarily and is not carried out in front of a religious court, therefore this case that often occurs is a serious problem for the head of the religious affairs office as VAT, because the religious affairs office is obliged to provide advice, guidance and counseling as well as preservation in Marriage, however, the author wants to discuss is unregistered marriages for couples who have never been married before in Kota Utara District because there are still married couples who are married but only religiously without involving a marriage registrar and not registered at the religious affairs office in the sub-district n North City.

Regarding marriage registration, it was found that there were people who held marriages but did not register their marriages with the authorized agency, namely the religious affairs office by the applicable regulations of Law No. 1 of 1974, causing consequences and impacts on their marriages because they did not obey the law.³⁰

Ideally, the implementation of the marriage is carried out side by side with what is required in the laws and religious provisions adopted by the bride and groom,³¹ but in retrospect, there are still couples who are married but do not comply with the rules and conditions determined by State law, which will result in the

²⁸ Bakung, Dolot Alhasni, dan Muhtar, Mohamad Hidayat. (2020). "Determination of The Legal Protection of Right Holders to Neighboring Rights". *Jambura Law Review*. Vol 2. No 1. Hal 67

²⁹ Syafitri, Deliana, Yusriana, *Dampak Nikah Siri Dan Akibat Menurut Uu Perkawinan*, Jurnal Pengabdian Masyarakat, Vol:02, No:1, Februari 2022, Hlm.37-38

³⁰ Yusuf M, *Dampak Nikah Siri Terhadap Perilaku Keluarga*, Jurnal At-Taujih, Vol.2 Juli-Dec 2019 Hlm.119-121

³¹ Awaliah, Qalbi Nur Vivi, Allang Achmad, Achmad I Nurul "Akibat Hukum Pernikahan Siri", *Maleo Law Jurnal*, Vol. 6 Issue 1, April 2022, Hlm.31

marriage not being considered by the State. so it will be difficult to get legal protection both criminally and civilly.

Based on the results of the research that the author conducted in the North City District, there is still the reality of couples who carry out unregistered/underhanded marriages or marriages that are not registered with the authorized agency. -different reasons and factors, which the authors classify into two factors including:

1. Internal factors

- a) Prioritizing lust over reason.
- b) The will to be free.
- c) Selfish Feelings.
- d) Prestige Feeling

2. External Factors

- a) Association/Environment
- b) Technology advances
- c) Lack of Parental Supervision
- d) Lack of Legal Understanding and Awareness.

The explanation above is by the results of interviews that the author got from couples who did unregistered marriages, including:

It was revealed by Mr. Yanto Dali, who was 37 years old, who decided to have an unregistered marriage but was not bound by a previous marriage due to the high dowry requested by the woman and also the age factor.

" I did a Siri marriage because I have not been able to pay the dowry determined by the woman's family, even though I have helped their economy as long as I have been in a relationship with my wife for 6 years, I have asked nicely to the woman's family to hold a marriage legally both religious and state law, but the wife's family asked for a large enough dowry in our marriage so we postponed the marriage for 2 years, I've been trying for 2 years to collect the dowry according to what the woman asked for but I for several years months did not get a job, and had to pay debts at the bank because I had already

taken a loan before, while my job was only a construction worker whose job was uncertain and I had also become an orphan so we decided to do a Siri Marriage in a Religious way".³²

Meanwhile, Mrs. Febi, who is 28 years old, decided to marry Siri because she was prevented from having the blessing of her parents (different religions) and was pregnant out of wedlock.

"I married my husband in an unregistered marriage because of a relationship that crossed my boundaries and my association, causing me to get pregnant out of wedlock, and at that time my parents forbade me to date, my husband, because of religious differences but I continued the relationship and made me ran away from home and chose to live with my husband where my husband is an outsider and only looking for work here, after I became pregnant my husband left me and went to his parent's house, finally I apologized and helped my mother sell in the market because my mother is also a widow³³

From some of the results of interviews given by couples who do unregistered marriages to couples who have not been married before, the author can more specifically provide an overview of unregistered marriages that occur in the North City District, including the following:

1. The family of the bride and groom, both wealthy and underprivileged, wants to carry out a marriage, it must be lively by inviting and using the customs that already exist in the community, causing a high dowry to be pegged to the bride and groom, because of the prestige possessed by the family of the bride and groom. where one of the parties is burdened with a high dowry, by which he carries out a Siri marriage.
2. The a low level of public understanding and awareness of the law about the importance of marriage registration, because most people think that what is important is religiously legal, they do not know the importance of a marriage book in law.
3. Uncontrolled association from parents, so it has become commonplace dating and sometimes can cause a bad boomerang on women.

In Islam, we are given facilities and procedures for building a sakinah family, mawaddah warrohmah, although Islam does not emphasize the existence of marriage registration when we want to get married, aren't we obliged to tell

³² Wawancara Dengan Bpk. Yanto Dali Tanggal 30 Juni 2022 (Pelaku Nikah Siri)

³³ Wawancara Dengan Ibu. Febi Tanggal 01 Juli 2022 (Pelaku Nikah Siri)

everyone? However, the phenomenon that exists is that there are still rampant unregistered marriages.

Marriage is one of our ways to carry out our obligations to God Almighty as a form of gratitude, by which the Government makes a marriage law so that we can get rights and obligations as well as benefits that will mark and provide protection in the form of state legal guarantees, because often without knowing there is a problem that will be resolved in the realm of law.

Siri marriage is a marriage that is carried out secretly or secretly (under the hands) meaning that marriages are carried out only by certain parties without any ratification from the office of religious affairs as a legal institution for recording marriages in religion and the state.³⁴ It can be said that those who carry out unregistered marriages do not obey the law and it will be difficult to get the existing legal guarantees.

Therefore, as the front guard in the religious field who helps the performance of the Ministry of Religion in carrying out tasks at the sub-district level, the religious affairs office plays an important role in dealing with marital problems, including as a spokesman for the Ministry of Religion to prevent Siri marriages and also about the importance and benefits of recording marriages.

The following are the results of an interview with the head of the religious affairs office in the North City District:

*"Collaborating with the Ministry of Religion in disseminating the consequences of unregistered marriages and the benefits of registering marriages held in every kelurahan, the Government of Gorontalo and the Ministry of Religion have created a TV channel, Tolopani TV, which focuses on religious discussions and marriages which are broadcast live on social media (Facebook and the Gorontalo TV channel) where the presenters are from the North City religious affairs office."*³⁵

The results of the interview with the head of the religious affairs office of the North City District are as follows:

" A secret marriage or secret and unregistered marriage is a marriage that is caused because of a problem or disgrace that is covered by the family, which includes insufficient,

³⁴ Abdulsahhid Lukman, *Dampak Nikah Siri Orang Tua Terhadap Pola Pikir Anak Usia Dini*, Vol.03 No. 1 Maret 2021, Hl.43-46

³⁵ Wawancara Dengan Bpk.Drs. Nasir U. Rahim (Penghulu) Kantor Urusan Agama Kota Utara Tanggal 29 Juni 2022

*unmonitored association, pregnancy outside of marriage, no blessing, different religions. proposed to take care of the marriage isbat in court, but because they did not want to take care of it, a solution was taken, namely by marrying Siri. Therefore, the marriage was not registered and did not get a marriage book because it was not by the marriage law. I am a preacher in every lecture I deliver I always tuck in the importance of registering marriages, the impact it will have."*³⁶

Based on the results of interviews from several parties in the North City religious affairs office, including the head of the North City District religious affairs office, the Penghulu, and staff from the working religious affairs office, the writer concludes that the role of the religious affairs office in dealing with unregistered marriages is not yet bound. Previous marriages include:

The first is to provide counseling about marriage registration and happy families to prospective brides who will register marriages at the North City District religious affairs office conducted by (BP4) as the body of the Marriage Advisory, Guidance, and Preservation Agency.

The second is that the religious affairs office of the North City District collaborates with the Ministry of Religion and the North City District religious affairs office in filling out events on the channel created by the Ministry of Religion and the Gorontalo City government, namely the Topowali TV Channel which focuses on religious knowledge and one of the materials presented about marriage and the impact and consequences of carrying out a serial marriage.

The third is to provide counseling and socialization of the consequences and impacts on couples who have unregistered marriages or unregistered marriages to the community by presenting them in every lecture (Takjiah and other Islamic studies) that invites the head of the religious affairs office and the head of the religious affairs office in the North City District.

According to the author, the above matters are not effective enough in overcoming unregistered marriages in couples who are not legally bound. According to Article 2 paragraph (2) of Law no. 1 of 1974 in the North City District because to minimize couples who will marry in an unregistered manner because of the lack of socialization provided by the religious affairs office to prevent unregistered marriages, because there is also a lack of competent human

³⁶ Wawancara Dengan Ketua Kantor Urusan Agama Bpk. H. Rino Husain,S.Ag.,Mh Tanggal 01 Juli 2022

resources/experts in conducting counseling about the impact of unregistered marriages.

The government must also cooperate with agencies such as the office of religious affairs in building character and also informing millennials about the impact of having sex before the previous marriage bond. Although the religious affairs office has established a semi-official BP4 body, namely an advisory body, fostering and preserving marriage for prospective brides, and guardians. But the government should be able to focus on the millennials about the consequences and impacts of carrying out an unregistered marriage or commonly called underhanded marriage (unregistered marriage) which will not get to the office of religious affairs without the law if problems occur in marriage.

4. Conclusion

Unregistered marriages are still taking place in Kota Utara District because the community considers the administration of marriage in the religious affairs office of the North Kota Subdistrict to be complicated and requires a lot of money and time in its management. The role of the religious affairs office in dealing with unregistered marriages that still occur in the North City District is very important in realizing a government program, namely the marriage guidance program (Binwin) which provides pre-marital guidance and the formation of a sakinah family to build superior human resources and reduce divorce rates. , by providing counseling on the registration of marriage and sakinah families to prospective couples who will marry and also conducting lectures and socialization with the wider community.

Reference

Book:

Bahrudin,2012, *Nikah Siri Menjawab Pertanyaan Tentang Nikah Siri*, Medpress Digital, Jakarta.

Bakung Alhasni Dolot, 2020, *Analisis Uu No.1 Tahun 1974 Tentang Perkawinan Dan Uu No.23 Tahun 2002 Tentang Perlindungan Anak Terkait Perkawinan Dibawah Umur*. Provinsi Gorontalo : Masyarakat Batu Layar.

- Fathudin Aw & Vita Fitria, 2008, *Problematika Nikah Siri Dan Akibat Hukumnya Bagi Perempuan*, Medpress, Surabaya.
- Henny Wiludjeng, 2018, *Hukum Perkawinan dalam Agama-Agama*, Universitas Katolik Indonesia Atmajaya, Jakarta.
- M. Zamroni, 2018, *Prinsip-Prinsip Hukum Pencatatan Perkawinan Di Indonesia*, Medisn Sahabat Cendekia, Surabaya.
- Mukti Fajar Dan Yulianto Ahmad, 2010, *Dualisme Hukum Empiris & Normatif*, Pustaka Pelajar, 2010.
- Muri Yusuf, *Metode Penelitian Kualitatif Dan Penelitian Gabungan*, Kencana, 2017.
- Saiful M&Asep Saepudin Jahar. 2021, *Dualisme Hukum Perkawinan Islam Di Indonesia*, Amzah, Jakarta.
- Tim Redaksi Fokus Media, 2007, *Undang-Undang Perkawinan Dan Pelaksanaan Pengangkatan Anak*, Fokus Media, Jakarta.
- Tinuk Dwi Cahyani. 2020, *Hukum Perkawinan*, Universitas Muhamadiya Malang, Malang.
- Zainudiin. 2017. *Kepastian Hukum Perkawinan Siri Dan Permasalahannya Ditinjau dari Undang-Undang Nomor 1 Tahun 1974*, Deepublish (Group Penerbitan Cv Budi Utama), Yogyakarta.

Journal:

- Abdulsahhid Lukman, "Dampak Nikah Siri Orang Tua Terhadap Pola Pikir Anak Usia Dini", Vol.03 No. 1 Maret 2021.
- Ahmad Wijaya, Nasran Nasran. "Comparison Of Judicial Review: A Critical Approach To The Model In Several Countries". *Jurnal Legalitas*. Vol. 14, No. 2. 2021
- Andi M, Imran Ismail, Syamsiar Sulaiman, " Analisis kualitas pelayanan Public Bidang pencatatan Nikah Pada Kantorurusan Agama Kec. Belawa, Kab. Wajo", *Jurnal Ada Na Gau: Public Information*, Vol. 2 I Issue 2 I Des.2021.
- Awaliah, Qalbi Nur Vivi, Allang Achmad, Achmad I Nurul. "Akibat Hukum Pernikahan Siri". *Maleo Law Jurnal*, Vol. 6 Issue 1, April 2022.

- Bakung, Dolot Alhasni, dan Muhtar, Mohamad Hidayat. (2020). "Determination of The Legal Protection of RightHolders to Neighboring Rights". *Jambura Law Review*. Vol 2. No 1.
- Benyamin, "Peran Kantor Urusan Agama Dalam Upaya Menangulangi Pernikahan Siri Di Bandar Lampung", *Jurnal Al-Wasith: Jurnalstudi Hukum Islam* Vol. 5. No 2 (2020) Bandar Lampung.
- Fence M. Wantu dan Usman Rasyid. "Redefinisi Kewenangan Komisi Yudisial Dalam Konstitusi: Upaya Mengharmonisasikan Putusan Pelaku Kekuasaan Kehakiman Indonesia". *Jurnal Majelis*. Edisi 08. September 2020.
- Fence M. Wantu, dkk. "Kedudukan Peraturan Desa Dalam Sistem Pembentukan Peraturan Perundang-Undangan". *Jurnal Ius Civile*. Volume 4, Nomor 2, Oktober 2020
- Isdiana Syafitri, Deliani , Yusriana, "Dampak Nikah Siri Dan Akibat Hukumnya Kepada Masyarakat Menurut UU Perkawinan", *Jurnal Pengabdian Masyarakat*, Vol. 02 No. 01 Feb. 2022.
- Jaya Putra Dwi, "Nikah Siri Dan Problematikanya Dalam Hukum Islam", *Jurnal Hukum Sehasean*, Vol.2 Tahun 2017.
- Julius T Mandjo Dan Suwitno Y Imran. "Implementasi Uud Negara Republik Indonesia Tahun 1945 Pasal 27 Ayat 2 Tentang Hak Untuk Mendapatkan Pekerjaan Dan Penghidupan Yang Layak Bagi Kemanusiaan". *Jurnal Majelis*. Edisi 08. September 2020
- Muhamad Fahmi Al Amruzi, "Nasib Anak dari perkawinan siri", *Jurnal Al Adl By Universitas Islam Kalimantan, Jurnal Hukum*, Vol. 14 Nomor 1, Januari 2022.
- Syafitri,Deliana, Yusriana, "Dampak Nikah Siri Dan Akibat Menurut Uu Perkawinan,"*Jurnal Pengabdian Masyarkat*,Vol:02,No:1,Februari 2022.
- Yati N, Munajah, Muthia S, Nahdhah, "Penyuluhanhukum Terhadap Pengaturan Nikah Siri Di Dalamsistem Hukum Di Indonesia, Jurnal, Dampak Nikah Siri". *Jurnal Ilmu Hukum* Vol.18 No. 2 (2019) Kalimantan.
- Yusuf M, "Dampak Nikah Siri Terhadap Perilaku Keluarga", *Jurnal At-Taujih*,Vol.2 Juli-Dec 2019.