

Sanctions and Legal Compliance in Marriage Registration: A Comparative Implementation of Islamic Family Law in Indonesia and Malaysia

Tasnim Rahman Fitra,^{*1} Noratinah Binti Yusof,² Anwar M. Radiamoda³

¹ UIN Sultan Thaha Saifuddin Jambi, Indonesia

² Kolej Vokasional Beaufort, Sabah, Malaysia

³ Mindanao State University, Marawi, Philippines

* Correspondence: tasnim.rf@uinjambi.ac.id

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Abstract: Unregistered marriages remain challenging in implementing Islamic family law in Indonesia and Malaysia. This article aims to comparatively analyze sanction systems and legal compliance levels in marriage registration in Indonesia and Malaysia based on Islamic family law perspectives, identify factors influencing the effectiveness of legal sanctions, and integrate the *maqāṣid al-sharī'ah* approach with legal compliance theory to provide a new theoretical framework for understanding marriage registration. Using a juridical-normative approach with comparative methodology, this article analyzes Law Number 16 of 2019 in Indonesia and Act 303 Islamic Family Law (Federal Territories) 1984 in Malaysia. The article concludes that there is a correlation between sanction amounts and public compliance levels, where stricter sanctions in Malaysia (fines of RM1,000 and imprisonment of up to six months) prove more effective than nominal sanctions in Indonesia (Rp7,500). Significant differences are also identified in law enforcement mechanisms and the accessibility of marriage registration systems. The *maqāṣid al-sharī'ah* approach to marriage registration, which emphasizes the protection of fundamental values in Islam, proves capable of bridging the gap between traditional Islamic law and modern administrative needs. This article implies the importance of reformulating marriage registration policies in Indonesia, including restructuring sanctions and strengthening technology-based registration systems.

Keywords: Marriage Registration, Sanctions and Legal Compliance, Islamic Family Law, Indonesia, Malaysia.



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Introduction

Unregistered marriages persist as a significant impediment to the effective implementation of Islamic family law across Indonesian and Malaysian jurisdictions, notwithstanding the establishment of comprehensive regulatory frameworks in both nations. This non-compliance with matrimonial registration requirements engenders multifaceted legal complications, including indeterminate marital status, impediments to inheritance adjudication, and insufficient legal safeguards for women and children. The divergent sanctioning mechanisms between these jurisdictions illustrate contrasting regulatory philosophies—Malaysia imposes substantial penalties comprising fines up to RM1000 and carceral sentences extending to six months, whereas Indonesia maintains comparatively negligible financial sanctions. These disparate approaches reflect the ongoing juridical challenge of reconciling traditional Islamic jurisprudence, which lacks explicit matrimonial registration mandates, with contemporary administrative imperatives necessitating formal legal documentation. Consequently, this article endeavors to conduct a comparative analysis of sanctioning systems and compliance metrics in matrimonial registration across both jurisdictions.

Scholarly investigations concerning matrimonial registration within Islamic family law contexts in Indonesia and Malaysia demonstrate heightened attention to legality and protective jurisprudence. Zainuddin, Jamil, and Sumanto (2022) examine the regulatory reformulation of matrimonial registration in Indonesia, while Aminah and Sugitanata (2022) investigate the evolutionary dynamics of Islamic family law reform in Malaysia. Nevertheless, these analyses primarily address normative-regulatory dimensions without thoroughly examining the correlation between legal sanctions and public compliance with matrimonial registration obligations.

Within the theoretical framework of *maqāṣid al-sharī'ah*, Harisudin and Choriri (2021) have endeavored to evaluate matrimonial registration violations through the lens of public interest (*maṣlaḥah*). However, they have not systematically correlated this with compliance variables and sanction implementation across different legal architectures. Similarly, comparative analyses by Kasim, Kamba, and Karim (2023) document unregistered matrimonial practices in both jurisdictions but do not explicitly address sanctioning effectiveness as compliance-inducing mechanisms.

Parut et al. (2024) contribute to the dimension of legal vulnerability in interfaith matrimonial contexts, indicating that mere regulatory existence is insufficient without methodological approaches incorporating sociocultural realities. The minimal comparative article explicitly integrates the *maqāṣid al-sharī'ah* theoretical framework with compliance theory to evaluate sanctioning efficacy in promoting legal matrimonial registration across Indonesian and Malaysian jurisdictions. This empirical lacuna demonstrates the urgent necessity for scholarship addressing the interrelationship between sanctioning systems, compliance metrics, and resultant legal protections across diverse sociocultural environments.

This article aims to analyze sanctioning systems and compliance levels in matrimonial registration implementation across Indonesian and Malaysian jurisdictions from an Islamic jurisprudential perspective. Specifically, it seeks to identify determinants influencing legal sanction efficacy in enhancing both nations' public compliance with matrimonial registration requirements. Additionally, it examines correlations between sanction typologies and magnitudes with compliance levels across diverse sociocultural contexts. This article evaluates how both regulatory frameworks have achieved matrimonial protection objectives through a comparative analysis of Indonesian Law No. 16 of 2019 and Malaysian Act 303 Islamic Family Law (Federal Territories) 1984. Furthermore, it proposes policy recommendations derived from jurisdictional best practices to enhance registration implementation efficacy. Finally, through the integration of *maqāṣid al-sharī'ah* methodologies with compliance theory, this article endeavors to establish a novel theoretical framework for matrimonial registration conceptualization.

The article argues that an alignment between formal regulations and sociocultural and religious values substantially influences legal sanction efficacy in promoting matrimonial registration compliance. Malaysian implementation of more stringent sanctions demonstrates greater efficacy in enhancing compliance compared to Indonesian nominal sanctions, though successful regulatory implementation is additionally influenced by public legal consciousness and service accessibility. The *maqāṣid al-sharī'ah* approach to matrimonial registration emphasizes the protection of religion (*al-dīn*), life (*al-naḥs*), lineage (*al-nasl*), intellect (*al-'aql*), and property (*al-māl*) potentially bridges conceptual gaps between traditional Islamic jurisprudence and contemporary administrative requirements (Al Idrusiah et al., 2024). Moreover, this article determines that compliance value internalization achieves greater efficacy when contextualized within public interest frameworks (*maṣlaḥah mursalah*) recognized in Islamic jurisprudential traditions (Al-Harbi, 2022; Opwis, 2010; Razzaq, 2023). Effective sanction implementation necessitates complementary public education regarding matrimonial registration significance, enhanced service accessibility, and the development of efficient, economically accessible administrative systems across socioeconomic strata.

Method

This article employs a juridical-normative approach with a comparative methodology to examine marriage registration sanctions and compliance in Indonesia and Malaysia. This approach was selected to analyze legislative frameworks within Islamic family law contexts. At the same time, the comparative methodology identifies similarities and differences between countries sharing Islamic legal foundations despite their unique sociocultural characteristics.

The methodology functions through systematic analysis of legal sources, frameworks, and implementation patterns. It examines primary legal materials (constitutional provisions, marriage laws, Islamic law compilations), evaluates secondary sources (judicial decisions, regulatory guidelines), and applies Islamic legal principles such as *maqāṣid al-sharī'ah* and *maṣlaḥah* to evaluate sanction effectiveness. This comparative analysis across two Muslim-majority nations with different administrative systems demonstrates how sociopolitical contexts influence the implementation of similar Islamic legal principles in marriage registration requirements.

Data was collected through library research, gathering primary legislative sources on marriage registration in both countries—specifically Law No. 16 of 2019 and the Compilation of Islamic Law in Indonesia, along with Act 303 Islamic Family Law (Federal Territories) 1984 in Malaysia. Secondary sources included academic journals, books, research reports, and official statistics from Indonesia's Ministry of Religious Affairs and Malaysia's Department of Islamic Development (JAKIM).

Data analysis uses a descriptive-analytical method with an integrative approach combining *maqāṣid al-sharī'ah* theoretical frameworks and legal compliance theory. Legislative data analysis identifies marriage registration regulatory structures, including sanction types and amounts in both countries. Empirical data on compliance levels and registration violations are analyzed to assess the effectiveness of sanction implementation. The comparative analysis focuses on four key dimensions: formal regulatory structure, sanction systems and enforcement, factors influencing public compliance, and the integration of *maqāṣid al-sharī'ah* values in marriage registration policy. The research is limited to legislative document analysis and secondary data without direct field research. For Malaysia, the study area is restricted to Federal Territories (Kuala Lumpur, Putrajaya, and Labuan) as governed by Act 303, recognizing the diversity of Islamic family law systems across Malaysian states.

Comparison of Marriage Registration Regulations and Sanction Systems

Law Number 16 of 2019, as an amendment to Law Number 1 of 1974, regulates marriage registration within Indonesia's formal legal framework through Article 2 paragraph (2), which stipulates that "every marriage shall be registered according to the applicable legislation" (Law No. 16 of 2019). The Indonesian Compilation of Islamic Law reinforces this provision through Article 5, which states, "to ensure orderly marriages for the Islamic community, every marriage must be registered," and Article 6 paragraph (1) which emphasizes "to fulfil the provisions of Article 5, every marriage must be conducted in the presence and under the supervision of the Marriage Registration Officer." Government Regulation Number 9 of 1975, as the implementing regulation, governs technical aspects of marriage registration, including registration of marriage intention, verification of marriage intention,

announcement of marriage intention, implementation of registration, and issuance of marriage certificates (Cammack et al., 2008, p. 52). This regulatory framework shows the position of marriage registration as an administrative provision that stands separate from marriage validity according to religion. This legal structure creates a separation between the validity of marriage according to religion and the validity of marriage according to the state, resulting in normative ambiguity that creates loopholes for unregistered marriages (Lindsey & Steiner, 2012).

Act 303 Islamic Family Law (Federal Territories) 1984 of Malaysia builds a more systematic legal structure in regulating marriage registration for the Muslim community. Section 22 paragraph (1) of this Act stipulates that "immediately after the solemnization of a marriage, the Registrar shall enter the prescribed particulars and the prescribed *ta'liq* or other *ta'liq* for that marriage in the Marriage Register" (Act 303, 1984, p. 31). The legal dimension of Act 303 demonstrates the unity between the validity of marriage according to Sharia law and registration as an administrative obligation that follows that validity, not as a separate element. The provisions of Section 34 explicitly affirm that registration does not make a marriage valid or invalid, which otherwise would be valid or invalid according to Sharia law (Mohamad, 2011, p. 51). The legal framework of Act 303 comprehensively regulates marriage procedures, including premarital courses, online registration through SPPIM/E-Munakahat/E-Qaryah, HIV testing, marriage ceremony, and issuance of marriage cards. This regulatory framework places marriage registration in an integrated system that reflects the strengthening of documentation functions within the renewed Islamic family law framework (Jones, 2015, p. 122).

Important differences are seen in the types and amounts of marriage registration sanctions between Indonesia and Malaysia, reflecting the different legal policy approaches of the two countries. Indonesia, through Government Regulation Number 9 of 1975 Article 45, establishes a maximum fine of Rp7,500 for violators of marriage registration provisions, a nominal value that has not been adjusted since it was established nearly five decades ago. Reform efforts are seen in the Draft Law on Substantive Law of Religious Courts in the Field of Marriage, which proposes fines of up to Rp6,000,000 or imprisonment for a maximum of 6 months, but this regulation has not yet been enacted. Through Act 303, Malaysia implements a more advanced approach by establishing sanctions of fines up to RM1,000 and imprisonment for a maximum of 6 months or a combination of both for violators of marriage registration provisions (Act 303, 1984, p. 35). The fine amount of RM1,000 shows substantial economic coercion, equivalent to about a quarter of the average monthly income of Malaysian workers (Welchman, 2020, p. 45). The types of sanctions in Malaysia also show differentiation based on types of violations, as listed in Sections 35, 36, 38, 39, and 40 of Act 303, which regulate various levels of sanctions according to the forms of marriage registration violations.

The mechanisms for enforcing sanctions and resolving violations show important differences in the legal systems of both countries with impacts on implementation success. Indonesia gives authority for resolving marriage registration violations to the District Court even though violations are committed by the Muslim community, creating a dualism of authority that potentially creates normative conflicts. Sanction enforcement procedures in Indonesia face technical obstacles in the form of a lack of systematic monitoring mechanisms for unregistered marriages and minimal coordination among law enforcement agencies (Lindsey & Steiner, 2012). Malaysia implements a more unified resolution system by placing marriage registration violations under the specific authority of the Sharia Court, creating normative continuity between the content and procedures of Islamic family law. The sanction enforcement system in Malaysia is strengthened by integrating marriage databases in the Malaysian Islamic Marriage Management System (SPPIM), which facilitates the early detection of violations by cross-checking population data (Mohamad, 2011, p. 58). The resolution of unregistered marriage cases in Malaysia shows consistency in applying sanctions, as reflected in JAWI data recording the handling of 571 cases of invalid marriages in 2022, with the majority subject to fines of RM1,000.

Different sanction implementations between the two countries impact public legal compliance levels with complex social-legal dimensions. According to Ministry of Religious Affairs data, Indonesia faces a contradictory phenomenon, with high unregistered marriages reaching 35% of total marriages, indicating the weak coercive power of applicable regulations (Cammack et al., 2008, p. 65). The Rp7,500 fine, equivalent to less than one US dollar, does not have an adequate deterrent effect and tends to be ignored as an insignificant legal consequence. Malaysia shows a positive trend with a decrease in unregistered marriage cases from 589 cases in 2021 to 571 cases in 2022, demonstrating the success of the sanction system and law enforcement implemented (Jones, 2015, p. 132). The RM1,000 fine and threat of imprisonment in Malaysia create a rational calculation that encourages compliance, strengthened by the public perception that the cost of non-compliance far exceeds the cost of compliance. This different implementation reflects the relationship between sanction amounts, enforcement mechanisms, and levels of legal compliance, affirming that the form of sanction systems influences public legal behavior in the context of marriage registration (Welchman, 2020, p. 47).

Factors Affecting Legal Compliance in Marriage Registration

Various sociocultural factors rooted in religious understanding and customs influence public compliance with marriage registration provisions in Indonesia and Malaysia. Indonesian society, especially in rural areas, still holds firmly the view that marriage is valid only by fulfilling religious requirements, so registration is viewed as an administrative matter that can be ignored (Huis & Wirastri, 2012). This situation

differs from Malaysia, which has succeeded in building public legal awareness by instilling the value that marriage validity and its registration are an inseparable unity (Mohamad, 2011, p. 53). Education levels and public legal understanding are also key determinants, with data showing that urban areas with higher education levels have better marriage registration compliance rates. The influence of community leaders on shaping public opinion regarding the importance of marriage registration also contributes to compliance levels in both countries. Economic disparities and marriage registration costs perceived as burdensome for some low-income communities are also barriers to compliance, especially in remote areas in Indonesia (Nurlaelawati, 2019, p. 132).

Religious authorities play a strategic role in shaping public understanding and compliance with marriage registration through fatwas, teachings, and guidance to the community. Through the Department of Islamic Development Malaysia (JAKIM), Malaysia builds a centralized and well-coordinated religious authority structure, enabling the dissemination of uniform interpretations regarding the importance of marriage registration to the public (Vivien, 2017, p. 142) in contrast with Indonesia, where the plurality of religious authorities with various organizations such as Nahdlatul Ulama, Muhammadiyah, and others sometimes produces diverse views regarding the legal status of marriage registration. The influence of traditional religious thinking that emphasizes that marriage only needs to fulfill religious pillars and conditions is still strong in Indonesia, especially in Islamic boarding schools and rural communities. Public perception of state law's legitimacy in regulating marriage also differs. Malaysia has succeeded in building the image that state law is a manifestation of Islamic law that must be obeyed (Mohamad, 2011, p. 55). Marriage guidance and legal counseling from religious authorities in Malaysia are conducted systematically and comprehensively, while in Indonesia, it is still sporadic and uneven (Maimun et al., 2024, p. 525).

Easily accessible marriage registration service systems are important factors in encouraging public compliance in both countries with different success rates. Malaysia excels through the development of integrated systems such as the Malaysian Islamic Marriage Management System (SPPIM), E-Munakahat, and E-Qaryah which enable marriage registration online from anywhere and anytime (Abdullah, 2007, p. 521). This system connects directly with the national population database, facilitating identity verification and reducing administrative errors that often-become obstacles to marriage registration. Indonesia has developed the Marriage Management Information System (SIMKAH), but its utilization is not optimal due to limited information technology infrastructure and internet networks in remote areas (Huis & Wirastri, 2012). The ease of system use is also a consideration, as the user interfaces of SPPIM and E-Munakahat in Malaysia are designed to be simpler and more user-friendly than SIMKAH in Indonesia. Affordability of costs and time for processing marriage registration also differs significantly, with Malaysia offering more efficient

services at affordable costs, while in Indonesia there are still complaints about unofficial fees and convoluted processes (Nurlaelawati, 2019, p. 135).

The mandatory premarital education system for prospective brides and grooms shows a strong correlation with marriage registration compliance levels in both countries. Malaysia, through the Integrated Module of Islamic Premarital Course (MBKPI) program, requires every prospective bride and groom to attend courses covering legal aspects, procedures, and the importance of marriage registration as an administrative prerequisite for marriage (Abdullah et al., 2015, p. 143). Course materials are designed comprehensively to include an understanding of Islamic family law, marriage registration procedures, and the legal impacts of unregistered marriages on the rights of wives and children. Through Marriage Guidance (BIMWIN) organized by the Ministry of Religious Affairs, Indonesia has not reached all prospective brides and grooms due to budget and resource limitations (Maimun et al., 2024, p. 527). Evaluation of the effectiveness of premarital education programs shows a significant increase in understanding and compliance with marriage registration in Malaysia, while in Indonesia, the impact is still limited. Integration between the completion of premarital courses and the issuance of marriage permits in Malaysia creates an effective monitoring mechanism, different from Indonesia, where the two often run separately (Mohamad, 2011, p. 59).

Both countries' geographical and demographic conditions also shape compliance patterns with marriage registration, which have different characteristics. Indonesia, with an archipelago consisting of more than 17,000 islands, faces challenges in the equitable distribution of marriage registration services, especially in remote areas that are difficult to reach (Nurlaelawati, 2019, p. 138). Limitations in the number and distribution of Religious Affairs Offices (KUA) as implementers of marriage registration in Indonesia result in some communities having to travel long distances and pay high transportation costs to register their marriages. Malaysia, with a smaller and more integrated territory, is able to provide more equitable and affordable access to marriage registration services for its population (Abdullah, 2007, p. 525). Population density and urbanization also influence compliance patterns, where urban areas with high density show better marriage registration compliance rates compared to scattered rural areas. Age and generational factors also play a role, with younger generations more open to technology and showing higher compliance rates in utilizing online registration systems provided by the governments of both countries (Vivien, 2017, p. 145).

Marriage Registration within the Framework of *Maqāṣid al-Sharī'ah*

Marriage registration in Islamic family law serves as a protection mechanism for fundamental values formulated within the framework of *maqāṣid al-sharī'ah* (Edi Kurniawan et al., 2020), although not explicitly mentioned in classical *fiqh* literature.

Maqāṣid al-sharī'ah constitutes the purposes and secrets of Sharia established by God (al-shāri') in each of His laws, all of which culminate in human welfare in this world and the hereafter (Ibn 'Āshūr, 2004, p. 165; al-Fāsī, 1993, p. 7; al-Zuhaylī, 2011, II: 308). Within this framework, the intended welfare manifests in five fundamental principles known as *al-ḍarūriyyāt al-khams*, namely the protection of religion (*dīn*), life (*naḥs*), lineage (*naṣl*), property (*māl*), and intellect (*'aql*)—as also affirmed in *al-Muwāfaqāt* (al-Shātibī, 2005, II: 8).

When this classical *maqāṣid al-sharī'ah* theory is contextualized, the function of *ḥifẓ al-dīn* (protection of religion) is reflected in the legal legitimacy of a marriage bond, which prevents deviant marriage practices from Sharia principles and avoids religiously unlawful relationships. *Ḥifẓ al-naḥs* (protection of life) is actualized through the security and psychological tranquillity of married couples who possess authentic documents of their marriage status, which impacts emotional stability and mental protection from legal uncertainty.

Furthermore, marriage documentation ensures *ḥifẓ al-naṣl* (protection of lineage) by establishing clarity of children's parentage and legal recognition of their status, facilitating birth certificate management and fulfilling other children's rights. *Ḥifẓ al-'aql* (protection of intellect) is manifested in the ease of access to formal education for children from registered marriages, which educational institutions practically require. Meanwhile, *ḥifẓ al-māl* (protection of property) is guaranteed through legal status clarity in inheritance distribution, provision of maintenance, and joint property arrangements in case of divorce.

In regulatory practice, the *maqāṣid al-sharī'ah* approach to marriage registration shows paradigmatic and implementation differences between Indonesia and Malaysia. Indonesia conceptually separates Sharia-based marriage validity from administrative registration requirements. This dualism often causes desynchronization between legal protection and the normative aims of Sharia. Conversely, Malaysia implements integration between Sharia legality aspects and administrative registration through Act 303 Islamic Family Law, which substantively represents *maqāṣid* objectives more comprehensively and operationally.

From a legal methodology perspective, Indonesia largely adopts the *maṣlaḥah mursalah* approach in formulating marriage registration policy as an administrative state obligation. However, this approach has not been fully synergized with *maqāṣid al-sharī'ah* construction in formal policy. Malaysia, by contrast, has successfully institutionalized *maqāṣid* values in every stage of the registration system—from premarital courses and administrative requirements to legal documentation. Malaysia's sanction system better reflects the values of *ḥifẓ al-dīn* and *ḥifẓ al-māl* through proportional and effective fine provisions and legal consequences that encourage compliance. Malaysian public awareness of registration urgency is also higher because it is socialized as part of religious teaching protection, not merely an administrative obligation.

The concept of *maṣlaḥah mursalah*, namely benefits not explicitly stated in religious texts (Haq, Muchtia, & Mukhlis, 2021), becomes an important basis for forming registration policies in both countries. Indonesia uses this approach to establish registration as an administrative obligation but has not holistically linked it to Islamic family law reformulation. Based on the principle of *dar' al-mafāsid muqaddam 'alā jalb al-maṣāliḥ* (preventing harm takes precedence over acquiring benefits), both Indonesia and Malaysia agree that registration is an instrument for preventing legal harms such as invalid marriage status, the uncertainty of wives' and children's rights, and chaos in the inheritance system.

However, Malaysia has demonstrated a more adaptive contextualization of *maṣlaḥah mursalah* to modern social developments by building a technology-based registration system, such as the Malaysian Islamic Marriage Management System (SPPIM), that integrates with the state administrative system (Ghazali et al., 2022). In Indonesia, the Marriage Management Information System (SIMKAH) emerged as a response to these needs (Aditya & Wardana, 2022) but has not been fully integrated into a Sharia values-based legal protection system. Differences in religious authority roles also affect policy effectiveness: Malaysia's Department of Islamic Development (JAKIM) is more proactive in conveying registration urgency within the framework of religious protection, while Indonesia faces challenges in cross-sectoral communication between religious institutions and policymakers.

Implementing effective registration systems also significantly impacts protecting women's and children's rights—two vulnerable groups that are the main focus within the *maqāṣid al-sharī'ah* framework. The legally valid status of a wife enables women to claim their rights, such as maintenance, residence, and recognition of joint property. Children from registered marriages receive certainty of lineage and legal inheritance rights without undergoing complex verification processes. In the context of divorce, registration provides greater legal strength for women, particularly in determining child custody and property settlement.

In both countries, registration also serves as a preventive measure against underage marriages through age verification of prospective spouses. This plays a role in protecting the physical and psychological health of girls who are vulnerable to negative impacts from early marriage practices. The different effectiveness of registration policies between Indonesia and Malaysia impacts the quality of protection for women and children. Malaysia has achieved more through integrating legal, administrative, and social service systems.

Thus, integrating *maqāṣid al-sharī'ah* in reformulating marriage registration policy is an urgent need for both countries, despite different approaches and sociocultural contexts. Digital registration systems such as SIMKAH and SPPIM need to be designed not only as technical instruments but also as embodiments of protection of *ḥifẓ al-dīn*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl*. Harmonization between religious law and state law in the context of marriage registration requires intensive

collaboration among religious scholars, academics, and policymakers to produce regulations aligned with Islamic values and modern society's needs. Sanction system reform in registration also needs to be directed at the principle of *tawāzun* (balance) in *maqāṣid al-sharī'ah*, by establishing sanctions that are sufficiently pressing yet still proportional to create compliance based on awareness, not merely legal compulsion. Malaysia's experience can serve as a reference for Indonesia in developing a responsive, integrative registration system based on Sharia values.

Policy Reformulation and Legal Compliance Enhancement Strategies

An ideal marriage registration model can be developed by drawing lessons from the experiences of Indonesia and Malaysia, each with their strengths in implementing marriage registration policies. Malaysia's marriage registration system, with an integrated structure between religious provisions and state administration, offers a solid foundation for building public awareness about the importance of registration. The marriage registration process in Malaysia, which involves layered verification of marriage requirement validity and administrative compliance, is worth adopting to enhance the validity of marriage registration. With its long experience in managing cultural diversity and customs, Indonesia has a more flexible approach to accommodating local values in marriage registration practices. Integration of premarital courses with marriage permit issuance, as implemented in the Integrated Module of Islamic Premarital Course (MBKPI) in Malaysia, should be considered as part of the registration system reform in Indonesia. The ideal model must also consider cost affordability and ease of access, especially for communities in remote areas that often experience geographical and economic barriers in registering their marriages.

Restructuring the sanction system is important in optimizing public compliance with marriage registration provisions in both countries through different approaches. The Rp7,500 fine established in Government Regulation Number 9 of 1975 in Indonesia is no longer relevant to current economic conditions. It must be adjusted to a more proportional value to provide a deterrent effect. Malaysia's experience with fines of RM1,000 and imprisonment threats of up to six months has proven effective in encouraging public compliance because it creates a rational consideration that the cost of non-compliance far exceeds the cost of compliance. The principle of balance needs to be applied in sanctions restructuring, considering the different economic capabilities of communities but still significant enough to create a preventive effect. Application of tiered sanctions according to types of violations as regulated in Sections 35, 36, 38, 39, and 40 of Act 303 Malaysia should also be considered for implementation in Indonesia because it provides proportional justice according to the severity of violations. Restructuring involves sanction amounts and enforcement mechanisms that must be strengthened with effective monitoring systems and coordination among law enforcement agencies.

Information technology in marriage registration administration has become necessary in the digital era to facilitate public access and improve service efficiency. The Malaysian Islamic Marriage Management System (SPPIM), E-Munakahat, and E-Qaryah developed by Malaysia have successfully simplified the marriage registration process through online registration that can be accessed anytime and anywhere. Development of the Marriage Management Information System (SIMKAH) in Indonesia must be expanded to remote areas with adequate infrastructure support and more user-friendly interfaces. Integrating marriage registration databases with national population systems and other public services will facilitate data verification and prevent document falsification and unregistered marriages. Automation of document verification and validation processes can reduce convoluted bureaucracy and unofficial costs that are often complaints from the public in managing marriage registration. Digital technology utilization also enables continuous monitoring and evaluation of marriage registration policy implementation for continuous improvement.

Harmonizing religious and state law in the context of marriage registration is both a challenge and an opportunity to increase public compliance through a balanced approach. Malaysia has successfully built the image that state law is a manifestation of Islamic law that must be obeyed, thus minimizing potential normative conflicts in public perception. The harmonization approach needs to involve intensive dialogue among religious authorities, policymakers, and community leaders to understand the position of marriage registration within the framework of contemporary Islamic law. Developing Indonesian-specific *fiqh* responsive to modern state administrative needs can bridge the gap between classical provisions and contemporary demands regarding marriage documentation. The roles of the Indonesian Ulema Council, Nahdlatul Ulama, Muhammadiyah, and other religious organizations need to be optimized to socialize an integrative understanding of religious validity and state legality in marriage. Harmonization also includes unifying adjudication authority for marriage registration violations into the jurisdiction of Religious Courts to avoid authority dualism that often creates confusion in society.

Public education strategy and strengthening legal awareness become key in forming a culture of compliance with marriage registration provisions among the broader community. The Integrated Module of the Islamic Premarital Course (MBKPI) program in Malaysia, which requires prospective spouses to attend comprehensive training on Islamic family law, including marriage registration, is worth adopting and expanding in Indonesia. The involvement of religious figures, traditional leaders, and community leaders in socializing marriage registration needs to be enhanced, given their significant influence in shaping public opinion. Educational materials must be packaged in easily understood language and contextualized with local values to facilitate public acceptance of marriage registration obligations. Various communication channels, from conventional media to social media, can expand the reach of socialization, especially to younger generations who will enter marriageable

age. Strengthening legal awareness also needs to emphasize the negative impacts of unregistered marriages on women's and children's rights, thus creating intrinsic motivation to comply with marriage registration provisions.

Conclusion

This article has analyzed differences in sanction systems and legal compliance levels for marriage registration in Indonesia and Malaysia. The main findings show a correlation between sanction amounts and public compliance levels, where stricter sanctions in Malaysia (fines of RM1,000 and imprisonment of up to six months) prove more effective than nominal sanctions in Indonesia (Rp7,500). Significant differences are also identified in law enforcement mechanisms, where Malaysia implements an integrated resolution system through the Sharia Court. At the same time, Indonesia faces authority dualism between District Courts and Religious Courts. Accessibility of marriage registration systems becomes another determining factor, with Malaysia excelling through the development of integrated systems (SPPIM/E-Munakahat), while Indonesia faces limitations in SIMKAH reach. Other structural factors affecting compliance include the roles of religious authorities, premarital education programs, and geographic-demographic conditions.

The main contribution of this article is the development of a comprehensive comparative analysis that integrates the *maqāṣid al-sharī'ah* approach with legal compliance theory, providing a new perspective in understanding the dynamics of marriage registration policy implementation. This article proves that the successful implementation of marriage registration policy is determined not only by formal regulatory frameworks but also by their alignment with society's sociocultural and religious values. The *maqāṣid al-sharī'ah* approach to marriage registration that emphasizes the protection of fundamental values in Islam proves capable of bridging the gap between traditional Islamic law and modern administrative needs. Implications from these findings include the urgency of marriage registration policy reformulation in Indonesia, including sanctions restructuring, unification of adjudication authority to Religious Courts, and strengthening of technology-based registration systems. These findings also imply the importance of dialogue between religious authorities and policymakers to reach a consensus on marriage registration within the framework of contemporary Islamic law. Theoretically, this article enriches Islamic family law studies with an analytical framework integrating legal compliance theory with *maqāṣid al-sharī'ah* principles. Further research is needed to explore public perceptions of marriage registration through field studies and evaluation of the impact of premarital education programs on increasing legal compliance in various sociocultural contexts.

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