

Reproduction of Unregistered Polygamous: Unregistered Marriage Services and Marriage Simplification

Ahmad Faisal
IAIN Sultan Amai Gorontalo

Abstract

This research presents an analysis of the phenomenon of unregistered polygamy reproduction that occurs in the region of Gorontalo. The research recognizes the issue as being counter-productive to the government's efforts to regulate the administration of citizens' marriages. To gain a deeper understanding of the problem, a qualitative research method was employed, incorporating aspects of observation, interviews, and documentation. The results show that unregistered polygamy is rising due to sociological and epistemological factors, such as the availability of unrecorded marriage services and a simplified view of avoiding adultery. Therefore, the increasing unregistered polygamy reproduction is not caused by strict government regulations or difficult official agency services but more due to pragmatic and simplistic reasons. However, this trend of unregistered polygamy will persist unless addressed through education, advocacy, socialization, and correction efforts.

Keywords: reproduction, polygamy, unregistered marriage services, marriage simplification

Reproduksi Poligami Tidak Tercatat:

Layanan Nikah Tidak Tercatat dan Simplifikasi Perkawinan

Abstrak

Penelitian ini menyajikan analisis terhadap fenomena reproduksi poligami yang tidak memiliki catatan di wilayah Gorontalo. Riset ini menilai isu tersebut kontraproduktif dengan upaya pemerintah mengatur penyelenggaraan perkawinan warga negara. Untuk memahami permasalahan secara lebih mendalam, digunakan metode penelitian kualitatif yang menggabungkan aspek observasi, wawancara, dan dokumentasi. Hasil penelitian menunjukkan bahwa poligami tidak tercatat meningkat karena faktor sosiologis dan epistemologis, seperti ketersediaan layanan nikah siri dan pandangan yang disederhanakan untuk menghindari perzinahan. Oleh karena itu, meningkatnya reproduksi poligami yang tidak tercatat bukan disebabkan oleh peraturan pemerintah yang ketat atau sulitnya pelayanan lembaga resmi, tetapi lebih karena alasan pragmatis dan simplistis. Namun, kecenderungan poligami yang tidak terdaftar ini akan tetap ada kecuali ditangani melalui upaya pendidikan, advokasi, sosialisasi, dan koreksi.

Kata kunci: reproduksi, poligami, nikah siri, Simplifikasi perkawinan

Author correspondence

Email: ahmadfaisal@iaingorontalo.ac.id

Available online at <http://journal.iaingorontalo.ac.id/index.php/au/index>

A. Introduction

Unregistered polygamy refers to the lack of regulation in the administration of Muslim marriages, resulting in the unregistered reproduction of this practice. In addition to the increasing number of occurrences, it also occurs due to low¹ literacy of the community about the sacralization of marriage. The simple view triggers unregistered polygamy, that marriage is conducted to avoid committing adultery.² The Gorontalo Provincial Government, through the Integrated Service Program for Legal Status of Marriage, launched in 2014, targets in 3 years all Muslim communities who have not yet recorded their marriage to be resolved through the program. Meanwhile, 766 couples have been regulated in administrating their marriage registration through the program from 2014 to 2017.³ However, 5 years after the program was completed, the number of unregistered marriages increased instead of decreasing. This is evident from the number of certificates issued by the Religious Court of Gorontalo from 2018 to 2019, which recorded no less than 667 isbat requests filed by the Muslim community.⁴ The availability of unregistered marriage services makes the phenomenon increasingly worrying.

Research on unregistered polygamy tends to focus on the underlying causes and consequences. Unregistered polygamy is also often understood as a result of government regulations that are perceived to be procedurally difficult.⁵ Meanwhile, two tendencies from existing studies can confirm the lack of attention to the dimension of service. First, many studies focus on the factors resulting in the prevalence of unregistered polygamy from the actors' motivation. For example, Zed Bahmid shows that factors such as complex procedures and incidents of pregnancy

¹Mahmud Bakari and Ahmad Faisal, "Layanan Nikah Tidak Tercatat di Gorontalo: Explorasi dan Rekonstruksi," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.1 (2019), p. 219-238.

²Muhammad Ngizzul Muttaqin, "Unregistered Marriage between Indonesian Citizen and Foreign Citizen with The Legal Perspective of Marriage in Indonesia," *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi dan Keagamaan* 7, no.2 (2019), p. 149-162.

³Harsono Pulu Rahman dan Ahmad Faisal, "Problematika Pelayanan Terpadu Kepemilikan Status Hukum Perkawinan Masyarakat Gorontalo," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.2 (2019), p. 349-378.

⁴Laporan Tahunan Pengadilan Agama Gorontalo Tahun 2018 sampai 2019. See <http://pa-gorontalo.go.id/transparan/laporan/laporan-tahunan>, accessed January 2, 2019.

⁵Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018), p. 291-309.

out of wedlock are the basis for the concept. Second, studies that pay attention to the implications of the practice⁶ state that women's rights fade away due to unregistered polygamy.⁷ Similarly, Novita mentions that wives suffer many implications due to polygamies, such as economic difficulties, social isolation, and lack of protection for the welfare of children.⁸ The existing study tendencies show that the availability of unregistered marriage services bringing domino effects for increased cases is not noticed. However, the availability of such services gives those interested in unregistered polygamy a sense of relief and legitimacy.

This research complements the shortcomings of existing studies by analyzing the availability of unregistered marriage services as a trigger for the prevalence of cases in society. The ease of access is directly related to the motivation of the actors, which can affect the increase in cases. It is vital to understand how suppliers of unregistered marriage services operate to increase the durability and security of the services. Specifically, This study explores the societal obsession with unregistered marriages and the ways in which the procedures are carried out. A deep understanding of the services provides a model for solving problems and lessons learned for formulating action plans to handle unregistered polygamy.

This study is based on the premise that unregistered polygamy is not impacted by the motivations of those involved or other related factors. Instead, the study argues that the availability of marriage services contributes to the increasing prevalence of unregistered polygamy. This increase has made it difficult for the state to effectively manage its citizens' marriages. In addition to being able to occur due to a perceived difficult marriage service system,⁹ various misconducts in society due to limited knowledge also become the basis for the ongoing prevalence of the phenomenon. Meanwhile, the widespread dissemination of false information has impeded the proper functioning of public education. The proliferation of inaccurate

⁶Alfiya Wicaksono, "Implication of Unregistered Marriage for Women: Profitable and Detrimental, *Norma*, 2019.

⁷Kustini dan Nur Rofiah, "Perkawinan Tidak Tercatat: Pudarnya Hak-Hak Perempuan (Studi di Kabupaten Cianjur)," *Harmoni: Jurnal Multikultural & Multireligius* 12, no.2 (2013), p. 72-87.

⁸Novita Dewi Masyithoh et al., "Unregistered Polygamous Marriage of Servants and Its Implication for Wives, Financial Problem, Social Fate and Loss of Children's Welfare," *International Journal of Early Childhood Special Education* 13, no.2 (2019), p. 312-318.

⁹Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018), p. 291-309. <https://doi.org/10.1017/jlr.2018.28>

knowledge undermines sound knowledge and perpetuates the cycle of unregistered polygamy in society.

B. Literature Review

Polygamous Reproduction is unregistered

The phenomenon of polygamy is a relevant and ongoing subject of discourse in society. According to legal standards, the practice of polygamy necessitates both authorization and proper documentation. However, instances have arisen in which individuals opt to circumvent these procedures by engaging in unregistered polygamy. This form of multiple marriage, referred to as Siri or clandestine polygamy, takes place when the husband enters into multiple unions without the endorsement of the government. Even though it is unregistered in government documents, this polygamy is legal according to Islamic law. However, the authority responsible for administering Muslim marriage records in Indonesia is unregistered by the Office of Religious Affairs (KUA).¹⁰ Unregistered polygamy has no legal protections, which can be detrimental to the wife and children, who are entitled to their fundamental rights.¹¹ It is a marriage process carried out without administration as part of the conditions set by the state.¹²

Unregistered polygamy has several detrimental impacts on family life. To begin with, conflict often arises when the first wife becomes aware of the existence of other spouses. Secondly, there are administrative issues related to population management, such as the creation of Family Cards (KK), Identity Cards (KTP), and Birth Certificates for children. Thirdly, the issue of inheritance distribution among family members is complicated. Finally, there are problems that arise within the family in the areas of economy, education, and health. Generally, it gives a negative

¹⁰Abdul Edo Munawar, "Nikah Siri dan Poligami (Antara Kesadaran Sosial Keagamaan dan Benturan Perundang-Undangan)," *Jurnal Hukum Islam* 17, no. 1 (2019), p. 20-39. <https://doi.org/10.28918/jhi.v17i1.1742>.

¹¹Rahmawati, Wiwin Putriawati dan Leni Nurul Kariyani, "Dampak Poligami Bawah Tangan terhadap Hak Anak di daerah Transmigrasi," *JISIP (Jurnal Ilmi Sosial dan Pendidikan)* 5, no. 1, Januari 2019.

¹²Annisa Yusuf, Teuku Yudi Afrizal dan T Saifullah, "Kajian Yuridis terhadap Perkawinan Poligami yang Tidak Tercatat (Studi Penelitian di Desa Kota Pantan Labu Kecamatan Tanah Jambo Aye Kabupaten Aceh Utara)," *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 2, no. 3, April 5 (2019), p. 219-229. <https://ojs.unimal.ac.id/jimfh/article/view/4067>.

social stigma and unclear marital status. Polygamous marriage is governed by laws and regulations and, as a legal act, it has certain consequences that greatly affect the wives and children involved.¹³

Unregistered Marriage Services

The marriage process involves both theological and administrative aspects of legality and state recognition.¹⁴ Marriage registration, as required by established laws, ensures legal certainty and protects the rights of the parties involved, as well as proper population administration. The government provides a marriage registration service, with the Religious Affairs Office (KUA) serving as the official institution for facilitating the process for Muslim citizen.¹⁵ A legally recognized marriage is valid both substantively and administratively. Religion also places emphasis on proper administration in marriage. However, some services offer unregistered or "Siri" marriages, allowing parties to get married without proper administrative records.¹⁶

According to Kustini, despite the presence of marriage registration institutions, certain communities fail to register their unions. The reasons for this include a scarcity of information and understanding regarding the significance of proper administration, as well as the parties' inability to meet the necessary administrative requirements for getting married.¹⁷ Furthermore, providers of unregistered marriage services tend to use morality as a factor or reason to justify their services¹⁸. According to Aljarofi, unregistered marriage services are performed due to a lack of knowledge about the applicable procedures. Additionally, there are

¹³Bambang Sugianto, "Kedudukan Ahli Waris pada Perkawinan Poligami," *al-Adl: Jurnal Hukum* 9, no. 2 (2017). <https://ojs.uniska-bjm.ac.id/index.php/alldi/article/view/942/797>.

¹⁴Mahmud Bakari dan Ahmad Faisal, "Layanan Nikah Tidak Tercatat di Gorontalo: Explorasi dan Rekonstruksi," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.1 (2019), p. 219-238.

¹⁵Alinda Ahmad Ishak dan Muhibbuddin, "Pencatatan Perkawinan Lintas Kantor Urusan Agama di Kota Gorontalo, *al-Mizan* 15, no. 1 (2019), p. 55-80.

¹⁶Amanda Zubaidah Aljarofi, "Kategori Perkawinan Belum Tercatat dalam Blangko Keluarga Perspektif Yuridis," *al-Hukama* 9, no. 2 (2019), p. 296-324. <http://jurnalsh.uinsby.ac.id/index.php/alhukuma/article/view/763>.

¹⁷Kustini dan Wahidah R. Bulan, "Pelayanan Pernikahan di Kabupaten Nunukan: Antara Mengatasi Keterbatasan dan Menjaga Kemaslahatan," *Harmoni: Jurnal Multikultural & Multireligius* 14, no. 3 (2015), p. 85-98. <https://jurnalharmoni.kemenag.go.id/index.php/harmoni/article/view/101/85>.

¹⁸Mahmud Bakari dan Ahmad Faisal, "Layanan Nikah Tidak Tercatat di Gorontalo: Explorasi dan Rekonstruksi," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.1 (2019), p. 219-238.

no fees for the paperwork process at the registration institution.¹⁹ Although unregistered marriages may prioritize the well-being of the couple, they disregard the principles of administrative justice as laid out in Maqashid Sharia.²⁰

Marriage Simplification

The institution of marriage is recognized in society both religiously and legally. One of the legal guarantees is reflected in the administration by competent authorities. In Islamic law, marriage is considered sacred, therefore, its requirements and fundamentals are determined. Likewise, it is considered valid when the conditions and pillars are fulfilled.²¹ Some processes are often considered easy and simplified by those who get married. This is called the simplification of marriage, namely the process and essence of marriage carried out by certain parties. This simplification is a form of institutionalization with a capitalist character when viewed from the perspective of cultural globalization. Individuals or institutions need to organize marriage to change the existing culture.²² Therefore, the simplification relates to the process which performs marriage. It has a compromising attitude that can be adopted and reconstructed into something new and recognized by society.

In some cases, polygamy marriages are often seen as a solution to poverty. However, this view simplifies the marriage bond as an economic contract for well-being. Simplification is also carried out by those who wish to practice polygamy. Institutions like religious courts or affairs offices may offer shortcuts for private or unregistered marriages, but they are not legally recognized.²³ This is considered easier than applying to a legally recognized institution. The simplification of

¹⁹Amanda Zubaidah Aljarofi, "Kategori Perkawinan Belum Tercatat dalam Blangko Keluarga Perspektif Yuridis," *al-Hukama* 9, no. 2 (2019), p. 296-324. <http://jurnalfsh.uinsby.ac.id/index.php/alhukuma/article/view/763>.

²⁰Dahlia Haliah Ma'u, "Nikah Sirri dan Perlindungan Hak-Hak Wanita dan Anak (Analisis dan Solusi dalam Bingkai Syariah)," *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum* 1, no. 1 (2016), p. 35-49.

²¹Edi Gunawan, "Nikah Siri dan Akibat Hukumnya menurut UU Perkawinan," *Jurnal Ilmiah al-Syir'ah* 11, no. 1, (2013).

²²Syahril Jamil, "Kesenambungan dan Perubahan Budaya pada Perkawinan Adat Uluan Musi," *Khazanah: Jurnal Sejarah dan Kebudayaan Islam* 9, no. 18 (2019), p. 161-173. <https://www.rjfahuinib.org/index.php/khazanah/article/view/236>.

²³Ratna Kusuma Wardani dan Idaul Hasanah, "Pemenuhan Hak Anak dalam Keluarga Poligami," *Jurnal Perempuan dan Anak* 1, no. 1 (2015), p. 1-6. <https://doi.org/10.22219/pa.v1i1.2744>

marriage is also related to customs in the procession, which becomes the culture of a region but is subjected to changes with shifting or eroding meaning.²⁴ Therefore, simplification is often carried out by people who tend to have problems in terms of legal and religious provisions.

C. Method

Community groups that provide services and use unregistered marriage services are the focus of this research. Apart from being widely available, these services directly affect the reproduction of unregistered polygamy. Ease of access and simple procedures have become the reason users take advantage of this opportunity to legalize their marriages. They also tend to refuse various requirements stipulated in state regulations, such as permission from the wife and dispensation for candidates whose age has not reached the stipulated age.²⁵ A problem-solving model can be developed by studying the social groups that provide and access these services to address the increase in unregistered polygamy reproduction.

This research uses a qualitative method with a type of case and explanation. The approach was selected because it can explain phenomena naturally and holistically. Furthermore, it explores the informants' actual experiences, including their understanding of the context of the problem.²⁶ Data were collected through observation, interviews, literature searches, and documentation from March to August 2017. Additional interviews were performed by telephone in 2019 to update current information on unregistered polygamy. Informants are religious leaders, service providers, users of unregistered marriage services, heads of KUA, and Religious Courts.

The research location is Siendeng Village, Hulondalangi Sub-district, Gorontalo City. In Siendeng Village, a private marriage interpreter named Nur Alinti

²⁴Anisa Puspa Rani, Dwi Setiawan Chaniago dan Syarifuddin, "Insakralitas Pemilihan Jodoh dalam Perkawinan Keluarga Kontemporer," *Resiprokal: Jurnal Riset Sosiologi Progressif Aktual* 1, no. 1 (2019), p. 1-13.

²⁵Kamarusdiana dan Ita Sofia, "Dispensasi Nikah dalam Perspektif Hukum Islam," *Salam: Jurnal Sosial dan Budaya Syar'i* 7, no. 1 (2020), p. 49-64. Doi:10.15408/sj.sbs.v7i1.14534

²⁶Oki Sugiyanto, "Penelitian Kualitatif, manfaat dan Alasan Penggunaan," *Creativepreneurship* (2017).

started providing unregistered marriage services. Private marriage flight attendants provide similar services, known as the new Nur Alinti. Uniquely, the house where Nur Alinti served the unregistered marriage is right behind the KUA Office of the Hulondalangi Sub-district today.

The analysis is carried out following the three stages of Huberman and Miles, namely data reduction, display, and verification.²⁷ The reduction process is performed by categorizing data based on research questions. Finally, verification is carried out by comparing data from various sources, then using interpretive analysis to ensure its significance.

D. Results and Discussion

Unregistered polygamous: the habitus of a long-history product

The Siendeng area in Gorontalo is at the village level, which is not prominent administratively. However, it is very popular in Gorontalo, not because of other achievements or advantages. It became popular because unregistered marriage services are available, which are known by the Muslim community in Gorontalo.

Muhammad Nur Alinti,²⁸ a former employee of the Ministry of Religion, resigned in 1967 and began practicing as a “private marriage administrator” from 1975 until he died on April 3, 2013. This was conveyed by the son in an interview as follows:

“Mr. Muhammad Nur Alinti started serving couples who wanted to get married in 1975 until 2013 after dying. According to Alinti’s confession, when I asked about his background, the provisions of Law No. 1 of 1974, which required the registration of marriages, were contrary to the spirit of religion. Many people who want to get married are hindered by the conditions stated in law number 1 of 1974 with this arrangement”.²⁹

Ismail (Head of KUA) stated that while on duty at Siendeng in 2006, he was shown data on the number of couples Nur Alinti married, which was quite

²⁷Huberman and Miles, “Teknik Pengumpulan dan Analisis Data Kualitatif,” *Jurnal Studi Komunikasi dan Media* (1992).

²⁸Tokoh ini pernah menjadi salah satu obyek penelitian tentang realisasi 25 Tahun Pelaksanaan Undang-Undang No. 1 Tahun 1974 tentang Perkawinan, oleh Moh. Zahid di bawah sponsor Badan Penelitian dan Pengembangan Agama Depag. RI. Lihat Moh. Zahid. *Dua Puluh Lima Tahun Pelaksanaan Undang-Undang Perkawinan* (Jakarta: Balitbang Depag RI, 2003), p. 62-63.

²⁹Syukri Alinti (son of Nur Alinti, unregistered marriage service providers), *interview*, Gorontalo, 2015.

reasonable, around 40,000. To Ismail, Nur Alinti also expressed that the action was a solution amid the bureaucratization of marriage administration regulated by the state. Furthermore, the marriage book should be published after it is confirmed that the marriage will no longer cause problems or lawsuits from any party. The ideal time to publish a marriage book is 6 months after the contract is made.³⁰

According to Nur Alinti's confession, the husband and wife in a marriage come from diverse sociological backgrounds, but they tend to be well-educated, with some even being officials."³¹

According to Syukri's father, most couples are in polygamous relationships and consist of educated individuals familiar with religious and civil laws. Some even came from law enforcement officials such as the police, prosecutors, judges, and KUA officials. According to Nur Alinti's story to Syukri, her father was married to four heads of KUA, one of whom falsified his identity not to be known as the head of KUA, while the other three were honest. From the confession, Syukri Alinti said that Nur Alinti had been married to two District Court judges and prosecutors.³²

The statement was confirmed by Lukman Alinti, also a son of Mr. Nur Alinti. In an interview, Lukman reported that:

"Since childhood, I have watched my father marry off people who come to him only for favors. I know there are civil servants, judges, prosecutors, soldiers, and police, including high-ranking ones. They came with their pregnant female partners..."³³

From the expression above, a hypothesis can be developed that the couples married to Nur Alinti are partners with problems legally and socially. Cases involving Civil Servants (PNS) boil down to the desire to remarry and are limited by the state regulations to obscure the wife's previous marriage. Similar to cases involving brides already pregnant out of wedlock, the couple seems forced to solve their problems due to pressure from the situation. The tendency of people to choose instant problem-solving methods shows their lack of awareness that the nature of marriage in Islam is not just a door to legalizing intercourse.

³⁰Ismail (Head of KUA), *interview*, 2017.

³¹Syukri Nur Alinti (son of Nur Alinti, unregistered marriage service provider) *interview*, Gorontalo, 2017.

³²Syukri Nur Alinti (son of Nur Alinti, unregistered marriage service provider) *interview*, Gorontalo, 2017.

³³Lukman Alinti (Son of Nur Alinti), *interview*, Gorontalo: 2017.

Since this type of marriage began, there have been problems regarding the perpetrator's motives, especially the male party. Many cases have been sued by the first wife, legally married according to religious law and statutory regulations. The first wife reported cases involving civil servants to the agency and the husband's superior of the contract marriage actor. For example, this kind of case occurred in 1984 involving two members of the TNI, both of whom held the rank of colonel. Lukman Alinti retold the story of the father to Lukman as follows:

"...Once in 1984, I married two TNI officers with the rank of colonel without knowing their first wives, and the marriage was held in a hotel. After some time, a lawsuit emerged from the wife's side, and the case even reached the Military Court in Jakarta. Subsequently, the presiding judge, who held the rank of Lieutenant General, invited me as a witness. After the trial, the presiding judge asked about Brother Nur Alinti's intention to become a Muslim. Alinti replied: Ready, sir! After that, I faced the Qiblah, a sideways direction from before the presiding judge. The judge asked me to face him still, but I replied because I had sworn an oath, I had to face the Qiblah, said the presiding judge, "Oh yes, please." After the oath process was about to begin, I refused the ulema who wanted to lift the Qur'an over my head because I had not performed ablution, hence at that time, there was a tug-of-war over the Qur'an. Finally, the presiding judge allowed me to raise the Qur'an over my head, and then the oath began. Do you know these two individuals?" asked the chief judge. "Yes, they are members of TNI I am married to," I replied. The presiding judge asked again, "Are you familiar with these two TNI members, and do you have the courage to marry them?" "Yes, I am," I said. "The Prasetya TNI Oath states in point 3, 'Upholding the Honor of Women' and in point 7, 'Never hurt people,' and that is what guides me," I added, pointing to the text displayed on the wall behind the judge. The presiding judge was surprised because he did not expect me to recite the TNI's oath of excellence, and then stated Oh, I can also remarry, huh...."³⁴

The story mentions that the last presiding judge's words made the audience laugh, leading to the acquittal of the lawsuit against the two officers. As a private flight attendant, Nur Alinti faced several interesting cases. The brother, Jufri Alinti, also showed that she married a convert in 1985 with the consent of her guardian, who was not a Muslim. This prompted the Regent Head of Gorontalo to hold a meeting to clarify the situation, accompanied by the Chairpersons of the Regency and Gorontalo City Religious Courts. During the meeting, Nur Alinti cited the example of Prophet Muhammad's marriage to Khadijah, who was guarded by

³⁴Lukman Alinti (Son of Nur Alinti) *interview*, Gorontalo, 2017.

her uncle Warakah Bin Naufal, a polytheist. Despite this argument, the two Chief Religious Court judges did not respond.³⁵

After performing a marriage ceremony, Nur Alinti issues a certificate that states the couple's names (X and Y) and mentions they asked to be married under supervision. The certificate is stamped and signed, making it official. Despite protests and lawsuits from various parties, the first wife who discovers her husband's polygamy, the certificate acts as proof. It protects Nur Alinti from being charged with a crime under Criminal Code Articles 279 and 284.³⁶

Unregistered polygamy allegedly occurs in many places on various scales, openly or secretly. After the death of Nur Alinti, the Siri marriage service is continued by Syukri Alinti and several other people who provide the services and act as "personal" interpreters. The names of unregistered marriage service providers can be seen in table 1 below:

Table 1
List of Unregistered Marriage Service Providers in Gorontalo

No	Name	Status	Profession
1	Muhammad Nur Alinti	Die	Retired civil servants
1	Syukri Alinti	Active	Self-employed
2	Hasyim Y. Usman	Active	Imam of the Mosque
3	Ismail Syukur	Active	Territory Priest
4	Yunus Oliy	Die	Self-employed
5	Takrim Rahim	Active	Self-employed
6	Muhammad Amin	Active	Imam of the Mosque
7	Ibrahim Arkani	Die	Self-employed
7	Muhammad Akadji	Active	Imam of the Mosque

Sumber: compiled by researchers, 2017.

Even though it is no longer as fun as when Nur Alinti was still alive, the Muslim community identifies Siendeng Village with the unregistered marriage service.

³⁵Jufri Alinti (Son of Nur Alinti), *interview*, Gorontalo, 2017.

³⁶Pasal 284 mengatur tentang ancaman pidana bagi laki-laki yang beristeri atau isteri yang bersuami, berbuat zina padahal diketahuinya bahwa pasangannya berbuat zina sudah memiliki suami atau isteri. Menggunakan pasal 284 KUHP tersebut, Pengadilan Negeri Maros Sulawesi Selatan pernah menjatuhkan pidana perzinahan bagi pelaku nikah *sirri*. Lihat putusan PN Maros No. 35/Pid.B/2012/PN. MRS.

The reproduction of polygamy is unregistered due to the availability of easy and simple services

The availability of unregistered marriage services has increased by reproducing polygamy in Gorontalo. Ease of access and simple procedures are often cited as the reasons many parties are interested in taking advantage of these services. In terms of procedures, marriages facilitated by private bridesmaids are the same as weddings at the KUA. Hasyim Y Usman, one of the service providers, explains the stages as follows:

- a. Before the marriage contract is held, the two pairs of candidates are presented together, then the private interpreter asks the guardian, witnesses, and others.
- b. The guardian of marriage is the biological father or biological brother
- c. Witnesses are one person from the male or the female side and the local community
- d. The marriage sermon is read by a private interpreter then followed by consent granted until declared valid by the witness
- e. A private marriage interpreter reads the prayer
- f. The *sighat ta'lik* is read by a private marriage interpreter with a prepared concept
- g. Giving a piece of paper as proof that the person being married is legal as husband and wife.
- h. Pay for services in the amount of 1,000,000 rupiahs.³⁷

In a similar context, an unregistered polygamist describes the simple marriage procession as follows:

“I got married as usual, attended by neighbors, friends, and family. In marriage, the biological father is the guardian and is witnessed by community leaders. After all, my future husband’s status is divorce, but a certificate does not prove this, and the marriage fee is 1,500,000 (one million five hundred thousand rupiahs).”

Abdul Aziz, a community leader, told a slightly different version. According to him, the perpetrators of unregistered marriages sometimes invite private priests to attend inns or hotels, then marry off the perpetrators with a wage of 1,000,000 (one million rupiahs).³⁸

³⁷Hasyim Y. Usman (unregistered marriage service providers), *interview*, Gorontalo, 2017.

³⁸Abdul Aziz (public figure), *interview*, 2017.

In general, polygamists know about unregistered marriage services from informal information. Amran claimed that his friend had told him³⁹ and Rio found out from the neighbors.⁴⁰ Likewise, Rifki Maulana knew about the concept from a friend with prior knowledge about the service.⁴¹ Based on the statements of the three perpetrators, information about unregistered marriage services is already popular in the community, even though this has not been promoted by all service providers.⁴²

The ease of access to this service is also due to its position in the city center, making it easier for the users. Geographically, Siendeng is only about 2 km from Gorontalo City, and the houses of the service providers are also on the main road. Each service provider's house has been provided with a special room for contract execution. In addition to the decorated rooms, the aisle, traditional clothes, and other necessary equipment have also been prepared. Service users only need to adjust their choices according to their financial capabilities.

Polygamy reproduction is unregistered because of the simplification of marriage

All unregistered marriage service providers put forward a morality argument when explaining their reasons. Even though it sounds apologizing, Syukri Alinti provides unregistered marriage services because of the wider benefit. It is presupposed that when the applicant is left unmarried, while the formal marriage institution cannot meet the requirements, this will lead to adultery in society.⁴³ The continuation of this act can cause the emergence of an order of life in the people and the behavior of social relations, as well as damage to patterns of community interaction, especially in the institution of marriage.

Takrim Rahim made a similar statement as follows:

“...in principle, the marriages are only to help people experiencing difficulty getting married legally according to state regulations. Instead of continuing to commit adultery, it is better to marry.”⁴⁴

³⁹Amran (users of marriage services are unregistered), *interview*, Gorontalo, 2017.

⁴⁰Rio (users of marriage services are unregistered), *interview*, Gorontalo, 2017.

⁴¹Rio (users of marriage services are unregistered), *interview*, Gorontalo, 2017.

⁴²Ismail Syukur (unregistered marriage service providers), *interview*, Gorontalo, 2017.

⁴³Syukri Alinti (unregistered marriage service providers), *interview*, Gorontalo, 2017.

⁴⁴Takrim Rahim (unregistered marriage service providers), *interview*, Gorontalo, 2017.

The writer categorizes expressions of concern about the simplification of marriage, and the problem is resolved after consent is granted. Thus, it is not an exaggeration to assert that the paradigm selected is marriage to legalize intimacy. Future repercussions, particularly those that could affect women, were not considered.

Service-user couples also share the simple marriage paradigm, as mentioned above. For example, AO said that one of the officials in his office already had three wives, two of whom were married privately in front of Pak Muhammad Nur Alinti. The official looked quite comfortable because even though the second and third wives were in unregistered marriages, the household life was going well. AO was prideful of having the courage to practice polygamy as an achievement.⁴⁵

The story about the simplification of marriage was told by R, the actor with the status of a Civil Servant who served at the Regional Office of Gorontalo Province. In the interview, the following was reported:

“Initially, I only had one wife, but because it did not suit me, I divorced. After divorcing my first wife, in 2000, I married another woman, but my parents did not approve. Less than a year, they wanted me to marry the woman of their choice, and the marriage, which was arranged under Nur Alinti, took place without the knowledge of my second wife. Recently, I had a debt of IDR. 13,000,000.- (thirteen million rupiah) to a woman, and I have not been able to pay. The woman offered me the option that my debt would be paid off when I married her. I also agreed and underhandedly married this woman without the knowledge of my second and third wives.”⁴⁶

Another actor who works as a senior employee at the Rajawali Sugar Factory named MH also gave the following narrative:

“Initially, I was happy with a wife and was blessed with three children. Alhamdulillah, I can support my children and wife well with enough income that I obtained from the company. But this past year, I have been in a relationship with a younger woman. She became pregnant, and in the 6th month, an out-of-wedlock marriage was conducted without my first wife knowing. The first wife only found out about my second marriage 6 months later. After the discovery, my first wife became stressed and sick due to facing two difficult choices, asking for a divorce at the risk of supporting herself or being willing to marry. Finally, she will be able to accept my second wife’s presence on the condition that the basic income is given to the first wife and other assets may not be given to the second.”⁴⁷

⁴⁵AO (informant), *interview*, 2017.

⁴⁶R (Unregistered polygamy), *interview*, Gorontalo, 2017.

⁴⁷MH (Unregistered polygamy), *interview*, Gorontalo, 2017.

The perpetrator seemed proud because the action was acceptable to the two women when presenting the story. The simple impression from the cases accompanying unregistered polygamy simplifies the problem when the consent granted is a door to avoid adultery without the burden of guilt on the aggrieved party. Therefore, pragmatism becomes the main impression of unrecorded polygamy events. The evidence is limited because they feel bound by normative rules, religious rules, and state laws and regulations.

E. Discussion

This research shows that the rise of unregistered polygamy occurs due to the simple understanding of marriage and providing services easily accessed. The various motivations of the actors who did not publicize their marriage from the start made service a mutually beneficial solution. In addition to very simple procedures and stages, accessibility of access and comparatively low fees are other supporting elements that have led to the widespread usage of unregistered marriage services.

The increase in unregistered polygamy reproduction is a sign of weakening public literacy regarding the sanctity of marriage and its essence as a basic pillar of quality life development.⁴⁸ Functions supporting strengthening literacy about sanctity cannot be provided by state infrastructure and other partly responsible institutions. The rapid rate of unregistered polygamy reproduction and the emergence of more services are not followed by anticipatory and corrective steps. Therefore, the absence of settlement steps in various forms resulted in the orderly administration of marriage registration from the expected target.

The unregistered polygamy reproduction seems to be increasing due to a precondition that places society as a victim. Meanwhile, weak oversight is an institutional factor that does not support effective problem-solving. Various forms of misconduct in society have caused the phenomenon of unregistered polygamy to continue to experience reproduction. Disinformation that is not educational and misleading has become a weak basis for problem-solving power. Institutional

⁴⁸Zulfahmi, "Urgensi Penyelenggaraan Kursus Pra Nikah dan Relevansinya dengan Esensi Perkawinan," *Al-Fikra: Jurnal Ilmiah Keislaman* 19, no.1 (2020), p. 91-112. Doi: 10.24014/af.v19.i1.10379.

factors, easy access to services, and disinformation about marriage regulations by the state have made society's simplistic view of marriage more widespread.

The widespread unregistered practice of polygamy is a major factor delaying the resolution of the orderly administration of Muslim marriages. Various attempts to regulate the administration of Muslim marriages seem to be counter-productive to the phenomenon of unregistered services. The ease of access over a long period causes people to consider this phenomenon normal and feel there is nothing to blame. Lack of supervision and corrective action has caused this phenomenon to continue. Furthermore, widespread misunderstandings can have more serious consequences for the administration of people's marriages.

This research confirms that polygamy is unregistered, apart from being reproduced by the perpetrators' motives, also because of the availability of services considered easy. The simplification of marriage can be caused by limited knowledge, the content of da'wah that is not solutive, low public literacy, and other factors. The availability of services exacerbates the phenomenon and continues to increase. Therefore, a process of reproduction of phenomena results in various community actions that exacerbate the phenomenon.

Unregistered polygamy requires an action plan at the community and state levels. However, various policies and institutions have failed to protect people and as a result, they have become victims of a lack of knowledge and misleading interpretations. It is therefore necessary to implement comprehensive supervision and continuous coaching measures to suppress unregistered polygamy. Community education must be developed to counteract a simple understanding of marriage. Moreover, it is important to create an action plan that guarantees individuals the right to access accurate and educational information.

F. Conclusion

Unregistered polygamy is due to the availability of services and the simplification of the meaning of marriage. This practice has been going on for a long time, causing thousands of couples not to have a legal marriage. The motive for obscuring the second marriage and getting pregnant out of wedlock is the dominant factor that causes illegal polygamy to increase. Therefore, the increase is not caused

by strict state regulations or the difficulty of serving official institutions but by pragmatic and simple reasons.

This research provides a new perspective in viewing the reproduction of unregistered polygamy on the dynamic process of how subjective motives intertwine with pragmatic services. Ease of access, simplicity of the procedure, and costs considered cheap are the basis for enthusiasts of unregistered marriage services to grow.

Low literacy regarding the sacredness of marriage, and acts of neglect by law enforcement officials, are triggering factors for unregistered polygamy. Therefore, this research emphasizes that as long as advocacy, education, outreach, and corrections to these two aspects are not carried out, unregistered reproduction of polygamy will continue to occur.

This research has limited data sources relying on phenomena in one area, hence it cannot be used as a general basis for policy formulation. Meanwhile, policy formulation as learning requires a wider survey and more massive and in-depth interviews. Surveys, observations, and interviews with service user informants are a strong basis for improving the orderly administration of marriages. Furthermore, follow-up studies that accommodate a wider sample and diverse sources of information can provide knowledge for deeper understanding and better structuring of social life.

References

- Abdul Edo Munawar, "Nikah Siri dan Poligami (Antara Kesadaran Sosial Keagamaan dan Benturan Perundang-Undangan)," *Jurnal Hukum Islam* 17, no. 1 (2019), p. 20-39. <https://doi.org/10.28918/jhi.v17i1.1742>.
- Alfiya Wicaksono, "Implication of Unregistered Marriage for Women: Profitable and Detrimental, Norma, 2019.
- Alinda Ahmad Ishak dan Muhibbuddin, "Pencatatan Perkawinan Lintas Kantor Urusan Agama di Kota Gorontalo, *al-Mizan* 15, no. 1 (2019)
- Amanda Zubaidah Aljarofi, "Kategori Perkawinan Belum Tercatat dalam Blangko Keluarga Perspektif Yuridis," *al-Hukama* 9, no. 2 (2019), <http://jurnalfsh.uinsby.ac.id/index.php/alhukuma/article/view/763>.

- Amanda Zubaidah Aljarofi, "Kategori Perkawinan Belum Tercatat dalam Blangko Keluarga Perspektif Yuridis," *al-Hukama* 9, no. 2 (2019), <http://jurnalfsh.uinsby.ac.id/index.php/alhukuma/article/view/763>.
- Anisa Puspa Rani, Dwi Setiawan Chaniago dan Syarifuddin, "Insakralitas Pemilihan Jodoh dalam Perkawinan Keluarga Kontemporer," *Resiprokal: Jurnal Riset Sosiologi Progressif Aktual* 1, no. 1 (2019)
- Annisa Yusuf, Teuku Yudi Afrizal dan T Saifullah, "Kajian Yuridis terhadap Perkawinan Poligami yang Tidak Tercatat (Studi Penelitian di Desa Kota Panton Labu Kecamatan Tanah Jambo Aye Kabupaten Aceh Utara)," *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 2, no. 3, April 5 (2019), p. 219-229. <https://ojs.unimal.ac.id/jimfh/article/view/4067>.
- Bambang Sugianto, "Kedudukan Ahli Waris pada Perkawinan Poligami," *al-Adl: Jurnal Hukum* 9, no. 2 (2017). <https://ojs.uniska-bjm.ac.id/index.php/alldi/article/view/942/797>.
- Dahlia Haliah Ma'u, "Nikah Sirri dan Perlindungan Hak-Hak Wanita dan Anak (Analisis dan Solusi dalam Bingkai Syariah)," *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum* 1, no. 1 (2016)
- Edi Gunawan, "Nikah Siri dan Akibat Hukumnya menurut UU Perkawinan," *Jurnal Ilmiah al-Syir'ah* 11, no. 1, (2013).
- Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018)
- Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018), p. 291-309. <https://doi.org/10.1017/jlr.2018.28>
- Harsono Pulu Rahman dan Ahmad Faisal, "Problematisasi Pelayanan Terpadu Kepemilikan Status Hukum Perkawinan Masyarakat Gorontalo," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.2 (2019),
- Huberman and Miles, "Teknik Pengumpulan dan Analisis Data Kualitatif," *Jurnal Studi Komunikasi dan Media* (1992).
- Kamarusdiana dan Ita Sofia, "Dispensasi Nikah dalam Perspektif Hukum Islam," *Salam: Jurnal Sosial dan Budaya Syar'i* 7, no. 1 (2020), p. 49-64. Doi:10.15408/sj.sbs.v7i1.14534
- Kustini dan Nur Rofiah, "Perkawinan Tidak Tercatat: Pudarnya Hak-Hak Perempuan (Studi di Kabupaten Cianjur)," *Harmoni: Jurnal Multikultural & Multireligius* 12, no.2 (2013),
- Kustini dan Wahidah R. Bulan, "Pelayanan Pernikahan di Kabupaten Nunukan: Antara Mengatasi Keterbatasan dan Menjaga Kemaslahatan," *Harmoni: Jurnal Multikultural & Multireligius* 14, no. 3 (2015), p. 85-98. <https://jurnalharmoni.kemenag.go.id/index.php/harmoni/article/view/101/85>.

- Laporan Tahunan Pengadilan Agama Gorontalo Tahun 2018 sampai 2019. See <http://pa-gorontalo.go.id/transparan/laporan/laporan-tahunan>, accessed January 2, 2019.
- Mahmud Bakari and Ahmad Faisal, "Layanan Nikah Tidak Tercatat di Gorontalo: Explorasi dan Rekonstruksi," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.1 (2019),
- Mahmud Bakari dan Ahmad Faisal, "Layanan Nikah Tidak Tercatat di Gorontalo: Explorasi dan Rekonstruksi," *Jurnal Ilmiah al-Jauhari: Jurnal Studi Islam dan Interdisipliner* 4, no.1 (2019),
- Moh. Zahid. Dua Puluh Lima Tahun Pelaksanaan Undang-Undang Perkawinan (Jakarta: Balitbang Depag RI, 2003),
- Muhammad Ngizzul Muttaqin, "Unregistered Marriage between Indonesian Citizen and Foreign Citizen with The Legal Perspective of Marriage in Indonesia," *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi dan Keagamaan* 7, no.2 (2019),
- Novita Dewi Masyithoh et al., "Unregistered Polygamous Marriage of Servants and Its Implication for Wives, Financial Problem, Social Fate and Loss of Children's Welfare," *International Journal of Early Childhood Special Education* 13, no.2 (2019),
- Oki Sugiyanto, "Penelitian Kualitatif, manfaat dan Alasan Penggunaan," *Creativepreneurship* (2017).
- Pasal 284 mengatur tentang ancaman pidana bagi laki-laki yang beristeri atau isteri yang bersuami, berbuat zina padahal diketahuinya bahwa pasangannya berbuat zina sudah memiliki suami atau isteri. Menggunakan pasal 284 KUHP tersebut, Pengadilan Negeri Maros Sulawesi Selatan pernah menjatuhkan pidana perzinahan bagi pelaku nikah sirri. Lihat putusan PN Maros No. 35/Pid.B/2012/PN. MRS.
- Rahmawati, Wiwin Putriawati dan Leni Nurul Kariyani, "Dampak Poligami Bawah Tangan terhadap Hak Anak di daerah Transmigrasi," *JISIP (Jurnal Ilmi Sosial dan Pendidikan)* 5, no. 1, Januari 2019.
- Ratna Kusuma Wardani dan Idaul Hasanah, "Pemenuhan Hak Anak dalam Keluarga Poligami," *Jurnal Perempuan dan Anak* 1, no. 1 (2015), p. 1-6. <https://doi.org/10.22219/pa.v1i1.2744>
- Syahril Jamil, "Kesenambungan dan Perubahan Budaya pada Perkawinan Adat Uluan Musi," *Khazanah: Jurnal Sejarah dan Kebudayaan Islam* 9, no. 18 (2019), p. 161-173. <https://www.rjfahuinib.org/index.php/khazanah/article/view/236>.
- Zulfahmi, "Urgensi Penyelenggaraan Kursus Pra Nikah dan Relevansinya dengan Esensi Perkawinan," *Al-Fikra: Jurnal Ilmiah Keislaman* 19, no.1 (2020), p. 91-112. Doi: 10.24014/af.v19.i1.10379.