

Sirri Marriage Celebration and Its Impact on Social Change in Banjarese Community, South Kalimantan

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Abstract

This study seeks to reveal that *sirri* marriages, which are usually secret, in the Banjar community are carried out openly and are carried out by *walimah 'ursh* (wedding ceremonies). In contrast to other studies, most of them only discuss the law of unregistered marriage and its legality in Indonesia, this study tends to pay more attention to aspects of habits and shifts in the meaning of the *sirri* marriage. The method used in this study is empirical with an ethnographic-phenomenological approach to the celebration of *sirri* marriages in the Banjar community, South Kalimantan. The results of this study prove that the legality of *sirri* marriages is illegal in Indonesia State, because it is not recorded at the Office of Religious Affairs. However, aspects of the habit of unregistered marriages and holding wedding celebrations in the Banjar community, make *sirri* marriages "as if" they have legal rights in society based on social norms..

Keywords: *sirri* marriage; Islamic law; customary law; Banjarese

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Penelitian ini berusaha mengungkap bahwa perkawinan *sirri* yang biasanya dilakukan secara sembunyi-sembunyi, di masyarakat Banjar dilakukan secara terang-terangan dan dilakukan *walimah al-'ursh* (pesta pernikahan). Berbeda dengan penelitian lainnya, bahwa kebanyakan hanya membahas hukum kawin *sirri* dan legalitasnya di Indonesia, penelitian ini berfokus pada aspek kebiasaan dan pergeseran makna perkawinan *sirri* tersebut. Metode yang digunakan dalam penelitian ini bersifat empiris dengan pendekatan etnografi-fenomenologi terhadap perayaan perkawinan *sirri* di masyarakat Banjar, Kalimantan Selatan. Hasil dari penelitian ini membuktikan bahwa legalitas kawin *sirri* tidak sah di negara Indonesia karena tidak tercatat di Kantor Urusan Agama. Namun, aspek kebiasaan kawin *sirri* dan diadakan perayaan pasca perkawinan, menjadikannya "seakan-akan" mendapatkan legalitas hukum di masyarakat berdasarkan norma sosial.

Kata Kunci: perkawinan *sirri*; hukum Islam; hukum adat; masyarakat Banjar

Introduction

By international regulations, child marriage is prohibited because it is detrimental to the welfare of the mother and child, economically and psychologically.¹ However, there are different variations in one zone and another in the tradition of early or child marriage.² Among them are *sirri* marriages, which are still considered illegal by the Indonesian State but permissible in Islam. Lack of employment opportunities, rural accommodation, livelihood inequality and gender expectations in the socio-economic aspect are the causes of unregistered marriages.³ Structural factors like these will contribute to *sirri* marriages (unregistered marriages).⁴ Meanwhile, poverty is the cause of *sirri's* marriage because, in the short term, it is economically beneficial for the woman's household. However, it does not increase the household's financial stability in the long term because married girls cannot work. Women are more likely to be unemployed, and when employed, they earn less than men.

There are at least two reasons for *sirri's* marriage not being carried out. First, *sirri* marriage is not a prophetic tradition (*sunnah*). The Prophet even ordered a wedding feast (*walimah al-'ursh*) as a public declaration of marriage. The registration of marriage is a manifestation of the declaration.⁵ Second, *sirri*

¹ Susan Andrea Bartels et al., "Making Sense of Child, Early and Forced Marriage among Syrian Refugee Girls: A Mixed Methods Study in Lebanon," *BMJ Global Health* 3, no. 1 (2018); Nub Raj Bhandari, "Early Marriage in Nepal: Prospects for Schoolgirls," *Journal of International Women's Studies* 20, no. 3 (2019): 88; Ms Sarmini, Ulin Nadiroh, and Aminatuz Zuhriyah, "The Pattern of Early Marriage for Girls," in *1st International Conference on Social Sciences (ICSS 2018)* (Atlantis Press, 2018).

² Yudho Bawono and Suryanto Suryanto, "Does Early Marriage Make Women Happy?: A Phenomenological Finding from Madurese Women," *Journal of Educational, Health and Community Psychology* 8, no. 1 (2019): 85; Zamira Hyseni Duraku, Liridona Jemini-Gashi, and Ervin Toçi, "Perceptions of Early Marriage, Educational Aspirations, and Career Goals among Kosovar Adolescents," *Marriage & Family Review* 56, no. 6 (2020): 513.

³ Zadrian Ardi and Nining Maizura, "The Psychological Analysis of Divorce at Early Marriage," *International Journal of Research in Counseling and Education* 2, no. 2 (2018): 77.

⁴ Muhammad Afriansyah, "Dinamika Hukum Nikah Sirri di Indonesia Perspektif Hukum Responsif Nonet-Selznick" (PhD Thesis, Universitas Islam Negeri Maulana Malik Ibrahim, 2020); Amnawaty Amnawaty, "Reformasi Sistem Hukum Pencatatan Perkawinan Warga Muslim dan Perlindungan Hukum Anak dari Nikah Sirri," *Nizham Journal of Islamic Studies* 7, no. 01 (2019): 17.

⁵ Khoiril Abror, "Wacana tentang Nikah Sirri dalam Fikih Kontemporer," *ASAS* 9, no. 1 (2017); Nasaiy Aziz, "The Great Phenomenon of Online Sirri Marriage for Male and Female," *Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences* 1, no. 3

marriage is not following national marriage regulations.⁶ *Sirri* marriage is a marriage that is kept secret and not registered at the Office of Religious Affairs. Even so, the community still holds a wedding party to signify the marriage "as if" it had been registered at the religious affairs office. Because, in general, the wedding ceremony is a sign that the marriage is legal, official, and registered at the office of religious affairs. Article 2 Paragraph (2) of the Civil Code (KUHP), Article 1 Paragraph (2) Compilation of Islamic Law 1975, and Article 2 Paragraph (2) of the Marriage Law have regulated the registration of marriages.⁷

In accordance with the Marriage Law, marriage is considered valid if it is based on faith and belief. In addition, marriage is also considered valid if the law records it. However, in reality, there are still people who still need to meet the requirements for the registration of marriages.⁸ Knowledge about the importance of registering marriages will only occur if the law is related to the future. Therefore, there are beneficial and detrimental consequences of *isbat* (determination) of marriage in polygamy, which is done *sirri*. According to Mukhtaruddin Bahrum, registration and determination of marriages are required so that *sirri* marriages have legal guarantees (Article 6 (2) KHI).⁹

Sirri marriage is a marriage carried out following the pillars of marriage in Islam. However, it is not registered by the Office of Religious Affairs (KUA) or the Marriage Registration Officer (PPN). The dilemma between legal marriage according to religion vs lawful according to the State led to prolonged discourse. *Sirri's* marriage allegedly has a robust negative effect on children and wives. Thus, marriage must be registered to have legal force for the wife and every child born from the marriage.¹⁰

(2018): 445; Sheila Fakhria, "Menyoal Legalitas Nikah Sirri (Analisis Metode Istislahiyah)," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 9, no. 2 (2017): 185.

⁶ Irfan Islami, "Perkawinan di Bawah Tangan (Kawin Sirri) dan Akibat Hukumnya," *Adil: Jurnal Hukum* 8, no. 1 (2017): 69.

⁷ Masturiyah Masturiyah, "Nikah Sirri; Prespektif Hukum Islam dan Hukum Perkawinan Nasional," *Musāwa Jurnal Studi Gender dan Islam* 12, no. 1 (2013): 46–48, <https://doi.org/10.14421/musawa.2013.121.43-62>.

⁸ Akhmad Khisni and Rozihan Rozihan, "Civil Rights of Children Outside Married Due *Isbat* Nikah of Polygamy (Analysis of Islamic Court of Rembang Decision No. 99/Pdt. G/2018/PA. Rbg.)," *Jurnal Daulat Hukum* 2, no. 4 (2020): 617.

⁹ Mukhtaruddin Bahrum, "Legalisasi Nikah Sirri Melalui *Isbat* Nikah menurut Kompilasi Hukum Islam," *Jurnal Diskursus Islam* 1, no. 2 (2013): 210–30.

¹⁰ Jali Asman, "Urgensi Pencatatan Perkawinan menurut Undang-Undang No. 1 Tahun 1974 dan Kompilasi Hukum Islam (KHI) dalam Perspektif Maqashid al-Syari'ah (Studi Kasus Pasangan Nikah

The practice of *sirri* marriage has occurred in many areas in Indonesia.¹¹ The perpetrators believed marriage, even though it was *sirri*, was valid according to Islamic law. The reason is that they have fulfilled the requirements and are harmonious in marriage, even though they are not registered at the Office of Religious Affairs. As a result of this misconception, legal dualism occurs in Indonesia, namely between traditional marriages and Islamic law and marriage according to state regulations.¹² There are three adverse effects caused by *sirri* marriages and the government's attention. First, women (wives) and children do not get legal protection and recognition. Second, wives and children do not get their rights. Third, wives and children do not get rights in administering state government, including family cards, birth certificates, ID cards, passports, and the like.¹³ Even though the adverse effects of *sirri* marriage are accurate, the people of Banjar, South Kalimantan, have implemented them. Not only that, but they also held the *sirri* wedding party.

This article is of a qualitative type using an ethnographic-phenomenological approach by examining various forms of marriage in the Banjar tradition, South Kalimantan, Indonesia. Four family couples who entered into *sirri* marriages and lived in Banjar Regency were the samples used in this analysis. This field was used as the study sample because, in the execution of their marriage, the Banjar people prefer to use conventional, religious and State approaches. This problematic experience has led researchers to add references from previous researchers who, because of the present situation, have also examined *sirri* marriages in the Banjar region. Semi-structured interviews were carried out by collecting information on ten people in the

Sirri di Wilayah Hukum Kecamatan Marpoyan Damai)" (PhD Thesis, 2017); Wiratni Ahmadi, "Hak dan Kewajiban Keluarga menurut Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan," *Jurnal Hukum Pro Justitia* 26, no. 4 (2008); Sulhanuddin Lubis, "Implikasi Nikah di Bawah Tangan terhadap Proses Permohonan Penerbitan Akta Kelahiran Anak menurut Undang-Undang No. 1 Tahun 1974 tentang Perkawinan (Studi Kasus di Dinas Kependudukan dan Catatan Sipil Kota Medan)" (PhD Thesis, Universitas Islam Negeri Sumatera Utara, 2019).

¹¹ Zainuddin & Afwan Zainuddin, *Kepastian Hukum Perkawinan Siri dan Permasalahannya Ditinjau dari Undang-Undang Nomor 1 Tahun 1974* (Yogyakarta: Deepublish, 2017), 33-35.

¹² Aziz, "The Great Phenomenon of Online Sirri Marriage for Male and Female," 445; Amnawaty, "Reformasi Sistem Hukum Pencatatan Perkawinan Warga Muslim dan Perlindungan Hukum Anak dari Nikah Sirri," 17-19.

¹³ Abdullah Jawawi, "Nikah Sirri dalam Perspektif Islam, Kristen dan Hukum Positif Indonesia," *Ekspose: Jurnal Penelitian Hukum dan Pendidikan* 17, no. 2 (2019): 709; Dahlia Haliah, "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).

village as complementary evidence. Written interviews were also conducted online, considering the current Covid-19 outbreak in Indonesia.

Participation is optional, and consent is granted to participants who agree with the participation criteria. The participants responded in full and provided no further examination or clarification of the following big data. Simultaneous review of data completed interviews. Each interview was coded after data had been saturated, and the process lasted until no more findings had been collected. The researchers read all the transcribed data to recognize similar themes.

Sirri Marriage Theory: Legitimacy of State and Islamic Law

The term *nikāḥ al-sirr* (*sirri* marriage) comes from Arabic and has become an Indonesian absorption word. The word *al-nikāḥ* means marriage, while *al-sirri* means secret.¹⁴ *Nikāḥ al-sirri* explains that marriages are performed without the approval or knowledge of the religious government. *Sirri* marriage is considered valid if it fulfils the pillars and conditions of marriage in Islam: the contract (*ijāb-qabūl*), husband and wife candidates, the bride's guardian, and two witnesses.¹⁵

Textually, there is no single verse in the Qur'an or ḥadīth that specifically prohibits unregistered marriage. However, on closer inspection, QS. al-Baqarah (2): 282 and QS. al-Nūr (24): 33 has ordered Muslims to make notes every time they make a transaction. Through the spirit in verse, it is an obligation to record all information related to the contract, including the marriage contract. In this case, the spirit is realized by the Indonesian government.

Sirri marriages are deemed not to meet the criteria for legal certainty of marriage by the government. Even though marriage has legal consequences, to guarantee legal certainty, every husband and wife must provide proof of marriage in the form of a marriage certificate.¹⁶ The wedding ceremony (*walīmah al-'ursh*) is not carried out through a *sirri* couple. It is a situation

¹⁴ Rihlatul Khoiriyah, "Aspek Hukum Perlindungan Perempuan dan Anak dalam Nikah Siri," *Sawwa: Jurnal Studi Gender* 12, no. 3 (2018): 397.

¹⁵ Islami, "Perkawinan di Bawah Tangan (Kawin Siri) dan Akibat Hukumnya," 69–70; Aziz, "The Great Phenomenon of Online Sirri Marriage for Male and Female," 445.

¹⁶ Rusli Rusli, Nur Mohamad Kasim, and Duke Arie Widagdo, "Law Enforcement on the Inheritance of Siri Married in the Judicial Verdict," *Al-Bayyinah* 4, no. 2 (2020): 133; Khoiriyah, "Aspek Hukum Perlindungan Perempuan dan Anak dalam Nikah Siri," 399–400.

deliberately created to explain to the larger group that the husband and wife are already among them. Interestingly, the *sirri* wedding celebrated in Banjar is intended to symbolize the couple's marriage. *Sirri* marriages are usually limited, even kept secret by several parties. It is the urgency and emphasis point of this research.

There are two hadiths related to the prohibition of unregistered marriage. First, the Prophet's advice on announcing a marriage: "*Announce the wedding and beat the tambourine*"; (Sunan Ibn Mājah, ḥadīth no. 1885). Second, the Prophet advises holding a *walimah*: "*hold a walimah even with a goat*". (Ṣaḥīḥ al-Bukhārī, ḥadīth no. 4771). The ḥadīth instructs Muslims to inform the community when they want to get married.

The main question that deserves attention is why the entity's juridical knowledge is not very strong and why the government agency's position and actions -the Ministry of Religion-are not optimal. Or do these people forget the marriage law and think they have fulfilled the conditions and pillars of marriage in Islam? Even worse, *sirri* marriage is an integral part of a man's ability to remarry without the consent of his first wife and the State, which, if legally recognized by the State, requires various marriage rights.

As a Muslim-majority country, Indonesia has regulated the registration of marriages in Law no. 22 of 1946 concerning the Registration of Marriage, Divorce and Reconciliation, the Marriage Law, and the Compilation of Islamic Law. Law No. 22 of 1946 states: (i) marriages are supervised by marriage registrar employees, (ii) couples who carry out marriages without the supervision of marriage registrar employees are punished because it is an offence. More explicitly regarding the registration and purpose of registering marriages is contained in the explanation that the registration of marriages is to obtain legal certainty and order. Marriage Law explains that "*every marriage is recorded according to the applicable laws and regulations*". While another article states, "*marriage is legal if it is carried out according to the laws of each religion and belief*". In the Compilation of Islamic Law, Article 5 explains: (1). To ensure orderly marriages for Muslim communities, every marriage must be recorded. (2) Registration of marriages in Paragraph (1) shall be carried out by Marriage Registration Officers as stipulated in Law No. 22 of 1946 in conjunction with Law No. 32 of 1954.

Registering marriages with the Office of Religious Affairs is mandatory for those who marry. The laws and regulations of the Government of the Republic

of Indonesia mandate it. However, legal sanctions for violators do not accompany these rules. However, this rule, at least, was developed to protect women from harassment by their husbands. These rules are made to guarantee order in the implementation of marriages, guarantee legal certainty, protect the parties who enter into marriage, and the consequences of the marriage, such as spousal support and bonds between parents and children.

Sirri Marriage Celebration (*Walimah*): Habitual Phenomenon

Indonesia's tradition of *sirri* marriage is inseparable from the series of problems behind it.¹⁷ From economical, educational, religious, cultural, and legal to technical problems, such as governance or other factors deemed problematic for the "perpetrator" of the *sirri* marriage. Another factor that has led to the growth of *sirri* marriages in Indonesia is the existence of legal pluralism in the Indonesian legal tradition, namely customary law, Islamic law and civil law. Research in the Makmur area, Banjar Regency, South Kalimantan, shows that many people carry out unregistered marriages. Rahmiyati, a researcher from Barabai, stated that the *sirri* marriage system was prevalent in Makmur Village.¹⁸

It is noteworthy that the community participates in this event and celebrates it as if it were something the government would sanction. According to the findings of the research, we discovered several different parties that took part in the celebration of this *sirri* wedding, as follows:

1. After the *sirri* contract, ARY and KSD held a *walimah al-'ursh*. *Walimah* takes place the same day after the end of the marriage contract. *Walimah* was only held for one day, and at that time, quite a lot were invited, namely the ARY and KSD families, relatives and the surrounding community in Banjar.

The reading of Mawlied Habsyi is carried out first, followed by a contract (*ijāb-qabūl*) and, when finished, followed by a wedding party, usually called

¹⁷ Rusli, Kasim, and Widagdo, "Law Enforcement on the Inheritance of Siri Married in the Judicial Verdict"; Haliah, "Nikah Sirri dan Perlindungan Hak-Hak Wanita dan Anak (Analisis dan Solusi dalam Bingkai Syariah)"; Aziz, "The Great Phenomenon of Online Sirri Marriage for Male and Female"; Amnawaty, "Reformasi Sistem Hukum Pencatatan Perkawinan Warga Muslim dan Perlindungan Hukum Anak dari Nikah Sirri."

¹⁸ Rahmiyati Rahmiyati, Diana Rahmi, and Nadiyah Nadiyah, "Siri Marriage Practices In Makmur Village Community, In Gambut, Banjar District," *Syariah: Jurnal Hukum dan Pemikiran* 20, no. 1 (2020): 27–40.

batatai. The wedding party is carried out as usual. ARY and KSD dressed up like brides and then sat side by side. Various foods were served for the banquet of the visitors who attended. The party was also entertaining with music. According to them, the *walimah* in a *sirri* marriage is the same as the *walimah* in an ordinary marriage. At the same time, the difference between luxury and comfort lies in the skills of each individual. It is because Islam does not regulate in detail the procedures for weddings.

The *walimah* was held by ARY and KSD as a form of gratitude by inviting the local community. Another purpose is to inform them that they are legally married. Both held a *walimah* so that there would be no slander. According to KSD's confession, the people in Banjar Village are used to holding *walimah* at unregistered marriages, so they are not ashamed to have one. Religion is prioritized by Banjar villagers so that marriages that have reached a state of harmony and Islamic law, even though they are not registered, are considered to be legitimate families and are not sued by the community.

ARY and KSD knew the law on marriage registration. Both of them even know the legal consequences of not registering marriages, such as the difficulty in obtaining a child's birth certificate if the child is born in an unregistered marriage and the lack of legal guarantees if problems occur in their marriage.

ARY and KSD admitted that their marriage was illegal and went against the registration law. However, they are confident because their marriage relationship will be made public by informing the public through the *walimah*. Their interest is rational because, in a *sirri* marriage, culture does not matter, and society accepts it. According to them, because of state law, carrying out *walimah* in *sirri* marriage is not the same as legalizing *sirri* marriage. However, it is held only to announce their status so that slander does not occur. For them, marriage registration is only an administrative matter and does not affect whether or not a marriage is valid.

2. *Sirri's* marriage between KL and BK also continued with *walimah*. They hold a *walimah* for one day, two weeks after the marriage contract. At the event, all residents of Makmur Village and families far from KL and BK were invited. *Walimah* is generally performed as a wedding celebration. They provide a variety of dishes for guests. They wear a wedding dress and even wear the aisle.

The *walimah* they held was not accompanied by music because it was held in an Islamic boarding school field. According to them, the implementation of *walimah* in unregistered marriages is the same as *walimah* in official marriages. As long as what the *walimah* says is done, it is said *walimah*. There is a gap in terms of capabilities for each execution. If people have many talents, then the *walimah* usually lives on. *Walimah* is held as a medium of information that the two of them are married to avoid slander.

3. MT and SA carry out *walimah* after the marriage contract between the two. On the same day after the marriage contract, *walimah* is carried out for one day. *Walimah* takes place without musical instruments or percussion, which the family and the whole entourage attend. According to them, the implementation is the same between *walimah sirri* marriages and official marriages. *Walimah* in unregistered marriage is usually completed the same day after the marriage contract. However, some carry it out a few days after the marriage contract. *Walimah* is carried out because the family wants to gather with other families far away. In addition, it is so that the public knows that MT and SA are married, even though they are not registered. Nevertheless, according to the community, they are legally married.
4. *Walimah* is also held for *sirri* marriage between JK and GK. The party was held without music and only provided food to welcome the guests who attended. *Walimah* is carried out on the same day as the marriage ceremony. The bride and groom wear the wedding dress, and the bridal ornaments adorn the house. The bride and groom sit together as lovers who are officially married. *Walimah* is held as a way to gain recognition from the community. In addition, the event is a vehicle for gathering with distant relatives.

The above phenomenon describes that the Banjar people consider *sirri* marriage equal and valid. Wedding parties (*batatai; walimah*) are still held as a form of effort to inform the general public about marital status. Although they admit that marriage registration is a must, most need to recognize the legal consequences of not registering a marriage at the Office of Religious Affairs.

After they perform a *sirri* marriage, communication patterns centred on traditions and cultural practices become a particular legality. This validity is part of customary law, which, although *sirri* in nature, allows marriage to

depend on the law and prohibits slander. Another factor that functions as a philosophical statement is all the factors behind the *sirri* marriage. Some people admit that the issue of marriage is about religious teachings, followed by solid marriage beliefs, and terms and conditions are met. *Sirri* marriage does not have a legal force which affects the rights of public service actors legally. Relevant authorities need to provide them with security and legal services.

Sirri's Change: Covert to Be Overt in Marriage

Social change is a variation in the way of life caused by geographical changes, material culture, competition with the population, ideological changes, cultural spread and acculturation.¹⁹ Physical, technical, spatial, political and educational factors are some main conditions whose changes can affect other societal conditions. A global measure of one's marriage partner applies to marital satisfaction.²⁰ The concept of marital satisfaction refers to the subjective evaluation of specific components of a person.²¹ Garcia (1999) says that happiness is felt at three levels: a) partner happiness, b) family satisfaction and c) lifelong satisfaction in general. In marital security, marital satisfaction plays a significant role.²² Several researchers have been interested in the relationship between a) marital prosperity and fulfilment and b) marital equality and enjoyment.²³

¹⁹ Azita Keshavarz, Hussain Akbari Amrgha, and Najmeh 'Melatkhah, "Effectiveness of Marriage Education Before Marriage Change Irrational Beliefs Girls," *Procedia - Social and Behavioral Sciences*, The 3rd World Conference on Psychology, Counseling and Guidance, WCPCG-2012, 84 (2013): 520, <https://doi.org/10.1016/j.sbspro.2013.06.596>.

²⁰ Abbas Ali Hosseinkhanzadeh and Eilaman niyazi, "Investigate Relationships between Religious Orientation with Public Health and Marital Satisfaction among Married Students of University of Tehran," *Procedia - Social and Behavioral Sciences*, 3rd World Conference on Educational Sciences - 2011, 15 (2011): 505, <https://doi.org/10.1016/j.sbspro.2011.03.131>.

²¹ Javad Khalatbari et al., "The Relationship between Marital Satisfaction (Based on Religious Criteria) and Emotional Stability," *Procedia - Social and Behavioral Sciences*, The 3rd World Conference on Psychology, Counseling and Guidance, WCPCG-2012, 84 (2013): 869, <https://doi.org/10.1016/j.sbspro.2013.06.664>; Julian Xie, Zhiqing E. Zhou, and Yanping Gong, "Relationship between Proactive Personality and Marital Satisfaction: A Spillover-Crossover Perspective," *Personality and Individual Differences* 128 (2018): 75, <https://doi.org/10.1016/j.paid.2018.02.011>.

²² Mohammad H. Asoodeh et al., "Factors of Successful Marriage: Accounts from Self-Described Happy Couples," *Procedia - Social and Behavioral Sciences*, WCPCG 2010, 5 (J2010): 2042-45, <https://doi.org/10.1016/j.sbspro.2010.07.410>.

²³ Keera Allendorf and Dirgha J. Ghimire, "Determinants of Marital Quality in an Arranged Marriage Society," *Social Science Research* 42, no. 1 (2013): 49,

Wong and Goodwin (2009) found that continued relationship and cooperation, marriage support and financial stability in the family in the United Kingdom, Hong Kong, and China are the main factors in marital satisfaction.²⁴ However, only a few studies have centred on how societies are affected by marital satisfaction perceptions and experiences. Cultural values influence the ideas and opinions of the person about himself.

The theory of equity focuses on the equity gains and contributions balance. Equity could only be worth some fairly.²⁵ McKenzie (2003) indicates that inequity has lower satisfaction in close relationships. When ties are inequitable, people feel themselves under-benefited or over-profit. Under-benefited inequity exists if people receive fewer benefits compared to their parents than contributions.²⁶ Based on the above results, the researcher eventually wants to see that there has been a transition in the definition of *Sirri*, being more accessible to the public. According to the cycle theory's conclusions, *sirri* marriage can be recognized by the law when stimulated by various social solicitations. What is being discussed in the community is whether the marriage has been registered or *sirri* (hidden). Because in general, most informants stated that, although only in a *sirri* way, it is vital that the community knows about their marriage. In order to discourage defamation, therapy is often part of opening up opportunities in other communities for *sirri* marriages since it is a tradition in that region.

Based on previous researchers' investigations, this village is known as *sirri* and *walimah* marriages because the marriage contract must be expedited.

<https://doi.org/10.1016/j.jsresearch.2012.09.002>; Mary Anne Fitzpatrick, "A Typological Approach to Marital Interaction: Recent Theory and Research," in *Advances in Experimental Social Psychology*, ed. Leonard Berkowitz, vol. 18 (Academic Press, 1984), 1-47, [https://doi.org/10.1016/S0065-2601\(08\)60141-0](https://doi.org/10.1016/S0065-2601(08)60141-0); Khalatbari et al., "The Relationship between Marital Satisfaction (Based on Religious Criteria) and Emotional Stability," 869; Seetha Menon, "The Effect of Marital Endowments on Domestic Violence in India," *Journal of Development Economics* 143 (2020): 143, <https://doi.org/10.1016/j.jdeveco.2019.102389>.

²⁴ Sowan Wong and Robin Goodwin, "The Impact of Work on Marriage in Three Cultures: A Qualitative Study," *Community, Work & Family* 12, no. 2 (2009): 213; Sowan Wong and Robin Goodwin, "Experiencing Marital Satisfaction across Three Cultures: A Qualitative Study," *Journal of Social and Personal Relationships* 26, no. 8 (2009): 1011.

²⁵ Asodeh et al., "Factors of Successful Marriage," 2043.

²⁶ Ismail Celik et al., "Research on Views About Male University Students' Marriage and Future Family Role Expectation," *Procedia - Social and Behavioral Sciences*, 4th World Conference on Educational Sciences (WCES-2012) 02-05 February 2012 Barcelona, Spain, 46 (2012): 3277, <https://doi.org/10.1016/j.sbspro.2012.06.050>.

After that, the marriage was reported to the office of religious affairs. This phenomenon is a habit and provision made by the community. Community statements are considered the legalization of marriage, even though the community does not know whether it is *sirri* or a marriage based on civil registration. In general, the negative impacts of unregistered marriages can be detrimental to women, such as not being recognized by the State as a legal wife, the absence of protection and inheritance rights when divorced, the status of children born, and even being considered harassing women. Finally, the unregistered marriage practised in the Banjar Regency area was appointed to receive respect and "as if" the local Office of Religious Affairs legalized it. To overcome this problem, the Office of Religious Affairs must register unregistered marriages so that the perpetrators know the legality of marriage and respect women.

Within the Muslim culture of the Banjar village, the concept of marriage seems to be constantly changing, though not dramatically. Marriage has a sacred definition as obedience to a divine command. This definition has turned into a requirement that must be fulfilled by every adult who wants to get married. In religious practice, faith is the basis. So that the practice of *sirri* marriage, which was previously secret, can now be done openly to the public. In society, this is considered normal and not taboo. In *walimah sirri* marriage, many variables cause social change depending on the researchers' study. Socio-economic factors, considered essential aspects of marriage and considered general, are one of the reasons this is not taboo. More than that, the length of time at the Office of Religious Affairs is considered part of a change in mindset, in this case, matters of *sirri* marriage and delaying the age of marriage.

Conclusion

A marriage conducted in secret or not registered with the Office of Religious Affairs of the Republic of Indonesia is known as a *sirri* marriage. This marital status is not deemed to have substantial documentation as proof of marriage recognized by the State because marriage registration was never completed for this marital status. Therefore, the effect on respect for women will also be negative since, in the event of a divorce, the wife would lose some of the privileges previously accorded under the marriage contract. However, some people in Banjar, South Kalimantan, have a *sirri* wedding. Celebrations held at the wedding location became an argument to gain legitimacy from the

government and society. It takes place to gain legitimacy from the people who participated in the wedding celebration. This fact is recognized throughout society as having the potential to give rise to legal rights.[a]

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