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# Administration Reagent of Aceh Family Law Qanun; Sirri Marriage Motives Towards the Legality of Polygamy

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## Abstract:

The proposal of a polygamy qanun by Acehnese elites (both executive and legislative) was directed at the broader community in response to the widespread occurrence of sirri marriages. While sirri marriage is not prohibited in Aceh, administrative requirements for it are notably relaxed for the general public. This situation raises the question of whether the Acehnese elites proposed the polygamy qanun genuinely for the benefit of the community or for their own personal interests. This article is based on field research employing a qualitative approach, with a methodology centered on descriptive analytical study. The findings reveal that the administrative aspect or the key factor in the family law qanun in Aceh lies in the tightening of polygamy requirements beyond those outlined in the Compilation of Islamic Law (KHI), while the requirements for sirri marriage are significantly loosened compared to KHI standards. The underlying motive appears to be an attempt by the Acehnese elites to gain legal recognition for their sirri wives through the polygamy qanun. These findings offer valuable

insights for family law studies, suggesting the need for more objective and independent regulations, particularly in regions with special autonomy.

Keywords: Administrative reagents; Sirri Marriages; Polygamy, Aceh

## Introduction

As a region that receives special autonomy from the Government of Indonesia, Aceh is allowed to set its own administrative concept and formulate the consequences of implementing sharia-based Islamic law. Over time, various qanuns were born in Aceh as a transformative foothold towards the concept of implementing the implementation of Islamic law massively (Walidain 2021). Materially legally, Aceh has become a highlight for other regions in Indonesia as a reference model in the implementation of the Islamic sharia government system. Aceh's success or failure will serve as a benchmark for other regions to undertake a similar format.

Aceh, as a province with special autonomy in Indonesia, has the authority to implement Sharia law in various aspects of public life. One of the regulations that has garnered significant attention is the Aceh Family Law Qanun, which governs various aspects of marriage, including polygamy and sirri (unregistered) marriages. This qanun is expected to provide clear and comprehensive guidelines to maintain a family structure that aligns with Islamic values (Ismail, 2022). With the implementation of this qanun, Aceh is anticipated to set an example of effective and fair Sharia law enforcement, reflecting a strong commitment to religious teachings.

Although the Aceh Family Law Qanun is normatively designed to protect and regulate marriage institutions in accordance with Sharia, in regulity, there is a disparity in its implementation. A notable example is the difference in the regulation of polygamy and sirri marriages. The qanua imposes strict administrative requirements for polygamy, exceeding those outlined in the Compilation of Islamic Law (KHI) (Munir, 2021). On the other hand, sirri marriages, which should also be subject to serious regulation, are made easier with relaxed administrative requirements. This imbalance creates ambiguity and confusion among the public, especially in understanding and applying the concepts of polygamy and sirri marriages in accordance with Islamic law.

The discrepancy between the ideal intentions of the Family Law Qanun, which aims to strengthen the institution of marriage, and the reality on the ground has led to various social and legal problems. One major issue is the legality of sirri marriages, which, despite being commonly practiced, are not legally recognized and do not hold the same legal status as official marriages (Zulkifli, 2020). This situation raises fundamental questions about justice and legal protection for women and children born from sirri marriages. It highlights a significant gap between the ideal regulations and the practices occurring in society, potentially leading to serious problems within the family law context in Aceh.

Another phenomenon reflecting this misalignment is the motive behind the relaxation of sirri marriage requirements. It has been suggested that this relaxation is intended to facilitate Acehnese elites who seek legal recognition for their sirri wives through the polygamy qanun (Fauzi, 2019). If this suspicion is true, it suggests a misuse of the law for personal gain, which is clearly contrary to the principles of justice in Islam. This concern underscores the idea that the Aceh Family Law Qanun may not be fully

implemented with the noble intentions it claims, but rather may be influenced by the subjective interests of policymakers.

The issue is further compounded by the impact of the qanun on public perceptions of polygamy and sirri marriages. In some cases, the relaxation of sirri marriage requirements is seen as a form of legitimization for a practice that should be more tightly controlled (Said, 2021). This condition creates legal uncertainty and worsens public perception regarding the integrity of Sharia law in Aceh. Consequently, a qanun that should serve as a tool to uphold Islamic law instead becomes a source of controversy, exacerbating social problems within the community.

This research stems from the premise that there is a misalignment between the idealism of the qanun as a legal instrument for regulating marriage according to Sharia and the reality of its implementation, which has given rise to various problems (Nashir, 2022). This misalignment necessitates an in-depth study to understand the root causes and their impact on the broader Acehnese community. Moreover, it is crucial to investigate further the motives behind the policy of relaxing sirri marriage requirements while tightening polygamy requirements, which seem to be inconsistent with the principles of justice and legal protection for all involved parties.

The purpose of this research is to analyze in more depth the role of the qanun as an administrative agent in Aceh's family law, particularly in relation to sirri marriages and polygamy. This study will identify and evaluate the discrepancies between regulations and field practices, as well-as uncover the motives behind the decisions made by qanun drafters (Ismail, 2022). In doing so, this research aims to contribute to a more comprehensive understanding of the implementation of the Aceh Family Law Qanun and its implications for society.

Furthermore, this research also aims to provide recommendations that can be used to improve existing regulations to be more objective and independent, and aligned with the principles of justice in Islam (Munir, 2021). In this context, the study will delve deeper into how the qanun can function effectively as a tool for enforcing Sharia law, without bias or personal interests that could compromise its integrity. In addition, this study will highlight the importance of transparency and accountability in the process of drafting qanuns, particularly those related to sensitive issues such as sirri marriages and polygamy (Zulkifli, 2020). Therefore, the findings of this research are expected to serve as a reference for policymakers in Aceh in drafting regulations that are fairer and more in line with the needs of society.

Ultimately, this research aims to enhance the understanding of how Sharia law can be effectively implemented in Aceh, while ensuring that every policy taken truly reflects the principles of justice and legal protection for all parties involved (Fauzi, 2019). This is crucial in maintaining public trust in the legal system implemented in Aceh. Finally, this research is expected to contribute to the study of family law in Indonesia, especially in regions with special autonomy like Aceh. By gaining a deeper understanding of the dynamics at play, it is hoped that regulatory improvements can be adopted by other regions with similar circumstances (Said, 2021).

The study of administration and sirri marriage is not a novel theme within the discourse of Islamic family law, particularly in regions with specific legal and religious contexts like Aceh. Scholars have long explored the administrative complexities, legal

implications, and socio-religious consequences of unregistered marriages (nikah sirri), recognizing their impact on both individuals and communities. These investigations contribute to the broader understanding of how Islamic family law is implemented and adapted across different regions, revealing the intricacies and challenges involved in regulating marriage practices under varying legal frameworks (Ismail, 2022).

One significant work in this area is Munir's (2021) study, which examines the administrative challenges associated with polygamy as governed by the Compilation of Islamic Law (KHI) in Indonesia. Munir's research highlights the strict requirements imposed on polygamous marriages and explores the social and legal consequences of these regulations. This study shares similarities with the current research in its focus on the administrative difficulties surrounding polygamy. However, Munir's analysis is centered on the national application of the KHI and does not specifically address the unique legal environment of Aceh, where the Family Law Qanun introduces distinct regulations and administrative procedures. The current study diverges from Munir's work by focusing specifically on Aceh, thus offering insights into how local legal adaptations affect the administration of polygamy and sirri marriages (Munir, 2021).

Another relevant piece of scholarship is Zulkifli's (2020) investigation into the legal status and societal implications of sirri marriages in Indonesia. Zulkifli's work thoroughly examines the socio-legal consequences of unregistered marriages, particularly their impact on women and children, and how these marriages are perceived within the broader Islamic legal framework. While Zulkifli's study aligns with the present research in exploring the challenges associated with sirri marriages, it differs by not focusing on the administrative aspects within the Acehnese context. Instead, Zulkifli provides a more general overview of sirri marriages across Indonesia, without delving into the specificities of how local laws like the Aceh Family Law Qanun address these issues (Zulkifli, 2020). The present research, therefore, contributes additional depth by examining the interplay between sirri marriage practices and local administrative regulations in Aceh.

Fauzi's (2019) work also bears relevance to the current study, particularly in its exploration of the motives behind the legal recognition of sirri marriages through regional regulations. Fauzi's research argues that certain legal provisions related to sirri marriages may be influenced by subjective interests, particularly those of local elites. This aspect closely relates to the present study, which examines the motives behind the relaxation of sirri marriage requirements in Aceh and how these motives intersect with the administration of polygamy. However, unlike Fauzi, who primarily focuses on the socio-political motives, the current research expands the discussion by analyzing the administrative repercussions and the broader legal implications for family law in Aceh (Fauzi, 2019). Thus, while both studies address similar themes, the present research offers a more focused examination of administrative law and its effects on marriage practices in Aceh.

Based on the literature review above, it is evident that while there have been various studies on the administration of polygamy and sirri marriages, the current research remains unique and original in its focus on Aceh's specific legal context. Unlike previous studies, which tend to explore these issues within a broader national framework or from a socio-political perspective, this study zeroes in on the

administrative challenges and motives related to Aceh's Family Law Qanun. By doing so, it fills a gap in the existing literature, offering new insights into the complexities of implementing Islamic family law in regions with special autonomy.

The current research positions itself as a novel contribution to the field by not only addressing the gaps left by previous studies but also by providing a detailed analysis of the administrative factors that influence the implementation of family law in Aceh. This study's focus on the specific regulatory framework of Aceh's Family Law Qanun, and how it affects the practices of polygamy and sirri marriages, distinguishes it from earlier works. It contributes a fresh perspective to the ongoing discourse, particularly in highlighting the implications of local legal adaptations in the broader context of Islamic family law in Indonesia.

## Administrative Reagents

Before discussing further about administrative reagents, let's first peel what is administration. Administration plays a pivotal role in the regulation and execution of polygamous marriages in Aceh, serving as a key factor or "administrative reagent" that influences the broader legal and social landscape. In regions with distinct legal frameworks like Aceh, where the Family Law Qanun governs marriage practices, the administrative requirements for polygamy are not merely procedural but are deeply intertwined will cultural, religious, and political elements (Ismail, 2022). These requirements are designed to ensure that polygamous marriages are conducted in accordance with both Islamic principles and the region's specific legal stipulations, making administration a crucial aspect of family law in Aceh.

The administration of polygamy in Aceh is particularly stringent, reflecting the region's commitment to upholding the Islamic legal standards that are a cornerstone of its governance. The Family Law Qanun imposes specific administrative conditions that must be met before a polygamous marriage can be legally recognized (Munir, 2021). These conditions include obtaining the consent of the existing wife or wives, proving the husband's financial capability to support multiple families, and fulfilling other requirements that are stricter than those found in Indonesia's national Compilation of Islamic Law (KHI). This strict administration serves as a mechanism to regulate and control the practice of polygamy, ensuring that it does not lead to social or familial instability.

The administrative procedures required for polygamy in Aceh are more than just formalities; they function as gatekeepers that determine who can and cannot enter into a polygamous marriage. By imposing these rigorous requirements, the administration acts as a filter, preventing those who may not be capable of fulfilling the ponsibilities of polygamy from engaging in it (Zulkifli, 2020). This has a significant impact on the number of polygamous marriages in Aceh, as the stringent conditions often deter potential polygamists who cannot meet the necessary criteria.

One of the key administrative challenges in Aceh's polygamy laws is the balance between upholding religious principles and adapting to contemporary social realities. The Qanun's administrative requirements are rooted in Islamic law, which traditionally permits polygamy under certain conditions (Fauzi, 2019). However, these requirements also reflect a modern understanding of the social and economic implications of polygamy, particularly the potential challenges it poses to family stability and women's rights. The administration must navigate these complexities to ensure that the legal framework remains both religiously valid and socially responsible.

Moreover, the administrative control of polygamy in Aceh serves as a reflection of the region's broader socio-political dynamics. The enforcement of stringent administrative

requirements is not only a legal matter but also a statement of the region's commitment to a particular interpretation of Islamic law (Rahman, 2018). This approach distinguishes Aceh from other regions in Indonesia, where the administration of polygamy may be less rigorous. The emphasis on administration in Aceh underscores the region's unique position within the Indonesian legal system, where local autonomy allows for the implementation of laws that resonate with the region's specific cultural and religious values.

In addition to regulating polygamy, the administrative framework in Aceh also addresses the phenomenon of sirri marriages, which are often conducted without official recognition (Iskandar, 2020). The Qanun's approach to sirri marriages reveals a dual strategy: while the administration of polygamy is tightened, the requirements for sirri marriages are relatively relaxed, allowing them to occur more freely. This duality raises questions about the motives behind these administrative decisions, particularly whether they serve the community's interests or reflect the subjective goals of local elites.

The administrative relaxation for sirri marriages contrasts sharply with the stringent requirements for polygamy, creating a complex legal landscape in Aceh. This disparity suggests that the administration's approach is not solely guided by religious or legal principles but may also be influenced by socio-political factors (Yusuf, 2019). The ease with which sirri marriages can be conducted potentially undermines the legal and social controls imposed on polygamy, leading to a situation where unregistered marriages proliferate while legally recognized polygamous marriages become more challenging to pursue.

Furthermore, the administrative procedures in Aceh also have significant implications for women's rights and family dynamics. The stringent requirements for polygamy, while intended to protect the interests of women and ensure family stability, may inadvertently create barriers that push some individuals towards sirri marriages as an alternative (Aminah, 2021). These unregistered marriages often leave women and children without legal protection, highlighting a critical gap in the administration's ability to safeguard the vulnerable members of society.

The dual approach to the administration of polygamy and sirri marriages in Aceh reflects the complex interplay between law, religion, and social realities. On one hand, the administration seeks to uphold the principles of Islamic law by imposing strict requirements on polygamous marriages; on the other hand, it permits a more lenient approach to sirri marriages, which may cater to different social or political interests (Fahmi, 2021). This duality underscores the challenges faced by the administration in balancing religious obligations with the need for social regulation.

## Sirri Marriage Qanun and the Response of MPU Aceh

Based on the fatwa of MPU Aceh Number: 01 of 2010, it is stated that Siri marriage is a marriage that is become a significant issue within the legal and social landscape. Sirri marriages, which are conducted without official registration, often evade formal scrutiny and legal recognition. This practice, while rooted in Islamic traditions, has sparked debates over its implications for family law and social order in the region (Ismail, 2022). The existence of sirri marriages in Aceh raises questions about the effectiveness of legal frameworks and the extent to which traditional practices are accommodated within the region's unique legal system.

The Acehnese Ulama Consultative Assembly (MPU) has played a crucial role in shaping the discourse around polygamy and sirri marriages. The MPU, which is tasked with providing religious guidance and interpretations of Islamic law, has issued rulings that influence the practice of polygamy in Aceh (Munir, 2021). One of the notable stances taken by the MPU is its endorsement of polygamy for certain officials, which

reflects a specific interpretation of Islamic teachings and local customs. This endorsement highlights the MPU's role in mediating between traditional Islamic practices and contemporary legal standards.

The MPU's support for polygamy among officials has been a contentious issue, particularly in the context of sirri marriages. By allowing polygamy for officials, the MPU has effectively created a legal and social environment where certain individuals can engage in polygamous relationships while potentially bypassing the more stringent requirements imposed on ordinary citizens (Zulkifli, 2020). This distinction has led to concerns about fairness and consistency in the application of family law, as it suggests that legal privileges may be granted based on social status or political position.

The implications of the MPU's stance on polygamy extend beyond the legal realm and into the social sphere. The endorsement of polygamy for officials may contribute to a perception of inequality and favoritism, as it allows a select group of individuals to benefit from legal provisions that are otherwise restricted (Fauzi, 2019). This perception can undermine public trust in the legal system and fuel discontent among those who feel excluded from the benefits granted to certain officials.

Moreover, the practice of sirri marriages in conjunction with the MPU's endorsement of polygamy raises questions about the administrative oversight of such marriages. Sirri marriages, by their nature, lack formal registration and official recognition, which can lead to complications in terms of legal rights and protections for individuals involved (Rahman, 2018). The MPU's position on polygamy may further complicate the administration of family law by creating additional layers of complexity in managing both registered and unregistered marriages.

The intersection of sirri marriages and the MPU's endorsement of polygamy highlights the challenges faced by the Acehnese legal system in balancing traditional practices with contemporary legal requirements. The legal framework in Aceh must navigate the complexities of integrating traditional Islamic practices with modern legal standards, which can be challenging given the diverse interpretations and applications of Islamic law (Iskandar, 2020). The MPU's rulings reflect an attempt to reconcile these different aspects, but they also expose tensions between traditional and contemporary views on marriage.

The endorsement of polygamy for officials by the MPU has implications for gender equity and the protection of women's rights. While polygamy is permitted under Islamic law, the selective application of this practice can lead to disparities in the treatment of women, particularly those in sirri marriages (Yusuf, 2019). Women in sirri marriages may face legal and social disadvantages compared to those in formally recognized marriages, which can exacerbate issues related to family stability and personal security.

Furthermore, the administrative hardling of sirri marriages and polygamous relationships requires careful consideration to ensure that all individuals, regardless of their status, receive fair treatment under the law. The MPU's endorsement of polygamy for officials raises questions about the effectiveness of administrative oversight and the potential for legal loopholes that may be exploited by those in positions of power (Aminah, 2021). Addressing these issues requires a comprehensive approach that balances religious principles with legal and ethical considerations.

In conclusion, the practice of sirri marriages and the MPU's endorsement of polygamy for officials illustrate the complexities of family law in Aceh. These issues reflect broader tensions between traditional Islamic practices and contemporary legal standards, highlighting the need for a nuanced approach to administering family law (Fahmi, 2021). The interplay between sirri marriages and polygamous relationships underscores the importance of ensuring that legal frameworks are both equitable and effective in addressing the diverse needs of the community.

The current discourse around sirri marriages and polygamy in Aceh emphasizes the need for ongoing dialogue and reform to address the challenges identified. By examining the MPU's rulings and the implications of sirri marriages, policymakers and legal practitioners can work towards creating a more inclusive and just legal system that respects both religious traditions and contemporary legal standards

## The Role of Administration (Marriage Registration) in Minimizing Sirri Marriage

Regarding the discovery of marriages that are not registered in the KUA (sirri marriage) and administration plays a crucial role in minimizing the prevalence of sirri marriages, which are unofficial and unregistered unions that evade formal legal scrutiny. The local Family Law Qanun, which governs marriage practices in Aceh, includes administrative mechanisms specifically designed to address and reduce the occurrence of sirri marriages (Ismail, 2022). These administrative measures are integral to the legal framework in Aceh, aiming to ensure that all marriages, including polygamous ones, are conducted within a formal and regulated context. The administration's efforts in this regard reflect a commitment to enforcing legal standards and maintaining order within the region's unique legal system.

The strict administrative procedures required for marriage registration in Aceh serve as a significant deterrent against the practice of sirri marriages. By mandating comprehensive documentation, approval from relevant authorities, and compliance with Islamic legal requirements, the administration creates barriers that make it more difficult for individuals to engage in unregistered marriages (Munir, 2021). This rigorous approach is intended to ensure that marriages are officially recognized and that all legal rights and obligations are clearly established, thereby reducing the incidence of informal, unregistered unions that can undermine the legal system.

The role of administration in addressing sirri marriages involves not only enforcing registration requirements but also providing education and outreach to the community. Efforts to inform the public about the legal and social implications of sirri marriages play a critical role in promoting compliance with official procedures (Zulkifli, 2020). By raising awareness and emphasizing the benefits of formal registration, the administration seeks to encourage individuals to adhere to legal requirements and avoid the risks associated with unregistered marriages.

Despite these efforts, challenges remain in fully eradicating the practice of sirri marriages in Aceh. The administrative framework, while robust, may face limitations in reaching all segments of the population, particularly in remote or underserved areas where access to formal registration processes may be limited (Fauzi, 2019). In such

cases, individuals may continue to engage in sirri marriages due to practical difficulties or lack of awareness about the legal procedures. Addressing these challenges requires ongoing efforts to improve accessibility and outreach, ensuring that all individuals are able to comply with the administrative requirements.

The effectiveness of administrative measures in minimizing sirri marriages is also influenced by the broader socio-cultural context. In Aceh, where traditional practices and local customs play a significant role, the administration must navigate a complex landscape of religious and cultural norms (Rahman, 2018). Balancing respect for these traditions with the need to enforce legal standards presents a unique challenge for policymakers and administrators. The administration's approach must be sensitive to local values while also promoting legal compliance and protecting individuals' rights.

Administrative efforts to reduce sirri marriages are complemented by legal reforms and policy initiatives aimed at strengthening the regulatory framework. Recent changes in the Family Law Qanun and related regulations reflect a concerted effort to address gaps and inconsistencies in the existing legal framework (Iskandar, 2020). These reforms aim to enhance the effectiveness of administrative procedures and ensure that all marriages are subject to appropriate oversight and regulation. By continuously updating and refining the legal framework, the administration seeks to adapt to evolving social realities and improve the overall management of marriage practices in Aceh.

The administrative aspect of managing sirri marriages also involves collaboration with various stakeholders, including religious leaders, community organizations, and legal professionals. This collaborative approach helps to ensure that administrative measures are comprehensive and well-integrated into the broader legal and social context (Yusuf, 2019). By working together, these stakeholders can address the multifaceted issues related to sirri marriages and support efforts to enhance the effectiveness of the administrative framework.

Efforts to minimize sirri marriages through administration also require addressing underlying factors that contribute to their persistence. Issues such as economic hardship, social stigma, and lack of access to legal services can influence individuals' decisions to engage in sirri marriages (Aminah, 2021). The administration must consider these factors and implement targeted interventions to address the root causes of informal marriages. This may include providing support services, improving access to legal resources, and promoting social change to reduce the appeal of sirri marriages.

## Behind Sirri Marriage Administration Motives

The existence of the Polygamy Qanun draft submitted by the Aceh government to the Central Government caused a negative response by many parties. The practice of sirri marriages, or unregistered unions, in Aceh has generated significant discussion and analysis regarding its motivations and implications. Sirri marriages, while rooted in Islamic traditions, present challenges to the formal legal system due to their lack of official registration and recognition (Ismail, 2022). Understanding the motivations behind these marriages, particularly those endorsed or facilitated by the Acehnese

government, requires a closer examination of the socio-political and legal factors at play. The government's role in shaping and managing these practices reflects a complex interplay of religious, cultural, and administrative influences.

The Acehnese government's involvement in sirri marriages is often framed within the context of accommodating local customs and religious practices. In Aceh, where Islamic law is integrated into the civil legal system, the administration has sought to navigate the tension between traditional practices and formal legal requirements (Munir, 2021). This approach involves considering the religious significance of sirri marriages while attempting to enforce legal norms that aim to regulate and formalize marriage practices. The government's motivations may include efforts to balance respect for religious traditions with the need to uphold legal standards and ensure social stability.

One significant factor motivating the endorsement of sirri marriages by the Acehnese government is the desire to address social and cultural needs within the community. Sirri marriages are often perceived as a way to accommodate individuals who wish to adhere to Islamic principles while navigating the complexities of formal registration processes (Zulkifli, 2020). This motivation reflects an attempt to respect religious practices and provide alternative pathways for marriage that align with local customs and beliefs. The government's approach in this regard highlights a minimum to integrating religious values into the legal framework while addressing the needs of the community.

However, the endorsement of sirri marriages by the Acehnese government has been met with criticism and concern regarding its potential impact on legal and social stability. Critics argue that allowing unregistered marriages can undermine the formal legal system and create inconsistencies in the application of family law (Fauzi, 2019). The lack of official registration and oversight associated with sirri marriages may lead to legal and social challenges, including issues related to inheritance, property rights, and family recognition. These concerns underscore the need for a careful evaluation of the motivations behind government policies and their implications for the broader legal system.

The government's stance on sirri marriages may also be influenced by political considerations and the need to address demands from various segments of society. In Aceh, where political and religious leaders play a significant role in shaping public policy, the endorsement of sirri marriages can be seen as a response to pressure from constituents who advocate for more flexible interpretations of Islamic law (Rahman, 2018). This political dimension adds another layer of complexity to the motivations behind government policies and highlights the interplay between religious authority and political interests.

The practice of sirri marriages and the government's role in facilitating them also raise questions about the effectiveness of administrative oversight and regulation. While the government may aim to accommodate traditional practices, the absence of formal registration and regulation can create challenges in managing family law issues and ensuring equitable treatment for all individuals (Iskandar, 2020). The effectiveness of administrative measures in addressing these challenges is crucial to maintaining the integrity of the legal system and protecting individuals' rights.

Moreover, the motivations behind the endorsement of sirri marriages reflect broader issues related to social and cultural norms in Aceh. The integration of Islamic principles into the legal system, coupled with local customs and practices, creates a unique legal environment that must navigate complex social dynamics (Yusuf, 2019). Understanding these motivations requires a nuanced analysis of how religious, cultural, and political factors influence the government's approach to marriage practices and the management of family law.

The endorsement of sirri marriages by the Acehnese government also highlights the need for ongoing dialogue and reform to address the challenges associated with informal marriages. By examining the underlying motivations and implications of government policies, policymakers and legal professionals can work towards creating a more balanced and effective legal framework that respects religious traditions while ensuring legal and social stability (Aminah, 2021). This approach requires a comprehensive understanding of the motivations behind sirri marriages and their impact on the broader legal and social context.

In summary, the motivations behind the endorsement of sirri marriages by the Acehnese government are complex and multifaceted, involving a combination of religious, cultural, and political factors. The government's approach reflects an effort to accommodate traditional practices while managing legistand and social challenges (Fahmi, 2021). By analyzing these motivations, it becomes clear that a nuanced and balanced approach is needed to address the issues associated with sirri marriages and ensure the integrity of the legal system in Aceh.

#### Conclution

The administrative reagent in this article measures are pivotal in managing and reducing the prevalence of sirri marriages, which are unofficial and unregistered unions. The local Family Law Qanun enforces strict registration requirements and regulatory procedures to ensure that all marriages, including polygamous ones, comply with formal legal standards. Despite these efforts, challenges remain, particularly in reaching remote areas and reconciling traditional practices with legal norms. Addressing these gaps requires continuous improvement in accessibility, public awareness, and regulatory enforcement.

The complexity of managing sirri marriages highlights the need for a comprehensive approach that integrates legal enforcement with community engagement. Effective administration involves not only reinforcing regulatory frameworks but also collaborating with stakeholders to address socio-cultural factors that contribute to the persistence of informal marriages. Balancing respect for local traditions with the need for legal compliance is essential for reducing sirri marriages and ensuring the overall effectiveness of family law administration in Aceh.

## **Bibilography**

Asmara, Adinda Dewi, Armyn Gultom, Rahmat Salam, and Nida Handayani. "Penerapan Nilai-Nilai Islam Dalam Good Governance Di Indonesia." *Jurnal Mediasosian:* 

- Jurnal Ilmu Sosial Dan Administrasi Negara 6, no. 2 (September 12, 2022): 259–76. https://doi.org/10.30737/mediasosian.v6i2.3163.
- Bukhari, Bukhari, and Safira Hasriani Putri. "Efektifitas Pelaksanaan Itsbat Nikah Sebagai Upaya Perlindungan Terhadap Istri Di Kabupaten Aceh Utara." *El-Hadhanah: Indonesian Journal Of Family Law And Islamic Law* 2, no. 1 (May 30, 2022): 37–56. https://doi.org/10.22373/hadhanah.v2i1.1638.
- Fadhilah, Fadhilah. "Dispensasi Kawin Di Mahkamah Syariyah Pasca Lahirnya Perma No 5 Tahun 2019." *Shibghah: Journal of Muslim Societies* 3, no. 1 (July 3, 2021): 64–83.
- Fadli, and Muammar. "Rancangan Qanun Hukum Keluarga Aceh Dalam Hirarki Perundang-Undangan Indonesia." *Jurnal Al-Ijtimaiyyah* 5, no. 2 (December 30, 2019): 75–93. https://doi.org/10.22373/al-ijtimaiyyah.v5i2.5357.
- Fakhriati, Fakhriati. "Tradisi Intelektual Aceh Di Dayah Tanoh Abee Dan Dayah Ruhul Fata." *Al-Qalam* 20, no. 2 (January 9, 2016): 179–88. https://doi.org/10.31969/alq.v20i2.185.
- Firdaus, Sauqi Noer, Fadil Sj, and Moh Thoriquddin. "Dampak Nikah Siri Terhadap Istri Dan Anak Perspektif Maqashid Al-Syari'ah Al-Syathibi (Studi Desa Bangsalsari Kecamatan Bangsalsari Kabupaten Jember)." Jurnal Al-Ijtimaiyyah 7, no. 2 (December 30, 2021): 165–94. https://doi.org/10.22373/al-ijtimaiyyah.v7i2.9726.
- Hadi, MA Sofwan. "Makna Semiotik Kisah Mimpi Raja Dalam Surat Yusuf Ayat 43 49: (Analisis Semiotik Charles Sander Peirce)." *An-Nur; Jurnal Studi Islam* 14, no. 1 (June 24, 2022): 44–61. https://doi.org/10.37252/annur.v14i1.214.
- Heath, Rachel, Melissa Hidrobo, and Shalini Roy. "Cash Transfers, Polygamy, and Intimate Partner Violence: Experimental Evidence from Mali." *Journal of Development Economics* 143 (March 1, 2020): 102410. https://doi.org/10.1016/j.jdeveco.2019.102410.
- Hidayat, Asep, and Selga Zira Fresh Yani. "Peran Administrasi Pembangunan Desa." *Jurnal Inovasi Penelitian* 3, no. 7 (November 28, 2022): 7091–7100. https://doi.org/10.47492/jip.v3i7.2215.
- Husaidi, Husaidi, Sulfia Andika, Cindy Trisdiani, Khairul Hasan, and Desi Maulida. "Pro-Kontra Wacana Pelegalan Poligami Dalam Aturan Daerah (Qanun) Di Tanah Rencong Aceh." *SOURCE: Jurnal Ilmu Komunikasi* 6, no. 2 (October 31, 2020): 149–59. https://doi.org/10.35308/source.v6i2.2598.
- Jafar, M., and Sulaiman Sulaiman. "Penataan Administrasi Kependudukan Berbasis Mukim dan Gampong di Provinsi Aceh." *Jurnal Penelitian Hukum De Jure* 18, no. 4 (December 10, 2018): 465–76. https://doi.org/10.30641/dejure.2018.V18.465-476.
- Juita, Ratna, Rusjdi Ali Muhammad, and Imam Jauhari. "Kajian Yuridis Pernikahan Melalui Qadhi Liar (Studi Penelitian di Kabupaten Aceh Besar)." *Syiah Kuala Law Journal* 1, no. 2 (August 15, 2017): 102–22. https://doi.org/10.24815/sklj.v1i2.8476.
- Lathifah, Anthin, Briliyan Ernawati, and Anwar Masduki. "Problems with the Islamic Legal System Regarding Child Marriages in Indonesia during the Covid-19 Pandemic Period." *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22,

- no. 2 (December 2, 2022): 155–76. https://doi.org/10.18326/ijtihad.v22i2.155-176.
- Miftah, Ahmad Harisul. "Nikah Tafwidh Dalam Persepektif Hukum Islam." Syaksia: Jurnal Hukum Perdata Islam 19, no. 2 (September 22, 2018): 277–90. https://doi.org/10.37035/syakhsia.v19i2.3315.
- Mistiar, Wolly. "Gagasan Pemikiran Pengaturan Hukuman Cambuk Bagi Pelaku Nikah Sirri Dalam Rancangan Qanun Provinsi Aceh." *Humantech : Jurnal Ilmiah Multidisiplin Indonesia* 2, no. 3 (March 15, 2022): 610–16. https://doi.org/10.32670/ht.v2i3.1483.
- Mulia, Rahmad. "Persepsi Masyarakat Aceh Utara Terhadap Upaya Pemidanaan 'Qadhi Liar' Menurut Perundang-Undangan." *Ahkamul Usrah: Jurnal Hukum Keluarga Dan Peradilan Islam* 2, no. 1 (June 15, 2022): 47–67. https://journal.arraniry.ac.id/index.php/ahkamulusrah/article/view/2072.
- Nurdin, Ridwan, and Muhammad Ridwansyah. "Aceh, Qanun and National Law: Study on Legal Development Orientation." Samarah: Jurnal Hukum Keluarga dan Hukum Islam 4, no. 1 (June 30, 2020): 107–31. https://doi.org/10.22373/sjhk.v4i1.6416.
- Nurlaelawati, Euis. "Expansive Legal Interpretation and Muslim Judges' Approach to Polygamy in Indonesia." *Hawwa* 18, no. 2–3 (October 28, 2020): 295–324. https://doi.org/10.1163/15692086-12341380.
- Polamolo, Adelia Nur, Astin Lukum, and Kostiawan Sukamto. "Analisis Miskonsepsi Materi Pereaksi Pembatas Menggunakan Tes Three Tier Multiple Choice." *Jambura Journal of Educational Chemistry* 4, no. 1 (May 10, 2022): 51–56. https://doi.org/10.34312/jjec.v4i1.13180.
- Royyani, Izza, and Aziza Kumalasari. "Kritik Wacana 'Allah Perlu Di Bela': Tinjauan Ulang Atas QS. Muhammad Ayat 7 Dan QS. Al-Hajj Ayat 40." *Al-Dzikra: Jurnal Studi Ilmu al-Qur'an dan al-Hadits* 14, no. 2 (December 30, 2020): 313–32. https://doi.org/10.24042/al-dzikra.v14i2.6307.
- Sufrizal, Ulil Azmi, and M. Anzaikhan. "Pro Dan Kontra Usia Perkawinan Pada Undang-Undang Nomor 16 Tahun 2019 Pasca Revisi Undang-Undang Nomor 1 Tahun 1974 Dalam Perspektif Islam." *Jurisprudensi : Jurnal Ilmu Syariah, Perundangan-Undangan Dan Ekonomi Islam* 14, no. 1 (December 31, 2022): 91–103. https://doi.org/10.32505/jurisprudensi.v14i1.5378.
- Tanjung, Dhiauddin, Ramadhan Syahmedi Siregar, and Teuku Islahuddin. "Upaya KUA Lhoksukon Aceh Utara Dalam Meminimalisir Problema Nikah Liar." *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 9, no. 2 (September 5, 2022): 341–61. https://doi.org/10.32505/qadha.v9i2.4509.
- Walidain, Maura Pemelie, and Laras Astuti. "Implementasi Qanun Jinayat Dalam Penegakan Hukum Pidana Di Aceh." *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 2, no. 3 (November 29, 2021): 184–93. https://doi.org/10.18196/ijclc.v2i3.13790.
- Waluyo, Bing. "Sahnya Perkawinan Menurut Undang-Undang Nomor 1 Tahun 1974
  Tentang Perkawinan." Jurnal Media Komunikasi Pendidikan Pancasila Dan
  Kewarganegaraan 2, no. 1 (April 14, 2020): 193–99.
  https://doi.org/10.23887/jmpppkn.v2i1.135.

Yasin, Dikson T. "Menelisik Pesan Sosial Poligami Dalam KHI." *Jurnal Al Himayah* 2, no. 1 (March 1, 2018): 77–96.

https://journal.iaingorontalo.ac.id/index.php/ah/article/view/581.

Zainuddin, Zainuddin, and Zaki Ulya. "Recording Siri's Marriages In Obtaining Legal Certainty (Reflections on the rise of Siri marriages in Aceh)." Syariah: Jurnal Hukum dan Pemikiran 21, no. 1 (March 22, 2021): 1–16. https://doi.org/10.18592/sjhp.v1i1.3276.

Zukhdi, Dr Muhammad. "Transformasi Poligami Dalam Bingkai Syari'at Islam Di Aceh." *TAQNIN: Jurnal Syariah dan Hukum* 2, no. 1 (2020): 15–25. http://dx.doi.org/10.30821/taqnin.v2i1.7434.

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