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Muslim Marriage Registration Procedures in Indonesia and Malaysia: A Comparative Analysis of Legal Foundations, Administrative Flow, And the Issuance of Official Marriage Documents

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ABSTRACT: Muslim marriage registration in contemporary Islamic family law is increasingly understood as an instrument of legal recognition, legal protection, and administrative certainty. In Indonesia, the latest official framework is set out in Peraturan Menteri Agama No. 30 of 2024, which was issued to strengthen administrative order, transparency, and legal certainty in the implementation of Muslim marriage registration. In Malaysia, official public-service guidance and JAKIM information show that Muslim couples must obtain marriage permission through the District Islamic Religious Office (Pejabat Agama Islam Daerah, PAID), with online access available through the SPPIM platform for participating states. Recent academic studies likewise emphasize that marriage registration is fundamental to legal certainty and the protection of civil rights. This study compares Muslim marriage registration procedures in Indonesia and Malaysia by examining three dimensions: legal foundations, administrative flow, and the issuance of official marriage documents. It employs a qualitative comparative case-study design with a normative-juridical approach. The primary materials consist of official regulations, government portals, and administrative service information, while the secondary materials consist of recent academic literature on marriage registration, legal certainty, and comparative Islamic family law. The findings show that Indonesia uses a more nationally standardized, sequence-based registration model consisting of registration of marriage intention, marriage examination, solemnization of the akad nikah, and official recording. Malaysia, by contrast, operates through a more state-mediated permission model in which couples apply for permission, complete solemnization before an authorized registrar, and then obtain official post-marriage documentation. Indonesia's documentary outcome is more immediate through the issuance of the Buku Nikah and Kartu Nikah, while Malaysia differentiates between the marriage certificate and the optional kad nikah. The study concludes that both countries pursue the same legal objective - transforming Muslim marriage into a state-recognized and provable status - but do so through different administrative grammars. It contributes to comparative Islamic family law by showing that legal certainty in marriage depends as much on procedural design and documentary issuance as on doctrinal regulation itself.

KEYWORDS: marriage registration; Muslim marriage; Islamic family law; legal certainty; administrative procedure; marriage documents; Indonesia; Malaysia; comparative law.

1. INTRODUCTION

For Muslim couples, marriage is not only a religious covenant but also a legal status that shapes access to a wide range of civil consequences. In contemporary Islamic family law, the issue is no longer limited to whether a marriage is valid in a theological sense, but whether it is formally recognized, recorded, and provable before the state. When a marriage is not properly registered, the consequences may extend far beyond the wedding itself, affecting legal proof of marital status, access to family rights, childrelated administration, inheritance claims, and dispute resolution. In that context, marriage registration has become a central concern of legal certainty, administrative order, and rights protection rather than a mere clerical formality (Arifuddin, 2024; Fauzi et al., 2025; Nugraha & Aziz, 2025).

This issue becomes especially significant when examined comparatively between Indonesia and Malaysia. Both countries place Muslim marriage within the framework of Islamic family law, yet they organize registration through different administrative and institutional models. In Indonesia, the current framework is governed by Peraturan Menteri Agama No. 30 of 2024 on marriage registration, which defines marriage registration as an administrative activity and structures it into four main stages: registration of marriage intention, marriage examination, performance of the akad nikah, and marriage recording. The regulation also confirms that Muslim marriage registration may take place domestically and abroad and that the process culminates in formal state documentation (Ministry of Religious Affairs of the Republic of Indonesia, 2024).

Indonesia's administrative model is further reinforced by digital governance through SIMKAH (Sistem Informasi Manajemen Nikah), the official marriage information system used within the Ministry of Religious Affairs. SIMKAH connects document submission, registration data, scheduling, and official recording into a more integrated service pathway, thereby transforming marriage registration into a traceable administrative process. This digitalization matters because legal certainty is not created solely by statutory recognition; it is also produced by procedural clarity, institutional accountability, and documentary reliability (Ministry of Religious Affairs of the Republic of Indonesia, n.d.; Fauzi et al., 2025).

Malaysia presents a related but institutionally different model. Official guidance from JAKIM states that marriage registration for Muslim couples is handled at the District Islamic Religious Office (PAID), and that applicants must attend the relevant office with the required documents for registration purposes. At the same time, the SPPIM system provides online services for premarital procedures, marriage permission applications, and marriage-registration services. Malaysia's official public-service information also explains that a marriage permission letter is issued by the religious office once the documents are complete, that it is valid for ninety days, and that the solemnization is conducted by an authorized marriage registrar based on that permission. After solemnization, the couple must obtain a marriage certificate from the registrar or religious office, and they may subsequently apply for a kad nikah as official proof of lawful marriage (JAKIM, 2020; Malaysia Government Portal, n.d.; SPPIM, n.d.).

The comparison between Indonesia and Malaysia is therefore not merely geographical; it is jurisprudential and administrative. Both jurisdictions seek to ensure that Muslim marriage is not only religiously solemnized but also legally recognized, yet they differ in the way legal authority, procedural sequencing, and documentary issuance are arranged. Indonesia appears to operate through a more nationally standardized ministerial framework, while Malaysia reflects a more state-centered administrative pattern within the broader federal and Islamic institutional order. This difference matters because registration is where theological validity intersects with state recognition. The more coherent and accessible the registration process, the stronger the protection afforded to spouses and children. Conversely, ambiguity in procedural design may undermine compliance and weaken the evidentiary value of marriage in later legal disputes (Warman et al., 2023; Puteh & Kurniawan, 2025).

Recent literature has made important progress in clarifying the legal and theoretical significance of marriage registration. Arifuddin (2024) argues that registration should be understood as part of fulfilling marriage requirements in accordance with Islamic principles because it promotes transparency and secures rights attached to marital status. Fauzi et al. (2025) likewise emphasize that marriage registration is fundamental to legal certainty and civil-rights protection in Indonesia. Nugraha and Aziz (2025) strengthen this line of argument by asserting that registration must no longer be viewed as a mere administrative formality, but as a binding legal obligation that protects women, children, and the social function of family law.

Comparative research has also expanded, but its emphasis remains partial. Warman et al. (2023) examine reform in marriageregistration policies in Indonesia and Malaysia and conclude that both states have enacted mandatory-registration policies, even though unregistered marriages continue to exist in practice. Fitra et al. (2025) compare sanctions and legal compliance in the two countries and show that Malaysia's stricter sanction regime is associated with stronger compliance logic and more robust enforcement than Indonesia's lighter sanction model. Puteh and Kurniawan (2025), meanwhile, situate Indonesia and Malaysia within the wider reform of Islamic family law in Southeast Asia and argue that Indonesia shows a more progressive and decentralized reform trajectory, whereas Malaysia reflects a more complex interaction between Shariah and civil institutional arrangements.

That unresolved issue reveals the main gap in the literature. Existing studies have persuasively shown why marriage registration matters, but they have not yet produced a sufficiently updated and systematic comparison of how Muslim marriage registration actually works, step by step, in Indonesia and Malaysia. In particular, prior research rarely compares, within one analytical framework, the legal foundations, institutional authorities, pre-solemnization administrative pathway, relationship between solemnization and official recording, and issuance of official marriage documents in both countries. This article fills that gap by treating marriage registration as a procedural legal system through which the state recognizes, records, and proves a Muslim marriage.

Based on that gap, this article aims to analyze comparatively the procedures for Muslim marriage registration in Indonesia and Malaysia by focusing on three interrelated dimensions: legal foundations, administrative flow, and the issuance of official marriage documents. More specifically, the article asks: (1) what legal foundations regulate Muslim marriage registration in Indonesia and Malaysia; (2) how does the administrative process proceed from registration intention to official recording in each country; and (3) what forms of official marriage documents are issued, and what legal significance do they carry for marital recognition and legal certainty? The study contributes theoretically to debates on legal certainty, legal protection, administrative recognition, and comparative Islamic family law, while also offering practical guidance for policymakers, registrars, and Muslim couples.

2. LITERATURE REVIEW AND RESEARCH GAP

Recent scholarship shows that Muslim marriage registration is no longer treated merely as a clerical add-on to a religiously valid marriage. Instead, the literature increasingly frames registration as a mechanism of legal certainty, rights protection, and administrative governance within Islamic family law. At the same time, most studies still approach the issue from one of four

dominant angles: doctrinal legitimacy, legal-certainty discourse, sanction effectiveness, or broad family-law reform. What remains underdeveloped is a tightly focused, up-to-date comparison of the full registration procedure in Indonesia and Malaysia, especially the sequence from legal basis to administrative flow and then to the issuance of official marriage documents.

A first cluster of studies emphasizes the normative and conceptual importance of marriage registration. Arifuddin (2024) argues that registration should be understood as part of fulfilling the requirements of marriage according to Islamic principles, particularly because it promotes transparency and helps secure rights attached to marital status. Nugraha and Aziz (2025) push this argument further by showing that marriage registration in Indonesia has been widely perceived as a mere administrative formality, even though such a view weakens the legal protection of women and children and undermines social order. Fauzi et al. (2025) explicitly position marriage registration as fundamental to legal certainty and civil-rights protection in Indonesia. Together, these studies are important because they shift the discourse from 'Is registration necessary?' to 'Why must registration be treated as a legal and protective institution?' Yet they remain centered primarily on Indonesia and do not provide a detailed procedural comparison with Malaysia's registration pathway.

A second cluster addresses policy reform and legal compliance, especially through a comparative lens. Warman et al. (2023) examine reform in marriage-registration policies in Indonesia and Malaysia and note that both states have already issued policies making marriage registration mandatory, even though unregistered marriages remain common in practice. Fitra et al. (2025) develop this comparative line more sharply by analyzing sanction systems and compliance levels in both countries. Their study finds a correlation between stronger sanctions and higher compliance, highlighting Malaysia's stricter penalty structure and more forceful enforcement environment compared with Indonesia's lighter sanction regime. These works are valuable because they connect legal rules with compliance behavior and policy effectiveness. Even so, their main focus is reform and sanctions, not a systematic mapping of the entire registration process from application, document examination, and solemnization to official recording and documentary issuance.

A third cluster situates the subject within broader Islamic family-law reform in Southeast Asia. Puteh and Kurniawan (2025) analyze Indonesia, Malaysia, and Brunei Darussalam together and argue that Indonesia shows a more progressive and decentralized reform trajectory, while Malaysia reflects a more complex dualism between Shariah and civil institutions. Similarly, Khoirunnisa et al. (2025) compare Islamic family law in Malaysia and Indonesia at a broad level and stress that both countries share the same sharia foundation but differ in application because of legal systems, culture, and state policy. These studies are useful for placing Indonesia and Malaysia in a wider regional and comparative framework. However, because their scope is broad, covering not only marriage but also divorce, inheritance, and general reform, they do not isolate marriage registration as a standalone procedural system.

A fourth strand helps explain why this topic remains timely. Agha et al. (2024) provide a bibliometric exploration of Islamic family-law research in Southeast Asia and report a clear growth in the field over the last two decades. Their review suggests that future work should move in a more focused methodological and theoretical direction. In that context, a targeted comparison of Muslim marriage registration procedures in Indonesia and Malaysia fills a concrete niche by moving beyond broad family-law comparison toward a process-specific analysis of registration practice and legal-administrative design.

Taken together, previous studies make three things clear. First, there is already a strong doctrinal and policy foundation for arguing that marriage registration matters for legal certainty, rights protection, and orderly family administration. Second, comparative scholarship has begun to explain why Indonesia and Malaysia differ, especially in sanctions, reform patterns, and broader institutional structure. Third, despite those advances, the literature still leaves a practical and analytical gap at the level of procedure. The most visible unresolved gap is the absence of a recent study that compares Indonesia and Malaysia through a unified analytical matrix covering legal foundations, registration authorities, pre-marital administrative flow, the relationship between solemnization and official recording, and the issuance and legal meaning of official marriage documents.

Table 1. Summary of Previous Studies and Identified Gaps

Study	Method	Main Findings	Gap Identified
Warman et al. (2023)	Comparative legal and policy study	Both Indonesia and Malaysia have mandatory marriage-registration policies, although unregistered marriages persist in practice.	Strong on reform discourse, but does not map the entire procedural chain or focus on documentary issuance.

Arifuddin (2024)	Normative-conceptual Islamic legal analysis	Registration is part of fulfilling marriage requirements because it supports transparency and rights protection.	Conceptually strong, but centered on normative justification rather than detailed procedural comparison.
Nugraha and Aziz (2025)	Qualitative legal study with normative and sociological approaches	Registration is often treated as formality in Indonesia despite its role in legal certainty and protection of women and children.	Focused on Indonesia, not on current comparative administrative procedures across Indonesia and Malaysia.
Fauzi et al. (2025)	Literature study with juridical, sociological, and theological approaches	Marriage registration is fundamental to legal certainty and protection of civil rights in Indonesia.	Concentrates on Indonesia's legal-certainty debate and does not extend to Malaysia's institutional flow or documentary output.
Fitra et al. (2025)	Juridical-normative comparative analysis	Malaysia's stricter sanctions are associated with stronger compliance and enforcement than Indonesia's lighter sanction structure.	Highly relevant for sanctions and compliance, but narrower on punishment and enforcement than on the full administrative sequence.
Puteh and Kurniawan (2025)	Comparative legal analysis	Indonesia reflects a more progressive and decentralized reform path, while Malaysia shows a more complex dual institutional arrangement.	Strong regional framing, but marriage registration is only one part of a broader family-law reform agenda.
Khoirunnisa et al. (2025)	Normative juridical comparative approach	Both countries share the same sharia basis but differ in application due to legal systems, culture, and policy.	Useful broad comparison, but too general to explain step-by-step registration procedures and documentary issuance.
Agha et al. (2024)	Bibliometric analysis	Islamic family-law research in Southeast Asia has grown significantly and needs more focused methodological work.	Provides a field map, but does not examine marriage registration as a specific substantive object.

Source: Compiled by the author from recent academic literature.

3. METHODOLOGY

This study employs a qualitative comparative case-study design with a normative-juridical approach. The research is qualitative because it interprets legal norms, administrative procedures, and documentary practices in their institutional context rather than measuring them statistically. It is comparative because it places Indonesia and Malaysia side by side as two Muslimmajority jurisdictions that regulate Muslim marriage through Islamic family-law frameworks but differ in administrative structure, regulatory standardization, and documentary output (Warman et al., 2023; Puteh & Kurniawan, 2025).

More specifically, the study is framed as a comparative legal case study. The 'cases' in this article are not individual persons, but two distinct administrative-legal systems: the Indonesian KUA-SIMKAH model and the Malaysian PAID/SPPIM-linked model. Indonesia's framework is formally structured by Peraturan Menteri Agama No. 30 of 2024, which states that marriage registration may be conducted domestically and abroad and proceeds through four stages: registration of marriage intention, marriage

examination, performance of the akad nikah, and marriage recording. In Malaysia, official public-service materials describe a sequence that includes a pre-marriage course, application for marriage permission at the religious office, solemnization, and post-marriage documentation.

Because the study is normative-juridical, it does not use human participants in the conventional qualitative sense. Instead, the units of analysis are legal and administrative documents. The study includes only documents that are directly relevant to Muslim marriage registration, administrative procedure, registrar authority, or documentary issuance in Indonesia and Malaysia. Documents concerning divorce, inheritance, custody, or general family policy are considered only when they help clarify the legal significance of marriage registration itself.

The research relies on three categories of sources. First, primary legal materials consist of statutes, ministerial regulations, official government portals, and official marriage-service information. On the Indonesian side, the core primary source is Peraturan Menteri Agama No. 30 of 2024, supported by the official SIMKAH platform. On the Malaysian side, the primary materials include the Malaysia Government Portal pages on Muslim marriage procedures, marriage permission, and kad nikah, together with the official SPPIM service portal and JAKIM information on marriage registration. Second, secondary materials consist of recent academic journal articles discussing marriage registration, legal certainty, Islamic family law, sanctions, and legal reform in Indonesia and Malaysia. Third, tertiary materials include legal dictionaries, institutional descriptors, and citation records where needed for clarification.

The data collection technique used in this study is document analysis. The collection process was carried out in several steps. First, the researcher identified the most recent binding Indonesian regulation governing Muslim marriage registration and verified its status. Second, the researcher gathered official Malaysian procedural materials describing how Muslim couples apply for marriage permission, access premarital requirements, and obtain post-marriage documents. Third, the researcher selected recent scholarly works from the last five years that specifically address marriage registration, legal certainty, compliance, and comparative Islamic family law.

In analytical terms, the study uses a comparative thematic matrix. After the relevant documents were collected, their contents were organized into five main dimensions: (1) legal foundations, (2) institutional authority, (3) administrative flow before solemnization, (4) the relationship between solemnization and official recording, and (5) the issuance and legal meaning of official marriage documents. The data analysis method combines qualitative content analysis with comparative legal analysis. The stages consisted of reading and extracting relevant provisions, coding them into recurring procedural themes, identifying similarities and differences, and interpreting those differences through the concepts of legal certainty, legal protection, and administrative recognition.

To ensure credibility and trustworthiness, the study prioritizes official regulations, official government portals, and peerreviewed academic literature. Dependability is ensured by using a transparent comparative matrix and clearly stated inclusion criteria for documents. Confirmability is strengthened by grounding interpretations in textual legal and administrative evidence rather than unsupported assumptions. Transferability is pursued by presenting the comparison in sufficient procedural detail that the same analytical framework could be used in future studies of other Muslim family-law jurisdictions in Southeast Asia.

The article also addresses research ethics in a form appropriate to normative legal research. Since the study analyzes public legal texts, official administrative materials, and published scholarly works, it does not involve human subjects, personal data extraction, or field-based informed consent procedures. The principal ethical obligations are therefore accuracy in citation, fairness in comparative interpretation, avoidance of fabricated empirical claims, and transparency about the scope and limits of the analysis.

4. THEORETICAL FRAMEWORK

This article adopts three interrelated conceptual lenses that are suitable for a qualitative, normative, and comparative legal study of Muslim marriage registration: (1) marriage registration as legal recognition and administrative formalization, (2) legal certainty and legal protection, and (3) comparative legal-administrative systems in Islamic family law. These three lenses are closely connected. The first explains why registration matters; the second explains what legal value registration produces; and the third explains why Indonesia and Malaysia, despite sharing an Islamic family-law orientation, organize the registration process differently.

The first lens understands marriage registration not as a secondary bureaucratic act, but as the formal process through which a marriage becomes visible and enforceable within the legal order. This perspective is strongly supported by Indonesia's current regulatory framework. The preamble of Peraturan Menteri Agama No. 30 of 2024 expressly links marriage registration to administrative order, transparency, and legal certainty, and states that the earlier regulation was replaced because it no longer matched legal development and societal needs. Recent academic literature reinforces that reading. Arifuddin (2024) argues that marriage registration plays a central role in the validity and clarity of marriage within Islamic legal practice, while Nugraha and Aziz (2025) explicitly frame the issue as a shift from administrative formality to legal obligation. Official Malaysian sources, in turn, show that before solemnization, Muslim couples must apply for marriage permission, and that after the akad the couple must

obtain a sijil nikah and may subsequently apply for a kad nikah. In both systems, registration is part of the legal-administrative chain that transforms marriage into an officially recognized status.

The second and most important lens is legal certainty, accompanied by the closely related idea of legal protection. In this study, legal certainty refers to the condition in which marital status, registrar authority, procedure, and documentary proof are sufficiently clear that rights and obligations can be recognized and defended. Fauzi et al. (2025) are especially relevant here because they state that marriage registration is fundamental to ensuring legal certainty and protecting civil rights within Indonesia's family-law system. This lens becomes even more persuasive when viewed through the consequences of nonregistration. Maruan et al. (2025) show that unregistered marriages in Malaysia can undermine women's ability to obtain lawful recognition as wives and to pursue claims in the Syariah Court. The protective value of registration therefore lies in its ability to make family rights claimable.

The third lens is the comparative legal-administrative system. Indonesia and Malaysia cannot be understood adequately through doctrinal discussion alone because the same Islamic family-law subject matter may be administered through different bureaucratic structures. Official Indonesian regulation presents a nationally structured sequence under the Ministry of Religious Affairs, while Malaysia's official materials show a system centered on religious offices and SPPIM-based services. SPPIM itself describes the platform as a system developed with State Islamic Religious Departments, illustrating the importance of administrative variation in the Malaysian model. Recent comparative scholarship supports this institutional reading. Khoirunnisa et al. (2025) state that Islamic family law in Malaysia and Indonesia shares the same sharia basis but differs in application because of the legal system, culture, and state policies, while Puteh and Kurniawan (2025) frame family-law reform in Southeast Asia as a comparative problem shaped by differing state structures and reform trajectories.

Among these three lenses, this study prioritizes legal certainty and legal protection as the principal interpretive framework. Registration as legal recognition explains the functional importance of registration, and comparative legal-administrative systems explain why the two countries differ institutionally. However, legal certainty provides the central evaluative question of the article: how far does each system convert marriage into a clear, protected, and document-supported legal status? Based on that question, the study reads its materials through five recurring dimensions: legal basis, institutional authority, administrative flow, the solemnization-recording relationship, and documentary issuance.

5. RESULTS

Because this study is a document-based comparative legal inquiry, the findings are presented as thematic procedural results rather than interview narratives. Across the documentary corpus, four major findings emerge: different legal-administrative architectures, different pre-solemnization administrative flows, different institutional patterns linking the akad and official recording, and different documentary outputs through which marriage becomes legally provable.

5.1 Legal foundations and regulatory architecture

The first finding is that Indonesia and Malaysia regulate Muslim marriage registration through differently structured legaladministrative architectures. Indonesia's current framework is more nationally standardized. Under Peraturan Menteri Agama No. 30 of 2024, marriage registration may be conducted domestically and abroad, and the regulation explicitly organizes the process into four formal stages: registration of marriage intention, marriage examination, performance of the akad nikah, and marriage recording. Malaysia, by contrast, shows a more state-mediated administrative model. Official Malaysian materials explain that Muslim couples must apply for marriage permission through the District Islamic Religious Office (PAID) in their respective states, while SPPIM and the Malaysia Government Portal provide the digital and informational infrastructure for participating states.

Table 2. Comparative Legal Architecture of Muslim Marriage Registration

Dimension	**Indonesia**	**Malaysia**
Core regulatory frame	National ministerial regulation on marriage registration	State religious administration presented through national publicservice guidance and JAKIMlinked information
Main institutional gateway	KUA and SIMKAH	PAID, supported by SPPIM and Malaysia Government Portal information
Nature of procedural design	More nationally standardized	More state-mediated and variably implemented

Formal stages explicitly stated	Yes, four stages are expressly stated in PMA No. 30/2024	Yes in practice, though expressed more through service guidance than one comparable ministerial sequence
Administrative character	Centralized procedural logic	Coordinated but state-sensitive administrative logic

Source: Compiled by the author from Indonesian and Malaysian official legal-administrative sources.

5.2 Pre-solemnization administrative flow

The second finding concerns the administrative pathway before the akad nikah. In Indonesia, the official procedure begins with the registration of marriage intention either at the KUA where the marriage will be held or online through SIMKAH. The regulation requires this registration to be made no later than ten working days before the akad, unless a formal statement or dispensation is provided. In Malaysia, the pathway begins with a pre-marriage course and then a marriage application that may be submitted online or at the religious office. The marriage permission letter is issued by the religious office after the documents are complete and remains valid for ninety days from issuance. Analytically, Indonesia emphasizes registration and examination, while Malaysia emphasizes permission and authorization.

Table 3. Comparative Pre-Solemnization Flow

Procedural Point	**Indonesia**	**Malaysia**
Initial formal entry	Registration of marriage intention	Application for marriage and marriage permission
Digital route	SIMKAH	SPPIM or online route where applicable
Time marker	Generally at least 10 working days before akad	Permission letter valid for 90 days once issued
Pre-solemnization control	Document examination by KUA/PPN	Permission and state religiousoffice approval
Administrative emphasis	Registration and examination	Permission and authorization

Source: Compiled by the author from official Indonesian and Malaysian procedural materials.

5.3 Registrar authority and the link between solemnization and official recording

The third finding is that both jurisdictions link the akad nikah to official recording, but they do so through different institutional logics. In Indonesia, the process is integrated into the authority of the KUA and the authorized marriage registrar structure. The formal stages make clear that the akad is not a detached religious event outside the administrative chain; it is a step within the legally recognized registration process. In Malaysia, the official materials express the linkage through an authorization logic: permission first, then solemnization before an authorized registrar, then certificate. Indonesia therefore foregrounds administrative continuity, whereas Malaysia foregrounds licensed solemnization under religious-office control.

5.4 Documentary issuance and the evidentiary logic of marriage

The fourth and strongest finding is that the issuance of official documents is where religious solemnization is converted into state-recognized legal proof. In Indonesia, Article 38 of Peraturan Menteri Agama No. 30 of 2024 states that married couples obtain a Buku Nikah and Kartu Nikah, and that these are delivered immediately after the akad or no later than seven working days afterward in certain circumstances. Malaysia's documentary model is more layered. The couple first receives a marriage certificate or sijil nikah, and only after obtaining that certificate may they apply for a kad nikah, which functions as portable proof and is not mandatory. In comparative terms, Indonesia's documentary endpoint is dual and immediate, whereas Malaysia's is tiered.

Table 4. Official Marriage Documents and Their Legal Function

Document Dimension	**Indonesia**	**Malaysia**
Primary proof issued after registration	Buku Nikah	Marriage certificate / sijil nikah
Additional card-based proof	Kartu Nikah	Kad nikah / Kad Perakuan Nikah

Timing	Immediately after akad or within 7 working days in certain cases	Certificate after solemnization; kad applied for after registered marriage/certificate
Mandatory status of card	Integrated into post-registration outcome in the regulation	Not mandatory, but useful as portable proof
Evidentiary function	Formal proof of state-recorded Muslim marriage	Formal proof of registered marriage, plus optional practical proof via card

Source: Compiled by the author from PMA No. 30 of 2024, the Malaysia Government Portal, and SPPIM.

Taken together, these findings show that both Indonesia and Malaysia seek to ensure that Muslim marriage is not merely religiously valid but administratively legible and legally provable. Yet they reach that goal through different procedural grammars. Indonesia's system is more centralized, sequence-driven, and document-immediate. Malaysia's system is more state-mediated, permission-driven, and document-tiered. These differences do not negate a shared objective; rather, they show two distinct models for producing legal certainty in Islamic family-law administration.

6. DISCUSSION

This study shows that Muslim marriage registration in Indonesia and Malaysia is no longer best understood as a secondary bureaucratic formality. In both jurisdictions, registration operates as the legal-administrative process through which a religiously solemnized marriage becomes state-recognized, document-supported, and enforceable. The comparison also demonstrates that the two countries reach that shared objective through different institutional designs: Indonesia uses a more nationally standardized, regulation-driven sequence, while Malaysia relies more visibly on state religious administration, permission-based control, and layered documentary output.

The first major implication of this finding is conceptual. The results support the argument that in contemporary Islamic family law, the legal meaning of marriage does not end with the akad nikah. Indonesia's current regulation embeds solemnization inside a formal legal chain rather than treating it as an independent religious moment that is merely documented afterward. Arifuddin (2024) frames registration as part of the fulfillment of marriage requirements according to Islamic principles, while Nugraha and Aziz (2025) argue that the legal orientation of registration is shifting from administrative formality to legal obligation. The present study strengthens the view that registration is not peripheral to marriage governance; it is one of the mechanisms by which Islamic marriage is translated into public legal status.

The second implication concerns legal certainty, which emerges as the strongest analytical lens for understanding both systems. Fauzi et al. (2025) argue that marriage registration is fundamental to legal certainty and civil-rights protection in Indonesia. The present findings confirm that diagnosis, but also refine it by showing that legal certainty is generated not only by the existence of a registration rule, but by the clarity of the procedural chain itself. A right becomes more secure when the route to recognition, proof, and retrieval of evidence is clear, traceable, and institutionally assigned.

Malaysia reaches a similar protective objective, but by a somewhat different route. Official Malaysian guidance states that before solemnization, couples must apply for marriage permission at the religious office, and that this can be done through the SPPIM portal where available. For states not using SPPIM, applications proceed through state-specific channels. When read together with Puteh and Kurniawan's (2025) argument that Malaysia reflects a more complex dual institutional configuration than Indonesia, the implication becomes clearer: legal certainty in Malaysia is produced through an authorization structure that is procedurally sound yet institutionally more layered.

A third implication concerns the relationship between administrative design and legal compliance. Fitra et al. (2025) argue that unregistered marriages remain a challenge in both Indonesia and Malaysia, and that Malaysia's stricter sanctions are associated with higher compliance than Indonesia's more limited sanction structure. The present study complements that argument by showing that compliance should not be analyzed only through sanction severity. Administrative architecture also matters. A system that clearly identifies the competent office, required documents, sequencing rules, and documentary outputs can strengthen compliance by reducing ambiguity and procedural friction.

A fourth implication concerns the legal meaning of document issuance. The findings indicate that the most decisive point in the registration process is not simply the solemnization stage, but the moment when the marriage is converted into authoritative documentary proof. A marriage book, certificate, or official card is not merely a paper consequence of registration; it is the means by which marital status becomes portable across bureaucratic settings, provable in court or before administrative agencies, and retrievable for later legal needs. This is why the official Indonesian rule on prompt handover of the Buku Nikah matters, and why Malaysia's post-registration certificate and optional kad nikah also matter.

The fifth implication is theoretical. The comparison suggests that the administration of Muslim marriage should be read as part of the broader transformation of Islamic family law in Southeast Asia. Puteh and Kurniawan (2025) argue that reform in the region is shaped by justice-oriented pressures and different state structures, while recent Indonesian scholarship moves the discourse toward legal recognition, legal certainty, and obligation. The present study supports those trajectories but contributes something narrower and more operational: it demonstrates that the transformation of Islamic family law is visible not only in substantive norms, but also in the procedural grammar of registration.

From a practical standpoint, the findings imply that future policy refinement should focus on procedural clarity, document integration, and public accessibility. For Indonesia, the 2024 ministerial regulation already signals a move toward stronger integration by explicitly grounding registration in administrative order, transparency, and legal certainty. For Malaysia, the official use of SPPIM, state religious offices, and post-registration card services shows significant administrative development, but also highlights the continuing relevance of inter-state coordination and service consistency. In both cases, the practical lesson is the same: legal certainty is strongest when couples can move through the registration process without ambiguity about who authorizes the marriage, what must be filed, when the marriage becomes officially recorded, and which documents conclusively prove it.

7. CONCLUSION

This study concludes that Muslim marriage registration in Indonesia and Malaysia serves the same fundamental legal purpose: it transforms a religiously solemnized union into a state-recognized, administratively recorded, and legally provable marital status. The comparison shows, however, that the two countries organize that transformation through different legal-administrative pathways. Indonesia applies a more nationally standardized sequence under Peraturan Menteri Agama No. 30 of 2024, while Malaysia operates through a more state-mediated structure centered on religious-office authorization, permission procedures, and post-solemnization certification.

The main finding of this article is that legal certainty in Muslim marriage is not produced by the akad nikah alone, nor by the abstract existence of registration norms alone, but by the procedural chain that connects registration intention or permission, document verification, solemnization, official recording, and documentary issuance. From a conceptual perspective, this study offers a clearer understanding of marriage registration as a mechanism of legal recognition, legal protection, and administrative legibility. It also adds a more precise claim to comparative Islamic family law: the issuance of official marriage documents is the point at which legal certainty becomes materially usable.

The practical implications of these findings are significant. For policymakers, the study suggests that legal certainty in marriage law is strengthened when the registration pathway is simple, publicly intelligible, and supported by prompt issuance of official proof. For religious-administrative institutions, the comparison highlights the importance of synchronizing solemnization with immediate recording and accessible documentation. For public legal education, the findings support stronger literacy efforts so that Muslim couples understand that registration is not secondary to marriage, but part of the mechanism that secures rights relating to status, family administration, and future legal protection.

This study nevertheless has several limitations. First, it is a document-based normative-comparative study, so it reconstructs the formal legal logic of marriage registration rather than measuring actual implementation outcomes across all districts or states. Second, the Malaysian side is structurally influenced by state-level administrative variation, which means that official nationallevel explanations may not fully capture every local procedural nuance. Third, the study does not include interviews with KUA officers, registrars, or married couples, so it cannot yet describe how procedural clarity is experienced in practice.

Future research should therefore move in at least three directions. First, subsequent studies could combine this normative comparison with empirical fieldwork involving registrars, KUA officers, state religious officials, and couples who have completed or failed to complete the registration process. Second, future research could examine how documentary proof from marriage registration affects later legal processes such as divorce, child administration, inheritance, and social-service access. Third, broader regional comparison with Brunei Darussalam or other Muslim family-law jurisdictions in Southeast Asia would deepen the understanding of how Islamic marriage is administered under different state structures. In closing, this article affirms that the legal strength of Muslim marriage in contemporary Southeast Asian family law lies not only in its religious solemnization, but in its successful passage through an authorized administrative process that produces official proof.

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